

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

December 3, 10, 17, 2013

Tuesday

December 3, 2013

8:00 a.m. – 11:50 a.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Chair Hurwitz called the meeting to order at 8:30 a.m. Commissioner Herb Townsend entered the meeting at 9:15 a.m.

Commissioners Present:

Chair Ben Hurwitz, Vice Chair Herb Townsend and Commissioner Rod Brewer.

Road Report – Bruce Smith:

Bruce Smith was present to open the sealed bids on the 1994 Dodge 2500, 1990 Ford F-350, and Vermeer Disc Mower Model 6040, 3 pt. attachment.

Bids received were as follows:

1994 Dodge 2500:

Bear Excavation – Stuart Christopher	\$3,275.00
Dan TeSelle	\$3,300.00
Mike Eckberg	\$4,600.16

1990 Ford F-350:

Bear Excavation – Stuart Christopher	\$1,699.00
Ken Ogle	\$1,527.00
Toni Taylor	\$1,601.00

After review and consideration of the bids submitted, the decision was made that the high bid for the 1994 Dodge in the amount of \$4,600.16, made by Mike Eckberg would be accepted. The high bid for the 1990 Ford, made by Stuart Christopher in the amount of \$1,699.00, would be accepted. There were no bids for the mower.

Action #1:

RESOLUTION 2013 – #81

Commissioner Brewer moved to accept the bids of Mike Eckberg in the amount of \$4,600.16 for the 1994 Dodge pickup; and for \$1,699.00 made by Stuart Christopher for the 1990 Ford pickup. Chair Hurwitz seconded; a vote was taken and approved unanimously. It is therefore resolved.

Bruce Smith, Road Supervisor, asked the Commissioners about purchasing paint to paint the shop. They had purchased a gallon from a local business for \$42.00 and wanted to know if he could purchase the paint from Lowe's. The Commissioners would like him to check with Lowe's pricing and if less, check locally to see if they could match. If not, then they would approve purchasing it at Lowe's.

The Commissioners and Road Supervisor Smith also discussed the purchase of fuel and propane and to use local businesses if at all possible.

Absaroka Energy Development Group – Gordon Butte Update:

Unable to attend today's meeting. A time was rescheduled for Tuesday, December 10, 2013.

Clerk & Recorder – Dayna Ogle:

Food Bank expenses were discussed and how it affects the Sheriff's budget. There was also discussion on the gutter and who would be responsible for that expense.

Sheriff's Report:

Sheriff Jon Lopp presented the Commissioners with the Sheriff's log for the month.

Sheriff Lopp also reported on the City Council meeting he had attended on Monday, December 2, 2013. All City Councilmen believe there should be a contract, but the City is unwilling to pay the \$25,000.00 vehicle expense for the year 2013 that was due in January. The City Council seems to agree that it is due, but the consensus is they are not willing to pay it. They want to enter into a new agreement that states they will increase the annual amount to cover the vehicle expense so it will be included annually rather than one lump sum every 4 years. The County Commissioners want the City to finish up with the last contract before entering into a new contract. The County Commissioners are in agreement that the City can increase the amount annually to cover the vehicle expense, but want them to honor last year's contract to provide the \$25,000.00 to the Sheriff's Department for a vehicle.

County Attorney, Kimberly Deschene will be instructed to write a letter to the City Council regarding this issue, providing a deadline for honoring their contract, or they will need to form a Police Department and be on their own.

Sheriff Lopp also updated the Commissioners on Deputy Dave Wendt's accident and recovery timeline. Deputy Slingsby was to attend the Academy and will have to change the dates to accommodate the need to cover during Deputy Wendt's recovery. He also advised there may be a little more overtime, but that he has also spoken with Shane Sereday and Roger Shroyer as Reserve Deputies about picking up more time if needed.

Minutes:

Action #2:

Commission Vice Chair Townsend moved to accept the Minutes; Commissioner Brewer seconded. A vote was taken and approved unanimously.

