

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

November 12, 18, 25, 2014

**Tuesday**

November 12, 2014

8:40 a.m. – 4:08 p.m.

Met in Commissioners' Chambers

**Meeting Called to Order:**

Chair Hurwitz called the meeting to order at 8:40 a.m.

**Commissioners Present:**

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

**Road Report – Bruce Smith:**

Road Supervisor, Bruce Smith, advised the Commissioners that the final bid on the truck was \$7,100.00. He is still waiting to receive the paperwork from the State and does not know what the final amount paid to the County will be after the State deducts its commission.

**Action #1:**

**RESOLUTION 2014-#94**

Commissioner Brewer moved to accept the final bid on the truck in the amount of \$7,100.00, less the State fees. Chair Hurwitz seconded. A vote was taken and approved unanimously. It is therefore resolved.

Chairman Hurwitz, Commissioner Brewer and Bruce Smith left the Commissioners' Chamber to go to the Road Shop to see the new blade received yesterday.

**Sheriff's Report – Jon Lopp:**

Sheriff Jon Lopp presented his monthly report to the Commissioners and answered questions.

Sheriff Lopp advised the Commissioners that Cody Wilson was hired as the new Deputy Sheriff. He starts the 18<sup>th</sup> of November. Mr. Wilson will attend the academy in January, and if not then, he will have to wait four months until the next session.

*Kimberly Deschene entered the meeting.*

County Attorney Deschene wanted to discuss a communication issue she was having with one of the Deputy Sheriffs with the Commissioners. She told the Commission that the Deputy didn't like the way she charged a defendant in a case and that he went to the victim and shared that information. There was discussion back and forth on how this particular case was charged and about a conflict of interest issue she might have.

There was discussion regarding her feelings that the Deputy was talking bad about her again and that it breached the agreement they had. She feels that he is "airing the dirty laundry" in the

community. She stated that if they spoke with the Attorney General's office they would confirm she is right because she was 100% correct on how she charged the case. She had also sent the information over to Attorney Nels Swandal for his review and he gave his opinion as well for her to follow.

Sheriff Lopp also asked Deschene if she had spoken with the victim yet and she replied that she had not and that she was not obligated to speak with the victim until there was a plea agreement.

Commissioner Townsend stated that everyone needs to get back to doing their own jobs and Chair Hurtwitz stated that the charge was her call. Deschene said she was not in a position to embellish or exaggerate the charge, she needed to be 100% correct.

The discussion then went to whether there would be a conflict of interest if they were a patron of Bar 47. Deschene is concerned because the Deputy is spreading things on what he thinks is true. Commissioner Brewer stated that it was just his opinion; to which Deschene responded that because he is a Deputy his words have weight. He should be professional and should not be allowed to give his opinion.

*Sheriff Lopp left and County Deschene wanted to present her update at this time since she was present.*

#### **County Attorney – Kimberly Deschene:**

Chair Hurwitz advised that he and Commissioner Brewer had met with Laura Alvey from the Montana DEQ on the day of the Hydrometric testing. He described the method of testing to see if the problem has decreased or stayed the same, however, the results will take a month to receive. They discussed the worst case scenario with Ms. Alvey, but don't expect it will go that far. These test results will show whether or not vapor testing will need to be done.

#### **Grassy Mountain Fire District Board:**

Rich Siebken and Mike Leonard came into the meeting and gave an update on the 5 members of the Grassy Mountain Fire District and the status of the by-laws that were being worked on.

Commissioner Townsend asked them about the money that has been accumulated through taxes, and Mr. Leonard responded that they were not ready for it yet. They were looking for property to put a shed on and looking at several options. One of the options was using a portion of his property and placing an easement. There is easy access on Schendel Road. Mr. Siebken asked if there would be a problem obtaining an easement for that purpose and the Commissioners didn't believe so. An agreement will be made in connection with a building to store equipment between Mr. Leonard and the Grassy Mountain Fire District.

All new members they were presenting live in the area. One member has his house for sale in another state but is planning to move here full time. The Commissioners reviewed the Board Information Sheets and approved the new members.

