

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

Tuesday

June 10th, 2025

8:30 a.m. --11:50 a.m.

Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

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

Public Comment:

No Public Comment

Minutes:

ACTION #1

Commissioner Galt moved to approve the minutes from June 3rd, 2025. Commissioner Hurwitz seconded the motion. A vote was taken and the minutes were approved.

County Attorney Report – Burt Hurwitz

County Attorney Burt Hurwitz and Victim Witness Advocate Laura Taylor entered the chambers at 9:10 a.m.

Attorney Hurwitz reported that two active investigations are currently underway in coordination with Cascade County. One of these is being led by Under Sheriff Jerami West, who is collaborating with the Great Falls Police Department. The second investigation involves a home invasion near the county line. Due to the extent of the criminal activity occurring in Cascade County and the involvement of multiple officers, the Division of Criminal Investigation is taking the lead on this case.

Attorney Hurwitz noted that he has a change of plea hearing scheduled for Monday, June 16th. Additionally, he expressed hope that a separate case, currently set for trial in August, may be resolved through a settlement.

Hurwitz also mentioned ongoing efforts to mediate a dispute between ranches with the goal of reaching a resolution.

Attorney Hurwitz stated the Foster Care Review Team had its first meeting. The Foster Care Review Team has been invited to attend a meeting of the Lewis and Clark Foster Care Review Team to observe and learn best practices for conducting future meetings more effectively.

Hurwitz stated that he and Clerk & Recorder Liv West have spoken with a couple of people regarding Sanitarian Services for Meagher County.

County Health Nurse – Eva Kerr

County Health Nurse Eva Kerr entered the chambers at 10:00 a.m.

Kerr reported that both she and Laura Taylor successfully completed the CPR Instructor Certification course and are now qualified to continue teaching CPR classes in Meagher County.

She also presented a Safe Sitter class for children aged 11 to 13, and conducted a "Stop the Bleed" class for students in grades 7 through 10.

Regarding funding, Kerr submitted a request to the Area IV Agency on Aging for the upcoming fiscal year, seeking to maintain the current \$12,000 allocation for Homemaker services and requesting an increase of \$8,350 for Respite services, which would include a 25% in-kind wage match.

Kerr expressed concern over a significant rise in the number of uninsured children in the county, noting that she has already encountered eight cases this year involving children without any form of health insurance.

She is also actively working to increase measles vaccination rates among local children. Kerr emphasized the seriousness of measles exposure, noting that the virus can remain airborne for up to two hours. If an unvaccinated individual is exposed, there is a 90% chance of infection, and such individuals should quarantine for 21 days, which is the typical incubation period for symptoms to appear.

Fire Reorganization Discussion

Attorney Burt Hurwitz, Clerk & Recorder Liv West, Seacrest Fire Solutions Jess Seacrest, Grassy Mountain Fire District Chairman Ben Haugen, White Sulphur Springs City Council member Ron Frisbie, Signe Freeze, Jerami West, Finance Assistant Dayna Ogle entered the chambers at 10:27 a.m.

Attorney Hurwitz reported that he has had several productive conversations with Kate Dinwittie and recommended that the Commissioners meet with her again. Dinwittie is highly knowledgeable about the distinctions between Fire Districts and Fire Service Areas and could provide valuable insight.

One proposed approach would allow each fire entity to remain independent while entering into an interlocal agreement. This structure would enable the entities to operate collaboratively, with a single individual overseeing training across all departments. Dinwittie has suggested that Meagher County could serve as a case study for implementing such an agreement among its various fire entities.

Attorney Hurwitz noted that this model could also include ambulance services and Search and Rescue, helping to streamline training and coordination. Commissioner Galt added that a series of interlocal agreements could eventually evolve into a formal Fire District. Hurwitz acknowledged this possibility but emphasized that funding mechanisms and mill levy collection would need to be addressed. Seacrest remarked that if Meagher County successfully implements this model, it could serve as a blueprint for other counties across Montana.

Attorney Hurwitz asked the Commissioners whether they believed the public would support the creation of a county-wide Fire District. Commissioner Brewer expressed skepticism about public approval at this time, noting that the idea has not yet been presented to the community. Frisbie recalled that following the fire in Checkerboard, there was increased interest in expanding local involvement and acquiring more equipment for that area. Hurwitz stressed that costs are unlikely to decrease, regardless of the path taken. Seacrest concluded that now is the ideal time to consider structural changes.

Haugen reported that the Grassy Mountain Fire Department (GMFD) held a meeting last week, during which he requested that a lot in Grassy Mountain be donated to the Fire District. He also inquired about strategies for recruiting volunteers in that area.

Ogle raised the question of appointing a full-time fire chief. The Commissioners responded that no decision has been made at this time. Attorney Hurwitz clarified that the position would only need to be publicly advertised if it were to become a full-time, permanent role.

The group also discussed the response time of Northwestern Energy during emergencies. It was noted that during the recent fire in Checkerboard, it took the utility company approximately three hours to arrive and shut down a power line, raising concerns about future response times and public safety.

ACTION #2

Resolution FY24.25 #88

Commissioner Galt moved to post the part-time Rural Fire Chief position. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

C-Pace Resolution of Intent

Commissioners discussed the C-Pace Program and signed the letter of Intent. The Commissioner will hold a public hearing on July 1st, 2025 at 10:00 a.m. in the Commissioner Chambers.

ACTION #3

Resolution FY24.25 #89

Resolution No. 89

**MEAGHER COUNTY RESOLUTION OF INTENT TO ESTABLISH 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 a 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 intent of the Meagher County Commissioners is that eligible C-PACE Projects shall also include any projects that shall become eligible under future amendments of the PACE Act; 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 find that financing C-PACE Projects through contractual 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 PACE Act designates the Montana Facility Finance Authority as state-wide administrator of projects utilizing PACE financing; and

WHEREAS, the Meagher County Commissioners, subject to the public hearing scheduled as provided below, at which the public may comment on the proposed program and the report issued contemporaneously with this resolution, finds that it is convenient and advantageous to establish a program under the PACE Act and designate the entire geographic area within the County's jurisdiction as a district within which a designated County representative and the record owners of qualified real property may enter into PACE financing arrangements.

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

Section 1. Meagher County intends to make contractual assessments to repay PACE financing for qualified C-PACE Projects available to owners of a commercial or industrial facility, covered multifamily housing facility as defined in Section 90-4-1302, MCA, or agricultural

property. The program is to be called Meagher County Commercial Property Assessed Capital Enhancement ("Meagher County PACE").

Section 2. The following three types of projects are qualified projects for PACE financing that may be subject to such contractual 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

Section 3. The boundaries of the entire geographic area within Meagher County's jurisdiction are the boundaries of the district where PACE financing and assessments can occur.

Section 4. Financing for qualified projects under the PACE program will be provided by qualified third-party lenders chosen by the owners. Such lenders will execute written contracts with Meagher County's representative to service the 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 contracts executed between the lenders and the owners. The lender contracts will provide that Meagher County will maintain and continue the

assessments for the benefit of such lenders and enforce the assessment lien for the benefit of a lender in the event of a default by an owner. Meagher County will not, at this time, provide financing of any sort for the PACE program.

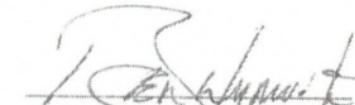
Section 5. The Montana Facility Finance Authority will serve as an independent third-party Program Administrator on the behalf of Meagher County pursuant to its Montana Commercial Property Assessed Capital Enhancements Program Guidelines available for inspection at www.LastBestPACE.com (hereinafter the "C-PACE Program Guidelines"). The C-PACE Program Guidelines are incorporated in this resolution and made a part hereof for all purposes.

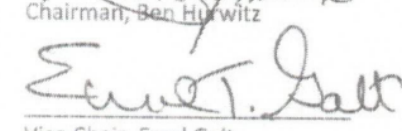
Section 6. The Meagher County Commissioners will hold a public hearing on the proposed PACE program and report on June 17, 2025 at 10:00 a.m. in the County Commissioners Chambers, at 15 W. Main St. White Sulphur Springs, MT 59645.

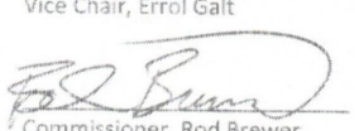
Adopted this 10th day of June, 2025.


Clerk & Recorder, Liv A. West




Chairman, Ben Hurwitz


Vice Chair, Errol Galt


Commissioner, Rod Brewer

Claims Approved:

Commissioners were presented with Check #62582 through Check #62595 totaling \$37,566.90 Electronic Check #-99572 totaling \$2,626.78. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 11:50 a.m.

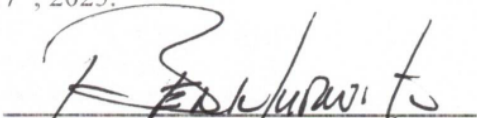
Next Meeting:

Commissioners are scheduled to meet Tuesday, June 17th, 2025.


CLERK & RECORDER

SEAL




CHAIRMAN


VICE-CHAIRMAN


COMMISSIONER

Note: Minutes taken by Clerk to the Commission Jennifer Deems
Distributed June 17th, 2025 to Chairman Hurwitz, Vice Chair Galt, and Commissioner Brewer, and Clerk & Recorder Liv A. West.