

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

July 5th, 2022

8:30 a.m. – 3:00 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 Vice Chair Rod Brewer were present for the meeting. Commissioner Ben Hurwitz was absent.

Minutes:

ACTION #1

Chair Townsend moved to approve the Minutes from June 21st, 2022 with minor corrections. Commissioner Brewer seconded the motion. A vote was taken and minutes were approved.

Mike Eckberg entered the chambers at 8:50 a.m.

Eckberg expressed his concerns about the demolition of the current Sixteen Mile Bridge; specifically bank erosion of the creek. He also asked if the old footings are to be removed during demolition. Commissioners stated they did not know the specifics of the demolition and removal of the bridge and directed Eckberg to call Road Supervisor Jake Kusek for specific information about the demolition of the Sixteen Mile Bridge.

Sheriff Report – Jon Lopp:

Sheriff Jon Lopp entered the chambers at 9:00 a.m.

Lopp presented the Commissioners with the Complaint Report for June 2022 and a letter requesting a wage increase for Dispatcher/ Reserve Officer Zane Frisbie. Lopp and the Commissioners discussed the complaint report and the wage increase. Lopp stated the increase is appropriate because Frisbie has been with the office part-time for about five (5) years and is an

asset to the office because he is trained as a Reserve Officer, Bailiff, and Dispatcher. Frisbie has not received the previously approved County employee wage increase because it was undetermined if he would return during his breaks while in college.

ACTION #2

Resolution Fiscal Year 22.23 - #1

Commissioner Brewer moved to increase the pay of Dispatcher/ Reserve Officer Zane Frisbie by \$1.00 per hour effective Fiscal Year 22.23 Pay Period 1. Chair Townsend seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Lopp updated the Commissioners about the work being completed on the Sheriff's Office Battery Backup unit for the telecommunication system and how this unit recently had failed during a short power outage in June of 2022. Currently Lopp is working with Fisher Electric to assess the twelve (12) batteries within the unit and replace any batteries that are no longer operational. Lopp and the Commissioners ended discussion on how Meagher County is within Montana Highway Patrol District VII, which includes Broadwater, Park, Gallatin, and Madison counties, and the vacancy to place a Montana Highway Patrol officer within Meagher County. Lopp briefly updated the Commissioners on the increased staffing for during the Red Ants Pants Music festival.

Finance Office Update – Dayna Ogle:

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

Ogle presented the Commission with an IRS Announcement 2022-13; this announcement state that the IRS has increased the mileage rate for business reimbursement from \$0.585 to \$0.625 for the remainder of the 2022 calendar year. Commissioners made the following decision.

ACTION #3

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

Ogle and the Commissioners ended discussion on the BARSAA "New Gas Tax" funds requirements for spending and its current allocation to the purchasing of magnesium chloride for road stabilization.

Southwest Chemical Dependency Update – Grandville Boone:

Grandville Boone entered the chambers at 10:30 a.m.

Boone introduced himself to the Commissioners and stated that currently he is in training to become the director of Southwest Chemical Dependency. Boone explained to the Commissioners that their organization provides services to Park, Meagher, Beaverhead, and Madison Counties. Boone and the Commissioners discussed the rehab programs offered through Southwest Chemical Dependency, the funding of the organization through designated alcohol tax monies, insurance reimbursements, and a state block grant, and how the organization offers their services both in person and digitally.

Martinsdale Water & Sewer Project and Grant Update – Craig Erickson:

Martinsdale Water & Sewer District Board members Kathy Berg and Mike Teter entered the chambers at 11:00 a.m. Craig Erickson entered the chambers at 11:15 a.m.

Berg updated the Commissioners about the current condition of the Martinsdale Water distribution system. Commissioners, Berg, and Teter discussed the water sources (springs and water rights) of the Martinsdale Water & Sewer District, the multiple grants and loan options being pursued to fund the replacement of the water distribution system in Martinsdale, and the current drought effects seen in Martinsdale.

Erickson then updated the Commissioners on the district's intentions to submit a Community Development Block Grant (CDBG) to the Montana Department of Commerce if the Commissioners are willing to sponsor the application. Erickson stated that the CDBG grant must be applied through by a government entity and would be due in September of 2022. Commissioners, Berg, Teter, and Erickson discussed the 25% matching funds required by the grant, the involvement necessary of County employees, and how the grant monies would be utilized towards the replacement of the entire water service system in the town of Martinsdale. Commissioners made the following decision.

ACTION #4

Resolution Fiscal Year 22.23 - #2

Chair Townsend moved to sponsor a CDBG Grant for the Martinsdale Water and Sewer District. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Clerk Luchterhand will work with Erickson and Martinsdale Water & District on requirements for the public hearings needed for the grant application.

Lunch

Chair Townsend was absent during afternoon appointments.

Septic System Concerns – Katie Peters:

Deputy Clerk & Recorder Liv West and Katie Rein entered the chambers at 1:00 p.m. County Attorney Burt Hurwitz attended via ZOOM Teleconferencing. Sanitarian Collette Anderson attend by conference call.

Rein opened discussion with timeline of events regarding the Krein Properties LLC septic permit; starting in August of 2021 when the application was submitted. Rein explained her communications with Sanitarian Collette Anderson, her frustrations with the DEQ Review requirements, and the impacts this could have regarding her business in Meagher County. Anderson also spoke to the communications between herself and Rein. Anderson acknowledged that she failed to communicate with Rein about the requirements for the septic permit and her expectation for further documentation on the permit. Rein acknowledged that she failed to follow-up on the progress of the permit with Anderson after the site evaluation was completed.

All present discussed the application process, length of time required for a DEQ Review (3-5 months), the lack of knowledge Rein and husband had as self-installers, and how to create solutions.

Anderson stated that currently she has left messages at the DEQ to start the review process and that she herself or potentially another engineer from Great West Engineering may be able to assist with the application for the DEQ review. Discussion changed to placing a cistern system on the property as a temporary solution until a DEQ Review could be completed. Anderson stated she would look into specifics for the property to see if that would be a positive temporary solution.

It was determined that either County Attorney Hurwitz or Anderson would contact Rein by the end of the week with final answers to the proposed solutions.

Public Comment:

No Public Comment.

Budget Workshop:

Ogle presented information about the FY 21.22 budget for end of year closing. Budget Amendments are to be scheduled on the July 12th and July 19th, 2022 meetings.

Claims Approved:

Commissioners were presented with Claim Check #59311 through Check #59343 totaling \$53,892.48. Claim Check #59337 was voided due to incorrect amount. Payroll Check #13627 through Check #13648 totaling \$54,538.75 and Electronic Payroll Check #86320 through Check #86369 totaling \$129,690.38 were pre-presented. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 3:00 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, July 12th, 2022.

Tuesday
July 12th, 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, Commissioner Ben Hurwitz were present for the meeting.

Minutes:

ACTION #1

Chair Townsend moved to approve the Minutes from July 5th, 2022. Commissioner Brewer seconded the motion. A vote was taken and minutes were approved.

911 Mapping – Jon Lopp:

Sheriff Jon Lopp entered the chambers at 9:00 a.m.

Lopp updated the Commissioners that the Sheriff's did not receive their grant to purchase 911 Mapping software/program that is compatible with the 911 CAD System. Lopp requested to purchase the 911 Mapping software/program with funds from the 911 Outlay Fund. Lopp and the Commissioners discussed the benefits of the upgraded 911 Mapping software/program and how Lopp was waiting on a final estimate from the company. Commissioners stated they would grant final approval of the purchase once cost information was received.

Budget Workshop – Dayna Ogle:

Cancelled until July 19th, 2022 meeting

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 Health Report for June 2022. Kerr updated that at this time Meagher County has nine (9) positive cases of COVID19 and the variant type is unknown. Kerr updated that her office is now offering COVID vaccines starting at age five (5) and up for those who would like the vaccine. Kerr and the Commissioners discussed the utilization of the Homemaker Program by residents and the transition to the digital medical record system within the County Health Office. Kerr stated that the digital system is a subscription base program costing an estimated \$270 a month.

Board of Health:

Mayor Rick Nelson entered the chambers at 10:25 a.m. Health Nurse Eva Kerr R.N. and the Commissioners were present. Sanitarian Sean Hill attended via ZOOM Teleconferencing.

Kerr stated that from April 2022 to June 2022 Meagher County had three (3) dog bites, one (1) skunk tested for rabies; test was negative, and one (1) case of chlamydia. Meagher County also had fifty-five (55) documented cases of COVID19. All present discussed the different variants, the range of symptoms being seen with COVID19, and variant testing through the State Lab.

Hill updated that he has been completing new licensing for two (2) establishments that have recently sold within Meagher County. Also, that he has begun preparation for the Red Ants Pants Music Festival food vendors.

Mayor Nelson updated that the City is about one third of the way complete on the water main replacement project on Lincoln Street and Fourth Avenue South. Mayor Nelson stated that the project should be completed within the next three (3) weeks assuming all water tests meet the required standards.

County Attorney Report – Burt Hurwitz:

County Attorney Burt Hurwitz entered the chambers at 11:00 a.m.

County Attorney Hurwitz updated the Commissioners about recent correspondence with Sanitarian Collette Anderson in regard to the Krein LLC Septic Permit. County Attorney Hurwitz stated no formal plan has been decided or confirmed at this time, but Sanitarian Anderson was in contact with DEQ. County Attorney Hurwitz and the Commissioners then discussed the *Trout Unlimited v. DEQ* lawsuit's appeal to the Montana Supreme Court.

LEPC Lunch

Housing Discussion:

Discussion took place in the Courtroom from 1 p.m. to 2:15 p.m.

The following were physically present in the Courtroom; Chair Townsend, Commissioner Brewer, Commissioner Hurwitz, County Attorney Burt Hurwitz, Extension Agent Makayla Paul, Mayor Nelson, City Council Member Ron Coleman, City Council Member Lee Blanchard, City Council Member Patti Berg, City Council Member Rick Ellison, School Board Member Bob Hanson, School Superintendent Deb Turver, Meagher County Stewardship Council Member Jackson Rose, Meagher County Stewardship Council Member Bill Bryan, Meagher County Stewardship Council Member/ Hospital CEO Rob Brandt, Meagher County Stewardship Council Member/Private Business Owner Katie Boedecker, Meagher County Stewardship Council Member George Gold, Private Business Owner Ron Sorg , MBAC Representative Brian Obert, MBAC Representative Katherine Anderson, and Consolidated Planning Board Vice-Chair/Private Business Owner Dan Rooney. The following attended via ZOOM Teleconferencing: Consolidated Planning Board Member Terry Taylor, City Attorney Susan Wordal, Private Business Owners Linda Nygard & Paul Nygard, Private Business Owner TJ Paulsen, and Meagher County Stewardship Council Member Jen Madgic.

County Attorney Hurwitz introduced himself and requested that everyone present introduce themselves and what stakeholder group they participated in.

After introductions County Attorney Hurwitz shared a brief PowerPoint summarizing information from the Meagher County Housing Needs Assessment completed by HRDC and ideas about how to approach Meagher County/White Sulphur Springs housing issue through government or private solutions. After PowerPoint review, County Attorney Hurwitz opened the floor for discussion between all parties present about the housing concerns in Meagher County/White Sulphur Springs. Specifically, any solutions people may want to explore or how various parties are managing the effects of the housing crisis.

School Board Member Bob Hanson and School Superintendent Deb Turver updated that the school district purchased a duplex housing unit adjacent to the school property to house teachers. Also, that the School Board is looking into further development opportunities available to house future/current staff.

Meagher County Stewardship Council Member/ Hospital CEO Rob Brandt updated that construction of a new hospital building would not commence until all funding is secured through USDA and other funding opportunities. It is not in the construction plan to build employee housing with the current project of the hospital build and that the hospital has a spectrum of income levels that need housing.

Mayor Nelson and City Council Members stated recently they have contacted DA Davidson regarding housing investment programs but have not been contacted back with information at this time. Council member Patti Berg brought up concerns about how to market Meagher County to investors and contractors against the market of the Gallatin Valley.

Consolidated Planning Board Vice-Chair/Private Business Owner Dan Rooney spoke about how Meagher County/White Sulphur Springs has become a recreation destination and its direct correlation with the increase of vacation rentals. Also, the necessity of interim housing in the community to help with worker influxes if the mine is permitted. Rooney then spoke about the independent construction market for both costs of construction and retainment of employees.

Meagher County Stewardship Council Member/Private Business Owner Katie Boedecker spoke about an increase that was seen for winter recreation. Boedecker also stated how the recently completed Meagher County Housing Needs Assessment helped her private business expand to allow them to house employees. Boedecker expressed concerns on how the current state of the economy is impacting wage increases, costs of housing, and negative impacts businesses are having from employees not being able to find or afford housing to work.

Meagher County Stewardship Council Member Jackson Rose spoke about the council's involvement with the Meagher County Housing Needs Assessment and their goals if Phase 2 of the study took place.

MBAC Representative Brian Obert briefly spoke about the housing issues within East Helena and Townsend Montana.

All present agreed that housing is an issue in Meagher County/White Sulphur Springs and the state of Montana itself. Parties discussed the economic and demographical issues against housing markets/projects, how federal and state funding has become more competitive due to statewide housing crises, if local investment co-ops or similar like programs would be a proper fit for Meagher County/White Sulphur Springs, and the positive/negative effects seen from the recreational tourism on Meagher County housing.

One specific solution discussed was creating a position that could be sponsored by the County and/or City to seek development efforts in Meagher County/White Sulphur Springs. Parties discussed how the position could be contracted based on specific projects entities want to pursue to best allocate funding. Jackson Rose stated that the Meagher County Stewardship Council could assist with drafting a scope of work /job description for this solution and narrow down project ideas. County Attorney Hurwitz stated that he would work with Rose and will update parties when substantive information is available.

Road/Fire Report – Jake Kusek:

Road Supervisor/Volunteer Fire Chief Jake Kusek entered the chambers at 2:30 a.m. County Attorney Burt Hurwitz entered the chambers at 2:45 p.m.

Kusek updated the Commissioners about the plans on the demolition of the Sixteen Mile Bridge that will start next week on July 19th, 2022. Kusek then presented the Commissioners with updated Lease/Purchase Agreements on John Deere Graders. Commissioners and Kusek discussed the variable changes within the agreements; interest rates, hours on the trade-in equipment, etc. Commissioners requested the Kusek reach out to RDO Representative Damon Van Deist to come to the August 2nd, 2022 meeting to discuss the Lease/Purchase Agreements. Kusek and the Commissioners then discussed the ordering of magnesium chloride. Kusek stated that Dustbusters, Inc. would have an additional fuel surcharge to the delivery of the product. Commissioners and Kusek discussed mileages and dosages needed on roads throughout the county.

Kusek then relayed a request from the City to borrow a semi-truck for Rocky Vinton to complete a Commercial Driver's License drive test. Commissioners stated that the City could borrow a semi-truck for Rocky Vinton to complete his Commercial Driver's License drive test.

Kusek then updated that in June 2022 the volunteer fire department responded to four (4) fire within the county; they varied from lightning strikes to power transformers for points of ignition.

Comprehensive Economic Development Strategy Update – MBAC Katherine Anderson:

MBAC representatives Brian Obert and Katherine Anderson entered the chambers at 3:00 p.m. County Attorney Burt Hurwitz entered the chambers at 3:15 p.m.

Obert and Anderson asked the Commissioners about the needs of the County for economic development. Commissioners, Obert, and Anderson discussed impacts of recreation on county roads and the needs for housing in Meagher County. Anderson then updated the Commissioners that at this time MABC is gathering new demographic information to place into their Comprehensive Economic Development Strategy plan. Obert and Anderson stated they would provide the Commissioners with a draft copy for review in a few months.

Public Hearing – Budget Amendment – Dayna Ogle:

Cancelled until July 19th, 2022 meeting

Budget Workshop Continued – Dayna Ogle:

Cancelled until July 19th, 2022 meeting

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #59344 through Check #59382 totaling \$. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 4:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, July 19th, 2022.

Tuesday
July 19th, 2022
8:30 a.m. – 3:30 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 July 12th, 2022. Chair Townsend seconded the motion. A vote was taken and minutes were approved.

Library Report – Rachel Wahlstrom:

Meeting was moved to downstairs conference room to allow for accessibility.

Library Director Rachel Wahlstrom, Library Board member Paul Komolsi, and Library Board member Betsy Hamann entered the chambers at 9:00 a.m.

Wahlstrom presented the Commissioners a letter from the State Library regarding the non-compliance of the Library's front door for handicap accessibility. The letter stated that the Library has three (3) years to resolve the issue before state funding would be pulled. Komolsi, Wahlstrom, Hamann, and the Commissioners discussed the cost associated to bring the Library's front doors into ADA compliance and other areas in/around the building that may need to be addressed for accessibility. Wahlstrom stated that Library Board is looking into grant options to help pay for the cost of the handicap buttons. All present discussed using the Library Depreciation Reserve Fund to cover costs as well. Wahlstrom stated she would send the cost estimate from Rooney's to Financial Officer Dayna Ogle to place the installation in the Fiscal Year 22.23 budget.

Salary Compensation Board:

Salary Compensation Board Member Rob Brandt, Salary Compensation Board Member Tary Buckingham, Salary Compensation Board Member Nancy Schlepp, County Attorney Burt Hurwitz, Clerk & Recorder Penny Plachy, Treasurer Shannon Graham, Sheriff Jon Lopp, Justice of the Peace John Lesofski, and Chief Financial Officer Dayna Ogle entered the chambers at 10:00 a.m.

Brandt opened discussion with asking the elected officials to speak; no comment was heard. Brandt then stated that the board is recommending an increase of 9% or \$2.00 for Meagher County Elected Officials. All present discussed the current rate of inflation, the COLA of 4.75%, and surrounding area wages comparatively to Meagher County's current base. All public board members expressed the necessity of retaining elected officials and bringing wages up to help with market demands. During discussion Commissioner Brewer stated that a 9% increase would be about \$1.98 increase for the elected officials.

ACTION #2

Brandt moved to recommend a 9% - \$1.98 raise for the Meagher County Elected Officials for the Fiscal Year 22.23 Budget. Schlepp seconded the motion. A vote was taken and passed.

Commissioners will take the recommendation from the Salary Compensation Board and apply the increase to salaries during their budget workshop.

Treasurer's Report – Shannon Graham:

Treasurer Shannon Graham and Shauna Porter entered the chambers at 11:00 a.m.

Graham presented the June 2022 Cash Report for signature. Commissioners and Graham discussed that the Harmon adjustments are not on the cash sheet and will be updated by the August 2022 meeting.

Graham, Porter, and the Commissioners discussed the discrepancies in the Fiscal Year 21.22 Tax Receivables. Porter and Graham stated to the Commissioners that currently Tax Receivables for Fiscal 21.22 is short a significant amount. The Treasurer's Office stated they are currently working with the Department of Revenue to clarify how this occurred. The Treasurer's Office discovered the mill values on tax bills did not match certified values given to County in August of 2021; they do not know how this occurred or why and are waiting on communication back from the Department of Revenue. Commissioners will be continually updated as information is learned.

Lunch

Public Hearing – Budget Amendment- Dayna Ogle:

School Superintendent Deb Turver and Laci Novark entered the chambers at 1:00 p.m.

Turver and Novark explained the significant shortages within the School District's Fiscal Year 21.22 Budget and the concerns about how/when the shortage would be received for their budget. Commissioners stated that they would do all they could to make the school budget whole and are waiting for more information about the issue from the Department of Revenue and the Treasurer's Office.

Ogle presented the Commissioners with Budget Amendments for Fiscal Year 21.22 for the following funds; Compensated Absence Fund 3200, Ambulance Fund 2230, Meagher County Health Fund 2378, Search & Rescue Fund 2382, Property & Liability Insurance Fund 2384, Solid Waste Fund 2500, Alcohol Rehabilitation Fund 2800, and K9 Grant Fund 2870. Ogle and the Commissioners went through each Amendment and made the following motion.

ACTION #3

Resolution Fiscal Year 22.23 - 3

Commissioner Hurwitz moved to transfer \$40,000 from the Impact Fees Fund 2399 to the Sheriff Outlay Fund 4109 to pay for the new patrol vehicle. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Budget Workshop:

Clerk & Recorder Penny Plachy entered the chambers at 1:45 p.m. Treasurer Shannon Graham entered the chambers at 2:45 p.m.

Ogle and the Commissioners started the Budget Workshop on the General Fund – Commissioners 1000.201. Commissioners felt no lines needed to be increased or decreased based on the spending during Fiscal Year 21.22.

Plachy and the Commissioners discussed the Clerk Recorder 1000.202 and the School Superintendent of School Budget 1000.207. Plachy and the Commissioners discussed a possibility of purchasing security cameras for election security purposes, the central store supply budget, and the requested part-time position within the Clerk & Recorder Budget. Plachy stated that the office could use assistance with front counter job duties, special projects, and research projects.

Graham and the Commissioners discussed the Treasurer Budget 1000.203. Decreases were made to the supplies, small equipment, travel, and training. Discussion did take place about the State funding for supplies and equipment in the Motor Vehicle Department.

Public Comment:

Grassy Mountain HOA President Greg Philpot entered the chambers at 3:00 p.m.

Philpot presented the Commissioners with a letter that was sent to the homeowners of the Grassy Mountain Subdivision for their annual meeting taking place on Saturday July 23rd, 2022 at the Meagher County Library. Philpot updated the Commissioners on the process he is taking for the abolishment of the Grassy Mountain Fire District and the communications he has had with both Meagher County and Broadwater County Fire Chiefs/Commissioners. Commissioners stated they the supported the abolishment process for the Grassy Mountain Fire District.

Claims Approved:

Commissioners were presented with Claim Check #59383 through Check #59402 totaling \$. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 3:30 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, August 2nd, 2022.