Clerk & Recorder - Dayna Ogle:

Holiday Hours:

Clerk & Recorder Ogle went over with the Commissioners the letter received from MACo on closing the offices for the holiday season. According to MACo, the Courthouse cannot legally be closed on a day that is not considered a holiday, such as the day after Thanksgiving or Christmas Eve for liability reasons. If employees want to take that time off, they will have to take as a vacation day, and there will need to be at least 1 person in the office.

Action #3:

RESOLUTION 2013 - #82

Commissioner Brewer moved that the County Courthouse will be open Christmas Eve as directed by MACo, with at least 1 person in the office, and that if employees want to take the time off, they will have to take as a vacation day. Chair Townsend seconded. A vote was taken and approved unanimously. It is therefore resolved.

Courthouse:

There was discussion regarding an office in the Courthouse and the complaints being received at the Treasurer's, Clerk & Recorder's and District Court's offices from individuals that come from in town and out of town and the office is closed. The Commissioners agreed that whatever hours are posted are the ones that the office needs to adhere to.

Montana Business Assistance Connection – Chris Shove:

Three businesses had been contacted regarding the Request for Proposals to update the County Growth Policy Plan - Montana Business Assistance Connection, WWC Engineering and DOWL HKM. There was only one bid submitted and that was by Montana Business Assistance Connection.

Action #4:

RESOLUTION 2013 - #83

Chair Hurwitz moved that the Proposal of Montana Business Assistance Connection to update the County Growth Policy Plan be accepted. Vice Chair Townsend seconded. A vote was taken and approved unanimously. It is therefore resolved.

Mr. Shove presented paperwork for the Commissioners to sign so Montana Business Assistance Connection can get started with the Growth Policy Plan. There was also some discussion on possible grants available to Meagher County once the Growth Policy Plan is updated.

Dayna Ogle – Clerk & Recorder:

Library:

The Commissioners discussed the test results provided by the State Hygienist concurring with Jim Musckovich of MACo that the Library is safe. There was discussion on getting the Library re-opened to its normal business hours and what steps needed to be taken.

Fire / DES Report – Rick Seidlitz:

Rick Seidlitz, Fire Chief was present and stated that there was nothing new to report

Clerk & Recorder - Dayna Ogle:

Ambulance Garage:

Clerk & Recorder Ogle questioned the Commissioners regarding payment of the Northwestern Energy bill for the hook up of the Ambulance Garage. Chair Hurwitz advised not to pay, he had spoken with Dorothy Bradley and she is working on it.

Employee Handbook:

Clerk & Recorder Ogle continued working with the Commissioners on the Employee Handbook regarding recruitment, probationary periods, salary administration, anniversary dates, sick leave, hours of work – work from home, purchasing power, and disciplinary policy.

Gordon Doig came into the meeting at 11:31 a.m.

Library:

Gordon Doig and the Commissioners set Thursday, December 5, 2013, at 9:00 a.m. to meet in a closed special session to address moving forward on getting the Library open.

County Attorney Update:

County Attorney Deschene was unable to attend.

Ambulance Bid Update:

The Commissioners had previously accepted the bid of Elkhorn Insulation for the insulation of the Ambulance Garage conditioned on references. Since they have previously done work for the County at the weed building and fire hall, so there was no reason to meet with Sara Driemeyer from the Ambulance Board. A letter will be written to formalize the acceptance.

Public Comment:

No public comment

Claims Approved:

The Commissioners were presented with Voucher # 1431, Ck # 46262 – Ck # 46288 totaling \$10,960.16, for signature. All checks were signed as presented.

Meeting Adjourned:

The meeting was adjourned at 11:50 a.m.

Next Meeting:

Commissioners are scheduled to meet in a Special Closed Session on Thursday, December 5, 2013 and for the regular meeting on Tuesday, December 10, 2013.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Tuesday
December 10, 2013
8:45 a.m. – 3:30 p.m.
Met in Commissioner's Chambers

Meeting Called to Order:

Vice Chair Townsend called the meeting to order at 8:45 a.m.

Commissioners Present:

Vice Chair Herb Townsend and Commissioner Rod Brewer. Chair Hurwitz was unable to attend.

Treasurer's Report:

Treasurer Sue Phelan presented her report and went over it with the Commissioners.

Minutes:

Action #1:

Commissioner Brewer made a motion to approve the Minutes of the December 2, 2013 Commission meeting and December 5, 2013 Special Session meeting. Vice Chair Townsend seconded. A vote was taken and approved unanimously.

Library Air Quality Update:

Melinda Vennard was present for the library air quality update. There being no questions, she took a few of the handouts and left the meeting.

Employee Policy Handbook:

Clerk & Recorder Dayna Ogle presented the final revisions of the employee handbook changes discussed at the two previous Commission meetings.

Action #2:

RESOLUTION 2013 - # 85

Vice Chair Townsend moved to accept the changes as presented to the employee handbook. Commissioner Brewer seconded. A vote was taken and approved unanimously, it is therefore resolved.

Northwestern Energy:

Clerk & Recorder Ogle also went over her discussion with Northwestern Energy. Since they cannot give away energy, the County will be responsible for paying the Northwestern Energy bill for the Ambulance Garage hookup. However, a representative of Northwestern Energy will be meeting with Ogle and give us the paperwork for a charitable donation that will offset the charges.

City / County Agreement:

County Attorney Kimberly Deschene and Nels Swandal stopped by to see the Commissioners with a letter to be sent to the City regarding the City / County Sheriff Agreement and the \$25,000.00 owed to the Sheriff's Department for a vehicle from 2013. Vice Chair Townsend reviewed the Agreement presented by the City and there was discussion on whether or not the previous agreement would be in the City's Minutes from years ago.

Ambulance Grant:

Dayna Ogle, Clerk & Recorder, reminded the Commissioners that they have Bair Grant funds in the amount of \$4,000.00 yet being given to help offset expenses in the construction of the Ambulance Garage. A form will be submitted to obtain those funds.

Road Funds:

Also the RAC funds had been received for the road department for \$60,000.00. There was discussion on the Secure Rural Schools programs and the notice that Meagher County will be receiving \$493,564.00. Mrs. Ogle explained how the funds are split – 85% to Title 1 - school and roads (split 2/3 roads & 1/3 school); then 8% to Title 2 (special projects) and 7% to Title 3 fire.

Tintina Mines – Jerry Zieg and Nancy Schlepp:

Nancy Schlepp and Jerry Zieg were present to update the Commissioners on the progress of the decline. They were hoping to be able to share good news as the DEQ was to have met Monday, December 9, 2013, but they were still waiting to hear about the permit.

They also wanted to ask the Commissioner about signing a Resolution in Support of the mine. It is a process that other mines have used and presented to the governor. Having local community support is a very important factor in the process.

There was also discussion on what the next processes would be and what permitting would be next and regarding the re-financing that would be done after the decline permit was received. They will be doing a feasibility study which then feeds into the next permit to operate the mine.

Action #3:

RESOLUTION 2013 - #86



Meagher County, Montana
WHITE SULPHUR SPRINGS

OFFICE OF
BOARD OF
COUNTY COMMISSIONERS

Meagher County Commission
Resolution In Support Of Environmentally Sound,
Economically Important and Safe Mining

WHEREAS, Copper mining is imperative to meet the consumptive needs of our nation, state, and community, and

WHEREAS, Meagher County is blessed with an economically viable mineral deposit, the Johnny Lee Deposit at the Black Butte Copper Project, which is the second highest grade copper deposit under development in North America, and

WHEREAS, The Black Butte Copper Project could contribute a large portion of our counties' economic foundation, and

WHEREAS, The proposed Black Butte Copper Project will operate under the watchful eye of state regulatory agencies and must meet or exceed state and federal environmental standards set by society to ensure mining activities are environmentally sensitive and safe, and

WHEREAS, Construction of the exploration decline will create approximately 35 jobs in Meagher County, and

WHEREAS, During operation, the Black Butte Copper Project will be Meagher County's largest private wage generator; will have the largest taxable equipment base in Meagher County and will employ up to 200 miners with a viable living wage and benefits sufficient to comfortably support families, and

WHEREAS, Equipment, payroll, and metal mines tax dollars will help Meagher County improve the county and city's infrastructure, and

WHEREAS, Job sector retention and improvement of retail, service, utility, city, county, and teaching jobs will help meet the needs of our churches, volunteer ambulance and fire crews, and support other civic and social non-profit groups, and

WHEREAS, Retention and improvement of these jobs, services, and philanthropic organizations are critical to the health of Meagher County's main streets and small businesses, and

WHEREAS, Tintina Resources has been a good neighbor while performing its exploration activities with an open door policy that includes public tours of their facility to showcase their pride in the important and environmentally sound job they are doing in our area,

THEREFORE BE IT RESOLVED THAT THE MEAGHER COUNTY COMMISSIONERS,

- Support Tintina's desire to bring the Black Butte Copper Project to fruition. They meet our vision of sustainability by providing for human kind today without compromising the ability of future generations to do the same, and
- Acknowledge that the development of the Black Butte mineral deposits can be done under the stringent state and federal laws and meet the necessary safeguards for our critically important environment.
- Understand that the jobs that flow from the Black Butte Copper Project and associated business endeavors are critically important to the social and economic well-being of our County citizens and community.

Dated this 17th day of December, 2013.

Ben Hurwitz, Chairman

Herb Townsend, Vice Chairman

Rod Brewer, Commissioner

Vice Chair Townsend moved to support this endeavor and sign the Resolution in Support of Tintina. Commissioner Brewer seconded. A vote was taken and passed unanimously. It is therefore resolved.

LUNCH:

The Commissioners broke for lunch at 11:45 a.m. and returned at 12:54 p.m.

Absaroka Energy Development Group – Gordon Butte Update:

Carl Borgquist and Paul Bockus were here from Absaroka Energy Development Group to give a presentation to the Commissioners on the update on the Gordon Butte project.

Mr. Borgquist provided some background information to the Commissioners on how he got involved with the Gordon Butte project and how he met the Galt family.

He explained about the wind and changing speeds and that speed is the direct factor of energy being used. There needs to be an equal amount of electrons going and they are working on keeping it consistent by doing pump storage. Mr. Borgquist handed out material of information to describe the process to the Commissioners. The Absoraka Energy Development Group only does the development plans for the project, and then they look for investors to take over the project and the expense.

Sue Phelan, Meagher County Treasurer, entered the meeting.

He also explained that there are only 3 manufacturers in the world that that have the equipment and none of them were U.S. companies. However, there is a U.S. contractor that can work on this project and they just happened to be headquartered in Bozeman. Barnard Construction out of the Bozeman area will be the contractor who will be doing the actual construction of the project and it will take 3 years to complete. They expect to employ 300 workers – all from Montana. Workforce will most likely come from this area, along with Billings, Helena, Great Falls and Bozeman. They believe there will be less controversial than the mine concerning the wind farm.

They also expect that White Sulphur Springs, Harlowton, and Martinsdale to all be impacted from this this. They believe it will be a tremendous opportunity for communities to produce economic activity. It is expected to start in late 2015 and shovels to the ground in 2016.

The Commissioners inquired about how it all works and then the permitting involved. Vice Chair Townsend asked what the Commissioners could do to help.

Mr. Borgquist would like to see Barnard Construction come and talk about the construction; housing; traffic and safety concerns and then to get it out to the public and get on the radar. When this gets started, there will be a lot of consideration that goes into the construction concerning safety and making sure the community has a positive impact.

Health Nurse:

Kari Jo Kiff, Health Nurse, presented her report to Commissioners for their review

She checked on the allocation from the block grant. The Commissioners informed her it would continue as last year – 50/50 between the youth program and the county nurse program.

There was also a brief discussion on holiday pay and how that worked.

They went through the report provided on what had happened for the month.

County Insurance – Julie Blockey:

Julie Blockey came in to address the County's fiscal year of July – June versus Blue Cross Blue Shield's year-end renewals from January - December. In attendance for this meeting were Kari Jo Kiff, Christy Rogers, Dayna Ogle and Shauna Porter.

Ms. Blockey went over the insurance changes and 1st quarter rates that will be seen for the year 2014. She showed us the new products coming out that we will have to make choices on regarding cost and benefits. Beginning in 2014 Blue Cross Blue Shield will be offering 3 plans for us to choose from – the Gold, Silver and Bronze. The Gold and Silver are similar to the current plans that the County chooses from. The Bronze will be less expensive, but will also have fewer benefits. She also explained that in 2014, the medical underwriting is gone which means the pre-existing conditions are gone. Also in 2014, everything is age based.

There was discussion on the differences in the Bronze, Silver and Gold plans, the cost and benefits of each, along with pediatric dental and how that will be changing as well.

There was also discussion if the County wants to go on a yearly renewal for the full calendar year, then all the paperwork needed to be taken care of before Christmas. Ms. Blockey couldn't guarantee that the rates the County was being shown today would be the same rate offered in July.

The Commissioners decided that they would stay with the renewal in July and not make any changes today.

Public Comment:

No public comment

Claims Approved:

Commissioners were presented with Voucher # 1432, with Ck # 46289 – Ck # 46318 totaling \$12,101.08. All checks were approved and signed as presented.

Meeting Adjourned:

The meeting was adjourned at 3:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, December 17, 2013.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Tuesday
December 17, 2013
9:00 a.m. – 2:00 p.m.
Met in Commissioner's Chambers

Meeting Called to Order:

Chair Hurwitz called the meeting to order at 9:00 a.m.

Commissioners Present:

Chair Ben Hurwitz, Vice Chair Herb Townsend and Commissioner Rod Brewer.

Library Board – Job Description Review:

Gordon Doig, Leone Michalec, and Elton Lee were present for the Library Board. They had presented a job description for the Commissioner's review. The position was discussed and Commissioner Brewer was concerned about the education requirements. Leone responded that they would consider education and experience combination. They were planning on posting this job at the American Library Association and Montana Library Association to see if we would get a response from a new graduate. There was also discussion regarding the name change from Library Director to Librarian. The Board felt that the title was overstated. The position is 5 days a week and the Library is open 6 hours a day or 30 hours a week giving the Librarian the additional 2 hours a day for cataloging or ordering.

The Board feels they have a little latitude with salary in the budget as they will cut down on the part time position. Commissioner Brewer questioned when it would be advertised and Leone will get it in the paper this week. The application deadline will be January 24 and if there are no qualified applicants, then they will come back to the Commissioners and re-post.

The Commissioners were also considering providing the Great Falls Tribune a copy of the Meagher County News article that Jason wrote as a "statement" from the Commissioners on the Library.

Recycling:

Penny Plachy from the Clerk & Recorder's Office discussed her conversations with David Leverett with 4-Corners Recycling and advised that Mr. Leverett could not make it in person, but would be available by phone for a conference call. Jake Lind had called Commissioner Townsend at home the previous week regarding the cardboard recycling, so there is some confusion on how that will work. Chair Hurwitz telephoned 4-Corners Recycling to do a conference call with David Leverett to address the issues.

Mr. Leverett explained that he had had conversations with Mr. Lind for the past 14 months regarding the cardboard recycling and having a used baler he could set him up to purchase for \$4,000.00. Because the cardboard recycling is so used by the grocery stores and other businesses, Mr. Leverett advised that they would need a local person to keep up with the volume up to 2x a week. His guess would be that it would be approximately 6 hours of work a week.

The value of cardboard recycling now in the month of December is \$87.00 a ton. His offer to Mr. Lind was to purchase the baler and pay 4-Corners Recycling as payments \$15.00 a ton from his loads. That way he would still be making \$72.00 a ton. Currently, Mathis Food Farm has agreed to put the baler in their building. Mr. Leverett agreed to keep the same deal available to whoever would do the cardboard recycling if it doesn't work out with Mr. Lind.

Following the conversation regarding the cardboard recycling, there was discussion on the contract and binnies. There are 3 additional binnies at the county shop that need some replacement parts or nuts & bolts. The County has a total of 6 binnies – three 4-yard bins and 3 2-yard bins. Commissioner Hurwitz will see if the county shop can repair the bins that need repair.

Action 1:

RESOLUTION 2013 - #87

Commissioner Townsend moved to accept the contract from 4-Corners Recycling, with the changes made, including adding the City of White Sulphur Springs to the contract. Commissioner Brewer seconded. A vote was taken and approved unanimously. It is therefore resolved.

Grassy Mountain Fire District - Erin Fryer:

Erin Fryer from the Grassy Mountain Fire District Board came in to see the Commissioners to inform them that Joe Hickey, who also serves on the Board, will be moving and that the Board needed to appoint a new member. Currently, she, Rich Seibken, Kelly Tillman, and Paul Krueger serve on the Board. She wanted the approval of the Commission to add Mike Leonard as a Board member.

Mike Leonard entered the meeting.

There was discussion regarding the Fire District Board and how it was going and if there was a decision made regarding joining the Meagher County Fire District. Mrs. Fryer told the Board that Rich Seibken and Paul Krueger had been adamant regarding sending out letters to the landowners of Grassy Mountain with their vote and comments regarding the issue, and while the other members didn't expect much of a response, decided to see it through.

Action #2:

Vice Chair Townsend made a motion to appoint Mike Leonard to the Grassy Mountain Fire District Board to replace Joe Hickey. Commissioner Brewer seconded.

LUNCH:

The Commissioners broke for lunch at 12:15 p.m. and returned at 1:15 p.m.

Judge John Wells:

Judge Wells came to see the Commissioners regarding mental health issues in the City and County. He went over the need for it in the City, as well as the County and wanted to approach the Commission on the discussions he had had with the Center for Mental Health in Great Falls and Deb Thurman, MSW, LCSW, PACT Team Leader.

There is a 26 week course in the Violence Intervention Program, each class is 1 ½ hours at the cost of \$450.00 for the course. Because we are so far away, she would be willing to meet with individuals on Saturdays so they wouldn't have to miss work. She would also do a workbook, so they would only actually have to meet 3-4 times rather than 26 times; however, the cost would still be \$450.00. There isn't a big need for their services, but occasionally the need does arise and he would like the County to consider paying the expense of the course for those individuals.

Chair Hurwitz said they would consider it on a case by case deal. They suggested that when Judge Wells has a circumstance where this would be part of the sentence, he should come back to the Commission to discuss. Judge Wells clarified that the individuals would have to pay their own fuel, and there would be stipulations to it. The 3-4 times would give them a workbook to do from home and they would not be able to miss and/or not complete it. He would find them in contempt of court if they don't complete, which would involve another fine and/or community service.

Action 3:

Vice Chair Townsend moved that the Commission would consider paying the \$450.00 for the Violence Intervention Program on a case by case basis. Commissioner Brewer seconded. A vote was taken and passed unanimously.

Minutes:

Action 4:

Commissioner Townsend moved to accept the minutes of the December 10, 2013 meeting. Commissioner Brewer seconded. A vote was taken and passed unanimously.

Public Comment:

No public comment.

Claims Approved:

The Commission was presented with Voucher # 1433, Ck # 46319 – Ck # 46342 totaling \$27,329.05. All checks were signed as presented.

Meeting Adjourned:

The meeting was adjourned at 2:00 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, January 7, 2014.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER