October 6, 2015

Commissioner Gartner opened the meeting at 10:00 a.m., with Adam Gartner and Gary Kartevold present. Also present were, Forrest Mandeville, Jason Stuart, Ranger Review Reporter, and Shirley Kreiman, Clerk & Recorder.

Prior Meeting Minutes:
A motion was made to accept and approve minutes for September 15, 2015. The motion was seconded. All voted in favor. Motion carried.

Previously Approved Administrative Items:

**Travel Requests:** Travel requests were approved for:
- Steve Engebretson to Billings for MT Conference of Educational Leadership, Oct. 13-16
- Steve Engebretson to Missoula and Glasgow for MACSS conference in Missoula and possibly to Glasgow for meeting, Sept 30-Oct 1
- Dawn Kingstad to Pray MT for ASLD Retreat Mt Library Assn Mtg
- Dawn Kingstad to Helena MT for MT Shared Catalog Membership Mtg
- Mary Jo Gehnert to Billings for Safety Coordinator Workshop, Oct 13-15
- Amy Davis to Phoenix AZ for Parents as Teachers Implementation training Sept 20-26
- Mary Jo Gehnert to Bozeman Oct 8-9 as guest speaker for League of Cities & Towns meeting

**MACo Health Care Trust Employee Health Insurance Plan**—The commissioners approved renewing the current plans offered by MACo Health Care Trust on September 29, 2015. The Member Only rate is decreasing from $714 to $697.

**Cenex Pipeline-Amendment to Right of Way**—An amendment to Right of way was approved by the commissioners and signed on September 24th for an easement on T16N, R55E, S22, a tract of land located in the E ½ NW1/4, W ½ NE1/4, NW1/4, SE ¼ as recorded on Book A-135, Pages 791-794 and A135, Page 296. Surface Damages $636.42, Easement Rights of $4,870.00 for a total of $5,506.42. (Cottonwood Country Club)

**Mid-Rivers Purchase Agreement**—A purchase agreement was signed by the commissioners for a 3 yr term with a 10% discount on October 1, 2015.

**Zoning compliance-Fisher Sand & Gravel**—A Zoning compliance permit from DEQ for opencut Mining issued to Fisher Sand and Gravel Co was certified by the commissioners on September 15, 2015. For T15N, R54E, S3 and T16N, R54E, S33&34.

**West Glendive Fire District**—A notice was given to the treasurer not to Assess districts 1F and 3F for West Glendive Fire District.

**Final Budget Document**—The commissioners approved the final budget document for fiscal year ending 6-30-2016 on September 24, 2015.

New Administrative Items:

**Travel Request**—A motion was made to approve the travel request for Dawn Kingstad to travel to Bozeman for a Ready 2 Read Rendezvous, Oct 9-11. The motion was seconded. All voted in favor. Motion carried.

**Capital Outlay Authorization**—A motion was made to approve the request from Tom Green to upgrade and replace 2 tasers for Corrections in the amount of $7,299.22. The motion was seconded. All voted in favor. Motion carried.

Old Business:

**Resolution #2015-22 Resolution of Intent to Dissolve the Richey Public Cemetery District**—The Clerk and Recorded noted that the County attorney had approved the draft of the resolution, but the legal description needed to be checked prior to signing. The commissioners stated that once that was checked they would move forward with resolution. They also noted that the public hearing was set for 5:30 p.m. on October 22, 2015 at the Richey Senior Citizen Center.
New Business:

Haggerty Minor Subdivision, Phase II Seven Mile Drive-Diana Broadie, county planner reviewed the staff report with the commissioners. She noted that they did not have a quorum at the planning board public hearing on this subdivision. She reviewed in more detail the site-specific conditions. Forrest Manneville with Engineering West also commented on a couple of the items. He stated that they were ok with most of the conditions, but he had an alternate suggestion for condition #12 where it stated lots #1 and 13 shall be exempt from providing sanitation and well service but shall require DEQ review of storm water facilities. As he wasn’t sure if DEQ would separate the storm water drainage as a separate review, he suggested submitting a storm water drainage plan by a certified engineer to the County as he felt that is what we were after. The county planner agreed. They also stated that they did not feel that the mailbox pullout requirement was necessary as they did not see any postal requirements regarding it. The commissioners discussed the matter and wanted to see that the regulations were checked out. A motion was made to adopt the findings of fact. The motion was seconded. All voted in favor. Motion carried.

A motion was made to accept the phase II subdivision plat with the 19 state conditions with alternate conditions for items #9, 13, 14, and 16 and noted that condition #12 would be met by providing a drainage plan from a certified engineer and #13 will be subject to postal requirements and conditions. The motion was seconded. All voted in favor. Motion carried. See attached conditions.

Inter-local Agreement-Wibaux County-A motion was made to approve the inter-local agreement with Wibaux County. Dawson County will provide planning services for Wibaux County on an hourly basis for the cost of the planner hired by Dawson County plus mileage and administrative costs. Currently $40.29/hour plus 57.5 cents a mile, billed quarterly.

Planning Board-Commissioner Gartner stated they had received a letter from the city in regards to the city and county planning board. Both commissioners noted that they have questions in regards to the letter and proposal. Commissioner Gartner stated that he told Rhett Coon that they would reply to him before proceeding any further on the formation of the planning board. The item was tabled.

MT Woolgrowers Association-Predator Control Fund Memorandum of Understanding-A motion was made to approve the memorandum with the MT Woolgrowers Association to provide predator control for the period of July 1, 2015 to June 30, 2016. 850 sheep@ .60/head = $510.00. The motion was seconded. All voted in favor. Motion carried.

Health Contract-Richey Public School-A motion was made to approve the contract between the Dawson County Health Department and Richey Public School to provide health services during the 2015-2016 school year for $685.73 with 3 visits during the school year. The motion was seconded. All voted in favor. Motion carried.

Prairie Elk Distributing Bid Proposal-A motion was made to approve a bid proposal for roof repair on the Richey shop for $10,831.00 for a Conklin metal roof coating system. The motion was seconded. All voted in favor. Motion carried.

Correspondence/Information
- Notice from Attorney General of receiving request for Attorney General Opinion on calculation of College Mill Levy
- DEQ public notice of intent to issue wastewater discharge permits to Colstrip Energy Limited Partnership, (Rosebud Power Plant) comments received until Oct 21st at close of business.
- Notice of Retirement of Richey Librarian, Betty Keysor, hired 6-25-1978 (37 years)

Public Comment:
The meeting adjourned at 10:30 a.m.

DATED this 6th day of October, 2015.

________________________________________
Adam J. Gartner, Member
Douglas A. Buxbaum, Member

Gary Kartevold, Member

ATTEST:

Shirley A. Kreiman, Clerk & Recorder
Haggerty 7 Mile Drive Subdivision, Phase II

SUMMARY OF FINDINGS

Finding #1. There will be little to no impact to agriculture or agricultural water facilities because there are no facilities, little agriculture is present on site or nearby that would conflict and there is no prime farmland on site.

Finding #2. There will be no impact to water, wastewater, or stormwater as these services have not been extended to this site. The impact to roads, police, fire and schools is acceptable as noted in most agency comment. The impact to recreation must be mitigated by improvements to the proposed dedicated area in order to be acceptable. The impact to mail delivery can be mitigated with the dedication of a mail delivery area and with installation of a ganged mail box or mail stand.

Finding #3. The impact to the natural environment and wildlife can be mitigated by ensuring delineation of a native growth area near 7-mile creek and covenants recorded that educate homeowners of this. Also the two lots indicated for DEQ exemption should be subject to stormwater review.

Finding #4. The impacts to public health and safety are acceptable if conditions are imposed to protect against negative impacts. Sanitation and planning both support a floodplain variance because the facts support that sanitation facilities will be acceptable. Stormwater controls need to be enhanced on previously graded lots due to impacts to 7 mile creek. Access from lot 13 should be realigned to the driveway on lot 1 to improve safety.

Finding #5. With the proposed road network, all parcels shall have physical and legal access.

Finding #6. With the approval of a variance and addition of an easement to the adjoining lot, subdivision regulations will be met.

Haggerty 7 Mile Drive Subdivision, Phase II

FINAL CONDITIONS

Standard Conditions:

1. All traffic signs shall be of the size, shape, height, and placement as to be in accordance with the Manuel of Uniform traffic Control Devices,[Dawson County Subdivision Regulation (DCSR), Section VI-H-6]

2. All internal subdivision roads, whether public or private, shall be constructed in accordance to County engineering standards and shall be approved by a licensed engineer. [DCSR, Section VI-H-8]

3. All water, sewer, and storm water systems must have MDEQ approval. [MCSR Sections VI-I, VI-J, and VI-K; MCA 76-4]

4. Where the aggregate total of disturbed area of any construction as define in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction, such disturbed area is equal to, or greater than one acre, a Montana State Department of Environmental Quality MPDES Storm Water Construction General permit shall be obtained. [ARM 17-30-1102(28)]

5. All utilities shall be placed underground, provide for easements at least 15 feet wide unless otherwise specified by the utility firms serving the site and shall be centered along the rear and side lot lines wherever necessary for service to the lot. [DCSR, Section VI-M]

6. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [MCA 76-3-611].

7. The final plat shall comply with state surveying requirements. [MCA 76-3-608(b)(i)]
8. All required improvements shall be completed and in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the [DCSR, Section II-B-4]

Site-Specific Conditions:

9. The road/stormwater maintenance agreement should indicate that costs shall be split on a per lot basis exclusive of the parkland lot.

