

October 2, 2012

Commissioner Skillestad opened the meeting at 10:00 a.m. with James Skillestad Adam Gartner and Douglas Buxbaum, present. Also present were Jessica Stroh, Ethan Young and Eric Killelea, Ranger Review Reporter.

Prior Meeting Minutes:

A motion was made to accept and approve minutes for September 18, 2012. The motion was seconded. Motion carried.

Tabled Items on hold:

**Board Positions**-The remaining positions to be filled are: a replacement for Eddie Crockett on the Richey Cemetery Board and one member on the Tax Appeal Board.

Unfinished Business:

1) ORDINANCE  
FOR TRAILER  
COURTS, WORK  
CAMPS AND  
CAMPGROUNDS

**Ordinance on Trailer Courts, Work Camps and Campgrounds**-Commissioner Buxbaum made a motion to eliminate the Ordinance as it presently reads and take it off of the web page. They are waiting on a legal opinion from MACO. The motion was seconded. All voted in favor. Motion carried.

2) PETITION TO  
ESTABLISH  
ROAD-HILLSIDE  
LANE

**Petition to Establish Road Hillside Lane, Travis Stroh**-No easement has been granted by Mitchells. The Strohs talked about bringing the road up to County Standards. Jim Sherman would foot the bill for this. Doug Buxbaum read the letter of reply from the County Attorney, Olivia Reiger advising the county not to accept the road and advising the residents to handle this matter in civil court. The commissioners upon this advise will not be moving forward with the petition to accept this road.

3) PEDERSON  
DRIVE-COLLEGE-  
STOP SIGNS

**College Drive Stop Signs**- Joe Sharbono stated that he has looked at the area and agrees that the stop sign should probably come down, however he was not sure of the correct process to do this as there may be safety issues with the sudden removal of the sign. The commissioners will consult with the county attorney about the process.

**Travel Requests**-A motion was made to approve travel requests for:

- Matt Hull to Kalispell October 3-6 for Montana League of Cities & Towns annual Conference.
- Dawn Kingstad to Helena October 4-6 for the Montana Shared Catalog Membership meeting.

The motion was seconded. All voted in favor. Motion carried.

Correspondence/Information:

**Resignation Sanitarian**-A letter was received from Jeff Havens, Sanitarian announcing his resignation.

**Elected Officials out of the office**-Justice of the Peace, Ed Williamson will be out of the office the week of October 8<sup>th</sup>. Vickie Boje, Treasurer will be out of the country the week of October 8<sup>th</sup>.

**Electricity Planned Outage**-Commissioner Gartner noted that the electricity in the courthouse will be down beginning Thursday October 4<sup>th</sup> at 4:30 p.m. but returned on for business on Friday the 5<sup>th</sup> and shut down at 5:00 p.m and out until Tuesday morning, October 9<sup>th</sup>.

**Road Report**-Joe Sharbono stated the mowers are going again and they are working on the Hodges road adding scoria and reshaping the road and corners by Kartevolds. Electrician, Wally Broeder has requested a forklift or payloader and Joe Sharbono was informed of his request.

Public Comment

- Art Gehmert said that the Army Corps of Engineers stated the Levee is the best it has ever been, however the creek channel is very steep and has weeds along the creek and riprap. This needs to be addressed. The Army Corps of Engineers also requested that a tunnel inspection with visual be done and sent in for the interior

drainage culverts and slide gates. It was also reiterated that the Dike is for Flood Control only. There are privacy issues with people who live along the Dike, however the Dike is not a walking path, not a driveway, but we must maintain the Right of Way.

- Doug Keever said that he must get the tunnel inspections done as well and that he has a contract from pace construction who can do this. Doug also stated that he must get the WGPW Right-Of-Ways surveyed in order to maintain them correctly.

Meeting adjourned at 10:45 p.m.

DATED this 2nd day of October, 2012.

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James A. Skillestad, Chairman

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Adam J. Gartner, Member

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Douglas A. Buxbaum, Member

ATTEST:

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Shirley A. Kreiman, Clerk & Recorder

October 4, 2012

**Subdivision and Planning Training Session**

The meeting opened at 8:30 a.m. The commissioners attended a training session along with the Clerk and Recorder Shirley Krieman, the Dawson County Planner Wade Humphries, Eric Killelea Ranger Review reporter. No public residents attended. Attorneys Susan Swimley and Tara DePuy conducted the training session.

