

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

June 7th, 2022

8:30 a.m. – 2:00 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 were present for the meeting.

Minutes:

ACTION #1

Commissioner Brewer moved to approve the Minutes from May 17th, 2022. Chair Townsend seconded the motion. A vote was taken and minutes were approved.

Public Hearing – Meagher County Policy Changes – Dayna Ogle:

Human Resource Officer Dayna Ogle and Treasurer Shannon Graham entered the chambers at 9:00 a.m. Clerk & Recorder Penny Plachy entered the chambers at 9:15 a.m.

Ogle presented the *Emergency Services Holiday Schedule, Administrative Sick Pay due to Isolation/Quarantine, Children in the Workplace, and Special Events Insurance Requirement Guidelines* drafts for review.

Ogle stated that the *Children in the Workplace and Special Events Insurance Requirement Guidelines* were policy recommendations from MACo. Ogle stated that the Special Events Policy is for non-County sponsored events taking place on county property. Commissioners found no issues within the Special Events Policy. Minor edits were made to the Children in the Workplace Policy. Brief discussion took place about the interpretation of minimal within the Children in the Workplace Policy. Commissioners made the following motion.

ACTION #2

Resolution Fiscal Year 21.22 - #81

Commissioner Brewer moved to accept the *Emergency Services Holiday Schedule and Administrative Sick Pay due to Isolation/Quarantine* policies as presented. Chair Townsend seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Sheriff Report – Jon Lopp:

Sheriff Jon Lopp entered the chambers at 9:30 a.m.

Lopp presented the Commissioner with the May 2022 Complaint Report. Lopp and the Commissioners discussed the complaint report, mainly the vehicle accidents. Lopp then updated the Commission on the supply chain issues with ordering new patrol vehicles and that Deputy West was currently at Helena Motors reviewing their on hand 2022 stock for purchasing options to replace the 2014 F150 in the fleet.

Senior Center Update – Beth Hunt:

Beth Hunt, Sue Phelan, Tary Buckingham, Cal Moore, Kyle Morrow, and Alvin Kujath entered the chambers at 10:0 a.m.

Hunt presented the Commissioners with a flyer about the Senior Center. Hunt gave a brief history about the Senior Center since its beginning in 1972 and stated that there is a tentative plan to celebrate the 50-year anniversary in September 2022. Hunt went through an extensive review of the services provided by the center, community usage of the center, the Meals on Wheels program, current and past membership numbers, and the consistent upgrades to the facility. Phelan, Morrow, and Kujath spoke about how the center gives many in the community a place to socialize, connect, and feel included.

Hunt requested that the Commissioners please consider increasing their donation amount to \$15,000 for Fiscal Year 22.23 to help with the overall increasing costs due to the current economy. The Commission made the following decision.

ACTION #3

Resolution Fiscal Year 21.22 - # 82

Commissioner Hurwitz moved to donate \$15,000 to the Senior Center in FY 22.23. Commissioners Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Mayor Rick Nelson entered the chambers at 10:25 a.m. Nelson updated the Commissioners about a joint meeting the City Council would like to schedule with the Commissioners to further discuss the Housing Study with the Meagher County Stewardship Council and HRDC. Commissioners decided to schedule the meeting during their June 14th, 2022 and have Clerk Luchterhand contact parties involved about the time.

Road/Fire Report – Jake Kusek:

Road Supervisor Jake Kusek, RDO Representative Damon Van Deist and County Attorney Burt Hurwitz entered the chambers at 10:30 a.m.

Commissioners, Kusek, and County Attorney Hurwitz discussed the 16 Mile Bridge project. Currently the bridge has been closed by notice from MDT due to safety concerns for public use. Since the closure, the County has found an eighty-nine (89) foot railcar to use as a replacement bridge and is working through the logistical process before construction. It was decided during discussion to contact Andy Cullison at MDT before finalizing any construction decisions. Discussion ended on gravel pits within the County.

RDO Representative Van Deist presented the Commissioners with Leasing Cost Estimates for a 672 and 674 John Deere Grader. Van Deist explained the lease agreements, the pay schedule, covered maintenance under the lease agreement, buyback options, and how current machine trade-in value is calculated. Commissioners asked what the length of production time is on a new grader. Van Deist stated that John Deere is out roughly nine (9) months from the order date. Brief discussion took place about which graders in the fleet that Kusek would like to upgrade. Van Deist stated that he would send Kusek updated estimates with varying options (buyback or buyouts) for both models discussed today.

Lunch

Title III – Intent to Spend 45 Day Comment Period – F.Y. 22.23 – Dayna Ogle:

Chief Financial Officer Dayna Ogle entered the chambers at 1:00 p.m.

Ogle presented the Commissioners with information regarding the Title III – Secure Rural Schools and Community Self-Determination Act. Commissioners and Ogle discussed how to best utilize the Title III monies within Fiscal Year 22.23. Ogle then requested to open the required forty-five (45) comment period for the Title III Funds.

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") for Fiscal Year ending June 30, 2023.

Comment Period: Written comments will be accepted immediately through August 15, 2022 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.

Proposed Use: Meagher County intends to use the funding for one or all of the following uses: **(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 including firefighting and law enforcement patrols; (3) cover training costs and equipment purchases directly related to the emergency service, and (4) development of a Community Wildfire Protection Plan.**

ACTION #3

Resolution Fiscal Year 21.22 - # 83

Commissioner Brewer moved to open the forty-five (45) day comment period on the Title III Funding through Secure Rural Schools and Community Self-Determination Act. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Funds Transfer – Dayna Ogle:

Ogle presented the Commissioners with a request from the Ambulance Board requesting that \$25,000 of Ambulance Fund 2230 be moved to the Ambulance Outlay Fund 4030 to assist a future purchase of an ambulance. Commissioners and Ogle discussed the Cash balance comparative to the current balance of the Ambulance Fund 2230. Commissioners made the following decision.

ACTION #3

Resolution Fiscal Year 21.22 - # 84

Chair Townsend moved to transfer \$25,000 from Ambulance Fund 2230 to Ambulance Outlay Fund 4030. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Bank Account Discussion – Shannon Graham:

Treasurer Shannon Graham entered the chambers at 1:30 p.m.

Graham asked the Commissioners for permission to close the 911 Checking Account held at the Bank of the Rockies. The separate checking account is not required because the funds are accounted for separately within the Black Mountain Accounting Software System. Commissioners made the following decision.

ACTION #4

Image in the Minutes filed in the Clerk & Recorder's Office

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #59219 through Check #59247 totaling \$. Claim Check #59192 through Check #59217 totaling \$82,214.99 were pre-presented. Payroll Check #13610 through Check #13628 totaling \$43,047.21 and Electronic Payroll Check #86370 through Check #86419 totaling \$129, 685.23 were pre-presented. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 2:00 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, June 14th, 2022.

Tuesday
June 14th, 2022
8:30 a.m. – 3:30 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 were present for the meeting.

Minutes:

ACTION #1

Chair Townsend moved to approve the Minutes from June 7th, 2022. Commissioner Brewer seconded the motion. A vote was taken and minutes were approved.

County Attorney Report – Burt Hurwitz:

County Attorney Burt Hurwitz and Road Supervisor Jake Kusek entered the chambers at 9:00 a.m.

County Attorney Hurwitz presented the Commissioners with a County Attorney Report for May 2022. County Attorney Hurwitz, Kusek, and the Commissioners discussed permitting and closing of gravel pits with DEQ in the County. County Attorney then updated the Commissioners on the civil and criminal matters of the County. Discussion ended on the recently filed briefs in the *Trout Unlimited v. DEQ* lawsuit.

Insurance Policy Review – Mid-Montana Insurance – Jodi Tierney:

Jodi Tierney, Shannon Chamberlain, Chief Financial Officer Dayna Ogle entered the chambers at 10:00 a.m.

Chamberlain presented the Commission with the MACo Property & Casualty Trust Renewal for Fiscal Year 22.23. Chamberlain went through an analysis of current market conditions and renewal rates for Meagher County. During the renewal review it was discussed that Cyber

Liability will no longer be available through the MACo Insurance Pool. Chamberlain stated that Meagher County had an 11.63% increase for Property and Liability Insurance; total cost of insurance will be \$158,098 for Fiscal Year 22.23. County Attorney Hurwitz opened discussion about how Meagher County should approach insuring personal equipment that are used by volunteers when responding to emergencies. It was recommended that Meagher County look into agreements on personal equipment usage in emergency response situations. County Attorney Hurwitz will work with MACo on implementing a new policy.

Tierney presented the Commissioners with the Worker's Compensation through State Fund and a quote for Cyber Liability Insurance for Meagher County from CFC. Tierney stated that Meagher County's Worker's Compensation insurance has increase from \$23,867.00 to \$26,823.00. Tierney and the Commissioners then discussed the quote receive from CFC for Cyber Liability Insurance and circumstance when this insurance would be utilized. CFC quoted a cost of \$3,573.96 for a Cyber Liability Insurance. It was decided that Ogle will ask DIS to review the quote Cyber Liability Insurance from CFC.

Health Nurse Report – Eva Kerr R.N.:

Health Nurse Eva Kerr R.N. entered the chambers at 11:00 a.m.

Kerr presented the Commissioners with a Meagher County Health Report for May 2022. Kerr updated the Commissioners on COVID19 case numbers in the County, recent symptoms seen within the current cases, and available treatment options. Commissioners and Kerr discussed the Homemaker and Respite Care Programs.

Lunch

Canvas Federal General Primary – Penny Plachy

Election Administrator Penny Plachy, Deputy Election Administrator Liv West, and Extension Agent Makayla Paul entered the chambers at 1:00 p.m.

Plachy presented Tally Books to the Commission and Paul to complete the canvas. No issues were found during the canvas.

Public Hearing – Meagher County Policies – Dayna Ogle:

Human Resource Officer Dayna Ogle, Clerk & Recorder Penny Plachy, Treasurer Shannon Graham, and County Attorney Burt Hurwitz entered the chambers at 1:30 p.m.

Ogle presented the *Children in the Workplace* and *Special Events Insurance Requirement Guidelines* draft for review. Discussion took place about the necessity of a *Children in the Workplace* policy and recommendations from MACo on having a formal policy. The Commission made the following motion.

ACTION #

Resolution Fiscal Year 21.22 - #86

Chair Townsend moved to accept the *Children in the Workplace* as drafted. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Brief discussion took place about the interpretation or the meaning of the word “special” and to hold a training for department heads who schedule usage of county buildings to outside parties. The commission made the following decision.

ACTION #

Resolution Fiscal Year 21.22 - #87

Commissioner Hurwitz moved to accept the *Special Events Insurance Requirement Guidelines* as drafted. Chair Townsend seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Housing Study Discussion – HRDC & Meagher County Stewardship Council:

Mayor Rick Nelson, City Council Members Lee Blanchard and Patti Berg, and County Attorney Burt Hurwitz entered the chambers at 2:00 p.m. City Council Member Ron Coleman attended via ZOOM Teleconferencing.

Discussion was opened on the topic of recent correspondence between the County Attorney and HRDC. All present discussed the decision of HRDC to withdraw their Housing Study- Phase 2 proposal, the beneficial information received from the Housing Needs Assessment that was completed by HRDC, and how solutions might not be available in our current markets with either private industry or government assistance due to costs. Lengthy discussion took place about contacting other development organizations (Habitat for Humanity, NeighborWorks Montana, etc.) to assist Meagher County and White Sulphur Springs with the housing crisis.

Red Ants Pants Music Festival – Sarah Calhoun:

Sarah Calhoun entered the chambers at 2:30 p.m.

Calhoun updated the Commissioners that currently the festival had sold roughly 80% of tickets and how they are working with the City to close main street earlier on the night of the street

dance. Commissioners and Calhoun discussed contact points for mosquito control, placing Magnesium Chloride on Jackson Road for dust abatement, and contracting services for EMS and Fire. Calhoun requested that the Commissioners reduce the speed on Jackson Road to 15 mph and closure of Jackson Road from the parking area to the front gate. Commissioners made the following decisions.

ACTION #

Image in the Minutes filed in the Clerk & Recorder's Office

SW Chemical Dependency Department Update – Grandville Boone:

Cancelled and rescheduled to the July 5th, 2022 meeting.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #59248 through Check #59293 totaling \$64,310.89. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 3:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, June 21st, 2022.

Tuesday
June 21st, 2022
8:30 a.m. – 3:30 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 and Vice Chair Rod Brewer were present for the meeting. Commissioner Ben Hurwitz was absent.

Minutes:

ACTION #1

Chair Townsend moved to approve the Minutes from June 14^h, 2022. Commissioner Brewer seconded the motion. A vote was taken and minutes were approved.

Road Supervisor Jake Kusek entered the chambers at 8:30 a.m.

Kusek updated the Commissioners that Montana Crane Service is scheduled for Tuesday July 26th, 2022. Kusek stated that the Road Crew would begin demolition of the existing Sixteen Mile Bridge on Monday July 18th, 2022. Kusek and the Commissioners also discussed that the County would not be placing Magnesium Chloride on Jackson Road for Red Ants Pants because the road has enough residual product and will assess purchasing Magnesium Chloride during budget workshop time.

Library Report – Rachel Wahlstrom:

Library Director Rachel Wahlstrom entered the chambers at 9:00 a.m.

Wahlstrom updated the Commissioners on the 2022 Summer Reading Program that started June 1st, 2022. Wahlstrom stated that the library received a grant from the Pilcrow Foundation for \$1,200 to purchase books for the primary to young adult age groups. The library has also received a \$1,000 grant from Town Pump to help fund activities for the 2022 Summer Reading Program. Wahlstrom also stated that the board has appointed Paul Komolosi to fill the vacant seat starting July 1st, 2022.

Recording Requirements – Penny Plachy:

Clerk & Recorder Penny Plachy and Deputy Clerk & Recorder Liv West entered the chambers at 10:00 a.m. County Attorney Burt Hurwitz entered the chambers at 10:15 a.m.

West presented the Commissioners with a resolution titled *Establishing Standards and Requirements for the Filing of Certificates of Survey in Meagher County*. Plachy stated to the Commissioners that it would benefit the Clerk & Recorder's Office to have a written document to give to public parties on the process of recording/filing a Certificate of Survey. Plachy, West, County Attorney Hurwitz, and the Commissioners discussed the process of filing Certificate of Surveys, the recent pushback received by the Clerk's Office on requirements of deeds within the filing process, how this resolution is modeled from other surrounding counties, and if it is necessary to hold public hearings on the presented document. County Attorney Hurwitz stated that this document is not creating a new policy, but affirming the process of recording Certificates of Survey. Commissioners made the following decision.

ACTION #2

Image in the Minutes filed in the Clerk & Recorder's Office

Extension Report – Makayla Paul:

Extension Agent Makayla Paul entered the chambers at 10:30 a.m.

Paul presented the Commissioners with an Extension Report for June 2022. Paul stated to the Commissioners that thirty-nine (39) members are registered to participate in the Meagher County 4H Fair on Thursday July 21st, 2022. There will be ten (10) steers, twenty (20) pigs, three (3) lambs, one (1) poultry project, and four (4) rabbits shown at the fair. Paul updated the Commissioners that the 4H Council will be raffling 2023 Red Ants Pants tickets, six (6) ski lift passes to Showdown, and a wishing well as a fundraiser towards the construction of the Beef Barn. Paul and the Commissioners discussed the Avian Bird Flu and the impacts it has on poultry projects showing at county fairs in Montana.

Paul then updated the Commissioners on the article that will be printed in the Meagher County News stating the services the Extension Office can offer to producers. Paul also updated the Commissioners on her certification she received for inspecting Weed Seed Free Hay. Commissioners and Paul then discussed the cost to a producer for the certification; cost is based per acre with a minimum of ten (10) acres to certify.

Treasurer Report – Shannon Graham:

Treasurer Shannon Graham entered the chambers at 11:00 a.m.

Graham presented the Commissioners with a May 2022 Cash Report and a current Delinquent Tax List. Graham stated to the Commissioners that the Delinquent Tax report includes real property, mobile home, and personal property taxes. Graham and the Commissioners discussed the outstanding checks listed on the cash report and the presented delinquent report.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #59294 through Check #59308 totaling \$6,119.54. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 11:30 a.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, July 5th, 2022.