

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in May 2023**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on May 3, 10, 17, 24 and 31, 2023.

MAY 3, 2023 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Jim Morren, Commissioner Zane Drishinski, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch, Public- Steve Howke with Congressman Ryan Zinke's office

PUBLIC COMMENT-

Steve Howke discussed with the Commissioners about the Badger & Two Medicine land that the Blackfeet Tribe would like gifted back to them.

APPOINTMENT TO COUNTY COMPENSATION BOARD

Commissioner Drishinski moved to re-appoint Dan Majerus to the County Compensation Board for a 3-year term ending May 2026. Commissioner Morren seconded. Motion carried.

PORT AUTHORITY LOAN REQUEST

Rob Cook gave a letter of request for a loan of the Blue Sky Villa payment in lieu of taxes in the amount of \$12,962.50. The PILT amount for Blue Sky Villa is \$14,962.50. \$2,000 of the money is used for the county's dues to Sweetgrass Development. After discussion Commissioner Drishinski moved and Commissioner Morren seconded to approve a loan of the Blue Sky Villa PILT funds to the Pondera Regional Port Authority in the amount of \$12,962.50. Motion carried.

RESOLUTION ON LOAN TO FUND 7380 PORT AUTHORITY FUND

PONDERA COUNTY, MONTANA

RESOLUTION #40 – 2022/23

LOAN TO FUND 7380 PORT AUTHORITY FUND

WHEREAS, Pondera County receives an annual payment from the City of Conrad for the Blue Sky Villa, currently in the amount of \$14,962.50; and

WHEREAS, the Commissioners have entered into an agreement with the Port Authority to loan the fiscal year 2022-23 payment to the Port Authority to be used for Port Authority revolving loan funds to small businesses within Pondera County and/or as operating funds; and

WHEREAS, the County has received the fiscal year 2022-23 payment in the amount of \$14,962.50 and has entered into a loan agreement with the Port Authority; and

WHEREAS, the County is willing to lend \$12,962.50 to the Port Authority revolving funds.

WHEREAS, the funds shall be subject to repayment and/or forgiveness under the terms of the annual loan agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the Clerk and Recorder effect the loan of \$12,962.50 from the County General Fund to the Port Authority Fund and that the loan be repaid and/or forgiven under the terms of the May 3, 2023 loan agreement.

Adopted this 3rd day of May, 2023 as moved by Commissioner Drishinski, seconded by Commissioner Morren, and passed on a 2-0 vote of the board. Effective upon passage and approval.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

May 2023

/s/ Jim Morren
Jim Morren, Chairman

Absent
Thomas A Kuka, Member

Attest: /s/ Kody L Farkell
Kody L. Farkell, Clerk & Recorder

/s/ Zane Drishinski
Zane Drishinski, Member

MAY 10, 2023 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Jim Morren, Commissioner Tom Kuka, Commissioner Zane Drishinski, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch

HAYING AGREEMENTS-APPROVED

Commissioner Kuka moved to approve the following Yearly Right-of-Way Forage Removal Agreement/Applications:

- | | |
|--|---|
| Kelly Rauscher | Arod Lakes Rd from Brady, 5 miles west
Old Shelby highway from Ledger Rd north to Bullhead Rd
both sides, S Camp Rd from Old Shelby Hwy to Pioneer Rd
both sides, Bench Rd 2 miles north from S Camp Rd both
sides, Pioneer Rd from S Camp to Depot Rd both sides, Depot
Rd from Pioneer Rd to Old Shelby Hwy both sides, Fowler
from Bench Rd to Old Shelby Hwy both sides |
| Zane Drishinski
Brad and Nancy Bruner
Ronald & Darlene
Denney | Price Rd S from Midway Rd to Berland Hoop Rd, both sides
Pondera Coulee Rd, from Price Rd to Moulton School Rd;
North Price Rd from Sollid Rd to Hwy 366
Price Rd ½ mile S of Sollid Rd to Midway Rd;
Furlough Rd from Sollid Rd 1 mile south, Price Rd from ½
mile south of Sollid Rd to Midway Rd |
| Wylie Gustafson | Hovde Rd N & S Sides; Prospector Rd both sides; Primrose Rd
both Sides; Pondera Coulee Rd both sides; Kelly Rd both sides |
| Ray & Kevin Moritz | |
- Commissioner Drishinski seconded. Motion carried.

MONTANA LAND INFORMATION ACT GRANT FOR COUNTY MAPPING
CONTRACT EXTENSION

Commissioner Drishinski moved to approve the extension for the Montana Land Information Act Grant, for one month. Commissioner Kuka seconded. Motion carried.

COUNTY ASSISTANCE TO CASA

Commissioner Kuka moved and Commissioner Drishinski seconded the approval of donating \$10,000 to CASA for the fiscal year of 2022-2023. Motion carried.

APRIL COMMISSION MINUTES APPROVED

Commissioner Drishinski moved and Commissioner Kuka seconded to approve the April 2023 Minutes of the Commission. Motion carried.

DATE, TIME AND PLACE SET FOR PUBLIC HEARING OF TRANSFER OF LAND
IN CONRAD

Commissioner Kuka moved to set Wednesday, May 31, 2023 at 10:00 a.m. in the County Commissioners office as the date, time and place for a public hearing on transfer of land in Conrad. Commissioner Drishinski seconded. Motion carried.

MAY 17, 2023 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Jim Morren, Commissioner Tom Kuka, Commissioner Zane Drishinski, Public- Paul Anderberg, Ron Jones, Sydney Blair

Public Comment-

Sydney Blair from Many Rivers Whole Health (formally Center for Mental Health) updated the commissioners on their current activities.

Ron Jones discussed possible options for enhancing of the Dupuyer Park.

TAX ABATEMENTS 1178-1182

Commissioner Kuka moved to approve the following abatement:

NUMBER	REASON	CANCEL	ADD	PARCEL NO
1178	MT Joint Refuse removed trash fee	110.00		2033200
1179	DOR changed market & taxable value	19.99		2009500
1180	DOR changed market & taxable value	14.61		2040100
1181	DOR changed market & taxable value	22.30		2038500
1182	DOR changed market & taxable value	6.92		2031800

Commissioner Drishinski seconded. Motion carried.

RESCHEDULE DATE, TIME AND PLACE SET FOR PUBLIC HEARING OF TRANSFER OF LAND IN CONRAD

Commissioner Kuka moved to set Wednesday, June 7, 2023 at 10:00 a.m. in the County Commissioners office as the date, time and place for a public hearing on transfer of land in Conrad. Commissioner Drishinski seconded. Motion carried.

RESOLUTION ON SETTING PONDERA COUNTY COMMISSIONER DISTRICTS
PONDERA COUNTY, MONTANA
RESOLUTION #41 – 2022/23
SETTING PONDERA COUNTY COMMISSIONER DISTRICTS

WHEREAS, MCA 7-4-2102 states that following each Federal Decennial Census, the Board of County Commissioners shall divide their county into districts as compact and equal in population and area as possible; and

WHEREAS, the Federal Decennial was completed in 2021; and

WHEREAS, the County population did shift, and it is possible to realign the three Commissioner District boundaries for improved compliance with MCA 7-4-2102; and

WHEREAS, MCA 7-4-2103 requires a certificate to be filed in the Clerk & Recorder’s Office designating the metes and bounds of the boundary lines and limits of each Commissioner District; and

WHEREAS, MCA 7-4-2103 requires the certificate to be dated and signed by the District Court Judge or Judge of the County; and

WHEREAS, the Board of Pondera County Commissioners passed a Resolution of Intent Setting Commissioner Districts on March 22, 2023; and

WHEREAS, notice of the passage of the Resolution of Intent was published in the Independent Observer and The Valerian on March 30, 2023 and April 6, 2023; and

WHEREAS, the Commissioners held a public hearing to take comment on the proposed action on Wednesday, April 19, 2023 at 10:00 am in the Commissioner’s Office, located at 20 4th Ave SW, Conrad, MT 59425; and

WHEREAS, there was no comment received at the hearing; and

NOW, THEREFORE, BE IT RESOLVED, the boundaries for the Western Commissioner District, Central Commissioner District, and Eastern Commissioner District are described in Attachment A, and a map of the Districts with approximate populations of each District is Attachment B.

Adopted this 17th day of May, 2023 as moved by Commissioner Drishinski, seconded by Commissioner Kuka, and passed on a 3-0 vote of the board. Effective July 1, 2023

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Jim Morren
Jim Morren, Chairman

/s/ Thomas A Kuka
Thomas A Kuka, Member

Attest: /s/ Kody L Farkell
Kody L. Farkell, Clerk & Recorder

/s/ Zane Drishinski
Zane Drishinski, Member

/s/ Gregory L Bonilla
Honorable Judge Gregory L Bonilla

06/19/2023
Date

Attachment A

**PONDERA COUNTY
WESTERN COMMISSIONER DISTRICT**

Beginning at the County Line at US Highway 89, thence northwesterly following the centerline of US Highway 89 to the west edge of Section 24, T28N, R7W (approximately at mileage reference 72.5), then north following the section lines to the intersection with Dupuyer Creek; thence following Dupuyer Creek northeasterly to the intersection of the D Canal at the southwest corner of Section 28, T29N, R6W, thence following the D Canal northeasterly to the C3 Canal junction (just east of Heights Rd, Section 14, T29N, R6W); thence following the C3 Canal easterly to the west shore of Lake Frances, thence following the south shore of Lake Frances easterly to the north line of Section 23, T29N, R5W, and east along the section line to East Lake Rd. Continue north along the centerline of East Lake Road approximately 3 miles to where the road name changes to Sullivan Bridge Road and intersects with Highway 44; thence north on the center of Sullivan Bridge Road approximately 12 miles to the Pondera and Toole County boundary at Section 3, T31N, R5W; thence west 16 miles along the County line to Section 6, T31N, R7W; continuing south along the County line 12 miles approximately 35 3/4 miles to the westernmost boundary of Pondera County at the intersection of Glacier, Flathead, and Pondera County at approximately Section 6, T29N, R13W. Follow the westernmost boundary of Pondera County south/southeast then follow east along the southernmost boundary of the County to the point of beginning.

**PONDERA COUNTY
CENTRAL COMMISSIONER DISTRICT**

Beginning at the County Line at US Highway 89, thence northwesterly following the centerline of US Highway 89 to the west edge of Section 24, T28N, R7W (approximately at mileage reference 72.5), then north following the section lines to the intersection with Dupuyer Creek; thence following Dupuyer Creek northeasterly to the intersection of the D Canal at the southwest corner of Section 28, T29N, R6W, thence following the D Canal northeasterly to the C3 Canal junction (just east of Heights Rd, Section 14, T29N, R6W); thence following the C3 Canal easterly to the west shore of Lake Frances, thence following the south shore of Lake Frances easterly to the north line of Section 23, T29N, R5W, and east along the section line to East Lake Rd. Continue north along the centerline of East Lake Road approximately 3 miles to where the road name changes to Sullivan Bridge Road and intersects with Highway 44; thence north on the center of Sullivan Bridge Road approximately 12 miles to the Pondera and Toole County boundary Section 3, T31N, R5W; thence follow the Marias River along the Pondera/Toole County boundary easterly approximately 11 miles to the SE corner of Section 16, T31N, R3W; south 3 miles, east 9 miles, south 3 miles, and east approximately 2 miles to where the Dry Fork of Marias River enters Pondera County from Toole County; thence south and westerly along the centerline of the Dry Fork of the Marias River approximately 12 miles to Old Shelby Rd; thence south along the centerline of Old Shelby Rd approximately 2 3/4 miles to Sollid Rd; thence west along the centerline of Sollid Rd to the eastern edge of Precinct 24 on Sollid Rd; including all of Precinct 24 (Ward 1-C) of the City of Conrad, described as follows:

PRECINCT 24

All road, street and waterbed coordinates are to

the centerline of the road, street and/or waterbed.

