

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

January 5, 12, 14, 19, 20, 26 2010

TUESDAY

January 5, 2010

9:00 am – 4:30 pm

Held in the Commissioners' Office

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

Minutes:

Commissioners read minutes and approved minutes from previous meeting.

Road Supervisor Report:

Ray Ringer reported that no other contractor was interested in plowing Grassy Mountain resident's roads. Commissioner Lucas moved to have Road Department be able to plow Grassy Mountain resident's road when they are near the location and it is needed for a rate of \$120/hour with a minimum payment of \$120. Herb seconded. A vote was taken and passed unanimously.

Commissioner Hurwitz contacted Mrs. Vanwormer and Mrs. Hickey by phone to notify them of the commissioner's decision. Chairman requested a formal letter be mailed to the residents.

Commissioner Lucas asked Mr. Ringer to touch base with T&E to make it clear that they talk to him directly regarding maintenance, parts, and any other issues that deal with county equipment opposed to other members of the road crew. Commissioner Hurwitz requested that Mr. Ringer look into the possibility of getting a grader that the whole crew can use and one that warms up in less than an hour so they are not losing working time. Mr. Ringer and Commissioner Hurwitz are interested in a possible trade in, Commissioner Lucas and Chairman Townsend would like to look at the cost before any decision is made. Road Supervisor Ringer finished by reporting the rail that was a hazard was removed successfully.

Sheriff Report:

Sheriff Jon Lopp reported that the ticket free New Years Eve event was successful. All high school students showed up except 7. A lot of parents participated in making it successful. A laptop and 2 Wii consoles were given away. Commission praised the Sheriff Department and Deputy Wendt for their effort and commitment to the community. Sheriff Lopp noted that the new patrol car is ordered and should be in next week. Sheriff Lopp will drive the new Expedition and Deputy Wendt will utilize the truck Sheriff Lopp is currently using. Deputy Shroyer is still utilizing personal vehicle that the County leases. Deputy Rauser left for training and will be there for 12 weeks. County is contributing \$2,000 for schooling and in his contract it states if he leaves Meagher County Sheriff's Department within a year he will pay the county back their contribution. Sheriff Lopp added Deputy Rauser is doing great and has been a good addition to the department.

The last search and rescue was reimbursed from the state. The state will pay \$6,000 to search and rescue and \$6,000 to the sheriff department. Sheriff Lopp stated he will submit claims accordingly to utilize reimbursement funds. Hurwitz asked about the agreement that the county has with Galt Aviation for searches. Sheriff Lopp explained Mr. Galt has agreed to help with searches and only to be paid for searches the state reimburses. Commission expressed their gratitude for Mr. Galt's dedication and willingness to help the county. Commissioner Lucas recommended that we send an informational letter to the person that is rescued stating the time and agency's that assisted in case they want to express their gratitude.

Sheriff Lopp concluded with asking commission the status of the work to be done on the jail windows. Commission is going to discuss possible contract with Todd Young for windows, and will call him to notify him of their decision.

Road Department Follow Up:

Ringer found the contract for the grader that states the 140M Caterpillar is a 2007 and it was purchased in 2008 and after 3 years it is eligible for a buy back for \$140,703. With that information commission unanimously decided they would keep and utilize the 140M machine because funds are limited at this time and they would not be able to justify money to pay difference for a new grader

Clerk and Recorder Report:

RESOLUTION 2010-1

Clerk and Recorder Dayna Ogle and Joyce Wofford clarified that in fact the error that was made in 2008 by previous employees for payroll clearing is not just \$27,000 but totals \$53,785.26. Mrs. Wofford recommends that she would do a journal voucher to clear up and utilize PILT funds to correct error. After discussion Commissioner Townsend moved to utilize PILT fund to transfer into funds to correct error and to give Clerk and Recorder Ogle permission to process correction as Strom and Associates advises. Commissioner Hurwitz seconded. A vote was taken and passed unanimously. Therefore it is resolved.

Commissioner Townsend requested that Mrs. Ogle submit a claim as soon as possible for costs incurred due to the embezzlement to JPIA.

Ogle then presented a claim to commission asking if it should be processed from County Nurse to Building Maintenance for putting vaccine into cooler when delivered. Commission feels it should not be processed, Building maintenance is here anyway and is not in need of an additional fee. Ogle asked about a second claim that was submitted from Building Maintenance to pay Sexton for covering while out on sick leave. Commission agreed it was decided prior to sick leave that Sexton would cover for regular wage with no additional wage. Commission requested a letter be sent to Mr. Harris thanking him for his willingness to help with the building maintenance. Mrs. Ogle asked if the county could have an account at Rocky Mountain Supply for certain departments to utilize. Commission agreed unanimously it would be beneficial for county to have account that the cemetery, courthouse, and road departments could utilize.

Mrs. Ogle asked if commission would approve her and Deputy Clerk Hurwitz Leger to attend a conference February 9th 2010 on Payroll Laws in Helena. Commission approved and agreed that Mrs. Wofford could be asked to come in and help run the office that day.

Commissioner Lucas asked if Mrs. Ogle would call and find out how much an independent audit for county funds due to embezzlement would cost. Once the commission knows the cost they will determine if they will hire auditor.

Commission and Clerk and Recorder Ogle worked on editing and updating the Policy Handbook the remainder of the time.

Meagher County Property Tax:

Commissioner Townsend asked Tax Assessor why grazing land is priced differently per acre. Townsend also asked when tax payers would be given any answers. Assessor Pat Pallas reported that AB 26 forms are still at state level and she has no control until those are completed and she does not know when that would be. Commissioner Lucas added that the state has a list and are working down the list and unfortunately we just have to wait. When decisions are made at the state level that is when the county will know what needs to be discussed and decided for the second half of property tax. Treasurer Sue Phelan stated that \$106,000 is what has been protested in Meagher County at this point. Mrs. Phelan added that the \$106,000 is not just county funds but also school funds. Commissioner Lucas asked what the total amount of delinquent taxes owed is. Treasurer Phelan did not know off hand but will look it up and report back. She did state that delinquent statements are going out in about a week. Commissioner Lucas pointed out that this is going to be a long process but because of it property owners are more aware of their taxes.

Cemetery Board Report:

JR Shinabarger reported that cattle broke through the Mayn Cemetery fence. He feels that the rails will need to be replaced and would like to put a barb wire fence up so the cattle wouldn't rub up against the cemetery fence and damage it again. The sexton will replace the fence and then string up barb wire fence and two wire gates for access for easement owners in the spring. Commissioners gave the cemetery board approval to utilize their budget to replace fencing in the spring.

Building Maintenance:

Commission notified Building Maintenance that he is to report to Clerk and Recorder when leaving the building. Clerk and Recorder will be the direct supervisor and will sign off on Building Maintenance time sheets. Mr. Shinabarger will work on a job description for Building Maintenance position, and help Sexton with one for the Sexton position. They will turn them into Clerk and Recorder who will present them to the commission when completed.

White Sulphur Springs City Mayor:

Commissioner Townsend started with commending the Mayor and the city crew on a job well done on the roads and sanding the corners.

Mayor Theriault shared that the city decided they would pay the utilities for the Meagher County City Library directly. The county will no longer pay utility bills and be refunded. Library Board Chair Lucy Zarr is going to take the bills to the City effective immediately. The city will reimburse claims the county has paid out to date and pay direct for any other bills that are due at this time. Commission and Mayor Theriault discussed the purchase of forest service land by the Library Board. The Library board has put a down payment down but has not purchased land out right. Mayor Theriault has written a letter and will continue to pursue the possibility of the forest service donating the library the land. Mayor Theriault shared that the city dealt with a service line breaking between the hospital and the spa. The water seeping into the spa well affected the spa pool and the owner was disgruntled. The issue arose that the hospital line crosses private property. Mayor Theriault is going to work with DEQ to rectify the situation. He added that the school had to close for half a day while the repairs were being made.

IT Department:

Department heads met with commission to discuss their information technology needs for their own individual departments of the county. Commission expressed that they would like all departments to write a letter stating their requests. Chairman Townsend added he would like departments to include an evaluation of existing IT Department because the commission is at a cross roads and is going to evaluate the needs for the county and make appropriate changes to the IT department to match county requirements. Commissioner Hurwitz added the county needs to determine even if a full time IT department is warranted. Some employees expressed issues and frustrations they are currently dealing with and agreed to address them in written correspondence to the commission. It was also conveyed by some that the equipment they utilize is very technical and requires quite a bit of time. Commission will review department input and compile a job description. Commission would like all input submitted prior to Tuesday next week. Commissioner Lucas mentioned that the commission will do what they feel is in the best interests of Meagher County and appreciates everyone's cooperation.

RESOLUTION 2010-2

Commissioner Townsend motioned that the It Department resignation not be accepted at this time. Commissioner Lucas seconded. A vote was taken; Lucas and Townsend were for and Commissioner Hurwitz voted against. Therefore it is resolved.

Claims:

Commissioner Hurwitz came in out of session and approved Voucher #1038 Ck#40207 – Ck#40242. Void #40156 due to wrong vendor. Voucher #1035, Journal Entry #251, 252. Commissioner Lucas and Commissioner Townsend reviewed claims Commissioner Hurwitz

previously approved and also approved totaling \$33,141.92. Current Claims were presented to commission by Deputy Clerk Hurwitz-Leger, Voucher #1040 Ck#40261 – Ck#40275. Two claims were denied by Commission, (Health Department claim to JR Shinabarger and Building Maintenance claim to Gene Harris). Approved claims totaling \$31,267.95.

County Attorney Report:

County Attorney Linda Hickman met with commission to discuss a letter of resignation. Hickman advised that an inventory be taken to compare claims to track who owns what. Hickman also stated due to the lack of information and the unavailability of the employee to meet employee's requests that the commission should exhibit due diligence to meet with employee and discuss details. Commissioner Lucas asked if Commissioner Townsend would contact IT Department to see if there could be an extension on the date specified on letter due to employee's absence at scheduled meeting today. Commissioner Townsend tried to contact employee and was unable so he left a message. Commission will follow up to contact employee to set a meeting when all interested parties can attend.

Meeting Adjourned

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

TUESDAY

January 12, 2010

9:00 am – 4:30 pm

Held in the Commissioners' Office

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

Minutes:

Commissioners read minutes and approved minutes from previous meeting.

Information Technology:

Jim McDanel met with commission & Clerk and Recorder Dayna Ogle to discuss current situation of courthouse computers. Jim was contracted to install computers in the courthouse while IT employee is not available. Mrs. Ogle reported that when they tried to install they found the administrative passwords were disabled so they were unable to set up. Ogle contacted CSA to have Treasurer and Clerk & Recorder established as the administrators. Ogle reported that she has contacted other counties to inquire what they have as IT Department or support, and of that what portion CSA covers. Commission wants Clerk & Recorder Ogle to see the difference in CSA fees previous to Meagher County IT Department and fees when IT Department was implemented. Commissioner Lucas wants Mrs. Ogle to research thoroughly so we know fees before any decisions are made.

Mr. McDanel said we currently go through a satellite and he feels it is not secure. He believes the satellite and outdated server are why the county system freezes up and has issues. Mr. McDanel recommends that we hook back up with the state for secure email accounts. Mr. McDanel spoke to CSA and MT Votes and both companies do not recommend we use satellite internet.

Clerk and Recorder Ogle is concerned the computers we purchased are not reliable and may not last long for the amount they will be used. She stated that she is going to get a quote from CSA and compare. If warranted she will return. County currently pays CSA \$3,200 a year for phone support and hardware maintenance. County pays \$14,000/year for licensing and software issues.

CSA said we could choose what we want and they can give a quote. They charge \$118/hr for service or you can set up a pre-paid agreement which is cheaper per hour.

Mr. McDanel explained the two servers we have are outdated and are not reliable equipment. He stressed it is important to own equipment out right because it holds your data and that the county should get one that is of good quality. He stated the county probably could get one that is better quality and holds as much as both old outdated servers. Commissioner Lucas added that he feels it is important to have everything backed up and to have backups stored securely.

Mr. McDanel then found that the satellite is not secure or reliable for service or backups. Hot Swappable drives are great for back ups. Mr. McDanel understands that county wants to keep the cost down but he said it is very important to get good reliable computers that can handle the work load. Jim suggests you get a custom built computer out of Helena so when you have a hardware issue you can have someone come service it and you do not have to wait like you would have to if you used Dell equipment.

Chairman Townsend said he would like to take computer expertise advice and give Clerk & Recorder Ogle the authority to make a decision to resolve computer issues.

Library Board:

Julie Witt, Melinda Vernard and Librarian Deb Benedict met with commission to discuss Library status. Library board updated the commission on what they have done and will continue to do to make the Library safe and healthy. The Library Board worked with Rooney's and other companies to thoroughly address maintenance issues. Board Chair Lucy Zarr asked City to contribute funds toward costs because it deals with the some utilities. Mrs. Benedict added that the Friends of the Library donated \$600 towards the mold clean-up and removal. Mrs. Witt mentioned that they are supposed to receive 9.5 Mills from the City but have not even come close to utilizing those Mills. They have spoken with Mayor Theriault and feel he will support them and help with the repairs. If the City does not allocate additional funds for utility repairs the Library Board does not know what they will do, they are taking it a step at a time. Mrs. Witt said the Library Board made cuts to meet approved budget, but was wondering if they will have additional cuts. Commission stated that is not known yet but will notify them as soon as possible. The transition for the city to pay bills directly has been going smoothly.

Last July Library Board asked for an increase in wage for the Librarian. The Library Board would like her to receive \$12.00 opposed to her current wage of \$10.38. They budgeted for it and would like commission to approve. Mrs. Witt then asked if she just needed to notify Clerk and Recorder Ogle, and Chairman Hurwitz replied yes.

Mrs. Witt stated the room that is sinking is affecting the plumbing and other things too. They feel the room needs to be fixed. Foundation is fine but the cement floor is what is sinking. Rooney's recommends a wood floor. Library Board is looking into lots next to them to possibly add onto the Library. Commissioner Townsend felt it was a good idea to fix what they have and add on if possible. Hurwitz felt it would be more manageable and realistic opposed to a whole new library. Mrs. Witt confirmed that the Johnston donated money could be utilized for an addition. The other option is forest land they have a deposit on. The forest land needs an appraisal because the time has lapsed. The forest service will honor \$42,000 price originally quoted but if appraisal is lower they would honor the lower price. The Library Board is pursuing both options to which one will be most economic. Chairman Townsend expressed he would prefer an addition opposed to new construction. The Library Board is going to appoint a building committee to research and pursue options. Mrs. Benedict added that the State Library is piloting a currier service and our library will be participating. Judy Murphy from the state will be submitting final report on mold issues. The Library Board will forward the commission a copy.

Library Board asked if they could start carrying money over to have a reserve for maintenance and repairs. Commission unanimously agreed they could carry cash over for reserve to utilize for repairs, maintenance and other building fees. Lucas explained budgeting process and that when the Library Board submits their budget they can indicate they want that money to put into restricted cash. Commission commended the Library Board for their efforts and addressing all the issues.

TY Construction:

Todd Young reported that he was under the impression that he had the job at the Sheriff's Building to replace windows and he ordered the windows a long time ago. He has the safety glass and would like to receive payment for them. Hurwitz stated he saw bid and thought it was high so it was not approved. Mr. Young explained the labor is higher because it is very labor intensive due to the bars. Mr. Young continued to explain he had to special order the windows according to their dimensions. Chairman Townsend suggested that the county pays TY Construction according to original bid and feels that Mr. Young should not be the one suffering because of the lack of communication on the county's part. Commissioner Lucas suggests that the Sheriff should be given the authority to make final decision on windows. Commission asked for bid to review to determine how to handle at this point in time. Mr. Young went to go get bid for commission.

Fire Report:

Fire Chief Seidlitz reported that the fire department got the hummer that will replace engine 10 that is located on the Galt Ranch. David Collins flew there and drove it back. Old engine 10 then would go to two creek to be utilized. The Hummer is fully functional and has all necessary equipment; the only thing they need to get is a pump. Fire Chief Seidlitz is going to look into different types of pumps, diesel versus gas. When he has solid numbers he will discuss with commission for a decision to be made. There is a possibility he can get one from the state at no cost. Another good point is it is GM built and uses Chevy part so parts are accessible and readily available. Commissioner Hurwitz asked if Mr. Ben Galt has paid for the fire out at his place. Mr. Seidlitz stated Ben Galt paid county for the cost of the fire in full. Fire Chief Seidlitz is going to decide on truck rotation after training because that will effect the truck rotation. Mr. Seidlitz would like to take commission to see all the trucks, there location, and condition they are in. Commission agreed to tour the garages to see them all.

TY Construction:

Mr. Young presented bid for the windows at the Sheriff's Building. Chairman Townsend said he feels Meagher County should agree to bid as is. Commissioner Lucas concurred. Commissioner Hurwitz is concerned about cost and proposed solution to windows. He feels it should be looked into more thoroughly. Chairman Townsend moved that Commissioner Hurwitz and Sheriff Lopp discuss and decide what will happen. Commissioner Hurwitz seconded. A vote was taken Townsend and Hurwitz were in favor and Commissioner Lucas was against. Commissioner Hurwitz asked Mr. Young if he would meet at lunch to discuss and come to a decision. Mr. Young agreed.

Martinsdale Highway Project Report:

Mike Kinversfi reported that he needed commissioner's signatures on the contract to proceed with project. Commission reviewed and signed. Mr. Kinversfi then explained the changes his company Weeden Construction will be doing on Hwy 12 and 294. American Recovery Act money is funding the road issues in that area. Weeden Construction will be building up road, installing two new bridges, two box culverts, and making other road repairs. Weeden construction also would like permission to utilize county road for a detour while they build bridges. The state proposed a detour that would take a month to build and three weeks to remove, and traffic would have delays. If possible to save time and money they would rather use a county road that is in place already. Commissioner Lucas felt it was a good idea to use county road to save time, money and eliminate delays. Mr. Kinversfi stated Weeden wouldn't haul anything over the county road or bridge it would be used for public traveling only. Mr. Kinversfi brought a schedule of the road project for the commission to view. Wheatland County approved the use of their portion of the county road. Chairman Townsend asked for Mr. Kinversfi's professional opinion if the county bridge could withstand traffic. He replied he felt it would. Mr. Kinversfi agreed to have a contract written up stating Weeden Construction would maintain county road with grader, add gravel as needed, and would leave it in the same shape or better when the project is completed. Hurwitz moved to allow Weeden Construction to use county road as detour, and that there would be a contract regarding maintenance and gravel of county road in place prior to start of the project. Lucas seconded. A vote was taken and passed unanimously. Weeden Construction will put together a contract for maintenance and gravel and

present to commission as soon as possible. Mr. Kinversfi added that they would like to hire some locals to help on project. Anticipated completion for the Martinsdale Highway Project is by the end of August 2010.

Weed Department:

Chairman Herb Townsend stated he would like to put Weed Supervisor as a salaried position. Mr. Ohlson agreed but would like to keep wage about the same as he is making currently. Ohlson pointed out that he is not insured through the county and he brings in almost 100% of cost for his department. Commission will discuss salary versus hourly rate and make a decision at a later date.

Weed Supervisor Otto Ohlson handed out information regarding his budget and the revenue he brings in. \$77,996.00 is what the weed department brought in last year. \$22,000 is grant money and ranch owners matched the \$22,000. Mr. Ohlson will continue to pursue grant monies and contributions from local ranchers. Commission and Mr. Ohlson discussed projected revenue for 2010. Ohlson anticipates that \$10,000 will be remaining at the end of the year due to revenues. Commissioner Lucas noted that the Mills not given this year to the weed department was a decision made for just this year. It was just decided for this fiscal year and if money allows the commission to allocate more they will do so, it will be determined on a year to year basis. Weed Supervisor revisited the wage situation and pointed out the weed board is in support of paying what they are currently paying \$38,000/year. He is willing to negotiate some but would like to keep it in the ballpark. Commissioner Hurwitz complimented what a great job Otto is doing with noxious weed control in the county. Ohlson stated the county is gaining ground on weed control but the forest service is losing ground. Hurwitz asked if there is anything they could do. Ohlson replied that they have written letters but a letter from the commission would carry more weight. Ohlson added anything the commission will do will be welcomed. Hurwitz agreed to write a letter to the local rangers addressing areas that are getting over grown with weeds.

On a side note Ohlson asked on behalf of Meagher County Search and Rescue if commission would sign off on an application for grant money for search and rescue. Chairman Townsend agreed to sign in support of grant application. Grant will be for about \$15,000 that can be utilized for a snow mobile.

County Health Board:

County Health Nurse Kari Jo Kiff and County Sanitarian Deen Pomeroy met with commission to discuss county health board status. Sanitarian Brian Clifton told Deen Pomeroy that Septic and subdivision are slow due to weather. Mr. Pomeroy handles all food inspections in the county. He explained that the county is reimbursed 90% of licensing fees from local food establishments. Mr. Pomeroy noted the Branding Iron has just opened up and it is very clean and nice. He added that Fat Mama's is the second most recent opening and it also is very nice and clean. He explained food establishments are licensed every year and inspected every year. Hotels and other establishments are licensed and inspected every three years. If someone leases they need to get their own license and that it is designated for one particular establishment and cannot be transferred to another location. County Health Nurse Kari Jo Kiff noted that there are no reportable diseases in the county. She has given 300 H1N1 and she still has stock of vaccine to administer more. There was one case of latent TB. The person has received medication from the state for free and comes in monthly to check in and monitor. This individual does not have a job in the public, and they are not contagious or infectious. Mrs. Kiff has followed up at the Lane Bar due to a complaint regarding smoking indoors and she just got a recent one for the Road House. Complaints were anonymous calls to the state and the state contacted county health to address. Owners of businesses only will find out who the anonymous tips came from if complaint goes all the way to the court level. Mrs. Kiff stated they do not have a Public Health Officer and that the County needs one. Mrs. Kiff recommended that Laurie Brown be appointed. It is important to have someone to sign off on some of the reports and to get involved in emergency preparedness. It is a requirement by law because the Public Health Officer is the one that gives authority to the County Sanitarians and Nurse for certain aspects of their jobs. Chairman Townsend asked what the fee is. Kiff stated it typically is a minimal fee like \$100 a month. Commissioner Lucas asked if Kiff could talk to Laurie Brown to see if she is interested. Chairman Townsend moved that if PA Laurie Brown is agreeable that they accept her as Public

Health Officer with a stipend of \$100/month. Commissioner Lucas Seconded. Vote was taken and passed unanimously.

County Extension Report:

Rachel Soto handed out her annual report that highlights what her department did in the last year. She also handed out performance reports that listed what her office did. Agriculture and 4-H are the two main areas they work in. There is some consideration that is being made to provide a financial class offered for adults in the adult education program. Mrs. Soto handed out her formal plan of work for agriculture that states her general goals for the county. She also handed out a formal plan of work for 4-H. Home and garden is covered by the garden club so she did not do one for that program. They could not get a cow/calf presentation scheduled due to schedule conflicts but are keeping it in mind for the future. The colonies have asked if they can be given some advice and/or classes for horticulture. Mrs. Soto is looking into providing a workshop that is available to the four colonies to help them with their horticultural needs. They are looking into doing it in March or April. It will not be just for colonies but also available to the public. Commissioner Townsend asked if they could have a grain workshop to help local ranchers with production. Mrs. Soto stated she would be out for eight weeks on a maternity leave which will be most of February and March but she will look into a grain workshop when she returns.

Clerk and Recorder Report:

IRS sent a letter stating that the entire \$77,000 fine for submitting W2's incorrectly has been abated. Meagher County is in good standing with IRS. Commission complimented Mrs. Ogle on a job well done.

TY Construction:

Commissioner Hurwitz met with Mr. Young during lunch and then went to the Sheriff's Building to view proposed windows to be replaced. Commissioner Hurwitz decided they would agree to proposed bid TY Construction submitted in addition to one more window at the same rate. Commission sent Mr. Young a letter stating specifics of window project that they agree upon.

County Health Nurse:

County Health Nurse Kiff discussed with commission the pros and cons of a contract for County Health Nurse versus making Nurse an employee. Kiff feels it is more cost affective for county to remain as a contract. Commissioner Lucas pointed out that to be reasonable for the county the wage would have to be quite a bit lower than it is now to help off set county costs for Unemployment, FICA, PERS, and Workers Comp. Commission and county health nurse discussed finances, and wage at length. Hurwitz stated the commission will discuss, consider all the information and would make a decision at a later date.

Claims:

Deputy Clerk & Recorder Becky Hurwitz-Leger presented claims to commission; Voucher #1041 CK#40276 – CK#40303 totaling \$22, 497.90. Claims were approved as presented.

Meeting Adjourned

CLERK & RECORDER

SEAL

CHAIRMAN

VICE-CHAIRMAN

COMMISSIONER

Special Session

THURSDAY

January 14, 2010

9:00 am – 10:30 am

Held in the Commissioners' Office

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

Attendance: Clerk & Recorder Dayna Ogle, Treasurer Sue Phelan, Sheriff Jon Lopp, and IT Supervisor Jake Odom.

Meagher County Information Technology:

Chairman Townsend opened meeting stating the intent of the meeting is to discuss issues regarding IT Department and to come to a possible resolution that will work best for the county as a whole. Chairman Townsend then asked Clerk & Recorder Ogle to share her departments needs and concerns.

Ogle presented items that need to be addressed in the Clerk and Recorder's Office. She stated she would like to know more about administrative authorities and who disabled, Installation of new computers, Quick Books Simple Start loaded on computers, are wireless keyboards and mice okay to use, Install DocuPro on Tax Assessor Pat Pallas' computer.

Treasurer Sue Phelan interjected that before we continue maybe commission needs to discuss employment status so we do not waste everyone's time. Chairman Townsend said that IT Department Supervisor Resignation was not accepted by the commission. Commissioner Hurwitz added it was a two to one vote which he did not support. IT Supervisor requested a copy of those minutes. Chairman Townsend re-stated he would like to discuss issues first and then try to come to a resolution that maintains employment of current IT Department but to make necessary changes to resolve present concerns. Chairman Townsend added he feels it is best for county to address issues and keep Mr. Odom on staff. Commissioner Lucas added he would like to see the IT Department re-shaped and a better fit for the County. Odom agreed to discuss and work together.

Clerk and Recorder Ogle then continued stating network printer list needs to be cleaned up and updated, add Deputy Clerk's Printer to Clerk & Recorder's printer list to utilize, find and implement solution regarding scanner conflict with ISIS and Twain drivers, would like department heads to have administrative authority within department, employees authorized to change own passwords, training to burn discs of digital images for title companies and program loaded on computer to do so, issues that are reported to IT need to be handled in a timely manner, all computer issues need to be addressed during office hours to avoid overtime, servers need to be updated, would like to change from a web based email to the state email that we already pay for, have county purchase and maintain our own domain name, get county web page up and running, would like backup to happen daily in the courthouse and stored off site, possibly have someone trained that can help and fill in as needed in the IT department, to have administrative authority over phone so we can update as needed, employee purchase of computers done at clerk & recorder's office and payment would be due at the time of receiving equipment, original invoices must be with claim when turned in to be processed, county needs to maintain an inventory of equipment, department heads maintain an inventory with serial numbers of equipment for department, and county needs to own its own equipment. Once Clerk & Recorder was done covering her departments concerns she gave a copy to IT Supervisor. Chairman Townsend asked if Treasurer Sue Phelan could address her concerns next.

Treasurer Sue Phelan added that Mrs. Ogle covered a lot of the concerns the Treasurer's office has but she can not open certain emails and she would like it addressed so she can access all emails, would like to communicate with IT daily to confirm the Treasurer's Office does not have any issues, she felt misled about wire less mice and keyboards, if possible would like to have them, if no one else is available can they contact someone else to help with IT issues, and would like all IT issues be handled within business hours.

Sheriff Jonn Lopp stated that they have a lot of ongoing things that need to be addressed and when they contact Mr. Odom he felt they were handled timely. Sheriff Lopp shared he felt communication was lacking and this whole situation could have been addressed before it came to

this. He feels the big question is does the county need an IT Department and he says with everything that has been mentioned so far it sounds like the county does. He feels things have been addressed timely at the Sheriff's Office and if it was not there was an explanation why.

Commissioner Lucas stated he would like to have past amounts that are due on employee purchases paid as soon as possible. He feels Mr. Odom was in compliance with what the previous commission decided on for selling equipment to employees. Lucas continued by stating in the past the county has done what it could with the funds available but now we need to move forward and make necessary changes. Times change and we need to do our best to stay updated, and not regress. Hurwitz stated that \$3,500 a month is what county pays out for IT. IT works four 10 hour shifts. Hurwitz stated he is glad the Sheriff's Department has no issues but the courthouse has many, too many. They (courthouse) need Mr. Odom to show up everyday, like at 8am everyday, something they can count on and plan on. Employee purchasing equipment may have been started out with best of intentions, but there is an issue with people not paying in a timely manner or at all. Hurwitz continued by saying invoicing and claims are lacking and not done so we do not have a paper trail. Hurwitz stated he does not want county money spent on employee's personal equipment purchases, he rather have county money in the bank earning interest. Hurwitz stated he wants employee purchases to end immediately. Hurwitz continued by saying he would like state email for security and not web based. He also does not want back-up at the airport, he would like backup at courthouse, and wants it checked daily which has not been happening. Mr. Odom asked Commissioner Hurwitz if he was sure about that. Hurwitz responded by saying absolutely it has not been backed up or checked for weeks. Odom asked Commissioner Hurwitz again if he was sure about the facts. Commissioner Hurwitz stated well I am not positive, so he will skip that for now. Hurwitz continued saying the IT department had a vehicle for contracts, but once contracts were over and done he feels the vehicle should be turned in, as it is now and it should stay there. Hurwitz stated he feels CSA could handle counties IT needs and once in a while have someone come in and fix things. Hurwitz continued and asked Odom why in the world does he (Odom) own equipment and have it at the courthouse for the county to use and why the county does not own the equipment? Hurwitz stated he thought the county started IT department for a good reason but times have changed. The Sheriff's department may need IT on staff but the courthouse does not. The county only needs an IT person here and there and for back up for CSA. Hurwitz stated we (county) can not have the same situation like we had, where the county can be taken advantage of. Commissioner Hurwitz stated he wanted more control on purchases and usage. Hurwitz also said the county needs to have its own domain, he continued by saying he has no idea why the county does not currently own. Hurwitz told Odom that he has not been taking care of the courthouse and that he was not been paid for just taking care of the Jail but both the Jail and the Courthouse. Hurwitz concluded by stating he requested Odom for months to have the phone billing changed from the way it was. He (Hurwitz) finally called himself and took care of it with the Deputy Clerk & Recorder's help within a couple of days. Hurwitz expressed he felt Odom shined him and his duties.

Chairman Townsend stated our goal is to provide the best service for the people of Meagher County with the lowest cost. We may not make a decision today but we need to discuss and move forward. Townsend continued by saying the Clerk & Recorder and the Treasurer have expressed concerns and he would like Odom to address them at this time. Odom responded by saying he would like to address them in writing. Chairman Townsend said he does not mind getting a written response but would like to discuss it today while everyone is here together. Odom reiterated, he respectfully declined and would address it in a written response. Chairman Townsend for a third time encouraged Odom to discuss issues that have been mentioned. Odom stated he does not feel it is the time to respond. He resigned from the county, does not work at the county anymore, he will address everything in writing, and be happy to do it immediately and would try to have it completed and to the commission tomorrow.

Hurwitz interjected and told Odom that he (Hurwitz) drove sixty miles and that Odom will address them now! Odom asked if Hurwitz was threatening him. Hurwitz responded by saying we are going to take care of it today! Odom questioned Hurwitz again by asking if Hurwitz was threatening him. Hurwitz continued by stating Odom will address the issues that were brought up today. Odom stood up and dismissed himself. Commissioner Lucas stated that he did not feel it is the best thing for the county to not work with Odom. Lucas continued to say Odom's response should be done in writing and it is not reasonable to ask for someone to be put on the spot and asked to address everything. Chairman Townsend stated he was disappointed Odom was not willing to work with the commission to come to a resolution. Townsend said Odom

could have discussed and then put it in writing. Hurwitz said he felt it worked out for the best and that the county can go out to bid for IT help. Sheriff Lopp pointed out it will take someone with computer knowledge and experience to request bids, so they know what to ask for. Sheriff Lopp pointed out that the Sheriff's department will have a huge fee to contract with someone else besides Odom. Hurwitz told Sheriff Lopp that the Sheriff's department monopolized Odom. Sheriff Lopp said they have had good services from Odom. Hurwitz said he thinks we can pay a tech on an as needed bases and receive better service then we have been getting.

Townsend stated it appears Odom is not willing to work with the county or to even transition so we need to pursue other routes and options. Treasurer Phelan added anytime someone quits it is expensive, and she is sure the county will incur some costs. Sheriff Lopp feels the county will have increase costs for IT services because each department will be an individual contracts specific to their software. Commissioner Hurwitz stated the Sheriff's Department could contract with Odom if they choose to.

Hurwitz continued saying there is no reason to worry; the county will be fine if not better.

Townsend said he felt it was not appropriate for Odom to not be willing to discuss the current situation, he felt he asked Odom politely to respond and there was no reason not to discuss. Townsend continued saying the commission has been patient with Odom giving him time to handle personal issues and felt today was a good opportunity to work together to help address counties IT issues. Townsend then stated he wants the written response Odom agreed to write. Lucas agreed it is important to have Odom's feed back so we know how to handle specific issues that were pointed out in meeting. Lucas feels Odom has expertise that the county can respect and utilize to help transition. Lucas stated he felt Odom handled the situation as well as expected since a lot of fingers were pointed and he does not know anyone that could have sat through that. Lucas finished by saying Odom and the commission needed to communicate better. Hurwitz said he felt the commission did communicate clearly and that Odom has been feeling the heat from the county, his cable television company's issues, as well as his personal issues. This has been coming for a while and now we can move forward. Townsend stated he does not agree but believes a lot of this is differences in personalities. Hurwitz said maybe he (Hurwitz) is too confrontational. Chairman Townsend stated he had hoped for a better outcome. Townsend then said we will look forward to receiving Odom's written response and commission will not try to resolve Odom's employment with the county.

Hurwitz said a big issue is the backups and we need to resolve it. Sheriff Lopp said that policy is the issue, not the employee's issue. Hurwitz stated he feels Odom owning equipment that the county uses is not acceptable. Lopp then said there are reasons it occurred that way, one is the cost it would have taken to install equipment the county did not have at that time so commission allowed Odom to install equipment he had. Hurwitz said we have reached a point that changes need to be made. What we have been doing is not what we are going to be doing. Sheriff Lopp stated that is why you need to update policies so employees know expectations they are going to be held to.

Commission will wait for Odom's written response and decide later what the next action will be.

Chairman Townsend called Odom and asked him to turn his written response, records and all passwords into the Clerk and Recorder. Odom verbally agreed.

Meeting Adjourned

CLERK & RECORDER

SEAL

CHAIRMAN

VICE-CHAIRMAN

COMMISSIONER

Tuesday
January 19, 2010
9:30am – 4:30pm
Held in Commissioner's Office
Commissioners Present: Herb Townsend, C.B. Lucas and Ben Hurwitz

George Ioeger, Grassy Mountain Resident:

Mr. Ioeger came in and talked to commission regarding a cattle guard that is on the border of county and forest ground. He would like to know if the forest service has the authority to tare the cattle guard out and if they now are obligated to replace it. Mr. Ioeger added that the forest service also tore out water lines. When the forest service made these changes to the road it adversely affected his water and fencing in of livestock. Mr. Ioeger would like County Attorney Linda Hickman to write a letter to address issues to help bring about a resolution. Chairman Townsend said Mr. Ioeger has permission to install a cattle guard or a gate on the county road but Mr. Ioeger would need to maintain it. If other landowners do not want to deal with a gate then they can pitch in and help Mr. Ioeger purchase and install a cattle guard. Chairman Townsend advised that if Mr. Ioeger puts in a cattle guard and someone's personal property gets damaged he would be responsible for damages. Commissioner Hurwitz reiterated that Mr. Ioeger has permission to put gate and/or cattle guard on the county road to help resolve issues. Commission asked if Mr. Ioeger still wanted a letter from County Attorney Hickman, and he declined.

Commissioner Hurwitz asked how Grassy Mountain Subdivision is doing. Mr. Ioeger stated that Grassy Mountain Association has officially disbanded because the association did not pay permit fees to housing associations. He noted there is \$87,000 of grazing money in a checking account that no one has permission to write a check from. Commission would like to discuss fire protections with grassy mountain residents at a later date.

State Tax Appeal Board Conference Call:

Jim Witt and commission talked with Doug Kaercher and Dallas Reiss regarding appeal process on a conference call. Mr. Kaercher stated the commission misunderstood DOR and are not handling appeals within the state statute. County Tax Appeal board can only hear appeals that were turned in to local DOR in a timely manner. Residents needed to turn in an AB26 within 30 days of receiving an assessment. Chairman Townsend asked what the status is for residents that filled out an appeal form to pay taxes under protest but did not meet the time requirements? Kaercher said they did not do it in a timely manner, so DOR can look at appeal and correct any errors, but would not refund taxes. The only way tax payer could receive refund is if commission abated taxes. Kaercher shared with commission Statue 15-15-102 regarding application for reduction and evaluation; which states tax payer has 30 days after notice; (assessment notice). Mr. Reiss noted that AB 26's were due probably sometime in October of 2009. If AB26's were not completed and turned in then they can not be fixed by DOR and they can only be abated by county commission. (Abated means money is refunded out of county fund and it is up to commission's discretion). Kaercher continued by saying this year our options are limited by statute so it is up to commission for refund options. Hurwitz stated county has about \$106,000 of protested taxes so if protests are correct and an AB26 was not filed then county would pay out of county budget. Kaercher said that is correct. Kaercher added after AB26 informal appeal is reviewed and DOR sends letter with decision resident has 30 days from that point to file an appeal to the tax appeal board. Hurwitz stated residents went to assessor and were not given proper direction to file AB26, so is there an exception for them? Kaercher replied no but they can correct assessment for the year which will help them in future years but they are not eligible for a refund unless commission decides to abate. If residents want to correct errors they need to go to Local DOR to handle. Reiss stated DOR will mail findings on properly submitted AB26's when completed and once resident receives findings they have 30 days to go to county tax appeal board if they do not agree. For residents that didn't meet filing criteria it is up to the Commission to abate or adjust second half, which still affects the county budget. DOR should have AB26's for Meagher County done by the end of January 2010, they are on Reiss's desk and he hopes to have them done as soon as possible. Productivity issues are harder to adjust but classification corrections are done quickly. Meagher county has 44 Agriculture AB26's to address. Local Assessor Pat Pallas has residential AB26's and she will address them. Residents need to still have corrected so we need to advice and encourage them to forward

complaints on to Local DOR and fill out AB26 for 2010. Reiss apologized for misunderstanding. He stated he had legal department look into extending AB26 deadline but did not intentionally mislead commission that it was extended; in fact they were just looking into it, but it was decided it could not be done. Townsend asked if the 6-year phase in is still the plan and Reiss answered yes it is and he hopes the following years will go more smoothly. Commission thanked for clarification of process.

Predator Control:

Wally Bailey, Bill Galt, Ed Bodell, Dennis Biggs PC, Mike Foster PC District Supervisor, Kraig Glazier PC, and Jim Rost PC met with commission to discuss Predator Control in Meagher County. Meagher County's fee/head generates about \$20,000 (\$0.50/head for about 44,000 head of cattle) a year that PC utilizes for operations. Hurwitz asked when Meagher County added this assessment fee. Dennis thought it was mid to late 90's when it was implemented. Dennis continued to explain that to operate program it is 75% Federal funding and 25% shared funding. The 25% of shared funding is the money the county collects from ranchers, DOL, Stockgrowers, Woolgrowers, and also what FWP contributes. The state of Montana gets about \$300,000 of what the Federal Government collects. County's can participate in PC program or could contract with a private entity. Herb wants to know if a county can split and have different programs in different parts of the county. Dennis did not think that was possible because of the county wide assessment. Mike stated many counties that are not part of the PC program would like to get back into their program and has told them to do so they have to pay 100% of their cost because they are not going to short existing counties that are participants.

Dennis noted the PC program originally was for the sole purpose of protection of livestock and over time it changed and was protecting wildlife as well as livestock. The PC program is trying to get back to how it was intended and that is to protect livestock from predators.

Dennis reported that in 2009 167 Coyotes were killed, 114 in 2008, 109 in 2007. He then stated that in 2009 there was one wolf. He noted that to kill a wolf they have to get permission from FWP. Dennis stated ranchers can kill without permission if they see a wolf harassing livestock. If PC sees wolves in a heard of cattle they can kill up to 2 out of the pack. The State also issues a shoot on sight permit that allows rancher, ranch hand or PC on rancher's behalf to kill two wolves that are sighted on rancher's property.

Dennis stated that for the majority of time PC is investigating wolf kills because of the numerous amounts of issues producers are having with wolves. He estimates that 5 out of 7 days they are doing investigations. He figures that producers in Montana suffered well over a million and a half head of cattle. Dennis shared that wolves are 180% more likely to kill livestock than other predators. PC does not receive special funding to deal with wolves but State FWP gets \$650,000 for monitoring, and collaring wolves per year. Many feel those funds should also go toward predator control since the wolf population is so high.

Galt noted that the promise to landowners that they would not have to pay for control of wolves when they were trying to increase wolf numbers is clearly not true. Dennis was in agreement. Mike stated that PC does not have rights over wolves so they are not able to change the guidelines that have been set for them to follow. The only thing they can do is investigate kills, and kill when given permission. It has been reported that wolves are recovered so they are hoping the state or feds will be more aggressive and help landowners protect livestock from them. Discussion between producers, legislature, and agencies are happening to decide what changes are needed. Dennis added it will take legislature to make changes to change situation with wolves. A lot of promises were made that are not being kept and it needs to be addressed. Hurwitz offered to write letters and contact whoever needs to be to help resolve issues. PC believes the only thing they may be able to help with the devastation suffered from wolves using more on the ground tools; which they are going to do this year.

Townsend stated that he wonders how effective predator control is in Meagher County. Boddell felt Dennis has been very efficient and it is beneficial to have them help with predators in the County. Hurwitz added that he and his neighbors felt they were getting their money's worth. Lucas added that he believes he hasn't had as many losses and said they are pretty good at coming during peak seasons. Herb restated he was wondering if it is even needed. Dennis stated to change assessment it would need to be taken to a vote.

Galt pointed out that other counties have private predator control and don't utilize PC. It then was asked if counties that don't contribute do they have service from PC? Dennis answered they do get some service but not near the service that contributing counties gets. The funds Meagher contributes go towards two people on call to Meagher County to deal with predators when someone calls and reports sighting or a kill. Mike said PC received 50 calls from Meagher county last year only one of which was for a wolf.

PC's Helicopter is charged at \$450/hr and fixed wing is less than that. 50% goes to flying and 50% goes to salary and vehicle. An estimated \$10,000 of contributions is spent on aircraft in Meagher County. Last year they flew 41.3 hours in the helicopter 5 – 6 hours of that were in a fixed wing. Mike noted every participating county and every producer within those counties pay for service and if you don't need them great but if you're having losses they are available to help. Lucas asked if we are having problems do we get service before counties that don't contribute. Dennis answered that typically that is the case.

Galt asked if we are paying for wolf flight time for other counties; our county should only pay for our flight time since our wolf occurrences are reported to be significantly less than other counties. Galt had statement from state director that Montana is spending so much time on wolves our service on coyotes is lacking. Mike feels that is true to other counties not so much for Meagher County because we don't have as many wolves so time spent in Meagher County is addressing coyotes. Dennis added PC tries to minimize ferry time for helicopters to and from counties but there still is a lot of time flying to and from counties but the ferry time is federally funded not funded by county contributions. PC tries to cut cost by having stationing fuel tanks in local areas such as here at Galt's which is more economical.

Commission thanked Predator Control Bureau for time and information. Hurwitz appreciates the information and expressed we are getting good services. Dennis stated he welcomes any calls good or bad; they are here to service Meagher County.

Fire Chief:

Fire Chief and commission left to tour Meagher County Fire Trucks. Hurwitz asked for an inventory list of trucks and the condition they are in. Fire Chief Seidlitz agreed to turn in inventory as soon as possible. Fire Chief Seidlitz also advised commission to have Grassy Mountain residents utilize their fire funds to build a fire truck garage in subdivision and county would supply a fire truck to be housed there. Commission will discuss further at a later date.

Fire Chief Seidlitz also requested that his Triangle bill for phone and DSL be changed from IT department to Fire Department.

Galt Ranch Aviation:

Commission read and discussed a letter received from Mr. Bill Galt that is notifying them that he is a private aviator that is available to assist county with fires, searches, and predator control. Commissioner Townsend stated if Mr. Galt would be willing to fly and get coyotes he would be willing to consider it. Hurwitz is not for hiring Galt for predator control. Hurwitz is satisfied with the situation the way it stands. Commission is thankful for the time Galt puts in and the amount of time he donates to assist the county.

WSS Cable and Internet:

Commission received letter from WSS Cable and Internet regarding fees for equipment usage and/or purchase. Commission discussed options. Hurwitz feels the county is not obligated to pay for equipment since there is not an existing contract. Commission agreed to discuss with County Attorney Hickman before a decision is made.

County Safety Coordinator for Meagher County:

Angie Ringer Safety Coordinator met with commission to give update on county safety. Mrs. Ringer said all departments met for safety meeting as required remaining in compliance with state. One issue she would like to address is to get smoke detectors for courthouse and to do a

fire drill. She has found safety videos she can check out from the state that the employees can view. The first one that will be viewed is discussing carpal tunnel. Commissioner Lucas stated another good topic might be how to lift properly. Lucas added that Jody Tierney could be contacted with any questions Mrs. Ringer may have. Mrs. Ringer stated that the road department is separated because all the safety concerns they could have. Becky Hurwitz-Leger has volunteered to assist Mrs. Ringer. Mrs. Ringer is going to contact Fire Chief Seidlitz for training in how to use fire extinguishers properly. Commissioners thanked Mrs. Ringer for her assistance.

County Attorney:

Commissioners asked for legal advice regarding WSS Cable and Internet's invoice of equipment the county is utilizing. Hurwitz asked if county is obligated to pay if no contract exists. Hickman thought the county was obligated. Chairman Townsend informed Hickman of what has occurred and where it stands now. Commission requested a written response from resigned employee but we have not received it to date as agreed. Commission tried to communicate, and cooperate but resigned employee was not willing to discuss at that time and wanted to respond in writing. Hickman stated it is his equipment so he can set fees and require county to pay. Hickman stated if it were her she would contact or write a letter that is asking for pro-ration of payment for equipment. She feels communication is the best solution. If county chooses not to pay it then is up to that person to decide if he wants to take county to small claims court. Hickman's suggestion is to write letter to buy some time so the county can replace and return equipment to employee. Attorney Hickman stated because there is not a contract county needs to negotiate with employee. She added that a letter stating all questions that need to be answered is what needs to be sent for documentation and in hope of getting answers. Hurwitz asked who has the burden to prove who owns it. Is it his burden or county's burden? Hickman said it will be proved by county claims so you can research or forward to employee to research. You might as well look through claims and prove it yourself because he will subpoena county claims to prove ownership. Hurwitz feels the county should not do anything and let him sue the county, because he doesn't feel like there would be very many fees involved. Townsend asked if Hickman could negotiate with resigned employee and then meet with commission on the January 26th for a status update. Hickman agreed to negotiate and find out about possible resolutions and then present to commission for decision and approval.

Courthouse IT Equipment:

Resolution 2010-3:

Commissioner Hurwitz moved to purchase a server to replace outdated server located in Treasurer's office in the courthouse. Commissioner Lucas Seconded. A vote was taken and passed unanimously. Therefore it has been resolved.

Fire Chief:

Fire Chief Seidlitz presented commission an inventory of trucks, stating name, condition and a picture of all. Inventory will be placed on file in Clerk and Records Office.

Russell Country:

Gayle Fisher from Russell Country passed out handouts to commission. She stated that RC receives about \$300,000 from state bed tax (currently at 7%) to run program which does promotions for tourism. She shared reports that show tax trends in Meagher County. Mrs. Fisher has marketing plans available if commission wants but did not include. She gave the new travel guide they just put out to share with commission along with a number of other brochures. They have specifically done Hwy 89 guides and brochures and put them out to the public. With Glacier Centennial they will be doing more for Hwy 89. Their goal is that the brochures will bring people into the areas highlighted. Kelly Huffield noted that Meagher County Chamber pays for a full page add to be included in the Russell Country Magazine. Mrs. Fisher reported that each county can have 3 representatives and each representative gets one vote. Meagher County currently has one representative which is Melinda Vennard. Representatives are not reimbursed for meals or mileage. Mrs. Vennard's term is up in June but is eligible for another term, which she plans on doing if approved by commission. Chairman Townsend stated it might

be a good idea to appoint two other representatives. Representatives get to go to different counties, and do many trips and see many sights. RC also helped organize Galt ranch filming, and TV promo for Bair Museum. RC helps Chamber do brochures and gives them a price break for being a member. Yellowstone Country does everything south of Meagher County. Townsend asked if Yellowstone Country does anything on the Hwy 89 corridor. Mrs. Fisher stated they focus primarily on ski recreation programs. Townsend would like to see cooperation between Yellowstone, Russell, and Glacier to get one that encompasses park to park recreation, where Meagher County is located. Mrs. Huffield noted the Meagher County Chamber is also on the web page because of the ad they purchased through Russell Country, which is nice because it will give information about Meagher County. Commission asked if Mrs. Vennard and Mrs. Huffield could look for two more representatives. Russell country will do what they can to bring more tourists into Meagher County to help local business. Mrs. Huffield pointed out that signage for the Castle Museum and the Bair Museum are poor. Mrs. Fisher stated that RC could help fund things like signage if requested. Commissioner Lucas gave Mrs. Huffield information about CTEP monies available for possible signage for castle museum, and city welcome signs. At one time RC gave castle \$50,000 - \$60,000 for windows. Those TIP funds have to be applied for and then RC decides if eligible. CTEP is funneled through county coffers. RC board is diverse and encourages Meagher County to utilize all three positions. Mrs. Fisher noted it is good to have a lodging representative from area. Commission thanked Mrs. Fisher, RC representative and Mrs. Huffield for the information and Mrs. Vennard for serving on the board.

County Health Nurse:

County Health Nurse Kiff presented provider agreement with bluecross/blueshield for CHIP program. She is trying to set-up so she can run vaccine fees through those funds. CHIP is federally funded for children that do not have insurance. If kids have CHIP or private insurance they are not eligible for other programs. Chairman Townsend signed contract to help County Health Nurse implement program to help offset costs of vaccine purchases.

Claims:

Deputy Clerk and Recorder Hurwitz Leger presented Voucher #1042, CK#40304 – CK#40330 totaling \$23,910.64. Commissioner reviewed and approved as presented.

Meeting Adjourned

CLERK & RECORDER

SEAL

CHAIRMAN

VICE-CHAIRMAN

COMMISSIONER

Special Session – Conference Call

WEDNESDAY

January 20, 2010

10:00 am

Held in the Commissioners' Office

Present: Chairman Herb Townsend, Clerk and Recorder Ogle, County Attorney Hickman

Commissioners on Phone: C.B. Lucas and Ben Hurwitz

County Attorney:

County Attorney Linda Hickman reported that she had spoke to Odom for over two hours and from what Odom told her she has written a Memorandum of Understanding that she felt Odom

and the county could work under to transition. Hickman stated this will not totally resolve the situation but is a start. Hickman notified commission they can change and or edit any part of the MOU. Hickman then read MOU. Once Hickman finished reading Commissioner Hurwitz asked if Hickman could add that Odom needs to return the 7th computer that was ordered and not accounted for as well as software that was ordered at the same time. Hickman agreed to make changes. Chairman Townsend moved to accept memo with the one addition Hurwitz requested. Lucas seconded motion. A vote was taken and passed unanimously. Hickman stated she would make changes give to Chairman Townsend to sign and then give to Odom to review and sign if he agrees to it. Chairman Townsend asked Deputy Clerk and Recorder to process a claim in the amount of \$258 as Odom told Hickman he wanted by January 20, 2010. Hickman made changes, check was processed, and Mrs. Sheppard delivered to Sheriff's Building for Odom to pick-up.

Claim:

Deputy Clerk & Recorder Hurwitz Leger presented Chairman Townsend Voucher #1043, CK#40331 in the amount of \$258.00. Townsend approved as presented.

Meeting Adjourned

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Special Session

Tuesday

January 26, 2010

8:00am – 2:00pm

Held in Commissioner's Office

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

Minutes:

Commissioners read minutes and approved minutes from previous meetings.

Claims:

Deputy Clerk and Recorder Hurwitz Leger presented voucher #1045, CK#40332 – CK# 40353 totaling \$22,828.99. Commission reviewed and approved claims as presented.

WSS Cable and Internet:

Commission received a request from Mr. Odom to amend the MOU that County Attorney Hickman wrote after talking to Mr. Odom. Commission discussed the situation thoroughly. Chairman Townsend moved to leave the MOU as is. Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

Commissioner Leave of Absence:

Chairman Townsend asked commission permission to take a leave of absence from February 28, 2010 – April 12, 2010 for a family vacation. Commissioner Hurwitz moved to accept request and approve leave of absence. Commissioner Lucas seconded. A vote was taken and passed

unanimously. Chairman Townsend completed and signed a leave of absence form. Form was put on file in the Clerk and Recorder's Office.

Meeting Adjourned

CLERK & RECORDER

SEAL

CHAIRMAN

VICE-CHAIRMAN

COMMISSIONER