

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

January 3rd, 2023

8:30 a.m. – 11:30 a.m.

Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

Chair Rod Brewer, Vice Chair Ben Hurwitz and Commissioner Errol Galt were present for the meeting.

Minutes:

ACTION #1

Commissioner Hurwitz moved to approve the Minutes from December 20th, 2022. Commissioner Brewer seconded the motion. A vote was taken and minutes were approved. Commissioner Galt abstained from voting.

Swearing in of New Elected Officials:

Chair Brewer swore in the newly Elected Officials in the Meagher County Courtroom.

- *Clerk & Recorder – Liv West*
- *County Attorney – Burt Hurwitz*
- *County Commissioner District #2 – Errol Galt*
- *Justice of the Peace – John Lesofski*
- *Treasurer – Maura Kusek*

Monthly Road/Fire Report—Jake Kusek:

Road Supervisor Jake Kusek and Fire Volunteer Jerami West entered the chambers at 9:30 a.m.

Fire Volunteer West and Kusek presented the Commissioners with a memorial tribute decal sketch and asked permission to place the decal on the top of the new Fire Chief Truck. Kusek, West, and the Commissioners discussed the memorial tribute decal and the meaning of the different elements. Commissioners approved the placing of the memorial tribute decal but made it a requirement that the family be involved and gives permission for the memorial tribute.

Kusek then updated the Commissioners on the continued work with Gravel Permit writer Eric Urban on the Fort Logan Gravel Pit Application. Kusek and the Commissioners then discussed the plowing snow in the county; a request from a Postal Delivery worker asked if the road crew would be more mindful of not piling snow in front of the mail boxes on county roads for safety concerns. Kusek ended his update on the John Deere Grader Leases, terms of the contract included all maintenance/repairs to the graders minus tires. The graders have an expected delivery date on June 2023.

County Sprinkler Maintenance/Service Contract – Bill Dutton:

Maintenance Supervisor Bill Dutton and Custodian Rosie Spaulding entered the chambers at 10:00 a.m. Chief Financial Officer Dayna Ogle entered the chambers at 10:15 a.m.

Dutton updated the Commissioners that the Sprinkler System Maintenance/Service contract with Haugan LLC has ended. Commissioners and Dutton discussed the current condition of the Courthouse sprinkler system, length of contract, and if maintenance was necessary within the contract. Also, how the contract includes work for the library and cemetery systems as well. Commissioners instructed Dutton to have vendors choose the length of contract within a three (3) to five (5) year time range. The following decision was made.

ACTION #2

Resolution Fiscal Year 22.23 - #69

Commissioner Hurwitz moved to grant Dutton the ability to solicit bids for a three (3) to five (5) year Sprinkler Maintenance/Service Contract for Meagher County. Commissioner Galt seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Bids will be opened and reviewed on Tuesday February 7th, 2023 at 10:00 a.m.

Dutton then updated the Commissioners on the County Boiler Systems and his decision to not purchase and install the automatic chemical machine. Dutton stated that he chose not to install/purchase the automated systems due to unexpected increases in the cost and training of the units.

County New Year's Resolutions:

Clerk Luchterhand presented the Commissioners with the New Year's Resolutions for the County.

ACTION #3

RESOLUTION FISCAL YEAR 22.23 - #63

Whereas, the board of county commissioners must elect one of its members as presiding officer (MCA §7-5-2109), and

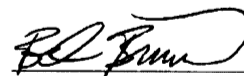
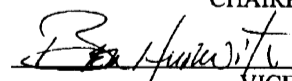

Whereas, the presiding officer shall preside at all meetings of the board, and in case of the presiding officer's absence or inability to act, the members present shall select one of their number to act temporarily as presiding officer,

It Is Hereby Resolved:

Rod Brewer shall be the Chairperson of the Meagher County Board of County Commissioners through December 31, 2024.

Dated this 3rd day of January, 2023.


CLERK & RECORDER


CHAIRPERSON

VICE CHAIR

COMMISSIONER



RESOLUTION FISCAL YEAR 22.23 - #64A

Whereas, the governing body of the county shall establish by resolution a regular meeting date and notify the public of that date (MCA §7-5-2122), and


Whereas, the governing body of the county, except as may be otherwise required of them, may meet at the county seat of their respective counties at any time for the purpose of attending to county business, and


Whereas, the commissioners may, by resolution and prior two days' posted notice, designate another meeting time and place,

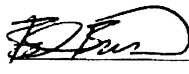
It Is Hereby Resolved:

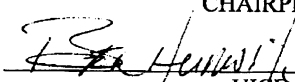
The Meagher County Board of County Commissioners shall meet the first three (3) Tuesdays of each month beginning at 8:30 a.m. and running till said meeting is complete. The meetings shall take place in the Meagher County Courthouse.


Dated this 3rd day of January, 2023.


 CLERK & RECORDER




 CHAIRPERSON


 VICE CHAIR


 COMMISSIONER


RESOLUTION FISCAL YEAR 22.23 - #64


Whereas, unless otherwise provided by law, each officer shall keep the officer's office open for the transaction of business during the office hours determined by the governing body by resolution after a public hearing and only if consented to by any affected elected county officer each day except Saturdays and legal holidays,


It Is Hereby Resolved:

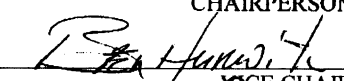
The Meagher County Courthouse will be open to the public from 8:00 a.m. through 4:00 p.m. Monday through Friday.

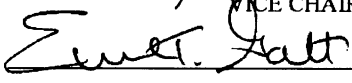
Dated this 3rd day of January, 2023.


 CLERK & RECORDER




 CHAIRPERSON


 VICE CHAIR


 COMMISSIONER

RESOLUTION FISCAL YEAR 22.23 - #65

Whereas, unless otherwise provided by law, each officer shall keep the officer's office open for the transaction of business, during the office hours determined by the governing body by resolution after a public hearing and only if consented to by any affected elected county officer each day except Saturdays and legal holidays.

Whereas, Court hearings and meetings may be scheduled during or outside of office hours without notice. In the event of Court or meetings out of the office, the following hours may be changed and/or cancelled without notice.

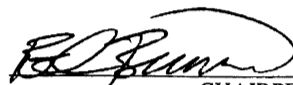
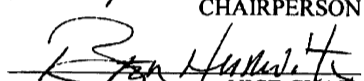
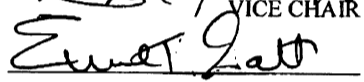
It is Hereby Resolved:

The office of the County Attorney shall be open Monday through Friday from 8:30 a.m. to 4:30 p.m. Scheduled appointments may be taken outside of office hours.

DATED this 3rd day of January, 2023.


CLERK & RECORDER




CHAIRPERSON

VICE CHAIR

COMMISSIONER

RESOLUTION FISCAL YEAR 22.23 - #66

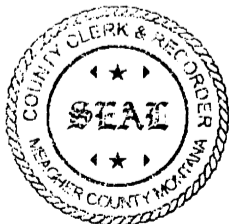
Whereas, it is recommended that counties adopt a resolution establishing mileage, lodging and per diem rates for business travel,

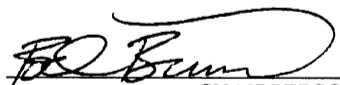
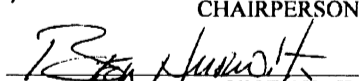
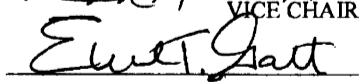
It Is Hereby Resolved:

Meagher County will use the prevailing state rates for mileage and lodging as of January 1st, 2023, and continue with the per diem rates set in Resolution 2013 - # 76 established November 19, 2013.

Dated this 3rd day of January, 2023.


CLERK & RECORDER




CHAIRPERSON

VICE CHAIR

COMMISSIONER

RESOLUTION FISCAL YEAR 22.23 -#67

Whereas, unless otherwise provided by law, each officer shall keep the officer's office open for the transaction of business, during the office hours determined by the governing body by resolution after a public hearing and only if consented to by any affected elected county officer each day except Saturdays and legal holidays.

Whereas, the office of the Justice of the Peace is a part-time position and should consist of 20 hours per week. This office shall be open Tuesday and Wednesday from 8:00 a.m. to 5:00 p.m.; Hours shall be posted for the public's information. A minimum of four (4) additional hours will be dedicated to Justice Court administrative duties, clerk of court duties, and official criminal justice meetings throughout the week as needed to maintain the office. Court hearings and meetings may be scheduled during or outside of office hours without notice.

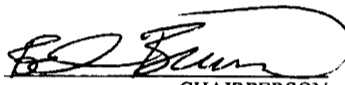
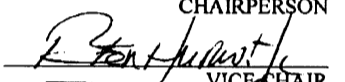
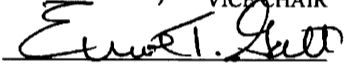
It is Hereby Resolved:

This office shall be open Tuesday and Wednesday from 8:00 a.m. to 5:00 p.m.; Hours shall be posted for the public's information. A minimum of four (4) additional hours will be dedicated to Justice Court administrative duties, clerk of court duties, and official criminal justice meetings throughout the week as needed to maintain the office. Court hearings and meetings may be scheduled during or outside of office hours without notice.

DATED this 3rd day January, 2023.


CLERK & RECORDER




CHAIRPERSON

VICE CHAIR

COMMISSIONER

RESOLUTION FISCAL YEAR 22.23 - #68

Whereas, Section 46-18-403, MCA, states that “the daily rate for incarceration must be established annually by the Board of County commissioners by resolution” and that the daily rate must be equal to the actual cost incurred by the detention facility and it has been determined that the actual cost incurred by the Meagher County detention facility, on an average daily basis, is equal to Seventy-Five dollars (\$75.00);


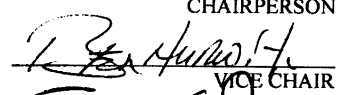

Now, therefore, be it resolved by the Board of County Commissioners of Meagher County that the daily rate for confinement costs, other than for actual medical costs, as ordered by the court and paid in advance for confinement and prior to payment of any fine, is hereby established at \$75.00 per day; and

Be it further resolved, if a judgment is for a fine and imprisonment until the fine is paid, the detainee shall be allowed a credit of \$75.00 for each day of incarceration; and that an inmate is responsible for the actual costs of medication, medical services, or hospitalization while detained in a detention center, based upon the individual’s ability to pay and/or private provider health care coverage, or a bona fide and responsible third-party payer; and

Be it further resolved, that the County Attorney shall initiate proceedings to collect from the inmate any charges arising from the medical services or hospitalization in accordance with 7-32-2245, MCA.

Dated this 3rd day of January, 2023.


CLERK & RECORDER


CHAIRPERSON

VICE CHAIR

COMMISSIONER



Open Sealed Request for Proposals (RPF) New Ambulance – Ambulance Board:

Ambulance Board Member Jack Berg and Chief Financial Officer Dayna Ogle entered the chambers at 11:00 a.m. Steve Apgar conferenced called into the meeting at 11:25 a.m.

Berg was presented with one (1) sealed Request for Proposal (RFP). The RFP was from R.E.S. APGAR Ambulance for \$257,911 for a 2023 or newer Dodge 4500 Ambulance with a delivery date of four hundred (400) days. Berg, Ogle, and the Commissioners briefly went through the RFP package and came up with specific questions before further review; main concern was the price and if a down payment was necessary to secure the present price. Apgar explained the price for the ambulance would not change over the 400 days but may have a variation cost for shipping. Apgar stated that the ambulance is equipped with the proper plates necessary to mount/secure the Stryker Power Cot or Stryker Power Load in accordance with Change Notice 7-12 for 5G Crash Retention. Apgar ended discussion with stating that the company has four (4) ambulances that they loan as needed and would be available to Meagher County if necessary while waiting on the ordered ambulance. Commissioners tabled any decision on the presented RFP package until the January 10th, 2023 meeting to allow the Ambulance Board to review the package.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Check #59909 through Check #59935 totaling \$18,165.38. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 12:00 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, January 10th, 2023.


CLERK & RECORDER


CHAIRMAN

SEAL




VICE-CHAIRMAN


COMMISSIONER

Note: Minutes taken by Clerk to the Commission Rebekah Luchterhand
Distributed January 10th, 2023 to Chairman Brewer, Vice Chair Hurwitz, and Commissioner Galt, and Clerk & Recorder West.