

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

February 1st, 2022

8:30 a.m. – 4:30 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

Commissioner Brewer moved to approve the Minutes from January 18th, 2022. Chair Townsend seconded the motion. A vote was taken and minutes were approved.

Road Report – Jake Kusek:

Road Supervisor Jake Kusek entered the chambers at 9:00 a.m.

Kusek updated the Commissioners on snow removal and how the Road Department will be attending Montana Associations of County Road Supervisors conference from March 29th – 31st, 2022. Commissioners and Kusek discussed the return of equipment back to original departments after the recent miscommunications and how Kusek will be utilizing an older crew pickup to update the department's service truck.

Sheriff Report – Jon Lopp:

Sheriff Jon Lopp entered the chambers at 9:30 a.m. Chief Financial Officer Dayna Ogle entered the chambers at 9:45 a.m.

Sheriff Jon Lopp presented the Commissioners with the Complaint Report for January 2022, vehicle bids from Bison Ford, and the Annual Forest Service Patrol Agreement. Commissioners and Lopp discussed the complaint report. Lopp stated that he reached out to Bison Ford and Denny Menholt Chevrolet for vehicle cost estimates. Lopp stated he only received bids from Bison Ford and that they vehicles to replace would be the 2014 F150 and the 2016 Ford Interceptor. He stated his goal is to replace at minimum the 2014 F150 but it would be ideal to replace both because these vehicles are past their four (4) years in the equipment rotation and have higher mileages. Commissioners, Lopp, and Ogle discussed using CARES Act money that the Sheriff's Office received and their Sheriff Capital Outlay Fund to purchase the vehicles, decals, and radio equipment. Lopp requested that proceeds from the sale of the 2014 F150 and the 2016 Interceptor go into the Sheriff Outlay Fund 4109 for future vehicle purchases.

ACTION #2

Resolution Fiscal Year 21.22 - #54

Commissioner Hurwitz moved to purchase the 2022 truck and 2022 Ford Expedition from Bison Ford for a combined total of \$101,000. Also, to place the 2014 F150 Truck and the 2016 Ford Interceptor out for bid once and designate the proceeds of the sales to the Sheriff Outlay Fund 4109. Chair Townsend seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Maintenance Update – Bill Dutton:

Maintenance Supervisor Bill Dutton entered the chambers at 10:00 a.m.

Dutton updated the Commissioners on repair work completed to the Courthouse's roof prior to winter, boiler repairs at both the Courthouse and Sheriff's Office, installation of the pressure tank at the library, snow removal at the ambulance barn. Commissioners and Dutton discussed his concerns about water drainage on the Courthouse property and the negative effects taking place on the structure, irrigation changes for the Courthouse lawn this summer, continued maintenance and repairs to the County boiler systems.

Snow Removal Assistance:

Mayor Rick Nelson, Public Works Supervisor Rocky Vinton, Council member Ron Coleman entered the chambers at 10:30 a.m.

Commissioners opened discussion with asking if the City would be willing to assist the County with plowing the Courthouse parking lot and Library parking lot through the rest of the winter/snow season. Mayor Nelson and Vinton stated that the City would be able to assist the County and would not charge for the plowing of the County Courthouse and the Library. Vinton

explained that the Courthouse parking lot would be plowed earlier in the morning when Hampton Street is plowed and that the library would be later in the morning when Garfield Street is plowed. Commissioners, Mayor Nelson, Vinton, and Coleman discussed the City's snow removal equipment.

MBAC Update – Eric Seidensticker:

Brian Obert, Eric Seidensticker, Katherine Anderson, and County Attorney Hurwitz entered the chambers at 11:00 a.m.

Obert opened discussion with introducing Eric Seidensticker and Katherine Anderson. Seidensticker then updated the Commissioners about how Montana Business Association Connection is looking into opportunities for agricultural producers with crop specific farming and beef cattle production. Commissioners, Seidensticker, and Obert discussed local beef production and crops grown within Meagher County. Seidensticker stated he would reach out to local Extension Agent Makayla Paul for assistance with agriculture and beef production in Meagher County.

Obert then gave a brief update that the FLAP Grant application awards will be announced in the Fall of 2022. Obert discussed the potential for extra funding towards the Federal Lands Access Program under the new infrastructure bill. Discussion also took place regarding the County and State ARPA Funding and the best practices for allocation.

Discussion ended on the Housing needs of Meagher County and the County's relationship with the Meagher County Stewardship Council. Seidensticker stated that he has been in contact with Jackson Rose about the Meagher County Stewardship Council.

