

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

The Board of Pondera County Commissioners met daily in informal session and in scheduled meetings on April 5, 12, 19, and 26, 2023.

**APRIL 5, 2023 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch, Road/Bridge Superintendent Steve Kaphammer, Undersheriff Robert Bender

REVISED JOB DESCRIPTION FOR JUSTICE COURT CLERK-

Commissioner Drishinski moved and Commissioner Kuka seconded the approval of the revised job description for Justice Court Clerk. Motion carried.

PROJECT SUPPORT GRANT AGREEMENT

Commissioner Kuka moved and Commissioner Drishinski seconded a project support grant agreement with National Network of Public Health Institutes. The total amount of the grant is \$9,000.00. Motion carried.

RESOLUTION ON ESTABLISHING ELECTION PRECINCT BOUNDARIES

PONDERA COUNTY  
RESOLUTION #38 – 2022/23  
ESTABLISHING ELECTION PRECINCT BOUNDARIES

WHEREAS, pursuant to Section 13-3-102 of the Montana Code Annotated, a board of county commissioners must change the boundaries of the election precincts in a county to conform to the legislative district boundaries established by the Montana Districting and Apportionment Commission. A board has 45 days from when the Commission has established the district boundaries to change the boundaries of the election precincts to conform to the legislative district boundaries.

WHEREAS, on February 22, 2023, the Montana Districting and Apportionment Commission adopted the Legislative Districting Plan. On the same date, the Commission filed the Plan with the Montana Secretary of State. The Pondera County Board of Commissioners and Pondera County Election Administrator received a copy of the Plan. The Board of County Commissioners have reviewed the Plan and discussed how the election precincts in the County can be changed to conform to the legislative district boundaries.

NOW THEREFORE, BE IT RESOLVED, The Pondera County Board of Commissioners establishes the election precincts of Pondera County as indicated on the attached metes and bounds description of each Precinct. The Board orders the Pondera County Election Administrator to provide a copy of the resolution to the Montana Secretary of State to indicate compliance with Section 13-3-102 of the Montana Code Annotated.

Adopted this 5th day of April, 2023 as moved by Commissioner Drishinski, seconded by Commissioner Kuka, and passed on a 3-0 vote of the full board. Effective upon 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 and Recorder

/s/ZaneDrishinski  
Zane Drishinski, Member

April 2023

MARCH COMMISSION MINUTES APPROVED

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

**APRIL 12, 2023 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch, Road/Bridge Superintendent Steve Kaphammer

ADMINISTRATIVE MATERIALS "G" AGRICULTURAL COVENANT APPROVED

Commissioner Kuka moved to allow an agricultural covenant to be placed on a tract of land in the NW1/4NE1/4 Section 16 T30N, R3W, as permitted under the Montana Subdivision and Platting Act, 76-3-101 through 76-3-625, MCA. Commissioner Morren seconded. Motion carried.

GROUP HEALTH INSURANCE RENEWAL APPROVED

Renewal rates and the County's contribution toward premiums was discussed. Commissioner Kuka moved to renew the County's current plan with Joint Powers Trust committing to continue to offer four options to the employees, a traditional medical plan with a \$1,000 deductible, a traditional medical plan with a \$1,500 deductible, a high deductible option with \$3,000 first-pay option and a high deductible option with a \$3,500 first-pay option. The County contribution for employee-only coverage will be \$1,007.00 for full-time employees and a pro-rated portion of \$1,007.00 for part-time employees. Commissioner Morren seconded. Motion carried.

EXPENDITURES IN EXCESS OF \$500-APPROVED

Commissioner Kuka moved to approve the purchase of 7 carbide cutting edges for the Road/Bridge Department. The total will be \$10,891.00. The funds for this purchase will come out of Capital Improvement. Commissioner Morren seconded. Motion carried.

EXPENDITURES IN EXCESS OF \$500-APPROVED

Commissioner Kuka moved to approve the purchase of a Mig welder for the Valier road/bridge shop. The total will not exceed \$8,000. The funds for this purchase will come out of Capital Improvement. Commissioner Morren seconded. Motion carried.

CONTRACT WITH LOGAN HEALTH-CONRAD

Commissioner Kuka moved and Commissioner Morren seconded to approve a contract with Logan Health-Conrad for an equipment transfer agreement. The items being transferred, at no cost, are: Kohler generator set, approximately 500 gallons of diesel fuel, and a 1000 gallon above ground storage tank. Motion carried.

**APRIL 19, 2023 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Jim Morren, Commissioner Zane Drishinski, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch, Public-Karla Breeding, Kim Hofstad, Paul Anderberg

PUBLIC HEARING CONDUCTED ON COMMISSIONER DISTRICTS REDRAWN-

Attending: Commissioners Morren and Commissioner Drishinski, Clerk & Recorder Farkell, Clerk & Recorder Deputy Bartsch, Karla Breeding, Kim Hofstad, Paul Anderberg

The notice of the hearing was published in The Independent-Observer and The Valerian in the April 5th and April 12th, 2023 issues.

Commissioner Morren called the hearing to order at 10:00 a.m. at the Pondera County Courthouse. Morren stated the intent of the hearing is to hear public input on the new Commissioner Districts Redrawn.

The hearing was closed at 10:06 a.m.

COMMISSIONER DISTRICTS REDRAWN –

Section 7-4-2102, Montana Code Annotated, requires that following each federal decennial census, the board of county commissioners shall divide their respective counties into three commissioner districts, as compact and equal in population and area as possible. Further, the statute requires that the district judge of the county shall review the

action of the commissioners to determine whether or not such action meets the requirements of Section 7-4-2102, MCA.

Pursuant to Section 7-4-2102, MCA, the Commissioners redrew the boundaries of the commissioner districts as follows:

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 ¼ 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 Dryfork of Marias River approximately 12 miles to Old Shelby Rd; thence south along the centerline of Old Shelby Rd approximately 2 ¾ 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 4<sup>th</sup> 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 ¾ 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 ½ 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 ¼ 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 ¼ miles, thence south 1 ¾ 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 2<sup>nd</sup> 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 ¾ 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.

ENCROACHMENT AGREEMENT REQUESTED BY NORTHWESTERN ENERGY

Commissioner Drishinski moved to approve an Encroachment Agreement for Northwestern Energy for a gas pipeline on Rock City Rd, Dean Rd, Bullhead Rd,

Beaverhead Rd, Buena Vista Rd, Highland Rd, Maple Rd, and Sullivan Bridge Rd.  
 Commissioner Morren seconded. Motion carried.

RESOLUTION DECLARING PROPERTY SURPLUS AND DISPOSAL  
 PONDERA COUNTY  
 RESOLUTION #39 – 2022/23  
DECLARING PROPERTY SURPLUS AND DISPOSAL

WHEREAS, pursuant to Section 7-8-2211, MCA, Authorization to sell and exchange county property, the Board of Pondera County Commissioners declares the following personal property belonging to the County as surplus property which is not necessary to the conduct of county business or the preservation of its property:

- Two (2) filing cabinets        \$0 value
- One (1) Large scale            \$0 value
- One (1) Convection Oven       \$0 value

and

WHEREAS, the Commissioners have determined, pursuant to Section 7-8-2217, MCA, Procedure or sale of property of lesser value, it is in the best interests of the County to dispose of the above-listed surplus property.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners:

- 1) hereby declares the property listed above as surplus property which is not necessary to the conduct of county business or the preservation of its property,
- 2) agrees to dispose of a miscellaneous surplus items listed above

ADOPTED this 19<sup>th</sup> day of April, 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

TREASURER'S SECURITIES REPORT

The following are the investments as of March 31, 2023

**STIP**                \$5,502,000.00 @ 4.5370491%

**STOCKMAN BANK BALANCES**    \$5,159,743.91

STOCKMAN BANK –Collateral Report

3133EMWL2	\$5,125,000.00	FFCB	.20%	07/19/2023
3137BBBD1	794,906.88	FMHS	3.39%	03/25/2024

**RAYMOND JAMES**

14042RMS7	\$250,000.00	2.200%	Due 08/07/2023 (CD)
12527CEX6	\$250,000.00	3.40%	Due 12/31/2024 (CD)
07371AYT4	\$250,000.00	2.05%	Due 02/24/2027(CD)
795451AN3	\$250,000.00	1.05%	Due 08/18/2026 (CD)

**INDEPENDENCE BANK**

CDARS 1026430441	05/04/23	3.0000%	\$1,000,000.00
CDARS 1025963144	06/01/23	.78693%	\$500,000.00
CDARS 1026170075	08/10/23	2.00971%	\$250,000.00
CDARS 1026239636	08/31/23	2.05873%	\$250,000.00
CDARS 1025163555	08/10/23	.34940%	\$500,000.00
CDARS 1025220281	08/31/23	.34940%	\$1,000,000.00

CDARS 1026334078	10/05/23	3.0000%	\$500,000.00
CDARS 1026239644	08/29/24	2.54736%	250,000.00

**BUCHANAN CAPITAL**

FHLB	3130AQGZ0	07/25/24	1.06%	\$250,000.00
FHLB	3130AQHF3	01/27/25	1.125%	\$250,000.00
FHLB	3130AQJM6	01/28/25	1.25%	\$250,000.00
FHLB	3130AQKB8	01/28/25	1.375%	\$250,000.00
BEAL BANK USA	07371CYK9	01/17/24	.65%	\$250,000.00
BEAL BANK SSB	07371AUZ4	01/17/24	.65%	\$250,000.00
UBS BANK USA	90348JZ37	01/13/25	.85%	\$250,000.00
JPMORGAN CHASE &	48128WFM2	01/17/24	.95%	\$250,000.00
AMERICAN EXPRESS	02589ADS8	08/19/24	3.35%	\$250,000.00
NICOLET NTNL BANK	654062LB2	03/28/25	4.10%	\$250,000.00
DISCOVER BANK	254673U46	10/05/26	4.3%	\$250,000.00

**APRIL 26, 2023 REGULAR MEETING OF THE COMMISSION:**

PRESENT: Commissioner Thomas Kuka, Commissioner Zane Drishinski, Commissioner Jim Morren, Clerk & Recorder Kody Farkell, Clerk & Recorder Deputy Tammy Bartsch, Sarah Converse- Sweetgrass Development

TAX ABATEMENTS 1176 & 1177

Commissioner Drishinski moved to approve the following abatement:

NUMBER	REASON	CANCEL	ADD	PARCEL NO
1176	DOR failed to correct documents Detailed & attached to real	971.50		2038300
1177	property	1198.52		2041600

Commissioner Kuka seconded. Motion carried

CLAIMS APPROVED FOR PAYMENT

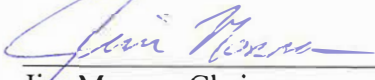
Fund	Fund Description	
1000	GENERAL	31,745.71
2110	ROAD	12,586.07
2130	BRIDGE	9,064.69
2140	WEED	977.03
2160	COUNTY FAIR	500.00
2170	AIRPORT	29,951.39
2230	AMBULANCE	187.80
2290	EXTENSION SERVICE	1,583.42
2300	PUBLIC SAFETY (LAW ENFORCEMENT)	17,378.11
2401	BRADY LIGHTS MAINTENANCE	351.37
2811	DUI PREVENTION	121.29
2830	JUNK VEHICLE	13.65
2850	911 EMERGENCY	718.51
2860	LAND USE PLANNING	685.50
2866	NORTHERN TRANSIT INTERLOCAL	454.08
2958	EP (DES) GRANTS	832.02
2961	PERFORMANCE MTG GRANT	245.00
2963	ORAL HEALTH SERVICES GRANT	8,184.00
2964	ALLIANCE FOR YOUTH	1,686.95
2971	WIC GRANT	156.73
2973	MATERNAL CHILD HEALTH	-134.15
2976	IMMUNIZATION ACTION GRANT	39.78
2978	CHRONIC DISEASE GRANT	114.85
4012	GENERAL FUND CAPITAL IMP	3,731.24
4013	ROAD/BRIDGE EQUIP PURCHASE	9,130.00

TOTAL CLAIMS	130,305.04
TOTAL PAYROLL	\$ 298,348.29
TOTAL CLAIMS AND PAYROLL FUNDS	\$ 428,653.33

ADJOURNMENT

The meeting adjourned at 5:00 p.m. on April 30, 2023

Pondera County, Montana.



Jim Morren, Chairman

ATTEST:



Kody L. Farkell, Clerk & Recorder