#### **Action #2:**

#### **RESOLUTION 2014-#95**

Commissioner Brewer moved to approve the new members of the Grassy Mountain Fire District Board presented by the existing Board Members, Rich Siebken and Mike Leonard. Paul J. Komlosi, Michael N. Erben and Bruce Highland were all approved to serve as members on the Grassy Mountain Fire District Board, with their terms to be determined through the by-laws that

are currently being worked on. Vice Chair Townsend seconded. A vote was taken and approved unanimously. It is therefore resolved.

Mr. Siebken also asked if it would be possible for the Meagher County Treasurer to ask the Broadwater County Treasurer about taxes being paid by Grassy Mountain residents in that county. The Commissioners advised him to ask Treasurer Sue Phelan, that she would be the one to know the answer to that.

Vice Chair Townsend reminded them that the Commissioners just want them to do what they need to do to make the decision to have their own fire district or join Meagher County. Mr. Siebken stated that the Broadwater County Fire has told them they would help them with organizing and providing information needed and he wanted to know whether Meagher County would make that same offer. The Commissioners told them to get what they needed to make their decisions.

#### **Department of Revenue – June Pack:**

The Commission requested the DOR representative, June Pack, to join the meeting to see if she could research an area of interest to them. The Meagher County Stockgrowers have a facility for a cattle stockyards; mainly scales and corrals. The stockyards are used by about 7 ranches. The scales are maintained, as well as the corrals, and they are not sure about the taxes or if it should be taxed at all. The property had been given to the Meagher County Stockgrowers and the taxes keep going up. Last year's taxes were \$767.00 and this year is up to \$819.00.

Ms. Pack suggested they apply for exemption status, which Chair Hurwitz thought was previously done, but they had not heard anything back. Ms. Pack also thought that the reason it was going up as it has been was because it was being taxed as tract land because it was 18 acres, under the 20 acres needed to put it in a different tax status.

Chair Hurwitz also advised that the Meagher County Stockgrowers own the property under the 4-H Barns. He stated that that tax is approximately \$400.00. Chair Hurwitz would like her to check into that to see if it could be exempt as well.

Ms. Pack will check into the property and the tax situation and report back to them. Chair Hurwitz provided her the name of Derik Johnson as a contact person for the Meagher County Stockgrowers.

#### **Cardboard Recycling – Mayor Julian Theriault:**

Mayor Julian Theriault was present to update the Commissioners on the City's decision on cardboard recycling. The City Council felt that the cost of electricity and base pad, plus the additional electricity cost every year would not be cost effective for the City. They also didn't feel they had the space available to put in a baler. He had checked with Edwards Grocery and they didn't care one way or another if the City had a baler because they have a permit to burn. The Commissioners and Mayor agreed to table the discussion for now.

Mayor Theriault also told the Commissioners that he was looking for information from 1976 when the city and county merged the law enforcement. He has requested the information from the Clerk & Recorder's office and he has looked through boxes of City records and no one can find the information he is looking for. He advised that the contract was voted in by the voters and he was sure a resolution was done. He wants the information for any future agreement that is made between the City and County. He also believes because it was voted in that it continues in effect until it is voted out. The City doesn't need a police department, the County Sheriff protects the whole county, including White Sulphur Springs. The City pays the Sheriff's

Department for enforcing the City's ordinances The Sheriff handles city matters as well because they are county, but doesn't have to act on city ordinances if there is no agreement with the City.

**Southwest Chemical Dependency – April Stuart:**

April Stuart, from the Southwest Chemical Dependency, John Wells, City Judge and Julian Theriault, City Mayor were in attendance to discuss the anger management course that Ms. Stuart would like to take and be able to teach in our community.

To become certified, the cost would be \$650.00; and to get certified with materials, the cost would be \$850.00. She explained that the clients pay for the workbooks and to take the class, and she wants to place a portion of funds received into a fund to pay back, in case someone in the future would need to become certified should she leave. She will look into how this can all work and speak with Jean at Southwest Chemical Dependency as well.

Because she only comes over 3 Tuesdays a month, she is thinking she would offer group sessions. There was discussion regarding how this program would work and group sessions versus individual sessions.

The Commissioners, Mayor and Judge agree that this would be beneficial to the community and Mayor Theriault gave the approval of the City Council to contribute half of the expense for Ms. Stuart to take the course.

**Action #3:**

**RESOLUTION 2014- #96**

Commissioner Townsend moved to pay \$425.00, which is one-half of the expense for April Stuart to take the course on anger management that will match the City's \$425.00 contribution. Commissioner Brewer seconded. A vote was taken and approved unanimously. It is therefore resolved

**Lunch:**

Commissioners broke for lunch at 12:25 p.m. and returned at 1:30 p.m.

**Cemetery – Blueprints for Sprinklers:**

Gene Harris, Sexton of the Cemetery, and Chuck Lucas were present on behalf of the Cemetery Board. Hal and Ben Haugan were also in attendance.

Gene Harris presented the blueprints for everyone's review that Pioneer Technical Services, Inc. prepared for the Mayn Cemetery irrigation system. They have only given him 5 copies, and he will be requesting a few more.

There was discussion regarding the Bair grant and other grants that might be available for funding the project. He has been watching for grants, and the Commissioners suggested he contact Chris Shove from MBAC as a resource as well.

There is a material list in the plans and should be ready to put out for bid. Mr. Harris was thinking that he would wait to put out for bid until they re-applied for the Bair Grant to see what kind of funding they would have. The Commissioners however, feel that it should go out to bid to see what the expense will be to know what to ask for in the grant; it can still be done in phases. Mr. Harris says they currently have \$40,000.00 to get started.

Mr. Haugan asked if the sprinkler system gets put in phases, will it go out to different bidders after the first phase, or will it be put out to bid as a whole, only done in phases? That will be something that needs to be clear to the contractor.

The Commission agree that they should put the package out for bid so they know how much money to ask for in a grant. The bid can be contingent on receiving grants.

**Minutes:**

**Action #4:**

Commissioner Brewer moved to approve the Minutes from the October 21, 2014 meeting. Vice Chair Townsend seconded. A vote was taken and was approved.

**Budget Amendment – 911:**

Dayna Ogle, Clerk & Recorder, was asked about the shortage of funds on the Ambulance Barn. Ogle explained there was \$134,000.00 for the building, and \$20,000.00 for the ambulance, giving the account a total of \$154,000.00.

Clerk & Recorder Ogle explained the budget amendment for the 911 funds. The grant applied for was budgeted last year, and need to amend budget for unexpected amount of \$30,000.00. No action needs to be taken today as this item will be placed on the Agenda for another hearing at the November 18, 2014 Commission meeting.

Ogle also advised that the Search & Rescue fund was over \$50.00 in its fund; they will need to amend the budget for that as well.

Clerk & Recorder Ogle also went over the fact that Otto Ohlson from the Weed Department sprays the airport runway and has billed the airport for those services. Funds needed to be transferred from the Airport Fund 2170 to the Weed Fund 2140 in the amount of \$1,051.00. Mr. Ohlson also sprays for weeds at the gravel pit, and funds also need to be transferred from the Road Fund 2110 to the Weed Fund 2140 in the amount of \$638.00.

**Action #5:**

**RESOLUTION 2014-#97**

Chair Hurwitz moved to transfer cash from the Airport Fund 2170 to the Weed Fund 2140 in the amount of \$1,051.00 and to transfer cash from the Road Fund 2110 to the Weed Fund 2140 in the amount of \$638.00 to pay the expense of weed spraying by the Weed Department at the airport runway and gravel pits. Commissioner Brewer seconded. A vote was taken and all approved. It is therefore resolved.

Clerk & Recorder Ogle also advised that the County had received the money from the Department of Commerce on the Growth Policy Plan. She wanted to know if the Commissioners wanted to pay the Montana Business Assistance Connection or wait until the Planning Board met to make any changes. The Commissioners agreed to pay upon completion.

Ogle also advised that Sarah Hamlen from Thrivent Financial was planning to come to the Courthouse and present different retirement options for the county employees on December 4<sup>th</sup> at 8:00 a.m. This will give them an idea of how many employees are interested in a 457 deferred compensation plan if such a plan is to be offered.