A discussion was held concerning MCA title 76 land resources and use was discussed.

**PLANNING BOARD:**

- A. Planning board roles and responsibilities were discussed – MCA Title 76 was reviewed concerning how a planning board is formed; what their roles and responsibilities are; how planning and subdivisions relate to the growth policy; how joint or consolidated planning boards are formed and funded; membership of city-county planning board; membership of city-county planning boards;
- B. Funding of a city/county planning board is determined by MCA 76-1-402 (2). Tax levy by county for city-county planning board is authorized by MCA 76-1-404.

**MEMBERSHIP:**

- A. MCA 76-1-201 through 76-2-204 determines the membership, qualifications of members, term of members and vacancies on city-county planning boards.

It was determined that Planning and Zoning Commission and Districts may have been adopted by past Commissioners for Forest Park, River Road and Highland Park subdivisions. This is being reviewed by the attorneys to determine what category of subdivision they are.

A planning and zoning commission may be required. The Commission would consist of three county commissioners, either the county surveyor or the county clerk and recorder, two citizen members both from another district, and a county official appointed by the county commissioners. MCA 76-2-102 through 76-2-117 determines the powers and duties of the Planning and Zoning Commission.

Concerning the responsibilities and authority of the streets and alleys of Forest Park - as they are dedicated to the public, they are not considered county roads. As the residents of Forest Park are currently being assessed \$100 per lot for street maintenance, the County Commissioners have full authority to utilize that money only for the maintenance of the streets and may establish additional assessments if needed.

Under the advice of the attorneys, the County Commissioners decided to discontinue the ordinance. The proper method of the intent behind the ordinance probably should be done under county zoning which will be addressed sometime in the future.

Adjourned: 4:30 p.m.

October 16, 2012

Commissioner Gartner opened the meeting at 5:30 p.m. with Adam Gartner and Douglas Buxbaum, present. Also present were Doug Byron, Jerry Krusthosky, Roberta Christensen, Rhett Coon, Emilie Boyles, KXGN Newscaster and Eric Killelea, Ranger Review Reporter.

Prior Meeting Minutes:

A motion was made to accept and approve minutes for October 2, 2012. The motion was seconded. All voted in favor. Motion carried.

Tabled Items on hold:

**Board Positions**-The remaining positions to be filled are: a replacement for Eddie Crockett on the Richey Cemetery Board and one member on the Tax Appeal Board.

Administrative Items:

4)BACKHOE  
BIDS

**Backhoe Bids**-On October 11, 2012, 2 bids were received for the used backhoe at the road department. The bid from Stub Tatro for \$6,100 was accepted. The other bid was from Mr. Potaczen for \$4,560.50.

5)BIG DOG  
MAINTENANCE-  
COURTHOUSE  
MAINTENANCE

**Courthouse Maintenance Contract**-On October 4, 2012 a contract was signed with Big Dog Maintenance (Thomas Hamm) for \$3,700 a month. It was the only bid received.

6) RESOLUTION  
2012-27  
RESCIND FIRE  
RESTRICTIONS

**Resolution #2012-27**-The commissioners signed a resolution to rescind Resolution #2012-17 establishing Fire Restrictions within the county on October 3, 2012.

7)RESOLUTION  
2012-28 LIFT  
AGRICULTURE  
COVENANT ON  
COS

**Resolution #2012-28**-A resolution to lift the agricultural covenant on Tract One of Certificate of Survey #883 was signed on October 16, 2012 with mutual consent of Martin Sheldon Kalberg, Lisa JoAnn Kalbert, Kristen Kalbert Armour, Peggy A. Maez, Michael S. Roe, and Timothy J. Roe.

**Capital Outlay**-A capital outlay authorization was signed on September 20, 2012 for Road Supervisor, Joe Sharbono, to purchase a pickup and Backhoe.

**Service Agreement**-Service Agreements were signed on October 16, 2012 for the maintenance of County courthouse copy machines with Boss, Inc. \$995 for downstairs copy machine and \$1,095 for the upstairs copy machine.

Unfinished Business:

8) PEDERSON  
DRIVE-COLLEGE-  
STOP SIGNS

**Stop Signs by College Road on Pederson Drive**-Joe Sharbono will be in contact with the County attorney regarding the proper procedure for removal of the sign. He feels that it would be good to remove the sign, but it could pose a safety issue when it is removed.

New Business:

**Parks & Recreation District**-Deb Sevier had asked to be on the agenda, but was not present.

9) MENTAL  
HEALTH  
MEDICAID  
MATCH  
AGREEMENT

**Medicaid Match Agreement**-A motion was made to approve the Medicaid Match Agreement with the MT Department of Public Health and Humans Services, Addictive and Mental Disorders Division. This agreement will provide county funding for enhanced Medicaid reimbursement for mental health center services. This agreement is subject to the availability of sufficient County and federal monies and is conditioned upon the transfer of county funds directly to the Department. This agreement is effective from July 1, 2012 through June 30, 2013. The motion was seconded. All voted in favor. Motion carried.

10)DEQ-  
WRECKING  
FACILITY  
APPLICATION  
BORDER STEEL

**DEQ Notice-Wrecking Facility Application in Dawson County Border Steel**-The commissioners agreed to conduct a public meeting to determine if the proposed facility on 2703 Towne Street will significantly affect the quality of life to adjoining landowners and the surrounding community. It will be held on October 30<sup>th</sup> at 5:30 p.m.

**Contract Amendment MIECHV ID Grant-**This amendment is for the second year funding. A motion was made to approve the grant amendment. The motion was seconded. All voted in favor. Motion carried.

11) HEALTH  
 CONTRACT  
 MIECHV GRANT

**State Procurement Bureau-Cooperative Purchasing Memorandum of Understanding** –A motion was made to approve the memorandum of understanding with the Montana Department of Administration for the purpose of purchasing supplies and services from vendors at the prices, terms, and conditions contained in contracts between the State and those vendors. The motion was seconded. All voted in favor. Motion carried.

12) STATE  
 PROCUREMENT  
 BUREAU-MOU

**September Payroll-** The board of Commissioners certified the payroll warrants register total and the Invoice Journal total for the month of September 2012 and noted they were in agreement.

PAYROLL EXPENSE FOR PERIOD OF SEPT 1 THROUGH SEPT 30, 2012  
 (Employer Costs Includes Gross plus Taxes and Benefits, including Health Insurance-2 Pay Periods)

FUND	DEPARTMENT	AMOUNT	FUND	DEPARTMENT	AMOUNT
10	Commissioner	15,153.84	435	Fair Maintenance	
20	Justice Court	7,671.44	460	Airport Maintenance	5,369.14
30	Treasurer	15,397.69	470	Clerk of Court	8,732.16
40	Elections	5,764.83	480	Bailiff	
45	Human Resources	3,972.60	500	Library	12,508.17
60	Clerk & Recorder	15,357.32	510	Mosquito	208.97
70	Attorney	20,959.98	522	Records Preservation	
80	Maintenance	5,191.54	529	Health Screening	185.65
85	Safety Director	223.38	530	County Planning	3,746.85
100	Supt of Schools	5,061.08	531	Respite Care	268.29
114	Weed Summer Help	358.00	533	Congregate Meals Grant	4,020.43
115	Mosquito Summer Help		537	Sr. Citizens Center	4,274.39
120	Public Safety-Sheriff	44,610.53	538	Homemaker Grants	1,815.64
121	EUDL Grant		539	RSVP Federal	3,025.63
122	STEP Grant		541	RSVP Non-Federal	1,477.36
126	Drug Forfeiture		553	RSVP-Fund Raising	336.59
130	Public Safety-St. Pri	132,656.64	600	Urban Transportation	30,920.37
131	Non-Union Employees	34,922.53	606	Flood Plain	660.49
133	Public Safety-Cty Pri	32,913.31	660	WG Public Works	13,546.08
135	Public Safety-Admin	20,819.48	702	Stimulus-Road	
140	D.E.S.	3,556.34	800	Nurse MCH Grant	648.47
150	County Coroner	1,352.42	809	III-F Grant	
155	Cemetery	17,191.87	810	BCHP Grant	
170	Public Health	23,305.97	817	Herder Grant	
180	Sanitarian	9,677.65	825	Immunization Grant	291.75
143	Home Preparedness		828	Emergency Preparedness	1,521.93
148	Local Planning Grant		829	PHER Grant	
206	MT Child T Dom V Grant		830	WIC Grant	2,225.28
207	Sexual Assault Grant		832	Miami Health Grant	837.54
230	County Agent	3,709.62	833	Tobacco Grant	3,321.59
235	Coal Board Grant		834	PSF Grant	
250	Glendive Museum	1,731.51	836	HERR Grant	
255	Richey Museum	844.00	837	CISS/FICM Grant	
320	Gas Tax		839	Environmental Health	
325	Road	46,453.31	840	MEICHV Grant	2716.21
405	Bridge		850	Healthy Child Grant	1,854.17
415	Weed	3,798.24	851	Drug-Free Community	
430	Fair	2,272.90	852	Media literacy	
			853	Family Planning	
			890	MT Learning Collab	5,374.79
			896		
	Subtotal	474,928.02		Subtotal	109,887.94
				TOTALS	584,815.96

**Travel Requests-**A motion was made to approve travel requests for:

- Steve Engebretson to Victoria, BC for the Northwest Regional Math Conference October 17th-October 21<sup>st</sup>, 2012

- Bruce Smith to Lewistown and Bozeman, Speaker for ABRO annual meeting and the Extension Annual Meeting, October 25<sup>th</sup> to November 1<sup>st</sup>.
- Joe Sharbono and Road Crew to LTAP Training Miles City, October 18<sup>th</sup>.
- Steve Engebretson to Butte for Special Education funding Workshop, October 29<sup>th</sup>-30<sup>th</sup>.

The motion was seconded. All voted in favor. Motion carried.

Correspondence/Information:

**PERS-A** notice was received from the Public Employees Retirement Board listing all of the committee meetings for October 2012.

**Water Systems Education Tour**-An invitation was received to a water systems education tour that will be on Wednesday October 17<sup>th</sup> at Sidney 12-1:30 at the county club or in Miles City from 6-8 pm at the Montana Rib and Chop House.

**National Wildlife Federation and Trout Unlimited**- A letter was received requesting support for several Senate and House Bills

**FEMA 2012**- A notice was received regarding a community resilience Innovation challenge and the application process found at [www.fema.gov](http://www.fema.gov), which is a monetary opportunity to empower communities to collaborate and develop innovative ways to effectively respond to disasters.

**DEQ**-A deficiency notice was received from DEQ regarding an application for openpit mining permit on the Bacon Site in Dawson County

**MT State Agricultural Leases**-A notice was received regarding leases that renew within Dawson County for 2013. Bids will be accepted from December 15, 2012 through January 28, 2013. They have been posted on the Dawson County Web Page and are posted on the Commissioner Bulletin Board or can be found online at [dnrc.mt.gov](http://dnrc.mt.gov)

**FWP**-There is a public comment period on a proposed wolf trap pan-tension requirement in portions of Regions 1 and 2. Response should be made by 5:00 pm Monday November 5<sup>th</sup>.

Road Report

Joe Sharbono asked about the red pickup that was the weed department pickup that did not sell at auction, if he could post a notice to take bids on it. The commissioners agreed that since it did not receive any bids at auction that he could advertise and accept written bids. He stated that they will be working on putting gravel on road 470. They have not received any applicants for the blade operator position. Joe stated that he would like to put out for bids to purchase a loader. It was included in his budget. They are trying out a JD Loader. His plans would be to take the Cat Loader to Richey and sell the case loader that is there. He spoke to Matt Rosendale in regards to the FEMA bids and issues he was having in hopes that he would be able to put some pressure on them to get this resolved. He needs to physically check a road with the Road Haul Agreement, as he has to sign off on the road conditions.

Public Comment

- Roberta Christensen asked about the wrecking facility on Towne Street. The commissioners stated that they had only received the notice from DEQ, but they were holding the public meeting and may have more information then.
- Roberta Christensen stated that she still has questions about Forest Park and who authorizes for snow removal. The article in the paper didn't clarify who will address those issues. Joe Sharbono stated that the last time, Fisher was called it was paid for out of the maintenance fund. She stated that did not clarify who was authorizing it. Adam Gartner asked her to list this question along with any others and it would be on the agenda for the next meeting.
- Doug Byron asked about the status of the West Glendive Sewer Water Project. The commissioner stated that they are in a discussion stage with the City of Glendive trying to draft an agreement ironing out some technicalities.

- The commissioners also stated there was a flood plain meeting on October 17<sup>th</sup> at 5:30 p.m. in the courtroom.

Meeting adjourned at 6:05 p.m.

DATED this 16th day of October, 2012.

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Adam J. Gartner, Acting Chairman

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Douglas A. Buxbaum, Member

ATTEST:

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Shirley A. Kreiman, Clerk & Recorder