

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

Tuesday

July 1st, 2025

8:30 a.m. – 11:58 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Chairman Hurwitz called the meeting to order at 9:00 a.m.

Commissioners Present:

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

Minutes:

ACTION #1

Commissioner Galt moved to approve the minutes from June 23rd, 2025. Commissioner Brewer seconded the motion. A vote was taken and the minutes were approved.

Swearing in Treasurer

Chairman Hurwitz adjourned to the courtroom to swear in new County Treasurer Dayna Ogle.

Monthly Road / Fire Report – Jake Kusek

Road Supervisor Jake Kusek entered the chambers at 9:15 am.

Commissioner Brewer and Kusek reviewed the report concerning the proposed abandonment of Moss Agate Road.

Commissioner Galt and Kusek discussed potential locations for stockpiling millings intended for use in Martinsdale. Kusek also presented the commissioners with rental rates for a roller to compact the millings on Martinsdale roads.

Commissioner Brewer inquired about the status of the gravel pit at Fort Logan. Kusek reported that while the DEQ permit has been secured, the project is currently awaiting a land use agreement from Attorney Hurwitz.

Kusek will review applications and schedule interviews for the open Road Crew member position.

Additionally, Kusek noted the need for another pick-up truck and raised the question of whether its purchase is feasible within the current budget.

Public Hearing-C Pace-Resolution to Create

C Pace Project Manager Carolyn Jones and Cassie Coburn entered the chambers at 10:00 a.m.

Commissioners discussed the C Pace Program.

ACTION #2

Resolution FY 25.26 #1

MEAGHER COUNTY RESOLUTION ESTABLISHING A MEAGHER COUNTY
PACE PROGRAM

WHEREAS, The 67th and 69th Regular Sessions of the Montana Legislature enacted and amended the Commercial Property-Assessed Capital Enhancement Act of Montana, Montana Code Annotated, Title 90, Chapter 4, Part 13 (the "PACE Act"), which allows the governing body of a local government, including Meagher County to designate an area of the territory of the local government as a district within which an authorized local government official and the record owners of a privately owned commercial or industrial facility, covered multifamily housing facility as defined in Section 90-4-1302, MCA, or agricultural property may enter into written contracts to impose assessments on the property to repay the financing by the owners of Energy Conservation Projects and Public Safety and Resiliency Improvement Projects ("C-PACE Projects") as defined in Section 90-4-1302, MCA, as the same may be amended from time to time; and

WHEREAS, the installation or modification by property owners of qualified C-PACE Projects in Meagher County will further the goals of increasing economic efficiency, energy conservation, public safety, and resiliency without cost to the public; and

WHEREAS, the Meagher County Commissioners finds that financing C-PACE Projects through contractually agreed to special assessments ("PACE financing") furthers essential government purposes, including but not limited to, economic development, reducing energy consumption and costs, conserving natural resources, and providing public safety and resiliency improvements; and

WHEREAS, the Meagher County Commissioners adopted a Resolution of Intent to establish a PACE program for Meagher County on June 10th, 2025, including a reference to the C-PACE Program Guidelines prepared as required by Section 90-4-1306, MCA, and made the report available to the public via a link to the C-PACE website; and

WHEREAS, the public hearing required by Section 90-4-1306, MCA, at which the public could comment on the proposed program, including the C-PACE Program Guidelines available for public inspection as mentioned above occurred July 1st, 2025 for Meagher County; and

WHEREAS, pursuant to the PACE Act, the Meagher County Commissioners will delegate the administration of the Meagher County PACE program to the Montana Facility Finance Authority (the "MFFA") (the "Authorized Representative") that can

administer the program at no cost to Meagher County. Administration by the AUTHORITY will enable the program to be administered without use of Meagher County resources, will assure the objectives of impartiality and confidentiality of owner information, and will be convenient and advantageous to Meagher County.

NOW THEREFORE, be it resolved by the Commissioners of Meagher County that:

Section 1. Establishment of Program. Meagher County hereby adopts this Resolution Establishing the Meagher County PACE Program and finds that financing qualified projects through

contractual assessments pursuant to the PACE Act is a valid public purpose and is convenient and advantageous to Meagher County and its citizens. The program will be called Meagher County Commercial Property Assessed Capital Enhancement ("Meagher County PACE") and is herein called "the Program." Meagher County hereby incorporates by reference, as if fully set forth herein, the C-PACE Program Guidelines available at www.LastBestPACE.com, as the same may be amended from time to time.

Section 2. Assessments. Meagher County will, at the property owner's request, impose contractually agreed to special assessments on the property to repay, in equal semi-annual installments, PACE financing for C-PACE Projects available to the record owners of a privately owned commercial or industrial facility, covered multifamily housing facility as defined in Section 90-4-1302, MCA, or agricultural property.

Section 3. Qualified Projects. The following three types of projects are qualified projects for PACE financing that may be subject to such assessments:

1. "Energy conservation measures": means a permanent cost-effective energy improvement fixed to real property, including new construction, and intended to decrease energy or water consumption and demand, including a product, device, or interacting group of products or devices on the customer's side of the meter that uses energy technology to generate electricity, provide thermal energy, or regulate temperature. The exemplary list of energy conservation measures codified at Section 90-4-1302, MCA, is incorporated by reference herein.

2. "Renewable Energy System": means a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that uses one or more forms of renewable energy to generate electricity or to reduce the use of nonrenewable energy. The term includes a biomass stove but does not include an

incinerator or a digester. "Renewable energy" has the meaning provided in Section 90-4-1302, MCA.

3. (Effective October 1, 2025) "Public safety and resiliency improvement project": means one or more fixed installations or modifications to eligible commercial real estate property that are designed to improve a public's safety or resilience by improving the eligible real property's:

- a. structural integrity for seismic events;
- b. indoor air quality;
- c. durability to resist wind, fire, and flooding;
- d. ability to withstand an electric power outage;
- e. stormwater control measures, including structural and nonstructural measures to mitigate stormwater runoff; and
- f. firearm storage infrastructure for use by the public pursuant to a firearm hold agreement as provided in Section 27-1-748, MCA

Furthermore, Qualified Projects shall also include any projects that shall become eligible under future amendments of the PACE Act as the same shall be defined in subsequent C-PACE Program Guidelines.

Section 4. District. The boundaries of the entire geographic area within Meagher County's jurisdiction are included in the boundaries of the district where PACE financing and assessments can occur.

Section 5. Third- Party Financing. Financing for qualified projects under the Program will be provided by qualified third-party lenders chosen by the owners. Such lenders will execute written contracts with the Authority to service the debt through assessments, as required by the PACE Act. The contracts will provide for the lenders to determine the financial ability of owners to fulfill the financial obligations to be repaid through assessments, advance the funds to owners on such terms as are agreed between the lenders and the owners for the installation or modification of qualified projects, and service the debt secured by the assessments, directly or through a servicer, by collecting payments from the owners pursuant to financing documents executed between the lenders and the owners. Meagher County will maintain and continue the assessments for the benefit of such lenders and will enforce the assessment lien for the benefit of a lender in the event of a default by an owner.

Cemetery Board-Kathy Palmer

Kathy Palmer and Randy Harden entered the chambers at 10:30 a.m.

Palmer presented a request to purchase a lawn mower from Frontline Ag, which includes a 2 year warranty for \$6300.00. This proposal will be reviewed during the upcoming budget discussions.

Palmer also inquired about the possibility of fundraising for either the construction of a new building or upgrades to the existing facility. The Commissioners agreed that such efforts would provide significant benefits to the cemetery.

Palmer expressed interest in acquiring a new tractor equipped with a snow blower and backhoe attachment. This equipment would greatly assist in preparing burial plots more efficiently and with minimal disruption to the grounds.

Montana Stockgrowers / Woolgrowers-Predator Control

Finance Officer Jennifer Deems entered the chambers at 11:00 a.m.

Deems presented Commissioners with predator control agreements for both Stockgrowers and Woolgrowers Associations for signature.

Northwestern Energy-Howard Skjervem

Howard Skjervem, Colbey VanDyke, and Charlie Smith entered the chambers at 11:15 a.m.

Commissioner Hurwitz emphasized the need for a dedicated energy employee in White Sulphur Springs to enhance safety, particularly in the event of power outages and fire emergencies. He expressed concern about the response times from Northwestern Energy during critical situations.

Smith acknowledged that this issue is not unique to White Sulphur Springs and affects other areas in the valley as well. He shared that a company-wide initiative is underway to implement a first responder hotline that will connect directly to the Distribution Control Center. This center will have the capability to remotely manage and shut down power systems, thanks to the installation of AMI meters. Once the center becomes fully operational—expected this week—it will be able to remotely isolate faults and restore service more efficiently. The System Operations Control Center (SOCC) will be staffed with controllers 24/7 to support this effort.

Looking ahead to next year, additional smart switches will be installed throughout the town. These switches will allow for automatic rerouting of power in the event of a line issue, improving reliability. Historically, large outages have been caused by issues with the 69kV line. While the current system can restore power to the town, it does not yet cover the outskirts. Planned upgrades next year aim to extend coverage to those areas as well.

Currently, a serviceman is assigned to White Sulphur Springs but resides in Townsend. In emergency situations, the first responders dispatched are based in Townsend, followed by support from the Helena office. Smith stated they are looking to transfer a first responder out of Harlowtown as a backup to Townsend.

Northwestern Energy also conducts proactive ground patrols of the entire electric transmission system annually. However, shutting off power remains a last resort, even in the presence of nearby wildfires.

Public Comment:

No public comment

Claims Approved:

Commissioners were presented with Check #62631 through Check #62641 totaling \$64190.05. Electronic Check #-99543 through #-99542 totaling \$1759.74. All Checks were signed as presented.

Meeting Adjourned:

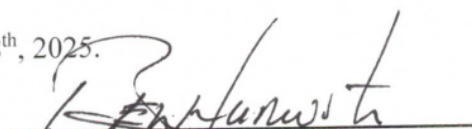
Meeting was adjourned at 11:58 a.m.

Next Meeting:


Commissioners are scheduled to meet Tuesday, July 8th, 2025.


CLERK & RECORDER




CHAIRMAN


VICE-CHAIRMAN


COMMISSIONER

Note: Minutes taken by Clerk to the Commission Briana Frasier
Distributed July 8th, 2025 to Chairman Hurwitz, Vice Chair Galt, and Commissioner Brewer, and Clerk & Recorder Liv A. West.