**Ambulance – Sara Driemeyer & Denise Lopp:**

Sara Driemeyer and Denise Lopp came in to see the Commissioners regarding incentives to the EMT's for participating on calls. Clerk & Recorder, Dayna Ogle, was also in attendance

Denise Lopp presented a letter that Commissioner Townsend had requested and a proposal of the incentives they would like to see provided to the volunteers in the month of November. They feel with this incentive program for the EMT's it would encourage them to take calls and to stick with community service. They have 18 EMT's on the roster and only 5-6 of these presently take calls. Their proposal for the incentive program is \$100.00 per year of service. There would be the requirement that to receive the incentive, the EMT would have to have taken calls at least 4 shifts per month, or an accumulative 48 shifts within the 12 month period designated.

This year the amount totals \$7,200.00 if they retroact. There was discussion on the amount of mills it would take to fund this type of payment for future, if the 18 EMT's on the roster participated. This year, the \$7,200.00 could be taken from PILT to make it retroactive.

**Action #6:**

**RESOLUTION 2014-#98**

Commissioner Brewer moved to implement the incentive program presented by the Ambulance Board for the EMT's service to the community, wherein the EMT's who meet the requirements of taking calls at least 4 shifts per month, or an accumulative 48 shifts within the 12 month period designated would receive \$100.00 per year of service. Chair Hurwitz seconded. A vote was taken and approved unanimously. It is therefore resolved.

**Pacific Source Insurance Plans – Julie Blockey:**

Julie Blockey of Southwestern Montana Financial Center, Inc. came in to speak with the Commissioners regarding the insurance plans. Also present were Sue Phelan, Shauna Porter and Christy Rogers.

She started out by discussing the confusion that happened on the deductions and deductibles and between benefit year and calendar year. She said there was a lot of chaos and confusion, and she discussed it with the carrier. The carrier came back and said mistakes happen and they could understand how this one happened, so chose to give everything, so it is all taken care of. They will transfer our deductible and align the benefit year with the fiscal year.

Julie Blockey passed out folders of information to the Commissioners. She advised that Blue Cross Blue Shield is still age based and Pacific Source is composite rates. If we stay with Pacific Source, on the high deductible they will give an accident rider of \$500.00 and an RX rider. On the \$500.00 accident rider, they will pay 100%; however if a spouse is self-employed, they need to have workers comp. Insurance will renew fiscal year.

She then went over the plans and costs of Blue Cross Blue Shield and Pacific Source.

Again, she thanked the Christy Rogers and Shauna Porter for being so diligent and persistent on the errors of aligning the year and deductible credit. Ms. Blockey said "she screwed up" and she wanted to come in and discuss rather than handling by phone.

**Public Comment:**

County Attorney, Kimberly Deschene came in for public comment. She stated to the Commissioners that Deputy Dave Wendt went to the Attorney General and she provided letters received by the Attorney General's office.

Commissioner Brewer asked her to proceed with getting a letter from the Attorney General that the charges were appropriate. In the meantime, this situation will be looked into.

**Claims Approved:**

Commissioners were presented with Voucher # 1520, with Check # 47510 through #47513 totaling \$809.72; Payroll Voucher 1521, with Check #219047 through #2190611; Voucher #7, with Check #219037 through #219046, totaling \$8,264.64; Voucher # 1522, with Check #47514 totaling \$1,076.18; and, Voucher #1524, with Check #47515 through #47575 totaling \$42,130.38. They were also presented with a Void Report on Check #47477 from Voucher #1519 in the amount of \$19.19 that was voided due to being made payable to a wrong vendor. All other Checks were signed as presented.

**Meeting Adjourned:**

The meeting was adjourned at 4:08 p.m.

**Next Meeting:**

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

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**CLERK & RECORDER**

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**CHAIRMAN**

**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

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

**Tuesday**  
November 18, 2014  
8:30 a.m. – 1:57 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, Vice Chair Herb Townsend, and Commissioner Rod Brewer.

**Ambulance Barn – Open Sealed Bids:**

In attendance were Jack Berg and Denise Lopp from the Ambulance Board and Bob Rooney of Rooney's Quality Construction.

There were (3) three bids received from General Contractors.

***General Contractor Bids:***

- Dick Anderson Construction                      \$214,140.00 – base bid;
- Diamond Construction                              \$206,800.00 – base bid; and
- Paul Kroeger Construction                         \$209,945.84 – base bid.

*Each bid came with alternates and exclusions.*

***Electrical Contractor:***

- Townsend Electric, Inc. also sent information to be provided to the General Contractor who is awarded the bid to complete work already contracted for \$10,620.00, of which \$5,887.00 has already been paid.

There was discussion regarding the different bids. Mr. Rooney offered to put together a spreadsheet on the bids to help distinguish the differences. He suggested kicking the alternates out and only looking at the base bids.

Since the Ambulance Department only has \$134,000.00 to work with, the Commissioners asked the Ambulance Board what they could do without at this time and what was the most important things to them, as the project will have to be done in phases as funds allow. It was agreed that the mechanical room and heat were important, but they had to do the insulation and electrical.

Because of the extensive nature of these bids, this matter will be tabled and the bids reviewed.

After everyone left, the Commissioners discussed that because there was not enough funds to proceed with the whole project, that all bids would have to be rejected and a new set of plans would have to go out to bid for the work that needed to be performed to get it started.

**Treasurer's Report – Sue Phelan:**

Treasurer Sue Phelan presented her monthly reports for the Commissioners review and paperwork for signature. There was discussion regarding taxes and how they have changed this year.

Treasurer Phelan also discussed the GMFD and Rich Siebken's request for information from the Broadwater County Treasurer. She directed him to contact the Treasurer himself for that information.

Phelan also advised that the levy sheet was wrong on taxes, but that it had been fixed. She also stated that only one taxpayer had caught it and that the corrected sheets were available for anyone that wants one.

**Canvas Election – Dayna Ogle:**

The Commissioners, with the help of the Clerk & Recorder's office canvassed the general election.

**Minutes:**

**Action #1:**

Commissioner Brewer moved to approve the Minutes from the November 12, 2014 meeting with changes. Chair Hurwitz seconded. A vote was taken and was approved.

**Health Nurse – Eva Kerr, R.N.:**

Eva Kerr, R.N. presented her monthly report and went over with the Commissioners. Nurse Kerr advised that her trip to Martinsdale went better than the last trip.

Nurse Kerr also advised the Commissioners that she has been asked to serve on the building committee for the school. The purpose of this committee is to determine whether the school can be saved or if it just needs to be rebuilt. There are safety issues to consider as well. This starts in December, 2014. Commissioner Brewer advised that he was asked to serve as well. Nurse Kerr stated that with the federal money she had left over, she was going to purchase masks and suits for the ambulance crew and hospital to be prepared on Ebola. She informed them that the suits were 20 for \$200.00 and the masks were throw away masks after using once. There will also be more training so people know what to look for and what to ask at the Sheriff's office in order to be prepared in advance. There have been 8 people in Montana that have been monitored, so it could happen, even in our community.

**Fire / DES Report – Rick Seidlitz:**

Fire Chief, Rick Seidlitz, was unable to attend.

**Lunch:**

Commissioners broke for lunch at 11:30 a.m. and returned at 12:30 p.m.

**Budget Amendment – 911:**

Clerk & Recorder, Dayna Ogle, presented two budget amendments.

**Action #2:**

**RESOLUTION 2014-#99:**

**Resolution 2014 – #99**

**Budget Amendment**

**WHEREAS**, the 2014-2015 Budget has been set, and

**WHEREAS**, the 911 Dispatch Fund (2850) was approved for a grant from Montana Board of Crime Control (Justice Assistance Grant) in FY 13.14 and,

**WHEREAS**, the 911 Dispatch Fund (2850) incurred unexpected revenue of \$30,000.00 from the Montana Board of Crime Control for the purchase of a CAD system, Computer Aided Dispatch and,

**WHEREAS**, the 911 Dispatch Fund (2850) has unexpected expenses of \$30,000.00 after purchasing the CAD system.

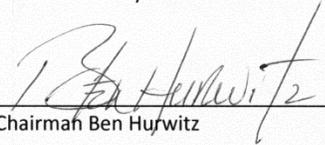
**NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED** that the Meagher County Board of Commissioners are amending the budget for the unexpected revenue and the unexpected expense of \$30,000.00 (thirty thousand dollars and no cents) in the 911 Dispatch Fund (2850).

