

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

**Tuesday**

August 1<sup>st</sup>, 2023

8:30 a.m. – 3:25 p.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 Brewer moved to approve the minutes with correction from July 18<sup>th</sup> 2023, Commissioner Galt seconded the motion. A vote was taken and the minutes were approved.

**Monthly Road / Fire Report – Jake Kusek:**

Jake Kusek entered the chambers at 8:45

Kusek opened by updating on the fire at Battle Creek. The fire was caused by a swather and was extinguished in about an hour and a half. Fires were also reported in the Lingshire area and the Fishing Access.

Kusek reported the DEQ will be here on August 10<sup>th</sup> 2023 for the gravel pit permit at the Fort Logan site.

Kusek stated they are still grading and mowing the county.

Commissioners adjourned to the parking lot to inspect the new grader.

Kusek reported Mag Chlorite has been applied on Jackson Lane and Smith River Rd. The remaining Mag Chlorite has crystalized, water will need to be added before they can continue using it.

Kusek reported that the Weed Department is utilizing the fire truck from Fort Logan and a DNRC fire truck is stationed at Fort Logan.

Kusek requested a ban on open burning in the county. No burning of debris, ditches, or fields. Camp fires must be in a ring.

**ACTION #2**

**Resolution Fiscal Year 23.24 #2**

Commissioner Hurwitz moved to approve a ban on open burning in Meagher County effective August 1<sup>st</sup>, 2023 immediately and will remain until further notice. Commissioner Galt seconded the motion. A vote was taken and passed. The restriction is in place.

### **Extension Report – Makayla Paul**

Extension Agent Makayla Paul entered the chambers at 850am

Paul started by informing the Commission that she received a call from Governor Gianforte's office. They contacted her regarding her agriculture-based workshops and liked the work that she is doing. The Governor's Office requested a private lunch w/ Paul and 8-16 Ag producers in the county on August 10<sup>th</sup> to discuss agriculture, 4-H, and the impact of Extension in rural communities.

Paul gave an update on the 4-H Fair. Interviews and indoor project judging were scheduled on Monday. 4-H Horse show was held on Tuesday. 4-H Animal Fair was held on Thursday with weigh in at 6 a.m., 5 pigs and 1 lamb did not make weight. The 4-H Livestock auction ended the day with sales totaling over \$99,000. Swine averaged \$5.02, Lambs \$9.16, and Beef \$3.22. Overall, sale averages were lower than last year. Sponsorships for this year totaled \$4,500. Paul stated that next year they have animal weigh in on Wednesday night.

Paul gave an update on 4-H Congress. She took 5 members to 4-H Congress in Bozeman. 4 of the 5 members competed in horse judging earning a second-place finish.

Paul informed the commissioners that the 4-H barn is complete. MQS will be back to finish installing the tin on the indoor side of the barn. The 4-H council will meet next week to discuss completing the entire project and what the next steps are. Council member Annie Lester has built a donor wall to recognize community members that donated to the project.

Paul stated she will be in Des Moines, Iowa on August 12<sup>th</sup> thru 18<sup>th</sup> for the National Association of County Agricultural Agents Conference.

Paul informed the Commission that on Saturday September 2<sup>nd</sup> Thrivent will be hosting a golf tournament. The proceeds from the tournament will be used to establish a travel fund for 4-H members to travel out of county for camp, Congress, and Rec. Lab

### **Monthly Sheriff Report – Jon Lopp:**

Sheriff Lopp entered the chambers at 9:23 a.m.

Sheriff Lopp started with an update on Red Ants Pants Festival. Thursday night's street dance was shut down due to severe weather. There were several people trying to camp around town waiting to line up for the festival. Deputies patrolled town and kept people from camping in parking lots and blocking driveways. Montana Fish Wildlife and Parks Game Warden Tanner Mitchell and Forrest Service Law Enforcement Officer Corey SeEVERS patrolled the festival grounds via horseback on Saturday.

Lopp reported the cost to the county for law enforcement over the festival weekend was \$7000 in wages and \$500 in fuel charges.

Lopp will attend the after-festival meeting to discuss the cost the county incurs over the RAP weekend and the ineffectiveness of the hired security at the festival. Lopp provided some materials on how other counties handle large group gatherings for the Commission to consider.

Lopp reported Deputy Cody Wilson is back from North Carolina with newly trained K-9 drug dog Rudy.

### **Title III open 45-day comment period:**

Finance Officer Dayna Ogle presented the Resolution to open a 45-day comment period for Title III funds.

### **ACTION #3**

#### **Resolution Fiscal Year 23.24 #3**

Commissioner Brewer Moved to approve a 45-day comment period.  
Commissioner Hurwitz seconded the motion. A vote was taken and approved. The issue is hereby resolved.

### **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, 2024.

**Comment Period:** Written comments will be accepted immediately through September 15, 2023 and can be mailed or hand-delivered to:

Meagher County  
PO Box 309  
White Sulphur Springs Mt 59645  
[dogle@meaghercounty.mt.gov](mailto: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) Salary or wages of emergency response personnel deployed during an emergency response; (3) Replacement of equipment, materials and supplies expended damaged or destroyed during an emergency response; (4) Repair of equipment damaged during an emergency response; (5) maintenance of vehicles, equipment and facilities during an response; (6) purchase of capital equipment such as the purchase of a fire engine, a search & rescue snowmobile, or other emergency response equipment; (7) Expenses of training personnel to respond to emergencies on national forests; (8) Expenses of equipment and supplies to be kept on hand for response to emergencies on national forests; (9) Expense of non-disposable personal protective equipment and electronic aids such as GPS devices in anticipation of responding to emergencies; (10) Purchase of equipment for 911 emergency systems.**

#### **Harmon Investment discussion:**

Attorney Burt Hurwitz entered the chambers at 10:15 a.m.

Commissioners discussed the Harmon Investment and ways the investment could be used to better the county. Ogle stated the county would not have to go through a Request for Proposal (RFP) to move the investment to another firm. US Bank is currently paying 2% interest while Montana Board of Investments Short Term Investment Pool (STIP) is paying 5.079% interest. Commissioners agreed they would like the investment used to create affordable / workforce housing and provide a return on the investment. Galt will contact DA Davidson to discuss this option.

#### **WSS TV Budget BJ Hawkins:**

BJ and Chuck Hawkins enter the chambers at 11:23am

Hawkins presented a budget for White Sulphur Springs Public TV along with a contract for service in Fiscal year 23.24. Hawkins stated the White Sulphur Springs public tv budget is \$500 less than the prior year.

Commissioners approved the contract for services in the amount of \$16000 to be paid quarterly.

### **ACTION #4**

#### **Resolution Fiscal Year 23.24 #4**

Commissioner Galt moved to approve the contract of \$16000 to be paid quarterly. Commissioner Hurwitz seconded the motion. A vote was taken and the budget was approved. The issue is hereby resolved.

## **Lunch**

### **Great West Engineering – Crazy Mt Vet – DEQ review**

County Attorney Burt Hurwitz and Clerk & Recorder Liv West entered the chambers at 12:50 p.m. Great West Engineering Jerry Grebenc, Great West Engineering Collette Anderson, Crazy Mountain Vet Katie Rein attended via Zoom.

Hurwitz opened the discussion with a review of Crazy Mountain Vet Clinic's Septic application process. The application has been approved by the Department of Environmental Quality (DEQ) and the restriction will be removed from the plat. Crazy Mountain Vet can now move forward installing the drain field. Great West Engineering presented an Invoice for \$27,198.57

The discussion turned to who is responsible to pay the Great West Engineering invoice. There was fault with all parties during the process and it was decided to split the cost 3 ways with Meagher County paying \$10,000, Great West paying (writing off) \$10,000, and Crazy Mountain Vet paying \$10,000 less the \$3000 it cost to pump the septic tank currently installed on the property.

## **ACTION #5**

### **Resolution Fiscal Year 23.24 #5**

Commissioner Hurwitz moved to pay \$10000 toward the Great West Engineering invoice. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

### **Ambulance Board – Used Ambulance purchase – Jack Berg:**

Jack Berg entered the chambers at 1:54 p.m.

Berg started by explaining that there was a miscommunication between Meagher County and Apgar Ambulance Service. The 2005 Ford loaner ambulance was returned due to poor performance and was replaced with a 2015 Chevy Duramax ambulance 4x4. Apgar did not intend for the Duramax to be a loaner ambulance. The Duramax was loaned to Meagher County on a trial basis with the first right of refusal. Commissioners agreed to purchase the 2015 Chevy Duramax Ambulance.

Commissioner Galt inquired about a report from Mercy Flight. The report stated there were 30 missed Mercy flights last year due to unknown weather conditions at the airport. Berg stated the options for transport when this happens is the patient has to be transported by ground and time becomes an issue. Galt discussed a FAA grant opportunity to install camera at the airport that would show current ground conditions. Berg agreed the cameras would be helpful for pilots in adverse weather.

## **ACTION #6**

### **Resolution Fiscal Year 23.24 #6**

Commissioner Galt moved to purchase the 2015 Chevy Duramax 4x4 ambulance for \$69,250. Commissioner Hurwitz seconded the motion. A vote was taken and passed.

### **Public Hearing – Budget Amendment:**

The commissioners reviewed budget amendments for 13 funds that over spent their budget in Fiscal Year 22.223. Second public hearing is scheduled to August 8<sup>th</sup> 2023 at 1:00 p.m.

### **United States Forest Service Land Use Agreement Approval**

Finance Officer Dayan Ogle presented a land use agreement between United States Forest Service and The White Sulphur Springs / Meagher County Airport. The agreement was changed to include language that Meagher County employees shall not be denied access to county property.

## **ACTION #7**

Commissioner Brewer moved to accept the Forest Service Land Use Agreement. Commissioner Hurwitz seconded the motion. A vote was taken and the Land Use Agreement was approved.

**Public Comment**

Commissioners had a discussion via phone, with members of the Department of Revenue, Centrally Assessed Property Dept. The Commissioners asked why the centrally assessed property assessments are down an average of 8%, while residential properties are seeing an increase. The members explained how the centrally assessed property assessments were done. They further explained how the cost to income ration lowered the taxable value of these properties. Commissioner Hurwitz stated, lowering the taxable value of centrally assessed properties will put a further burden on residential property owners. Commissioner Galt questioned why taxable values were lowered on companies who pass the cost onto their customers?

**Claims Approved:**

Commissioners were presented with Check #060513 through Check # 060558 totaling \$43,461.31. All Checks were signed as presented.

**Meeting Adjourned:**

Meeting was adjourned at 3:25 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, August 8<sup>th</sup> 2023.

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**CLERK & RECORDER**

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**CHAIRMAN**

**SEAL**

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**VICE-CHAIRMAN**

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**COMMISSIONER**