

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

July 2, 7, 14, 21, 2009

**THURSDAY
July 2, 2009**

Commissioners Present: Herb Townsend and Ben Hurwitz.

Present: Dayna Ogle, Becky Leger, and Christy Rogers from the Clerk and Records Office. Sue Phelan and Shauna Porter from the Treasurers Office. Sharon Flom, CPA and Carolyn Schakk from Strom and Associates located in Billings Montana.

Auditors Exit Interview:

Year Audited July 1, 2007 – June 30, 2008

Findings:

1. The budget and financial reports need to be filed with the state by December 31st every year. They have been filed late for the past ten years, since 1999.
2. The county needs a list of its capital assets valued over \$5,000.00.
3. Of the 42 budgeted funds 12 of them are overspent.
4. Payroll and claims have not been reconciled since 2001.
5. Of the sample taken, half of the claims were paid without supporting documentation.
6. Of the sample taken, 32 out of 100 checks were written without approval.
7. Signature stamps were not under lock and key, they were available to anyone.
8. The county attorney needs to keep a register of all office business.
9. Treasurer should keep a list of all delinquent personal property taxes.
10. There were several problems in the way the 143H Caterpillar Grader was traded in and bought back.
11. Money loaned by PILT account to buy Airport fuel for resale should be paid back into the PILT Account.
12. IT person's authority should be limited to a few hours as much time as updates are needed. The Clerk and Recorder should have full authority, and should change the passwords often.
13. Change the locks on the doors to the building.
14. Budget amendments: If money is transferred from one account to another it must be backed up by a budget amendment in the minutes.
15. The auditor found new staff to be very helpful and accommodating.

Meeting Adjourned

**TUESDAY
July 7, 2009**

Commissioners Present: Herb Townsend, C.B. Lucas, and Ben Hurwitz.

Commissioners read minutes and approved minutes from previous meeting.

Clerk and Recorder's Report:

Clerk and Recorder Dayna Ogle reported Meagher County Title and Escrow has paid \$2000 of the \$3515.25 owed to Meagher County for recordings. The \$1515.25 will be forth coming in 30 days. Potter and Company paid in full their balance of \$2648.50.

County Attorney Report:

On July 1, 2009 former deputy Clerk and Recorder Paula Polizzi repaid \$4700 to Meagher County. This combined with the \$6100 Ms. Polizzi paid back to Meagher County earlier, totals \$10800 of unauthorized draws repaid to date. The State Attorney Generals Office has completed its investigation of the unauthorized draws and has sent its findings to County Attorney Hickman. Ms. Hickman has yet to report to the commission of her progress on the case.

Cam Lowe Request:

RESOLUTION #2009-39

Part time employee Cam Lowe requested to work and to be paid for 40 extra hours to make up for unpaid vacation time he intends to take September 23rd to October 4th. Commissioner Hurwitz moved Mr. Lowe's request be denied, Commissioner Lucas seconded. The Commissioners voted unanimously. It is therefore resolved to deny extra hours to make up for unpaid vacation.

Craig Shepherd:

Commissioners have agreed to request Mr. Shepherd to do the Annual Financial Report for Meagher County one more year.

Payroll Audit:

Our Clerk and Recorder Dayna Ogle will do the Payroll Audit that has been discussed in previous meetings.

New Sheriff:

Jon Lopp our newly sworn in Sheriff reported he has chosen Roger Shroyer to be his Under Sheriff. He also told us he has hired Nick Rauser as a new Deputy. Mr. Rauser will sign a 3-year contract. Mr. Rauser's probation will be for a one-year duration. He will be sent to police training within the month.

Sheriff Department Vehicle Contracts:

Meagher County presently contracts with our Sheriff and Deputies to use their own vehicles for work. We pay them \$500.00 per month plus insurance and fuel. Sheriff Lopp requested we increase the payment by \$250, totaling \$750/month. No decision was rendered.

MACo Health Insurance:

RESOLUTION #2009-40

Owen Voigt and Hospital Administrator Aaron Rogers met with the commissioners. The revised payment for the 09-10 fiscal year will be \$455/month for the RM 1000, a 10% increase from last year which was \$413. The County was paying \$387 for each employee, and each employee that had RM 1000 would pay the difference of \$26.00. Commissioner Hurwitz moved that for this fiscal year Meagher County increase what they will pay per employee by \$42. They will pay \$429 per employee, which will cover 3 of the 4 options. If the employee chooses RM 1000 they will be responsible for the remainder of the premium, \$26.00. No matter which plan an employee chooses, the county will pay up to \$429.00. (i.e. if an employee chooses the basic plan just for themselves the county will only pay the premium of \$318.00. If an employee chooses the basic plan for their family the county will pay \$429 of the \$795 premium and the employee is responsible for the difference). Commissioner Lucas Seconded. Vote was unanimous in favor of increase, and it therefore resolved.