Dated this 18<sup>th</sup> day of November, 2014

Attest:

Board of County Commissioners:

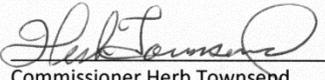
  
\_\_\_\_\_  
Dayna Ogle

  
\_\_\_\_\_  
Chairmah Ben Hurwitz

(SEAL)



  
\_\_\_\_\_  
Commissioner Rod Brewer

  
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Commissioner Herb Townsend

**Action #3:**

**RESOLUTION #2014-100**

**Resolution 2014 – #100**

**Budget Amendment**

**WHEREAS**, the 2014-2015 Budget has been set, and

**WHEREAS**, the Search & Rescue Fund (2382) had unexpected expenses of \$50.00 and,

**WHEREAS**, the Search & rescue Fund (2382) utilized their cash reserve to cover the unexpected expense.

**NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED** that the Meagher County Board of Commissioners are amending the budget for the unexpected expense of \$50.00 (fifty dollars and no cents) in the Search & Rescue Fund (2382).

Dated this 18<sup>th</sup> day of November, 2014

Attest:

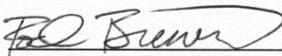
Board of County Commissioners:

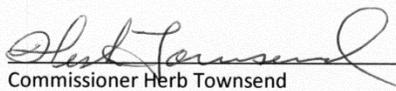
  
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Dayna Ogle

  
\_\_\_\_\_  
Chairman Ben Hurwitz

(SEAL)



  
\_\_\_\_\_  
Commissioner Rod Brewer

  
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Commissioner Herb Townsend

**Superintendent of Schools – Helen Hanson:**

Superintendent of Schools, Helen Hanson, came in to give an update on the schools. Lennep is closing and with that she has approved to consolidate K-12 in District 8. By July 1<sup>st</sup> 2015, there will be one school district. This won't show up in taxes until 2015.

She stated that this was an historic day, only have one school district. At one time, Meagher County had 34 districts.

*Chair Hurwitz left the meeting.*

**Public Comment:**

Kimberly Deschene came in to go over the lawsuit with the County. Steve Lehman is the attorney hired by MACo, and he is asking for our opinion and she needed to get back to him today. The status of the case right now is settlement discussions before trial. The Plaintiff has asked for \$110,000.00, plus the County putting a lift in. MACo wants to counter with \$10,000.00, and look into a lift and at the very least placing the sign downstairs regarding disability accommodations.

The Commissioners wanted to know whether they even had a say on how the case went once it was taken over by MACo. Attorney Deschene called MACo and left a message for Dennis to return her call to ask that question. In the meantime, Chair Hurwitz called in and voiced his opinion on where he would like to see this case go.

Dennis from MACo called back and it was established that the settlement was at the discretion of MACo. The Commissioners did inform MACo of the position of the County was not to settle if possible, but that if they did, they would prefer the \$10,000.00, although they didn't believe the Plaintiff would accept.

Before leaving, Attorney Deschene notified the Commissioners that she was submitting a bill on a mental commitment from Yellowstone County and advised that it was less expensive for them to do the mental commitment than to have her do it.

She also updated them on the arraignment of the defendant on her pending case. It is set for trial in February, 2015. They are now at the negotiation point.

**Claims Approved:**

Commissioners were presented with Voucher #1525, with Check # 47576 through Check # 47591 totaling \$14,377.36. All Checks were signed as presented. The Commissioners were also presented with a Voided Check Report on Check # 47558 in the amount of \$33.42, which was made out to the wrong vendor.

**Meeting Adjourned:**

The meeting was adjourned at 1:57 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, November 25, 2014.

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**CLERK & RECORDER**

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

**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

**Tuesday**  
November 25, 2014  
9:30 a.m. – 12:30 p.m.  
Met in Commissioner's Chambers

**Meeting Called to Order:**

Chair Hurwitz called the meeting to order at 9:30 a.m.

**Commissioners Present:**

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

***Clerk & Recorder's Office:***

Clerk & Recorder, Dayna Ogle and Deputy Clerk & Recorder, Christy Rogers, came in to go over proper procedures with personnel issues in preparation for later meeting.

