

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS
PONDERA COUNTY, MONTANA
Held in March 2024**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on March 6, 13, 20 and 27, 2024.

MARCH 6, 2024 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch, Road/Bridge Superintendent Frosty DeBoo, Public- Paul Anderberg, Janice Farkell, Mary Fussell, Jim Schlosser, Barb Coffman, Carol Keller, Jaynie Gollehon, Ross Depner, Angela Otero

PUBLIC HEARING ON PROPOSED UPDATE TO PONDERA COUNTY
SUBDIVISION REGULATIONS –

Attending: Commissioner Zane Drishinski, Commissioner Jim Morren, Commissioner Tom Kuka, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch, Road Superintendent Frosty DeBoo, Paul Anderberg, Janice Farkell, Mary Fussell, Jim Schlosser, Barb Coffman, Carol Keller, Jaynie Gollehon, Ross Depner
The notice of the hearing was published in The Independent-Observer and the Pioneer Press February 21 and 28, 2024 issues.

Commissioner Morren called the hearing to update Pondera County Subdivision Regulations to order at 10:00 a.m. at the Pondera County Commissioners office, 20 4th Ave SW, Conrad.

There was discussion on the new section outlining an Expedited Minor Subdivision Review process. There were no written or oral comments from the public for or against adopting the proposed Subdivision Regulations.

The hearing adjourned at 10:05 a.m.

PUBLIC COMMENT

Brady Methodist Church members discussed the options for the road drainage near the church. Frosty DeBoo suggested a route for the drainage using pipe the Road Department already has in the Conrad yard.

Jim Schlosser discussed the possible construction of a major subdivision in the Norman Subdivision for more retirement housing.

SPECIAL MEETING FEBRUARY 29, 2024

Commissioners met with representatives from Calumet, Montana Renewables and Montana Fluid on the EPA waste water. Dave Galt, lobbyist from Calumet, was present.

APPOINTMENT OF RURAL FIRE DISTRICT BOARD OF TRUSTEES

The Rural Fire District Board members are elected to their positions. Montana law provides that if the number of candidates is equal to or less than the number of positions to be elected, the election administrator may cancel the election. In such case, the county governing body shall declare elected by acclamation each candidate who filed a nominating petition for a position. If a nomination is not made for one or more trustee offices, the county governing body shall appoint one or more trustees as necessary to fill those offices. A trustee taking office pursuant to this subsection serves the trustee term of office as if that trustee had been elected.

Ernie Boumans and Jim DeStaffany each filed a Declaration For Nomination. In accordance with Montana statute, Commissioner Kuka moved to declare Ernie Boumans and Jim DeStaffany elected by acclamation, each for a term of three years. Commissioner Drishinski seconded. Motion carried.

OPENED ENGINEERING QUALIFICATION SUBMISSIONS

Requests for Engineering Qualifications for a Principal Consultant to provide General Engineering Services for Pondera County were opened. The Consultant selected must provide environmental services, design, construction inspection coordination, and

administration of all project stages for a variety of projects for a term of five years. Submissions were received from Heberly/Triangle Engineering and Stahly Engineering. Commissioner Kuka moved to take the submissions under advisement and review. Commissioner Drishinski seconded. Motion carried.

EXPENDITURES IN EXCESS OF \$500-APPROVED

Commissioner Kuka moved to approve the purchase of a paper folding machine for the Election Department, in the amount of \$565.81. Commissioner Drishinski seconded. Motion carried.

EXPENDITURES IN EXCESS OF \$500 APPROVED

Commissioner Drishinski moved and Commissioner Kuka seconded to approve the renewal purchase of GlobalSearch C2 Cloud Storage for Square 9, up to 100GB in the amount of \$3,529.71. Motion carried.

FEBRUARY COMMISSION MINUTES APPROVED

Commissioner Kuka moved and Commissioner Drishinski seconded to approve the February 2024 Minutes of the Commission. Motion carried.

RESOLUTION ON AMENDING THE PONDERA COUNTY SUBDIVISION REGULATIONS ADOPTED OCTOBER 16, 2016 TO REFLECT LEGISLATIVE CHANGES TO THE MONTANA SUBDIVISION AND PLATTING ACT IN 2023

PONDERA COUNTY, MONTANA

RESOLUTION #31 – 2023/24

AMENDING THE PONDERA COUNTY SUBDIVISION REGULATIONS ADOPTED OCTOBER 16, 2016 TO REFLECT LEGISLATIVE CHANGES TO THE MONTANA SUBDIVISION AND PLATTING ACT IN 2023.

WHEREAS, Pondera County wishes to update its subdivision regulations in accordance with current law; and

WHEREAS, a hearing was conducted on the proposed changes on March 6, 2024 and notice of the hearing was published in The Independent-Observer and The Valerian in the February 21 and 28, 2024 issues.

WHEREAS, on February 21, 2024, the proposed adoption of the Pondera County Subdivision Regulations (along with the changes made) was made available for public review.

WHEREAS, the public hearing and adoption of resolution was included in the posted Agenda of the regular meeting of the Pondera County Commissioners and there were no public comments received.

NOW, THEREFORE, BE IT RESOLVED, the Board of County Commissioners hereby adopt the Pondera County Subdivision Regulations, effective March 6, 2024.

Adopted this 6th day of February, 2024, as moved by Commissioner Kuka, seconded by Commissioner Drishinski, and passed on a 3-0 vote of the full board. Effective upon passage and approval.

PONDERA 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

MARCH 13, 2024 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Clerk & Recorder Kody Farkell, Undersheriff Bob Bender, Judge Cody Shaw, Public – Paul Anderberg, Angela Otero

PRELIMINARY GRANT APPLICATION APPROVED

Commissioner Drishinski moved to approve the preliminary 2024 federal fiscal year EMPG grant application. Commissioner Kuka seconded. Motion carried.

ADDING ADDITIONAL DEPUTY POSITION

Commissioner Drishinski moved to approve adding an additional Deputy position to the Sheriff Department. Commissioner Kuka seconded. Motion carried.

RESOLUTION ON AUTHORIZING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET

PONDERA COUNTY MONTANA
RESOLUTION #32 – 2023/24

AUTHORIZING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET

WHEREAS the Montana Code Annotated, Section 7-6-4006, 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 meeting; and

WHEREAS the State Department of Health & Human Services has notified Pondera County of an amended contract for Fund 2976 PHEP Grant, with grant revenues of \$27,065. The grant will incur expenditures for said purpose not to exceed such funds to be paid from the revenue received; and

WHEREAS THE National Environmental Health Association has notified Pondera County of grant award contract for Fund 2870, with grant revenues of \$5,000. The grant will incur expenditures for said purpose not to exceed such funds to be paid from the revenue received; and

WHEREAS the Pondera County Commissioners conducted a hearing at their regularly scheduled meeting on March 13, 2024 and there were no objections; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pondera County that the budget for Funds 2976 and 2870, be amended to show the receipt and expenditures, as follows:

Revenues Amount	Description	Prior Amount	New
2976-331147	Grant Revenue	\$0	\$27,065
2870-334022	Grant Revenue	\$0	\$ 5,000
Expenditures Amount	Description	Prior Amount	New
2976-448-440194-210	Supplies	\$69,102	\$96,167
2870-446-440001-210	Supplies	\$0	\$2,500
2870-446-440001-380	Training	\$0	\$2,500

Adopted this 13th day of March, 2024, as moved by Commissioner Drishinski, seconded by Commissioner Kuka, and passed on a 2-0 vote of the board. Effective on passage and approval.

PONDERA COUNTY COMMISSIONERS
Pondera County, Montana

Absent
Jim Morren, Chairman

/s/ Thomas A Kuka
Thomas A Kuka, Member

ATTEST: /s/ Kody L Farkell
Kody L Farkell, Clerk and Recorder

/s/ Zane Drishinski
Zane Drishinski, Member

RESOLUTION ON UPDATING SPENDING LIMIT OF DEPARTMENT HEADS WITHOUT PRIOR COMMISSIONERS APPROVAL

PONDERA COUNTY, MONTANA
RESOLUTION #33 – 2023/24

UPDATING SPENDING LIMIT OF DEPARTMENT HEADS WITHOUT PRIOR COMMISSIONER APPROVAL

WHEREAS, current county policy requires Pondera County Department Heads to receive prior approval from the Board of County Commissioners before making a purchase in excess of \$500; and

WHEREAS, the purchasing limit of Pondera County Department Heads has not increased in over ten (10) years while the cost of goods has increased considerably; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the Pondera County Department Head purchasing limit without Commissioner approval be increased from \$500 to \$1,500 per purchase, so long as the purchase does not exceed the approved budget of the Department making the purchase

Adopted this 13th day of March, 2024 as moved by Commissioner Drishinski, seconded by Commissioner Kuka, and passed on a 2-0 vote of the board. Effective upon passage and approval.

BOARD OF COUNTY COMMISSIONERS
Pondera County, Montana

Absent
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

UPDATED JOB DESCRIPTION FOR ROAD/BRIDGE MECHANIC

Commissioner Drishinski moved and Commissioner Kuka seconded to approve an updated job description for Road/Bridge Mechanic. Motion carried.

PUBLIC COMMENT

Continued discussion about the EPA waste water with Angela Otero.

EXPENDITURES IN EXCESS OF \$1,500 APPROVED

Commissioner Drishinski moved and Commissioner Kuka seconded to approve the purchase of culverts for the Road and Bridge Department amount of \$12,000.00. Funds will be used from the BARSAA fund. Motion carried.