All that portion within the boundaries of the City of Conrad lying both West of the centerline of Front Street and North of the centerline of Fourth Avenue to the centerline of Kansas Street; thence north on Kansas Street to its intersection with Sunset Boulevard, thence west to the alley behind Idaho Street; thence north along the alley to its intersection with the western boundary of the city of Conrad at approximately mid-lot of Lot 6, Abel Addition to Conrad (14 Idaho Street S); thence continuing north, east, north, east, north, east, north, east, north and east to the northern-most point of the city limits; thence south and southwest along the city limits to the intersection with Front Street.

Thence, at the western boundary of the City of Conrad, at the intersection of the Sunset Blvd and 4th Ave SW (where they intersect with the Conrad-Dupuyer Rd), follow Conrad-Dupuyer Rd west to the intersection with Dry Fork Rd, thence follow Dry Fork Rd north approximately 1 $\frac{3}{4}$ miles to the road is re-named Conrad-Dupuyer Rd once again; thence follow Conrad-Dupuyer Road west approximately 12 miles west to East Lake Road; thence follow East Lake Road south approximately 4 miles south to the Pondera/Teton County boundary. Follow the County boundary east approximately 5 $\frac{1}{2}$ miles to the point of beginning.

PONDERA COUNTY EASTERN COMMISSIONER DISTRICT

Beginning at the intersection of the northern Pondera County line with the Dry Fork of the Marias River at approximately the NE corner of Section 20, T30N, R1W, thence east approximately 4 $\frac{1}{4}$ miles along the county line, then south along the Pondera/Toole County boundary 9 miles, thence east 12 miles, thence south 16 miles, thence west approximately 27 miles, north 4 miles, west 3 miles, north 3 miles, west 6 miles, and north 3 miles to the intersection of the county line with the Midway Road West; thence west along the centerline of Midway Road West approximately 4 miles to the intersection of Midway Road West and East Lake Road; thence north approximately 4 miles along the centerline of East Lake Road to its intersection with Conrad-Dupuyer Road; then east approximately 12 $\frac{1}{4}$ miles, thence south 1 $\frac{3}{4}$ miles along the centerline of Dry Fork Road; thence east approximately 2 miles along the centerline of Coalmine Road, to the western-most boundary of the City of Conrad at Sunset Boulevard (commonly known as the "v"); all of Precinct 27 (Ward 2-C) of the City of Conrad, described as follows:

PRECINCT 27

All road, street and waterbed coordinates are to
the centerline of the road, street and/or waterbed.

All that portion within the boundaries of the City of Conrad lying East of the centerline of Front Street; all that portion within the boundaries of the City of Conrad lying South of the centerline of Fourth Avenue to the western-most point of Fourth Avenue SW; thence east along Sunset Boulevard to its intersection with the city limits at approximately 915 Sunset Boulevard; thence north along the meandering city limits to its intersection at approximately mid-lot of Lot 6, Abel Addition to Conrad (14 Idaho Street S); thence south along the alley of Idaho Street to its intersection with Sunset Boulevard; thence east along Sunset Boulevard to the centerline of Kansas Street; thence South to the intersection of the centerlines of Kansas Street and Fourth Avenue SW.

Thence, at the eastern boundary of the Conrad City limits at the intersection of the city limits with Front Street, and its intersection with City of Conrad Precinct 27 at 2nd Avenue NE and Front Street; thence north and east along the eastern boundary line of City of Conrad Precinct 24 to Sollid Road; thence east on Sollid Road approximately 1 mile to its intersection with Old Shelby Highway; thence north along Old Shelby Highway approximately 2 $\frac{3}{4}$ miles to the Dry Fork of the Marias River; thence north and easterly along the center of the Dry Fork of the Marias River approximately 12 miles

to the County line boundary with Toole County, at approximately the center of the northeast corner of Section 20, T30N, R1W, to the point of beginning.

DATE, TIME, AND PLACE SET FOR COUNTY COMPENSATION BOARD

Commissioner Drishinski moved to set the County Compensation Board meeting for Monday, June 5, 2023 at 3:00 p.m. in the Commissioner's Office. Commissioner Kuka seconded. Motion carried.

STATE SURPLUS PROPERTY PROGRAM-

Commissioner Kuka moved and Commissioner Drishinski seconded to renew the State Surplus Property Program for the upcoming year. Motion carried.

MAY 24, 2023 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Jim Morren, Commissioner Tom Kuka, Commissioner Zane Drishinski, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch, Kiersta Sullivan, Paul Anderberg, Dane Stewart, Rob Cook, Road/Bridge Superintendent Steve Kaphammer

Public Comment-

Kiersta Sullivan and Rob Cook updated the Commissioners on *Front Range CASA*.

RESOLUTION ON AUTHORIZING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET

PONDERA COUNTY MONTANA
 RESOLUTION #42 – 2022/23
AUTHORIZING BUDGET AMENDMENTS TO
 PONDERA COUNTY BUDGET

WHEREAS the Montana Code Annotated, Section 7-6-4006(4), grants the Board of County Commissioners the power and authority to amend the budget during the fiscal year by conducting public hearings at regularly scheduled meetings; and

WHEREAS Pondera County Commissioners approved the appropriations budget for the Pondera County during its regular budget approval process and correction in revenues and expenditures budget have been identified; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget be corrected as follows:

Revenues	Description	Prior Amount	New Amount
2916-334012	NNPHI Coroner Grant	\$0	\$9,000
Expenditure	Description	Prior Amount	New Amount
2916-208-420801-219	NNPHI Coroner Grant Equip	\$0	\$9,000

Adopted this 24th day of May, 2023, as moved by Commissioner Drishinski, seconded by Commissioner Kuka, and passed on a 3-0 vote of the board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS
 Pondera County, Montana

/s/ Jim Morren
 Jim Morren, Chairman

/s/ Thomas A Kuka
 Thomas A Kuka, Member

Attest: /s/ Kody L Farkell
 Kody L. Farkell, Clerk & Recorder

/s/ Zane Drishinski
 Zane Drishinski, Member

EMPLOYEE SAFETY COMMITTEE MEMBERS APPOINTED

Commissioner Kuka moved to appoint Morgan Johnson, Doug Taft, Pam Converse, Amy Shaw, Cody Shaw, Frosty DeBoo, and Robert Skorupa to the employee safety committee.

Commissioner Drishinski will attend as the commissioner representative. Commissioner Drishinski seconded. Motion carried.

DATE, TIME AND PLACE SET FOR PUBLIC HEARING FOR NON-PARTISAN ELECTIONS IN PONDERA COUNTY

Commissioner Drishinski moved to set Wednesday, June 14, 2023 at 10:00 a.m. in the County Commissioners office as the date, time and place for a public hearing on discussing the possible changing of all local elections from partisan to non-partisan. Commissioner Kuka seconded. Motion carried.

CLAIM FOR INDIGENT BURIAL APPROVED FOR PAYMENT

Commissioner Kuka moved to approve payment of \$750 for a burial of indigent resident of the county. Commissioner Drishinski seconded. Motion carried.

MAY 31, 2023 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Jim Morren, Commissioner Tom Kuka, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch

TASK ORDER CONTRACT FOR STRENGTHENING PUBLIC HEALTH WORKFORCE GRANT-APPROVED

Commissioner Kuka moved and Commissioner Morren seconded to approve the fiscal year 2023 Strengthening Public Health Workforce task order contract with the Montana Department of Health & Human Services in the amount of \$60,000 for July 1, 2023 through June 30, 2024. Motion carried.

RESOLUTION ON AUTHORIZING FORGIVENESS OF REPAYMENT OF INTERFUND LOAN

PONDERA COUNTY, MONTANA

RESOLUTION #43 – 2022/23

AUTHORIZING FORGIVENESS OF REPAYMENT OF INTERFUND LOAN

WHEREAS, the Board of County Commissioners has, from time to time, determined it to be in the best interests of the County to authorize loans from one fund to another at a reasonable rate of interest; and

WHEREAS, the Board has determined that the interfund loan (for FY2022/23 funds) from the General Fund to the Port Authority Fund, authorized under Resolution #40 – 2022-23, be forgiven under the terms of the May 3, 2023 Loan Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the Clerk and Recorder effect the forgiveness of repayment of the above-described loan, in the amount of \$12,962.50, principal, and all interest that would have accrued; treating the same as a transfer from the General Fund to the Port Authority Fund.

Adopted this 31st day of May, 2023 as moved by Commissioner Kuka, seconded by Commissioner Morren, and passed on a 2-0 vote of the board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

/s/ Jim Morren
Jim Morren, Chairman

/s/ Thomas A Kuka
Thomas A Kuka, Member

Attest: /s/ Kody L Farkell
Kody L. Farkell, Clerk & Recorder

Absent
Zane Drishinski, Member

ENCROACHMENT AGREEMENT REQUESTED BY NEIL LOVE

Commissioner Kuka moved to approve an Encroachment Agreement for Neil Love to put in an approach to his back yard in the town of Brady. Commissioner Morren seconded. Motion carried.

STOCKMAN BANK ACCOUNT UPDATE

Commissioner Kuka moved and Commissioner Morren seconded to approve updating signors to the Stockman Bank account for the Justice Court office by removing Ashley Johnson and adding LeAnn Kellogg and Kody Farkell. Motion carried.

CLAIMS APPROVED FOR PAYMENT

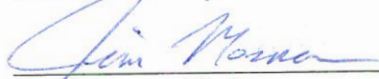
Fund	Fund Description	
1000	GENERAL	38,985.69
2110	ROAD	31,852.46
2130	BRIDGE	9,482.81
2140	WEED	1,054.74
2170	AIRPORT	1,182.92
2230	AMBULANCE	212.63
2290	EXTENSION SERVICE	12,084.11
2300	PUBLIC SAFETY (LAW ENFORCEMENT)	17,573.28
2371	HEALTH INSURANCE - EMPLOYER CONTRIBUTION	67.99
2401	BRADY LIGHTS MAINTENANCE	351.37
2811	DUI PREVENTION	1,380.30
2830	JUNK VEHICLE	13.65
2850	911 EMERGENCY	1,933.51
2860	LAND USE PLANNING	900.00
2862	PONDERA CO GROWTH POLICY	24.00
2866	NORTHERN TRANSIT INTERLOCAL	279.68
2916	NNPHI CORONER GRANT	8,998.45
2958	EP (DES) GRANTS	1,032.09
2961	PERFORMANCE MTG GRANT	245.00
2963	ORAL HEALTH SERVICES GRANT	85.00
2964	ALLIANCE FOR YOUTH	432.00
2971	WIC GRANT	303.39
2973	MATERNAL CHILD HEALTH	1,296.24
2978	CHRONIC DISEASE GRANT	1,022.85
2995	ARPA	213,735.43
4012	GENERAL FUND CAPITAL IMP	1,500.00
7920	REFUND FUND	1,256.92

TOTAL CLAIMS	\$ 347,286.51
TOTAL PAYROLL	\$ 300,635.57
TOTAL CLAIMS AND PAYROLL FUNDS	\$ 647,922.08

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on May 31, 2023

Pondera County, Montana.



 Jim Morren, Chairman

ATTEST:



 Kody L Farkell, Clerk & Recorder

