

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

September 1, 2015

8:25 a.m. – 3:11 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Commissioner Brewer called the meeting to order at 8:25 a.m.

Commissioners Present:

Commissioner Rod Brewer and Commissioner Ben Hurwitz.

Commissioner Herb Townsend was absent in the morning, arrived after lunch.

Attorney Kimberly Deschene entered the meeting:

Attorney Deschene addressed the Commissioners, stating she had been contacted by the City's Attorney, Susan Wordal, regarding the Law Enforcement Agreement. Attorney Wordal communicated to Deschene that she would not be able to advise the City of White Sulphur to pay the additional \$25,000 towards special police like they had in previous years. It is Wordal's opinion that the mil levy in place for the special police district, is all the City should be responsible for paying. Deschene told the Commissioners she doesn't feel the County "has a foot to stand on" to ask for any more money than the current mil levy.

Commissioner Brewer asked if it would be possible and helpful to look into the original mil levy and its percentage of the Sheriff's budget in the 1970's compared to now. Everyone agreed this would be valuable information to see if there has been an appropriate adjustment made for inflation and the overall increase in the cost of law enforcement.

Deschene stated that she really doesn't like looking into old records and feels it would be best to completely abolish the past agreements and start at square one to build a new and fair agreement.

Deschene also updated the Commissioners that Bob Hanson had called her about the letter he received from Deschene, regarding requesting clarification on behalf of the Weed Board.

Deschene stated she had asked Hanson to also respond in writing. Part of their discussion was about allowing Wally Bailey to enter Hanson's property for a walk through to check on the status of the weeds. Hanson told Deschene that he is still not sure if he wants to let anyone on his property. Hanson also said feels singled out. Deschene said she had tried to reassure Hanson that the Commissioners had not singled him out and in the past have enforced weed control on any landowner that was reported and confirmed to have a severe noxious weed problem.

The Commissioners provided Deschene with examples of other landowners that had been contacted by the Commission to address their property's weed issue. Weed control has been enforced in the past, and the intent was never to single anyone of them out, but rather to maintain effective weed control in Meagher County.

Deschene updated the Commissioners on receiving the bill regarding a "woman that was sent to a facility", the total bill came back around \$8,000 dollars. Deschene was concerned that it would have to come out of her budget and may end up putting her over budget at some point in the next year. The Commissioners advised that they understand it is the county's responsibility to do this

for the individual and that it isn't something that you can "budget" for. Commissioner Hurwitz assured Deschene the Commission won't hold it against her in the event the County Attorney budget goes over.

Road Report:

Road supervisor, Bruce Smith entered the meeting to give his monthly report. Smith inquired about the available budget for replacing the 2 Semi's. Commissioner Hurwitz stated that there is \$100,000.00 available in the budget to split for the purchase of 2 trucks. Smith asked if he could add in the amount of \$17,500.00 from the insurance for the totaled Semi. The Commissioners stated that was definitely okay.

Smith updated that the temporary vehicle counter on Smith River Road showed 113 cars per day after float season. The counter is still located just off highway 360. The Commissioners and Smith discussed that the number in comparison to the previous month, was a difference of approximately 80 vehicles per day.

Commissioner Brewer asked if Smith was preparing to have gravel crushed at the county pit. Smith confirmed that was still his plan. He would like to know some additional information about how much can be crushed without putting it out for bid. Smith will inquire with Clerk & Recorder, Dayna Ogle.

There was a lengthy discussion on actions of the City that have had an effect on the county, especially in regards to the county pit. Smith stated that the City had recently dumped a large amount of millings on county property without prior approval. Also there was clay and dirt dumped out at pit #1 from the Main Street water line project without permission. Smith said in addition, the City had come and taken pit run from the county pile, for one of their projects a while ago. Smith had given permission for this, however under the understanding that they would pay for it as they had in the past. However, the City has not paid for the pit run yet. Commissioner Hurwitz asked Administrative Assistant, Kate Jones to call and schedule a meeting with the Mayor for later in the meeting.

Smith then asked if it was alright with the Commissioners to have a salvage company buy the old red semi because they will come and pick it up as opposed to having to drive it somewhere. The Commissioners agreed it was ok with them as long as it was alright not to be put out for bid. Smith said he would verify that with Clerk & Recorder, Ogle.

Commissioner Hurwitz updated Smith of the Salary Compensation Board's decision and the respective raise that Smith and the other Road Department employees would be receiving. Smith expressed his thanks to the Commissioners.

Sheriff's Report- Jon Lopp:

Sheriff Lopp entered the meeting and handed out copies of the Sheriff's Office monthly report.

Commissioner Hurwitz asked Lopp what he knew about the status of the Law Enforcement agreement with the City. Lopp provided the Commissioners with a copy of the email he had received from the City's Attorney, Susan Wordal. Commissioner Brewer mentioned his idea for a comparison of the percentage of the total Sheriff's budget to what the original mil levy was. Lopp agreed that was a good idea.

Based on the email presented, the Commissioners and Lopp discussed that the Attorney seemed much more receptive to an agreement if she was provided with more concrete documentation that contains specific language regarding the limits of the original agreement. Lopp updated the

Commissioners that he had sent her a copy of all the old documents the Clerk & Records office has been able to find. Lopp is in receipt of Attorney Wordal's response.

Lopp updated that the DUI Task force grant that was received, can be used to purchase new equipment, in addition to various other things like education and overtime for special patrols. Lopp wanted to ask the Commissioners if they approve of purchasing another all-in-one camera for another one of the Sheriff vehicles. The Commissioners all agreed it was a great idea.

The last subject addressed was the increasing number of false alarms in the county. This is largely due to the increase of cabins in the mountains. There is at least one property that has repeatedly and frequently had false alarms. This is a costly issue of county resources. Lopp would like to implement a policy that states there will be fee charged after one false alarm per month. The Commissioners agreed it was a very good idea and everyone believes a \$50.00 fee after one false alarm would be appropriate. There was more discussion that repeat offenders should probably be assessed for an appropriate additional fee. Lopp stated he will assess this on a case by case basis.

Planning Board - Nico Cantalupo:

Nico Cantalupo presented the Commissioners with the synopsis of a Capital Improvement Plan (CIP). Cantalupo also provided a handout that detailed the "big picture" of a CIP. A CIP is a prioritized list of capital improvements, a schedule for completing the projects or purchasing equipment, and options for funding. This would be a very helpful tool for two main reasons. First, it allows the Planning Board to use the CIP as part of the action step in many of the areas in the Growth Policy. Second, it allows the Commissioners to have a fluid and revisable list of priorities for the county, should and or when the mine and the pumped hydroelectric plant become operational. The Commissioners main question was if a CIP is "binding or committing" in any way. Cantalupo assured them that it is not a commitment and can be changed to suit the needs of the county and budget very easily. The main objective is to have the Commissioners approval to explore the options that best fit the county to implement a CIP.

Funding to have a CIP done by Engineer's can be substantially reduced by the acquisition of grants, and if the county was able to do a joint CIP with the City it would further reduce the cost of the initial plan. It is estimated between \$5,000.00-\$10,000.00 cost to the county if there were grants used and done jointly with the city. Maintenance of the CIP would be completed by the Planning Board.

Both Commissioners agreed it is ok to explore the idea of a Capital Improvement Plan. Cantalupo assured the Commissioners that the Planning Board will not spend, or commit to spend, any money without the full knowledge and approval of the Commissioners first.

Salary Compensation Board:

Clerk & Recorder, Dayna Ogle and Treasurer, Sue Phelan, were present to discuss the conclusion of the Salary Compensation Board meeting on Monday August 31, 2015. It was purposed that the elected officials receive COLA (1.65%) + \$1.00 and all other employees will receive \$0.36 wage increase provided the budget will allow it.

Minutes:

Commissioner Hurwitz moved to approve the minutes from August 18, 2015. Commissioner Brewer seconded. A vote was taken and unanimously approved.

City Mayor - Julian Theriault:

White Sulphur Springs Mayor, Julian Theriault, came over to speak with the Commissioners per their request earlier in the morning. Also present was Clerk & Recorder, Dayna Ogle. Commissioner Hurwitz asked the Mayor to give them his opinion of the Law Enforcement Agreement issue. The Mayor initially stated that he didn't have an opinion or a say, that it was all dependent on the council. Commissioner Hurwitz said he believes that surely the Mayor must have an opinion and a sway on the matter with the Council. Theriault again stated he had no opinion, and it was still up to the City Council to decide. As of right now the council hasn't been unable to come to a conclusion because they are claiming they haven't been able to get the information from the Clerk & Recorders Office needed to make a decision. Ogle responded, stating that she has forwarded everything she has on the matter to the City's Attorney and Sheriff Lopp.

Commissioner Hurwitz again asked Theriault for his opinion. Theriault again denied having an opinion, then finally said he was in favor of the law enforcement the city receives from the Deputie's and Sheriff. Commissioner Hurwitz asked why this has come about as an issue, when it's been fine for years. Theriault replied, stating that issue has come about because landowners with-in the city raised a question about being double taxed, first from county wide and then an additional "Special Police" tax.

Commissioner Hurwitz voiced feeling like the city nor the mayor, are willing to cooperate and they are always trying to get out of paying the city's share of the costs. Hurwitz strongly expressed that the city isn't working together with the county.

Mayor Theriault said he agrees %100 that it's important and he is in favor of the Police. Commissioner Brewer asked if they want to have their own police to fund for themselves. Theriault said, "No because we couldn't afford to, it is most cost effective to share with the county".

Commissioner Hurwitz asked for Theriault's support and cooperation. Theriault said he would arrange a meeting with the council. Commissioner Hurwitz expressed not needing to meet with the council, and he feels that the issue falls in the relationship between the mayor and the county; feeling like the mayor always wants to weasel out of paying the city's share of the expenses for Special Police and other things.

Commissioner Hurwitz and Commissioner Brewer addressed the issues that have occurred down at the county pit. When Commissioner Brewer asked about the dirt from the street project, Theriault referenced having Ray Ringers permission a long time ago. Both Commissioners expressed that Ray Ringer has been gone a very long time and any agreements he had previously, now need to be re-visited with the current road supervisor, Bruce Smith.

Commissioner Hurwitz directly asked if the Mayor personally is in favor of having the Deputies patrol the city. Theriault skirted the question by answering that it's the council's ultimate choice and his opinion doesn't matter. Theriault said he feels that the Deputies are doing a really good job. He was again asked directly by Commissioner Hurwitz if he is in favor and Theriault stated that he is in favor of the Special Police. However that he feels the city should not be responsible to pay any amount greater that what the mil levy collects.

Clerk and Recorder Ogle asked that Mayor if he knew why the county has a Mosquito District and levies for taxes that pay for a service provided to the city. Theriault said he didn't know and asked Ogle if she knew. Ogle then asked if he would go get a copy of the agreement that he had referenced the city has. The Mayor said he would get a copy to Ogle and the Commissioners. Ogle asked, "Can you go get it right now and bring it back for all of us to see"? Theriault said he would get a copy, however he didn't leave to do so despite Ogle's request.

The Commissioners again expressed that their ultimate goal is cooperation from the city and the welfare of the community. The Commissioner's want the public protected and they want to be fair with the city. Theriault stated his opinion is that the council feels the county took advantage of the city by billing for 911 and Jail when there is a statute that says they shouldn't. Additionally, Theriault referenced that the old agreement that says the county agreed to patrol the city. Ogle again asked the mayor to go get the document that he was referencing because it

may be different than what she has been able to find. Theriault verbally acknowledged that he will provide a copy, but didn't get up to go get the document.

Ogle left the meeting.

Commissioner Hurwitz reiterated that law enforcement needs to be cost shared. The mayor said he cannot say one way or the other what the City Council will do.

Lunch:

Commissioners broke for lunch at 12:13 p.m. and returned at 1:30 p.m.

Commissioner Townsend arrived to the meeting.

US Bank – Jason Jewett, JD & William Northey, CFA:

Jason Jewett, Vice President & William Northey, Chief Investment Officer came in to meet with the Commissioners about the investments of the County in the Harmon Fund with US Bank. Mr. Northey directed the Commissioners to a specific page in the report and began briefing them on how the portfolio is positioned. He then discussed in detail where the economy is projected to end up in the next year. The expectation of the market from the Feds is upward pressure on interest rates, long term not gaining as fast as short term, beginning sometime in December.

Commissioner Hurwitz asked if the Counties portfolio is similar to others that US Bank is handling. Northey stated that it is similar but different in many ways; the major difference is the Investment Policy and the fact that it is a non-taxable portfolio.

Northey continued to update the Commissioners on specifics within the Portfolio report. Commissioner Townsend asked if there is anything that needs to change in the investment policy. Northey stated that he feels it is appropriately balanced and since it is relatively new they should keep it the same.

Mr. Jewett expressed on behalf of US Bank, they are glad to be doing business with Meagher County. The Commissioners all expressed gratitude and satisfaction with the relationship and services received from US Bank and the two gentlemen.

School Budget – Helen Hanson:

Hanson presented the final budget for the new School K-12 district. The overall budget has increased \$20,000.00 since last year. Commissioner Brewer asked if the value of the mills for the school district are the same as the County. It was concluded that they are both the same. Commissioner Townsend had some specific questions on where the figures are coming from. Hanson answered his questions to the best of her abilities, however, she will check with Connie Davis to verify. Commissioner Townsend signed the final budget.

Hanson informed the Commissioners that there was surprise safety inspection conducted at the Road Department's shop earlier that day (September 1, 2015). The inspection went well and there were only a couple minor issues that will be part of a formal report that the Department of Labor will send to Hanson.

Clerk & Recorder – Adopt Final Budget:

Discussion about the meeting with Mayor Theriault. The Commissioners and Ogle question details of an "agreement" that the mayor proclaims the city has yet never was willing/able to provide a copy.

The Commissioners discussed the COLA and raise for elected officials with Dayna. Based on the new figures that need be calculated for the wage increases, the final Budget will be approved at the next Commissioners meeting.

Hanson returned to provide the Commissioners with additional information and copies of the final budget for the school district.

There was a shortfall in the budget last year that will have to be recovered by increasing the mills. Hanson stated that the DOR is where the issue of short fall is coming from. Lennep was not levied for taxes because of the district merging. Hanson reported that at the time of the shortfall she contacted OPI and DOR about the issue, as well as the Treasurer and Davis. The Commissioners would like to meet with Hanson, the Treasurer and Davis to discuss the matter further and have the issue explained so that they understand.

Public Comment:

No public comment

Claims Approved:

Commissioners were presented with Check #50667 through Check #50713 totaling \$68,434.41. All Checks were signed as presented.

Meeting Adjourned:

The meeting was adjourned at 3:11 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, September 8, 2015.

CLERK & RECORDER

SEAL

CHAIRMAN

VICE-CHAIR

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder Kate Jones
Distributed September 8, 2015 to Chairman Hurwitz, Commissioner Townsend, Commissioner Brewer, and Clerk & Recorder Ogle

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

September 8, 2015

8:30 a.m. – 2:50 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Chairman Townsend called the meeting to order at 8:30 a.m.

Commissioners Present:

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

Commissioner Discussion:

Commissioner Hurwitz presented a few items for discussion:

- Approval of Avery Gold to become a member of the Tourism Board. Everyone agreed that would be fine.
- Bob Hanson has not yet provided a written plan for weed control in the coming year. Currently he does not want anyone to come onto his property for an inspection. The discussion focused around the reality that the weeds won't show anything at this point in the season. The feeling of both the Weed Board, and the Commissioners, is to wait for an onsite inspection until the spring of 2016. Perhaps by then Hanson will consent to a member of the Weed Board coming onto his property.
- Johnson's gravel pit that the county purchased and crushed gravel at, has a large pile of clay type soil still sitting there. Road supervisor, Bruce Smith, has tried to use the material as road base with very poor results. It is Commissioner Hurwitz's opinion that the un-usable clay soil should be pushed back into the pit and then level the topsoil over that. The agreement previously made outlines it is the county's responsibility to seed the area with grass and spray weeds for a period of ten years after the pit is closed. All the Commissioners agreed it should be filled this fall, and seeded at the appropriate time of year.

Treasurer's Report – Sue Phelan:

Treasurer, Sue Phelan, came into the meeting and gave the Commissioners a copy of the Treasurer's Report. The Commissioners were given a copy of the Treasurer's Cash Sheet. All of the Commissioners signed the report as presented.

The Commissioners asked what Phelan knows about the School budget; asking how much the county collects through taxes and how much is sent to the State and then returned to the county. The specific amounts, Phelan didn't know off hand. However the amount that is generated by Meagher County tax levies is sent to the state, and the amount received back from the Feds is considerably more than the original amount sent in.

Commissioner Townsend asked Phelan if she knew how much the compact tax values increased this year. Phelan stated she wasn't sure on the exact amount, however she estimated the increase is approximately 30% for most property owners taxable values. The increase in taxes will reflect on peoples tax bills this coming November (2015).

School Budget – Connie Davis & Sue Phelan:

School District 8 Clerk, Connie Davis and Treasurer, Sue Phelan entered the meeting. Davis passed out a document outlining the breakdown of the school budget. The main point of the discussion was that the shortfall in the budget will be made up by the reserve funds that the School had on hand this year. The mil levy will have to be increased somewhat this year to rebuild the reserve funds.

The Commissioners asked specific questions about the funds and the calculations; particularly what is milled to the county currently. Davis directed the Commissioners to the figure on the spreadsheet and described in detail the process of the funds being collected and sent to the state, then returned to the county. Davis made emphasis on the fact that we get back more than we send in. The handout provided by Davis showed the specific figures.

The Commissioners inquired if Davis knows how much the estimated increase of mils will be with the school bond. Davis is unsure of the specific figure, because there is a lot left to figure into the budget. As of right now her best estimate would be approximately a 70 mil increase to service the school bond. Additional factors to consider are interest rates and the continuing needs of the School District 8.

Commissioner Brewer asked what current enrolment is this year. Davis replied that there are 61 students in the high school, 20 in junior high, and 132 in grade school if you count the Colonies.

County Attorney, Kimberly Deschene entered the meeting.

Commissioner Townsend inquired about the raises for teachers this year. Davis updated the Commissioners that this year the teacher's received a 2% pay increase. The classified staff is set on a salary increase chart, implemented by policy that is based on experience and position. Davis reported that 81% of the general fund is used to pay salaries of the Meagher County public school employee's.

Davis voiced her personal feelings of wanting to take care of the need for a new school in her generation verses the generations to follow. All the Commissioners agreed that we do need a new school sooner rather than later, that they support the school bond. They do however want to do their best not to overburden the small community unless direly necessary, which this is one of those situations that seems greatly needed.

Sheriff Lopp entered the meeting.

Commissioner Townsend voiced concern about being able to pay teachers well. He feels we can build a lovely, state of the art school, but we still need to be able to pay the teachers well to ensure we can keep excellent staff for our kids. Everyone echoed this concern, and Davis said that is something that is always on the top of the School Board's list of concerns and they try to do their best to accommodate for that.

Law Enforcement Agreement – County Attorney, Kimberly Deschene & Sheriff Jon Lopp:

Sheriff, Jon Lopp and County Attorney, Kimberly Deschene, came in to discuss the current situation with the Law Enforcement Agreement with the City of White Sulphur Springs.

Sheriff Lopp updated the Commissioners on the fight incidents that happened on the night of September 6th, 2015. Lopp and Deschene also updated the Commissioners on a case in the county regarding an assault.

Commissioner Hurwitz then referenced the document that was faxed over by the City Mayor, after the Commissioner's meeting was adjourned last week. A copy was provided to Lopp and Deschene. Based on the newly disclosed document, Deschene stated she feels she may be able to make progress with the City's Attorney, Susan Wordal.

The discussion between everyone was that it would be much better to base an agreement for funds on a percentage of the total Sheriff's budget instead of line item. They discussed the necessary funds to operate the special police or otherwise one full officer. Based on the preliminary estimate the Commissioners and Lopp stated they would like to request 15% of the

Sheriffs overall budget. Deschene stated she would forward a copy of the document to Wordal. Additionally Deschene is going to attend the City Council meeting on September 8, 2015.

Sheriff Lopp left the meeting.

Deschene asked the Commissioners if they would approve appointing an additional Special Deputy Attorney for another case that is a conflict of interest for Deschene to prosecute. Deschene stated she asked Broadwater County's Attorney, Cory Swanson, who was a fellow law school student of Deschene's, is willing to take the case. The agreement between Deschene and Swanson was exchanging cases without any charges to Meagher County. Deschene told the Commissioners that one of her former employees had received a DUI and she feels she cannot prosecute appropriately. Special Deputy, Kent Sipe was not asked because Deschene said, "I don't want to overburden him with another case", because he already is handling the case of a Warrant against Bar 47. The Commissioners all agreed they would approve an additional Special Appointment.

ACTION #1

RESOLUTION 2015 #76

2015 RESOLUTION # 76

WHEREAS, the Meagher County Attorney has requested prosecutorial assistance for a 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 Cory Swanson of The Broadwater County Attorney's Office is hereby appointed to serve as a special deputy county attorney for Meagher County to prosecute the following case:

State v. Kimberly Williams.

Dated this 8 day of September, 2015.



Nayna Ogle
CLERK AND RECORDER

[Signature]
CHAIRMAN

[Signature]
MEMBER

[Signature]
MEMBER

County Attorney Kimberly Deschene presented the Commissioners with a resolution appointing Broadwater County Attorney, Cory Swanson, as Special Deputy Attorney for a case that is a conflict of interest. Commissioner Townsend moved. Commissioner Brewer Seconded. A vote was taken and unanimously approved.

Commissioner Hurwitz inquired as to if Deschene had any more updates from Bob Hanson about the weed issue. Deschene said she had not received anything else from Hanson. The Commissioners then expressed to Deschene that they would like her to write a letter to Hanson requesting a written plan of action be submitted to the Weed Board by March of 2016. The letter should be specifically sent on Weed Board letterhead and signed by the Chairman of the Weed Board. Deschene stated she would draft the letter and place in on the appropriate letterhead.

Adopt Final Budget – Clerk & Recorder, Dayna Ogle:

Clerk & Recorder, Dayna Ogle came into the meeting and presented the Commissioners with the Final Budget. Ogle updated the Commissioners that based on the budget they are able to give the elected officials \$1.30 raise and everyone else will receive \$0.36 for COLA. Ogle expressed her thanks for their generosity.

Ogle presented a discussion over the Mosquito District and the Special Police District. Ogle is doing additional research to find out if it's allowable to separate them from each other to ensure that the mils are assessed appropriately. The Commissioners agree it seems like a good idea and inquired as to why the two districts have been on the same page all this time. Ogle stated she continued doing it the way the previous Clerk & Recorder had been. Additionally, it hadn't ever come up as something to question until this year.

Ogle presented the only potential shortfall that she sees, is the Martinsdale Fire District. It is Ogle's understanding that this has come up because there were a few years where they didn't mil as much because of rollover funds that were available. Therefore the mils are only able to be increased to a certain extent based on where they were the year previously. Ogle said as of right now Martinsdale Fire District is approximately \$200.00 short in the budget. The Commissioners stated they were not too concerned and would like to see if they end up going over before making any other adjustments.

ACTION #2

RESOLUTION 2015 - #77

Resolution 2015 - #77

**Meagher County Levies
Fiscal Year 2015-2016**

Market Valuation: \$353,290,524

Taxable Valuation: 8,272,920

Special Districts - Fees		
2150	Predatory Animal (Sheep)	\$.60/hd
2155	Predatory Animal (Cattle)	\$.50/hd
7205	Martinsdale Fire Service Area	\$50.00/yr
7371	WSS TV	\$40/yr
7372	Martinsdale TV	\$5/yr
7373	Checkerboard TV	\$15/yr

State		
7521	University Millage Fund	6.00
7527	State Equalization Fund	40.00

County Special District		
2110	Road - Mill Value = \$7,101	41.11
2191	Special Police-Mill Value = \$1,171	45.08
2311	Soil & Water-Mill Value = \$4,018	2.29
2200	Mosquito Dist -Mill Value = \$1,171	2.00
2400	Martinsdale SID - Mill Value = \$71	45.75
2240	Cemetery - Mill Value = \$6,603	4.03
7206	Grassy Mtn Fire - Mill Value = \$142,784	52.35
7207	Castle Villy Fire Dst-Mill Value = \$25.24	27.64
7860	City of WSS- Mill Value = \$1,171	144.16

Schools		
7529	Elementary Equalization	33.00
7531	High School Equalization	22.00
7820	County Wide Transportation	3.37
7830	High School (Retire, Unemp, FICA)	32.46

County General & Misc. Sm Funds Mill Value = \$8272.920		
1000	General	100.38
2170	Airport	0.10
2180	District Court	5.50
2230	Ambulance	1.00
2250	Planning Board	0.96
2271	Mental Health	0.29
2340	Fire	4.00
2378	Meagher Co Health	1.67
2382	Search & Rescue	0.10
2384	Liability Ins.	7.90
2500	Solid Waste	0.10
2860	Land Use	1.25
3200	Comp Abs	1.00
Total		124.25

District #8 K - 12 School		
7779201	General	128.01
7779210	Transportation	12.40
7779211	Bus Depreciation	8.10
7779213	Tuition	4.09
7779217	Adult Education	0.53
7779228	Technology	4.83
7779261	Building Reserve	6.36
Total		164.32

Total Mills By District	
District #8 IN	651.32
District # 8 OUT	501.19
District # 8 OUT Lennep	497.16

Voted		
2140	Weed	1.60
2220	Library	5.00
2290	Extension	3.00
Total		9.60

Permissive Health Insurance		
2371	Health Insurance	21.05

MEAGHER COUNTY

SALARY RESOLUTION 2015-#77

FY 14.15

County Commissioners	\$ 19.45/Hr. + \$2,000.00 Elected Compensation
County Attorney	\$ 53,315.00/Yr.
Justice of Peace	\$ 20,228.00/Yr. + \$1000.00 Elected Compensation
Clerk of Court	\$ 40,456.00/Yr. + \$2000.00 Elected Compensation
Clerk & Recorder	\$ 40,456.00/Yr. + \$2000.00 Elected Compensation
Treasurer	\$ 40,456.00/Yr. + \$2000.00 Elected Compensation
Sheriff	\$ 40,456.00/Yr. + \$2000.00 Elected Compensation
Coroner	\$ 3,750.00/Yr.
Under Sheriff	\$ 19.39/Hr.
Deputy Sheriff	\$ 17.35/Hr.
Dispatch Supervisor	\$ 17.07/Hr.
Dispatcher #1	\$ 15.08/Hr.
Dispatcher #2	\$ 14.92/Hr.
Dispatcher #3	\$ 12.38/Hr.
Dispatcher #4	\$ 12.38/Hr.
Dispatcher #5	\$ 11.36/Hr.
C & R Deputy	\$ 18.37/Hr.
Treasurer Deputy	\$ 18.37/Hr.
P/T Motor Vehicle TAC	\$ 14.14/Hr.
P/T Motor Vehicle TAC	\$ 12.00/Hr.
C & R Assistant	\$ 13.00/Hr.
Planner	\$ 34.21/Hr.
Weed Supervisor	\$ 21.58/Hr.
Co. Superintendent of Schools	\$ 16.30/Hr.
Co. 4-H Coordinator	\$ 13.68/Hr.

Road Supervisor	\$ 24.09/Hr.
Road Forman	\$ 19.63/Hr.
Road Crew	\$ 15.48/Hr.
Airport Supervisor	\$ 36.62/Hr.
Health Nurse	\$ 25.63/Hr.
Health Nurse Billing Clerk	\$ 11.56/Hr.
Homemaker #1	\$ 12.36/Hr.
Homemaker #2	\$ 10.86/Hr.
Ambulance Billing Clerk	\$ 12.14/Hr.
Maintenance	\$ 14.86/Hr.
Grounds Keeper	\$ 9.19/Hr.
Cemetery Sexton	\$ 14.86/Hr.
Sanitarian	\$ 34.21/Hr.
Librarian	\$ 14.12/Hr.
Fire Chief	\$ 24,000/Yr.
DES Coordinator	\$ 25.13/Hr.
DES Assistant	\$ 19.66/Hr.
Reserve Officers	\$ 15.00/Hr.
Ambulance Drivers	\$ 10.00/Hr.

Dated this 8th day of September, 2015.

Anna Ogle
CLERK & RECORDER

Mark Jensen
CHAIRMAN

Paul Brewer
VICE-CHAIRMAN

Barbara Hurwitz
COMMISSIONER

SEAL



Commissioner Hurwitz moved to approve the final budget for FY 15.16. Commissioner Brewer seconded. A vote was taken and unanimously approved. It is therefore resolved.

Ogle verified with the Commissioners when they would like to make the wage increase effective. The Commissioners all agreed they would like to make the wages be retroactive to the beginning of FY 15.16.

Ogle then updated the Commissioners that the Department of Revenue is asking for Resolutions defining the special tax districts in Meagher County to update their files. Discussion about the boundaries for the special taxing districts was conducted. These boundaries will not be easy to figure out and will need more in depth research for the language to be determined appropriately.

Fire & DES – Rick Seidlitz:

Fire Chief, Rick Seidlitz, came in to present the Commissioners with his monthly report. Also in attendance were volunteer fire fighters, Lee Zehntner, Cody Jackson and Sam Peeler.

Chief Seidlitz handed out his monthly report and began specifically discussing the new ladder truck for Meagher County. Seidlitz updated the Commissioners that on the drive back from Utah, the air compressor went out, and as a result the truck had to be towed to a shop for repairs in Pocatello, ID. The truck is still in Pocatello, Seidlitz stated he wasn't sure when it would be done and able to be driven the rest of the way back. Aside from the current mechanical issue, the report from Dave Collins indicates that the truck is otherwise in really good shape.

Seidlitz and the Commissioners conducted discussion about the monthly report. Seidlitz stated The Bair Grant is almost used up, and is estimating there is \$3,000.00 remaining. He also reported the work on the new Tender Truck is almost finished. There is a little more to do on the suction lines, and then it will be fully operational.

Seidlitz asked Commissioner Brewer if he had heard any more on the Ringling Fire building. Commissioner Brewer stated that the contractor he contacted in Townsend requires a set of engineered plans before a bid can be given. There was discussion about having a set of plans drawn by an engineer. Also discussed was the options of updating an existing building in Ringling. The issue identified with that is the county would not own it or have say so regarding what happened with it. Everyone feels it is still best to proceed with getting plans to build a county fire building on county property for Ringling.

Seidlitz updated that there will be more training to recertify community members on the use of satellite fire trucks that are staged throughout the county. Commissioner Hurwitz inquired more specifically about the training for the community members in his district. Seidlitz said he didn't have a specific date, however it would hopefully be before the weather is too cold.

Volunteer Firefighters:

Lee Zehntner expressed that he was speaking today personally, and also to serve as a representative for many other volunteer firefighters. He stated feeling that what he had to say wasn't easy and wanted to be clear that he, "Does not want the job of being Fire Chief". Additionally, Zehntner said he is sad and doesn't want to lose his longstanding friendship with the current fire chief, however he does believe there are issues within the volunteer fire department that direly need to be addressed. Zehntner stood and read a letter of concern from himself and with the agreement of many other members of the volunteer department. A copy was provided to all of the Commissioners and Administrative Assistant, Kate Jones to file with the Clerk & Recorder's Office.

Cody Jackson also provided his letter of grievance to the Commissioners and Jones for filing. The letter detailed his perspective of an incident that happened a few months ago on a fire. Commissioner Townsend asked what Jackson feels should have happened. He believes safety was disregarded and there was little to no communication. Jackson, Zehntner and Peeler expressed there are other fireman voicing the same concern and they personally, along with others feel the need to resign if things aren't addressed and resolved soon.

Chair Townsend expressed feeling the need to resolve matters in such a way as to ensure no losses of volunteers, because the community relies solely on the goodness of volunteers leaving their paying jobs to do something good for their community. Commissioner Townsend also expressed his gratefulness to the volunteers as well as to Seidlitz, and that he doesn't want to see either volunteers or Seidlitz leave.

The Commissioners asked Seidlitz to share his response to the grievances. The first point Seidlitz wanted to address was that when he leaves the county with Chief Truck #101, it is contracted and earns \$52.00 per day + mileage. The funds raised from the truck are put towards the maintenance of all the other fire trucks in the county. Next he stated that the position of Rural Fire Chief is an unpaid position. Seidlitz then responded to the issues that were brought before him and the Commissioners from the letters. Chair Townsend asked Seidlitz what he feels would be an appropriate solution. Seidlitz stated he feels perhaps they should have a big fire meeting and they

can vote for a new chief. All the Commissioners expressed not seeing that as the only possible solution.

Commissioner Hurwitz voiced the question, “what should we do”? All the Commissioner’s agreed the answer is not having Rick resign. Chair Townsend voiced how much Seidlitz does for the county and the fire department, especially in getting funding for new equipment. With that in mind, that the county also needs the volunteers to run the equipment, so there needs to be a common solution reached. Chair Townsend also specifically requested that Seidlitz draw up an estimate of what it would cost for the county to pay Seidlitz for all the additional services he provides Meagher County, because he feels the county should pay their own way. Seidlitz replied, “I don’t want to be paid”. Seidlitz voiced he still feels the firefighters should vote on what to do. While he does a lot for the county, he still doesn’t want money taken out of the budget to pay him while the county is in need of equipment.

Commissioner Hurwitz again asked what the firefighters wanted to have done. They all agreed that better communication and more face time from Seidlitz would ease some of the growing contention. Chair Townsend expressed that if it’s more equipment needed, like handheld radios, for better communication than they have the support of the Commission to purchase more radios or whatever is needed as the budget allows.

It was agreed there should be a fire meeting arranged to discuss and resolve the issues presented to the Commissioners. Also, Seidlitz updated the Commissioners that there is a list in draft form of who’s in charge when he is gone.

Lunch:

Commissioners broke for lunch at 12:10 p.m. and returned at 1:15 p.m.

Minutes:

Commissioner Hurwitz moved to approve the minutes from the September 1, 2015 meeting. Commissioner Brewer seconded. A vote was taken and unanimously approved.

Ambulance Building:

Alan Stanbery, from Morrison & Maerele and Mike Gittins, from Gittins Foundation Specialist INC., came to the meeting to discuss the preliminary plans for stabilizing the Ambulance Building. Also present for the meeting was Ambulance Board member Jack Berg, Volunteer EMT’s Denise Lopp, Jon Lopp, Eva Kerr, Jay Kolbe, Connie Kujath and Fire Chief, Rick Seidlitz. Stanbery discussed in detail the situation regarding the Building. Because all of the finish work has been completed, he is advising not to attempt nor encourage lifting the building. Stanbery’s recommendation is to underpin the foundation with a helical pier inserted at every framework location. This recommendation is based on the information he has about the building. The cracks in the slab indicated to him that there was improper soil compaction prior to pouring the slab, in addition to the likelihood there may not have been enough steel placed when pouring the slab, and now it is settling. The weight of the building overall should not be heavy enough to cause cracking of this significance, so it makes soil settling the most probable cause of the cracking and the building drift. This makes underpin piers, placed under the slab at the proper location the best option for stabilization. Stanbery has based his estimate on going approximately 20’ down with each pier to reach compacted soil. Inserting the piers that will resolve the vertical load issue and slab settling would stop.

To address the Horizontal load issue, Stanbery is proposing to pour a “Deadman’s” slab of concrete along the entire length of the north wall. However the existing utilities, propane and electric, are in the way. Two options to address this would be to locate and abandon the LP pipe,

and locate and move the electric. Alternately, the Deadman's slab could be poured a small distance away from the existing slab and then pour concrete struts back to it. It was discussed that Gittins had already contacted the local cement plant and is planning on subcontracting to use local entities as much as he can.

Stanbery stated the last area that needs to be addressed are the sections of framework located between the overhead doors. The problem is they weren't anchored into the foundation properly and now it shows some outward drift. The major concern to Stanbery would be the effect of a snow load and what that could do. The proposal is to fashion some sort of framework that could be welded to the building framework and then brought down to anchor into the slab at the proper distance for stability. Berg stated he had concerns about this due to a tripping hazard. Stanbery said he will ultimately do his best to minimize this, however the framework must be stabilized.

Gittins asked specifically who had done the wiring from the transformer to the meter. Berg said that it had been done by N.W.E. Gittins inquired if anyone new someone with N.W.E. that could ask for a favor to come and locate and remove the electric. Berg said he will do his best to get help if they are willing. Gittins and Stanbery stated it can be difficult to get them to come in and located and move existing electric. Discussion on alternative solutions came back around to the option of pouring struts, however that raises the cost.

The timeline was discussed and the Commissioners all agreed they would like it done before a winter snow load occurs. Stanbery indicated he would finish plans in the next week and submit them to the State Building Codes department for approval, then Gittins could provide a more accurate bid. Commissioner Brewer inquired more about the specific bid. Stanbery said his cost will be relatively low, somewhere in the \$5,000.00 range. Gittins said he will not ever be able to give a firm bid because there is no way of knowing how deep the piers will go before they reach compacted soil. However, he made it a point to express he knows funds are limited for this project and as it is a nonprofit entity, he will be as generous as he can. The estimated bid is based on the assumption that each pier will need to go 20' deep. There is a small reimbursement based on how much pipe is used.

Commissioner Hurwitz asked the Ambulance Board and crew what their feeling was. Everyone agrees that the building needs to be done before winter. The Commissioners will be looking forward to the bid for final approval

County Health Nurse:

County Health Nurse, Eva Kerr, came in to quickly give her monthly report because there had been a miscommunication on the agenda. Kerr updated that the month has been good and there have been no major issues.

Kerr asked the Commissioners if it's okay for WIC to use the vacant office in between theirs and the Hurwitz/Berg office space. The Commissioners said it would be fine with them. Kerr asked about all of the extra stuff in the space. Commissioner Hurwitz said he believes most of it can be disposed of and Kerr can coordinate with Building Maintenance, Ken Martin, to get it cleaned out.

Clerk & Recorder – Special Districts - Dayna Ogle:

More discussion about the Special Districts within the County. Ogle will continue to do research to figure out what used to be in place and what they should be set at now.

Public Comment:

No public comment.

Claims Approved:

Commissioners were presented with Check #50714 through Check #50741 totaling \$9,033.97. All checks were signed as presented.

Meeting Adjourned:

The meeting was adjourned at 2:49 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, September 15, 2015.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIR

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder Kate Jones
Distributed October 6, 2015 to Chairman Hurwitz, Commissioner Townsend, Commissioner Brewer, and Clerk & Recorder Ogle

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

September 15, 2015

8:30 a.m. – 12:20 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Vice Chair, Commissioner Brewer called the meeting to order at 8:30 a.m.

Commissioners Present:

Commissioner Rod Brewer, and Commissioner Ben Hurwitz.

Commissioner Herb Townsend was absent from the meeting.

County Attorney, Kimberly Deschene entered the meeting.

Attorney Deschene came in to see if the Commissioners needed anything from her. The Commissioners inquired as to what Deschene feels is the next step in resolving the Law Enforcement Agreement issue. Deschene stated she feels that they should adjust funding for the Special Police by increasing the mil's, not by asking for additional payment above the mil levy currently assessed to the City of White Sulphur Springs.

The Commissioners updated Deschene that they would like to have her write a letter on behalf of the Commissioners, to the Editor of Meagher County News. The Commission would like to publish it in response to the article in the Meagher County News of September 10th, 2015, regarding Meagher County and White Sulphur's ongoing Law Enforcement Agreement issue. Deschene stated she was able to go type it right away and have it ready by 12:00.

Minutes:

Tabled approving minutes because the draft was not ready for review.

Senior Center – Beth Hunt, Director:

Mrs. Hunt came in to talk with the Commissioners because the resolution approving that the county pay \$10,000.00 to the Senior Center was never formally done. The Commissioners agreed that they remember approving the amount of \$10,000.00 be paid to the Senior Center this year.

ACTION #1

RESOLUTION 2015 - #78

Commissioner Hurwitz moved to approve the \$10,000.00 be paid to the Senior Center of White Sulphur Springs, Meagher County. Commissioner Brewer Seconded. A vote was taken and unanimously approved. It is therefore resolved.

Commissioner Hurwitz verbalized with Commissioner Brewer in agreement, how much the Commissioner's all appreciates what Beth Hunt does for the seniors in the community. Hunt expressed she is happy to do it and has a genuine care for the elderly people in the area.

There was discussion about the School Bond Election. Hunt is unsure which way the community will vote, as of right now she thinks it is truly about 50/50. Hunt voiced concern about the impact of the bond for the elderly on a fixed income. However, Hunt also voiced her personal support of the Bond, but that she wants to ensure the people that qualify receive a tax break.

Central Montana Tourism Board - Sally Stewart:

Sally Stewart came in to represent as a member of the Chamber of Commerce and Montana Tourism Board. She updated the Commissioners that the Montana Advisory Council is coming to White Sulphur Springs in October. There will be a reception to meet and greet the members of the Advisory Council on October 5, 2015, beginning at 5:30 p.m. at the Ringling House/Red Barn. Commissioner Brewer asked how many people are on the Advisory Council. Stewart estimated between 50-60 members. The Commissioners and their wives are invited to attend. They will be serving "A Taste of Montana" from all the local food establishments, as well as samples from the Two Basset Brewery.

The Commissioners expressed great interest and said they will attend provided their schedule allows it.

Clerk & Recorder, Dayna Ogle-Meagher County/Checker Board TV:

Ogle came up to speak with the Commissioners about a request from both of the Chairmen from White Sulphur Public TV and Checker Board TV. Checker Board TV had a piece of equipment that Tim McGuire wanted to purchase for W.S.S. TV. Since both entities have county funds, all Ogle needs to do is transfer the money.

ACTION #2

RESOLUTION 2015 - #79

Commissioner Brewer moved to approve Ogle transfer \$6,000.00 from White Sulphur Public TV fund 7311 to Checkerboard TV fund 7373. Commissioner Hurwitz seconded. A vote was taken and unanimously approved. It is therefore resolved.

Letter to the Editor of Meagher County News:

The Commissioners and Ogle discussed and calculated the appropriate figures to be detailed in the letter. County Attorney Deschene also provided her feedback for the final draft. Administrative Assistant, Kate Jones, will email the letter to Meagher County News today, September 15, 2015, requesting that it be published in the September 17, 2015, edition of Meagher County News.

Old Business – Weed Board:

The Weed Board was able to make contact with Mr. Hanson and Wally Bailey was allowed to visit the Hanson property. Mr. Hanson is being cooperative with the Weed Board and the Commissioners. Because of the lateness in the season, they would like to see how an inspection in the spring goes. The letter drafted by Attorney Deschene per the Commission meeting of September 8, 2015, has been held and will not be sent unless a situation arises that merits action from the Weed Board.

Additionally, there was another property owner identified to be in non-compliance with the Noxious Weed laws. The Weed Board signed 2 copies of the letter of notice for non-compliance

addressed to the appropriate individuals. Administrative Assistant, Kate Jones will send letters via certified mail.

Public Comment:

No public comment

Claims Approved:

Commissioners were presented with Check #50742 through Check #50766 totaling \$40,631.46. All Checks were signed as presented.

Commissioners were presented with voided Checks to initial:

- #50691 - \$23,715.30 – wrong vender
- #50675 - \$1,332.00 – no payment due
- #50642 - \$3,741.00 – wrong amount

Meeting Adjourned:

The meeting was adjourned at 12:20 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, October 6, 2015.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Administrative Assistant to Clerk & Recorder, Kate Jones
Distributed October 6, 2015 to Chairman Townsend, Commissioner Hurwitz, Commissioner Brewer, and Clerk & Recorder Ogle.