

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

March 1,8 and 15, 2016

Tuesday

March 1, 2016

1:00 p.m. – 3:15 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

Commissioner Rod Brewer.

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

Minutes:

Commissioner Brewer approved the minutes from the regularly scheduled meeting on February 23, 2016 as presented.

Commissioner Townsend:

Commissioner Townsend called in to the meeting and spoke with Commissioner Brewer.

Commissioner Hurwitz:

Commissioner Hurwitz called in to the meeting and spoke with Commissioner Brewer.

Commission:

Commissioner Brewer reviewed correspondence and discussed items pending Commissioner Approval with Administrative Assistant Kate Jones.

Sheriff Report – Jon Lopp:

Sheriff Jon Lopp came in and presented Commissioner Brewer with the written monthly

report and answered Commissioner Brewer's questions. Lopp updated that it has been a fairly slow month with relatively little to report.

Commissioner Brewer asked how the shift changes are working for the Deputies and Lopp. Lopp reported that it is working well so far. To this date there have not been any problems providing adequate coverage. There may be about three weeks this spring when Deputy Wendt is out for medical reasons. Sheriff Lopp stated he is trying to get several of the Reserve Deputies to cover if/when Wendt is out.

Commissioner Brewer asked when the new Sheriff vehicle would arrive. Lopp stated that he anticipates it will be sometime in March.

Public Comment:

Land owners, Emil and Doris Nygard came in to speak with Commissioner Brewer about Milligan Road. They own a seasonal cabin up on the far north end of the county. They are reporting that the road has been in poor condition and muddy for many, many years. They continued, wondering if there are any planned road projects for that area in the future. Commissioner Brewer stated that he was unsure, but he would present the request to the other two Commissioners when they are at the next meeting as well as the Road Supervisor.

The Nygards also inquired as to what else besides the Copper Mine might be coming to Meagher County. Commissioner Brewer updated them on the Gordon Butte Energy Park.

Claims Approved:

Commissioner Brewer was previously presented with Check # 51340 through Check # 51349 totaling \$3,076.78 during payroll on 2/29/2016. Payroll and Liability Check # 11667 through Check # 11689 totaling \$37,701.48 were also presented on 2/29/2016. Commissioner Brewer was presented with Check # 51350 through Check #51371 totaling \$5,924.60 on 3/1/2013.

All Checks were signed as presented.

Meeting Adjourned:

The meeting was adjourned at 3:15 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, March 8, 2016.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Administrative Assistant to Clerk & Recorder, Kate Jones
Distributed Minutes March 8, 2016 to Commissioner Townsend, Commissioner Hurwitz, Commissioner Brewer, and Clerk &
Recorder Ogle.

Tuesday

March 8, 2016

8:30 a.m. – 2:45 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

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.

Road Report – Bruce Smith – Birky Road Abandonment:

The Commissioners and Road Supervisor, Bruce Smith reviewed Gas Tax maps for 2016. No one identified any errors and Commissioner Brewer signed the maps and certification letter to be returned to MDT for their records. A copy for the County's records will be requested also.

Everyone discussed William Galt's petition to abandon a portion of Birky Road. Smith updated the Commissioners that he had reviewed the petition and map outlining the portion of road in question. Based on the information presented, Smith stated he sees no issues with the Commissioners accepting the petition. The Commissioners both agreed that it would be okay with them provided the County Attorney, Kimberly Deschene, has no issues with it as well.

Smith updated the Commissioners that one of the Road Department employees had received a job offer elsewhere. As of right now Smith believes he won't be leaving the County's employment. Smith feels it is probably a good idea to consider giving the employee a raise in the near future because this employee is highly skilled and a large asset to the county. The Commissioners agreed to give it their consideration and also agree that they don't want to see the employee leave. A raise would be considered for the beginning of the next fiscal year.

Treasurer's Report – Sue Phelan:

County Treasurer, Sue Phelan presented the Commissioners with the monthly Hand Cash Balance Sheet for review and signatures. Phelan answered all their questions & expressed that the Auditor had asked her to add another line to the report this year.

Phelan spoke with the Commissioners about the position vacancy for the MVD department in her office when Angie Ringer leaves employment on May 1, 2016. Phelan said she will be advertising to fill the part-time position available in her office for a MV Clerk.

County Attorney Report – Kimberly Deschene:

County Attorney, Kimberly Deschene came to the meeting to speak with the Commissioners and give her monthly report. Deschene advised the Commissioner's that she has reviewed the petition to abandon a portion of Birky Road and feels that as long as there are no public lands that would be inaccessible because of the abandonment it all looks okay to her. The Commissioners reviewed a map of the area with Deschene and

showed her the portion to be abandoned is after the state section.

Action #1

RESOLUTION 2016 - # 15

Commissioner Brewer moved to accept the petition received from William Galt for review and investigation. The petition is for abandoning a portion of that county road commonly known as Birky Road, from the south section line of Section 12, Township 8 North, Range 6 East, to the Meagher County/Broadwater County line. Commissioner Hurwitz seconded the motion. A vote was taken and passed unanimously. It is therefore resolved.

Action #2

RESOLUTION 2016 - #16

It was moved by Commissioner Hurwitz that he and Road Supervisor, Bruce Smith, be designated to do the investigation before abandoning a portion of Birky Road. Commissioner Brewer seconded. A vote was taken and passed unanimously. It is therefore resolved.

Health Nurse Report – Eva Kerr:

County Health Nurse entered the meeting and presented the Commissioners with her monthly written report.

Kerr stated that she had an extremely busy month. There have been many additional facets for many of the programs that the County Health Department is involved with. Kerr said that so far she is doing fine and able to keep up with everything. Commissioner Hurwitz said that if it ever feels like too much, the Commissioners will fully support her stepping back from things that are just extra and burdensome. Commissioner Brewer agreed to the same. Kerr expressed thanks for their support, but stated that she really is doing fine so far.

One of Kerr's major projects this month has been coordinating an education class for the school & local community members on preventing suicide. There were 3 youth suicides in Livingston this year, all juniors in high school. It is a high priority to get the education completed in our community.

Alvin Kujath & Ken Martin – Building Maintenance:

Presented the Commissioners with a request to purchase a used riding Lawn Tractor for \$1,000.00. The Original price for the Lawn Tractor was \$2,599.00. Martin and Kujath believe it could be used in the winter also for snow removal. The Commissioner's would like to have a few additional questions answered, most of all that it could be used for multiple things.

Martin also updated the Commissioners that he will be leaving for a couple of weeks for vacation sometime in June this year. He will look into someone to cover the custodial work in the courthouse while he is gone. Martin mentioned that perhaps Tami Jones is interested.

Fire & DES Report – Rick Seidlitz:

Seidlitz presented the Meagher County EMPG grant acceptance letter for review and signatures.

ACTION #3

RESOLUTION 2016 - #17

Commissioner Hurwitz made a motion to approve and confirm Meagher County is accepting the FFY 2016-17 EMPG grant with the project funding as follows:

- | | |
|------------------------------------|-------------|
| • EMPG Federal Share Funding (50%) | \$13,982.40 |
| • Meagher County Match (50%) | \$13,982.40 |
| • Total project Cost | \$27,964.80 |

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

The Title III money had been approved by resolution with intent to spend on the Fire Wise Program at a previous Commission meeting. However, after the recent county audit, it was found that a satisfactory resolution and public notice of a 45 day comment period had not been adequately done according to Sharon Tripp, with Tripp & Associates. It needs to be redone with more specificity.

ACTION #4

RESOLUTION 2016 - #18

Commissioner Hurwitz moved to approve the following public notice for publishing in the Meagher County News.

NOTICE OF PUBLIC COMMENT PERIOD

Title III – Secure Rural Schools and Community Self-Determination Act

Notice is hereby given that Meagher County will open a forty-five (45) day period to accept written comment from the public on the payments received by the County pursuant to Title III of the Secure Rural Schools and Community Self-Determination of Act, as reauthorized (the “SRS Act”).

Comment Period: Written comments will be accepted immediately through April 29, 2016 and can be mailed or hand-delivered to:

Meagher County
PO Box 309
White Sulphur Springs Mt 59645
dogle@meaghercounty.mt.gov

Comment Purpose: Meagher County is eligible to receive revenue under Title III of the SRS Act for application to certain statutorily defined purposes specified in Title III. These purposes are generally categorized as (1) activities under the Firewise Communities program; (2) reimbursement of costs for search and rescue and other emergency services on federal land within Meagher County; and (3) development of a Community Wildfire Protection Plan.

Proposed Use: Meagher County intends to use the funding to carry out activities under the Firewise Communities program to provide to homeowners in fire-sensitive ecosystems education on, and assistance with implementing, techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires.

Additional Information: Information regarding the County’s Firewise Communities program is available from the County’s Fire Chief and DES coordinator. Additional information regarding Title III funds is available from the [US Department of Agriculture’s Forest Service webpage discussing the SRS Act](#).

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

therefore resolved.

Seidlitz updated the Commissioners on a situation he had with one of the large doors at the building out at the Airport. It is looking more and more critical that the Commissioners consider adding on to that building and replacing the doors.

Alan Stanbery from Morrison Maierle Inc. & Mike Gittins from Gittins Foundation Specialist Inc. entered the meeting.

Commissioners and Seidlitz continued discussing the need to hire an engineer to draw plans for the Ringling Fire Building and the upgrades for the Airport Fire building.

Stanbery spoke up with interest and offered his services. The results of the discussion was that Stanbery could draw up plans that require only finishing touches, billed at an hourly rate with a cap of \$1,500.00; then the County can get cost estimates from contractors. Once the Commissioners are ready to build Stanbery can finish the plans, stamp with his seal and submit them to the state for approval. The Commissioners and Seidlitz all agreed that they would like Stanbery to get in touch with Bob Rooney for more details and then go ahead with drafting plans for Meagher County.

Stanbery continued addressing the Ambulance building. He has finished the inspection of the foundation stabilization that Gittins Foundation Specialist Inc. has completed. At the northwest end, down below the surface of the foundation it was found that the concrete was “Honey Combed” and very easily chipped off. This was likely due to snow in the footing when the mud was poured. Because of questions about the load of the building overall, there had to be piers placed under every pillar location. The average depth of the Piers was 16 feet.

Over on the south side between the overhead doors they are completing the twist stabilization. It was identified that they will need extra plates and anchoring bolts to prevent hitting any of the heated pipes in the slab. Gittins told the Commissioners that it is a minor enough change order that he is not going to adjust what he is charging the county.

The last situation discussed was that there was a water main that pulled away from the curb stop on the south-easterly end of the ambulance building. It is estimated that a large amount of water was running underneath the building for at least 5 days, up to 7 days. Gittins and his crew reported that they did run into water on the north-easterly end of the foundation when they were excavating. Over all, this will need to be watched very

closely for some potential issues down the road.

Rick Seidlitz left the meeting.

Library Budget – Gordon Doig:

Gordon Doig, Chairman of the Library Board came in to discuss some slight shortfalls in the Library's budget. Doig reported that what they have available in the fund to pay the part time help will be approximately \$2,200 short. Additionally the computer updating has been costly and that fund will be approximately \$800.00 short. By his recollection it may be because of less use the year prior when they had a large amount of volunteer help so they hadn't spent as much out of their budget.

Clerk & Recorder, Dayna Ogle entered the meeting. Doig updated her on the situation with the budget, highlighting that he isn't blaming her and definitely isn't upset. Ogle provided Doig with the preliminary budget that the Librarian, Jessica Ketola had turned in. The sheet only had one figure wrote in and was instructed by Ketola that was the only change. Doig stated he apologized and was remiss because the Library Board had not checked what was submitted. Ogle said she feels it would be best to just continue through the year and see what the budget amendments need to be done toward the end of the F.Y.

The Commissioners and Doig agreed to do what Ogle had recommended.

Ken Martin entered the meeting:

Martin discussed the mower further with the Commissioners and it was decided that it would not be purchased at this time.

Public Comment:

Ray Shihaden, a resident of White Sulphur Springs came in to discuss an issue he has with a member of one of the Boards in Meagher County. The Commissioners and Shihaden discussed the issue at length. Ultimately Shihaden thanked the Commissioners for their time and attention in the matter. Shihaden agreed that he will do his best to allow peaceful resolution and avoid any further confrontation, he hopes the other party will do the same also.

Claims Approved:

Commissioners were presented with Check #51372 through Check #51407 totaling \$64,967.27. All Checks were signed as presented.

Meeting Adjourned:

The meeting was adjourned at 2:45 p.m.

Next Meeting:

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

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Administrative Assistant to Clerk & Recorder, Kate Jones
Distributed March 15, 2015 to Chairman Townsend, Commissioner Hurwitz, Commissioner Brewer, and Clerk & Recorder Ogle.

Tuesday
March 15, 2016
8:30 a.m. – 12:15 p.m.
Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

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

Minutes:

Commissioner Hurwitz moved to approve the minutes from the March 8, 2016 meeting. Commissioner Brewer seconded. A vote was taken and was approved.

Treasurer – Sue Phelan:

Phelan entered the meeting to present the Commissioners with a request to have two mobile trailers removed from our tax rolls as they have been destroyed or are in the process of being destroyed. They are as follows:

- Steve & Nikki Smith, a 1974 Chickasha that has been destroyed
- Kenneth Leroy Johnson, a 1982 Moduline that is in the process of being destroyed by Rick Low.

Phelan updated the Commissioners that the Department of Revenue has agreed that they no longer assess taxes on either of the above detailed units and will be taking them off of the DOR records also.

ACTION #1

RESOLUTION 2016 - #19

Commissioner Brewer moved to remove the taxes assessed to Steve & Nikki Smith, tax ID# 0000300063 in the amount of \$68.26 and Kenneth Leroy Johnson, tax ID# 00003000293 in the amount of \$74.88 from the Meagher County tax rolls. Commissioner Hurwitz seconded. A vote was taken and unanimously approved. It is therefore resolved.

SCORE – Economic Development Consultation, Mary Williams:

Present for the meeting:

Meagher County Board of County Commissioners
Mary Williams, secretary from Helena SCORE

Brian Obert, MBAC
Buddy Hanrahan, Chamber of Commerce
Jim Richards, Chris Hedrick, Beth Hunt, Jess Secrest, Cal Moore and Mike Eby,
City
Planning Board. Mike Eby also representing the City Council
Dallas Rasmussen, Dutton State Bank
Sarah Hamlen and Gail Berg representing for Rick Berg, County Planning Board

Mary Williams, a representative from SCORE came in to present the Commissioners with information regarding a grant that Meagher County has received. SCORE chapter of Helena covers Helena, Butte and White Sulphur Springs. The purpose of the meeting today is to introduce the idea of starting an Economic Growth Council in WSS. Williams stated that it is Meagher County's opportunity to decide what or how we want to market ourselves in the future. Once a growth council is established in WSS, a marketing professional from SCORE will be able to help target and advertise for what the county wants and needs. SCORE is willing to have a representative sit on the council, but do NOT want to Chair. Williams also advised everyone present the grant funds MUST be allocated by September 30, 2016.

Mentors from SCORE will come from Helena and do a day of appointments with local business owners and entrepreneur's to discuss business plans and marketing. SCORE mentors' time is on a volunteer basis; however, they do receive mileage and per diem that will be paid for out of the WSS grant.

A lengthy discussion was conducted with an opportunity for everyone present to comment. Full support of a Growth Council was expressed unanimously. The main point that needs to be determined is who will sit on the council and who the lead person should be. Sarah Hamlen suggested to consider incorporating it into the Extension Agent position which has worked well for other counties in Montana. Everyone agreed that was an idea worthy of sincere consideration.

Buddy Hanrahan was selected for the task of coordinating with Brian Obert to research different options and models to follow from other counties with active and functioning growth councils. Hanrahan will notify all interested parties and keep the Commissioners in the loop.

It was reiterated by Commissioner Hurwitz that the Board of County Commissioners is in full support of having a growth council but will not be overseeing it. However they very much want to be in an advisory capacity.

Commissioner Hurwitz asked what happens for funding in the future. Williams told everyone that for this year there is the grant of \$5,000. Obert spoke up also, updating that MBAC has put \$5,000 in their budget to expend towards the Meagher County Growth Council start up. Williams stated that going forward there should be money available if all the boxes are checked appropriately and quarterly reporting is completed.

Southwestern Montana Financial Center (SWMFC) – Julie Blockey:

The Commissioners and Blockey began their meeting by discussing the effect Obama care has had on the Health Insurance Industry. Blockey feels it has been extremely hard on the Industry and it has forced many companies out of business.

Clerk and Recorder Dayna Ogle, Deputy Clk & Recorder Penny Plachy, Treasurer Sue Phelan and Deputy Treasurer Shauna Porter entered the meeting.

Blockey updated everyone that the Pacific Source Rates are projected to increase about 8%.

There are not renewal rates yet, however, Blockey doesn't predict that they would change much at this point. The premium rates are slightly lower with Blue Cross Blue Shield. The issue with BCBS is deductible credit because they run on a calendar year instead of fiscal year. Rates for life and vision insurance will not increase this year.

Clerk & Recorder Ogle asked Blockey if she would please look for a different vision plan. Blockey acknowledged the request and stated she will find a different vision policy for the group.

Ogle also inquired with Blockey about an employee that will be turning 65 this year, asking if there needs to be any changes in the employee's health coverage with the county. Blockey advised that the employee should stay on the county's group plan and then also select part A of Medicare. For group plans over 20, Pacific Source will accept parties over age 65. Ultimately it would be best for the employee to call Julie Blockey to discuss the coverage options in more detail.

The last point of discussion was the College Tuition Benefit from Guardian Dental. Blockey reiterated the Tuition Benefit that is available to the employees enrolled in the dental plan. Administrative Assistant Kate Jones updated everyone that she had sent out the information to all department heads asking them to let the employees know of the

benefit. It was also brought up that it would helpful if Blockey told employees about it at open enrollment also.

Clerk & Recorder

Discussed placing the 2002 Chevy Duramax Diesel from the Sheriff's Department up for bid. The Commissioners would like to find out from Dallas Rasmussen at Dutton State Bank what the book value is and make a decision after that.

Public Comment:

No public comment.

Claims Approved:

Commissioners were presented with Check #51408 through Check #51442 totaling \$20,183.79. All Checks were signed as presented.

Meeting Adjourned:

The meeting was adjourned at 12:15 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, April 5, 2016.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder, Kate Jones,

Distributed April 5, 2016 to Chairman Townsend, Vice Chair Brewer, and Commissioner Ben Hurwitz, and Clerk & Recorder Ogle