

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

May 4th, 2021

1:00 p.m. – 4:30 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Chair Townsend called the meeting to order at 1:00 p.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 April 20th, 2021. Commissioner Hurwitz seconded the motion. A vote was taken and minutes were approved.

Sheriff Report – Jon Lopp:

Sheriff Lopp canceled due to Coroner Convention.

Senior Center Update – Beth Hunt:

Beth Hunt, Jess Secrest, Tary Buckingham, Rosie Greener, and Gordon Doig entered the chambers at 2:30 p.m.

Hunt presented the Commissioners with newspaper articles from the 1990s that were written about the Senior Center Charter members. Hunt updated the Commissioners on the renovations that took place during calendar year 2020, the opening of the dining room, grant funding received during the 2020 calendar year, and meals on wheels program. Doig and Hunt requested an increase of \$5,000 to the Senior Center Donation for Fiscal Year 21.22 forward.

Commissioners stated they would review the request during budget review. No action was taken. Discussion ended on the need for a Transportation Service for out of town services.

Road Name Change Request – Liv West & Matt Blassic:

Deputy Clerk and Recorder Liv West entered the chambers at 3:00 p.m.

West presented the Commissioners with maps and the request from Fries Ranch to change their private road from Fries Loop Road to Fries Ranch Road. West and the Commissioners discussed the reason for the change and the following decision was made.

ACTION #2

Resolution 2021 - 38

Chair Townsend moves to change the name of private road Fries Loop Road to Fries Ranch Road. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

West will contact Matt Blassic at Great West Engineering to make the formal road name change.

FLAP Grant Draft Review – Brian Obert:

MBAC Brian Obert entered the chambers at 3:30 p.m.

Obert presented the Commissioners with a draft of the Meagher Co FLAP Grant for Road Stabilization on the Smith River Road and a summary of the project cost. Obert stated that the application is for \$682,33.52 with a County match of 13.4% which would be about \$94,000. Obert explained that the in-kind match would be about \$64,000 and direct capital at about \$30,000. Obert and the Commissioners discussed specific sections of the project and the three-year term of the grant. The final grant application will be submitted on May 15th, 2021 for review.

ACTION #3

Resolution 2021 – 39

Commissioner Hurwitz moved to submit the 2021 Montana Federal Lands Access Program Grant (FLAP) on May 15th, 2021 with minor corrections. Chair Townsend seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Martinsdale Water & Sewer District – Kathy Berg:

Martinsdale Water & Sewer District members Kathy Berg and Kirk Keysor entered the chambers at 4:00 p.m.

Berg and Keysor updated the Commissioners on submittal of various grants to help the district obtain a Preliminary Engineering Report to prioritize the repairs to the water system. Berg and Keysor asked the Commissioners if Meagher County had received any ARPA (American Rescue Plan Act of 2021) funding. Commissioners stated they had not to their knowledge. Commissioners, Berg, and Keysor discussed the district's interest to apply for ARPA funds when they become available. Discussion ended on the Gordon Butte Hydro Project and rumored windfarms.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #58031 through Check #58069 totaling \$85,263.86. Payroll Check #13335 through Check #13354 totaling \$47,748.68 and Electronic Check #86974 through Check #87016 totaling \$118,318.53 were per-presented. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 4:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, May 11th, 2021.

Tuesday
May 11th, 2021
1:00 p.m. – 4:30 p.m.
Met in Commissioner's Chambers

Meeting Called to Order:

Chair Townsend called the meeting to order at 1:00 p.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 4th, 2021. Commissioner Hurwitz seconded the motion. A vote was taken and minutes were approved.

County Attorney Report – Burt Hurwitz:

County Attorney Burt Hurwitz entered the chambers at 1:30 p.m.

County Attorney Hurwitz presented the Commissioners with an April 2021 report and maps regarding a parcel of ground to be potentially donated to the County for use by the Fire Department in Checkerboard. The land will have to be subdivided from a larger parcel, requiring a new survey and as the parcel is under 20 acres, DEQ review. County Attorney Hurwitz updated the Commissioners about criminal and civil matters of County. Specific cases discussed were the Alliance for the Wild Rockies v. USFS – Castle Mountain Timber Management, Alliance for the Wild Rockies v. USFS – Horsefly Vegetation Project, and the litigation regarding the Black Butte Project. County Attorney Hurwitz and the Commissioners discussed the available options for a CBDG grant that could be submitted in June 2021 and property for a Fire Hall in Checkerboard.

