

May 6, 2014

Commissioner Gartner opened the meeting at 10:00 a.m., with Adam Gartner, Jim Skillestad and Doug Buxbaum, present. Also present were , Ramon Wielgosh, Robert R Keiser, Harry Franklin, Allan Altman, Tom Ames, Paul Winhofer, Liz Winhofer, Lars Scarpholt, Dave Theodore, Doug Keever, Frank Crisafulli, Greg Crisafulli, Dick Crisafulli, Jeanne Seifert, Ross Farber, Bob Cullinan, Mae Miller, Clyde Miller, Ervin Mitchell, Pat Mischel, Marvin Tweet, Warren Pierce, Alan Michaels, Jackie Stinnett, Sarah Barnet, Jessie Huber, Travis Huber, Ted Sell, Barbara Sell, Pat Cullinan, Jerry Schlepp, Darlene Jimison, Troy Fercho, Gary Kartevold, Chad Shipman, Marvin Holas, Jerry Howard, Nancy Cullinan, Bob Baker, Carole Diede, Gerald Watson, Michael Bacon, Joe Sharbono, Kortney Diegel, Kevin Pena, B??, Mike Carlsen, Cheryl Kolberg, Maggie Copeland, Amanda B, Barbara Kubesh, Jennifer HunterWater, Frances Peterson, Thomas Christensen, Bob Sherman, Art Gehnert, Bruce Raymond, Rita Nelson, Grant Kubesh, Darrel Alberts, Denise Alberts, Eloise Cullinan, Jason Stewart, Ranger Review Reporter, and Shirley Kreiman, Clerk & Recorder.

Public Hearing on the Creation of Metropolitan Sewer District #1-Commissioner Gartner stated that they were opening the meeting with a presentation from the engineer, Craig Pozega regarding the background of the Sewer/Lagoon issues in West Glendive.

1) PUBLIC
HEARING
CREATION
OF
METROPOLI
TAN SEWER
DISTRICT

Craig Pozega gave a power point presentation outlying the project. The present lagoon system was construction in 1959 and discharges to a side channel of the Yellowstone. In reality, it discharges to a wetland area. In 2009, the 5 year permit that was issued from the State Dept of Environmental Quality, which is renewed every 5 years, stated that the existing lagoon could not meet the discharge requirements the EPA requires. A permit was given that outlined the procedure that must be taken to correct the problems. Part of the problems included a discharge limit of 275,000 gallons a day and the system was discharging 300,000 gallons a day. The existing system cannot treat e coli, ammonia and other items. That permit that you were operating under expired in December 2013 and then DEQ filed a legal order in which the County acknowledged the violation. The terms of the order require the county to come into compliance. Great West Engineering started with the project in 2009 and we did an extensive Preliminary Engineering Report (PER) to evaluate the deficiencies. We completed that in 2012 and that is when I was here and gave a public presentation. He reviewed the various options 1. Connect the West Glendive System to the City of Glendive, 2. Mechanically aerate the lagoons with storage and irrigation 3. Complete/Partial Mix the lagoons 4. Construct West Glendive's own Mechanical Treatment Plant. He concluded with the recommendation he gave the county for connecting the West Glendive System to the City of Glendive treatment plant.

Commissioner Gartner opened the meeting to public comment regarding the proposed Metropolitan Sewer District.

(Please Note: This is not verbatim of the comments made but a summarization)

Frank Crisafulli-I have a letter written to the commissioners in opposition of the creation of the district. You cannot guarantee the bill won't exceed \$54.50 per month. Infiltration seems to be the problem as I read through the PER. If we were to discharge directly into the river, would that solve the problem? Who is still using lagoons? I think we need to slow the process down and get more information, until we can afford the system. People on a fixed income cannot afford this. It is a matter of economics.

Art Gehnert-West Glendive Sewer Lagoon has been a problem for a number of years and it does not need to be destroyed. This is a flood plain issue. We need to protect the levy from over topping. This is a flood issue and the project is in danger because we haven't addressed the levy issue.

Commissioner Gartner-I'm sorry Art, but I have to stop you and ask you to address the matter at hand, which is the issue of the creation of the sewer district.

Troy Fercho-I have questions about the options we have been given. I am an employee of SRS Crisafulli. We have offered in the past some solutions. We offered to dredge the existing lagoons for free using the dredging as a demonstration on working with dredges. A lot of

lagoons need the sludge cleaned out and once you get the sludge levels down, the OBD levels go down. Was this part of the options? We want to know if this was considered. We are not clear about what the cost will be? Is it \$4 million just for pipe and an additional \$1 million for engineering? Are there fees for the destruction of the lagoon? Is that included? What else can we do? Can we put this off for a few years?

Mike Carlson-I have comments regarding needing more information on the costs. This is a large rate increase. What will happen when we tie into the city? Could they have been solved by aeration? There is new technology for aeration. Now we're facing state mandated regulations. I always like irrigation for an option. We need more questions answered.

Commissioner Gartner-We have answers to some of those questions, but the matter at hand is the creation of the sewer district – to make this one project. The law requires written comments. We have 3 written protests and 1 written letter of support. There has to be 50% of the users protest.

Crisafulli-Could we take a count of people for or against the protest with a raise of hands?

Gartner- There are 19 people with hands raised. That is not 50%. It is in statute that the protests be written

Diede-I don't think people understood there would be a hearing on the protests. I don't think they understand the process.

Crisafulli-People are unaware of what is going on. They will not sit down and write a letter.

Gartner-We accept e-mails as written comment.

Commissioner Buxbaum-That is why you were sent letters. To inform you of what is going on.

Commissioner Skillestad-I think the people don't understand why we are creating this district and we need to have more information for them on why we are doing this.

Pat Mischel-I don't live in the district, but I have properties in the area and I like to invest in Glendive. I have analogy of the problem. We hire an engineer to study the color of walls. The engineer determines the color of the walls is white, but there are people in this room that say no the color of that wall is black. We have people in the surrounding communities that say that wall is white, but we don't listen to the person hired to study it. If we want to develop our community, we have to invest in it. Our property will be worth a lot more if it has sewer system.

Tom Ames-I'm concerned with the cost. Most people are afraid of what the costs will be.

Art Gehnert-I have served on the planning board and we need a growth manual. We have a new planner and I understand they are working on one and it should outline what is being decided. I do not like the way the public meetings are handled. It should be done with public scoping.

Commissioner Gartner-We have to start with the formation of a sewer district, so we can move forward.

Gehnert-We may be overlooking the issue, which really is a flood issue.

Commissioner Gartner-I'm sorry Art, but that is not the issue, it the creation of the district.

Commissioner Skillestad. I make a motion that we extend the comment period 30 days regarding the formation of the sewer district. I think the people are looking for more information regarding the formation of the district.

Commissioner Buxbaum-I second that motion, but I'd like to comment that I think the people are looking for more information on why we are doing this. I think there is confusion out there. The district doesn't come at a cost, we are combining 3 districts, the Highland Park, Forest Park and

parts of the city on the system, along with the lagoons into one district. The people are looking for information.

Commissioner Gartner-What more information can we provide them on the creation of the district? We are combining the districts to simplify the process. There are 3 districts and they all collect the same fees, why would we not want to make this a district?

Commissioner Buxbaum-Not necessarily open it up to comments, not a yes or a not, but if there are questions out there, maybe we can answer their questions.

Gartner-Ok then it is only about the sewer district, nothing about the flood plain, or the Glendive hook-up, it is to address questions about the formation of the sewer district. Could you please read the motion?

Kreiman-The motion was to extend the comment period for 30 days regarding the formation of the sewer district.

Gartner-Ok, so then we will accept questions concerning the formation of the sewer district itself and they must be in writing. All in favor?

Buxbaum and Skillestad voted in favor of the motion. Gartner voted against the motion.

???Can we get a reader's digest version of why this is a good thing?

Gartner-yes we can put together something

Ackerman-I think you need a mediator, there is too much emotion involved and it affects everyone.

Gartner-Thank you for your comments, I agree I get emotionally involved and I apologize to everyone here, when I get enthused my voice raises and it's not intentional.

Crisafulli-So the issues are separate and you are going to put what the advantages and the disadvantages are in the paper and we've got 30 days?

Gartner-lets set a date for accepting the letters so that we have some time to address the answers at a public meeting. The next meeting would be in June, June 3rd. That is election day. We're going to have to change that date. Our June meetings will have to be changed to the 2nd and 4th Tuesday of the month. The 10th at 10:00 a.m and the 24th at 5:30 p.m.

Ted Sell-Why can't we have a meeting to just discuss this, you have an agenda here that none of us are interested in, why can't we just have a meeting where we can sit down and discuss all of this?

Gartner-We do need to have an agenda that we stick to or we aren't going to accomplish anything.

??? Then we can add the flood plain to the agenda, because it does affect this.

Gartner-But right now we're talking about the district

???What the district encompass, would it be all of these areas on the west of the river?

Buxbaum-No it is just the present users on the existing systems.

Gartner-Maybe Doug Keever can explain this for you

Doug Keever-There were a number of RSID's that were formed to make the existing system, but they have combined to where they are now, which is 2 collections systems, the one system includes Forest Park and encompasses areas including parts of the city of limits west of the river and the Highland Park collection system, then there is the Lagoon RSID, we collect the same

fees for everyone who lives within these 3 districts, this would be combining them into 1 district and use the district to address the permit problem. Eventually the district could expand, but at this point it just covers the current users. Everyone is being charged the same, whichever system they are on, we are collecting the same fees in each district.

???Comments not heard

Gartner-Are you a user on the system?

???No, but that answers some of my questions, maybe that needs to be outlined in the paper.

Skillestad-I think there are some questions as to is there any cost to this, but there isn't to combine the districts. I would like to cheer some of you up a little bit and talk about the Keystone Pipeline, which I've been working on for years and if we could get this passed it would bring lower taxes. We could get up to 13 million dollars in Dawson County. We couldn't directly pay for the sewer system, but it would lower taxes and make it easier, because I know many of you can't afford an extra \$100 a month on a sewer bill.

Pat Mishel-I've done a lot of research on this and we may end up with the money you're talking about, but with the schools and the equalization of taxes we may end up with 2 million dollars, which is good money, but it will not be the savior of our county.

Gartner-We need to get on track

??? regarding email addresses.

Gartner-they are on our website, dawsoncountymontana.com

Kreiman-Chairman, could I make a comment in regards to the cost associated with the district. We are combining the RSIDs and Lagoon into 1 district, but that district would still need to address the issues where we are of compliance with the lagoon permitting, but we would be addressing that as 1 district rather than 3 RSID's and that is why an associated cost was listed and sent with the letters.

Gartner-Ok we will now move on to our regular public meeting

Prior Meeting Minutes:

A motion was made to accept and approve minutes for April 15th, 17th, 28th and 29th, 2014. The motion was seconded. Motion carried.

Administrative Items Approved and Signed Earlier

- On April 28th, 2014 the commissioners designated the District II Alcohol & Drug Program to receive earmarked alcohol tax monies.
- A travel request was approved for Cheryl Shaffer to travel to Sidney for the Local Gov't Services Basic Training on April 18th.
- Approval was given to cancel that were billed incorrectly for Gordon Turner. MOB was attached to RE Property for 2014 and they should have been deactivated.
- A Capital Outlay authorization was approved for the purchase of a metal detector (\$9,440) on April 24, 2014.
- A Community Development Block Grant Planning Contract #MT-CDBG-13-PL-18 Master Plan for the Dawson County Jail Facility was approved on April 17, 2014. The Grant amount of \$30,000. Expenses must be incurred between January 7, 2014 and January 6, 2015.

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. This item was tabled until they can get a quote in the installation of the glass walls.

Lease of Newport Square-Commissioner Gartner opened the session to public comment:

Maggie Copeland-I am a homeowner adjacent to Newport Square on the Clay side of the street. I am in opposition to the sale or lease of Newport Square. Just because the property is free or a reduced price is not a reason to put such a facility in the neighborhood. There are no open spaces anywhere from the high school to the river. There is no parking. There is a parking problem. There is a great deal of traffic. No studies have been done. GMC reserves parking for Doctors with cement buckets. We have no idea of what the school district has planned or proposed. We have no ideas how many apartments. You received an opinion from the county attorney that included selling or donating, but leasing was not an option. While I agree that there is a need for affordable housing, I don't think this is the place to do it. There is also a problem that if it were leased, the city would have to rezone the area. This is too dense of a neighborhood. Just because it is cheap or affordable is not a reason to build it in this location. The school district has other property. I know there was an offer of some land near Deer Creek. I understand that the cost of putting in a sewer and well were sited as reasons for it not to be affordable, but if you are building a living complex that will be one of the more reasonable costs. Their grant was based on the premise that other school districts would be involved, but it has come down to Glendive Elementary and High School receiving the grant and will be burdened for the costs. The grant is for \$150,000 and I'm guessing it will cost at least \$300,000 to \$500,000 and they will not be able to complete it and then where will you be? The county who owns the land will be stuck with it. There was some traffic with the little red school house, but those children did not drive. Parking is a great concern and the school district does have other options.

Alan Michaels-I live at 321 Ames Wye. We've gone through this issue once before. The traffic is a big concern. We have concerns about what is being built. If they build low income housing, it could depreciate the values of our homes. I'm opposed to the sale or lease. How can they build on this when it is legally designated as a park? We don't want a low income housing.

Gartner-We can lease the property, just like we own the property the Nursing home is on and it is leased to the Glendive Medical Center. The legal opinion has determined that it is county property. The low income housing is the reason we nixed the idea of donating the land as it had to be for low income housing. We can sell it, but if we do, we would have to get an appraisal and sell it at a public sale, where anyone could purchase it. If we were to lease it, we could put stipulations on it, so the lease option is what we are trying to decide today.

Jeanne Seifert-I am a school board trustee. I think there is a lot of misinformation going around. There is a real need for teacher housing. The starting salary for a teacher is \$27,000. When rent is \$900-\$1600 for a 1 bedroom apartment, a single teacher cannot afford that, unless people are willing to reduce rates for public employees. Other areas are doing the same thing to address the needs. That is why the grant was applied for. We have a scaled plan to fit the budget. We can't purchase land without public approval. We approached the county and a lease was determined to be an option. What we are proposing, we do want to be a good neighbor. We are proposing a duplex. It could accommodate 4 single teachers. It would leave much open space. It would include a finished basement. We want it be in the aesthetics of the neighborhood. We have an estimated cost of \$250,000. We have the \$150,000 grant. We feel we can afford the \$100,000 from our other resources. We are hoping to attract quality teachers that will stay in our community. It is frustrating, when we have a creative solution and I hope you can see that we are trying to make a positive impact and attract young professionals to our community.

???? I agree we have a need for affordable teacher housing. Is the board of commissioners open to any other options? We cannot park in that neighborhood.

Ross Farber-We have looked at other sites. Parking would be done inside the property, not on the street. The sunset for this grant is by the end of June and has to be spent by July.

???There is room by Jefferson School. I know the water well is not sufficient, but if that were donated, could it be built there?

???If you are building a complex to house 4 teachers, why not put it in a place you can expand? Why give up the only quiet place in the neighborhood. I own property in the neighborhood. I spend a lot of time in the area. The hospital has greatly impacted the area. Can't it be a park?

Gartner-A park has been proposed before, but we can't afford to put a park there.

???How much do you want for the lease? It seems Jefferson would be a better place. We don't have the place to grow. You can't believe how many kids are in that neighborhood. Can you get a grant to develop it? Why not plan big rather than the small?

Jeannie Seifert-We would like to plan big, but we don't have the budget for it.

Gartner-Would it be built as permanent housing?

Seifert-Yes

???Why can't you support the housing that was already built on Pearson?

Seifert-There was an alternate proposal, but is not very easy to get the approval.

Copeland-A building will stand forever. We are saying there is an alternative available. No one isn't saying you shouldn't put in a school housing. You're just rushing it to get the grant. I don't think it as difficult as we're led to believe. This is just free land, but this is not the way to grow a community.

Steve Engebretson-I helped in assisting to write the grant. The state didn't give us much time to do anything. We took a look at all of the locations we were able to put housing. This is oil impact money and is meant to be used by areas impacted, but not much revenue coming in. This is an area that needs it, but a number of schools applied and only 9 got funding. Odds to get the approval again are very steep. This is a one time shot. We will probably not get another chance. Yes the timeline is a crunch. If we start over looking at other sites, we may lose it altogether. If we don't spend it, it will be given to someone else. In addition, they may recruit the teachers we're trying to recruit because they can offer housing.

????? comments not able to hear

Engebretson-We are not in the business of property management.

???It is going to be hard to build for \$250,000. I can't believe there isn't someone you can talk to that might give you some time or alternatives on the grant.

???Back to the Commissioners, isn't there some way that the Newport Square can't be used for a park, if the owners in the area pitched in to do it? My husband and myself would pitch in and donate time and materials and we could set up a fund to maintain it.

Gartner-I appreciate the ideas and your input, and I think this helps make it clearer to the school district what obstacles there are for the county in leasing it, but it is county land, we own it and if we lease it we would have to get a variance to make sure it meets the zoning. We could put restrictions on it. We the county had to purchase a home for our jail facility, but we operate it as temporary housing. I'm not suggesting that is what the school should do, I'm just saying that many businesses are facing the same problems. It does put us in a hard place, because if at some time they decide not to lease the land, they own the building. Those are questions in our mind.

???Why would you go to all the work to put a house with a basement under it for say 5 years.

Gartner-It would be a 10 year lease.

????If we had to come up with a mill levy what would it cost the average homeowner to build a property for teachers?

Gartner-We would have to know the taxable value of the home and there is a formula to determine that, but we can't answer that without consulting with the Department of Revenue. It probably wouldn't be our mill anyway, it would be a school or city mill.

???We aren't opposed to the project, only the location. What will the access be? We can't park at home because the hospital parks on our streets. There is not room in our neighborhood.

???What about buying mobile homes and putting them on a location?

Gartner-We have to look at these issues before leasing it. We have to talk to the city about zoning. We don't want to sell at a reduced price for low income housing. We have some consulting we need to do with the county attorney.

??? Can it be leased to us for a park? Would the county be willing if we had a commitment from a group of people?

Gartner-An organization came to us before to make this a park and they came to us 2 or 3 times, but they never could get it together. We always thought it was dedicated to a park and after we received the legal opinion, we find out it is not a park, it is county land. We do have a legal opinion that it is not a park, but donated for public use.

????Then it must be used for the public.

Gartner-My understanding from the attorney opinion is, we can sell it.

???So you say you can't maintain it as a park, how much would it cost you to maintain it as a park and would you be willing to take donations from the public to operate it as a park? For say a 10 year commitment what would it cost if the money were put in escrow for this?

Buxbaum-We will have to consult with the county attorney regarding the matter.

???How we will stay informed about what is going on?

Gartner-This item will remain on the agenda until we have an answer or find a solution.

???Can we vote on a mill levy for this?

Gartner-There is no mill levy associated with this.

Skillestad-I'm concerned we're putting the cart before the horse and want to know, are there other options out there? We need to hear from you on this. We're listening to you right now. We are not arguing, but we want to consult with the county attorney before making any decision on this.

Gartner-We need to move on with the other agenda items.

Bathroom Facility at the Dawson County Fairgrounds-Bids opening on Tuesday May 13, 2014.

Urban Transportation and Museum Board Appointment-Still working on filling the positions.

New Business:

3) BID OPENING
HOME
DELIVERED
MEALS
PROGRAM

Bid Opening-Congregate Meals and Home Delivered Meals Program-1 Bid was received from the Glendive Medical Center for \$4.40 per meal, six days a week. A motion was made to award the bid to the Glendive Medical Center. The motion was seconded. All voted in favor. Motion carried.

4) WEED
CAPITAL
OUTLAY
REQUEST

Capital Outlay Request from Weed Department for 4-wheeler-A capital outlay request was received from the weed department for the purchase of a 4-wheeler with Weed Reservation Grant Funds. A bid for \$7,430 for a 2014 Honda from the Yellowstone Recreation Center was included. A motion was made to approve the capital outlay request. The motion was seconded. All voted in favor. Motion carried.

State Highway near Intake-Informational item requested from Art Gehmert-A portion of the State Highway near Intake has not been abandoned by the county. The Landowners are not paying taxes on it.

4) ABANDONED
 STATE HWY
 NEAR INTAKE

Resolution #2014-9 Adopting Dawson County Road and Bridge Department Policies. The commissioners stated that they held a public hearing on April 29, 2014 regarding the updated policies. There were no significant changes. A change was made to the present resolution to include rescinding resolution #227 that covered road standards. A motion was made to adopt Resolution #2014-9 adopting Dawson County Road and Bridge Department Policies. The motion was seconded. All voted in favor. Motion carried.

5)RESOLUTION
 #2014-9
 ADOPTION OF
 ROAD AND
 BRIDGE DEPT
 POLICIES

Certification of February and March Payroll- The board of Commissioners certified the payroll warrants register total and the Invoice Journal total for the months of February and March 2014 and noted they were in agreement.

PAYROLL EXPENSE FOR PERIOD OF FEBRUARY 1 THROUGH FEBRUARY 28
 (Employer Costs Includes Gross plus taxes and benefits including Health & Life Insurance for 2 pay periods)

FUND	ACCT	DEPT	DEPARTMENT	Amount	FUND	ACCT	DEPT	DEPARTMENT	Amount
1000	410100	10	Commissioner	14,259.06	2280	450310	537	Sr. Citizens Center	4,374.68
1000	410340	20	Justice Court	7,452.53	2280	450320	538	Homemaker Grants	2,100.82
1000	410540	30	Treasurer	13,578.56	2280	450321	531	Respite Care	112.08
1000	410600	40	Elections	1,368.48	2280	450323	533	Congregate Meals Grant	3,555.85
1000	410800	45	Human Resources	3,264.20	2280	450325	539	RSVP Federal	3,674.38
1000	410940	60	Clerk & Recorder	18,552.44	2280	450329	529	Health Screening	370.15
1000	411100	70	Attorney	21,570.22	2280	450330	541	RSVP Non-Federal	1,230.61
1000	411230	80	Maintenance	5,082.98	2280	450333	553	RSVP-Fund Raising	
1000	411235	85	Safety Director	458.04	2300	420100	110	Public Safety-Sheriff	43,216.28
1000	411600	100	Supt of Schools	4,760.02	2300	420100	120	Sheriff OVT	
1000	411847	207	Sexual Assault Grant		2300	420130	133	Public Safety-Cty Pri	
1000	420600	140	D.E.S.	2,762.44	2300	420230	133	Public Safety-Co. Jail	33,642.60
1000	420643	143	Home Preparedness		2300		121	EUDL Grant	
1000	420800	150	County Coroner	767.74	2300		122	STEP Grant	
1000	430912	155	Cemetery	10,579.82	2371	410551	548	Ins Fund Gen Govt	26,046.90
1000	440140	170	Public Health	23,165.07	2371	420551	548	Ins Fund Public Safety	10,802.71
1000	440160	180	Sanitarian	5,366.08	2371	430551	548	Ins Fund Public Works	5292.93
1000	450410	230	County Agent Glendive	3,346.30	2371	440551	548	Ins Fund Public Health	21.34
1000	460452	250	Museum		2371	450551	548	Ins Fund Social & Economic Svcs	1,101.74
1000	460453	255	Richey Museum		2371	460551	548	Ins Fund Culture & Recreation	1,348.04
2110	430230	325	Road	26,477.09	2390	420142	126	Drug Forfeiture	
2110	430247	320	Gas Tax		2510	430600	660	WG Public Works	14,677.55
2130	430244	405	Bridge	16,044.16	2830	430800	552	Junk Vehicle	1,788.60
2140	431100	415	Weed	5,069.93	2960	440100	810	BCHP Grant	
2140	431100	114	Weed Summer Help		2960	440150	828	Emergency Preparedness	2,725.12
2160	460210	430	Fair	670.36	2960	440170	800	Nurse MCH Grant	778.20
2160	460240	435	Fair Maintenance Airport		2960	440171	840	MEICHV Grant	586.72
2170	430310	460	Maintenance	5,067.54	2960	440172	825	Immunization Grant	127.88
2180	410331	470	Clerk of Court	8,807.44	2960	440173	830	WIC Grant	2,145.35
2180	410334	480	Bailiff		2960	440175	832	Miami Health Grant	
2200	440700	510	Mosquito	152.30	2960	440176	826	Immun Infrs Grant	837.53
2200	440700	115	Mosquito Summer Help		2960	440177	833	Tobacco Grant	4,353.24
2220	460110	500	Library	10,896.69	2960	440190	890	Family Planning	6,582.71
2250	411010	530	County Planning	3,571.70	2960		809	III-F Grant	
2252	411010	606	Flood Plain	630.28	2960		829	PHER Grant	
					2962	440110	850	Hlthy Com-Parent Resource Center	
					2962	440114	854	Hlthy Com-Buckle up	1,439.96
					5712	420210	135	Public Safety-Admin	20,969.34
					5712	420230	130	Public Safety-St. Pri	198,863.87
					7370	450312	600	Urban Transportation	16,416.09

213,721.47	Subtotal	409,183.27
	Total	622,904.74

PAYROLL EXPENSE FOR PERIOD OF MARCH 1 THROUGH MARCH 28
 (Employer Costs Includes Gross plus taxes and benefits including Health & Life Insurance for 2 pay periods)

FUND	ACCT	DEPT	DEPARTMENT	Amount	FUND	ACCT	DEPT	DEPARTMENT	Amount	
1000	410100	10	Commissioner	14,611.60	2280	450310	537	Sr. Citizens Center	4,775.58	
1000	410340	20	Justice Court	7,612.72	2280	450320	538	Homemaker Grants	1,691.96	
1000	410540	30	Treasurer	14,260.87	2280	450321	531	Respite Care		
1000	410600	40	Elections	2,676.29	2280	450323	533	Congregate Meals Grant	3,635.24	
1000	410800	45	Human Resources	3,264.20	2280	450325	539	RSVP Federal	1,834.64	
1000	410940	60	Clerk & Recorder	17,869.93	2280	450329	529	Health Screening	114.17	
1000	411100	70	Attorney	23,429.58	2280	450330	541	RSVP Non-Federal	2,703.60	
1000	411230	80	Maintenance	4,990.41	2280	450333	553	RSVP-Fund Raising		
1000	411235	85	Safety Director	46.58	2300	420100	110	Public Safety-Sheriff		
1000	411600	100	Supt of Schools	4,760.02	2300	420100	120	Sheriff OVT	42,108.49	
1000	411847	207	Sexual Assault Grant		2300	420130	133	Public Safety-Cty Pri		
1000	420600	140	D.E.S.	3,324.00	2300	420230	133	Public Safety-Co. Jail	33,627.39	
1000	420643	143	Home Preparedness		2300		121	EUDL Grant		
1000	420800	150	County Coroner	767.74	2300		122	STEP Grant		
1000	430912	155	Cemetery	10,310.51	2371	410551	548	Ins Fund Gen Govt	29,101.19	
1000	440140	170	Public Health	25,193.85	2371	420551	548	Ins Fund Public Safety	10,831.34	
1000	440160	180	Sanitarian	5,386.75	2371	430551	548	Ins Fund Public Works	2082.24	
1000	450410	230	County Agent	3,336.54	2371	440551	548	Ins Fund Public Health	21.34	
								Ins Fund Social & Economic Svcs	1,457.44	
1000	460452	250	Glendive Museum	395.40	2371	460551	548	Ins Fund Culture & Recreation	1,339.54	
1000	460453	255	Richey Museum		2390	420142	126	Drug Forfeiture		
2110	430230	325	Road	42,596.64	2510	430600	660	WG Public Works	14,860.38	
2110	430247	320	Gas Tax		2830	430800	552	Junk Vehicle	1,795.15	
2130	430244	405	Bridge		2960	440100	810	BCHP Grant		
2140	431100	415	Weed	5,595.68	2960	440150	828	Emergency Preparedness	2,238.44	
2140	431100	114	Weed Summer Help		2960	440170	800	Nurse MCH Grant	807.19	
2160	460210	430	Fair	957.64	2960	440171	840	MEICHV Grant	254.64	
2160	460240	435	Fair Maintenance		2960	440172	825	Immunization Grant	175.88	
2170	430310	460	Airport Maintenance	5,067.54	2960	440173	830	WIC Grant	1,638.45	
2180	410331	470	Clerk of Court	8,870.11	2960	440175	832	Miami Health Grant		
2180	410334	480	Bailiff		2960	440176	826	Immun Infrs Grant	549.48	
2200	440700	510	Mosquito		2960	440177	833	Tobacco Grant	4,403.82	
			Mosquito Summer Help	152.72	2960	440190	890	Family Planning	6,879.08	
2200	440700	115	Library	10,996.06	2960		809	III-F Grant		
2220	460110	500	County Planning	3,571.71	2960		829	PHER Grant		
2250	411010	530	Flood Plain	630.27	2962	440110	850	Hlthy Com-Parent Resource Center		
2252	411010	606			2962	440114	854	Hlthy Com-Buckle up	876.79	
					5712	420210	135	Public Safety-Admin	21,082.19	
					5712	420230	130	Public Safety-St. Pri	198,585.85	
					7370	450312	600	Urban Transportation	15,204.68	
				220,675.36					Subtotal	404,676.18
									Total	625,351.54

6) CAPITAL
 OUTLAY
 AUTHORIZATION
 CORRECTION
 FACILITY

Capital Outlay Authorization, Correction Facility 2014-Ford Expedition-The warden asked for a capital outlay authorization to purchase a new vehicle to replace a vehicle that was totaled in a vehicle accident. The county will be receiving approximately \$12,000 in insurance coverage. Commissioner Buxbaum asked about the bids they had received. He reviewed copies of the attached quotes from HKT and American Ford. A motion was made to approve the purchase of the vehicle. The motion was seconded. All voted in favor. Motion carried.

7) HEALTH
 GRANT-WIC

WIC Task Order 15-07-5-21-082-0- The purpose of the task order is to provide Farmer's Market nutrition education and Farmer's Market checks to eligible WIC participants. A motion was made to approve the task order. The motion was seconded. All voted in favor. Motion carried.

8) HEALTH
 GRANT MIECHV

Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Task Order 14-07-5-01-087-0- Master Contract that covers July 1, 2012 through June 30, 2019, this task order requires

the health Department to implement the Parents as Teachers as the evidence based home visiting model in the identified service delivery area of Dawson County. A motion was made to accept the task order. The motion was seconded. Motion carried.

Encroachment Permit-The road supervisor submitted an encroachment permit for Mid-Rivers to Bore across County Roads FAS 467, Road 205, Road 211 and 1st Ave in Township 17 N, Range 50 & 51 East, Sections 19, 20, 23 & 24. A motion was made to approve the permit. The motion was seconded. All voted in favor. Motion carried.

9)ENCROACHM
ENT PERMIT
MID RIVERS

Haul Route Agreement-The road supervisor submitted a haul route agreement with Scarsella Bros, Inc. between Bloomfield Intersection of FAS 254 and CO 470 heading east on Road 532 for a distance of 4.91 miles, then South on Road 523 for a distance of .90 miles to Fisher pit entrance. Total length is 5.81 miles. A motion was made to approve the agreement. The motion was seconded. All voted in favor. Motion carried.

10)HAUL
ROUTE
AGREEMENT
SCARSELLA
BROS

Response to Letter from Landowners Regarding Oaks Disposal-The commissioners stated that they had a response from DEQ regarding the letter as they had forwarded it to them. There were 3 issues addressed in the response. 1. DEQ oversees the facility operations. 2. The county has jurisdiction in regards to maintenance of the roads. 3. Oaks disposal does not accept hazardous waste. Commissioner Gartner stated they will address the maintenance of the road issue that was brought forth and DEQ has stated that they will schedule a time that they will attend in June or July to address the issues where they have jurisdiction. The County is not widening the road, they are straightening a road. This road has been a project on their list, but they were unable to reasonably obtain gravel to do it. Oaks disposal donated the gravel to do it, so they were now able to do the project.

11)OAKS
DISPOSAL

Public comment:

Barbara Kubesh-I own a part of Diamond V which is near Oaks Disposal. I have some questions. What research have you done to find out what is on those trucks? You are relying on facts which they are telling you. I have done research. One of the contents is Rad 226, which when it is out of the ground turns into a cancer causing material. I have researched it thoroughly. If I were you, I would want to know what is in those trucks and dumps. They only have 2 liners and it is 15' above an aquifer. I would be more concerned about what is going on. We have convoys going by every day, which I have a video of. How would you feel if it went by every day?

Commissioner Gartner. We have no authority about what is going into the pit, that is DEQ jurisdiction. They will be here to address this issue and I hope you will attend the meeting.

Robert Keiser-I have a question on the grant for the jail expansion. Do you have a plan for this?
Commissioner Gartner-The architect Alan Rapaz will be here and we may have something for the agenda at the next meeting.

Art Gehmert-I would like to state that the public process needs to be followed. I wanted to speak on the flood control issue and you not letting me speak is an insult to me. The dike/levy issue is related to the lagoons. At one time it was proposed to build the levy around the lagoons. In 2013 the flooding was great and when my levy was built it was built 3' higher than the required height according to the Corp specifications. If I had not exceeded the height by 3' it would have been over it. The entire Yellowstone River came up within 3' of the top of our dike. The Corp had told me if you build to our specifications we will help you if there is flooding. I have approached them several times for help and we have never been given any assistance. I had a chance here where there were people and the press was here. You are responsible for the health and welfare of the public. At the Intake meeting I had a County Commissioner stand up in support of the project. There are people in Sidney who are fearful of losing their water rights. The Corp is the responsible party. They have gotten a lot of fear and uncertainty and rightly so as they may lose their water rights. The Bureau of Reclamation builds for the irrigation systems, but then they turn it over to the districts who have to pay for the ongoing maintenance. I went to Fish, Wildlife and Parks as this was a part of addressing the pallid sturgeon. They need a fixed flow and delivery point. They wouldn't let me participate. The Corp wants to build a dam that stops any recreational use of the Yellowstone River. They are responsible for every \$ on the maintenance. The federal law says they can build, but they cannot maintain. The Corp should

be responsible. Our public meeting at the high school was contentious. It is not easy to stand up and speak at those meetings.

Adam Gartner-The item was not on the agenda and if you will please let us know you would like to address us on the subject matter, let us know and we will put it on the agenda.

The meeting adjourned at 12:55 p.m.

DATED this 6th day of May, 2014.

Adam J. Gartner, Chairman

Douglas A. Buxbaum, Member

James A. Skillestad, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

May 8, 2014

Commissioner Gartner opened the meeting at 11:00 a.m., with Adam Gartner, Jim Skillestad and Doug Buxbaum, present. Present were 3 members of the Cedar Creek Grazing Association, Ken Nemitz, Pat Zeimer, and Hugo Aasbeck, Joe Sharbono, Road Supervisor, and Shirley Kreiman Clerk and Recorder.

The Cedar Creek Grazing Association stated that they were present to discuss the fence along the old oil road, Road 100. They've been told they have to move the fence. It is too close to the road and it can't be maintained or plowed. There is a steep cliff and they are unable to move the fence.

Joe Sharbono stated he has been in contact with BLM for a cattle guard they want installed. He stated that he has asked them to move the fence before he will install the cattle guard.

11) CEDAR
CREEK
GRAZING
ASSOC
FENCES &
CATTLE
GUARD

The Association stated that they don't have any problem with what they do on the BLM Property, but that fence has been there for 30 years. There is no place to put the fence. There is no place to go. The Association is not willing to move the fence on deeded land. BLM can do what they want, but they don't want the county to play BLM against the association. Joe Sharbono stated that he has been frustrated with BLM because he was worked with 3 people over the past few years and they've all stated they would move the fence and they never have. It is the deeded land that there is no place to move the fence, but there is room where the BLM land is. They spoke to Christina and they have told the association they want them to move the fence on the deeded land. Pat stated that she told them that if they don't move the fence and put in the cattle guard BLM will cut their allotment. Joe stated that what the problem is, there is no room to plow the snow without taking out the fence. The commissioners asked how they can resolve the problem. All parties agreed that the location that BLM wants the cattle guard is a poor location and most of the problems would be solved if they could locate the cattle guard to another location. Joe stated he understood that where the narrow location is that there may not be space to move the fence, but if they do plow they may take out the fence. The association said they would deal with it if he damaged it plowing snow, but they do not plan on moving the fence on any of the deeded land. They emphasized they were here today because they didn't want the county involved in any actions that would pit BLM against the Association. The commissioners asked what they could do to resolve the issue. They agreed it would be good if they all met at the location and discussed where the cattle guard should be and what fences should be moved. The clerk called Christina with BLM and scheduled a meeting on Tuesday May 13th at 1:00 p.m. at the proposed location for the cattle guard.

Mr. Aasbeck also stated they had one more issue. They would like to see something done with the road on Sand Creek by the 15th of May when they move the cattle in. There is a 1 foot ledge that they can't get a bull rack over. If it rains, stay off of it, but they would like something done by then. Joe will see if he can get something done by then. They also asked if they would be able to get some "cattle at large" signs. The county does not have any on hand. They would have to be ordered, but they suggested they ask BLM if they have some signs available.

The meeting adjourned at 11:40 a.m.

DATED this 8th day of May, 2014.

Adam J. Gartner, Chairman

Douglas A. Buxbaum, Member

James A. Skillestad, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

May 13, 2014

12) BID
OPENING
FAIRGROUNDS
RESTROOM

Bid opening at 10:00 a.m., with Doug Buxbaum, present. Also present were Richard Schwartz, fair board members, Eric Smeltzer, Larry Evans, Nathan Stortz and Shirley Kreiman Clerk and Recorder. Commissioner Buxbaum stated that the purpose of the meeting was to open bids for the construction of a fairgrounds restroom.

Two bids were submitted. Almond Construction LLC \$191,825.00. Richard Schwartz, Inc. \$184,000.00. The commissioners will review the bids and forward them to the fair board for their input. The award of the bids will be on the commission agenda for May 20th at 5:30 p.m.

13) WG
METROPOLITAN
SANITARY
SEWER
DISTRICT

10:45 a.m. Conference Phone call. Commissioner Buxbaum called Commissioner Skillestad to discuss the options regarding the confusion over their motion to extend the comment period for 30 days regarding the creation of the WG Sewer Metropolitan Sanitary Sewer District if that included the extension of the protest period. They agreed that was not their intent, but due to public perception that it was their intent, Commissioner Skillestad agreed to extend the protest period through May 20th at 5:00 p.m. Commissioner Buxbaum then called Commissioner Gartner. He stated that he would prefer not to extend the protest period. He agreed that the public was confused over the motion. A legal ad for the paper as well as an editorial was read to Commissioner Gartner and he agreed that it was ok to publish them.

DATED this 13th day of May, 2014.

Douglas A. Buxbaum, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

May 20, 2014

Commissioner Gartner opened the meeting at 5:30 p.m., with Adam Gartner, Jim Skillestad and Doug Buxbaum, present. Present were Mary Kubesh, Emilie Boyles, KXGN Newscaster, Denise Dion, Marilyn Mischel, ??, Paul Hopfauf, Nancy Cullinan, Jim Cullinan, Joe Sharbono, Eloise Cullinan, John Cullinan, Connie Hilger, Frank D. Crisafulli, Craig Bialarucki, Jerry Howard, Tom Ames, Gary Kartevold, Troy Fercho, Allen Fercho, and Shirley Kreiman Clerk and Recorder.

Prior Meeting Minutes:

A motion was made to accept and approve minutes for May 6, 2014. The motion was seconded. Motion carried.

Administrative Items Approved and Signed Earlier

City of Glendive-Agreement with the City to pay 30.7% of engineering costs regarding construction of a new wastewater treatment plant was signed on April 30, 2014.

14)CITY OF
GLENDDIVE
AGREEMENT
ENGINEERING
WG
WASTEWATER

Old Business:

Commissioner Offices-Tabled

Lease of Newport Square-Commissioner Gartner stated they had gone beyond the time limit to do a lease with the school. There was some discussion about selling the property. The item was tabled.

15)NEWPORT
SQUARE

Bid Award for Fairground Bathroom-Bid opening was on May 13th. A bid was received from Richard Schwartz, Inc. for \$184,000.00 and bid was received from Almond Construction, LLC for \$191,825.00. The commissioners asked the fair board member and fair manager who were present if they had a chance to review the bids and if they had any input on the matter. They stated they were comfortable with either contractor. A motion was made to accept the lowest bid from Richard Schwartz, Inc. The motion was seconded. All voted in favor. Motion carried.

16)
FAIRGROUNDS
RESTROOM
BID AWARD

Urban Transportation Board Member and Museum Board Appointment-They have not yet found anyone to accept the appointment.

New Business:

Action for Eastern Montana-Marilyn Mischel with Action for eastern Montana presented a modification to Service Contract #2014-001-04. It will increase the county match by \$1,271.00 for the fiscal year ending June 30, 2014. She stated that there has been a decrease in number of participants in the various programs. A motion was made to approve the modification if the Department Heads of the Aging Services programs ok the increase in the county match. The motion was seconded. Motion carried.

17) ACTION
FOR EASTERN
MT
CONTRACT
MODIFICATIO
N

Revize Support Agreement-An annual support agreement was presented from Revize, the company that designed and hosts the County web page. There was some discussion concerning the cost. The clerk and recorder stated that when the website was created it was a 1 time fee with free support for 1 year and then could be paid for on an as needed basis per hour. Recently we've called them for assistance with making changes to the webpage following Microsoft updates. They stated they will now require an annual support agreement or we will not continue to receive those updates. A motion was made to accept the agreement. The motion was seconded. Motion carried.

18)REVIZE
SUPPORT
AGREEMENT

The meeting was adjourned for a short time.

Bid Opening-Fixed Interest Loan on Motor Graders-Two bids were received. Stockman Bank quoted 2.67% on 3 year term, 2.73% on 4 year term, 2.8% on 5 year term. American Bank quoted 2.25% on 3 year term, 2.45% on 4 year term, and 2.45% on 5 year term. A motion was made to accept the lowest bid on terms of interest from American Bank, but consult with the Road Supervisor to determine which length of term would work the best with his budget. The motion was seconded. Motion carried.

19) BID
OPENING
FIXED
INTEREST
LOAN ON
MOTOR
GRADERS

20)HEALTH
CONTRACT -
WIC

Amendment to Task Order -WIC – Task Order Number 14-07-5-21-005-0-The WIC Task order was amended to reallocate funds and increase the amount payable as consideration for services from \$31,744 to \$34,489 and increase \$2,745.00. A motion was made to approve the amendment. The motion was seconded. All voted in favor. Motion carried.

Airport Electrical Project Bid Award-Leon Baker and the engineer are reviewing the bids. The item was tabled until they can receive their recommendation.

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 \$23,899.56 for the month of April 2014. The motion was seconded. All voted in favor. Motion carried.

21) GREAT
PLAINS
OUTDOOR
ADVERTISING

Great Plains Outdoor Advertising-A request was received from Great Plains Outdoor advertising to place a large billboard on County property near the Public Works Warehouse. They offered \$4,500/yr to lease the property. There was some discussion about where they would be placing the billboard in relation to the property owned by the county and leased to Alley Industries. No location was noted on the request only a property description. The item was tabled until they can contact the company.

April Payroll- The board of Commissioners certified the payroll warrants register total and the Invoice Journal total for the month of April 2014 and noted they were in agreement. \$931,644.16

April Claims- All claims against the County were audited and approved for the month of April 2014. This list contains all claims against the County including payroll withholdings, deductions and contribution warrants. \$923,421.28.

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

- Clarice Utgaard and Patty Maddock to travel to Billings July 14-16 for DCD Vaccine Preventable Diseases
- Jen Fladager to Miles City, May 21 for Safety Fest
- Doug Keever to Bozeman May 21-22 for chlorination & alternative disinfection options workshops and operator certification.

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

Correspondence/Information:

- Commissioner Gartner read the following statement to the public.

METROPOLITAN SEWER DISTRICT ISSUES

May 20, 2014

22)
METROPOLITA
N SANITARY
/SEWER
DISTRICT

The Dawson County Commissioners would like to address some of the questions that were brought forth in the public hearing on May 6th regarding the West Glendive Lagoon. We addressed questions regarding the proposed creation of the metropolitan sanitary sewer district in the editorial section of the Ranger Review dated May 15, 2014. First and foremost we want to thank the public for attending the meeting. We know there are financial concerns regarding the collection and treatment of sewer in the West Glendive area. We have been actively addressing the problems that began in 2009 when the lagoon was unable to meet the permit requirements. The permit we were operating under expired in December 2013 and we are now operating under a court order. We reviewed with the engineer the options that were available to us and presented them at a public meeting on February 7, 2012. The following are some comments and some questions we have:

SRS COMMENTS:

Proposal to dredge the lagoons for free – Laura Fleming proposed to do a free demonstration on removing lagoon sludge that would be contained in a GEO tube. That tube would need to be set in a sealed basin that would prevent the water to escape and allow the water to be pumped back into the lagoon. Will SRS guarantee that this will put the lagoon into compliance and be responsible for any possible associated fines?

The problem is not the sludge in the lagoon. DEQ had no issues concerning sludge. The lagoon is at over capacity at this time. We are not allowed to raise the levee around the lagoon. We are

not allowed to go deeper. We will not be allowed to expand the footprint of the lagoon as it is in the floodway even if it would be moved behind the floodplain levee as that still is in the floodplain, which is a separate issue in itself (Reference Terry Campbell's e-mail message).

We are of the same opinion concerning the raise in the costs over the PER's preliminary estimate. Given this, it stands to reason the other options could also rise due to cost of construction we are experiencing.

Combining the RSID's into the metropolitan sewer district is an administration issue. This will give the Clerk and Recorder and staff a more efficient process. The Metropolitan Sewer District would also allow the ability to operate, maintain, and make any needed construction in the district. RSID's will not allow this, and create more problems and possibly more costs to whichever method we will use to come into compliance. The creation of the Metropolitan Sewer District has no added costs and will not make it easier for the city to annex, as they require a petition.

Cost – the option of connecting into the city's treatment plant was the cheapest.

- **Commissioner Buxbaum read responses to the questions from the May 6, 2014 commissioner session in regards to the WG Wastewater Treatment.**

Frank Crisafulli-Questions

If we were to discharge directly into the river, would that solve the problem? Who is still using lagoons? I think we need to slow the process down and get more information, until we can afford the system.

Response: No, discharging directly into the river will help as it is more diluted, but the information from our resources state that will not solve the problem. They may help to meet the BOD requirement, but not the nutrient requirements. It is difficult to compare lagoon systems to each other as all discharge requirements vary, so we have relied on the experts opinions. The longer we wait, the more expensive it is going to get.

Art Gehnert-Questions

West Glendive Sewer Lagoon has been a problem for a number of years and it does not need to be destroyed. This is a flood plain issue. We need to protect the levy from over topping. This is a flood issue and the project is in danger because we haven't addressed the levy issue.

Response: This has nothing to do with the resolution of intention to form the sanitary sewer district.

Troy Fercho-Questions

I have questions about the options we have been given. I am an employee of SRS Crisafulli. We have offered in the past some solutions. We offered to dredge the existing lagoons for free using the dredging as a demonstration on working with dredges. A lot of lagoons need the sludge cleaned out and once you get the sludge levels down, the BOD levels go down. Was this part of the options? We want to know if this was considered. We are not clear about what the cost will be? Is it \$4 million just for pipe and an additional \$1 million for engineering? Are there fees for the destruction of the lagoon? Is that included? What else can we do? Can we put this off for a few years?

Response: The BOD levels may go down, but this will not meet the ammonia and nitrogen (nutrient) requirements (see DEQ e-mail- copies were made available to all present) Dredging was reviewed under the preliminary engineering report, but was deemed not to be a viable option. We reviewed all of the options, but again the most cost-effective and long term solution was the option to connect to the city treatment plant. As stated in the editorial to the paper, we have estimated the costs, but until the project is bid and completed we can't give final numbers. The proposed West Glendive project does include a small amount of money to address the sludge in the lagoons. The project does not include dike removal or removal of other buried infrastructure. We do not know the cost of this, or if it will be necessary. We have done our best to address the lagoon issues, but we feel that putting this off will only drive up the costs.

Mike Carlson-Questions

What will happen when we tie into the city? Could they have been solved by aeration? There is new technology for aeration.

Responses: When we tie into the city, the residents of West Glendive will be assessed based on the flow rate into the plant, which can be measured on the county as well the city side with flow meters. We will then no longer have any parameters to meet and no discharge permit.

Aeration and Irrigation was one of the options presented, but came in at a higher projected cost.

Carol Diede-Question

I don't think people understood there would be a hearing on the protests. I don't think they understand the process.

Response: MCA 7-13-101 to 7-13-156 lays out the procedure

7-13-102 Resolution of Intent - Done and Signed 4-1-2014 (And amended)

7-13-104 Transmittal of Resolution of Intent to municipalities - Done 4-1-2014

7-13-105, 106 Resolution of Concurrence by City of Glendive Done 4-1-2014

7-13-107 Notice of Resolution of Intention upon concurrence - hearing published April 6th and 13th, Mailing to residents April 3rd.

7-13-108 Right to Protest - within 30 days after the date of the first publication 30 days (April 6th) (May 6th) Protest must be in writing

7-13-109 Sufficient protest to bar proceedings - unknown

7-13-110 Hearing on Protest-at the next regular meeting of the board of county commissioners after the expiration of the time within which said protest may be made, the board shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive.

7-13-111 Resolution creating district –

7-13-112 County Commissioners to administer district

Public Comment regarding this issue: (Note this is not verbatim of the comments only a summarization)

Denise Dion-I want to protest the proposed district. We vote on mill levies. Why do we not get a chance to vote on this. This is costing millions of dollars. Our rights are being taken away.

Paul Hopfauf-There are answers to many of the questions that have been discussed. EPA permits and penalties and fines are very real. I've worked with them in the past. They are helpful, but should they decide to issue the fines, I'm concerned if the county will be able to absorb the costs.

Troy Fercho-I appreciate getting a copy of the letter from Terry Campbell at DEQ. Where was this information before? I'm not completely against the connection to the city. How can you sign off on something you do not know the cost of. As far as if SRS Crisafulli will guarantee anything. No, we won't guarantee anything. We made the offer a few years ago. Dredging is not the only solution. Sludge is a part of the problem. The lagoons are not operating properly. We can't just dredge to get into compliance. Using the existing footprint, This is not weighed as high on the PER. We don't know the cost of the pipe. It may be cheaper to connect to the city, but as a taxpayer it is my right to question it. I don't think it is ok to sign an open check.

Frank Crisafulli-I agree with Troy regarding the open check. How many protests did you receive today? (Clerk & Recorder-They have not been tallied) The community wants additional time. We want to see other options. How do we know connecting to the city is still the least expensive option. I appreciate being able to stand here to tell you what I think. We are 40 miles from Sidney and the Bakken. They are moving out of Glendive and moving closer to the Bakken. When this slows down, we're going to be left holding a large debt. I'm not negative about the growth of Glendive, but there are still empty buildings. There are stores open at the mall. There is not enough influx of people for this investment.

Tom Ames-I'm concerned with the infiltration of water going into the city system. If we have to pay for rain water going into the system. How much of the water is rain water? The elderly can't afford an additional \$100 a month.

Alan Fercho-Most everything has already been mentioned. All of this should have been looked up and presented earlier. I work on a budget. A lot of Sr. Citizens live there. Is there any other advanced technology? How will the cost effect the taxpayers that you oversee? The retired: If this goes through we will have to move. We can't afford it. When we get ballots, we get to vote on it- Why was this not presented on a ballot? Why can't we vote on it?

Other Correspondence/Information:

- Hearing on Protests for creation of the proposed metropolitan sanitary sewer district, May 22, 7:00 p.m. Dawson County courthouse courtroom.
- Public Meeting for comment regarding the Highland Park Zoning regulations May 29, 7:00 p.m. Dawson County courthouse courtroom.
- Notice of MACo Worker's Compensation rates. (law enforcement, increase, professional employees decrease, Clerical employees increase, amusement park employees (fair) increase, Non professional, stays same, All other including drivers increase) Mod factor increase.
- Public Notice of Deadline for Filing Claims relating to or arising from sexual abuse for which the Roman Catholic Bishop of Helena Montana may be liable.
- Intake Diversion Dam-Public notice from Corp of Engineers and MT DEQ, application of Lower Yellowstone Irrigation Project for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Corps of Engineers, Omaha Nebraska. There project as described is not proposed by the Corps, but by the applicant (Lower Yellowstone Irrigation Project); the Corps will evaluate the proposed work to determine if it is permissible under current laws and regulations. Comment period expires June 6, 2014. A complete copy of the notice is located at <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Montana.aspx>. Any person may request in writing and within the comment period that a public hearing be held for the purpose of gathering additional information. The request must be submitted to US Army Corps of Engineers, 10 West 15th Street, Suite 2200, Helena, MT 59626.
- Public notice public service commission-Class B application from Blake R. Beecher dba Cinderella's Chauffer non-regulated service between all points and places within Flathead, Lake and Lincoln Counties.

Public Comment:

Mary Kubesh-I'm here regarding the Oaks Disposal site. I have the same feeling as some of the other people here. Why was there no public hearing or public meeting before this site was approved. There is a road agreement. I under Oaks Disposal has been sold. Will there be a new road agreement? Will we continue to allow destruction of county roads? Road 435 has saline seep. The road graders are out there. They are going over them. This does not solve anything. This is a North Dakota Bakken toxic waste dump. Fifteen feet below his 2 liner is an aquifer that heads down through Glendive and a main artery into Highland Park and Forest Park. They are concerned about being able to pay for sewer. I'm more concerned if we'll even be alive to pay for it. Twenty feet from my front door and Fifteen feet from my barn. They are spilling toxic waste all over my yard. Does everyone get sent certified letters about roads without asking my family first if the allegations are true. The County Attorney has sent us a letter. We are the victims. What is the new road agreement with the new owner? Nobody had a say if we wanted the North Dakota toxic waste to come into our community.

Jerry Howard-I'm a Viet Nam Vet and I'm concerned about our fireworks stand. There is activity on the city level to reduce the days allowed for fireworks. This is our biggest fundraiser. We use the funds to donate to many local projects. A 3 day opening is going to be very difficult. Where is the county at on this issue? At one time there was a ban on fireworks because of the trouble with fire, but this seems to be controlled. 3 days will kill our activities..

Commissioner Gartner-We have started to look at this.

The meeting adjourned at 6:50 p.m.

23) KUBESH-
OAKS
DISPOSAL
FACILITY

24)
FIREWORKS
STAND

DATED this 20th day of May, 2014.

Adam J. Gartner, Chairman

Douglas A. Buxbaum, Member

James A. Skillestad, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder

May 22, 2014
HEARING ON PROTESTS REGARDING THE INTENT TO CREATE METROPOLITAN
SANITARY SEWER DISTRICT #1

25) HEARING
ON PROTESTS
RE INTENT TO
CREATE METR
SANITARY
SEWER DIST #1

Commissioner Gartner opened the meeting at 7:00 p.m., with Adam Gartner, Jim Skillestad and Doug Buxbaum, present. Present were

Commissioner Gartner read the following statement.

After spending a day and a half carefully reviewing and verifying each written protest received by the Dawson County Clerk, and the process having been overseen by the County Attorney's Office, it has been determined that the amount of protest in the proposed Metropolitan Sewer District received does not meet the requirements of Sec. 7-13-109, Mont. Code Ann.

- Notices sent to property owners: 717
- Number of valid protests submitted: 184
- The total area of the proposed district is roughly 1,227 acres.
- The total area of "protest property" was approximately 186 acres.
- This means that only 15% of the proposed district protested, which is not sufficient, under Montana law to halt the formation of the Metropolitan Sewer District.
- The relevant sections of the Montana Code that specifically address the process and elements of protest in this matter are: Sec. 7-13-108, Sec. 7-13-109, and Sec. 7-13-110.
- The Board of County Commissioners shall now move forward with the proposed Metropolitan Sewer District.

DATED this 20th day of May, 2014

Adam J. Gartner, Chairman

Douglas A. Buxbaum, Member

James A. Skillestad, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder