

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

March 4, 11, 18, 2014

Tuesday

March 4, 2014

8:30 a.m. – 3:30 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Chair Hurwitz called the meeting to order at 8:30 a.m.

Commissioners Present:

Chair Ben Hurwitz was present. Vice Chair Herb Townsend and Commissioner Rod Brewer were unable to attend. Vice Chair Townsend telephoned in for a conference call.

Minutes:

Commissioner Hurwitz tabled approving the Minutes of February 18, 2014 until the next commission meeting on March 11, 2014.

Road Report – Bruce Smith:

Bruce Smith, Road Supervisor gave his report of the snow plowing for the past couple of weeks.

Mr. Smith also advised that he is planning on looking for a new grader after becoming stuck plowing at Grassy Mountain this past week. There are funds available for the purchase from the SRS funds.

Commissioner Townsend called in at 9:15 a.m.

Sheriff's Report – Jon Lopp:

Sheriff Jon Lopp presented his monthly sheriff's call report to the Commission. Also present was Nels Swandal and County Attorney Kimberly Deschene.

There was discussion regarding Sheriff Lopp receiving a letter from the City and the vehicle still needed by the Sheriff's Office. Sheriff Lopp's vehicle currently has 92,000 miles and Deputy Wendt's vehicle 120,000 miles. There are older trucks that they don't use much as well because of the high mileage. Sheriff Lopp also advised that he just sent a 6 month bill to the City for incarceration expense due for City inmates.

Stevens Youth Center – Bethany Steinken & Melinda Vennard:

Stevens Youth Center Director, Bethany Steinken, and Board President, Melinda Vennard, were present in support of and on behalf of the Stevens Youth Center. They provided information to the Commission regarding the after school and summer programs they have available to the youth from Kindergarten to 6 grade in White Sulphur Springs.

They provide these programs for approximately 8 to 15 children, and not necessarily the same children. Ms. Steinken has one employee, B.J. Hawkins, and volunteers that help. Their last appeal for a donation from the Commission was in 2009, when a new furnace was needed and the Commission provided a \$2,000.00 contribution.

Mrs. Vennard advised Commissioner Hurwitz that most of their funding comes from grants, and the Stevens Youth Center also did some fundraising this past year, but those funds do not always cover all the expenses. This year, the Stevens Youth Center is requesting \$3,000.00 from the County to help with the expenses. Chair Hurwitz did not believe that was an unreasonable request.

The discussion was tabled however until the next Commission meeting on March 11, 2014 when there will be a quorum to vote on the issue.

U.S. Bank – Jason Jewett & William Northey – Harmon Funds:

Jason Jewett and William Northey were present from the U.S. Bank regarding the Harmon Funds and the Investment Policy Statement. County Attorney Kimberly Deschene and Nels Swandal were also present.

Chairman Hurwitz expressed his full support removing the Title 7 designation from the Harmon Funds. U.S. Bank, the Trustee for the Harmon, will now be able to invest the corpus of the funds in a safe and prudent manner that should generate more revenue than the limitations of Title 7. Title 7 only allowed for investing in government bonds.

Mr. Northey went over the history of how we got where we are now, with the opinion letter from County Attorney Deschene and Deputy County Nels Swandal; to looking at new language to be incorporated into an Investment Policy Statement for the County. They provided a draft copy of an updated Investment Policy Statement for the Commissioners' review and discussed the changes made to the original document provided by County Attorney Deschene to update the language.

The document provides for the investment objectives, constraints, asset allocation, prohibited transactions and performance evaluation. There was also discussion on each section and how it applied to what the Commissioners' are hoping to see changed in the way the Harmon Funds are invested.

Mr. Northey also reminded Chair Hurwitz that if they adopt this policy, it wouldn't be an immediate change; it would be a progressive and gradual process.

Chair Hurwitz tabled this item until the next Commission meeting of March 11, 2014, when there will be a quorum and can be voted on. Mr. Jewett also had a Resolution for Chair Hurwitz to sign, which will also be tabled until the next meeting.

County Attorney Report – Kimberly Deschene:

County Attorney Kimberly Deschene and Deputy County Attorney Nels Swandal were present to give an update for the County Attorney's Office.

County Attorney Deschene began the meeting by stating that her line item in her budget for prosecution services was already in the negative by \$7,000.00, and there was another \$3,000.00 that was an unexpected expense as well. She pointed out that that line item had been zeroed out in this year's budget and in the future shouldn't be. There is a case coming up that she cannot

prosecute due to a personal conflict and needs to appoint a special deputy. There was some discussion regarding who she would inquire with to handle the case for her.

She also advised that she is still working on the pros and cons of having an office outside of the Courthouse.

Lunch:

Commissioner Hurwitz broke for lunch at 11:15 a.m. and returned at 12:45 p.m.

Ambulance Board:

Sara Driemeyer and Jack Berg were present on behalf of the Ambulance Board. They updated the Commission regarding putting in an order for the new ambulance. The bidding process is different through the State and will be handled through the Department of Transportation. The Ambulance Board will place an order through the State, with a check list of their needs, and they handle it from there. The State goes through different companies and generally it takes approximately a year to receive the new ambulance.

Chair Hurwitz asked how they were going to proceed with the Ambulance Barn and Mr. Berg advised that it is their intention to hire a general contractor to finish the work. They are going to put together a “needs and wants” list and require contractors to attend an onsite meeting so they will all have the same information to bid from. Chair Hurwitz would also like to see them have a punch list for any items that need to be addressed as well as keep 10% back until all work is finalized on the project and all bills are paid. Chair Hurwitz also thought it might be a good idea to make a few calls to counties that have had a similar project and see what they did on their building and any recommendations they would be able to provide. Mrs. Driemeyer also recommended running the call for bids for 3 weeks rather than 2 since it is such a big project.

Chair Hurwitz also asked about having the building inspector come back and give his approval on everything that has been done to date since a general contractor will not want to be held responsible for anything previously done.

Chair Hurwitz is also going to call Dorothy Bradley to get an update on the Northwestern Energy reimbursement for new power to the Ambulance Barn.

If an agreement is needed to move funds from the ambulance to the building account, all three Board members are in agreement.

Montana Business Assistance Connection – CDBG Status & Contract – Chris Shove:

Chris Shove of the Montana Business Assistance Connection was here to provide an update on the CDBG Status and present the Commission with a Contract. Clerk & Recorder, Dayna Ogle, was also in attendance.

He briefly mentioned that he had found a grant for the library to build a new building and that this grant was specifically for libraries.

Mr. Shove advised that there has been a lot of progress on the Growth Policy Plan and a lot of data that is being compiled and new satellite images are being made for the area. All the information gathered will be combined to produce a final document.

He also handed out a draft copy of the Comprehensive Economic Development Strategy for Broadwater, Lewis & Clark and Meagher Counties.

Mr. Shove advised that he had spoken with Dayna Ogle, Clerk & Recorder, regarding the grant from the Department of Commerce. He will contact and find out how those funds will be paid. MBAC will be tracking their expenses and for services to be paid monthly according to a Contract with Meagher County. The local match of \$10,330.00 is coming from MBAC through a grant from U.S. EDA (Economic Development Administration).

Mr. Shove also advised that he had attended the White Sulphur Springs Council Meeting the night before, Monday, March 3, 2014. The City also wants a Growth Policy Plan completed and since he is already doing one for the County it will be within what is already being done. The City has already given preliminary data for water and sewer. With the City having a Growth Policy Plan it could help with infrastructure funding. He would be doing 2 separate plans, one for the County and one for the City.

He plans on sending out a survey card with addresses the City will provide him for utility payers to get input from the citizens. He also plans on having a citizens meeting in a month or so. Then they will compile the feedback received. He had already been in touch with Nancy Schlepp from Tintina and they offered their office for the meeting.

There was a brief discussion on changes Clerk & Recorder Ogle had to the Contract that Mr. Shove had provided, including holding 10% of the grant funds until the Growth Policy Plan has been completed and approved. Mr. Shove gave Clerk & Recorder Ogle the authority to make any changes to the Contract she felt were needed and send the revised Contract to him.

There was also discussion regarding White Sulphur Springs' population decline over the years and how that could be changed.

911 Update – Maebeth Seidlitz & Ryan Olson:

Maebeth Seidlitz brought Mr. Ryan Olson of Third Signal, LLC of Missoula, Montana in to describe a new project titled PSAP Operations Development. Third Signal will work to develop and organize operational processes, including manuals on Policies, Procedures, Dispatcher Training, and Manager's and will also provide a Call-Flow Poster and Dispatcher training sessions. A tracking and numbering system will also be implemented that links all manuals and supporting documentation together.

The Third Signal will work with the staff to establish a set of customized procedures for all dispatcher functions, and also establish a policy manual for the 911 center; that will protect the County and Dispatcher from liability.

Third Signal will also work with dispatcher training manuals for call-taking procedures. The procedures can help the dispatchers ask the right questions on incoming 911 calls, which in turn will help the Deputies receive more information regarding those calls. Also the different procedures for Law Enforcement, Medical and Fire Dispatch, Public Safety and DES will be addressed. All Manuals will be custom fit to our County.

Chair Hurwitz asked about cost and how this project will be paid for. Mrs. Seidlitz advised there was available money in the budget. Chair Hurwitz informed Mrs. Seidlitz that he would rely on her opinion on this, since it would be something that the Dispatcher's and Sheriff's Office would use.

Clerk & Recorder – Dayna Ogle:

Clerk & Recorder, Dayna Ogle, discussed with Chair Hurwitz the amount to insert into ballot regarding the Question of a Study Commission in Resolution 2014-#12.

Clerk & Recorder Ogle also presented two additional fund accounts that needed to be moved. They are as follows:

7055 to 1000 in the amount of \$ 411.35; and
2378 to 2976 in the amount of \$3,120.06

This discussion was tabled until the next meeting of the Commission, Tuesday, March 11, 2014, when there will be a quorum.

Clerk & Recorder Ogle also mentioned the windows in the Courthouse being replaced. A call for bid needs to be placed in the newspaper. There is money in the entitlement fund to cover the expense and must be used by June, 2014. Chair Hurwitz gave the approval to put out for bid.

In regard to the Fire District, Chair Hurwitz and Clerk & Recorder Ogle agreed that there should be a meeting between MACo, Fire Chief Seidlitz and the two of them to decide how to proceed.

Public Comment:

IT – Jim McDanel

IT Consultant, Jim McDanel, reported that the State will be coming over to update the system to the fiber optics. The City of White Sulphur would like to tap into our server rack from the Courthouse to connect with the City Offices so they would be able to be on the state website and have .gov email addresses. The City does not want to pay the cost to have a server installed if they can run a line from the County Courthouse to the City Offices. Chair Hurwitz is not interested in agreeing to this at this time.

Claims Approved:

Commissioners were presented with Voucher #1451, with Check # 46552 through Check # 46618 totaling \$27,238.63. All Checks were signed as presented.

Meeting Adjourned:

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

Next Meeting:

Commissioners are scheduled to meet Tuesday, March 11, 2014.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder, Penny Plachy.
Distributed March 11, 2014 to Chairman Hurwitz, Commissioner Townsend, Commissioner Brewer, and Clerk & Recorder Ogle

Tuesday
March 11, 2014
9:00 a.m. – 4:00 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 was present; Vice Chair Herb Townsend and Commissioner Rod Brewer were unable to attend. Commissioner Townsend called in for a conference call.

Minutes:

Minutes for the February 18, 2014 and March 4, 2014 were tabled until the next Commission Meeting on March 18, 2014.

Old Business:

Stevens Youth Center:

Stevens Youth Center request for a \$3,000.00 contribution was tabled to the next meeting of March 18, 2014 in order to have a quorum.

Investment Policy Statement:

Gordon Doig was present for the discussion on the Investment Policy Statement. Changes were called into the County Attorney's office to make before a vote is taken on the final draft.

Clerk & Recorder – Funds:

The Clerk & Recorder funds transfer resolution was tabled until the March 18, 2014 Commission Meeting.

Treasurer's Report:

Sue Phelan, Treasurer, presented her monthly reports to the Commission and reports for Commissioner Hurwitz to sign.

County Attorney:

County Attorney Kimberly Deschene and Deputy County Attorney Nels Swandal stopped by to present the final draft of the Investment Policy Statement.

The Fire District annexation versus creating a new district was also discussed. Chair Hurwitz would like County Attorney Deschene to be present for the telephone conference call regarding the County Fire Department with MACo at 3:00 p.m. today.

County Attorney Deschene then requested that the Commission take out the notation by Sharon Tripp, of Tripp & Associates from the Exit Audit Minutes regarding the Demolition Derby / Ticket Free Jamboree review of the personal records. She feels since it wasn't a true audit it

shouldn't be included in the Minutes. County Attorney Deschene called and spoke with Sharon Tripp after reviewing the Minutes who informed her that an audit had not been done on the records. County Attorney Deschene told her that the records should be reviewed to determine whether a violation of public trust had occurred. There was discussion on how to take that notation out of the existing Minutes and the County Attorney suggested the Minutes would need to be amended. County Attorney Deschene will also follow-up with a letter requesting the County be reimbursed from the Jamboree.

Clerk & Recorder:

Chairman Hurwitz brought to the attention of the Clerk & Recorder, Dayna Ogle, and Deputy Clerk & Recorder, Christy Rogers, concerning the notation made by Sharon Tripp in the Exit Audit Minutes. He voiced his concerns regarding the notation legitimizing the Ticket Free Jamboree and the fact it wasn't a true audit. Clerk & Recorder Ogle explained that Sharon Tripp had reviewed the documentation at her request. On the Exit Audit Minutes it was merely a statement that she had looked through the Ticket Free Jamboree records and did not find anything inappropriate. She had also included that this was not part of the County audit, that as far as she could tell they were not County records.

Christy Rogers voiced that the County was providing due diligence regarding this matter and it is not a County issue; therefore the County should not be involved. If Sharon Tripp would have found anything that looked inappropriate, she would have informed the Clerk & Recorder's office that it looked like an audit should be completed. Everyone agreed this is a personal dispute between two people and the County shouldn't be involved.

SWFC – Julie Blockey (Insurance Rates):

Julie Blockey, from Southwestern Montana Financial Center, Inc., was present to provide information and review preliminary rates on the County's health insurance. Also present were Clerk & Recorder, Dayna Ogle, Deputy Clerk & Recorder, Christy Rogers, Treasurer, Sue Phelan and Deputy Treasurer, Shauna Porter.

Our current health insurance carrier, Blue Cross Blue Shield will be changing to an age-based policy. This will increase the rates drastically of the older employees of the County. Ms. Blockey presented information on the three plans that will be offered through Blue Cross Blue Shield. She then presented information on the four plans that Pacific Source can offer to the employees that is not age-based.

There was continued discussion on both carriers' insurance and the differences in the plans offered to the County employees. The Clerk & Recorder's office will review the plans Ms. Blockey presented and how they will affect the employees.

Ms. Blockey will present actual rates for open enrollment once they are available. At that time, the Commission will determine which carrier the County will go with.

County Attorney:

County Attorney Kimberly Deschene and Deputy County Nels Swandal stopped back in to present paperwork for Commissioner Hurwitz's signature authorizing a special deputy because of the conflict she has on one of the cases that will need to be prosecuted. She had brought this to the Commissioner's attention at the previous meeting of March 4, 2014.

The Resolution will be tabled until the next meeting of March 18, 2014 in order to have a quorum.

Lunch:

Broke for lunch at 12:10 p.m. and returned at 1:00 p.m.

Public Health Update:

Kari Jo Kiff presented the Commission with her monthly report for February, 2014, and discussed those items.

She also informed Commissioner Hurwitz that she will be gone Thursday, March 13, 2014 in Great Falls on Maternal Child Health Conference. She will also be taking vacation from March 22 to March, 31, 2014.

Herb Townsend called in at 1:16 pm.

Investment Policy Statement:

Chair Hurwitz updated Vice Chair Townsend regarding changes made to the Investment Policy Statement today. There was discussion on getting this Investment Policy Statement back to the U.S. Bank in a timely manner in order to start the process of changing the way the Harmon Funds are invested.

Action #1:

RESOLUTION 2014-#24

Vice Chair Townsend moved to approve the Investment Policy Statement as changed. Chair Hurwitz seconded. A vote was taken and passed unanimously.

Public Health Update (continued):

Nurse Kiff discussed the new policy in the employee handbook regarding working from home. Since Lorna Fox's job requires her to work from home and also Nurse Kiff does occasionally work from home, she wanted to know if she needed approval in writing or a resolution. A resolution is not required, however, discussion and approval by the Commission is tabled until next week's meeting of March 18, 2014.

Library Budget Resolution:

Clerk & Recorder Ogle discussed the changes requested by Gordon Doig of the Library Board and the Budget Amendment needed to move Library funds. A Resolution was tabled until next week's meeting of March 18, 2014.

Growth Policy Contract:

Changes had been made to the Contract with Montana Business Assistance Connection by Clerk & Recorder Ogle and County Attorney Deschene. Clerk & Recorder Ogle presented that Contract to Chair Hurwitz for signature.

Librarian Introduction:

Gordon Doig of the Library Board brought Malvina Libman, the new librarian in to meet the Commission and introduce her to the courthouse personnel.

Public Comment:

Grassy Mountain Fire District:

Mike Leonard had stopped by earlier to sit in on the Fire District meeting, but it had been cancelled due to Fire Chief Seidlitz not being able to attend. He advised the Commission that he personally is in favor of joining the County fire district. He was at this meeting to gather any information he could to take back to the members of the Grassy Mountain Homeowners Association and the Grassy Mountain Fire District Board. Chair Hurwitz advised that there was to be a telephone conference at 3:00 p.m. with MACo to finalize whether we were to annex into an existing or create a new fire district. Mr. Leonard plans to attend that conference call.

Personnel Matter:

There was a closed door meeting regarding a personnel matter.

Claims Approved:

Commission was presented with Voucher #1453, with Check # 46620 through Check # 46647 totaling \$18,820.50. All Checks were signed as presented.

MACo – Meagher County Fire District:

Present were Fire Chief, Rick Seidlitz, County Attorney, Kimberly Deschene, Clerk & Recorder, Dayna Ogle, Deputy Clerk & Recorder, Christy Rogers and Mike Leonard from the Grassy Mountain Fire District Board. Also in attendance were Harold Blattie and Mike Sehestedt, of MACo by conference call.

Chair Hurwitz gave the floor to Clerk & Recorder Ogle to open with her questions. The two main items are 1) how to fix the way Castle Valley District is being taxed (currently it is per acre and it needs to be levied off taxable value); and 2) is it easier to proceed with annexation then to create a new fire district.

After lengthy discussion, it was determined the County does not need to proceed with annexation or create a new fire district. The purpose of annexation was so volunteers could respond to structure fires and be covered by workers comp. MACo clarified volunteers are currently covered and can respond to any type of fire.

It was also determined that Castle Valley Fire District cannot sustain itself, and there is not a current board, so the dissolution process will be started. Grassy Mountain Fire Board will meet and decide if they can operate themselves or if they will also go through the dissolution process. Meagher County Fire tax is currently being assessed to City taxpayers. Municipalities are not supposed to be taxed for this so Clerk & Recorder Ogle will meet with the Department of Revenue to rectify.

Mike Leonard of Grassy Mountain Fire District will bring this information to the homeowners and the Grassy Mountain Fire District Board, as it is believed that it too is unable to sustain itself as a separate fire district and any votes needed to begin dissolving this district must be done by January, 2015.

Meeting Adjourned:

The meeting was adjourned at 4:00 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, March 18, 2014.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder, Penny Plachy.
Distributed March 18, 2014 to Chairman Hurwitz, Commissioner Townsend, Commissioner Brewer, and Clerk & Recorder Ogle

Tuesday
March 18, 2014
9:00 a.m. – 3:30 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 and Vice Chair Herb Townsend were present. Commissioner Rod Brewer was unable to attend; however, called in for a telephone conference.

Old Business:

Minutes:

There was discussion highlighting different items from previous meetings that Chair Townsend was unable to attend. In particular, the MACo telephone conference call last week with Harold Blattie and Mike Sehestedt. There was also discussion on Julie Blockey's presentation of insurance rates and how the rates are changing.

Stevens Youth Center – Donation:

Chair Hurwitz also discussed the presentation of Bethany Steinken and Melinda Vennard on the Stephens Youth Center request for a \$3,000.00 donation. Chair Townsend would like to see a budget to know how the funds would be used. This item was tabled until a budget is presented.

Clerk & Recorder funds:

Clerk & Recorder Ogle presented a Budget Amendment for the Library which was requested by Gordon Doig and presented at the last meeting of the Commission on March 11, 2014. This amendment represents funds transferred from the wage line to the travel line, so it does not change the bottom line and no public hearing is needed; only a resolution approved.

Action # 1:

RESOLUTION 2014 - #25

Resolution 2014 – #25

Budget Amendment

WHEREAS, the 2013-2014 budget has been set, and

WHEREAS, the Library Fund (2220) would like to move their spending authority and,

WHEREAS, the Library Fund (2220) would like to move \$3000 from the Library Admin Wage line (2220.000.248.460110.111) into the Library Admin Travel line (2220.000.248.460110.370) and,

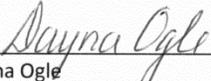
WHEREAS, the final budget for the Library Fund (2220) will not change.

NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED that the Meagher County Board of Commissioner are amending the budget for the Library Fund (2220) to move their spending authority in the amount of \$3000 (three thousand dollars and no cents) from the Library Admin Wage Line into their Library Admin Travel Line.

Dated this 11th day of March, 2014

Attest:

Board of County Commissioners:



Dayna Ogle



Chairman Ben Hurwitz





Commissioner Rod Brewer

Clerk & Recorder Dayna Ogle also went over the last two funds that needed to be moved that were tabled from the previous two meetings due to a lack of Commission quorum. There was an amount of \$411.35 left in the 7055 fund that needed to be transferred to the 1000 general fund account. Also there is a County Health Nurse Fund 2378 in the amount of \$3,120.06 that needs to be moved into the immunization fund of 2976.

Action #2:

RESOLUTION 2014 - #26

Vice Chair Townsend moved to approve the transfers recommended by Clerk & Recorder Ogle as follows:

7055 to 1000	in the amount of \$411.35; and
2378 to 2976	in the amount of \$3,120.06

Chair Hurwitz seconded. A vote was taken and approved unanimously. It is therefore resolved.

County Attorney Resolution:

County Attorney Deschene had presented paperwork for Chair Hurwitz to sign authorizing a special deputy to prosecute a case she needed to excuse herself from due to personal conflict at the March 11, 2014 Commission meeting.

Action #3:

RESOLUTION 2014 - #27

RESOLUTION 2014 - #27

WHEREAS, the Meagher County Attorney has requested prosecutorial assistance for pending case in which she has a conflict of interest. The Montana Rules of Professional Conduct prohibit an attorney from prosecuting a defendant if a genuine conflict of interest exists.

WHEREAS, it is desired and deemed appropriate that a special deputy county attorney can be appointed to assist in situations in which the county attorney cannot ethically prosecute due to a conflict of interest.

IT IS HEREBY RESOLVED:

That Kendra Anderson of the Park County Attorney's Office hereby appointed to serve as a special deputy county attorney for Meagher County for a particular case.

IT IS FURTHER RESOLVED:

Kendra Anderson will be paid \$60.00 an hour for her time on this case, plus mileage at a rate of \$0.55 per mile, not to exceed \$1,500 to resolve this matter.

Dated this 18th day of March, 2014.



Dayna Ogle
CLERK AND RECORDER

[Signature]
CHAIRMAN

[Signature]
MEMBER

[Signature]
MEMBER

County Health – Work From Home Approval:

Health Nurse Kiff's request for approval for working from home at the last Commission Meeting of March 11, 2014 was discussed. Since Lorna Fox works from home as part of her job and Kari Jo Kiff, as the County Health Nurse, occasionally works from home as well, according to the changes in the Employee Handbook, their working from home needs Commission approval.

Action #4:

Commissioner Herb Townsend moved to approve Lorna Fox working from home, as well as County Health Nurse, Kari Jo Kiff. Chair Ben Hurwitz seconded. A vote was taken and approved unanimously.

Investment Policy Statement – Signatures:

The final draft of the Investment Policy Statement was signed by the Commissioners. This Investment Policy was passed by Resolution 2014 - #24 at the March 11, 2014 meeting.

Clerk & Recorder – Election Update:

Clerk & Recorder Ogle updated the Commissioners on the election information. Because there are only two candidates running for Justice of the Peace, there is the option of not putting them on the primary election ballot. Chair Hurwitz recommended asking if those individuals want to be on the primary; however Vice Chair Townsend believed they should be placed on the ballot.

There was discussion regarding the study commission question and how that will work if approved.

There was also discussion regarding write-in votes on the primary election. If someone has filed to run for an office, the write-ins do not count unless the write-in candidate has filed the paperwork required. That deadline to file to be a write-in candidate is April 25, 2014. However, if no one files for an office and there are write-in votes, then those write-in votes would count.

County Attorney - Kimberly Deschene:

The conversation began with clarification on who terminates and hires employees of the County. The County, as the employer, takes the recommendations from the Department Head.

Personnel Matter:

This matter was presented to the employee as a closed session; however, at the employee's discretion, the meeting was opened. Present were Nick Lester, his aunt, Stephanie Rooney, County Attorney Kimberly Deschene and Clerk & Recorder Dayna Ogle as the Human Resource contact for the County.

Mr. Lester presented his side of what was happening in his job and the conflict he is having with his supervisor and there was discussion on previous write-ups. Stephanie Rooney was there in support of her nephew and discussed the job he was doing for the County and the individuals she had been in contact with.

After Mr. Lester finished, Vice Chair Townsend discussed the fact that the road supervisor's job was not on the line, Mr. Lester's was, and it was going to be up to him to make any changes needed to improve the communication and/or personal conflicts they have. Vice Chair Townsend also went on to say that in any job situation such as this, team work has to be maintained. Chair Hurwitz also wanted to clarify that the Commissioners only act on the recommendation of the Department Head and that the Commission had not yet heard from the Road Supervisor, so would not be making any decision until that conversation had taken place.

Mr. Lester stated he wishes to keep his position with the County and agreed to do whatever it took and make whatever changes he needed to do so.

Mr. Lester and Mrs. Rooney left the meeting at 10:20 a.m. Bruce Smith, Road Supervisor entered the meeting at 10:30 a.m.

The Commissioners requested that Mr. Smith present his understanding of what was happening and the conflicts with Mr. Lester.

After discussion, County Attorney Deschene went over the options available to the County 1) go forward with termination; 2) probation; or 3) separation agreement.

After discussion regarding the options, it was decided to place Mr. Lester on a 6 month probation which can be extended if needed. If one infraction occurs during this probation period, then Mr. Lester may be terminated.

County Attorney Deschene will draw up a letter for Mr. Lester to pick up regarding the conditions of his employment with the County.

Fire / DES Update – Rick Seidlitz:

Fire Chief Rick Seidlitz was present to give an update on the Fire / DES. He explained to the Commission that he had done an emergency declaration because of the flooding and road conditions. That declaration is being presented for signature as a Resolution.

Action # 5

RESOLUTION 2014 - #28

ATTACHMENT 2

COUNTY DECLARATION RESOLUTION

RESOLUTION NO. 2014 - #28

WHEREAS, flooding has occurred or is anticipated within the County of Meagher on or about March 6th, 2014.

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners that an emergency is hereby declared pursuant to Section 10-3-402 MCA and all provisions of the County Emergency Operations Plan are in effect.

BE IT 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 Commissioners this 3rd day of March 2014.



ATTEST:

Dayna Ogle
Clerk and Recorder

Pat Husarik
Chairman
Herb Lounsbury
Commissioner
Bill Brewster
Commissioner

Fire Chief Seidlitz thought the County was over the worst of the flooding, but keeping the state of emergency in effect in order to add any roads that become washed out. With keeping it in place, the County will have the ability to request 2 additional mills if the county is declared a disaster at a later date because of the flooding.

Fire Chief Seidlitz also went over the two new transfer pumps that were received. One will be kept at the airport and the other one at the Rocking C's. It can be towed from there to fight any fire in that area. The pumps are ones that can be dropped into the river to fight any type of fire.

On addressing, Fire Chief Seidlitz discussed his working with Bill Galt to rename the Lingshire Road that was abandoned that goes through the structures. He has to re-address the structures since the ordinance says to re-address if more than 2 structures are on a road. The road however, with the approval of the Commission, will be renamed to Galt Road.

Action #6

RESOLUTION 2014 - #29

Chair Hurwitz moved that the abandoned portion of Lingshire Road that runs through the structures of the Galt Ranch be renamed to Galt Road. Vice Chair Townsend seconded. A vote was taken and passed unanimously. It is therefore resolved.

There was also discussion regarding the wildfire agreement with DNRC if a fire is over our capabilities.

Lunch:

The Commissioners broke for lunch at 12:05 p.m. and returned at 1:00 p.m.

Senior Center – Spring Manor – Beth Hunt:

Present for the Senior Center and the Spring Manor project were Beth Hunt. Also present was Mary Martin, from the Human Resource Development Council of Bozeman. They wanted to update the Commission on the status of the Spring Manor project and the fact it was still being looked at. They are in the process of looking into two grants to help pay for the purchase and renovation of the apartment complex.

They informed the Commission that there had been a public meeting on February 21, 2014 to discuss Meagher County's housing and public facility needs. The attendance had been 15 community members. They discussed the four questions addressed during the meeting and what the consensus had been in answering those questions. The quality of life is the most valued trait of our community; while the condition of many of the public buildings such as the schools, jail, courthouse, food bank and the union hall building were listed as the areas needing improvement.

On the question of what would make this a better place to live, there was much discussion regarding the need for land use regulations and the need for new businesses.

The final question was on how these individuals attending this public meeting envision White Sulphur Springs / Meagher County in 5 and 10 years. The response was "a community with managed growth and zoning regulations that would attract new business catering to an increased population ...".

Mrs. Hunt and Ms. Martin felt this public meeting and the responses given added the necessity of seeing the Spring Manor project succeed. Housing in our community is limited, especially good solid housing that meet code so there is not financing difficulty. There is a potential for White Sulphur Springs to grow with the Tintina Mine, with new businesses coming this way, along with families.

Mrs. Hunt and Ms. Martin are looking into both the CDBG grant and also the HOME grant to move forward with the Spring Manor project. While the HOME grant had previously been looked at, it does not cover administration expenses and an architect and engineer will be needed. That would be where the CDBG grant would help. They also requested a copy of the Growth Plan when it is finalized.

Minutes:

Action #7:

Vice Chair Herb Townsend moved to approve the Minutes of the February 18, March 4, and March 11, 2014 Commission meetings. Chair Hurwitz seconded. A vote was taken and approved unanimously.

Commissioner Brewer called in for a conference call at 1:47 p.m.

Commissioner Hurwitz updated Commissioner Brewer on what decisions had been made. They discussed the personnel issues and the decision made in that regard. They also updated him on the Fire District and the MACo conference call of the previous week, March 11, 2014.

There was also discussion on the insurance rate increases. Commissioner Hurwitz advised that Dayna Ogle, Christy Rogers, Sue Phelan and Shauna Porter were looking over the presentation that Julie Blockey gave and will see what can best be done to meet the needs of the employees.

Kimberly Deschene – County Attorney:

County Attorney Deschene stopped by to present the letter to the Commissioners that she had prepared on the personnel issue. They gave their approval to leave it with the Clerk & Recorder in order that Mr. Lester could pick it up.

MACo Health Care Trust – Pam Walling:

Pam Walling met with commission to discuss MACo's Health Care Trust. Treasurer, Sue Phelan; Deputy Treasurer, Shauna Porter and Deputy Clerk and Recorder Christy Rogers were in attendance. Ms. Walling informed the Commission that Meagher County could appeal the Trust to rejoin. When a county drops out of the Trust they are not allowed to rejoin for 3 years and we are at the 2 year mark. If the Trust Board allows us to rejoin then they will give us preliminary health insurance rates and plan details.

Ms. Walling informed the commission that the Trust has been doing very well and has only increased premiums on an average of 7.2%. There are 21 counties currently with them and everyone is content with the plans. They allow counties to offer 4 different plans with rich coverage.

It was agreed that the Clerk & Recorder's Office will prepare a letter appealing the Trust Board. If the board agrees they will request further information in order to give Meagher County Health Rates.

Public Comment:

Bruce smith – Road Department

Bruce Smith, Road Supervisor, advised the Commissioners that Paul Kroeger had called him regarding a cattle guard that had been removed from the Grassy Mountain Subdivision. Mr. Smith went over the history of the cattle guard and how the homeowners had petitioned to remove it. After the County removed it, it was sold to cover the cost of removal. Mr. Kroeger apparently wants to graze and wants a cattle guard back in. The Commissioners would like for Mr. Kroeger to get more information and get approval from those who originally signed the petition to remove and also check the bylaws of the Grassy Mountain Subdivision.

Justice of the Peace:

Paula Wildman asked the Commission if they would approve her changing her days and hours, as she is having issues being in the office on Mondays. She will keep the required 20 hours a

week, being opened Tuesday through Friday 10:00 a.m. to 4:00 p.m. The Commissioners were in approval of this request.

This discussion was tabled until the next meeting of the Commission in order that an updated resolution can be voted on.

Claims Approved:

Commissioners were presented with Voucher #1454, with Check # 46648 through Check # 46670 totaling \$10,033.23. All Checks were signed as presented.

Meeting Adjourned:

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

Next Meeting:

Commissioners are scheduled to meet Tuesday, April 1, 2014.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder, Penny Plachy.
Distributed April 1, 2014 to Chairman Hurwitz, Commissioner Townsend, Commissioner Brewer, and Clerk & Recorder Ogle