MARCH 20, 2024 REGULAR MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch, Public – Paul Anderberg, Angela Otero

BUSINESS OUTSIDE THE REGULAR MEETING

Federal Audit Closing for 2022-2023 fiscal year. No findings were found.

AGREEMENT WITH STAHLY ENGINEERING FOR GENERAL ENGINEERING SERVICES

Commissioner Drishinski moved to approve the Professional Services Agreement with Stahly Engineering for any general engineering services in Pondera County. Commissioner Kuka seconded. Motion carried.

ENCROACHMENT AGREEMENT REQUESTED BY TMD LAND & CATTLE LLC

Commissioner Kuka moved to approve an Encroachment Agreement for TMD Land & Cattle LLC on Sam George Road. Commissioner Drishinski seconded. Motion carried.

DESIGNATION OF POLLING PLACES

Commissioner Kuka moved and Commissioner Drishinski seconded to designate the following polling places for the 2024 Federal Primary Election and the Federal General Election:

Brady Community Hall	12:00pm – 8:00pm
Pondera Center (Conrad)	7:00am - 8:00pm
Valier Civic Center	12:00pm - 8:00pm
Heart Butte High School	7:00am - 8:00pm

FIFTH DRAWDOWN FOR FEDERAL AVIATION ADMINISTRATION PROJECT PAYMENT

Commissioner Drishinski moved to approve drawdown #5 for the Federal Aviation Administration Project for the Pondera County Airport in the amount of \$19,130. Pondera County eligible 10% cost of 1,913. Commissioner Kuka seconded. Motion carried.

REQUEST FOR OUT-OF-STATE TRAVEL APPROVED

County DES Coordinator Morgan Johnson requested permission to attend the Mass Fatality Conference in Rapid City, ND beginning April 29, 2024. She has grant funds available to pay for the travel and registration. Commissioner Kuka moved and Commissioner Drishinski seconded to approve the out-of-state travel. Motion carried.

REGULAR MEETING MARCH 27, 2024 CANCELLED

Commissioner Drishinski moved and Commissioner Kuka seconded to cancel the regular meeting of the Commissioners scheduled for March 27, 2024. Commissioners will be attending the MACRS Annual Conference in Great Falls. Motion carried.

MARCH 28, 2024 SPECIAL MEETING OF THE COMMISSION:

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Deputy Clerk & Recorder Tammy Bartsch, Public – Paul Anderberg

EXPENDITURES IN EXCESS OF \$1,500 APPROVED

Commissioner Kuka moved and Commissioner Drishinski seconded to approve the purchase of 2 copiers for the Attorney’s and Clerk & Recorder’s offices for the amount of \$11,356.50. Funds will be used from the Capital Improvement fund. Motion carried.

CLAIMS APPROVED FOR PAYMENT

Fund	Fund Description	
1000	GENERAL	52,116.04
2110	ROAD	16,858.13
2130	BRIDGE	1,300.10
2140	WEED	711.24
2170	AIRPORT	7,303.69
2230	AMBULANCE	259.58
2290	EXTENSION SERVICE	6,422.83
2300	PUBLIC SAFETY (LAW ENFORCEMENT)	2,414.91
2371	HEALTH INSURANCE - EMPLOYER CONTRIBUTION	67.99
2401	BRADY LIGHTS MAINTENANCE	305.75
2800	ALCOHOL REHABILITATION	5,354.00
2830	JUNK VEHICLE	12.89
2850	911 EMERGENCY	488.46
2860	LAND USE PLANNING	256.00
2862	PONDERA CO GROWTH POLICY	2,095.05

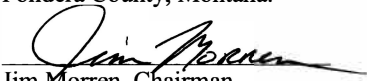
2866	NORTHERN TRANSIT INTERLOCAL	307.97
2894	ST ALLOC FED MINERAL ROY	130.00
2958	EP (DES) GRANTS	412.92
2963	ORAL HEALTH SERVICES GRANT	831.46
2964	ALLIANCE FOR YOUTH	860.10
2967	CARES ACT GRANT	119.99
2971	WIC GRANT	289.52
2973	MATERNAL CHILD HEALTH	12.89
2976	IMMUNIZATION ACTION GRANT	275.49
2978	CHRONIC DISEASE GRANT	275.54
4012	GENERAL FUND CAPITAL IMP	2954.00
7920	REFUND FUND	-6,308.91

TOTAL CLAIMS	\$96,127.63
TOTAL PAYROLL	\$298,396.05
TOTAL CLAIMS AND PAYROLL FUNDS	\$394,523.68

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on March 29, 2024

Pondera County, Montana.



 Jim Morren, Chairman

ATTEST:



 Kody L. Earkell, Clerk & Recorder