Lunch

Clerk & Recorder Update – Penny Plachy:

Clerk & Recorder Penny Plachy conference called into the meeting at 1:00 p.m.

Plachy updated the Commissioners about the changes from the MT Votes Software to the Elect Montana Software. Currently the Secretary of State is offering grant monies to pay for additional election personnel if a county signs up to run both programs during the 2022 elections. Plachy and Commissioners discussed the benefits of running both programs and the additional help that would be needed due to the increased workload. Commissioners requested that Plachy research the available funding but believe it would be in the best interest of the office to run both programs during the 2022 election season.

Commissioners and Plachy then discussed a cost estimate from Kelly Connect on a new map scanner/printer unit. Commissioners asked which Plachy would prefer to have and made the following decision.

ACTION #3

Resolution Fiscal Year 21.22 - #55

Commissioner Brewer moved to purchase the HP XI3600 MFP PS unit for \$9,995.

Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

New Fund Creation – Shannon Graham & Dayna Ogle:

Treasurer Shannon Graham and Chief Financial Officer Dayna Ogle entered the chambers at 1:30 p.m.

Graham and Ogle requested permission to create Fund 7862 – White Sulphur Springs Water Levies. Commissioners, Ogle, and Graham discussed the necessity of the fund and how it will be used.

ACTION #4

Resolution Fiscal Year 21.22 - #56

Commissioner Hurwitz moved to create Fund 7862 – White Sulphur Springs Water Levies.

Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Airport Weather Station Expansion – Lance Bowser:

Airport Board Member John Zawada entered the chambers at 2:00 p.m. Robert Peccia and Associates (RPA) Engineer Lance Bowser and Airport Board member Kurt Burns attended via ZOOM Teleconferencing.

Bowser updated the Commissioners on the process to place the Weather Station upgrades out for bid. The project will cost about an estimated \$100,000 to complete; in which the airport currently has \$76,000 through Montana Aeronautics grants and privately raised \$25,000 to cover the costs. The upgrades would include the addition of ceilometer, present weather sensor, and a lightning sensor. Bowser stated that for RPA's involvement to oversee the project the Airport would be in addition to the construction costs; the task order would include paperwork and placing the project out for bid, over sight of construction, close out paperwork. Commissioners agreed to pay Robert Peccia and Associates for their work with the project. Discussion ended on the CARES

Funding that the airport has received and the tracking of repayment of FAA Funds from the Havre Airport.

Cemetery Equipment – Amanda Clayton & Jerami West:

Cemetery Board Members Mike Wofford, Jerami West, and County Attorney Burt Hurwitz entered the chambers at 2:30 p.m. Cemetery Sexton Amanda Clayton and Cemetery Board Member Penny Plachy attended via ZOOM Teleconferencing.

Commissioners, Board members, and Clayton discussed the cancellation of the plow purchase, the equipment the cemetery currently owns, and the assistance from the City in plowing the Courthouse and Library parking lots. The current cemetery truck is scheduled with Berg Garage for the installation of a clutch and requested that all known maintenance issues be addressed at the same time (seal replacements, door handle, etc.) Commissioners stated to the Board that it will be the responsibility of the Sexton to plow the Cemetery once the truck is in working order. Clayton stated that she would be contacting Meagher Motor about the servicing of the lawnmowers. All present discussed that if a new mower needs to be purchased the monies placed aside for the building fund could be used for the capital purchase.

Clayton then updated that she is confident that the records for the Original Section of the Cemetery are complete and has moved onto the First Addition. Lengthy discussion took place about the comparison of multiple record types, records from previous sextons, and creating a digital document for future tracking. Plachy and Clayton explained that the end goal of the project is to have a digital archive for easy amending and hard copies that will be kept at both the Cemetery Office and the Clerk and Recorder's Office. Commissioners requested that Clayton provide monthly updates to update on the progress of the record project.

Discussion ended about the Cemetery Clean-Up Day and the scheduling for Clayton to complete with the City Council. Concerns were mentioned about heavy equipment access if needed and Chair Townsend granted the board access through his private property to south with the condition that the fence is repaired immediately after completion.

Public Hearing – Budget Amendment – Dayna Ogle:

Chief Financial Officer Dayna Ogle entered chambers at 3:30 p.m.

Ogle stated a budget amendment is needed for the unexpected expense and revenue in the 2398 Local Charges Fund. The fund did not have a budget at the beginning of the Fiscal Year 21.22.

Human Resources Update – Dayna Ogle:

Treasurer Shannon Graham and County Attorney Burt Hurwitz entered the chamber at 4:00 p.m. Clerk & Recorder Penny Plachy attended via ZOOM Teleconferencing.

Ogle presented the Commissioners with concerns about the current Work from Home Policy, Administrative Pay vs. leave pay, and Non-County Event Insurance Requirements. Commissioners, Ogle, County Attorney Hurwitz, and Graham discussed the effects of COVID on workplace operations in regard to the Work from Home Policy, consistency needed in situations that pay type is questioned, and determining the County sponsored events verse county buildings being utilized for non-county business. Commissioners requested that Ogle and County Attorney Hurwitz draft new policies and present for public hearings at the next scheduled meetings.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Check #58804 through Check #58846 totaling \$85,379.70. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 4:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, February 8th, 2022.

Tuesday
February 8th, 2022
8:30 a.m. – 4:00 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:

Minutes were tabled until the February 15th, 2022 meeting.

County Attorney Report – Burt Hurwitz:

County Attorney Burt Hurwitz entered the chambers at 9:00 a.m.

County Attorney Hurwitz presented the Commissioners with a January 2022 report and request for prosecutorial assistance for the *State v. Tipton* and *State v. Ed Roatch Jr.* County Attorney stated that the assistance would be through the Attorney's General's Office and the County would pay for trial expenses if/when accrued.

ACTION #1

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

County Attorney Hurwitz then updated the Commissioners on the civil and criminal matters in the County. County Attorney Hurwitz and the Commissioners discussed the upcoming hearing on the Meagher County Subdivision regulations, members for the County Tax Appeal Board, and examples from Jefferson County on ARPA funding applications that could be submitted to the County.

ACTION #2**Resolution Fiscal Year 21.22 - #59**

Commissioner Hurwitz moved to appoint Michele Walker, Stacy Menard, and Clive Townsend to Meagher County Tax Appeal Board. Commissioner Brewer seconded the motion. A vote was taken and passed.

Clerk Luchterhand and County Attorney Hurwitz will be in contact the members and work on the hearing processes for taxpayer that have filed appeals.

Health Nurse Report – Eva Kerr R.N.:

Health Nurse Eva Kerr R.N. entered the chambers at 10:00 a.m.

Kerr presented the Commissioners with a January 2022 County Health Report. Kerr updated the Commissioners on new hire, funding changes for the Disease Intervention Specialist position at the State level, and presented the Bair Grant approval letter for signature. Kerr updated on vaccinations that took place in January 2022 and the outbreak of COVID that took place in the community. Meagher County had over 100 community cases recorded in January 2022 plus additional cases within contracted work crews. Kerr and the Commissioners discussed COVID testing availability for community members, high case numbers in children, and office operations during outbreak times. Commissioners stated to Kerr that the County will provide funding for the Disease Intervention Specialist position if state funding is lost.

Extension Report – Makayla Paul:

Extension Agent Makayla Paul entered the chambers at 11:00 a.m. Tracy Mosley, 4-H Council Members Annie Lester and Vance Voldseth attended via ZOOM Teleconferencing.

Paul, Voldseth and Lester updated the Commissioners that the 4H Council has secured \$31,800 in funding at this time towards the new beef barn. Voldseth stated that the Council's goal is to build a 60-foot by 60-foot barn with an inside height of 10 feet. Voldseth stated currently the council has received two (2) separate cost estimates for the construction of building. Paul and Voldseth inquired about the proper processes for placing a county structure out to bid.

Commissioners and County Attorney Hurwitz stated that the Council will need to have final plans for bid packages, advertise for about two weeks, and have sealed bids opened at a public meeting. All present discussed the phases of the building construction, demolition of the existing building, and proper timing for placing the building out for competitive bid. Commissioners stated they would prefer the council to acquire 60% or more of the funding before placing the project out for competitive bid. Commissioners agreed that the County would donate dirt work and gravel for the base of the structure.

Paul gave a brief update on how the council has adopted the updated Meagher County Fair book to distribute to members and their families.

Lunch

Public Hearing – Budget Amendment – Dayna Ogle:

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

Ogle presented the Commissioners with the budget amendment for the Local Charge Fund 2398 for signature. Commissioners and Ogle discussed the filing of the Annual Financial Report for Fiscal Year 20.21 and available trainings she would like to attend during the 2022 calendar year.

ACTION #3

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

Policy Public Hearings – Work from Home / Non-County Sponsored Event Insurance Requirements:

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

County Attorney Hurwitz presented all with draft copies of the *Administrative Sick Pay due to Quarantine, Emergency Services Holiday Schedule, and Alternate Work Schedules*. Discussion started with review of the *Administrative Sick Pay due to Quarantine*. County Attorney Hurwitz explained the differences between orders for isolation and quarantine. Further discussion took place about sick leave and administrative leave. Commissioners decided that employees that test positive for COVID will be required to take sick leave until released by the County Health Department. If employees are quarantined due to being a close contact administrative pay will be given until released by the health office and/or test positive for COVID.

The next policy reviewed was the *Emergency Services Holiday Schedule*. This policy is to use the legal calendar holiday for Emergency Services workers (Law Enforcement and Dispatch personnel) instead of the recognized holiday. Ogle explained instances during the 2021 calendar that effected the Emergency Services workers with holidays falling on weekends but the recognized was either the day prior or after.

Discussion ended on the *Alternative Work Schedules* with the addition of subsection G pertaining to working from home. All present discussed that working from home is not always a viable option for departments because offices must be open to the public, Commission approval of department work from home plans, and how County documents will not leave their prospective offices. Language in section G will be changed to allow department heads to approve a work from home plan for five (5) days or less. Plans lasting longer than five (5) days must be approved by the Commissioners.

County Attorney Hurwitz and Ogle will prepare the corrections and distribute copies for review to all County Employees for comments. Final adoption will take place after the public comment period.

Martinsdale Water & Sewer District Update – Kathy Berg & Kirk Keysor:

Martinsdale Water & Sewer District members Kathy Berg and Kirk Keysor entered the chambers at 2:00 p.m.

Berg and Keysor updated the Commissioners that currently the District has received \$60,000 in funding through three grants to complete a Preliminary Engineer Report (PER) for the district. At this time the district has contract with Great West Engineering to complete the PER for future grant funding and USDA loan opportunities. Commissioners, Berg, and Keysor discussed the ARPA funding grant options, USDA loan opportunities, and scope of work for the district.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Check #588 through Check #58846 totaling \$85,379.70. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 2:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, February 15th, 2022.

Tuesday
February 15th, 2022
8:30 a.m. – 4:00 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 and Commissioner Ben Hurwitz were present for the meeting. Vice-Chair Rod Brewer was absent.

Minutes:

Minutes were tabled until the March 1st, 2022 meeting.

Library Report – Jessica Ketola:

Librarian Jessica Ketola entered the chambers at 9:00 a.m.

Commissioner updates Ketola about how the parking lot at library will be plowed by the city for remainder of the winter months. Ketola updated the Commissioners that during January 2022 the library held seven (7) Storytime programs, donated seventy-five (75) pounds of food to the Foodbank, answered eighty-seven (87) reference questions, and the community room was used by fourteen (14) different groups. Commissioners and Ketola discussed if Ketola was willing to help train the new librarian before her resignation date. Ketola stated she would want to help the new librarian for at least two weeks before she leaves.

Library Board Update:

Library Board Members Gretchen Rader, Betsy Hamann, and Human Resources Director Dayna Ogle entered the chambers at 9:30 a.m. Library Board Member Elton Lee attended via ZOOM Teleconferencing.

Ogle presented the Library Board with four (4) applications for the Librarian position. Ogle stated that one of the applications was received on the Monday after the close of the deadline and that it is up to the board to review the late application. Commissioners, Library Board members,

and Ogle discussed the wages portion of the Library budget, trainings available through the State Library for the new hire, and the book/movie inventory at the library. Rader updated the Commissioners on the board's decision to contract Paddock Heating and Cooling to install an air-conditioning unit within the building. Commissioners and the board discussed how the air-conditioning system will be covered from their Library Depreciation Reserve Fund. Discussion ended on how the board reviews book requests and purchases for the library's inventory.

Road/Fire Report – Chad Evans & Jake Kusek:

Jake Kusek entered the chambers at 10:00 a.m.

Kusek presented the Commissioners with a map from the Montana Department of Transportation about reclassifications of county roads. Commissioners requested that Kusek contact the state to understand the differences in Major and Minor classifications. Kusek and the Commissioners discussed the airport snow plowing,

Kusek then updated the Commissioners on the funds received from the state for the equipment used during the 2021 Fire Season and the back order of the truck previously approved to purchase through Bison Ford; the truck wouldn't be available until December 2022.

Commissioner gave Kusek permission to seek new bids from different dealerships to potentially receive a replacement vehicle sooner than December 2022. Discussion ended on future equipment needs of the Meagher County Fire Department.

Planning Board Update – Burt Hurwitz:

County Attorney Burt Hurwitz entered the chambers at 10:30 a.m.

County Attorney Hurwitz and Clerk Luchterhand updated the Commissioners about the Consolidated Planning Board Meeting that took place on February 9th, 2022. Specifically, the presentation given by Hospital CEO Rob Brandt on the funding and construction plans of the medical facility. The Board will be writing a support letter for the project to be included in their USDA loan applications.

DMV Position Review – CLOSED SESSION

Lunch

MACO insurance Review – Buildings/Vehicles – Jodi Tierney:

Mid-Montana Insurance Agent Jodi Tierney and Chief Financial Officer Dayna Ogle entered the chambers at 1:00 p.m.

Tierney presented the Commissioners with detailed lists of the insured county buildings, equipment, and vehicles. Commissioners, Ogle, and Tierney reviewed the insured county buildings, equipment, and vehicles for accuracy.

Duck Creek Salvage Project – Response Letter - Jess Secrest:

Jess Secrest entered the chambers at 2:30 p.m.

Secrest presented the Commissioners with a letter of support for the Duck Creek Salvage Project. Secrest updated the Commissioners on the Duck Creek Salvage Project that the Townsend Ranger Station is hoping to accomplish in the summer of 2022. This project is to remove and asses the timber that was killed or damaged during the Woods Creek Fire that took place in the summer of 2021. Commissioners agreed to sign and send a support letter for the project.

Extension Update – Makayla Paul:

Extension Agent Makayla Paul entered the chambers at 3:30 p.m.

Paul presented the Commissioners with bids received from MQS and Cleary for construction of the Beef Barn. Commissioners and Paul discussed contacting local contractors for bid prices and the presented plans for the barn. Commissioners recommended that the council increase the sliding door from ten (10) feet to sixteen (16) foot door.

Public Comment:

No Public Comment.

Claims Approved:

No Claims were processed.

Meeting Adjourned:

Meeting was adjourned at 4:00 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, March 1st, 2022.

Tuesday
February 22nd, 2022
4:00 p.m. – 4:45 p.m.
Met in County Courtroom

Meeting Called to Order:

Chair Townsend called the meeting to order at 4:00 p.m.

Commissioners Present:

Chair Herb Townsend, Vice-Chair Rod Brewer and Commissioner Ben Hurwitz were present for the meeting.

Meagher County Subdivision Regulations – Public Hearing:

Nancy and Chris Schlepp, Jay and Judy Berg, Jess Secrest, Sarah Calhoun, Chad Evans, Terry Taylor, and County Attorney Burt Hurwitz entered the courtroom at 4:00 p.m. Jerry Grebenc, City Attorney Susan Wordal, Rich Siebken, and Rob Brandt attended via ZOOM Teleconferencing.

Grebenc and County Attorney Hurwitz gave a brief overview of the drafting timeline completed by the Consolidated Planning Board members on the Meagher County Subdivision Regulations. Grebenc stated that the document has been reviewed by Tara Depuy at MACo to ensure the document properly reflects the 2021 Legislative Changes. Also, that the board edited the Fire Protection and Road Standards within the *Design and Improvement Section* to better reflect the needs of Meagher County. County Attorney Hurwitz and Clerk Luchterhand explained the hearing, notice, and adoption process of subdivision regulations.

Chairman Townsend asked those present for any public comments. No comments were given.

ACTION #1

Resolution Fiscal Year 21.22 - #61

Commissioner Hurwitz moved to approve and adopt the Meagher County Subdivision Regulations as presented. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Copies of adopted Meagher County Subdivision regulations will be available at the Clerk and Recorder's Office, Library, and the County Website.

Ringling Church Historical Preservation Project – Ringling Commons LLC:

Members of the Ringling Commons LLC introduced themselves to those present. The members include Nancy and Chris Schlepp, Jay and Judy Berg, Sarah Calhoun, and Isaac Smith.

Nancy Schlepp opened discussion about the *Ringling Church Historical Preservation Project*. Ringling Commons LLC is seeking funding through a Montana Department of Commerce Grant to place a new insulated roof over the existing tar shingled roof. They also discussed listing the Ringling Church on the Montana Historical Register and how the LLC plans to operate the site as a wedding venue. All present discussed current stability of the building, bids received for the roof, the deadlines of the Montana Department of Commerce Grant, and the requirements within the grant for a public hearing and to address any environmental impacts of the project. Commissioners made the following decision.

ACTION #2

Resolution Fiscal Year 21.22 - #62

Commissioner Brewer moved to support the Ringling Church Historical Preservation Project and concur there is no direct need for an Environmental Assessment and Environmental Impact Statement with this specific project according to the information presented by the Ringling Commons LLC members. Chair Townsend seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Claims Approved:

No Claims were processed.

Meeting Adjourned:

Meeting was adjourned at 4:45 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, March 1st, 2022.