Commissioner Buxbaum opened the meeting at 10:00 a.m., with Douglas A. Buxbaum, Dennis Zander and Gary Kartevold. Also present were Joe Sharbono, John McCormick, Kyle Vuille, Ranger Review Reporter, and Shirley Kreiman, Clerk & Recorder.

Prior Meeting Minutes:
A motion was made to approve the minutes for September 14th. The motion was seconded. All voted in favor. Motion carried.

Items added to posted Agenda:
A motion was made to add the following items to the agenda:
- Sr. Center Roof Bid opening
- Bruce Smith Travel Request
- Correspondence: Notice of State Leases, TSEP Monitoring letter
The motion was seconded. All voted in favor. Motion carried.

Administrative Items:
A motion was made to approve travel requests for:
- Mary Jo Gehnert to Miles City on October 5, 2017 for DES Regional Meeting
- Vickie Boje to Helena October 9-13 for Motor Vehicle Training
- Brandi Reinhart to Helena October 9-13 for Motor Vehicle Training
- Bruce Smith to Fort Peck October 5-6 for Area Agent Meeting
The motion was seconded. All voted in favor. Motion carried.

Previously Approved Administrative Items:
A capital outlay authorization for the purchase of a 2018 Dodge Truck with Equipment was approved for the Sheriff’s Department on 9-25-17.

The commissioners certified the budget report for the Deer Creek Elementary School on October 3, 2017.

Old Business:
Highland Park Street Maintenance Advisory Council - No change. They spoke to Mike Carlson who is looking for other members.

Francis Peterson Easement - The commissioners stated that they are waiting to hear back from the appraiser.

River Road RSID Resolution of Intent - Following a meeting with an engineer they are moving forward with the project and will be doing a resolution in the near future.

Travel Requests
A motion was made to approve travel requests for:
- Mary Jo Gehnert to Butte October 31-Nov 3 for Safety Coordinator Workshop
- Mary Jo Gehnert to Billings Oct 22-Oct 25 for Safety Fest
- Lynette Lovato and Mary Chase to Chicago Nov 5-9 for National Conference on Correctional Health Care

New Business:
Bid Opening - Sr. Center Richey Roofing - 1 bid was received. $14,850 from P&A Sewers. A motion was made to approve the bid providing P&A Sewers provides a completion date for the contract, they have included the repair to the false front in the bid and the county receives the signed deed for ownership from the American Legion. The motion was seconded. All voted in favor. Motion carried.

Mowing & Blading Driveways - The commissioner noted they will take public comment on forming a county policy regarding mowing and blading private driveways, but they will extend the comment period until next week so they can notice it again in the paper.
- John McCormick from Lindsay was present and noted that understands the concerns regarding mowing and blading private driveways. He has a private driveway that is a half
a mile long and it had been bladed until 5 years ago when the county would no longer blade driveways, but he has asked the Road Supervisor or operator when they are in the area to mow the driveway once a year when they are going by. Mowing is probably a cheaper operation than blading and he feels this is beneficial to a lot of residents. He would like to know what the county plan is because he will need to invest in equipment if the County won’t do this any longer.

The commissioners noted that at the recent MaCo convention they asked surrounding counties what their policy was regarding mowing or blading any private driveways. Prairie County charges to do it. Richland County leaves it to the discretion of the operators and the rest have a no easement, no work policy. The commissioners noted they will continue to take comments through next session on October 17th before forming an official policy.

**Weiss 4th Minor Preliminary Plat** - The commissioners noted that they had reviewed the plat. A recommendation was received from the planning board to approve the plat with conditions. A motion was made to approve the planning board recommendation MNR-02 as findings of fact with the conditions as follows:

1. The final plat be in accordance with the plat, plans and specifications submitted for preliminary review except as modified by these conditions.
2. The owners of the lots will need to waive the right to protest for the creation of a special improvement district or road improvement district.
3. A weed management plan for the subdivision, approved by the Dawson County Weed Department, will need to be submitted along with the final plat.
4. Any proposed residential structure on Lot-4AP shall not be located within the 100-year floodplain.
5. That the plans for the provision of water, sewer and solid waste to the lots in the subdivision, unless exempt, be reviewed and approved by the Montana Department of Environmental Quality.
6. That the developer may bond for improvements required by this approval in accordance with the Dawson County Subdivision Regulations.
7. That this approval is valid for three years from the date of approval by the County Commissioners.

The motion was seconded. All voted in favor.

**August Claims** - All claims against the County were audited and approved for the month of August 2017 for $916,748.05. This list contains all claims against the County including payroll withholdings, deductions and contribution warrants.

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August and September Payroll- The board of Commissioners certified the payroll warrants register total and the Invoice Journal total for the month of August and September 2017 and noted they were in agreement. August $988,111.70. September $714,525.23.  

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ADOPTION OF UPDATED EMERGENCY OPERATIONS PLAN

A motion was made to table this item until they could further review the plan. Once reviewed they will consider this an administrative item to approve.

HEALTH CONTRACTS

A motion was made to approve the updated WIC Contract that covers the period of July 1, 2012 – June 30, 2019 to provide WIC Services from October 1, 2017 through September 30, 2018 for a total grant award of $35,036, a decrease of $6,749.00 from last years period of July 1, 2012.

PETITION FOR CATTLE GUARD, L7 RANCH, INC.

A motion was made to approve the request from Brady Liles of L7 Ranch, Inc. for a cattle guard to be installed in T16N R51E S33 on county road 238. The motion was seconded. All voted in favor. Motion carried.
Correspondence/Information:

- Meeting with Corp and FEMA to discuss the Flood Plain and Flood Dike on October 16 at 3:00 p.m in Dawson County Courthouse Community Room
- Letter to Bargfell regarding fence line
- Letter to Young regarding fence line
- Letter to Knight and Deveraux regarding fence in Highland Park
- Notice of State Leases within the county that renew and bids will be accepted from December 15, 2017 and January 28, 2018. The list will be posted on the courthouse bulletin board or available at http://dnrc.mt.gov/divisions/trust/agriculture-and-grazing/renewal-tracts-for-competitive-bid.

Public Comment: None

The meeting adjourned at 10:30 a.m.

DATED this 3rd day of October, 2017.

________________________________________
Douglas A. Buxbaum

________________________________________
Gary Kartevold, Member

________________________________________
Dennis Zander, Member

ATTEST: _______________________________
Shirley A. Kreiman, Clerk & Recorder

October 5, 2017

Commissioner Kartevold opened the meeting at 11:30 a.m., with Gary Kartevold and Dennis Zander present. Also present was Shirley Kreiman, Clerk & Recorder.

Commissioner Kartevold noted that this meeting was held in order to authorize the grant submittal for a planning grant for the Richey Senior Center/Library/Community Center.

Resolution #2017-27-Resolution Authorizing Planning Grant Richey Sr. Center/Library

A motion was made to approve Resolution #2017-27 authorizing Beth Epley with Eastern Plains Economic Development to submit a grant to Big Sky Trust Fund Program for a planning grant for the Richey Community. The motion was seconded. All voted in favor. Motion carried.

The meeting adjourned at 10:35 a.m.

DATED this 5th day of October, 2017.

________________________________________
Gary Kartevold, Member

________________________________________
Dennis Zander, Member

ATTEST: _______________________________
Shirley A. Kreiman, Clerk & Recorder
Commissioner Kartevold began the meeting at 3:00 p.m., with Gary Kartevold and Dennis Zander present. Also present were Taylor Snapp, Greg Johnson, Corps of Engineers, Jennifer Salah, USACE, Chris Fassero, USACE, Kennether Bogner, Senator Daines Office, Jim Frank Montana Dept of Transportation, Kyle Vuille, Ranger Review, Steve Story DNRC, Sam Johnson, DNRC, Forrest Sanderson, Dawson County and City of Glendive Flood Plain Administrator, Penny Zimmerman, Senator Te++ ster’s office, Kevin Dorwart, City of Glendive, Jerry Jimison, Mayor City of Glendive, Gabriel Schlosser, BNSF, and Shirley Kreiman, Clerk & Recorder. (Noted that FEMA representative was not present)

Commissioner Kartevold began with introductions of those present. Following the introductions it was explained that this meeting was set up from previous conversations with the Army Corps of Engineers and FEMA to gather everyone together to discuss the flood dike and flood plain issues that have been plaguing the community since 1959.

Greg Johnson began the discussion reviewing the fact that the Glendive Flood Dike was designed for a specific event. The largest ice jam of record was in 1937 and the dike was designed to handle that event. It was not designed to cover problematic issues like the new regulations require in order for flood insurance.

Commissioner Zander expressed the frustration of the community that the infrastructure and possible growth in the flood plain region is preventing businesses from coming in and kept the community from moving forward. With the recent loss of K-Mart, no business wants to come in to that area. How can utilize this area of our community?

Kevin Dorwart-further emphasized the frustration that the community has hired study after study and we never get anywhere.

Greg Johnson further reviewed the challenges of the issues, noting it was not uncommon to our city alone, but others face similar challenges. He is familiar with Glendive’s situation as he has been involved with the studies here.

Ways the Corp can assist:

205 Plan- Does give authorization for construction, but it has to be a project smaller than 10 million and it must demonstrate that it is in the best interest of the taxpayers to complete the project.

Tech Assistance Plan- Uses the Corp to help solve any problems, but cannot be construction. Can be an alternative in cities to get a recommendation for a 205 project.

A feasibility study is not a small (cheap) thing $800,000 estimated minimum. Miles City cost $2 million and was a 50/50 cost share. A PAS study may suggest setting the levy back, raising the levy. It is not known what what would happen to the river right bank properties and the study would have to include this. These factors would be considered if it was a cost benefit to do the work. Other things may be suggested such as turning the area into parks/recreation and environmental habitat.

Congress can direct the Corp to do something- This would be a long shot.

The Community can try to modify the levy on its own:

If the community were to try to modify the levy by raising it or moving it back, FEMA would have to approve the design and meet Section 408 to make sure it wouldn’t adversely affect the original performance of what the levy was designed to do. Often the success depends highly upon who is hired for a consultant. Some go well and some don’t. It sounds cumbersome, but it may be your best route. Miles City’s Tongue River project is $15 million. It is different from Glendive as they anticipate it will help get them back to the level it was to get accredited or reaccredited, but Glendive never was accredited. It is not apples to apples with a community that lost its accreditation.
Various questions were raised and discussions had about what would be looked at with the studies and negative benefits with damage on the east side. Greg Johnson noted that the Corp of Engineers gives specs on how to build the dike but not how high to build it. He also stated that the Corp was never build a dike now, the way this one is built. They would never build against a Railroad embankment. They would put it on the backside of the railroad. The study in 2002 looked at pulling it back and creative uses of the floodway. Hydraulic modeling has evolved since then. He thought that a silverjacket study has been approved. Such a study in Miles City to help with emergency response training was approved for funding. Several issues are the Towne Street ramps and Railroad ramps.

Kevin Dorwart inquired about if a consultant was hired and the Corp has to certify it, who pays for the review.

The Corp does a lot of 408 reviews, they act like a consulting company. The 408 funding ran out. It has been increased. There is a way you can have the corp fund the review and cost depends on how complicated it is.

The time frame of reviews were asked about. Once submitted and approved, the turn around could be 2-4 weeks or longer if staff is gone such as now on hurricane duty.

Possible costs were discussed. The last study indicated 7-8 million. There was discussion over the interstate bridge complicating the problems and if the study included this due to the jams below the fairgrounds.

There was discussion about a 205 study provision that would provide ice jam mitigation. It would direct the corp to come up with structural or non-structural mitigations. Greg Johnson was sure it would come out with a solution. He was asked if he personally felt the Corp had exhausted what they’ve looked at. He thought there may be some non-structural solutions by buying out properties and relocations as a primary option and he wasn’t sure that had previously been looked at seriously in Glendive. Kevin Dorwart thought the 2002 study had looked at this, but Johnson said there is a lot more to in the studies now. He could envision moving Casitas Del Rio out of the area, but that is the area of greatest concern about loss of life. An ice situation is much spookier than other situations to be dealt with. He was asked if that would increase the priority. Although it would elevate the plan, he wasn’t confident it was enough to get the funding. Both area grocery stores in the area are another concern.

There was a rundown of process for applying for the 205 study/plan.
1. A template with a sample letter would be given to the community
2. Once received it would be put in a database
3. A request for money would be made
4. A pilot study done under the ice jam provision
5. Wait and see if you get any funding

They send up a list with a dozen or so projects at a time. A federal determination would be made as to why the 205 would be in the taxpayers interest. Once approved, studies would be done, such as high level engineering, environmental studies endangered species studies cost estimates, environmental contamination, real estate costs, cultural/historical studies. A 50/50 cost share with in kind services such as if we provided our own technical staff. The last study would provide some ground work for a 205, but there is no environmental study with that. Structural and Non-structural solutions would be looked at.

Another difference between Miles City and Glendive was mentioned. Miles City levy has failed numerous times. It is problematic and not very reliable, whereas Glendive’s dike has been tested with no major permanence issues. No seeping. It may have to overtop it. It is hard to say how the economics of the costs being a benefit would play out. It may be worth a shot, but if we get into it and doesn’t look worth it, we wouldn’t complete it. He understands the community is in a catch 22. It was noted that neither the Railroad or MT Dept of Transp has any work on their bridges slated for replacement or work.

The question was raised again, How do we work together to fix this? It was Johnson’s opinion it would be unlikely to get any FEMA money. It may take a combination of things to fix it. Raising the levy, moving some people, you can try going the 205 route. Get letters of support
from your delegation. Feb-March time frame. Getting appropriation can drag on for a long time. If you get over the new start level 205’s generally see funding as they are smaller dollars due to being more rural in nature. Submit it as soon as possible. New starts should be submitted this fall. Start to finish 2 to 2 ½ years. The 205 route was tried in the past. Mayor Jimison-The wheels of government turn very slowly and in the meantime, people can die while we’re doing studies.

Johnson-If you want to do a section 205, I’ll have Jennifer send you a sample letter. Get your letters of support and it might help elevate your profile. You may want to get a letter of support from Yellowstone Council. The local match will be no less than $200,000. Having he previous studies done should save some time and money. Environmental and Real Estate studies will cost. If approved it could be about 3 months out on starting the study. A cost share agreement would be signed. Question from Testor’s staff about what they can do to assist. He would encourage the Federal Senators and Representatives to develop support with other states trying to get 205’s such as Worland Wyoming. Get in touch with the gatekeeper of new starts on 205’s. Forrest Sanderson with KLJ offered his assistance in writing the letter.

The meeting adjourned at 5:15 p.m.

DATED this 16th day of October, 2017.

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Gary Kartevold, Member

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Dennis Zander, Member

ATTEST: _______________________________
Shirley A. Kreiman, Clerk & Recorder
October 17, 2017

Commissioner Buxbaum opened the meeting at 5:30 p.m., with Douglas A. Buxbaum, Dennis Zander and Gary Kartevold present. Also present were Timber Dempewolf, Lynette Lovato, Kyle Vuille, Ranger Review Reporter, and Shirley Kreiman, Clerk & Recorder.

**Public Hearing-Mowing & Blading Driveways** – No comments were presented.

**Public Hearing-Highland Park Zoning Regulations Change** – A letter was read from resident Brandi Austby

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Subject: FW Highland Park fence Ave C and 2nd street

I would like to state my opinion on the fence the new tenant put up on Ave C and 2nd Street. I believe it is a safety hazard. There are always kids playing on the streets, people walking and with the fence you can not see around the corner. They have a side yard for the dog and there have been people that lived there previously that had dogs. They had no issue with people antagonizing the dogs. They had a chain link fence which also caused no issue. A lot of the fences around our area have been up for a really long time. Like when HP was started. Plus they have recently went through realtors so if they were out of compliance, wouldn’t the realtor know?

I feel that a fence you can see through on corner lot is not a huge ask for public safety. The tenants should be responsible enough to do their research before building anything just like the rest of us do.

Please feel free to share this with anyone else that may need to know. I will not be able to attend the meeting since I have the flu.

I have had other people around our subdivision complain to me about the fence as well. I also had people ask me why the (tenants son and husband with new fence) were going around measuring their fence? If you ask me they were trespassing.

Thank you for your time.

Brandi Austby
107 1st street Highland Park.
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Lynette Lovato was present and stated that she felt the fence was a safety hazard and was in favor of the proposed changes.

**Items added to posted Agenda:** A motion was made to approve the addition of the following items to the agenda:

- Correspondence/Information: DEQ approval of change order, Treasurer’s cash report, Richey Sr. Citizen deed recorded
- Administrative Items: Emergency Operations Plan Update signed, Interest Clearing Transfer

The motion was seconded. All voted in favor. Items are added to the agenda.

**Prior Meeting Minutes:**

A motion was made to approve the minutes for October 3 & 5. The motion was seconded. All voted in favor. Motion carried.

**Previously Approved Administrative Items:**

- **Nissley Minor Final Plat** - The commissioners reviewed the plat and conditions on October 4th, 2017. The plat was approved and signed.

**Certification of Glendive Elementary Budget** - The commissioners certified the Glendive Elementary Budget report on October 4, 2017.

**Certification of Dawson County High School Budget** - The commissioners certified the Dawson County High School Budget Report on October 4, 2017.

**Emergency Operations Plan Update** - Following a review of the emergency operations plan update, the commissioners approved and signed the update on October 17, 2017.
COP Construction Change Order- Change order No. 3 for WG Wastewater System Improvements $6,882.95 increase was approved on October 11, 2017 to extend a sewer service from Lift Station #2 wet well to the new Lift station 2 wet well.

Certificate of substantial completion- A certificate of substantial completion of Work done by COP Construction on WG Wastewater project was signed by the commissioners on October 10, 2017.

New Administrative Items:
Travel Requests: A motion was made to approve the following travel requests:
- Timber Dempewolf to Helena for MT Family Planning Administrator’s meeting November 5-7.
- Jayne Mitchell to travel to Billings October 18th for School Law Seminars.
The motion was seconded. All voted in favor. Motion carried.

Certification of Richey Elementary School Budget Report-A motion was made to certify the Richey Elementary School Budget Report. The motion was seconded. All voted in favor. Motion carried.

Transfer of Interest- A motion was made to transfer funds from Interest Clearing fund to cover interest from investments to the appropriate designated funds in the amount of $20,204.65 for the month of September 2017. The motion was seconded. All voted in favor. The motion carried.

Old Business:
Highland Park Street Maintenance Advisory Council-No action.

Francis Peterson Easement-No news from the appraiser.

River Road RSID Resolution of Intent- The commissioners will check with Great West Engineering to see if they are going to do the Resolution or the Clerk & Recorder is. Public Hearings will be scheduled soon.

New Business:
Mowing and Blading Driveways- The Commissioners noted that they have held 2 public hearings to take public comment. The only person they heard from was John McCormick and his comments were not entirely for or against the change. A motion was made to change the road policy to read that the county shall not plow or blade any roads on which the county does not have an easement, except in emergency situations. The motion was seconded. All voted in favor. Motion carried.

Bid Opening Library Repair- No bids were received. A discussion was held that it would be difficult for contractors to bid the project unless they knew what needed to be fixed. The project will be rebid and change the wording to exploratory work to discover where the problem is.

Health Agreements-WIC Satellite Offices- A motion was made to approve the Satellite Agreements with McConie, Garfield, Wibaux, and Prairie Counties to provide WIC services from October 1, 2017 through September 30, 2016. All satellite sites have agreed to provide space for WIC clinics staffed by Dawson County health Department quarterly. The motion was seconded. All voted in favor. Motion carried.

MACo Health Insurance Renewal- The commissioners and insurance committee met with MACo Health Insurance representatives on October 10th and reviewed the group health insurance plans and rate increases. A motion was made to approve the final renewal rates and plans offered to the employees for coverage from January 1, 2018 through December 31, 2018. The motion was seconded. All voted in favor. Motion carried.

Resolution #2017-28 Subdivision Regulation Updates- The planning board held a public hearing on October 12th regarding the subdivision regulation updates. The planning board unanimously recommended the adoption of the update. A motion was made to approve Resolution #2017-28 adopting the October 2017 Amended Dawson County and Town of Richey
Subdivision Rules and Regulations. The motion was seconded. All voted in favor. Motion carried.

Correspondence/Information:
- Koppenstein correspondence
- An entry form was submitted to the American Council of Engineering Companies on behalf of Great West Engineering for the WG Wastewater Improvements Project.
- A DEQ notice of approval of the change order for the lift station.
- Treasurer’s quarterly cash report.

The meeting adjourned at 6:00 p.m.

DATED this 17th day of October, 2017.

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Douglas A. Buxbaum, Chairman

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Gary Kartevold, Member

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Dennis Zander, Member

ATTEST: ______________________________
Shirley A. Kreiman, Clerk & Recorder