

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

**FEBRUARY 9, 16 & 23,**

**2016**

**Tuesday**

February 9, 2015

8:30 a.m. – 2:15 p.m.

Met in Commissioner's Chambers

**Meeting Called to Order:**

Commissioner Hurwitz called the meeting to order at 8:35 a.m.

**Commissioners Present:**

Commissioner Rod Brewer and Commissioner Ben Hurwitz.  
Commissioner Herb Townsend was absent from the meeting.

***Damon Van Diest – Territory Manager with RDO Equipment Co:***

Damon Van Diest was in the area and stopped in just to introduce himself to the Commissioners and invite them to the 2016 MACRS Conference. Commissioner Hurwitz told him that he believes that Commissioner Townsend and he will be attending this year.

**Treasurer's Report:**

Sue Phelan came up to give her monthly report, however because Commissioner Brewer was not at the meeting yet she asked if she could stop by later. Everyone agreed that there was time on the agenda at 2:30.

Phelan asked Commissioner Hurwitz to consider if the Treasurer's Office can donate the old superintendent's office furniture to the Castle. Commissioner Hurwitz stated he felt fine about it, but she should follow up on the question once Commissioner Brewer gets in.

***Patrick Webb, Field Representative for Senator Steven Daines entered the meeting.***

Patrick Webb from Senator Steven Daines office came in to introduce himself, and

wanted to see if there is anything the Commissioners need. Commissioner Hurwitz replied that he would like Senator Daines to know that all the Commissioners appreciate the informative emails updating local officials.

Webb stated that he is replacing Morgan Darlington. Commissioners Hurwitz invited Webb to return at 10:30 for the meeting with the Forest Service. Webb agreed he would like to stop back in later for it.

*Commissioner Brewer arrived at the meeting.*

**County Attorney Report - Kimberly Deschene:**

County Attorney, Kimberly Deschene entered the meeting and stated that the only thing she needed to go over with the Commissioners was the final grant application from the DNRC for the Meagher County Road Department Maintenance Yard Cleanup Planning. Commissioner Hurwitz signed the documents and Administrative Assistant, Kate Jones made a copy to keep on file.

The Commissioners asked Deschene specifically what this grant is going to cover. Deschene replied that she needed to call Bob Anderson to help explain the process because it has been confusing to her.

*Bob Anderson was reached on the phone and began a conference call with the Commissioners:*

Deschene explained that the Commissioners were asking for more details about what this grant is for.

Anderson explained that this grant will cover the following:

- Digging up old well MW3 because he has concerns that the well is problematic. That will entail the county providing in kind services of a Backhoe and operator to dig out the old well and then backfilling with clean soil.
- There will be two (2) new wells drilled, as well as in kind services from the county to dig several test pits in the area.
- When all the work has been completed they will do another round of sampling to determine the level of contamination.
- All in kind services are supervised and directed by Hydrometrics.

The goal is to get all this done in March of 2016 so that we are ready for the next grant session with DNRC which is due in May 2016. Commissioner Hurwitz asked if

Anderson knew what portion would be due to the county for the larger grant match. Anderson stated he's not 100 percent sure but he feels it shouldn't be too much to the county.

Commissioner Brewer wanted to verify that the \$18,000 will cover the 2 new wells, test pits and all sampling and testing. Anderson confirmed it will cover the entire project.

Attorney Deschene spoke with Anderson about some more details regarding the paperwork. Anderson stated that she should keep him in the loop of correspondence and he will continue to advise and assist when questions arise. The Commissioners and Deschene thanked him for all of his help and efforts in this matter.

### **Health Nurse, Eva Kerr, RN:**

County Health Nurse, Eva Kerr came in and presented the Commissioners with her written monthly report. The monthly report was discussed by the Commissioners and Kerr. Main points of discussion were the the transition to a new Sanitarian, and the Homemaker program. Kerr updated the Commissioners that the transition to a new Sanitarian has had a pretty steep learning curve. However, the state and the new Sanitarian, Sean Hill, have been great to work with. One key change for the year is that Temporary Permits fees will be at the discretion of the local Health Department to set.

Kerr spoke about the Homemaker program, stating that the number of clients enrolled is fluctuating, however they are continuing to work at balancing the time and needs. Kerr updated the Commissioners that the state is asking them to spend more of the allotted money.

### **Forest Plan Revision Topics & Plans - Beth Ihle & Erin Swiader:**

Present for the meeting were White Sulphur Springs and Belt Creek Deputy Ranger, Beth Ihle and Forest Plan Revision Team Leader, Erin Swiader with the Forest Service. Also in attendance was Jess Secrest, as well as field representative from Senator Daines office, Patrick Webb.

Ihle began by giving the Commissioners a detailed written and verbal update on timber sales and various other projects going on in Meagher County. The details were discussed by the Commissioners, Secrest and Ihle.

Swiader began with a brief summary of the situation stating that this is an update on step

one (1) in the process of Identification and Inventory of areas that may be suitable for inclusion in the National Wilderness Preservation System as well as lands that may be suited for timber production.

There was a very lengthy discussion regarding the nuances of what was being inventoried, why and what the final outcome would be for the portions of National Forest in Meagher County. The Commissioner's bottom line is that they are completely against and do NOT want nor would they approve of any areas being designated as Wilderness in Meagher County. The Commissioners want to see the National Forest kept as multiple use, as well as responsibly used as a natural resource for timber harvest. Secrest agrees with the Commissioners point of view.

The Forest Service is going to hold nine (9) workshops throughout the region for the public to attend and comment on the Wilderness Inventory and potential lands suitable for logging. The workshop for Meagher County is scheduled on February 29<sup>th</sup>, 2016 from 5:00 – 8:00 p.m. The location has been set for the High School Library. The Commissioners and Secrest advised that in their opinion the High School hasn't commonly been used for public meetings and would likely hinder public attendance. The Commissioners offered the Courtroom since Swiader stated there was a conflict at the Senior Center. Ihle and Swiader told the Commissioners they will consider their options and try to find a new location.

Another suggestion from Secrest was to ensure the subject title for the email that goes out inviting the public has something more specific that will catch the public's attention. Calling it "Forest Plan Revision" will not spark the specific interest they are looking for. Additionally Secrest suggested that from a mapping exercise point of view, they needed to consider a different color to differentiate between administrative and current boundaries of the Helena-Lewis & Clark National Forest. Swiader replied that she would consider his suggestion.

There was a lengthy discussion with the Commissioners and Ihle. The Commissioners want her to be an advocate for logging and multiple use. Ihle expressed that she is an advocate for those things, but from a perspective of the big picture and long term factors.

**Lunch:**

The Commissioners broke for lunch at 12:24 p.m. and returned at 1:15

**Grassy Mountain Fire District – Board Chairman, Rich Siebken:**

Siebken came in to have the Commissioners approve and sign the by-laws for the GMFD. Administrative Assistant Kate Jones, clarified with Siebken that the Commissioners had already approved the draft by-laws and only requested a copy of the signed and final by-laws from the GMFD board. A copy was taken to keep on file at the Clerk & Records Office.

**Minutes:**

Commissioner Brewer moved to approve the minutes with the changes recommended by Commissioner Hurwitz. Commissioner Hurwitz seconded. A vote was taken and approved.

**BJ Hawkins – Meagher County Public Television Station:**

BJ Hawkins came in to discuss a situation regarding a paperwork and communication issue that occurred with the DOR. The issue ultimately resulted in a delinquent tax bill being sent to Meagher County Public TV. The Commissioners asked if the TV district had ever had a tax bill in the past. Hawkins testified that the TV District has never had a tax bill in the past because it is a non-profit organization. Hawkins asked what the Commissioners wanted her to do; she offered to pay the tax bill if they thought it necessary. The Commissioners called Treasurer, Sue Phelan. After discussion with Phelan the Commissioners made a resolution to dismiss the taxes that were assessed by DOR.

**ACTION #1**

**RESOLUTION 2016 - #12**

Commissioner Hurwitz moved to dismiss the taxes that were assessed by the Department of Revenue in the amount of \$86.94 to the Meagher County Public TV District. Commissioner Brewer Seconded. A vote was taken and passed unanimously. It is therefore resolved.

**Treasurer Report, Sue Phelan:**

Phelan presented the Commissioner's with the monthly Hand Cash Balance Sheet for review and signatures. The Commissioners had no questions before signing the sheet.

Phelan presented the Commissioners with a request for a formal resolution to write of delinquent taxes that had been discussed before. The Commissioners recalled having discussed it before and agreed to a Resolution to write of taxes from Eugene Dreidlein, Joanne Bingham and WSS Cable and Internet.

## **ACTION #2**

### **RESOLUTION 2016 - #13**

Commissioner Hurwitz moved to forgive and write off the following personal property taxes:

- Eugene Dreidlein for tax year 2013 in the total amount of \$753.39. Tax #200402.
- Joanne Bingham for tax years 2012, 2013 & 2014 in the total amount of \$463.69. Tax #2560.
- WSS Cable & Internet for tax years 2011, 2012 & 2013 in the total amount of \$1513.24. Tax #200530

Commissioner Brewer seconded. A vote was taken and passed unanimously. It is therefore resolved.

Phelan also spoke with the Commissioners about the resolutions required by the Board of Investments, stating that it is simply to designate who is appointed to manage the accounts with Board of Investments. That is going to be Phelan and Deputy Treasurer, Shauna Porter. The resolutions will be passed once Commissioner Townsend returns.

The last point of discussion was regarding a wage increase for Maura Kusek. Phelan updated that Kusek has passed her probationary period of 6 months. Commissioner Brewer stated he would recuse himself from the decision. Commissioner Hurwitz asked what Phelan would like him to propose to Commissioner Townsend. After discussion, Commissioner Hurwitz stated he will present a \$1.00/ hour raise for Kusek. Commissioner Townsend will be contacted for a conference call next week to complete a formal resolution.

### **Public Comment:**

Mayor Julian Theriault came in to see the Commissioners about the work being done behind the Ambulance Building in order to finish the stabilization project. Commissioner

Hurwitz updated the Mayor on the status of work being done. The Mayor stated that all seems to be in order from the City's side of things, his only concern was that the excavation didn't tear up all of the horseshoe pits that are installed behind the Ambulance building.

The Commissioners asked if the Mayor could ensure the contractor is shown what to avoid when they arrive to the job site. Mayor Theriault agreed to show it to the contractor when the time comes.

**Claims Approved:**

Commissioners were previously presented with Check #51226 through Check #51237 totaling \$6,313.68

Commissioners were presented with Check # 51238 through Check #51308 totaling \$76,169.21.

Additionally, the Commissioners were presented with Payroll and Liability Check # 11640 through Check #11666 totaling 37,477.38. All Checks were signed as presented.

**Meeting Adjourned:**

The meeting was adjourned at 2:15 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, February 16, 2016.

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**CLERK & RECORDER**

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**CHAIRMAN**

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**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Administrative Assistant to Clerk & Recorder, Kate Jones  
Distributed February 16, 2016 to Commissioner Townsend, Commissioner Hurwitz, Commissioner Brewer, and Clerk & Recorder  
Ogle.

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

**Tuesday**

February 16, 2015

1:00 p.m. – 2:15 p.m.

Met in Commissioner's Chambers

**Meeting Called to Order:**

Commissioner Hurwitz called the meeting to order at 1:00 p.m.

**Commissioners Present:**

Commissioner Ben Hurwitz.

Commissioner Herb Townsend and Commissioner Rod Brewer were absent from the meeting.

**Minutes:**

Commissioners Hurwitz stated that he approves of the minutes as presented.

***Old Business:***

Commissioner Hurwitz contacted Commissioner Townsend on the phone to discuss the Treasurer's proposal of a wage increase for Maura Kusek in the amount of \$1.00/ hour in light of her 6 month probationary period ending. Commissioner Hurwitz and Commissioner Townsend both approved of the proposal, Commissioner Brewer has



recused himself from voting on this resolution at the previous meeting.

**Action #1**

**RESOLUTION 2016 - #14**

Commissioner Hurwitz moved to approve a wage increase in the amount of \$1.00/hour, effective January 27, 2016 for Maura Kusek. Commissioner Townsend seconded. A vote was taken and unanimously approved. It is therefore resolved.

**Sheriff Report – Jon Lopp:**

Sheriff Lopp came into the meeting and presented Commissioner Hurwitz with a written and verbal report. Commissioner Hurwitz and Lopp discussed a few specific incidents from the month.

Commissioner Hurwitz asked Lopp how the shift changes are going for the deputies and Lopp. Lopp reported that the changes are going well. There has been a large reduction in overtime and the deputies seem to be satisfied with the scheduling.

**Jeremy Carpenter – Zinke’s Office:**

Commissioner Hurwitz gave Carpenter a Forest Revision Plan packet for review and discussion. Commissioner Hurwitz also gave Carpenter a brief overview of the meeting with the Forest Service at the Commissioners meeting on February 9, 2016. Carpenter asked specific questions regarding the upcoming public workshop at which the inventoried suitable wilderness areas and areas suitable for timber will be discussed. It is Carpenters plan to attend the public meeting in WSS on February 29, 2016 from 5:00 - 8:00 p.m. The location has not officially been decided yet; Administrative Assistant, Kate Jones will follow up with Carpenter to let him know the location when it is announced.

Carpenter and Commissioner had a lengthy discussion regarding timber harvest and forest management issues. It is a widespread issue that continues to require collaboration and efforts of counties and communities with the Forest Service to work through.

**Public Comment:**

No public comment.

**Claims Approved:**

Commissioners were presented with Check # 51309 through Check #51330 totaling \$69,050.81.

All Checks were signed as presented.

**Meeting Adjourned:**

The meeting was adjourned at 2:15 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, February 23, 2016.

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**CLERK & RECORDER**

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**CHAIRMAN**

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**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Administrative Assistant to Clerk & Recorder, Kate Jones  
Distributed February 23, 2016 to Commissioner Hurwitz, Commissioner Brewer, and Clerk & Recorder Ogle.

**PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS**

**MEAGHER COUNTY, MONTANA**

**Tuesday**

February 23, 2016

2:00 p.m. – 2:55 p.m.

Met in Commissioner's Chambers

**Meeting Called to Order:**

Commissioner Brewer called the meeting to order at 2:00 p.m.

**Commissioners Present:**

Commissioner Rod Brewer.

Commissioner Herb Townsend and Commissioner Ben Hurwitz were absent from the meeting.

**Minutes:**

Commissioner Brewer tabled approving the minutes because he was not in attendance at the previous meeting.

**Commission:**

Commissioner Brewer reviewed correspondence and discussed items pending Commissioner Approval with Administrative Assistant Kate Jones. Commissioner Brewer left the meeting at 2:32 to go look at the work being done on the ambulance barn foundation by Gittins Engineering. Commissioner Brewer returned at 2:55 to participate in the Meagher County Safety meeting.

County Attorney, Kimberly Deschene gave Commissioner Brewer a contract for review regarding the consultation from Bob Anderson for the County Shop soil reclamation project. There was one exhibit missing from the contract. Commissioner Brewer tabled approving the contract until the missing exhibit can be reviewed.

**Public Comment:**

No public comment.

**Claims Approved:**

Commissioners were presented with Check # 51331 through Check #51339 totaling \$25,778.92.

All Checks were signed as presented.

**Meeting Adjourned:**

The meeting was adjourned at 2:55 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, March 1, 2016.

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**CLERK & RECORDER**

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**CHAIRMAN**

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**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**

Note: Minutes taken by Administrative Assistant to Clerk & Recorder, Kate Jones  
Distributed Minutes March 1, 2016 to Commissioner Townsend, Commissioner Hurwitz, Commissioner Brewer, and Clerk & Recorder Ogle.