Hospital Administrator Aaron Rogers wanted clarification on the waiting period. Meagher County has a 30-day waiting period for new employees. (Once the 30-day waiting period is up they are eligible for insurance the following month). The hospital is going to adopt the same policy for their personnel.

Checkerboard TV:

The Checkerboard TV board, Stan Friedenber, Sally Friedenber, Fran Hutzenbiler and Max Hunt. Met with the Commission to inform us they had applied for a \$3000 grant to acquire digital equipment to update their old analog system. The grant money will come to Meagher County and then given to their board. The board collects \$15 from about 50 subscribers in Checkerboard.

Local Bank Bids for County Business:

Dutton State Bank and Bank of the Rockies met with the Commission at 2:00pm and opened their respective bids for 3, 6, 9 and 12 month C.d. in amounts of \$100,000 to \$250,000. County Treasurer Sue Phelan set up the bid criteria so each bank was bidding the same thing. The bidding was extremely competitive in all categories. The commission will render a decision at the July 14th meeting.

New Court House Furnace:

RESOLUTION #2009-41

Commissioner Townsend moved we contract with Combustion Service Company from Great Falls Montana to have a new Furnace installed and the old one removed for a total cost of \$44,938.00. The American Recovery Act Stimulus Money will fund this project. Commissioner Hurwitz seconded. Commissioners voted unanimously, and it is therefore resolved.

Claims:

Claims on voucher #1147, Check #39381 – Check #39442 totaling \$105, 728.20 were presented and approved. Check #39421 was voided due to wrong vendor.

Meeting Adjourned

TUESDAY
July 14, 2009

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

Commissioners read minutes and approved minutes from previous meeting.

Road Department:

Ray Ringer requested Meagher County replace an irrigation ditch with pipe to accommodate 100 inches of water. The ditch subs water into Meagher County gravel pit and takes most of the Leger's water. The new piped ditch will allow the county to use the entire area of their pit to crush gravel.

Cattle Guard Replacement:

The Cope family has a cattle guard in the Lingshire area in the county road that has been in a bad state of disrepair for several years. Commissioner Hurwitz asked Brian Cope to let Meagher County replace the cattle guard at a cost of \$2000, the cost of which will be paid by the Cope family. The commission is concerned the existing cattle guard is a traffic hazard.

American Recovery Stimulus:

Meagher County is waiting for a contract from the Department of Commerce to fund several improvement projects inside the courthouse

Treasurer's Report:

RESOLUTION #2009-42

Commissioner Lucas moved Bank of the Rockies would be the bank that Meagher County utilizes for financial services. Commissioner Townsend seconded. It was a unanimous vote, and it is therefore resolved.

Sue Phelan, Meagher County Treasurer will send the Bank of the Rockies a letter notifying them they submitted the most favorable bid for Meagher County's checking account and certificates of deposit.

Pitney Bowes Letter Folder:

RESOLUTION #2009-43

Our efforts to stop payment on the letter-folding machine purchased by the former county treasurer have failed. Commissioner Hurwitz moved to attempt to sell the folding machine on E-Bay. Commissioner Lucas Seconded, and it is therefore resolved.

Meagher County IT Report:

Jake Odom would like to move the server, now residing in the treasurer's office into the courthouse basement. Jake will investigate the cost and report back.

Fire & D.E.S.:

Jeff Secrest, Rick Seidlitz, and Bob Fry met and discussed fire districts. Wildland fires are all fires except structures. For a fire district (which is the way to go) you need 50% landowners and 50% of the landmass. We requested Fire Chief Seidlitz to put together a budget for this fiscal year.

RESOLUTION #2009-44

Commissioner Townsend moved that Meagher County use pre 2008 Title III money to purchase a F350 Ford pickup to replace the Morris Truck. Commissioner Lucas seconded. It is therefore resolved.

RESOLUTION #2009-45

Commissioner Townsend moved that Meagher County use pre 2008 Title III money to purchase an F250 Ford pickup for Meagher County Fire. Commissioner Lucas seconded. It is therefore resolved.

Cam Lowe Elections Report:

Mr. Lowe reported on election activities since March 19, 2009.

Claims:

Claims on voucher #1149, Check #39456 – Check #39488 totaling \$24, 067.49 were presented and approved.

Meeting Adjourned

TUESDAY
July 21,2009

Commissioners Present: Herb Townsend, C.B.Lucas, and Ben Hurwitz.

Minutes: The minutes for the month of June 2009 saw their final reading and were approved and signed by all commissioners and put on file. Rough drafts of the first two meetings in July were approved for final draft.

Russell Country Grant:

Tim Barth, called in on speaker phone and explained the Russell Country Grant offer to Meagher County and the city of White Sulphur Springs. At the East entrance to White Sulphur Springs a Russell Grant will spend \$14,000 and the city will contribute \$4,700 to landscape around the Welcome sign. On the west entrance at the golf course, Russell Country grant will spend \$10,400 if Meagher County will contribute \$3,400.

RESOLUTION #2009-46

Commissioner Hurwitz moved to spend \$3,400 for the project and accept the Russell Country Grant. Commissioner Townsend 2nd and it is therefore resolved.

HOME Grant Returned:

Beth Hunt, Senior Center Administrator, ask for a resolution and a letter from the commission to Not Accept a \$500,000 government H O M E grant that will not be needed to build the Castle Apartments because stimulus money will be used according to Ms. Hunt the terms and conditions of the Stimulus money from The Community Development Block Grant was more favorable.

RESOLUTION #2009-47:

Be it resolved by a unanimous commission vote, to resend the \$500,000 HOME Grant and send a letter to HOME.

Tax Appeal Board Formed:

Three community members were asked if they would accept appointment to a Meagher County Tax appeal Board. They were Jim Witt, Wayne Buckingham, and Jim Witt. They all accepted and the commission will approve their appointments at eh August 4, 2009 commission meeting.

Part Time Position Terminated:

Cameron Lowe; former Meagher County Clerk and Recorder was employed on a part time basis after he formally resigned, March 2009, as Clerk and Recorder.

In a written contract with Mr. Lowe, the commission reserved the right to terminate Mr. Lowe any time after 30 days notice.

RESOLUTION #2009-48

Commissioner Hurwitz moved to terminate Mr. Lowe, effective August 31,2009 , Commissioner C.B. Lucas Seconded. Motion carried by unanimous vote and it is therefore resolved .

Spay and Neuter Program:

Pat Chapman, City employee, has arranged for a spay and neuter clinic August 8, 2009. Ms. Chapman asked the commission to contribute \$850. The commission agreed to pay \$425.00 and felt the city should pay the balance.

RESOLUTION #2009-49

Commissioner C.B. Lucas moved to fund the project with \$425. Commissioner Townsend seconded, motion carried by unanimous vote, therefore it is resolved.

Meagher County Treasurer Report:

Sue Phelan, Treasurer and Tary Buckingham discovered the former treasurer was making monthly payments to Mountainview Medical Center directly from the treasure's department and doing so monthly. Technically; Payments to MMC fir their 28 Mill Levy should be written by the Clerk and Recorder and done so semi annually. These semi- annual payments based on 28 Mills should be made less the delinquent and protested property taxes, and said payments must be accompanied by a claim. The final payment for MMC for Fiscal 08-09 is late but will be written today in the amount of \$86,525.37. Once completed Meagher County will have paid MMC \$200,430.17 for Fiscal 08-09.

Smith Creek Road:

Ruth Bergsing of Smith Creek subdivision, requested road signs to slow traffic through the Smith Creek Subdivision. Fire Chief, Rick Seidlitz, also met with Ms. Bergsing to answer questions she had about Rural Fire.

Gateway Development Update:

Brian Oberg reported to the commission on projects Gateway is working on. Commissioner C. B. Lucas volunteered to be on the Gateway Board, replacing Jamie Doggett.

RESOLUTION #2009-50

Public Hearing Re: Title III: Commissioner C.B. Lucas moved to use 2008 Title III money to purchase 2 pickups for the Meagher County Fire Department, Commissioner Townsend Seconded, motion carried with unanimous vote, therefore it is resolved.

County Attorney Report:

Meagher County Attorney, Linda Hickman, reported on tentative findings regarding the unauthorized draws. The county's insurance carrier has asked the commission for the amount Meagher County is owed so the insurance company can pay for the county's loss.

Claims:

Claims were presented and approved, Check # 39495-39537 , voucher # 1002, voucher date 07/21/2009 total : \$111625.79.

Meeting Adjourned

CLERK

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER