

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS  
MEAGHER COUNTY, MONTANA**

**February 3, 9, 11, 17, 24, 2009**

**TUESDAY  
February 3, 2009**

Commissioners Present: Herb Townsend, Bernie Lucas, and Ben Hurwitz. \

Commissioners approved previous meetings minutes.

**ROAD DEPARTMENT REPORT:**

Ray Ringer, Road Department would like to replace one 1972 random axle dump truck. Mr. Ringer also notified Commissioners the county needs a location to produce gravel near the Lower Smith River. Commissioners are going to ask County Attorney if we can resolve a so called contaminated soil issue in or around the county yard. The source of the contamination is unknown and Meagher County is paying large sums to Hydrometries Inc. for soil testing. This has gone on for several years and the Commissioners feel it needs to be resolved. Mr. Ringer and Commissioners also discussed the county plans to remove Eagle Creek Bridge in the Fall of 2009. The plan is to replace it with a used 60' X 8' culvert.

**MAYOR THERIALT:**

W.S.S. Mayor Julian Therialt; Jason Phillips, Meagher County News; Gordon and Sally Stewart and Mike and Debra Eby were present to discuss upcoming city election for mayor and two councilmen. Clerk Recorder Cam Lowe informed them when and how the election would take place.

**CELEBRATION:**

Connie Townsend stopped by the commissioner proceedings with a birthday cake to celebrate Herb's 77<sup>th</sup> birthday. Everyone gathered for cake and coffee.

**TREASURER REPORT:**

Treasurer Michelle Walker – PILT money which was earmarked for Road and Bridge in the amount of \$67,000 will not be needed and will remain in the PILT fund for now.

**CLERK & RECORDER REPORT:**

Clerk & Recorder Cameron Lowe informed us the IRS has fined the County \$410.82 interest and penalty for a 2005 error in reporting W2's prior to Mr. Lowe taking over the Clerk and Recorder Responsibilities.

**MACO LIABILITY INSURANCE:**

MACo Representative Greg Jackson and Mid Montana Insurance Agent Jody Tierney made a mid year policy visit to give an update on Meagher County Workman's Comp and property and Liability Insurance.

**BUDGET AMENDMENT:**

Budget Hearing on Secure Rural School's money in the amount of \$786,674 from the Federal Government U.S. Forest Service Federal Forest payments. These payments are slated to come for a total of 4 years decreasing 10% per year.

Distribution of the money is as follows:

Title I: \$666,123  
2/3 county road fund \$444,304.04  
1/3 school levies \$221,818.96  
Title II: \$62,694 retained at US Treasury until a committee is formed to use it on Forest Lands.  
Title III: \$54,857 which can be used only for search and rescue and fire on federal land.

Of the \$444,304.04 commissioner Lucas, Townsend and Hurwitz chose to use a portion of the money to eliminate debt on two road graders. We will pay off Bank of the Rockies \$207,809.36 and pay back the Harmon Trust \$76,400 for a total debt retirement of \$284,209.36. The remaining \$93,094.68 will be held in a temporary restricted cash account in road fund for now and \$65,000 in road fund and 2000 Bridge for fiscal year 2008-2009.

**COUNTY HEALTH NURSE:**

**RESOLUTION #2009-22**

Acting County Health Nurse Kari Jo Kiff insisted on having two contracts signed until such time as we could find a replacement for her as she does not want the health nurse position. The contracts indicated wage at \$24/hour for Emergency Preparedness and \$23/hour public health nurse. Lucas moved to sign contracts, and Hurwitz seconded. Chairman Townsend signed subcontract with acting health nurse Kiff for Emergency Preparedness to expire September 2009. It is therefore resolved.

**RESOLUTION #2009-23**

Commissioner Hurwitz moved contracts could be terminated at anytime once a replacement is found at sole discretion of the commissioners. County will advertise the position of County Health Nurse if it turns out that our local clinic cannot take over Meagher County Health Nurse Duties. Commissioner Lucas seconded. It is therefore resolved.

**MEETING ADJOURNED**

**MONDAY**  
**February 9, 2009**

Commissioners Present: Herb Townsend, Bernie Lucas, and Ben Hurwitz.

**SPECIAL MEETING:**

A special Monday meeting was called to consider a possible misappropriation of funds. Commissioners Herb Townsend, Bernie Lucas and Ben Hurwitz met with the County Attorney, Linda Hickman for two (2) hours to discuss what actions to take based on preliminary findings of evidence that the county funds may have been misappropriated.

**PERSONNEL ACTIONS:**

**RESOLUTION #2009-24**

Commissioner Hurwitz moved and Commissioner Lucas seconded to place Clerk and Recorder Cameron Lowe, Deputy Clerk and Recorder Paula Palozzi, and Assistant to the Clerk and Recorder Tammy Thomas, Meagher County Treasurer Michelle Walker, and Treasurer Office employee Angie Ringer on administrative leave effective immediately. It is therefore resolved.

At approximately 10:00 AM the commissioners instructed the Meagher County Clerk and Recorder Cameron Lowe, Deputy Clerk and Recorder Paula Palozzi, and Assistant to the

Clerk and Recorder Tammy Thomas, Meagher County Treasurer Michelle Walker, and Treasurer Office employee Angie Ringer that all were immediately placed on administrative leave with pay until further notice.

The commissioners informed the Bank Of The Rockies that all signature "Stamps" will be locked in a safe deposit box and hence forth all county checks will be hand signed by only the commissioners.

County Attorney: Linda Hickman contacted Computer Software Associates, ( CSA), to compile the previous twenty four (24) months of records from the two afore mentioned offices.

Meagher County Attorney Hickman contacted the Montana Attorney General Investigative Division and they are sending over an investigator; Reed Scott.

## **MEETING ADJOURNED**

**WEDNESDAY**  
**February 11,2009**

See Attached Resolution Regarding Hiring Temporary Help for Offices.

**TUESDAY**  
**February 17,2009**

Commissioners Present: Bernie Lucas, and Ben Hurwitz. (Commissioner Herb Townsend recuperating from heart surgery).

Commissioners approved previous meetings minutes.

### **MEAGHER COUNTY CITY & COUNTY LIBRARY:**

9:30 AM -10:30 AM Librarian Debbie Benedict gave a detailed report.

### **MEAGHER COUNTY ATTORNEY:**

10:30AM- 12:00 PM County Attorney Linda Hickman reported on the ongoing investigation, administrative leave given February 9,2009, is still in effect.

### **MEAGHER COUNTY SHERIFF:**

2:00PM – 4:00 PM Sheriff Rick Seidlitz reported on the Pre-Disaster Mitigation Plan. Road Supervisor Ray Ringer, Dee Kinnick sat in attendance. After the Pre-Disaster Mitigation Plan was thoroughly discussed, the Sheriff gave a detailed report outlining the events in his department for the past 30 days.

## **MEETING ADJOURNED**

**TUESDAY**  
**February 24, 2009**

Commissioners Present: Herb Townsend, Bernie Lucas, and Ben Hurwitz.

Commissioners approved previous meetings minutes.

### **MEAGHER COUNTY TREASURER RESIGNATION:**

9:00 – 9:30 AM Michelle Walker Treasurer for Meagher County resigned effective today. Commissioners accepted the resignation of Treasurer Walker. Deputy County

Attorney: Wally Congdon, explained to Mrs. Walker her rights and the ramifications of an elected official resigning.

**MEAGHER COUNTY ATTORNEY:**

9:30 AM- 11:00 AM County Attorney Linda Hickman and Deputy Attorney Wally Congdon briefed the commissioners regarding the resignation of Mrs. Walker and the continuing investigation.

**MEAGHER COUNTY SHERIFF:**

11:00 AM meeting with Sheriff Rick Seidlitz.

**MEAGHER COUNTY EXTENSION OFFICE:**

1:00 PM- 2:00 PM met with Rachel Soto, County Extension Agent; she set forth plans and goals for 2009.

**MOUNTAINVIEW MEDICAL CENTER:**

2:00 PM-3:00 PM Meeting with Aaron Rogers, Mountainview Medical Center CEO. Mr. Rogers gave information update for the month including the Profit and Loss Statement as of February 2009. Accounting information indicates they are still losing money, however; Mr. Rogers explained they would operate in the “Black” soon.

**MEAGHER COUNTY ATTORNEY:**

3:00 PM – 4:00 PM Meeting with County Attorney Linda Hickman gave informational update pertaining to the ongoing investigation.

**CLAIMS:**

4:00 PM Chairman Herb Townsend approved the claims.

**MEETING ADJOURNED**

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**CLERK**

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**CHAIRMAN**

**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**