

**REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS  
PONDERA COUNTY, MONTANA  
Held in December 2021**

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on December 1, 8, 15, 22 and 29, 2021.

**DECEMBER 1, 2021 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch

TASK ORDER AMENDMENT #4- PUBLIC HEALTH EMERGENCY  
PREPAREDNESS (PHEP) GRANT APPROVED

Commissioner Kuka moved and Commissioner Morren seconded to approve amendment #4 the PHEP grant through the Montana Department of Health & Human Services. The amendment provides for funding for the position of Disease Intervention Specialist for years 2021-22, for an additional \$68,548. Motion carried.

**DECEMBER 8, 2021 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, Commissioner Jim Morren, Clerk & Recorder Kody Farkell

RESOLUTION ON GRANTING REQUEST FOR BALLOT ISSUE TO LEVY TAXES  
ON ALL RURAL COUNTY PROPERTY OWNERS IN ORDER TO PROVIDE  
INCREASED FUNDING FOR THE RURAL FIRE DISTRICT

PONDERA COUNTY MONTANA  
RESOLUTION #19 – 2021/22

GRANTING REQUEST FOR BALLOT ISSUE TO LEVY TAXES ON ALL RURAL  
COUNTY PROPERTY OWNERS IN ORDER TO PROVIDE INCREASED FUNDING  
FOR THE RURAL FIRE DISTRICT

WHEREAS the Board of County Commissioners has received a Resolution from the Pondera County Rural Fire District Board of Trustees requesting that a ballot issue be placed on the June 7, 2022 primary election ballot; and

WHEREAS the Rural Fire District voted levy passed by voters in 2012 in the amount of \$20,894 per year expired in tax year 2021, the Rural Fire District Board of Trustees requests that the voters of rural Pondera County be given the opportunity to approve or disapprove a new voted levy of approximately 2.21 mills each year to generate approximately \$30,000 per year, plus an inflationary factor allowed by Montana law, for a period of ten (10) years, for the purchase of an emergency response apparatus.

WHEREAS, the board of county commissioners may, subject to Mont. Code Ann. § 15-10-420, levy a tax upon all property within a rural fire district for the purpose of buying or maintaining fire protection facilities, including real property, and apparatus, including emergency response apparatus, for the district or for the purpose of paying to a city, town, or private fire service the consideration provided for in any contract with the council of the city, town, or private fire service for furnishing fire protection service to property within the district. The tax must be collected as are other taxes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that a ballot issue be placed on the June 7, 2022 ballot in order that the voters may approve or disapprove an additional mill levy to provide approximately \$30,000 per year, plus an inflationary factor allowed by Montana law, for ten (10) years for the purchase of an emergency response apparatus for the Pondera County Rural Fire District.

BE IT FURTHER RESOLVED that, subject to the approval of the Pondera County Clerk and Recorder and County Attorney, the form on the ballot shall be as follows:

The Rural Fire District voted levy passed by voters in 2012 in the amount of \$20,894 per year expired in tax year 2021. The Rural Fire District Board of Trustees requests that the voters of rural Pondera County be given the opportunity to approve or disapprove a new voted levy of approximately 2.21 mills each year to generate approximately \$30,000 per year, plus an inflationary factor allowed by Montana law, for a period of ten (10) years, for the purchase of an emergency response apparatus.

The impact in actual dollars in additional property taxes that would be imposed on residences in the District would be approximately \$1.49 on a home valued at \$50,000; \$2.99 on a home valued at \$100,000 and approximately \$5.97 on a home valued at \$200,000. These additional funds will be used to purchase an emergency response apparatus for the increased safety and protection of all Pondera County rural residents and their property. If approved by the voters, the additional levy will be effective July 1, 2022.

FOR additional levy  
 AGAINST additional levy

Adopted this 8th day of December, 2021 as moved by Commissioner Kuka, seconded by Commissioner Morren and passed on a 3-0 vote of the full board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS  
 Pondera County, Montana

/s/ Dale J Seifert  
 Dale J Seifert, Chair

/s/ Thomas A Kuka  
 Thomas A Kuka, Member

ATTEST:

/s/ Jim Morren  
 Jim Morren, Member

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

PURCHASE OF A 2022 F-150 POLICE RESPONDER APPROVED

Commissioner Kuka moved and Commissioner Morren seconded to the purchase of a 2022 F-150 Police Responder. The purchase was made from the state pool, with the price of \$38,218.80. Motion carried.

ADMINISTRATIVE MATERIALS "G" AGRICULTURAL COVENANT –

Commissioner Morren moved to allow an agricultural covenant to be placed on a tract of land in T28N, R1W, Section 18, tract 1, as permitted under the Montana Subdivision and Platting Act, 76-3-101 through 76-3-625, MCA. Commissioner Kuka seconded. Motion carried.

TAX ABATEMENTS 1154-APPROVED

Commissioner Kuka moved to approve the following abatement:

NUMBER	REASON	CANCEL	ADD	PARCEL NO
1154	Audit by DOR		26345.17	1317300

Commissioner Morren seconded. Motion carried.

**DECEMBER 15, 2021 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Dale Seifert, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Road/Bridge Superintendent Steve Kaphammer, Public-David Cates

MEMORANDUM OF UNDERSTANDING FOR MONTANA DISTRIBUTORS AND JANSSEN OPIOIDS SETTLEMENT

Commissioner Morren moved to enter into a Memorandum of Understanding with the State of Montana for all funds from the settlement be used for remediation and abatement of opioid associated harms. Commissioner Seifert seconded the motion. Motion carried.

CLAIM FOR INDIGENT BURIAL APPROVED FOR PAYMENT

Commissioner Morren moved to approve payment of \$750 a burial of indigent resident of the county. Commissioner Seifert seconded. Motion carried.

ENCROACHMENT AGREEMENT REQUESTED BY 3 RIVERS COMMUNICATIONS

Commissioner Morren moved to approve an Encroachment Agreement for 3 Rivers Communications for the installing fiber optic cables, 95 miles through Pondera County. Commissioner Seifert seconded. Motion carried.

Public Comment-

Rob Cook, David Cates, and Wendy Judisch (by phone) had discussion with the Commissioners about the State Revolving Fund Loan Program.

**DECEMBER 22, 2021 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka (by phone), Commissioner Dale Seifert, Commissioner Jim Morren, Deputy Clerk & Recorder Tammy Bartsch

REQUEST FUNDS FOR CDBG

Commissioner Kuka moved and Commissioner Morren seconded the request funds form for Community Development Block Grant (CDBG) for the amount of \$450,000. Motion carried.

RESERVATION COUNTIES MEMBERSHIP

Commissioner Morren moved and Commissioner Kuka seconded to withdraw membership with MACo-Reservation Counties. Motion carried.

NOVEMBER COMMISSION MINUTES APPROVED

Commissioner Morren moved and Commissioner Kuka seconded to approve the November 2021 Minutes of the Commission. Motion carried.

RESOLUTION ON AUTHORIZING BUDGET AMENDMENTS TO PONDERA COUNTY BUDGET

PONDERA COUNTY MONTANA  
RESOLUTION #20 – 2021/22  
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
2958-331993	ARPA funding	\$0	\$68,548
Expenditure	Description	Prior Amount	New Amount
2958-206-440156-110	Salaries	\$0	\$41,548
2958-206-440156-140	Benefits	\$0	\$27,000

Adopted this 22<sup>nd</sup> day of December, 2021, as moved by Commissioner Kuka, seconded by Commissioner Morren, and passed on a 3-0 vote of the board. Effective on passage and approval.

BOARD OF COUNTY COMMISSIONERS

December 2021

Pondera County, Montana

/s/ Dale J Seifert  
Dale J Seifert, Chair

by phone  
Thomas A Kuka, Member

ATTEST:

/s/ Jim Morren  
Jim Morren, Member

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

**DECEMBER 29, 2021 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Dale Seifert, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Deputy Clerk & Recorder Tammy Bartsch, Port Authority-Rob Cook

AGREEMENT WITH CITY OF CONRAD FOR STORM WATER PROJECT

Commissioner Kuka moved and Commissioner Morren seconded the approval of an agreement with the City of Conrad for a storm water project. The City has undertaken a project to update and improve the storm water infrastructure of the City of Conrad. The American Rescue Plan Act of 2021 (ARPA) provides state and local aid to make necessary investments in water and sewer infrastructure. The 67<sup>th</sup> Montana Legislature passed House Bill 632 which directed the federal funds available under ARPA for use in Montana. Pondera County, as a political subdivision of the State of Montana, qualifies to receive ARPA funds but for the fact that it does not have a qualifying project. The City's project qualifies for the ARPA funds, but the City, as a political subdivision of the State of Montana, is not a qualified applicant. The City's project and County, as a political subdivision of the State of Montana, working in cooperation, do qualify for ARPA funds, and through this Agreement desire to do exactly that. The County shall issue the City a loan upto the amount of \$1,263,396. 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 Morren moved and Commissioner Kuka 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

CLAIMS APPROVED FOR PAYMENT

<u>FUND</u>		
Fund	Fund Description	
1000	GENERAL	42,766.09
2110	ROAD	278,597.68
2130	BRIDGE	12,123.14
2140	WEED	1,976.74
2150	PREDATORY ANIMAL CONTROL	6,186.50
2170	AIRPORT	1,206.94
2220	LIBRARY	181,561.59
2280	SENIOR CITIZENS	15,000.00
2290	EXTENSION SERVICE	6,075.62
2300	PUBLIC SAFETY (LAW ENFORCEMENT)	16,053.94
2401	BRADY LIGHTS MAINTENANCE	293.99
2800	ALCOHOL REHABILITATION	27,762.00
2821	ENHANCED GAS TAX (BARSAR)	170.90
2830	JUNK VEHICLE	322.00
2840	NOXIOUS WEED GRANT	879.77
2850	911 EMERGENCY	4,665.30
2854	911 RADIO PURCHASE GRANT	3,183.47

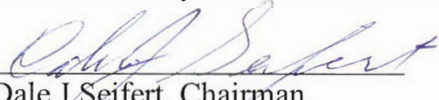
2860	LAND USE PLANNING	720.00
2866	NORTHERN TRANSIT INTERLOCAL	255.73
2958	EP (DES) GRANTS	385.47
2964	ALLIANCE FOR YOUTH	529.00
2971	WIC GRANT	73.78
2973	MATERNAL CHILD HEALTH	1,436.65
2976	IMMUNIZATION ACTION GRANT	120.00
2978	CHRONIC DISEASE GRANT	527.52
4013	ROAD/BRIDGE EQUIP PURCHASE	33,500.00
4016	HOSPITAL CAPITAL IMPROV	1,159,097.00
7920	REFUND FUND	2,668.37

TOTAL CLAIMS		1,798,918.29
TOTAL PAYROLL	\$	295,662.53
TOTAL CLAIMS AND PAYROLL FUNDS	\$	2,094,580.82


ADJOURNMENT

The meeting adjourned at 5:00 p.m. on December 30, 2021

Pondera County, Montana.

  
 Dale J Seifert, Chairman

ATTEST:

  
 Kody L Farkell, Clerk & Recorder

