

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

**October 5, 12, 19 2010**

**Tuesday**

October 5, 2010

8:30am – 4:00pm

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chairman Townsend called meeting to order at 8:30am

**Commissioners Present:**

Chairman Herb Townsend, Commissioner Ben Hurwitz, and Commissioner Nancy Schlepp were present.

**Minutes:**

Commissioners approved minutes as presented.

**Claims:**

Deputy Clerk & Recorder Becky Hurwitz Leger presented claims for review.

**Road Department Report:**

Road Supervisor Ray Ringer met with commissioners. Ringer reported he is currently working on Lingshire Road and will continue until winter hits. The road crew also replaced a cattle guard for Brewers, and graveled Benton Gulch. Becky Johnston will consider selling gravel to the county to be crushed. County will look at gravel at the Johnston's and then decide on the royalty from about .50 - \$1.00 a yard. The Eagle Creek project is done and is ready to be topped. Ringer has spoken with the Bair Company and the contractor and will follow up with them of the possibility of getting the gravel left over from the Martinsdale Hwy Project. Tamietti is willing to come and take the iron bridge that is in the North Fork-Musselshell - North of Martinsdale. Ringer estimates it saves the county about \$10,000 to dispose of it. Smith River Road has been mowed by Tim Allen. Allen was paid about \$1,200 to mow 20 miles. County would consider contracting with him next year. Gravel is in good supply except Ringling and Martinsdale. Ringer said it is not bad to haul gravel to Ringling, and the roads are in good shape right now. Commission and Ringer discussed the road budget and the current status of road personnel.

**Gerald Masee:**

Masee requested to cancel agriculture covenant filed at the Clerk and Recorder's Office and have his land without a specific designation. He discussed it with the new assessor Kris Todd. He also talked to her about his concern about the rate he is taxed at. How it stands he cannot build a barn unless it is agriculturally related. Commission will give copies of the documents and information to County Attorney Hickman to look into and then send him a letter. Commissioners also thanked Mr. Masee for all of his volunteer time at the library

**Attendance:**

Commissioner Schlepp left for another meeting. She will return as soon as she can.

**Anticipation of Energy Development:**

Sarah Hamlin met with commission to discuss the anticipation of the wind energy development in Meagher County. Montana is rated 5<sup>th</sup> in the state for wind development. One issue is the transmission capacity will not support this development. Lines are solely for market to be transmitted to California. There is a lot of debate surrounding the California market. Typically it is a 10 year horizon to establish transmission lines. Mrs. Hamlin explained wind development in Montana and specifically the possibility of transmission lines in Meagher County. Education and outreach early in public would be a wise idea in Meagher County to address previous to a possible project through Meagher County. Mrs. Hamlin explained the revenue from

transmission lines are projected to be a wash or a very slight increase, but where revenue would come in is if a wind farm comes to Meagher County to tie into the transmission lines. To be prepared would be county wide zoning that can set impacts, impact fees, setbacks, etc. County can set what they expect compensation land owners will receive. Growth Policy can be updated but they still have eminent domain and can override. Hamlin recommends county updates growth policy, and or the comprehensive plan. She feels the first step is to update policies and address zoning and by the time these are addressed the transmission lines maybe closer to development in Meagher County.

### **Fire/DES Report:**

Fire Chief Seidlitz reported that there were two fires yesterday that they handled. One was a controlled burn that got out of hand, and the other was a lightning strike. Seidlitz and Commission discussed the fire budget and the cut backs. Commission pointed out that if there is a fire, the commission can implement the emergency 2 mills and the state pickups the remainder of the cost. A disaster drill was conducted with ambulance and the hospital. Commissioners discussed Grassy Mountain Fire District and the status. Commission discussed DES budget with Seidlitz. Seidlitz's concern is that the county commission approved that budget May 18, 2010 and submitted it to the state. If you reduce the match money it is a reduction of \$1502. Commission discussed options for DES Budget and determined to leave it as is.

### **Library:**

Jim Johnston and Gordon Doig met with commission to discuss the status of the library. They reported the repairs are done and looks really good. There is only one window that still needs to be installed. It is usable space that helps the value of the library building. Commission discussed 2.5% cut with the library board budget and possible options. Library Board is considering having a 501-C3 foundation to have a separate account to have funds for a new library facility.

### **Sheriff Report:**

Sheriff Jon Lopp met with commission to give an update. He noted the sixteen mile creek incident has cost about \$10,913.97 so far.

There was also an attempted burglary at Castle Mountain Drug. Sheriff's office was able to catch both of the men attempting to break in. They are still being housed in the jail. There was also an airplane crash in the Spring Creek area by the Brewer cabin. The pilot was fine but the plane was destroyed.

### **Attendance:**

Commissioner Schlepp rejoined the meeting.

### **911 Communications:**

Maebeth Seidlitz and Becky Burger met with commission to discuss 911 Budget. They discussed 2.5% decrease in the communications budget. Mrs. Seidlitz had a few proposals, and discussed the impacts of options. Mrs. Burger explained statute requirements, costs, and liability if equipment does not work properly. She also explained the impact it could also have on grant funds received. She advises the county to put \$2,000 away a month to replace equipment in about 5 years. Commission agreed to take wages out of the 911 fund to help with the general fund.

### **Wally Congdon:**

Mr. Congdon was scheduled to come and discuss the habitat Conservation Project and was not able to attend.

### **Claims:**

Deputy Clerk & Recorder Becky Hurwitz Leger presented Voucher #1110, CK#41375 & 41376 totaling \$1,083.15. Voucher #1113, CK#41395 – CK#41448 totaling \$83,571.14. Voucher #1114, CK#41449 totaling \$498.10. Journal Voucher #79 Department Reimbursement, #80

Department Reimbursement, and #84 Voided CK#40679. Commission Approved and signed as presented

**Meeting Adjourned**

Chairman Herb Townsend adjourned meeting at 4:00pm.

**Next Meeting:**

Commissioners are scheduled to meet next Tuesday, October 12, 2010.

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**CLERK & RECORDER**

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**CHAIRMAN**

**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Administrative Assistant Christy Rogers  
Distributed October 19, 2010 to Chairman Townsend, Commissioner Hurwitz, Commissioner Schlepp, and Clerk & Recorder Ogle

**Tuesday**  
October 12, 2010  
8:30am – 4:00pm  
Met in Commissioner's Chambers

**Meeting Called to Order:**

Chairman Townsend called meeting to order at 9:00am

**Commissioners Present:**

Chairman Herb Townsend, Commissioner Ben Hurwitz, and Commissioner Nancy Schlepp were present.

**Claims:**

Deputy Clerk & Recorder presented claims for review.

**Glum Subdivision Review:**

Commission reviewed the proposed Glum Subdivision.

**Mountainview Medical Center Levied Mills:**

Commission discussed the process that was taken to go to the voters to levy the additional mills for Mountainview Medical Center for two years.

**Kimberly Deschene:**

Commission visited with Mrs. Deschene about the investigation for the incident at 16 Mile Creek. She noted she will most likely not put 20 hours in a week. Mrs. Deschene noted she will not be at work the week of October 18<sup>th</sup> because she was invited to attend a conference in Austin Texas for dependence and neglect and she had committed to it prior to her temporary part-time employment with the county. This conference is not related to the county and will be no cost to the county.

**FY 2010 – 2011 Budget Review:**

Commission reviewed budget with Clerk & Recorder Ogle.

### **Action 1**

A motion was made by Commissioner Hurwitz to give Treasurer Sue Phelan authority to rescind Joe Kennedy's tax bill in light of new information regarding ownership. Commissioner Schleppe seconded. A vote was taken and passed unanimously.

### **Action 2**

#### **RESOLUTION 2010-42**

Commissioner Hurwitz resolved to sign predator mitigation agreements with USDA, Stockgrowers, and Woolgrowers. Commissioner Schleppe seconded. A vote was taken and passed unanimously.

### **Fire Report:**

Fire Chief Rick Seidlitz covered everything the previous week. Commission agreed they did not need to meet.

### **Sheriff Office IT:**

Commission and Sheriff Lopp agreed to meet when Mr. McDanel had all the information.

### **Hospital Levied Mills:**

Commission discussed with Otto Ohlson, John Dracon, Aaron Rogers and Jason Phillips the process that occurred when the additional taxes to be levied for the hospital went before the community and what was said at the last Mountainview Medical Center's Board meeting.

