

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

October 6, 2020

8:30 a.m. – 3:30 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

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

Minutes:

ACTION #1

Chair Hurwitz moved to approve the Minutes from September 15th, 2020. Commissioner Townsend seconded the motion. A vote was taken and minutes were approved.

Road Report –Jake Kusek:

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

Kusek presented the Commissioners with estimated costs of a vibratory roller for the department. Kusek and the Commissioners discussed the necessity of the roller for the department to ensure a better surfaced on freshly graveled roads. Kusek updated the Commissioners about a meeting with Brain Obert of MBAC to start work on the Federal lands Access Grant for Meagher County. Discussion ended on the topic of the Ringling Fire Hall and the potential options available to the County for selling the property and acquiring different property in Ringling.

Sheriff Report – Jon Lopp:

Sheriff Jon Lopp, Deputy Jerami West, and George Nasir entered the chambers at 9:30 a.m.

Sheriff Lopp presented the Commissioners with the Compliant Report for September 2020. Lopp and the Commissioners discussed the deputy position currently open for hiring and if the department would be allowed to hire based on the available monies from Sandfire America currently in Escrow. Commissioners agreed that it would be in the best interest of the department to hire an additional deputy. Lopp then introduced top candidate George Nasir to fill the position. Commissioners, Lopp, and Nasir discussed his history within Law Enforcement in Houston, Texas and the Montana Law Training necessary for him to start working. Discussion ended on the concerns of hunting season and the newly hired Game Warden to be present by July of 2021.

School Resource Officer Interlocal Agreement – Burt Hurwitz:

White Sulphur Springs School Superintendent Larry Markuson attended via ZOOM. County Attorney Burt Hurwitz and Superintendent of Schools Penny Plachy entered the chambers at 9:45 a.m.

County Attorney Hurwitz presented the Commissioners with the School Resource Officer Agreement. Deputy West explained his training, the purpose of a School Resource Officer (SRO), and his intentions behind the position. Commissioners, Lopp, West, County Attorney Hurwitz, and Supt. Of Schools Plachy discussed the benefits of the position and how the SRO helps with truancy/ discipline issues on a legal level. West explained his current work within the school and how he hopes to keep positive relationships with students, staff, and families.

ACTION #2

Resolution 2020 - 72

Commissioner Brewer moved to sign the presented School Resource Officer Agreement with White Sulphur Springs School District. Chair Hurwitz seconded the motion. A vote was taken and passed. All three copies were signed and will be distributed to the proper entities.

Review & Approval of Consolidated Planning Board Bylaws – Burt Hurwitz:

County Attorney Hurwitz and the Commissioners reviewed the presented bylaws from the Meagher County and City of White Sulphur Springs Consolidated Planning Board.

ACTION #2

Chair Hurwitz moved to approve and sign the bylaws of the Meagher County and City of White Sulphur Springs Consolidated Planning Board. Commissioner Townsend seconded the motion. A vote was taken and passed. The Bylaws were signed as presented.

Great West Engineering Contracy for COS Review/Addressing – Bill Llyod:

Great West Engineer Jerry Gerbenc, Bill Llyod, and GIS Specialist Matt Blassic attended the meeting via ZOOM. Clerk and Recorder Penny Plachy, County Attorney Burt Hurwitz, and Rick Seidlitz entered the chambers at 10:30 a.m.

Gerbenc started off discussion with a brief history of the clientele that Great West Engineering assists with Certificate of Survey Review. Commissioners, Gerbenc, Llyod, County Attorney Hurwitz, and Plachy discussed the needs of the county and the current fee schedule. Discussion then turned to GIS Specialist Matt Blassic on the addressing for Meagher County. Blassic and Seidlitz discussed the current status of the program and specifics regarding software and data entry. At the end of discussion, it was decided that Blassic and Seidlitz should meet to help transition of information go smoothly.

ACTION #3

Chair Hurwitz moved to work with Great West Engineering on an “As Needed” basis for the Certificate Review and Addressing of Meagher County. Commissioner Brewer Seconded the motion. A vote was taken and passed.

Capital Improvement Plan – Lance Bowser:

Airport Board members Kurt Burns, Sam Berg, and Engineer Lance Bowser from RPA attended the meeting via ZOOM. Chief Financial Officer Dayna Ogler entered the chambers at 11:00 a.m.

Bowser discussed the presented timeline of events for the Meagher County/White Sulphur Springs Airport Capital Improvement Plan and the future projects necessary for the airport. Bowser explained that currently the airport has about \$464,000 in FAA Funds available with roughly \$338,000 to be returned from Havre Airport via loan. Commissioners, Bowser, Burns, and Berg discussed the upcoming grant opportunities through Montana Department of Aeronautics and the FAA. Discussion also took place about the Capital Improvement Plan for the airport. Main points of discussion were the Updates to the AWOS System, Instrument Approach Procedure Development, and costs associated with each project. Discussion ended on the final timeline for the Capital Improvement Plan and the repayment of the loan to Havre.

Lunch

Chief Financial Officer Interviews

Commissioners conducted a single interview for the Chief Financial Officer Position. The applicant was offered the position once the interview had concluded.

Finance Office Redistribution of Duties Agreement – Penny Plachy:

County Attorney Burt Hurwitz, Clerk & Recorder Penny Plachy, and Chief Financial Officer Dayna Ogle entered the chambers at 2:00 p.m.

Commissioners were presented with a copy of the *Agreement Between the Meagher County Clerk and Recorder and the Chief Finance Officer Redistribution of Duties*. All present discussed that the duties listed are those the financial officer will complete on behalf of the Clerk and Recorder. The agreement references the following Montana Code Annotated; 2-7-503, 7-6-4003, 7-2-2331(2), and 7-6-4020.

ACTION #4

Resolution 2020 - 73

Chair Hurwitz moved to sign the *Agreement Between the Meagher County Clerk and Recorder and the Chief Finance Officer*. Commissioner Townsend seconded the motion. A vote was taken and passed. All parties signed the agreement as presented.

AGREEMENT BETWEEN MEAGHER COUNTY
CLERK AND RECORDER AND THE CHIEF
FINANCE OFFICER REDISTRIBUTION OF DUTIES
Effective July 1st, 2020

Resolution 2020 - 73


Clerk and Recorder duties assumed by Finance Officer:

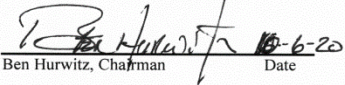
The Finance Officer shall prepare and submit the annual financial statement (MCA 2-7-503).

The Finance Officer shall prepare and submit the annual budget report (MCA 7-6-4003).

The Finance Officer shall monitor funds for budgeting purposes (7-2-2331(2)).

The Finance Officer shall assist the Clerk and Recorder with preparation of the county budget (7-6-4020).


Penny Plachy, Clerk & Recorder 10-6-20
Date


Ben Hurwitz, Chairman 10-6-20
Date


Dayna Ogle, Chief Finance Officer 10-6-20
Date

Policy for Verification of Prior Years of Public Service:

Commissioners, County Attorney Hurwitz, and Ogle discussed the policy that the City of White Sulphur Springs in 2018. Further discussion was tabled until the next scheduled meeting to allow County Attorney Hurwitz to discuss policy variations with MACo.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Check #57431 through Check #57455 totaling \$13,882.23. Pre-presented Claim Check #57375 through Claim Check #57430 totaling \$52,158.79. Pre-presented Payroll Check #13170 through Payroll Check #13195 totaling \$61,955.26. Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 3:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, October 13, 2020.

Tuesday
October 13th, 2020
8:30 a.m. – 4:00 p.m.
Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

Chairman Ben Hurwitz and Vice Chair Herb Townsend were present in the Commission Chambers. Commissioner Rod Brewer attended via ZOOM Teleconferencing.

Minutes:

Commissioners discussed changes to the October 6th, 2020 minutes and tabled until the next meeting.

County Attorney Report – Burt Hurwitz:

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

County Attorney Hurwitz opened discussion with concerns about the Ringling Fire Hall property and options available to the County. Commissioners and County Attorney Hurwitz discussed the option to purchase new lots within Ringling and the documentation needed to do so. County Attorney Hurwitz then updated the Commissioners on the civil and criminal issues of the County. The trial set for October has been canceled due to a plea agreement.

Health Nurse Report – Eva Kerr R.N.:

Health Nurse Eva Kerr attended the meeting via ZOOM at 10:00 a.m.

Commissioners and Kerr discussed the presented report for September 2020. Kerr updated that she has completed the job description for the Sanitarian position, the rising numbers of positive cases in Wheatland and Meagher County, and the current number of Flu Vaccinations. Commissioners, Kerr, and County Attorney Hurwitz discussed the process of contact tracing and the current standings of hospital availability around the state.

Board of Health:

The following members attended the meeting; Health Nurse Eva Kerr R.N., Dr. Jennifer Brunson, Commissioner Ben Hurwitz, Commissioner Herb Townsend, Commissioner Rod Brewer, County Attorney Burt Hurwitz, and Mayor Rick Nelson. Members not in attendance were Sanitarian Sean Hill and Sandy Harris.

Kerr gave a verbal report for the July to September 2020 Quarter; Meagher County had one (1) case of Giardia, three (3) Dog Bites, one (1) Pig bite, and one (1) Cat bite. Currently the Meagher County Health Office has given about 75 flu vaccines to members of the community and is looking into safe options for possibly conducting Flu Vaccine Clinics. Discussion turned to COVID 19 concerns within Meagher County. Brunson and Kerr updated on the current Montana State case numbers (new cases, recovered, hospitalized, and deaths), hospital availability within the state, the large spectrum of effects COVID 19 has on patients, and contact tracing procedures. All present discussed current restrictions within public establishments and if changes would occur, treatment options for patients, and the difficult process of contact tracing.

Fire/DES Report – Rick Seidlitz:

Volunteer County Fire Chief Rick Seidlitz entered the chambers at 11:00 a.m.

Commissioners and Seidlitz discussed the Yogo Fire, which is 10 miles east of Neihart, Montana. Volunteer Fire Chief Rick Seidlitz informed the Commission that he wishes to fully step down from all responsibilities with his retirement from DES Coordinator. Commissioners and Seidlitz discussed potential candidates for the Volunteer County Fire Chief and the relationship with the City Fire Department.

LEPC Lunch

Commissioners attended via ZOOM teleconferencing from the Commission Chambers.

Ringling Fire Hall Discussion:

County Attorney Burt Hurwitz entered the chambers at 1:30 a.m. Commissioner Brewer recused himself from discussion due to a conflict of interest.

County Attorney Hurwitz presented the Commissioners with the Buy Sell Agreement to review before signature. Commissioners and County Attorney Hurwitz discussed the varying terms of the sale.

ACTION #1

Resolution 2020 - 74

Chair Hurwitz moved to sign the Buy Sell Agreement. Commissioner Townsend seconded the motion. A vote was taken and passed. Commissioner Brewer abstained from voting.

Policy for Verification of Prior Years of Public Service:

McKenzie McCarthy from MACo attended the meeting via ZOOM. Chief Financial Officer Dayna Ogle entered the chambers at 2:00 p.m.

Count Attorney Hurwitz, McCarthy, Ogle, and the Commissioners discussed the policy resolution that the City of White Sulphur Springs passed to acknowledge prior years of service as a public employee in state, county, and city level positions. McCarthy pointed out that due to the definitions of *Employee* verse *Elected Official* the resolution would not include the time served as an elected official. Commissioners, County Attorney Hurwitz, McCarthy, and Ogle discussed the County's policy verse the State's policy for accrual of vacation leave. Commissioners decided after discussion to table the policy until further notice.

Public Test of the Express Votes Voting Machine – Penny Plachy:

Commissioners went downstairs to the Clerk and Recorder's Office to publicly test the Express Votes Voting Machine. No issues were found during the public test.

Cemetery Board – New Building – Mike Marion & Penny Plachy:

Cemetery Sexton Mike Marion and Cemetery Board Penny Plachy entered the chamber at 3:00 p.m.

Plachy presented the Commissioners with the received bids from well drilling companies and a building contractor. Commissioners, Marion, and Plachy discussed the differences drilling bids, the stick building quote, and timeline for completion. After discussion about budget it was decided to only drill the well and complete further construction in the upcoming fiscal years.

ACTION #2

Resolution 2020 - 75

Chair Hurwitz moves to drill a domestic well in the Cemetery for preparations of an office to be constructed in 2021. Commissioner Townsend seconded a motion. A vote was taken and passed. The issue is hereby resolved.

Clerk and Recorder Update – Penny Plachy:

Clerk and Recorder Penny Plachy presented the Commissioners with three quotes for digitizing the records vault in the Clerk and Recorder's Office. Plachy stated that she would like to digitize the all the old record books within the record's vault. Also, that money is available through the current Cares Act grant to pay for the digitizing of the records. Commissioners and Plachy reviewed the three quotes; DIS Technologies quoted \$67,000, Archasearch quoted \$80,000, and Meadowlark Research quoted \$40,000. Plachy informed the Commissioners of experiences other counties had with all companies.

ACTION #3

Resolution 2020 - 76

Commissioner Townsend moved to hire Meadowlark Research to digitize the records vault. Chair Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Public Comment:

Senior Center board member Rosalie Greener and Manager Beth Hunt utilized ZOOM for the following meeting.

Hunt asked the Commissioners if the Senior Center was considered for their yearly donation and if so if they could receive \$15,000 this year due to the increased costs seen from COVID 19. Greener and Hunt explained the extra costs associated with placing meals in containers, the loss of revenue from not being able to rent the facilities for events, and decrease in average meals served daily. Hunt did state that she received some Cares Act funding to help alleviate various costs due to COVID19. Commissioners stated to Hunt and Greener that it was budgeted for the Senior Center to receive \$10,000 to help serve our community, additional funds would not be available to them since the budget has been finalized. Commissioners requested that the Senior Center schedule an appointment prior to the finalization of the Fiscal Year budget to request more funding. Commissioner's thanked Hunt and all volunteers at the Senior Center for the work they do within our community.

Claims Approved:

Commissioners were presented with Check #57456 through Check #57480 totaling \$62,146.09. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 4:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, October 20th, 2020.

Tuesday
October 20th, 2020
8:30 a.m. – 11:30 a.m.
Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

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

Minutes:

ACTION #1

Commissioner Brewer moved to approve the Minutes from October 13th, 2020 with minor corrections. Commissioner 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 about the gravel crushing at the Airport and the winter preparations for the graders. Commissioners and Kusek discussed the maintenance on all the graders within the fleet, estimated hours each grader gets per year in use, and the timeline for replacement of graders.

ACTION #2

Chair Hurwitz moved to lift the Fire Ban placed in August 2020. Commissioner Townsend seconded the motion. A vote was taken and passed. The Open burning ban has been lifted and the sheriff's Office will be contacted.

Library Report – Jessica Ketola:

Librarian Ketola canceled and will update at her scheduled time in November.

1st Quarter Budget Report – Dayna Ogle:

Chief Financial Officer Dayna Ogle entered the chambers at 10:00 a.m.

Ogle presented the Commissioners with 1st Quarter Budget Reports. Ogle and the Commissioners discussed budgets that are currently 25% spent or more. Discussion also took place about rate of pay for a new Volunteer Fire Chief. Ogle will contact similar sized counties for their rates of pay and the Commission will decide on rate once information has been presented.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Check #57482 through Check #57503 totaling \$61,733.45. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 11:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Wednesday, November 4th, 2020.