

June 10, 2014

Commissioner Gartner opened the meeting at 10:00 a.m., with Adam Gartner, Jim Skillestad and Doug Buxbaum, present. Also present were , Jason Stewart, Ranger Review Reporter, and Shirley Kreiman, Clerk & Recorder.

1) PUBLIC
HEARING
FEES FOR
SERVICES

Public Hearing on the Establishment of Fees for Services-Commissioner read the proposed resolution and stated that the attached schedule of fees was posted on the County website and was available from the Clerk & Records office. He asked for any public comment regarding the matter.

Jerry Howard asked what kind of services were addressed in the resolution. Several of the types of fees were mentioned and that he was welcome to get a complete copy from the clerk and recorder. There were no further comments.

Prior Meeting Minutes:

A motion was made to accept and approve minutes for May 8 & 20, 2014. The motion was seconded. Motion carried.

2) CONTRACT-
SCHWARTZ
CONSTRUC
TION

Administrative Items Approved and Signed Earlier

Contract, Schwartz Construction-A contract was entered into with Schwartz Construction for the construction of Restrooms at the Dawson County Fairgrounds on May 30, 2014 for the bid amount of \$184,000.00.

3) CAPITAL
OUTLAY-
ROAD
KENWORTH

Capital Outlay Request-Road-The commissioners approved a capital outlay request for a 7800 Kenworth the Road Dept in the amount of \$48,000 on May 27, 2014.

4) CAPITAL
OUTLAY
CEMETERY
JD MOWERS

Capital Outlay Request-Cemetery-The commissioners approved a capital outlay request for 2 John Deere mowers for the cemetery in the amount of \$6,468 on May 29, 2014.

5) RIGHT OF
WAY
EASEMENT
MID-
RIVERS

Right of Way Easement-A right of way easement was granted to Mid-Rivers on May 22, 2014 for T16, R55E, S27, COS 853, Tr 8 Lot 1.

6) MOTORLA
EXTENDED
WARRANTY
SERVICES

Motorola Extended Warranty-An Extended Warranty Services Contract was signed in May 2014.

Old Business:

Commissioner Offices-Nxtwall Proposal (Glass floor to ceiling walls \$12,554.40 delivered, plus estimated \$4,000 for local installation/\$16,554.40), Boss Divider units \$1,873.84, Almond Construction Walls \$13,200, Richard Schwartz Construction walls \$31,700.00. There was some discussion about having put this off for a long time and a decision needed to be made. They have still not had someone give them a concrete bid on installing glass walls. They knew that Gordon Almond from Almond Construction has had surgery and that is probably the reason he hasn't returned the messages they left for him. They felt the bid from Schwartz Construction was too high and they look at finding another contractor to quote installing the glass. They agreed to try to get a firm bid by the next meeting for the glass install.

7) NEWPORT
SQUARE

Lease of Newport Square-Following the public meeting a lease to the school has been dropped. They are meeting with the Land Advisory Board to discuss options for Newport Square.

8) URBAN
TRANSP
BOARD

Urban Transportation Board and Museum Board Appointments-The Urban Transportation Board has suggested they would like to appoint Heather Haggerty to complete the term for James Hageman and whose position no candidates filed for. They have not found anyone for the Museum Board, but they have also discussed the need for representation from the Town of Richey on the Planning board, but so far the people they have contacted are not interested in serving.

9) AIRPORT
ELECTRI
CAL
PROJECT
BID
AWARD

Airport Electrical Bid Project-The award was given to Stumwvall Electrical in Glasgow Montana with a resubmitted bid of \$336,800.00.

Great Plains Outdoor Advertising-The commissioners are unsure where they intended to place the sign and it may not be on county property. They have left a message with Great Plains, but have not heard back from them.

10) GREAT
PLAINS
BILLBOARD

New Business:

Commissioner Gartner asked for any public comment on items on the agenda under new business:

11)
METROPOLI
TAN
SANITARY
SEWER
DISTRICT

Frank Crisafulli-I am still protesting the formation of the Metropolitan Sanitary Sewer District. I believe it is the first step to annexation. There are no figures to the exact cost and we should not be writing a blank check for it.

Jerry Howard-I didn't know about the sewer situation until we got the letter. I've talked to a lot of people involved. There should have been more notice to the public. After looking through the PER and talking to DEQ and others in the industry, I think there are other options. Maybe down the road hooking to the city may be a good thing, but DEQ said they would accept other approaches. I think other approaches would solve the I and I which is half the problem and gain us a few years for a more in depth look at other ways to solve the issue.

Keith Pagel-I live at 766 Road 325 Glendive, where the problem is at. I've been to see you several times since 2012, once in 2013 and twice in 2014. I've brought some pictures of the facilities we're dealing with. I have kids and grandkids. There is an east entrance and west entrance with a cattle crossing that the county put in for me 10 years ago. There is all new traffic and a whole bunch of speeders. It is a danger. We need a speed limit. I've talked to Skilly and Buxbaum about it before. I've talked to the Highway Patrol and Sheriff Dept and they said they will enforce it if there is one. They placed a sign that says children at play, but what does that mean? They go 50-60 mph and there is a lot more traffic and big rigs. People have moved into the area. I will file complaints until we can a resolution to the problem. I have pictures with proof. They speed up and spin their tires. 35-40 mph is the fastest they should go. North Dakota has speed limits and the speed limit for big trucks is 25 mph. 15 mph in spring for wet conditions. I need your support. Could you put a speed limit there? I've installed security cameras and I'll show you the risks that are there.

12) KEITH
PAGEL
SAFETY ON
ROAD 325

Mary Kubesh-I live at 146 road 454 and my concern is with Oaks Disposal. I see Maggie Copeland was on the agenda. I've been at every meeting for the last year and these belly dumps when they go into the disposal they drive back and forth to dump and our home is 100' from the road and the barn 20'. We have grandchildren and pets. We have an agriculture business that has been here for years. We cross that road all the time. Why is his business taking priority over our business and property? We have gone to the Sheriff and the County Attorney and the Road Supervisors. We have heard the commissioners say it is no more harmful than a banana peel. We pay taxes also. Maybe we could use some of this money to educate the public as to how harmful it is. I am submitting pictures of a truck to be kept on file. The truckers are lurking in our yards and lurking in our windows. There are 4 other entries into the property. A whole group of people were here begging you to come in and grade their roads. People all over the county.

13) MARY
KUBESH
OAKS
DISPOSAL

Commissioner Gartner-Mary, you've been in before and expressed the same concerns, and we've addressed many of the concerns. I want you to know that we do take you seriously, but we need to limit the comments and move on with the meeting. Can you tell me where the picture was taken?

Mary Kubesh-The trail star parking lot.

Commissioner Gartner-Maggie Copeland asked that we curtail the use of belly dump trucks after dark. In order to do that we'd have to close it to all traffic. In the spring we could put on a load limit, which are some of my thoughts and I've e-mailed Maggie my comments.

Keith Pagel-Lets talk to the Sheriff and if he as complaints

Commissioner Buxbaum-Has he addressed any of your complaint?

Page1-We filed another complaint Saturday morning. It isn't just local traffic. There is a black Mercedes with Wyoming plates that comes through there at 2:00 am. Big trucks are skirting the scales. There are 15-20 trucks a day. A lot of things are going on and it is not just imaginary things at 10:00 at night, we've seen it. I sympathize with the lady, they use our road as a cut across to the interstate.

14)RESOLUTION 2014-10
CREATING
METROPOLITAN
SANITARY
SEWER
DISTRICT

Resolution #2014-10 Resolution Creating Metropolitan Sanitary Sewer District No. One. Commissioner Buxbaum made a motion to adopt the resolution to create Metropolitan Sanitary Sewer District No. One. The motion was seconded by Commissioner Skillestad. All voted in favor. Motion carried.

15)CAPITAL
OUTLAY
AUTHORIZ
ATION
ROAD-2
GRADERS

Capital Outlay Authorization—John Deere Motor Graders-There was some discussion about loans being place for the purchase of the graders. The next resolution addresses the loan. A motion was made to approve the purchase of 2 motor graders. The motion was seconded. All voted in favor. Motion carried.

16)CAPITAL
OUTLAY
AUTHORIZ
ATION
ROAD
DOZER

Capital Outlay Authorization-Dozer for Road Department-Joe Sharbono has stated that this purchase is in this year's budget and the bid opening is scheduled for June 24th. He stated that is a used dozer and they have scheduled to place the old dozer in an auction in Sidney next month. A motion was made to approve the purchase of the dozer. The motion was seconded. All voted in favor. Motion carried.

17)CAPITAL
OUTLAY
AUTHORIZ
ATION-
SHERIFF
PICKUP

Capital Outlay Authorization-Sheriff Department Pickup-The Sheriff submitted 2 bids that they received for the purchase of a pickup. The bids do not include the cost of putting their equipment on it. They received a bid from Veto Enterprises, Inc for \$26,897.00 for a 2014 Dodge Ram and \$28,985.00 for 2014 Ford F150. They also received a bid from American Ford for 2014 Ford F150 for \$31,728.40. The Sheriff recommended the lowest bid for the Dodge from Veto Enterprises. A motion was made to accept the lowest bid and authorize the purchase of a pickup for the Sheriff's Department. The motion was seconded. All voted in favor. Motion carried.

18)RESOLUTION 2014-11
AUTHORIZ
ING LOAN
FOR 2
GRADERS

Resolution #2014-11 A resolution authorizing a note in the amount of \$401,800 for the purchase of 2 motor graders to be financed through American Bank at 2.05% fixed interest rate over 3 years. The commissioners discussed that they accepted the bid for the graders and loan amounts earlier. One of the graders has been delivered and the other one is on the way. A motion was made to approve the resolution. The motion was seconded. All voted in favor. Motion carried.

19)CIRCLE T
CONSTRUC
TION
CONTRACT

Contract with Circle T Construction for the replacement of Sidewalks Richey Sr. Center-A motion was made to approve the contract with Circle T Construction for the replacement of Sidewalks at the Richey Sr. Citizen Center for \$3,000.00. The motion was seconded. All voted in favor. Motion carried.

20)TRANSFER
OF FUNDS
DIGITAL
RECORDS

Transfer of Funds-A motion was made to approve a request from the Clerk and Recorder to transfer \$50,000.00 from the General Capital Improvement Fund to the Records Preservation Fund for the last half of the Digital Records Project. The motion was seconded. All voted in favor. Motion carried.

21)
PROFESSIO
NAL
SERVICES
CONTRACT
JONI OJA

Professional Services Contract with Special Deputy Joni Oja-There was discussion concerning the cost of hiring a special deputy. The County has a conflict of interest as the deputy county attorney was involved with the two cases while at the public defender's office. Normally the county attorney can handle the cases, but have declined due to their current workload. The cost is \$70.00/hr including travel time and per diem. All other costs are actual cost of expenses. She is located in Miles City and it will cost \$140 round trip travel costs. They had questions as to how long she would be needed. The agreed that may be hard for them to determine. They also wondered if there would be enough in the budget for the County Attorney to cover it. Commissioner Buxbaum stated that he didn't think we had many options since the Attorney General declined assistance. Commissioner Gartner stated that it would be like any other department, if there wasn't budget and it was needed, they would have to determine where they could fund it from. A motion was made to accept the contract. The motion was seconded. All voted in favor. Motion carried.

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

- Doug Buxbaum to Maco meeting in Lewistown June 23-25th
- Lynn Newnam to Billings July 16-18 for MT Public Summer Health Institute
- Jen Fladager to Miles City June 4 for region PHEP meeting.
- Trish Olson to Billings July 14-16 for MT Public Summer Health Institute
- Vickie Boje to Helena for Dept of Rev meeting on specials, June 16-18

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

Correspondence/Information:

- DEQ Meeting/ Presentation Regarding Oaks Disposal on June 17,2014
- Notice from DEQ of intent to issue a wastewater discharge permit to Western Sugar Cooperative in Yellowstone County, public comment period ends June 26, 2014. (Receiving water Yegen Drain and Ground Water)
- Notice from DEQ of intent to issue a wastewater discharge permit to Montana Dakota Utilities in Richland County, public comment period ends June 26, 2014. (Receiving water Yellowstone River)
- Copy of letter to Lower Yellowstone Irrigation Project Office from Governor Bullock in support of the weir and bypass alternative.
- Notice of application for operating authority from Montana Public Service Commission for Class B, Persons, baggage and express within the city limits of Helena Montana and a fifty mile radius therof
- Correspondence from Legislative Audit Division regarding GASB reporting of pension accounting.
- Notice of workshop on Brownfields tools on June 19th in Miles City MT
- Letter sent to Jason Garwood, FAA regarding fee negotiations with Morrison Maierle, Inc. for projects at the Dawson Community Airport.

Public Comment:

Robert Keiser-There was a big article in the paper about the jail facility. We should have a floor plan available. Why is this such a secret? There is a projected cost of \$9 million dollars. If the Sheriff has a floor plan, we need to be aware of it and be able to look at it. If other counties are putting money into it we should know. Is this an expansion of the Regional Prison or the County jail? We need to have plans long before November. If the Sheriff is making a statement about the cost of \$9 million, I assume he has a seen a draft of the floor plan. We as citizens need to have that information also.

Mary Kubesh-I have a question. Is Oaks Disposal sold? Who is responsible for the saline seep? Who is going to fix this? Who is responsible for these roads when they do not handle all of the waste being brought in?

Jerry Howard-I would like to comment on the publications for the county. Could you put announcements on the radio rather than just in the paper, such as on community happenings. I don't always see the small public notices in the legal section.

The meeting adjourned at 11:05 a.m.

DATED this 10th day of June, 2014.

Adam J. Gartner, Chairman

Douglas A. Buxbaum, Member

James A. Skillestad, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

June 24, 2014

Commissioner Gartner opened the meeting at 5:30 p.m., with Adam Gartner, present and Jim Skillestad present via phone. Also present were Joe Sharbono, Mark Feland, and Shirley Kreiman, Clerk & Recorder.

22) BID
OPENING
DOZER ROAD
DEPT

Commissioner Gartner stated that this was a special meeting to open the bids for a dozer for the Road Department. The normal commissioner session had been cancelled as the other two commissioners were out of town, but the bid opening was posted for today, so they agreed to contact the other commissioners via phone. Doug Buxbaum was unable to be reached.

There was one bid submitted from RDO Equipment. A bid bond was also submitted the bid price was \$199,500.00. A motion was made by James Skillestad to accept the bid. The motion was seconded by Adam Gartner. Both Commissioners voted in favor of accepting the bid.

The meeting adjourned at 5:45 p.m.

DATED this 24th day of June, 2014.

Adam J. Gartner, Chairman

James A. Skillestad, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder