

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

**June 7, 14, 21, 2011**

**Tuesday**

June 7, 2011

8:30am – 5:30pm

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chair Schlepp called the meeting to order at 8:30am.

**Commissioners Present:**

Chairperson Nancy Schlepp, Vice Chair Ben Hurwitz, and Commissioner Herb Townsend.

**Sue Phelan—Mikesell Tax Lien:**

County Treasurer, Sue Phelan, met with the commissioners to discuss the Ken Mikesell trailer situation.<sup>1</sup> Phelan informed them that Mikesell had approached County Attorney, Kimberly Deschene, for help getting his taxes reduced. Phelan then told them she felt the County had already helped Mikesell significantly and did not feel they should grant his request. Vice Chair Hurwitz pointed out that Mikesell does not own the trailer in question. The lady who owes him money signed it over to him, he continued, but Mikesell has not taken possession. Hurwitz argued strongly against doing anything that would set a precedent.

Phelan then discussed the possibility of a sheriff's sale. She said there were a few other trailers whose owners were quite delinquent on their taxes. Hurwitz asked if the County had a junk trailer program, similar to its junk vehicle program. He did not want to wind up owning a trailer if it failed to sell. Phelan pointed out that if something did not sell in a sheriff's sale, the owner would still own it, not the County. Chair Schlepp voiced her concern that Mikesell is going to make money on this and argued that the commissioners should stick with the decision they had made May 10, not to write off any taxes. Commissioner Townsend suggested they put the trailer up for sheriff's sale with a minimum bid of \$600, enough to pay the taxes. Then it would be up to Mikesell to deal with it once the taxes had been satisfied. After further discussion, it was agreed to follow the previous decision and do nothing.

**Ray Ringer/Rick Seidlitz—Road Report and Flooding in the County:**

Fire Chief, Rick Seidlitz, and Road Department Supervisor, Ray Ringer, met with the commissioners to discuss several issues. First, Ringer told them that people from FEMA had been in the County the previous day to examine the flooding and projects done to repair the damage from it. He gave Newlan Creek, Eagle Creek and Benton Gulch Road as examples. Benton Gulch, he said, is even worse now than when he last reported. The road *is* the creek for about 500 yards. Hurwitz asked if that wasn't Forest Service road and how much it would cost to repair. Seidlitz replied that it is on Forest Service property but is county road. Ringer replied that it would cost around \$120,000 to fix.

Hurwitz then asked if FEMA would cover these costs if it was declared a disaster area. What is the downside, he continued. Seidlitz replied that the County would need to implement two road mils (approximately \$13,574) and expend that on all road projects. The state would follow. And once all is expended, FEMA would step in, at 75 cents on the dollar, Ringer added.

**Action 1:**

**RESOLUTION 2011-#31**

Vice Chair Hurwitz moved that the following occur:

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<sup>1</sup> See minutes from May 10, 2011 for more information on this issue.

WHEREAS, flooding due to snow pack melt and rain, has occurred or is anticipated within the County of Meagher on or about May 25<sup>th</sup>, 2011

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners that a disaster is hereby declared pursuant to Section 10-3-403 MCA and all provisions of the County Emergency Operations Plan are in effect.

BE IF FURTHER RESOLVED, that copies of this resolution be filed with the County Clerk and Recorder, County Assessor and the Montana Disaster and Emergency Services Division in Helena.

PASSED AND ADOPTED by the Meagher County Board of County Commissioner this 7<sup>th</sup> day of June, 2011.

Townsend seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

Seidlitz then reminded the commissioners that he has been saying for years that many of the damaged or washed out roads need to be abandoned, Benton Gulch being one of them. Schlepp told him she would like to see a list. Ringer said he could add a few to the list himself.

Clerk and Recorder, Dayna Ogle, joined the meeting at 9:05am. County Assessor, Becky Hurwitz-Leger joined the meeting at 9:10am.

Hurwitz-Leger informed the commissioners that the Department of Revenue has announced that a Form AB-25 can be filed by anyone with flood damage to remove the value of the damage from one's tax basis. Schlepp asked if the state covered the amount. Hurwitz-Leger replied that it would likely be the county, since the state is low on funds.

Townsend then pointed out that the County cannot levy the two road mills till July 1, the start of the next fiscal year. Seidlitz said the County can only assess the two road mills one time in a fiscal year. Townsend then suggested putting up some Road Closed signs to try to protect the County from liability. Schlepp countered by suggesting they put up seasonal road signs instead, that say Road Not Maintained Beyond This Point.

Hurwitz-Leger left the meeting at 9:21am.

Seidlitz then gave the commissioners an update on the recent RAC meeting. He said that Showdown Ski Area put in a proposal for \$100,000 to remove beetle-killed trees. Ringer said he had put in a request for five miles worth of gravel. There was no mention of gravel for the Camp Baker project or for trail maintenance in the Castles. Seidlitz said there were not even votes. It was more of an idea-sharing get-together, he said. Forest Ranger Carol Hatfied, he continued, was working on a plan for Benton Gulch Road. FEMA would help restore the road to how it was before getting washed out. The County could use the RAC funds to upgrade the road so it wouldn't be washed out again.

Seidlitz then asked the commissioners for permission to use money in his budget to purchase a new Tough Book, similar to the ones the Sheriff Department has in its vehicles. The palm pilots he recently purchased simply don't have enough memory, he concluded.

**Action 2:**

**RESOLUTION 2011-#32**

Townsend moved to allow Seidlitz to use Title III money budgeted for this fiscal year to purchase a new Tough Book. Hurwitz seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

Townsend then reminded Seidlitz that they still need to discuss Workers' Compensation for volunteers. Seidlitz said it was worse than they had thought. It was agreed to discuss it at a future meeting. He also told the Commission that he had recently purchased 1000 sand bags.

Ringer then told the Commission that the Transfer Site was getting flack from the state for not having water there. Rooney's came out to the Site, he continued, and said that it would cost the County up to \$5000 to fix the pump, the electrical, everything needed. Rooney suggested just

having the city run a water line out there. Schlepp asked Ringer if he thought the city would be open to that. Ringer replied that they would just charge for it.

No decisions were made.

### **J.R. Shinabarger—Cemetery Fee Increases:**

Chairman of the Mayn Cemetery Board, J.R. Shinabarger, met with the commissioners to ask for approval to raise cemetery fees. He said the board had met recently and tried to stay within the existing budget but decided they needed to raise fees to keep in line with rising costs. They would like to raise fees by \$50 across the board, he continued. So that would be \$50 more for a plot, an opening, a closing, etc. He argued that the cemetery does receive some taxpayer money, which is needed, but the cemetery might have the lowest fees in the state so a fee increase would not be out of line.

Schlepp asked when the last time was that they had raised their fees. Shinabarger replied that he thought it was 2006. Hurwitz asked if the money raised goes to the maintenance of the cemetery. Shinabarger replied that it did. Schlepp then asked if the cemetery had hired any summer help. She said the commissioners had committed to this before they realized there was a chance the funding might not be there. So she felt they should cover the costs regardless. Townsend agreed that the cemetery should go ahead and hire a youth for summer help. They would simply have to determine a funding source.

### **Action 3:**

#### **RESOLUTION 2011-#33**

Townsend moved to approve the increases in cemetery fees as presented by Shinabarger (see attached). Hurwitz seconded. A vote was held and passed unanimously (3-0).

### **Aaron Blair: Tobacco Grant Funding:**

Aaron Blair, County Tobacco Prevention Specialist, met with the Commission to give an update of his work for the year. Joining him were the ReACT group (Sierra Blair, Victoria Forkin, Cassie and Amber Coburn, Ben Luchterhand); County Health Nurse, Kari Jo Kiff; County Attorney, Kimberly Deschene; and Chad Deschene.

Cassie Coburn began by giving an overview of what ReACT is, namely a statewide youth empowerment movement to stand up to the tobacco industry. Sierra Blair then showed the Commission the presentation board that was on exhibit at the County Expo. Even as kids, she said, they can make a difference by fighting against tobacco and drugs. Townsend asked the kids about the red hoodies they were wearing. He said they were nice, and asked where they got them. Aaron Blair replied that they had to earn them, by doing three out of four of the activities they had selected. Townsend then asked how many kids are in ReACT. Aaron Blair responded that they have had 30 kids active over the course of the year. Hurwitz asked Sierra Blair how many kids at school she thought smoke or chew. She estimated 15-20. The kids answered some more questions about the program and about tobacco use at school, and then they left the meeting at 10:15am.

Kiff and Blair remained with the Commission. Blair distributed some handouts and briefly discussed the Clean Indoor Air Act. He pointed out that Meagher County is one of only a few counties in the state that has had two or more violations. There was general agreement among the commissioners that Blair was doing a great job reaching out to kids.

Kiff then said that there was \$22,300 available in funding for the program for next year, but she wanted to make sure the commissioners were on board before she applies for it. Schlepp told Blair he was doing a great job; she just hates the law. Hurwitz agreed. Schlepp then said that as long as Blair is focusing on education she is on board. Blair then showed a letter signed by various members of the community supporting the program.

Schlepp told Kiff to proceed with the application. Hurwitz added just to leave the old people alone. They can't be changed anyway, he argued. Blair agreed. Schlepp then asked Townsend what he thought. As long as it is someone else's money being used, he said, then he is on board too.

“We gotta save the people!” he concluded.

**Kari Jo Kiff—Public Health Nurse Report:**

Public Health Nurse, Kari Jo Kiff, gave her monthly report to the Commission. Of note she mentioned that she is still trying to correct the billing problems she has been having. She would also like to maintain the \$3000 a year funding she has been receiving from HRDC in the form of CSBG funds. And she briefly discussed some budget issues she has been dealing with, namely that her incoming grant money does not always come in a timely manner, which means her funds do not always zero out.

**Ken Mikesell—Tax Lien:**

Ken Mikesell met with the Commission to discuss a situation he has with a trailer on his lot. Also present was County Attorney Deschene.

Hurwitz told him they had already spoken with County Treasurer Phelan regarding the matter. Schlepp asked him if he would like it removed. Mikesell replied that he does not want to put any money into it. It is not worth it, he contended. Schlepp asked him how much he thought it was worth. He replied that he was just trying to sell it to recoup back rent on it, but there are no takers at all. Schlepp then asked him if he plans to junk it. He replied he would do anything to take care of the situation.

Schlepp wondered if the County could just sell the trailer at a fire sale. Hurwitz wondered if they would be better off buying it for the taxes then junking it. Deschene asked Mikesell how much it would cost to junk the trailer. He replied that he has been getting \$500 to take them to his pit and clean up the mess. Schlepp asked if he would be okay with the commissioners having a fire sale. Deschene asked how much in taxes is owed on it. Schlepp responded that it was over \$600 but the trailer was not even worth that much.

Hurwitz then asked Mikesell what he would say if the County told him they would revoke the back taxes if he junks the trailer. That is the only way we would forgive the taxes, he continued. Mikesell said the taxes are \$600. The cost to junk it is \$500. He wouldn't gain a thing, he contended. Hurwitz responded that he would get a rentable space.

Townsend argued that to protect the County's interests, they have to have a sale. If it fails to sell, then it can be junked. The minimum bid of course, he continued, would have to be enough to cover the back taxes. Schlepp pointed out that revoking the taxes for the trailer and then Mikesell not junking it would set a bad precedent.

County Treasurer Phelan rejoined the meeting at 11:45am.

Hurwitz asked Phelan what the taxes are on the mobile home. He said that \$600-plus dollars is owed now but what are the taxes annually? Phelan replied that it is currently \$656 that is owed but it has been about \$130 a year give or take. So the County could realize tax revenue of \$130 a year, Hurwitz pointed out, if Mikesell could rent out that space to a different renter.

Schlepp then said that she agrees with Townsend. They have to go to a sheriff's sale and treat everyone the same. Hurwitz said he agrees but what is the next step? We have to consider what happens if we put it up for sale and it fails to sell, he contended. Do we agree to forgive the back taxes on it if Mikesell either takes ownership and pays taxes on it going forward or if he just junks it, he wondered. Deschene asked if that can be the policy from now on. Schlepp replied that that's the law.

Schlepp then suggested that forgiving the taxes if Mikesell junks the trailer is an even more attractive option. Townsend and Hurwitz both agreed to this option. Schlepp then asked Mikesell if he would junk the trailer if the County forgave the back taxes. He asked her if the County would pay for him to junk it.

Townsend then asked Mikesell if he would sign the bill of sale if the County wrote off the taxes. Mikesell said he would entertain that. Townsend argued that the taxes are not collectible.

Hurwitz agreed. Schlepp argued that that's not legal, to just give the property away for free like that. Deschene then asked what would happen if the County tried to sell the trailer and failed. Schlepp replied that if that happens—the County tries to sell the trailer without success—they have exhausted their options and the taxes are not collectible, in which case Mikesell assumes ownership of the trailer and does as he pleases. Mikesell countered that that option would make sense if the trailer had any value. Even if the County were able to sell the trailer, he continued, there would be no guarantee that the new owner would remove it from his property. He would be best just hauling the trailer into the street, he concluded.

After further discussion, it was agreed by the commissioners and Phelan to put Mikesell's trailer, and the others that are delinquent in their taxes, up for sale. Hurwitz told Mikesell that once the County does this, whether the trailer sells or not, it would be his problem to deal with.

### **Public Hearing—CTEP Funds and How to Spend Them:**

Present for this portion of the meeting were: Bill Dodson, Chris Dodson, and Jim Richard, representing the golf course; Sarah Calhoun from MCCF and Red Ants Pants; Sarah Hamlen from MCCF; Angie Evans from the Chamber of Commerce; Terry Voeller from MDT; Terry Myrhe from MBAC; Julian Theriault, Mayor of White Sulphur Springs; Tary Buckingham, Tim Barth, Melinda Vennard, Kelly Huffield, Fern Vinton, and Brian Obert.

Richard began the session by presenting an overview of how he became involved in this project. He said that Arrowhead Meadows Golf Course has looked at the CTEP program and thought of ideas to make the golf course a more attractive place. Obert, he said, had encouraged making this project more of a community-wide effort, not only in getting people more involved at the course, but also getting the golf course more involved in the community. The original plan, he continued, consisted of fixing the fence at the golf course. Since then, they have added improving the WSS welcome signs, the MCCF's planter program, among others. It quickly became clear, he added, that there was a complimentary group of projects which would improve various parts of the community. The golf course is very supportive of all the potential projects suggested. He concluded by saying he had spoken with a gentleman from CTEP and he believes all of these potential projects would be eligible to receive funding.

Voeller added that everything seems up the alley of MDT. Any beautification schemes would be sure to help the local economy and encourage people to stop on their way through town. Schlepp asked for confirmation how much was available in funding. Voeller replied that between \$45,000 and \$50,000 was available for the County and another \$45,000 was available for the City. He reminded the commissioners about the 13.5% required local match. Townsend asked if that was a cash match or whether it could be in kind. Voeller replied that generally it would be cash, unless the County could prove it was saving substantial funds by using volunteer labor.

Hamlen then asked at what point engineering requirements would be triggered. Voeller replied that none of the current projects under discussion would appear to require any engineering. Anything involving public safety issues, such as a sidewalk, would require engineering. He did recommend hiring a landscape architect, however, and include the cost in the grant proposal.

Schlepp then asked if there were suggestions from the community. Huffield pointed out that there is no signage for the Castle or the Rodeo Grounds. Schlepp said she would like to see flower pots under the windows at the hospital. She also asked if CTEP funds would be available for something like painting the courthouse. Obert replied that it might be possible but that there might be other funds available through historic preservation.

Richard then stated that he had made some cost estimates regarding the potential projects. Including the cost of replacing the entire fence at the golf course, he said, the cost range would be \$27,000-\$41,000, which would require a local match of \$3700-\$5700. Schlepp then asked Voeller if there was a timeframe for using the money. He replied that there is no timeframe. It can be applied for at anytime and it will not go away. Funds applied for now, he continued, would be available by spring of 2012, in time for completion by the 2<sup>nd</sup> Annual Red Ants Pants Music Festival. The only stipulation is that the funds cannot be spent on projects that have already been completed.

Obert then explained that in situations like this, where the county and the city have funds available, the money can be pooled on projects that will benefit both entities. He said that it is even preferred to do it with one application, with one of the municipalities taking the lead. He recommended that it would be the county in the lead since they have access to PILT money, which would cover them till reimbursements come in.

After further discussion, it was generally agreed to develop a committee made up of representatives from each of the groups present, plus the Rotary Club, and then to meet again in July.

**Beth Hunt, Senior Center—Annual Budget Report:**

Beth Hunt, Director of the Senior Center, met with the commissioners to give an update on her budget. She said that costs have gone up considerably this year. They had to dip into savings to purchase groceries, she said. She has always been careful not to spend money that was not provided through grants, but even the grant money has been slashed this year. She has never had to ask the County for a mil levy, she also reminded the Commission, but this year she needs help. In addition to the funds she normally receives from the County, she asked for an additional \$10,000 to replace the furnace. Schlepp told her that the County does not begin to budget until the following week and that budget requests are not due till the eighth. Schlepp praised her for the great job she has always done at the Senior Center and assured her that they would certainly consider her plight when they do the budgeting.

**Action 4:**

Hurwitz moved to approve the minutes from the May 17, 2011 Commission meeting with changes. Townsend seconded. A vote was held and passed unanimously (3-0).

**Jon Lopp—Sheriff Report/Discuss New Truck Purchase:**

County Sheriff, Jon Lopp, met with the commissioners to give them his monthly report. Also present was County Attorney Deschene. Before he got into his report, Hurwitz asked him what the department policy is for having high school kids ride with deputies who are on duty. Lopp replied that it depends on why they are riding along. If it is simply a ride-along, they need to have a waiver signed by the child's parents. Lopp then added that sometimes the kids join the deputy for advice, like a counseling session, and other times the deputy might be questioning the child regarding his/her or other person's activities. It might even be part of a criminal investigation, he concluded. Schlepp mentioned that in some places the force has to call in to dispatch if they pick up a hitch hiker. She asked if the deputies could do something like that with minors. Lopp replied that they could but if a criminal case were involved, it would have to remain confidential because of police scanners. Schlepp then asked him about liability. Deschene answered that insurance would cover anything short of gross negligence. Hurwitz concluded that it is great that youth talk to the cops but that he still feels it unnecessary for them to ride along with deputies. Schlepp asked Lopp to follow up with Commission on any liability and how to solve it.

Lopp then mentioned a current inmate who has all sorts of medical problems that cannot be handled. They took him to Broadwater, where they are charging \$65 a day. Lopp said that he has hepatitis C and was doing things to try to harm his blood sugar levels. Basically, he continued, the guy was looking for cause to file a lawsuit against the County. Townsend then asked if the County had health insurance to cover uninsured inmates who come down with something or have an illness while in custody. Lopp agreed it was a serious issue that he would have to look into.

Schlepp then mentioned the new pickup truck Lopp mentioned in the previous meeting the department would like to purchase.

**Action 5:**

**RESOLUTION 2011-#34**

Townsend moved to allow the Sheriff Department to spend up to \$28,000 to purchase a new half-ton truck. Hurwitz seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

Lopp then concluded his report by updating the commissioners on the status of the preparations for the Red Ants Pants Music Festival. He said it would probably cost the County an extra \$5000

in extra deputies, overtime, and dispatchers. Hurwitz suggested everything be tracked so they will know what to expect for future festivals. Lopp then said they would be using reserve officers. They would have the regular on-duty cops plus two additional at all times. Plus there would be two Highway Patrols here as well, he hoped.

**Kari Jo Kiff—County Health Nurse Position:**

Present were County Health Nurse, Kari Jo Kiff, Clerk and Recorder Ogle, and County Attorney Deschene.

Kiff gave the commissioners a packet of information to look over. She began her presentation by pointing out that she already worked as a contractor of the County for three years without any pay raise, during which time she ran the office regularly and stayed on top of the vaccines and vaccine agreements. She realizes her proposal would significantly change the County's budget, she said, but she feels she should get credit for at least a couple of the years she has already worked.

Hurwitz asked Ogle how much of a raise it would be over what Kiff makes today if they were to grant her request and pay her \$23 an hour. After some calculations, Ogle replied that it would be an annual cost to the County of \$51,772 versus the \$38,272 she is making now without benefits. Hurwitz pointed out that that would be a \$13,000 raise for 32 hours of work a week.

Schlepp commented to Kiff that she was asking for sick and vacation time accrued to July 1, 2009. Hurwitz said he could not understand that. Deschene countered that Kiff has been unable to take paid leave since she started working for the County. Schlepp pointed out that that is the difference between being a contractor and an employee.

Hurwitz recalled that when the previous health nurse, Deb Downing, left and Kiff came to the commissioners asking to be paid \$23 an hour, \$8 more an hour than what Downing was making, the commissioners were shocked. But it turned out to be a good deal, he conceded. They did not realize at the time though that Kiff was not officially or legally a contractor. But that is not a reason for Kiff to feel the need to punish the County by insisting on going back to 2009, he argued.

Kiff countered that she is not trying to punish anyone. When she started in 2008, she recalled, the plan was for her to work temporarily, maybe six months, until a replacement could be found for Downing. The position was advertised in the paper but no one applied. Kiff told the commissioners at the time that no one would work for that low a wage. But the position was never listed again. Commissioner Jamie Doggett left and then things just continued on as they had been. Which is why, she continued, she is asking for two years' worth of accrued leave.

Schlepp said she would be more comfortable with an option that would give Kiff so many days to start without having to wait to take any of them. Hurwitz contended that it is not right to go back. Schlepp said she agreed but did not want Kiff to start from scratch leave wise. Townsend offered that until now, Kiff had been working on a contract with the County. He did not want to go back and supplement that.

Hurwitz told Kiff that she would be making \$8.75 an hour more, which makes sense given that what she has been making has been worth closer to \$16 an hour. Kiff then said she should be grandfathered in to the full benefits that a few other part-time employees are receiving. Schlepp asked her if she would be willing to accept a lower wage in exchange for full-time benefits. She replied that she would not. Schlepp continued that the difference would work out to \$1.10 for full benefits.

After further discussion, Schlepp suggested they offer some days of leave without grandfathering anything in. The only thing left would be deciding on an hourly wage based on whether Kiff would receive part-time or full-time benefits. She then proposed going forward at \$23 an hour with half-time insurance or \$22 an hour with full-time insurance, and to give one-year's worth accumulated leave.

Deschene then countered with a recommendation of a 75% insurance benefit, arguing that the County does not want to admit that she had been an employee all along. Give her ten days each

of vacation and sick time, let her take the job without having to apply, and let her begin without a probationary period, she continued. In return, Kiff would agree not to seek compensation for back pay and would agree that she had not been an employee. Kiff said she would have to think about the offer. Hurwitz and Townsend both disagreed with granting back leave. Deschene countered with a suggestion of paying the leave in the form of a cash signing bonus.

Schlepp reminded her fellow commissioners how much revenue Kiff brings in to the County. Townsend then argued that when you make a deal to do something with a contract, you do it and that's the end of that. There isn't any negotiating after the fact. Schlepp agreed but said they still have to negotiate a new contract. She then asked Townsend what his proposal is. Townsend suggested \$23 an hour and leave and health insurance based on 32 hours a week. Hurwitz then asked Kiff to look at the wage numbers for other small counties, which was included in her packet. Hurwitz pointed out that she would be near the top in pay of all smaller counties' health nurses. Kiff said she was not embarrassed; rather she was only doing what was fair to her.

Deschene then advised the commissioners to offer a signing bonus of \$3000 in lieu of the leave. The alternative, she said, is that Kiff could go back on the County for \$39,000. Hurwitz stated that he wanted to bring the discussion to a close. Kiff asked what was on the table.

Hurwitz told her that what was on the table was everything she had asked for, except for the accrued leave. Health insurance for hours worked; no probation; \$23 an hour.

Schlepp and Deschene then called MACo attorney Jack Holstrom to see if there was any risk to offering leave going forward. He said he did not believe there was any problem with that.

Hurwitz stated that he agreed with Townsend on this—they will not go back on anything. Ogle then pointed out that according to the Policy Handbook, Kiff could only receive half-time benefits unless she was working 40 hours a week. Hurwitz countered that if she is working  $\frac{3}{4}$  time she should receive  $\frac{3}{4}$  benefits.

Schlepp moved to give Kiff \$23 an hour, health benefits as described in the Policy Handbook, and eight days each of vacation and sick time going forward. There was no second. The motion died.

Hurwitz then began to move to offer Kiff \$23 an hour,  $\frac{3}{4}$  health benefits, but Schlepp interrupted saying that  $\frac{3}{4}$  health benefits could not be offered till the policy was changed. After a brief reading of the Policy Handbook it was agreed that the intent was to allow for prorated benefits for part-time workers and that the policy could be formally changed at a later meeting to allow more clarity.

Hurwitz then moved to make Kiff a county employee, with a \$23-an-hour wage on a 32-hour-a-week basis, with  $\frac{3}{4}$  insurance and full benefits, which would amount to about \$51,000 a year. There was no second. The motion died.

Townsend then asked Kiff if she would rather have \$24 an hour or eight days of vacation. She countered, suggesting three sick days and five vacation days.

#### **Action 6:**

#### **RESOLUTION 2011-#35**

Townsend moved to offer Kiff \$23 an hour, 5 vacation days and 3 sick days, each which could be used immediately,  $\frac{3}{4}$  health benefits, and no probation period. Schlepp seconded. A vote was held and passed (2-1) with Hurwitz voting against. It is therefore resolved.

Deschene offered to write the offer letter to Kiff.

#### **Public Comment:**

County Health Nurse Kiff was joined by County Superintendent, Helen Hanson, to discuss the CSBG funds available through HRDC. Kiff informed the commissioners that when they wrote the letter to HRDC in April outlining how the CSBG funds were to be spent, they altered the work plan for the year and effectively removed the remaining funding allocated to the Health Department and gave it instead to the youth employment programs.

Hurwitz left the meeting at 5:00pm.

Schlepp pointed out that the Commission had already committed funds to employ to local youth for the summer and they are going to stand behind that commitment whether the funds are available or not. After further discussion, it was decided to get the HRDC folks on the agenda of a future meeting to clear up all the confusion surrounding the program.

**Claims:**

Commission was presented Voucher #1167, CK#42451-CK#42524, totaling \$64,343.49. Voucher was approved and checks signed as presented.

**Meeting Adjourned:**

Chair Schlepp adjourned the meeting at 5:20pm.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, June 14, 2011.

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**CLERK & RECORDER**

**SEAL**

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**CHAIRMAN**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Assistant to the Clerk & Recorder, Nathan Sanders  
Distributed June 14, 2011 to Chairman Schlepp, Commissioner Hurwitz, Commissioner Townsend, and Clerk & Recorder Ogle

**Tuesday**  
June 14, 2011  
8:30am – 4:30pm  
Met in Commissioner's Chambers

**Meeting Called to Order:**

Chairperson Schlepp called the meeting to order at 8:30am.

**Commissioners Present:**

Chairperson Nancy Schlepp, Vice Chairman Ben Hurwitz and Commissioner Herb Townsend.

**Heather Grenier, HRDC—CSBG Funds for County:**

Present for this meeting were Building Maintenance Supervisor, J.R. Shinabarger and County Health Nurse, Kari Jo Kiff. Before Grenier joined the meeting, there was a brief discussion regarding the CSBG funds. Commissioner Townsend asked Kiff if she could function with less of the CSBG funds. She said that she could but she uses those funds for outreach programs for the poor in the County. Shinabarger then told the commissioners that the youth they hired at the Cemetery cannot work on rainy days. As such, there is a chance they might not use all of their allotted funds.

At 9:05am, Grenier joined the meeting by telephone.

Grenier explained that it is a little confusing as the work plans for CSBG grants are always a few years out, but that, when she and Jeff Rupp met with the commissioners in April, they were talking about allocations for the current year. Meagher County, she continued, is unique in that HRDC just pays the money out and the County allocates the funds as it sees fit. As long as the spending is on eligible projects, Grenier concluded, that is all that matters. She also suggested to the commissioners that she firm up a schedule for when things need to happen to help clear up any confusion. She also offered to send the County an e-mail at the beginning of the fiscal year to explain the process and what needed to be done. It was agreed that that was a good idea.

Schlepp verified with Grenier that there is approximately \$5100 remaining in County funds. She asked if it would be possible to designate \$4000 of that for youth programs and the remainder to county health. Grenier replied that it would not matter how it was paid. Townsend asked if it was necessary to designate how the funds would be spent within the youth program. Grenier replied that it was not. Kiff then asked, assuming she continues to receive CSBG funds, how she should use them fiscal year wise. Grenier told her it did not matter as long as she continued to submit things quarterly.

Hurwitz recalled that the County gave the golf course \$10,000 two years ago to purchase a new mower. He wondered if maybe they need equipment more than labor. Schlepp said she had talked to Helen Hanson and she told her they are having trouble getting youth to work there. Hurwitz wondered if they shouldn't call Bill Dodson to see what they need most.

Schlepp then suggested they make \$4000 available for youth and the remainder for county health. Kiff said whatever is decided, the County needs to be quick if there is money left at the end of the summer. It will need to be reallocated to a different program or it will be lost for good.

**Action 1:**

**RESOLUTION 2011-#36**

Hurwitz moved to allocate \$4000 of this year's CSBG funds to youth programs and \$2000 (including approximately \$900 already paid out) to county health programs. Townsend seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

**Public Hearing—Policy Change: Benefits for Part-Time Employees:**

Clerk and Recorder, Dayna Ogle, joined the meeting to discuss a policy change regarding benefits for part-time employees. Ogle began by reminding the commissioners that the policy they want to make—to pay  $\frac{3}{4}$  time employees  $\frac{3}{4}$  benefits—was the policy before they had changed it to the policy currently in place. Schlepp contended that making the change is still the right thing to do. There was no public comment.

Hurwitz then raised the issue of comp time and overtime. He argued that since they have been hammering the Sheriff Dept for their overtime issues, it would be wrong to ignore the overtime other departments' employees are working. Schlepp agreed. Schlepp then mentioned that she thought there was a new bill allowing county employees to take flex time. They should look into that, she suggested.

Hurwitz then told the other commissioners he wanted to make (temporary full-time Road Dept employee) Tim Collins a permanent employee. They should be able to bring him in under the five, he continued, now that Dan Fuller has retired. Ogle suggested they put this issue on the agenda for the next meeting so they could act on it.

Schlepp then recalled that Terry Myrhe mentioned in the last week's meeting that there might be money available to paint the courthouse. They should look into that, she concluded. Hurwitz agreed.

### **Jodi Tierney, Mid-Montana Insurance—Policy Renewal:**

Present for this portion of the meeting were Ogle, Shinabarger, and Shinabarger's grandson Levi.

Tierney walked the commissioners through a power point presentation giving an overview of the County's property and liability coverage and upcoming changes to it. Of note, there has been no renewal yet on Fidelity and Crime. If that is renewed, she warned, the County should expect a 10% increase in premium. Travelers has replaced Allianz on the Property side, with a 2% premium increase, but are starting with a clean slate claims wise. She also reminded the commissioners that if they or department heads attended Loss Control Conferences, they would receive credit, which would in turn reduce the County's MOD factor.

### **Vince Forsman—Safety Netting at Golf Course:**

Vince Forsman met with the Commission to discuss the possibility of erecting a safety net on golf course property in order to protect his home and that of his neighbor, Gary Briggs. He gave the commissioners a map he had drawn up of his property in relation to the golf course. He also mentioned that he and Helen Hanson had decided three years ago that something needed to be done. So he bought the poles, he said, and put them in, then put up the netting. Gary Briggs then bought the trailer next to his property and offered to help extend the netting since he cannot even park his car in the driveway because of flying golf balls. Now he would like to replace the poles, he said, because the wind has taken its toll and they are leaning over. But Bill Dodson told him at a May 9 golf course meeting to remove the poles and netting. In exchange he said he would re-aim the pads of the driving range, which he hasn't done, contended Forsman.

Forsman then asked the commissioners what the big deal is. He said there will be a net regardless. If he is not allowed to put it on the golf course, he and Briggs would put nets up on their property. A net on the golf course, he continued, would simply be shorter and therefore cost less money. He said he has purchased five 30' poles and six 35' poles. The short ones would go up first, followed by the longer ones.

Hurwitz then asked him if it was always his intent to pay for this. Forsman replied that it was, that he already had \$1500 invested so far. And he already has all the help lined up that he needs to erect the poles and put up the net. It would cost the County absolutely nothing, he concluded.

Schlepp told Forsman that when Dodson had approached the commissioners previously, he had only mentioned the liability issue to the golf course if the poles were to fall. What about kids getting hit with balls, Forsman countered. Schlepp then asked him when he built his home. Forsman replied 1991. The golf course was there then, he continued, as was the driving range but the range had not been developed yet.

Townsend asked what the other neighbors felt about the fence. He said that Hestekin does not get any balls so he does not want a fence. Hurwitz asked if he takes the net down in winter. Forsman said he does. Schlepp commented that the downside to putting it on his own property was that it would require more net. He agreed, saying he would have to run a net north to south and place another one in front of his shop.

Townsend told Forsman he should put the net on his own property, that it is his deal, not the County's. Forsman told the commissioners that his plan would be to put a net north to south in front of Gary Briggs's property, a north to south net along the property line between Briggs and

Forsman, and a north to south net in front of Forsman's shop. He offered to help move the range, he continued, and thought the whole thing had been worked out last year. If things do not work out, then he will put the nets on his property as previously mentioned.

Hurwitz then told Forsman that if he is willing to shoulder the expense and shorten the net so it is not in front of Hestikens, he does not see how it would hurt the County or the golf course. He said he would be willing to give it his go-ahead. He added that if the golf course could move the range a little to the east, then everyone wins.

Schlepp then stated she does not want to make a decision without Forsman and somebody from the golf course present together. Forsman said he would not be around the following week so he gave the go ahead to the commissioners to come up with something reasonable to settle the issue. He would accept their decision, he concluded.

Townsend added that he still thinks this is a private property issue. Forsman thanked the Commission for their time and left the meeting.

### **Rick Seidlitz—DES/Fire Update, Workers' Comp for Volunteers:**

Seidlitz began his report by showing the commissioners on a map of all the flooding in the County. He then handed the commissioners his monthly report. Schlepp then asked him about Workers' Comp for the volunteers. Seidlitz said he had \$2600 built into the budget for the current year to cover Workers' Comp premiums. He said it costs \$100 per year per volunteer, which would work out to about \$5000 if the number of volunteers throughout the year are counted. Townsend told him that Fergus County covers all of its volunteers, and he suggested Seidlitz contact them to see how they accomplish that. Schlepp stated that she supports adding it into the budget for the next fiscal year.

Townsend then raised the issue of the Grassy Mountain Fire District. He argued that the County has to do something with the money it has been collecting. Schlepp countered that the County does not have to do anything until the District is disbanded. She also suggested going to MACo lobbyists and asking them to lobby for a bill that would allow the County itself to disband the Fire District. Townsend suggested simply billing the residents based on the true cost to protect the property up there. Schlepp wondered how much it would cost. Seidlitz replied that Wilsall Fire District collects \$30,000 a year for their fire district and that would likely be sufficient for Grassy Mountain as well. Seidlitz told Schlepp that there are approximately 25 residences up there. At \$30,000 that would be about \$1200 per residence. Schlepp suggested they send each resident a bill and give them a certain period of time to reply. Townsend added that they should tell the residents what that fee will get them: a fire house, a truck, training.

It was agreed to put this issue on the agenda for the next week's Commission meeting.

### **Becky Hurwitz-Leger, Dept. of Revenue—Appraisal Update:**

County Assessor, Becky Hurwitz-Leger, met with the commissioners to give them an update on appraisals in the County. First she informed them that Alltel received a 9% reduction through protested taxes. Next she explained how mobile homes were assessed in the County, namely by using a complex matrix which is set by administrative rule. She said the main problem with mobile homes is that they are mobile. They move. Meagher County, she continued, assesses taxes at a rate of 1.28% of total value for usability. She concluded by saying that she has been busy trying to get caught up with so many things that had been let go for so many years. Schlepp asked her if the County would be better off in the end. A little, she replied, but not much.

### **Dayna Ogle, Clerk and Recorder—Positions and Pay:**

Ogle met with the commissioners to discuss giving a raise to one of her employees, Nate Sanders, who had completed his probationary period the previous day, and to appoint her other employee, Christy Rogers, the new Deputy Clerk and Recorder.

### **Action 2:**

#### **RESOLUTION 2011-#37**

Townsend moved to give Sanders a \$1 an hour raise effective the beginning of the next fiscal year (2011-2012). Schlepp seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

**Action 3:**

**RESOLUTION 2011-#38**

Hurwitz moved to accept Ogle's appointment of Rogers as the new Deputy Clerk and Recorder. Wage was set at 80% of the elected official. Schlepp seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

**Public Comment:**

There was no public comment.

**Claims:**

Commission was presented Voucher #1168, CK#42525-CK#42559, totaling \$52,566.59. Voucher was approved and checks signed as presented.

**Minutes:**

Minutes for the previous meeting, June 7, were approved with changes.

**Meeting Adjourned:**

Chair Schlepp adjourned the meeting at 4:30pm.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, June 21, 2011.

\_\_\_\_\_  
**CLERK & RECORDER**

\_\_\_\_\_  
**CHAIRMAN**

**SEAL**

\_\_\_\_\_  
**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Assistant to the Clerk & Recorder, Nathan Sanders  
Distributed June 21, 2011 to Chairman Schlepp, Commissioner Hurwitz, Commissioner Townsend, and Clerk & Recorder Ogle

**Tuesday**

June 21, 2011

8:55am – 3:50

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chairperson Schlepp called the meeting to order at 8:55am.

**Commissioners Present:**

Chairperson Nancy Schlepp, Vice Chairman Ben Hurwitz and Commissioner Herb Townsend.

**J.R. Shinabarger—Courthouse Needs and Concerns:**

J.R. Shinabarger met with the commissioners to discuss things needed at the courthouse. First, he told them he was right on budget for the year, even a little under. Hurwitz asked him about savings resulting from the new boiler. Shinabarger said that since the new boiler was installed in 2009, he estimated over \$7000 in savings based on the significantly lower amount of fuel oil used.

Shinabarger then listed his concerns: The parking lot is continuing to disintegrate and needs resurfaced and sealed. The sidewalk between the courthouse and the post office is an accident waiting to happen. The outside of the building is deteriorating to the point where rain comes through in places. The courtroom needs new carpet. There is asbestos in the OPA office, among other places. Hurwitz mentioned that the courtroom needs re-painted too.

Clerk and Recorder, Dayna Ogle, joined the meeting at 9:07am.

Schlepp pointed out that Terry Myrhe said there should be grant money available to paint the exterior of the courthouse. Gateway might help too, she suggested. Hurwitz suggested that Shinabarger talk to one of the road pavers in town on the Triangle project to give an estimate to redo the parking lot. Shinabarger then mentioned that the steps at the rear entrance are not up to code either.

Shinabarger then shared his concern that occasionally lights are left on throughout the night. Schlepp told him they could send a memo out reminding employees to turn all the inside lights off for the night when they leave for the night. Hurwitz asked if there are still windows to replace. Ogle replied that the upstairs windows on the north side are next in line. Hurwitz asked if it was a priority. Shinabarger replied that it should be done as funds are available. Hurwitz then asked if the \$77,000 in the building budget included any capital expenditures. It did not, Shinabarger replied.

Shinabarger then mentioned that many departments want to upgrade their offices. He said he spoke with Ogle and she agreed that the individual departments should budget for that, not him. He then raised the issue of keys for the courthouse. There are 25 numbered keys, he said, but nobody knows who has them.

Shinabarger concluded by stating that in his preliminary budget, he had asked for a \$.40 raise. The Commission had approved \$.20. Schlepp asked when the last time it was he got a raise. He replied it has been a long time. Schlepp said they would look at it.

Hurwitz asked Shinabarger to get a bid on painting the outside of the building and to pave the parking lot. Schlepp said the window project had to be continued as well. She said there is a state energy rebate available through Northwestern Energy for new windows, which the county has not tapped into yet.

**Dayna Ogle—Positions and Pay:**

Clerk and Recorder Ogle met with the commissioners to discuss a pay raise for her new deputy, Christy Rogers. She said she had done a survey of other counties and what they pay their deputies. With Rogers' two years of experience and the work she does, she deserves 90% of the elected official wage. The Sheriff office hires deputies off the street at 85% without any experience. Schlepp argued that it does make sense. They already do it for the Sheriff and Treasurer Departments. Hurwitz asked Ogle why she did not ask for 90% the previous week

when Rogers was made Deputy. Ogle replied she had been more focused on a potential discussion of the deputy position that she neglected the wage portion. After further discussion it was decided to grant Ogle her request.

**Action 1:**

**RESOLUTION 2011-#39**

Schlepp moved for Deputy Clerk and Recorder Rogers to receive 90% of the Clerk and Recorder and for Assistant Nate Sanders to go to \$12.45 an hour, with no COLA attached for the coming year, effective June 27, 2011. Hurwitz seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

Next Ogle discussed Road Department employees Nick Lester and Tim Collins with the commissioners, as they were going to be discussed with Road Department Head, Ray Ringer, later in the meeting. Also discussed were Aaron Blair, Tobacco Prevention Specialist, and Brooke Weishaar, Assistant to Health Nurse Kari Jo Kiff. Ogle reminded the commissioners that if Blair and Weishaar were made county employees at more than twenty hours per week, they would have to offer them benefits.

Ogle then pointed out that some claims had come in from the Library for some outside IT vendors. She wondered if they could use either Jim (McDanel) or Buddy (Hanrahan). Townsend remarked that they should be told that the County already has two IT specialists they could use that would charge either \$25 or \$17 an hour and it would not cost them anything.

Finally Ogle mentioned that Mike Held was curious as to how John Wilson got on the Mosquito Board. Hurwitz replied that if it is not in the minutes that they appointed him, he is not on the board. Ogle said she would look into it and send a regret letter if necessary.

**Public Hearing—Policy Change: Benefits for Part-Time Employees:**

A public hearing was held regarding changing the county policy regarding benefits for part-time employees. There was no public comment.

**Action 2:**

**RESOLUTION 2011-#40**

Townsend moved that full-time rates be offered to employees scheduled to work 40 hours per week on a continuous basis; that three-quarter-time rates are offered to employees scheduled to work at least 30 but less than 40 hours per week on a continuous basis; and that half-time rates are offered to employees scheduled to work at least 20 but less than 40 hours per week on a continuous basis. Hurwitz seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

**Ray Ringer—Road Update:**

Road Department Supervisor, Ray Ringer, met with the commissioners to give his monthly report. Hurwitz told him and the other commissioners that he had spoken with Art Noonan of FWP, the fourth FWP person he has spoken with so far, about graveling the road to Camp Baker. He told Hurwitz that he does not want to set a precedent for other counties by helping gravel a county road, but that maybe if the county were to fix the mile of road from the bridge to the office at Camp Baker, they might be able to justify helping out. Hurwitz concluded that the issue still is on the table.

Hurwitz then asked Ringer about the used grader he was thinking about purchasing. Ringer said he had yet to hear back but that he would follow up. Townsend pointed out that he better get a really good deal since it is used equipment. Ringer agreed, adding that there is a \$50-60,000 deduction available for public entities to buy new equipment. That route might make most sense in the end, he continued.

Schlepp then stated she would like to hear from Jerry Zieg regarding the Tintina copper mine. Townsend added he would like to hear more about the impact fees. Hurwitz said he does not want to hammer them but that it is also important not to leave money on the table. Schlepp then suggested they revisit the due diligence checklist (County Agent) Nico (Cantalupo) had drawn up for them. It was agreed to get Zieg on the agenda for a future meeting. Ringer pointed out there would only be about three miles of county road affected.

Bob Dennee from the US Forest Service in Bozeman called in to the meeting at 10:15am to update the commissioners and Ringer on the status of the Tenderfoot Road issue. He said there

was a meeting on June 13 between him and Hertha Lund, Howard Zehntner's attorney. He said at first Lund asked many questions, as she had never been to the Tenderfoot Ranch. Dennee said he started to present the same information he had presented the commissioners at a previous meeting. She was defensive at first but the more she saw and heard, the more she came around. She eventually told Dennee, he said, that going forward she saw her role as a go-between for the County, the Forest Service, and Zehntner. She accepts the value of the easements being offered Zehntner by the Forest Service and she would try to convince him either to accept the easements or accept the fact that the road in question is county road. She would talk to Zehntner, Dennee said, and get back to him in a month.

Hurwitz then commented on a letter sent to Zehntner from the Forest Service. He said everyone seems to agree that the road to the creek is county road but past that it is unclear. How do we know where the road went in 1900, he wondered. Ringer pointed out that the road through Mongar has been changed twice in his lifetime.

Dennee then added he had told Lund the Forest Service feels it is the responsibility of the County to remove the unauthorized gate from the county road. Townsend told him not to obligate the county to anything. Hurwitz added that it is state land and thus the state's responsibility to remove it. Dennee replied that the state says they have done their job in declaring that road open to the public. Townsend added they should let Zehntner close the gate. If someone wants it open, he added, they can sue the County, at which point it can be dealt with. Schlepp added that the County's only role is to acknowledge the road as county road.

**Action 3:**

**RESOLUTION 2011-#41**

Hurwitz moved to make Tim Collins a permanent full-time county employee with a raise of \$.25 an hour effective June 27, 2011. Townsend seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

**Action 4:**

**RESOLUTION 2011-#42**

Hurwitz moved to give Nick Lester a \$.25 an hour raise effective June 27, 2011. Townsend seconded. A vote was held and passed unanimously (3-0). It is therefore resolved.

Hurwitz asked Ringer if the County will receive any help fixing Benton Gulch Road. Ringer said not unless there is FEMA money available. He said it would cost at least \$120,000 to repair it. Hurwitz stated that the County cannot afford that, and they do not need the road. Ringer added that the road had already been fixed three times in the last twenty years.

Next the Commissioners briefly discussed some options for fixing the water situation at the transfer site. At 11:10, the commissioners left with Ringer to go visit the transfer site and also the golf course, where a separate issue had arisen.

**Kari Jo Kiff—Positions and Pay:**

Kari Jo Kiff, County Health Nurse, met with the commissioners to discuss making her assistant, Brooke Weishaar and Tobacco Prevention Specialist, Aaron Blair county employees. Also present were Clerk and Recorder Ogle and County Attorney Deschene. She handed the commissioners a handout with her request and rationale for each employee. She requested that both be made county employees and paid \$17 an hour—Weishaar for 25 hours a month and Blair for 65 hours a month.

Townsend told her that his concern is with the wage. \$17 an hour, he continued, is more than what Nate (Sanders) or Dayna (Ogle) make. Kiff pointed out that they each have undergraduate degrees, which are not required for either position. Townsend replied that Ogle and County Treasurer Phelan have a lot of responsibility but do not get paid that much. Hurwitz pointed out to Kiff that he has a college degree too, as do many of the county employees.

Hurwitz moved to offer Blair and Weishaar each \$10 an hour. There was no second. The motion died.

Kiff argued that paying them \$10 would force her to use the rest of the grant money on frivolous things. Deschene added that it would be better to give that money, especially since it is grant money and does not cost the county a penny, to Meagher County residents than to posters and supplies.

Townsend said he would go higher than \$10 but not \$17—maybe \$13. Schlepp suggested \$15. Kiff countered that they will not receive holiday pay, sick leave, vacation, or insurance. Hurwitz asked what they would tell Nate (Sanders) or Angie (Ringer) if they decided to offer Blair and Weishaar \$17 an hour. Deschene countered that their jobs can go away at anytime. Kiff said that for Blair to work 780 hours a year at \$17 an hour, it would be \$13,260 plus \$1257 in deductions for a total cost of \$14,517. Hurwitz replied that he wished they could do this but he does not want to pay them more than most of the county employees already receive.

Schlepp called for a second motion. Hurwitz suggested paying him full time but at a lower wage. Schlepp replied that she does not want to consider that. The grant is for a part-time employee anyway, she added, so full time is not an option.

Schlepp then moved to offer both Blair and Weishaar positions as part-time temporary employees at \$16 an hour. There was no second. The motion died.

Kiff then reminded the commissioners that not all of the tobacco money goes to wages. Twenty-five percent has to go toward programming. Ogle then pointed out the Blair would have to work fewer than 960 hours in a year in order not to trigger PERS requirements, although she added that she was not sure temporary employees fall under PERS.

**Action 5:**

**RESOLUTION 2011-#43**

After further discussion, Townsend moved to offer Blair part-time employment with the County of up to 958 hours a year at \$12 an hour plus social security. Hurwitz seconded. A vote was held and passed 2-1. It is therefore resolved.

Schlepp then stated they needed to discuss this. She asked Ogle what the wage would be for \$16,500. Ogle told her it would be \$15.71 for 958 hours. Townsend argued that Blair does not have to make \$16,500. Schlepp said she would not be voting because she still prefers the \$16 an hour, which is still less than the \$17 originally requested. She pointed out that the offer just decided is an \$8 pay cut for working more hours.

**Action 6:**

**RESOLUTION 2011-#44**

Townsend moved to make the same deal for Weishaar, namely to offer her part-time employment with the County for 25 hours a week at \$12 an hour plus social security. Hurwitz seconded. A vote was held and passed 2-1. It is therefore resolved.

**Grassy Mountain Fire District Discussion:**

Fire Chief, Rick Seidlitz, met with the commissioners to discuss the Grassy Mountain Fire District. Also present was County Attorney Deschene. Deschene began by asking the commissioners what their goal is. Schlepp replied. It is either for the district to disband. Or we offer them \$30,000 which will be assessed to them annually, for them to run their fire district. Deschene replied that what needs to happen is a letter being sent to residents with the option of choosing \$30,000 to maintain and run the district or to disband. If 40% or more respond in one way, that option will happen.

Schlepp said she liked that idea. That they should write such a letter, but make the amount \$35,000, run it past MACo and send it by certified mail. Seidlitz asked the commissioners if they could just send a vote as they are the board. Deschene replied that it is not a vote. Rather it is a petition, and 40% carries. Seidlitz then added that if the district dissolves, their homeowners insurance will explode.

Schlepp pointed out that if the residents did say yes to keeping the district, the next problem would be starting a board to run it. Deschene suggested having a public meeting. Schlepp said they should have it at Grassy, maybe at Ioerger's Lodge. Townsend said it seems that the homeowners who live there seem to care what happens up there, but the property owners who do not live there do not care.

Deschene felt there would not be enough votes to disband, in which case the county needs to send them a big tax bill. Seidlitz said that would have to be done by mil levy, which would have to be voted on. Townsend countered that the Commission is the board. Schlepp asked if they

could just take action. Seidlitz added that property needs to be assessed by taxable valuation, not by acre the way it is now.

County Assessor, Becky Hurwitz-Leger, joined the meeting at 2:25pm.

Seidlitz recommended to Deschene how to word part of the letter. There is \$35,000 needed to keep the fire district intact and running, for example. For a 40-acre lot this is what it will cost. Deschene added she needs to make it clear to Grassy residents it is their obligation to fund the district they created. Schlepp asked Deschene whether the Commission, as de facto board, has the power to raise fees. Deschene replied that they do.

Seidlitz left the meeting at 2:45pm.

Schlepp asked Deschene to write the letter, which they will then run by MACo before mailing it out. She then asked Hurwitz-Leger if she could help them decide on an amount. Hurwitz added that he felt \$35,000 is not nearly enough. After further discussion, it was agreed to come up with a number to be assessed which would be included in a letter to Grassy residents.

**Action 7:**

Townsend moved to accept the minutes from the June 14 meeting with changes. Schlepp seconded. A vote was held and passed unanimously.

**Nico Cantalupo—Due Diligence Checklist for Tintina Copper Mine Project:**

County Extension Agent, Nico Cantalupo, met with the Commission to discuss the due diligence checklist he had developed for the commissioners regarding the potential copper mine in the county. He walked them through some of the questions and added more of his own. He also suggested asking Tintina what the county can do to facilitate things.

**Public Comment:**

Pam Sundstrom met with the Commission as a representative of the Hospital District Board to get on the agenda for the next commission meeting July 5 to discuss some of the language used by Otto Ohlson in a letter to District Board Chair, John Dracon.

Sheriff Jon Lopp met with the commissioners to give a brief update. First he signed a contract for the Park County DUI Task Force. He then informed the commissioners about a suicide case from the weekend. He had also looked into the cost of inmate healthcare insurance. For \$300 a month, it would cover the cost of most medical expenses for inmates while incarcerated, not including pre-existing conditions. He also mentioned the contract with the Forest Service would be renewed, and he was planning to use that money to buy a laptop. He concluded by giving an update on the progress of preparations for the Music Festival.

**Claims:**

Commission was presented Voucher #1169, CK#42560-CK#42591, totaling \$120,526.96. Voucher was approved and checks signed as presented.

**Meeting Adjourned:**

Chair Schlepp adjourned the meeting at 4:30pm.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, July 5, 2011.

\_\_\_\_\_  
CLERK & RECORDER

SEAL

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CHAIRMAN

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VICE-CHAIRMAN

\_\_\_\_\_  
COMMISSIONER