

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

**Tuesday**

January 10<sup>th</sup>, 2023

8:30 a.m. – 3:30 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 and Commissioner Errol Galt were present for the meeting. Vice-Chair Ben Hurwitz was absent from the meeting.

**Minutes:**

**ACTION #1**

Commissioner Galt moved to approve the Minutes from January 3<sup>rd</sup>, 2023. Chair Brewer seconded the motion. A vote was taken and minutes were approved.

*Clerk & Recorder Liv West attended as an observer for the entire meeting.*

**Monthly 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 December 2022 report. County Attorney Hurwitz updated the Commissioners about the civil and criminal cases of County. Lengthy discussion took place about the Predatory Animal Tax on Cattle and the Grassy Mountain Fire District Tax. County Attorney Hurwitz stated that resolutions will need to be filed with the Election Office by February 1, 2023 to call for elections on the taxes. County Attorney Hurwitz also updated about the December 14, 2022 Planning Board meeting specifically, the meeting with the Forest Service about the Willow Creek Watershed. Consolidated Planning Board Members and the Forest Service started collaborating on ideas feasible to treat the Willow Creek Watershed area for fuel reduction. The board and Forest Service will meet again at their regularly scheduled February 8, 2023 meeting to continue progress on the topic.

County Attorney Hurwitz ended his update on the appeal to the Supreme Court of Judge Bideguary's ruling on the Black Butte Copper project. The opposition briefs are to be received on Wednesday January 11, 2023. From this date DEQ, the Black Butte Copper Project, and Meagher/Broadwater Counties have thirty (30) days to respond. The Supreme Court may take six (6) months to twenty-four (24) months to decide the case, but there is no timeframe in which the decision must be made.

**Monthly Sheriff Report – Jon Lopp:**

Sheriff Jon Lopp and Deputy Cody Wilson entered the chambers at 9:30 a.m.

Lopp presented the Commissioners with the December 2022 Complaint Report. Deputy Wilson and Lopp then updated the Commissioners on the health of K9 Drug Dog Tank. Tank has

developed a health condition which prevents the department from utilizing him within the K9 Unit. Deputy Wilson stated that he spoke with Tarheel Canine Training Inc. and based on the contract Tank would be replaced at no additional cost. If the department chooses to continue the K9 Unit Program, Deputy Wilson would return him to the Tarheel Canine Training Facility in North Carolina and train with a new K9 partner. All present discussed the K9 Program and came to a consensus for Deputy Wilson to obtain a new K9 partner.

Lopp then updated the Commissioners that the 2016 Ford Interceptor has a blown head gasket. Commissioners and Lopp discussed how to replace the head gasket would be an estimated \$3,000 and that there is a possibility of complete engine damage. Commissioners and Lopp discussed the value of the vehicle in working condition verse selling “as is”. It was decided to sell the 2016 Ford Interceptor as is because the cost of repairs out weighed the value of the vehicle. Lopp stated the Sheriff Office is planning to hold an abandon vehicle auction sometime in the Spring/Summer of 2023.

Lopp and the Commissioners ended discussion on the possibility of a Public Information Officer for Meagher County. A public service officer would handle public relations for County Offices and possible serve as a point of contact during special or emergency events. It was discussed how this position could be contracted on a case basis or part of an employee’s position.

#### **Monthly Health Nurse Report – Eva Kerr R.N.:**

Health Nurse Eva Kerr R.N. entered the chambers at 10:00 a.m. Chief Financial Officer Dayna Ogle entered the chambers at 10:15 a.m.

Kerr presented the Commissioners with a County Health Nurse for December 2022. Kerr updated the Commissioners that in December 2022 there were ten (10) known cases of COVID19. She also updated about the distribution of Flu Vaccines and COVID Vaccines completed by the office.

Commissioners and Kerr then discussed the receipt of the Community Service Block Grant (CSBG) from HRDC for a total of \$10,302.00. Kerr updated how the grant assists the Public Health Office with the supply purchases for lice treatment, hygiene class supplies, assisting elderly, and wages. HRDC requested that the Commissioners consider allocating some of the received funding to other entities in Meagher County. Commissioners determined that the funding was a vital part of the Public Health Office and would remain allocated to Meagher County Public Health. Discussion ended on the Disease Intervention Specialist position and the funding available through the State of Montana until June 2023. Kerr will be submitting a grant application for the continuation of the position. If awarded the grant, the position would be funded by the State through June 2027. Commissioners and Kerr discussed how the duties of the Public Health Office and how it has transitioned into a two (2) person Office.

#### **4<sup>th</sup> Quarter Board of Health:**

County Attorney Burt Hurwitz entered the chambers. Sanitarian Sean Hill attended via ZOOM Teleconferencing. Mayor Rick Nelson and Sandy Harris were absent.

Kerr presented the board with the Disease Reporting for October 2022 through December 2022. Meagher County has ten (10) cases of Influenza A, zero (0) cases of Influenza B, one (1) hospitalization due to Influenza, and forty (40) known cases of COVID 19. For calendar year 2022 Meagher County had 313 known cases of COVID 19, nine (9) animal bites, three (3) cases of Campylobacteriosis, three (3) cases Chlamydia, three (3) Hep C investigations, one (1) Legionellosis case, and two (2) lead/metal exposure investigations.

Kerr then updated the board about the 2022-2023 Flu season. Since October 2022 Montana has had 8,221 confirmed cases of Influenza; 408 cases have been hospitalized and eight (8) Flu related deaths statewide. All present discussed the significant increase in the Influenza confirmed case number compared to the five (5) year averages. Also, the outreach of the Health Office for Flu Vaccines.

Sanitarian Hill updated that restaurant inspections were completed in December 2022 and paperwork has been filed with the State. Meagher County should be receiving the certificates and associated fees in the near future.

**Absaroka Energy – Gordon Butte Hydro Project – Carl Borgquist:**

Absaroka Energy CEO Carl Borgquist and Absaroka Energy Errol Rice entered the chambers at 11:00 a.m.

Borgquist updated the Commission that currently the Gordon Butte Hydro Project is in negotiations for the sale of the entire project. Borgquist could not disclose the interested parties due to confidentiality agreements. Borgquist did state he felt that the project would be seeing more progressive movement in both planning and construction phases within the next nine (9) to twelve (12) months. Borgquist and Rice then updated the Commissioners on a distribution line project Absaroka Energy is beginning to develop. This line would be a DC line running from the substation of the Gordon Butte Hydro Project to Ulm Montana. The line would tie into the Montana Alberta Twain Distribution line and create more market diversity for energy. Rice and Borgquist stated that this project is in the infancy phase and no maps are available at this time.

**LEPC Lunch**

**Human Resources – Internal Job Posting – Dayna Ogle:**

Human Resource Officer Dayna Ogle entered the chambers at 1:00 p.m. Ogle explained that the employees in the Temporary Part-Time Dispatch position and the Temporary Part-Time Respite Care Provider position have exceed their temporary 12-month period. Ogle is asking on behalf of the 911 Communication Department and the Health Department that these positions be made permanent. Ogle requested per Meagher County Policy these positions be posted internally before posting externally. The following decision was made.

**ACTION #2**

**Resolution Fiscal Year 22.23 - #70**

Chair Brewer moved to create a Permanent Part-Time Dispatch and Permanent Part-Time Respite Care Provider positions. Also, to post the jobs internally for two (2) weeks. Commissioner Galt seconded the motion. A vote was taken and passed. The issue is hereby resolved.

**Monthly Cemetery Board Update:**

Cemetery Board Member Angie Egeler, Cemetery Board Member Rosie Spaulding, and Kathy Palmer entered the chambers at 1:30 p.m.

Commissioners reviewed the applications for the Cemetery Board and asked if the board had any recommendations. The board recommended that the Commissioners appoint Kathy Palmer due to her expressed interest of the Cemetery. The following decision was made.

**ACTION #3**

**Resolution Fiscal Year 22.23 - #71**

Commissioner Galt moved to appoint Kathy Palmer to the Cemetery Board. Chair Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Spaulding presented the Commissioners with pictures of the Cemetery Building Office and Cemetery Sexton Job Description. Egeler and Spaulding updated the Commissioners on the cleaning of the cemetery building, the condition on the space, and the outside cleanup to still be completed. Spaulding stated that new locks have been installed for the building and gate. All members have copies of the keys with a master set located in the County Clerk & Recorder's Office. Spaulding then updated the Commissioners on the available Cemetery Management Program software through Black Mountain Software. The startup and yearly maintenance costs, along with the accessibility of the program, and key features were discussed. The Board stated they would schedule a product demo with Black Mountain Software before making a final decision.

Discussion then turned towards the presented job description and the Cemetery's Board request to place the Sexton Job out for competitive hiring. Commissioners and the Board discussed minor edits to the job description. The board stated they would like to have a new Sexton hired by mid-March 2023 or early April 2023. The following decision was made.

**ACTION #4**

**Resolution Fiscal Year 22.23 - #72**

Chair Brewer moved to post the Cemetery Sexton job position out for competitive hiring. Commissioner Galt seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Discussion ended on the repairs needed for the Cemetery Truck and an equipment inventory of the Cemetery. Ogle presented the board with the most current inventory list for the Cemetery.

**Martinsdale Water & Sewer District Grant Updates – Craig Erickson:**

Martinsdale Water & Sewer District Board Member Kathy Berg and Great West Senior Funding Specialist Craig Erickson entered the chambers at 2:00 p.m. Chief Financial Officer Dayna Ogle entered the chambers at 2:45 p.m.

Berg presented the Commissioners with a handout overview of the Martinsdale Water & Sewer District Water System Project. Erickson updated that Commissioners that on December 9, 2022 Meagher County – Martinsdale Water & District was awarded a Community Development Block Grant totaling \$600,000. Erickson then explained the reporting of the grant and the coordination that would take place between the County and Great West for the reporting. Great West will prepare the required reports on behalf of the District and Meagher County will submit the reports and requests for payments. Berg and Erickson updated that for Phase 1 of the Water Project the District has applied for a Montana Coal Endowment Program Grant totaling \$750,000 and a DNRC Grant totaling \$125,000. Receipt of those grant awards are contingent on the Montana Legislature funds the programs. In addition to those grants the District will be seeking a State Revolving Fund Loan to cover an estimated \$200,000 remaining needed for funding. The goal of the district is to start construction of Phase 1 in Spring/Summer of 2024.

**Ambulance RFP Decision- Ambulance Board:**

Ambulance Board Member Sara Driemeyer, Ambulance Board Member Jack Berg, and Chief Financial Officer Dayna Ogle entered the chambers at 2:30 p.m.

Berg updated that R.E.S. APGAR Ambulance clarified that the proposal did include the antitheft system that was inadvertently marked as an exception within the RFP. Berg and Driemeyer stated that the RFP submitted by R.E.S. APGAR Ambulance met all the requirements and that the Ambulance Board would like to accept the RFP from R.E.S. APGAR Ambulance. Driemeyer and Berg explained that Ambulance #2 is no longer functionable to be on the fleet roster. Commissioners, Driemeyer, and Berg discussed utilizing the loaner ambulance from R.E.S. APGAR Ambulance. Meagher County would have the option of purchasing the loaner ambulance in which APGAR would take Ambulance #2 in on trade with a value of \$7,000. APGAR stated that all maintenance, repairs, and insurance are the responsibility of Meagher county while the loaner ambulance is in Meagher County's possession. Driemeyer also presented information on the additional cost of the Stryker Power Load and Cot, the Lucas Device, a monitor system, and installation. Together all additional equipment would cost about \$90,000 to complete the ambulance. Commissioners, Berg, and Driemeyer discussed clarifying with APGAR regarding installation of the Stryker devices during manufacturing verse installing afterwards. The following decisions were made.

**ACTION #5**

**Resolution Fiscal Year 22.23 - #73**

Chair Brewer moved to accept the RFP from R.E.S. APGAR Ambulance for the price of \$257,911 for a 2023 or newer Dodge 4500 Ambulance with a delivery date of four hundred (400) days and approving the purchase of the additional presented equipment for about \$90,000. Commissioner Galt seconded the motion. A vote was taken and passed. The issue is hereby resolved.

**ACTION #6**

**Resolution Fiscal Year 22.23 - #74**

Commissioner Galt moved to request a loaner ambulance from R.E.S. APGAR Ambulance and assume the associated costs of maintenance, repairs, and insurance while in Meagher County's possession. Chair Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Driemeyer, Berg, and Ogle will work together to contact Steve Apgar about clarification for the installation of the Stryker equipment and requesting the loaner Ambulance.

**Public Comment:**

No Public Comment.

**Claims Approved:**

Commissioners were presented with Claim Check #59936 through Claim Check #59955 totaling \$30,081.59. All Checks were signed as presented.

**Meeting Adjourned:**

Meeting was adjourned at 3:30 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, January 17<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

Note: Minutes taken by Clerk to the Commission Rebekah Luchterhand  
Distributed January 17<sup>th</sup>, 2023 to Chairman Brewer, Vice Chair Hurwitz and Commissioner Galt, and Clerk & Recorder West.