### **Public Health Report:**

County Health Nurse Kari Jo Kiff met with commission and handed out her monthly report. Kiff reported she is having email issues and has contacted McDanel. Commission looked over the new emergency preparedness contract that is for about \$28,000.

### **Action 3**

#### **RESOLUTION 2010-43**

Commissioner Schleppe moved to sign the renewal of the 2010-2011 public health emergency preparedness contract as is. Commissioner Townsend seconded. A vote was taken and passed unanimously.

### **Action 4**

Chairman Townsend moved to make Buddy Hanarahan the backup IT support for the county when McDanel is not available. Commissioner Schleppe seconded. A vote was taken and passed unanimously.

### **Action 5**

Chairman Townsend moved to send a memo to department heads with the details of how to contact McDanel regarding IT issues and when he will be in the courthouse. Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

Kiff went over her report. She discussed the purchase of a Hemocue machine for hemoglobin testing. She has contacted the DSBG to cover the cost which is about \$568. She is starting to get vaccine for the flu season. She noted Rick Seidlitz will be helping her out with PHEP drills and other duties that are required for grant monies she receives. Kiff will be attending a conference regarding billing for vaccines to help her process the bills.

### **County Board of Health:**

Public Health Nurse Kari Jo Kiff, and Mayor Julian Theriault met with commission for a county board of health meeting.

### **Action 4**

Commissioner Schleppe moved to adopt the bylaws as is for the board of health. Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

Kiff handed out the county Board of health report. Discussed a case of Malaria, and a hepatitis A case and that it was not an acute case. Discussed living conditions at the Springs Manner Apartments and complaints that were brought to Kiff's attention. County health nurse talked to some residents and made a few phone calls to the state. There was work on the sewer, mold and spider issues. If there are more issues they will look into it further. Townsend will discuss with Beth Hunt to see if there is anything else that needs to be addressed at this time. County Health Nurse is preparing for flu season. Two more phone call complaints about smoking in the Lane Bar. Kiff telephoned and discussed that the next violation is the third violation and will have a fine. After that she received another call and advised them to file a formal complaint that is validated. County Board of Health Meeting was adjourned.

**Claims:**

Deputy Clerk and Recorder Becky Hurwitz Leger presented Voucher #1115, CK341450 – CK#41506 totaling \$21,565.16. Commission signed claims as presented.

**Meeting Adjourned:**

Chairman Townsend adjourned meeting at 4:00pm

**Next Meeting:**

Commissioners are scheduled to meet next Tuesday, October 19, 2010.

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**CLERK & RECORDER**

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**CHAIRMAN**

**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Administrative Assistant Christy Rogers and Commission Distributed October 19, 2010 to Chairman Townsend, Commissioner Hurwitz, Commissioner Schlepp, and Clerk & Recorder Ogle

**Tuesday**

October 19, 2010

8:30am – 3:00pm

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chairman Townsend called meeting to order at 9:00am

**Commissioners Present:**

Chairman Herb Townsend, and Commissioner Nancy Schlepp present. Commissioner Hurwitz joined at 9:00am.

**Minutes:**

**Action 1:**

Commissioner Townsend moved to approve October 5<sup>th</sup>, October 12<sup>th</sup> minutes with changes. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

**2009-2010 Mills Levied:**

**Action 2:**

**RESOLUTION 2010-44**

Commissioner Hurwitz moved to reduce the mills assessed to the Meagher County Tax Payers to compensate for an error made in 2009 whereby the taxpayers were incorrectly assessed an over mill resulting in \$108,207 over tax. Since the error was not discovered until 2010 we commissioners of Meagher County will reduce the mills the taxpayers are assessed by an amount equal to the overage as funds allow. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

### **County IT Support:**

Jim McDanel met with commission and discussed current status of a number of computers. Mr. McDanel will work on County Attorney's computer this weekend. Mr. McDanel explained the pros to a wireless link between the courthouse and the jail that would back up at the courthouse and have internet and email access. He reported it would lower the internet bill and could verify the sheriff system was being backed up. It would also eliminate the airport system. It would cost \$1,500 at each site for the antenna. Mr. McDanel has been trained and has been testing the airport fuel. Sheriff Jon Lopp and Buddy Hanrahan joined the meeting. Chairman Townsend asked if Mr. Hanrahan is willing to backup Mr. McDanel at the Courthouse, and if Mr. McDanel would back up Mr. Hanrahan at the Sheriff's Building. Both agreed and the County Attorney will include that in his contract.

Jim explained to Jon and Buddy to have a wireless link for email and internet. Buddy explained if the power is out they still would lose power and the internet would lose speed. Discussed options and costs. Buddy reported that everything had been going smooth at the Sheriff's Office, some of the issues is from the age of the hardware. He would like to see a replacement schedule for hardware. Hanrahan recommends the sheriff backs up here and the county backs up there. Both IT Technicians agreed they will work together and come back and present recommendation to the commission.

### **Sheriff:**

Commission would like to restructure personnel so Communication Supervisor is under the Sheriff and not directly under the commission. It was separated back in 1999 when there was a conflict of interest and now that Rick Seidlitz has retired from the Sheriff's position there is no conflict. Sheriff Lopp said it would simplify some situations with dispatchers. Commission would like to keep budgets separated. Commission will table the discussion and follow up with Communication Supervisor.

### **Claims:**

Deputy Clerk & Recorder presented claims for review.

### **FY 10-11 Budget:**

#### **Action 3:**

#### **RESOLUTION 2010-45**

Commissioner Schlepp moved to reduce the mills assessed to the Soil & Water Conservation district tax payers to compensate for an error made by the Department of Revenue where by the tax payers were incorrectly assessed an over mill resulting \$25,762 over tax. The error was discovered in 2010, Soil Conservation Board district will reduce the mills the tax payers are assessed by an amount equal to the overage as funds allow. County will track the funds and make the Conservation District whole if there is a fund deficit. Hurwitz seconded the motion. A vote was taken and passed unanimously.

County Clerk & Recorder Dayna Ogle presented budget to commissioners for review. They discussed the changes from the last time.

#### **Action 4:**

#### **RESOLUTION 2010-46**

Chairman Townsend moved to adopt the budget as presented by Mrs. Ogle. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

### **Senior Center:**

Beth Hunt met with commission to discuss the \$10,000 PILT transfer that was already approved. Ogle explained there was \$10,000 that was transferred into a senior fund so she would like to pay

the agreed \$10,000 out of that fund opposed to the PILT Fund. Everyone was in agreement and Deputy Clerk and Recorder Hurwitz Leger will process as discussed.

**Communication Supervisor:**

Communication Supervisor Maebeth Seidlitz and Sheriff Jon Lopp met with the commission. Chairman Townsend stated that originally communications used to be under the sheriff and it would be advantageous to go back to that structure but would like to have her input. Commission and Mrs. Seidlitz discussed pros and cons. Nothing will change within the department besides commission will not supervise and Sheriff Lopp will.

**Action 5:**

Commissioner Schlepp moved to put communication supervisor position under the supervision of the Sheriff as it used to be years ago. Commissioner Townsend seconded a vote was taken and passed unanimously.

**WSS TV:**

Tim McGuire met with commission and discussed WSS TV budget, maintenance, upkeep, and the infrastructure. He is looking into getting a generator, and upgrading to digital. They discussed the possibility of doing a survey to find out how many residents utilize the TV service. The upgraded translator will increase the stations from 5 to 9. Checkerboard and Martinsdale TV will be doing a site survey to possibly relocate tower. Commission thanked Mr. McGuire for all his time he puts into the TV Board.

**Airport Land Acquisition:**

Commission reviewed agreements and decided to sign as is. Chairman Townsend signed buy sell agreements. Commission gave Deputy Clerk & Recorder Becky Hurwitz Leger permission to continue with processing agreements.

**Claims:**

Deputy Clerk & Recorder Becky Hurwitz Leger presented Voucher #1116 CK#41507 CK#41528 totaling \$35,347.49. JV#113 - Voided CK#41485 for \$883.03 due to wrong vendor. Commission signed as presented.

**Public Comment:**

No comment was made.

**Meeting Adjourned:**

Chairman Townsend adjourned meeting at 3:00pm

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, November 9, 2010.

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**CLERK & RECORDER**

**SEAL**

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**CHAIRMAN**

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**VICE-CHAIRMAN**

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**COMMISSIONER**