10. Lot 14 will have an agricultural covenant filed at the time of final plat and the restriction shall show on the face of the final plat.

11. Remediation of Lot 13 on at least a portion of the lot equivalent to the required parkland dedication shall be required. The plantings shall be located along the edge of 7 Mile Creek and shall be acceptable to provide either usable open space or habitat value.

12. Lots 1 and 13 shall be exempt from sanitation but shall require review of a stormwater plan by the County Sanitarian and the planner. This plan shall be certified by a professional engineer.

13. A centralized mail delivery pullout shall be indicated as an easement and the pullout constructed on either lots 6, 7, or 12 or other location on the plat subject to the Post Office determining it is needed.

14. An area delineated as a Native Growth Protection Area/Floodplain/No Build Zone shall be delineated on the final plat surrounding the areas on either side of 7 Mile Creek for Lots 6-12 and This additional language shall be added to the road/stormwater maintenance agreement.

“Owners of lots 7-12 and all joint owners of lot 13 shall not disturb the native growth protection easement except to remove noxious weeds/non-native vegetation, or to enhance the existing native vegetation.”

15. A floodplain variance shall be obtained for lots 6-12 from MDEQ.

16. The proposed drainfield location on lot 6 shall be relocated to avoid the fill area, the fill removed, or any other acceptable means as approved by MDEQ for placement of the drainfield location.

17. Drainfield sites shall be staked for location on all lots where they are proposed.

18. Encroachment permits will be obtained for both of the subdivision roads and for lot 1 if they are not on file. The original encroachment permit for lot 13 shall be rewritten to be realigned to be directly across from the driveway access to lot 1.

19. An 60 foot wide access easement shall extend from the cul-de-sac by lot 4 and 5 to provide future access to the adjoining lot.
October 20, 2015

Commissioner Gartner opened the meeting at 5:30 p.m., with Adam Gartner, Doug Buxbaum and Gary Kartevold present. Also present were, Joe Sharbono, Doug Byron, Jason Stuart, Ranger Review Reporter, and Shirley Kreiman, Clerk & Recorder.

Prior Meeting Minutes:
A motion was made to accept and approve minutes for October 6, 2015. The motion was seconded. All voted in favor. Motion carried.

Administrative Items & Correspondence added to the Posted Agenda: Transfer from interest clearing, 2 Encroachment Permits, Correspondence: Treasurer’s Cash Report, Public Service Commission notice of applications for certificates of compliance, MT Fish Wildlife and Parks Comment period.

Previously Approved Administrative Items:

August Payroll - The board of Commissioners certified the payroll warrants register total and the Invoice Journal total for the month of August 2015 and noted they were in agreement.

FUND  DEPT   DEPARTMENT    Amount
1000  410100  Commissioner  14,927.55
1000  410340  Justice Court  7,816.69
1000  410540  Treasurer  17,358.30
1000  410600  Elections  3,214.00
1000  410800  Human Resources  3,351.56
1000  410940  Clerk & Recorder  17,781.21
1000  411100  Attorney  25,957.51
1000  411136  Victim Wtn Adv  431.70
1000  411230  Maintenance  5,181.76
1000  411235  Safety Director  324.47
1000  411600  Supt of Schools  4,875.48
1000  420600  D.E.S.  4,001.65
1000  420643  Home Preparedness  0.00
1000  420800  County Coroner  787.90
1000  430912  Cemetery  16,855.17
1000  440140  Public Health  18,814.90
1000  440160  Sanitarian  7,294.75
1000  450410  County Agent  2,920.32
1000  460433  Parks  1,920.44
1000  460452  Glendive Museum  2,142.01
1000  460453  Richey Museum  1,000.64
2110  430230  Road  55,555.42
2110  430247  Tax  261.78
2130  430244  Bridge  46,347.69
2140  431100  Weed  11,190.71
2140  431100  Weed Summer Help  8,745.25
2160  460210  Fair  2,893.54
2170  430310  Airport Maintenance  6,114.60
2180  410331  Clerk of Court  9,012.71
2180  410334  Bailiff  848.12
2200  440700  Mosquito  1,707.39
2200  440700  Mosquito Summer Help  5,080.77
2200  460110  Library  11,580.38
2250  410100  County Planning  3,672.70
2252  411010  Flood Plain  648.12
2254  431394  Highland Park Zoning  1,000.64
2280  450310  Sr. Citizens Center  4,444.37
2280  450320  Homemaker Grants  2,067.25
2280  450321  Respite Care  703.33
2280  450323  Congregate Meals Grant  4,167.51

FUND  DEPT   DEPARTMENT    Amount
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2300  420300  133  Public Safety-Cty Pri  32,051.16
2300  420230  133  Public Safety-Co. Jail  14,276.52
2371  410551  548  Ins Fund Gen Govt  3,628.83
2371  410551  548  Ins Fund Public Health  1,931.10
2371  410551  548  Ins Fund Social & Economic Svcs  2,619.54
2371  410551  548  Ins Fund Culture & Recreation  2,708.55
2390  420142  126  Drug Forfeiture  1,479.4
2404  430263  653  4F FP Lighting  52.79
2407  430263  650  7M FP Lighting  15.02
2505  431200  645  5M WG Dike  752.32
2515  430600  660  WG Public Works  214.45
2514  430500  665  14M HP Irrig  3,246.38
2524  430500  675  24M FP Water  4,939.56
2546  430595  679  46M FP Irrigation  1,869.75
2601  430601  691  MSSD #1  2,929.93
2830  430800  552  Junk Vehicle  2,929.93
2960  440100  810  BCHP Grant  1,373.66
2960  440150  828  Emergency Preparedness  2,929.93
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2960  440114  850  Hilly Com-Parent Resource Center  7,790.27
### September Payroll
The board of Commissioners certified the payroll warrants register total and the Invoice Journal total for the month of September 2015 and noted they were in agreement.

#### PAYROLL EXPENSE FOR PERIOD OF SEPT 1 - SEPT 30, 2015
(Employer Costs Includes Gross plus taxes and benefits including Health & Life Insurance for 3 pay periods)

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**Total:** 67,815.00

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### Capital Outlay Authorization
The commissioners approved a capital outlay authorization for the Cemetery Department to purchase a 2016 Ford Pickup for $34,000.
DAWSON COUNTY BOARD OF COUNTY COMMISSIONERS
COUNTY OF DAWSON
GLENDIVE MT – October 2015

Collective Bargaining Agreement-A Collective Bargaining Agreement was signed between the Dawson County Commissioners and Teamsters Local No 190 for the Sheriff Deputies on September 1, 2015.

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 $31,570.85 for the month of September 2015. Motion carried.

Administrative Items:
Encroachment Permits from Midrivers-2 Encroachment Permits were received from Mid-Rivers Telephone for bore crossing in T17R50&51E for communications over Roads, FAS 467, 209, 211, 222 & 224. Joe Sharbono has reviewed the location and said he has approved them. A motion was made to approve the permit. The motion was seconded. All voted in favor. Motion carried.

Old Business:
Planning Board-Commissioner Gartner stated that they had received a letter from the city in regards to a joint city/county planning board and they are reviewing and negotiating some of the items. He stated he does need to respond to them shortly.

New Business: None

Correspondence/Information:
• A letter was sent to Dennis Byron concerning the Lark Lane Road.
• Letter of conditional approval to Engineering West on Haggerty 7-Mile Subdivision, Phase II sent on 10-13-15
• Letter of support to Eastern Plains Economic Development Corp on Oct 8, 2015
• Treasurers cash report for September 2015
• Notice from Public Service Commission of notice of applications for certificate of compliance for:
  ➢ Billings Yellow Cab
  ➢ Aneta Jones dba Hi Line Taxi
  ➢ Arrow Shuttle LLC
  ➢ David H & Heidi L Hammermeister dba Huckleberry Express Taxi
  ➢ Tour de Foam LLC
Written protests must be postmarked by October 28, 2015
• Notice of public comment period from MT Fish Wildlife and Parks regarding Waterfowl Regulations, Central flyway duck zone adjustments to match the goose zones And 2015 Elk Late Shoulder Season Pilot Project. Comments can be made at fwp.mt.gov by clicking on Submit Public Comments by November 6th at 5 p.m. Addresses also listed for mailing written comments.

Road Report-They are putting gravel on road 431. They have equipment in the area and there is a need to fix a blind spot on Road 422 where there is an approach onto the Highway. They will have to have McCone Electric move a power pole and then lower a hill and move the road a bit. They are still mowing. The roof repair is done on the shop at Richey and so far they are pleased with it.

Public Comment:
Doug Byron-stated he was present to make the commissioners aware of a manhole on Jefferson School Road that is 6” lower than the pavement and is causing problems. He wanted to know if it will be raised. People are hitting it and ruining their tires. There is a lot of traffic on that road with the school. The commissioners agreed to look into the matter. He also inquired about his neighbor, Leland Goulet who lives at 827 B Ave E. He has a lot with a sewer hookup, but there is no house on it and he is getting charged for sewer. He was told he could not file a grievance on his taxes. The commissioners stated that this was an issue for the public works department and they would pass this on to them to look into.

The meeting adjourned at 5:42 p.m.
DATED this 20th day of October, 2015.

________________________________________
Adam J. Gartner, Member

________________________________________
Douglas A. Buxbaum, Member

________________________________________
Gary Kartevold, Member

ATTEST: ___________________________________
Shirley A. Kreiman, Clerk & Recorder