ACTION #2

Resolution 2021 - 40

Commissioner Hurwitz moved to approve the payment of costs, not to exceed \$5,000.00, for the subdivision of the land in Checkerboard to the County. Commissioner Brewer seconded the motion. A vote was taken and passed. County Attorney Hurwitz will proceed with assistance from Great West Engineering.

Health Nurse Report – Eva Kerr R.N.:

Health Nurse Eva Kerr R.N. and Tara Wilson entered the chambers at 2:30 p.m.

Kerr presented a report for April 2021. Kerr stated that she was awarded an \$8,000 Bair Grant and is applying for \$12,000 grant for the Homemaker Program and \$4,500 grant for the Respite Program through the Area IV Aging Agency. Kerr updated the Commissioners on the 25 cases of COVID19 that occurred in April and the current Brazilian COVID19 strain detected in Meagher County. Commissioners and Kerr discussed the strain varieties and the scheduled June 16th, 2021 meeting on Red Ants Pants.

Chief Financial Officer Report – Dayna Ogle:

Chief Financial Officer Dayna Ogle entered the chambers at 3:00 p.m.

Ogle presented the Commissioners with information about the American Plan Rescue Act of 2021 (ARPA) funds. Commissioners and Ogle discussed the approximate amount the County would receive and the requirements attached to the monies. Commissioners requested that Ogle attend the MACo Town Hall meeting on Friday May 14th, 2021 about the ARPA Funds and report back.

Housing Study Update – Jackson Rose:

Assistant City Clerk Shannon Graham entered the chambers at 3:30 p.m. HRDC Representative Tracy Menez was conference into the meeting via phone.

Jackson Rose was unable to attend. Menez updated the Commissioners that at this time Jackson Rose is reaching out to people and have scheduled three (3) tentative meetings for the May, June, and July 2021 to aid in the process of the Housing Assessment.

Sheriff Report – Jon Lopp:

Sheriff Jon Lopp entered the chambers at 4:00 p.m.

Lopp presented the Commissioners with the Complaint Report for April 2021. Lopp updated the Commissioners about being awarded a Bair Grant for \$30,000 to aid in the purchase a new mobile incident command center. Commissioners and Lopp discussed the construction of the file room and the Complaint Report. Lopp also updated the Commissioners on costs for electricity to the Checkerboard Repeater that will be attached to the existing TV building. Lopp has proposed to install Wind and Solar energy to power that would cost \$14,000. Lopp has been in communication with the Checkerboard TV District Board Members to split the cost of the equipment to power both areas.

Human Resources – Employment Procedures:

Library Board Members Gretchen Rader and Glenda Ritchie, Friends of the Library Member Dayle Komolosi, Library Director Jessica Ketola, and County Attorney Burt Hurwitz entered the chambers at 4:30 p.m.

Rader updated the Commissioners that on May 6th, 2021 current Library Director Jessica Ketola wrote the board wishing to rescind her resignation that is dated April 13th, 2021. MACo and the County Attorney were consulted about timing of the rescission and reported that given the timing it was ultimately a County decision on the best way to proceed. Rader stated that at this time the Library Board would like to continue through the Hiring Process and hold select interviews , which would include Jessica. Final decision will be made at their scheduled meeting this evening about the applicants that would be interviewed. Commissioners invited Rader and Ritchie to contact County Attorney Burt Hurwitz or Clerk to the Commission Rebekah Luchterhand to assist with telecommunications if necessary for interviews.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #58070 through Check #58096 totaling \$85,259.16. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 4:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, May 18th, 2021.

Tuesday
May 18th, 2021
1:00 p.m. – 5:30 p.m.
Met in Commissioner's Chambers

Meeting Called to Order:

Chair Townsend called the meeting to order at 1:00 p.m.

Commissioners Present:

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

Minutes:

ACTION #1

Commissioner Hurwitz moved to approve the Minutes from May 11th, 2021. Chair Townsend seconded the motion. A vote was taken and minutes were approved.

Meagher County Stewardship Council – Becky Middleton:

Sandfire America Representative Nancy Schlepp, Meagher County Stewardship Council Members Becky Middleton and Meghan Shroyer, Consultant Jackson Rose, and County Attorney Burt Hurwitz entered the chambers at 1:00 p.m.

Stewardship Council member Shroyer opened discussed about the county requesting the available Hard Rock Mining Impact Fees for Fiscal Year 20.21. Rose presented the Commissioners with Project revenues from the sale of copper at the following process per pound; \$3.20, \$3.60, \$4.00, and \$4.40. All present discussed the potential increase that the county will see during the 8-10 year peak production time of the mine. Discussion took place regarding the future projects the County has regarding planning. Commissioners agreed to request the remaining allocated Hard Rock Impacts Fees for Fiscal Year 20.21.

Road Report – Jake Kusek:

Road Supervisor Jake Kusek entered the chambers at 2:00 p.m.

Kusek updated the Commissioners on finishing final paperwork final closure of reclaimed gravel permits. Kusek and the Commissioners discussed the submittal of the 2021 Montana Federal Lands Access Program Grant Application that was submitted on May 15th, 2021. Kusek stated that the number of cars on the Smith River Road increased to about 127 per day or 900 per week since the previous reading on May 10th, 2021. Discussion ended on the how the department is handling the workload with a three (3) man crew and going through the hiring process in the future.

Fire Report – Chad Evans & Jake Kusek:

Checkerboard Cattle Company Manager Rob Willis, Checkerboard Fire members Ken Jorgenson and Rick George, and County Attorney Burt Hurwitz entered the chambers at 2:30 p.m.

All present discussed the proposed section of land that Checkerboard Cattle Company Owner Masee is donating to the county for a Fire Building in Checkerboard. All present discussed the history of the current fire garage and the process the County will go through to subdivide the property off of the existing parcel. The parcel will require a DEQ review due to being under 20 acres in size.

Kusek ended discussion about the submittal of a \$10,000 DRNC Rural Fire Capacity grant. Commissioners and Kusek discussed that the grant provides funding for wildland specific equipment needs of the department.

Treasurer's Report – Shauna Porter:

Treasurer's Shauna Porter attended via ZOOM Teleconferencing at 3:00 p.m.

Porter and the Commissioners discussed the presented Cash Report for April 2021. Porter requested that the Commissioners abate two (2) mobile home tax bills totaling \$155.33; due to being incorrectly taxed under MCA 15-6-241 by the Department of Revenue. Porter then discussed the prepared resolution for moving the interest on the FY 20.21 Pooled Monies.

ACTION #2

RESOLUTION 2021-41

May 18, 2021

Treasurer Shauna Porter presented the Commissioners with a request to abate the taxes on the following:

IT IS HEREBY RESOLVED THAT the following Mobile Home taxes assessed should be abated:

Kim Deal #300329 Due to age and value of MH it will no longer be taxed per DOR
Taxes \$71.61 + P&I \$13.51 = \$85.12

Connie Ellsworth #300303 Due to age and value of MH it will no longer be taxed per DOR
Taxes \$59.07 + P&I \$11.14 = \$70.21

Total to be abated: \$155.33

A vote was taken and unanimously approved. It is therefore resolved.

Attest:


Penny Plachy, Clerk & Recorder



Commissioners:


Herb Townsend, Chair


Rod Brewer, Vice Chair


Ben Hurwitz, Commissioner

RESOLUTION 2021-42

WHEREAS, Meagher County Investment earnings for the 20/21 FY on pooled monies are \$15,346.55 and

WHEREAS, Meagher County Treasurer is entitled to 3% of the total interest earned and,

WHEREAS, White Sulphur Springs School is entitled to 27% of the remaining interest earned on the monies included in the pooled monies and,

WHEREAS, Meagher County is entitled to 73% of the remaining interest earned on the monies included in the pooled monies.

NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED THAT \$4,090.80 (Four thousand ninety dollars and 80/100) shall be transferred from the County General Fund Investment earnings into the County School Funds. That \$ 460.40 (Four hundred sixty dollars and 40/100) be transferred from General Fund Investment earnings into General Treasurer Fees. Interest to remain in the General Investment earnings from pooled monies is \$10,795.35 (Ten thousand seven hundred ninety five dollars and 35/100).

Distribution:

Total Interest:	\$15,346.55
Treasurer's 3%	460.40
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	\$14,886.15
School 27%	4,090.80
County Interest	\$10,795.35

Dated this 18th day of May 2021.

Attest:


Penny Plachy, Clerk & Recorder



The seal is circular with a double-line border. The outer ring contains the text 'COUNTY CLERK & RECORDER' at the top and 'MEAGHER COUNTY MONTANA' at the bottom. In the center, the word 'SEAL' is prominently displayed between two stars.

Commissioners:


Herb Townsend, Chair


Rod Brewer, Vice Chair


Ben Hurwitz, Commissioner

Clerk & Recorder Report – Penny Plachy:

Clerk and Recorder Penny Plachy entered the chambers at 3:30 p.m.

Plachy presented the Commission with a May 2021 report. Plachy stated at this time the office has recorder 464 documents which is a 41.5% increase from last year during May 2020. Commissioners and Plachy discussed the hiring of a Temporary Assistant to the Clerk and Recorder for a specific Cemetery record/map project. Plachy updated the Commissioners on results of the School Election and the current timeline for the Municipal General Election

Primary Candidate filing. All City Council positions and the Mayor position will be on the ballot due to expiring terms and vacancies. Candidate Filing for the Municipal General Election Primary closes June 21st, 2021 at 5p.m.

CBDG Grants – Great West Engineering – Craig Erickson:

Martinsdale Water and Sewer District member Kathy Berg and County Attorney Burt Hurwitz entered the chambers at 4:00 p.m. Great West Engineering Engineer Jerry Grebenc and Funding Specialist Craig Erickson attended via ZOOM Teleconferencing.

Erickson opened discussion stating that a CBDG Grant would not be in the best interest of the County to pursue on behalf of the Martinsdale Water and Sewer District. Erickson stated that the district should seek funding through the Treasure State Endowment Program (TSEP) or the DNRC's Renewable Resource grant opportunities to fund their Preliminary Engineering Report. Berg stated that the district is wanting to replace existing main/service lines that were installed in the 1960s, create a looping system, and establish a second water source. Berg and the Commissioners discussed the work completed in 2005 for the district.

Cemetery Board Update – Penny Plachy & Mike Marion

Cemetery Board member Penny Plachy entered the chambers at 4:30 p.m.

Plachy updated the Commissioners that the board decided to waive the opening/closing and vault fees for the burial of Sandy Gratz that would take place this week. Funeral and cremation costs will not be handled by the County Indigent Burial Policy. Plachy stated that Sexton Mike Marion will be hiring a temporary assistant to help with groundskeeping and special projects over the summer. Commissioners and Plachy discussed a new building at the cemetery and have requested cost estimates be received prior to budget workshops.

Finance Update – Grants – Dayna Ogle:

Chief Finance Officer Dayna Ogle entered the chambers at 5:00 p.m.

Commissioners and Ogle discussed the audit that took place last week; main points of discussion were the audit findings that will be in the final report and how the county will need a Federal Single Audit due to the amount of federal funds received due to COVID19. Ogle and the Commissioners then discussed the utilization of the monies received for the sale of the Humvee and Chevy Pickup to equip the DES Mobile Command Center. Also, a request from the Library Board to move \$1,500 from Library Fund (2220) to the Library Depreciation Reserve Fund (2224).

ACTION #3

Resolution 2021 - 43

Commissioner Brewer moved to move \$1,500 from Library Fund (2220) to Library Depreciation Reserve Fund (2224) per the request of the Library Board. Commissioner Hurwitz seconded the motion.

Ogle ended discussion on the MACo Town Hall meeting regarding the ARPA funding that counties will receive directly from the Department of US Treasury. Meagher County is to receive an estimated \$366,000. Ogle stated that at this time MACo recommends to place the monies in an interest-bearing account until spending requirements are published. Commissioners and Ogle discussed the potential uses of the ARPA monies under the rumored requirements.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #58097 through Check #58117 totaling \$31,339.95. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 5:30 p.m.