**Treasurer – Sue Phelan:**

Sue came in to ask the Commissioners if they knew anything about the Grassy Mountain Homeowners Association. Neither Commissioner Hurwitz nor Commissioner Brewer knew what the status was.

**Absaroka Energy – Carl Borgquist – Gordon Butte Pumped Storage Hydro Project:**

Paul Bockus and Carl Borgquist stopped in to give the Commissioners an update on their progress with the Gordon Butte Pumped Storage Hydro Project.

Since the spring when they were last in, there have been two public meetings, in Martinsdale – which Commissioner Hurwitz and Commissioner Townsend attended – and one in Helena, primarily with state agencies.

From those meetings, the minutes were reviewed and any questions raised were addressed and researched in preparation for the license application. They are preparing the environmental assessment and will hold a public meeting sometime around April. Mr. Borgquist stated that it is not the regulations that are holding up the process, it is the regulators.

Through the process of this project, one of the hurdles they knew would be a major issue was the water. However, Mr. Borgquist had went to the DNRC and negotiated before the application went in, so that part actually went pretty smooth. He presented the Commissioners with a copy of the “Permit to Appropriate Water” received from the State. They will be using run off water, and there are conditions to comply with that listed, however, this was a big hurdle, and none of the conditions are things unreasonable.

The Commissioners wondered about governor support and Borgquist stated that it would have gone differently had Sweitzer still been in office. The governor will be in Bozeman on December 1st at Barnard Construction at 1:00 p.m. and he hopes that the Commissioners will be able to attend.

They are trying to do a good job with communication and also advised the Commissioners that there were no objections on water rights.

Mr. Borgquist also presented a letter from the Montana Department of Environmental Quality regarding not needing a 401 certification. Because this project will not discharge to navigable

waters, the 401 certification is not required. The reservoirs will be “state waters” which just means they can monitor for metal concentration for toxic contamination. Since there will be no polluting, this part of the project is complete as well.

Borgquist also reported that they had hired an archeologist to survey the site and they didn't find anything. The next letter presented to the Commissioners was from the Montana Historical Society concurring that the sites were not eligible for the National Register of Historic Places.

Borgquist then told the Commission that they had reached an agreement with Errol Galt on the purchase of the property for the project. Other areas will have easements for road access and to where the reservoir will be, but they believed purchasing the property would be better for all of them – relieving Galt from any responsibility and better for them to get financing.

Barnard Construction had went out and did 3 core sampling holes. The good news was that they found everything they expected to find. Where the power station will sit they did not find any water, which is good news for building. Right now the 3 samples are enough to verify, but will do more core samplings along the way, possibly up to 10 samples. Borgquist also advised that there were no seismic area of concern, all is straightforward.

There was discussion on Northwestern Energy's participation in this, and currently they are not going to participate. Since they are not in competition with them, they do not believe they will object.

Chair Hurwitz asked when they will start looking for money, to which Borgquist advised that that will probably be in the spring, after the license application is submitted. There was discussion on the congressional mandate and where he sees this project. Financing will be the next big hurdle to accomplish.

#### **EMT Incentive Program:**

At the previous meeting of November 12, 2014, Denise Lopp and Sara Driemeyer presented to the Commissioners a list of EMT's who had taken all the calls for 2014. The amount presented was \$7,200.00, which the Commissioners approved with Resolution 2014-#98. However, the final claim submitted was in the amount of \$7,600.00, with one additional name added.

#### **Action #1:**

##### **RESOLUTION 2014-#101**

Commission Brewer moved to approve the final claim submitted for the payment of \$7,600.00 to EMT's that meet the requirements specified in the previous Resolution 2014-#98. Chair Hurwitz seconded. A vote was taken and passed unanimously, it is therefore resolved.

#### **Action #2:**

##### **RESOLUTION 2014-#102**

Commissioner Brewer also moved to direct Treasurer Sue Phelan to move \$7,600.00 from the PILT money to the Ambulance Fund 2230. Chair Hurwitz seconded. A vote was taken and passed unanimously, it is therefore resolved.



Meagher County, Montana  
WHITE SULPHUR SPRINGS

OFFICE OF  
BOARD OF  
COUNTY COMMISSIONERS

November 25, 2014

Sue Phelan, Treasurer  
Meagher County  
White Sulphur Springs, MT 59645

RE: EMT Incentive Program – Resolutions 2014-#98, Resolution 2014-#101 and Resolution 2014-#102

Dear Sue:

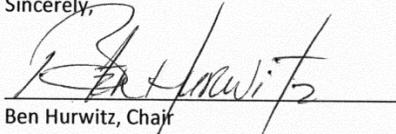
It is hereby resolved with Resolution 2014-#98, to give the EMT's who meet the requirements of taking calls at least 4 shifts per month, or an accumulative 48 shifts within the 12 month period designated \$100.00 per year of service. This implementation will be retro-active for the year 2014 and the total amount to be paid to EMT's who meet that requirement pursuant to Resolution 2014-#101 is \$7,600.00.

It is hereby resolved with Resolution 2014-#102, that \$7,600.00 shall be transferred from the PILT money to the Ambulance Fund 2230.

Please contact the County Commission with any questions you may have.

Thank you.

Sincerely,

  
Ben Hurwitz, Chair

  
Herb Townsend, Vice Chairman

  
Rod Brewer, Commissioner

**Ambulance Barn – Bid Status:**

**Action #3:**

**RESOLUTION 2014-#103**

Commissioner Townsend moved to reject all bids received from General Contractors on the Ambulance Barn which were opened on November 18, 2014. Commissioner Brewer seconded. A vote was taken and approved unanimously. It is therefore resolved.

**Closed Session – Personnel:**

The Commissioners were advised that this situation has been handled and no further action needed at this time.

## **Minutes:**

### **Action #4:**

Commissioner Townsend moved to approve the Minutes from the November 18, 2014 meeting. Commissioner Brewer seconded. A vote was taken and was approved.

### **Public Comment:**

Jess Secrest was present for public comment. He presented a signed copy of protection plan he had completed. He stated to the Commissioners that the next time the District Rangers come in – they should refer them to that document. It represents a 5 year plan of projects that need to be addressed.

The Commissioners showed Mr. Secrest a copy of the letter written regarding Road #487 Forest Service Road written to Mr. Avey of the Lewis & Clark National Forest from Roger W. Frickle. The Commissioners believe that a similar letter will need to be written regarding the Tenderfoot at some point. This letter provides the same information regarding obliterating used and unused trails rather than maintaining these roads and trails for recreational use. Forest Service roads are not being maintained, and they are spending more money on road obliteration than on maintaining. The Commissioners asked Mr. Secrest if he could write a letter for them and he agreed.

There was some discussion on his doing assessments at Grassy Mountain and on Smith Creek subdivisions.

Mr. Secrest had also been contacted by Mayor Theriault regarding serving on the County Planning Board. The Commissioners advised him that they believed they had all the members they needed, but perhaps he could serve on the City Planning Board as the County Representative. Nico Cantalupo entered the meeting and advised that there would be a planning meeting on December 1, 2014 at 10:00 a.m. for the growth policy review wherein they would decide on a public hearing date in January, 2015.

The Commissioners returned Sara Driemeyer's call regarding getting a possible low interest loan to finish the Ambulance Barn. She advised that Rick Seidlitz had brought this up in the beginning regarding low interest loans to complete the Ambulance Barn, as it was what he did on some of the fire buildings. The Commissioners asked her to do more research and find out what she could from Rick Seidlitz and then get back to them.

### **Claims Approved:**

Commissioners were presented with Voucher #1527, with Check #47592 through Check #47616 totaling \$7,718.53. Commissioners were also presented with payroll Voucher #8, with Check #219077 through Check #219098 and payroll Voucher #1526, with Check #219062 through #219076 totaling \$124,022.83. All Checks were signed as presented.

### **Meeting Adjourned:**

The meeting was adjourned at 12:30 p.m.

### **Next Meeting:**

Commissioners are scheduled to meet Tuesday, December 2, 2014.

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**CLERK & RECORDER**

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**CHAIRMAN**

**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Assistant to the Clerk & Recorder, Penny Plachy.  
Distributed December 2, 2014 to Chairman Hurwitz, Commissioner Townsend,