

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

June 4th, 2024

8:30 a.m. –11:15a.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, Vice Chair Ben Hurwitz, and Commissioner Errol Galt were present for the meeting.

Minutes:

ACTION #1

Commissioner Galt moved to approve the minutes from May 21st 2024, Commissioner Hurwitz seconded the motion. A vote was taken and the minutes were approved.

Monthly Sheriff Report – Jon Lopp:

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

Sheriff Lopp presented the Commissioners with the complaint report for the month of May. The Sheriff's Office received 311 incoming calls, 14 9-1-1 calls, and 276 came into the office. A total of 601 people contacted the Sheriff's Office in the month of May.

Law Enforcement Agreement – Burt Hurwitz

Attorney Hurwitz entered the Chambers at 9:20 a.m.

Attorney Hurwitz presented the Commissioners with a proposal for the Law Enforcement Agreement between the City of White Sulphur Springs and Meagher County. Under this agreement, the City's contribution will increase from \$75,000 to \$100,000 and will increase yearly with the cost-of-living adjustment. Additionally, the city will provide a new patrol vehicle every 4 years, starting in 2028. Meagher County will cover the cost of the additional emergency equipment for the patrol vehicle.

Resolution FY23.24 #95

Commissioner Galt moved to approve the Law Enforcement Agreement. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Monthly Road Report – Jake Kusek

Road Supervisor Jake Kusek entered the chambers at 9:30.

Kusek and Commissioner Brewer, appointed road committee, recently surveyed Moss Agate Road, which is slated for abandonment. The road does not connect to or grant access to public land. The committee will submit a report of their findings next week.

Kusek presented the Commissioners with the only bid received for gravel crushing at Cottonwood Creek Gravel Pit and Birch Creek Gravel Pit.

Resolution FY23.24 #96

Commissioner Brewer moved to accept the bid for Gravel Crushing from James Carney Construction for \$6.80 per yard for 20,000 yards of 1" minus gravel. Commissioner Galt seconded the motion. A vote was taken and passed. The issue is hereby resolved.

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Recorded at 11:15 AM on 6/11/2024 Fee: \$0.00
Liv A. West Clerk & Recorder, MEAGHER COUNTY By

Treasurer – Interest Disbursement – Maura Kusek

Treasurer Maura Kusek entered the chambers at 10:00 a.m.

Kusek presented the Commissioners with an amendment to Resolution FY 23.24 #92 the disbursement of investment earnings for FY22.23 for signature. Kusek also presented the commissioners with the disbursement of investment funds for FY23.24 for signature.

Action #2

Commissioner Galt moved to approve Resolution FY 23.24 #92 Amended, the disbursement of investment earnings for FY 22/23. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

**Fiscal Year 23.24
RESOLUTION #92 Amended**

WHEREAS, Meagher County Investment earnings for the 22/23 FY on pooled monies are \$211,246.25 and,

WHEREAS, Meagher County Treasurer is entitled to 3% of the total interest earned and,

WHEREAS, White Sulphur Springs School is entitled to 22% of the remaining interest earned on the monies included in the pooled monies and,

WHEREAS, Meagher County is entitled to 78% of the remaining interest earned on the monies included in the pooled monies.

NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED THAT:

\$45,079.95 (Forty-five thousand seventy-nine dollars and 95/100) shall be transferred from the County General Fund Investment earnings into the County School Funds.

\$6,337.39 (Six thousand three hundred thirty-seven dollars and 39/100) be transferred from General Fund Investment earnings into General Treasurer Fees.

\$159,828.91 (One hundred fifty-nine thousand eight hundred twenty-eight dollars and 91/100) Interest to remain in the General Investment earnings.

Distribution:

Total Interest:	\$211,246.25
<u>Treasurer's 3%</u>	<u>6,337.39</u>
	\$204,908.86
<u>School 22%</u>	<u>45,079.95</u>
County Interest 78%	\$159,828.91

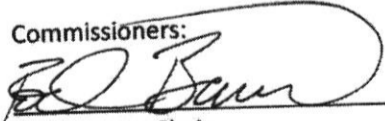
Dated this 6th day of June 2024.

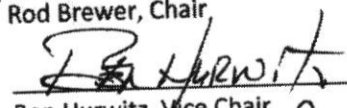
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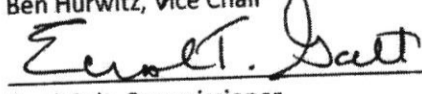

 Lib West, Clerk & Recorder



Commissioners:


 Rod Brewer, Chair


 Ben Hurwitz, Vice Chair


 Errol Galt, Commissioner

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Action #3

Commissioner Galt moved to approve the disbursement of investment funds for F 23.24. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Resolution FY 23.24 #94

**Fiscal Year 23.24
RESOLUTION #94**

WHEREAS, Meagher County Investment earnings for the 2023/2024 Fiscal Year on pooled monies are \$408,316.16 and,

WHEREAS, Meagher County Treasurer is entitled to 3% of the total interest earned and,

WHEREAS, White Sulphur Springs School is entitled to 21% of the remaining interest earned on the monies included in the pooled monies and,

WHEREAS, Meagher County is entitled to 79% of the remaining interest earned on the monies included in the pooled monies.

NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED THAT:

\$85,746.40 (Eighty-five thousand seven hundred forty-six dollars and 40/100) interest shall be transferred from the County General Fund Investment earnings into the County School Funds.

\$ 12,628.34 (Twelve thousand six hundred twenty-eight dollars and 34/100) interest shall be transferred from the County General Fund Investment earnings into General Treasurer Fees.

\$322,569.76 (Three hundred twenty-two thousand five hundred sixty-nine dollars and 76/100) interest shall remain in the County General Fund Investment earnings.

Distribution:

Total Interest:	\$420,944.50
Treasurer's 3%	12,628.34
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School 21%	85,746.40
County Interest 79%	\$ 322,569.76


Dated this 4th day of June 2024.

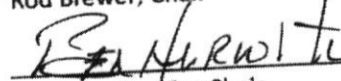
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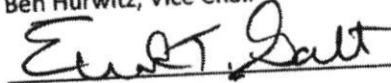

Liv West, Clerk & Recorder



Commissioners:


Rod Brewer, Chair


Ben Hurwitz, Vice Chair


Errol Galt, Commissioner

Open Call for Bid – 2020 Polaris Ranger

Lee Zehntner entered the chambers at 10:00a.m.

Zehntner opened two bids for the 2020 Polaris Ranger 4x4. The H Lazy 6 Ranch submitted the highest bid of \$11,000. Robert Hanson submitted a bid for \$10,555.50

Resolution FY23.24 #97

Commissioner Galt moved to accept the bid for \$11,000 from The H Lazy 6 Ranch for the 2020 Polaris Ranger 4x4. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

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Liv A. West Clerk & Recorder, MEAGHER COUNTY By 30

Public Hearing – Martinsdale TV District Dissolution

Dayna ogle

Ogle presented the Commissioners with the Resolution to Dissolve the Martinsdale TV District and Transfer assets to Wheatland County Marlo TV District for signature.

Resolution FY23.24 #98

Resolution No. 98

RESOLUTION TO DISSOLVE MARTINSDALE TV DISTRICT AND TRANSFER ASSETS TO WHEATLAND COUNTY MARLO TV DISTRICT.

WHEREAS, Mont. Code Ann. § 7-11-1029, authorizes the Board of County Commissioners the ability to dissolve a special district if it is considered to be in the best interest of a local government, if the purpose for creating the special district has been fulfilled or if the special district is not needed in perpetuity and,

WHEREAS, the Martinsdale TV District has fulfilled its purpose, the equipment has been removed and the district is no longer needed and,

WHEREAS, the Martinsdale TV District, Fund 7372, has a cash balance of \$5,008.35, pursuant to Mont. Code Ann. § 7-11-1029 (7)(c) that amount will be transferred to the Wheatland County Marlo TV District upon dissolution.

NOW, THEREFORE, IT IS HEREBY RESOLVED, The Board of County Commissioners upon giving notice to the taxpayers within the district pursuant to Mont. Code Ann. § 7-11-1029, will dissolve the Martinsdale TV District and transfer the cash balance of \$ 5,008.35 (five thousand eight dollars and thirty-five cents) to the Wheatland County, Marlo TV District on July 1, 2024.

Dated this 4th day of June, 2024.

MEAGHER COUNTY COMMISSION



ATTEST

[Signature]
Meagher County Clerk & Recorder
Liv A. West

[Signature]
Rod Brewer, Chairman

[Signature]
Ben Hurwitz, Commissioner

[Signature]
Errol Galt, Commissioner

Intent to Dissolve Checkerboard TV District

Dayna Ogle

Ogle presented the Commissioners with a Resolution for Intent To Dissolve Checkerboard TV District and transfer assets to County General Fund.

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Liv A. West Clerk & Recorder, MEAGHER COUNTY By

30

Resolution FY23.24 #99

Resolution No. 99

RESOLUTION OF INTENT TO DISSOLVE CHECKERBOARD TV DISTRICT AND TRANSFER ASSETS TO THE COUNTY GENERAL FUND.

WHEREAS, Mont. Code Ann. § 7-11-1029, authorizes the Board of County Commissioners the ability to dissolve a special district if it is considered to be in the best interest of a local government, if the purpose for creating the special district has been fulfilled or if the special district is not needed in perpetuity and,

WHEREAS, the Checkerboard TV District has fulfilled its purpose and the district is no longer needed and,

WHEREAS, the Checkerboard TV District has cash on hand along with equipment at the transmitter site; pursuant to Mont. Code Ann. § 7-11-1029 (7)(a) any assets remaining after all debts and obligation of the special district have been paid, discharged, or irrevocably settled must be deposited in the general fund of the local government.

NOW, THEREFORE, IT IS HEREBY RESOLVED, The Board of County Commissioners upon giving notice to the taxpayers within the district pursuant to Mont. Code Ann. § 7-11-1029, will dissolve the Checkerboard TV District and transfer any assets remaining after all debts and obligation have been paid to the Meagher County General fund on July 1st, 2024.

Dated this 4th day of June, 2024.

MEAGHER COUNTY COMMISSION

ATTEST



[Signature]
Meagher County Clerk & Recorder
Liv A. West

[Signature]
Rod Brewer, Chairman

[Signature]
Ben Hurwitz, Commissioner

[Signature]
Errol Galt, Commissioner

New Fund Creation / Fund Transfer – Dayna Ogle

Chief Finance Officer, Dayna Ogle entered the chambers at 10:15 a.m.

Ogle discussed the Impact payments received from Tintina, Black Butte Copper Mine& the process for repayment. Ogle would like to create a Public Safety Fund for the Sheriff, Dispatch and Disaster & Emergency Services, and move them out of the General fund. This should make the repayment of the Impact money and easier process because these departments receive the benefit from the Impact payments.

Resolution FY23.24 #100

Commissioner Hurwitz moved to create a Public Safety Fund (2309) for the Sheriff, Dispatch, and Disaster& Emergency Services. Commissioner Galt seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Ogle discussed the Metal Mines License Tax distribution from GCC Trident Black Butte Iron Mine. Ogle stated that pursuant to MCA15-37-117(e)(i) no less than 37.5% of the money be

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Liv A. West Clerk & Recorder, MEAGHER COUNTY By 30

allocated to the County Hard Rock Trust Account. All money not allocated to the Hard Rock Trust Account be further allocated 1/3 to the County, 1/3 to the High School, 1/3 to the Elementary School. Ogle requested that a Hardrock Mine Trust Account fund (2895) be created.

Resolution FY23.24#101

Commissioner Hurwitz Moved to Create Hard Rock Mine Trust Account Fund (2895). Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Resolution FY23.24#102

Meagher County
Resolution FY 23.24 - #102

A RESOLUTION TO DISTRIBUTE METAL MINES LICENSE TAX
FOR THE SECOND 6 MONTHS OF 2023

WHEREAS, Meagher County received proceeds of the Metalliferous Mines License Tax from the Department of Revenue for the GCC Trident Black Butte Iron Mine in the amount of \$1326.99 for the 2nd half of 2023, and

WHEREAS, Section MCA § 90-6-323, provides that the governing body may by majority vote amend its budget to provide the receipt and expenditure of the payment.

WHEREAS, Section MCA § 15-37-117 (e) provides that 35% of the Metal Mines License Tax collected be allocated to the county in which the mine is located and,

WHEREAS, Section MCA § 15-37-117 (e)(i) further provides that the county commissioners allocate not less than 37.5% to the county hard-rock mine trust account established under 7-6-2225.

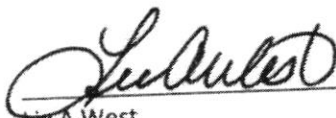
NOW THEREFORE BE IT RESOLVED, that the Meagher County Treasurer is authorized to make the following distribution of the Metalliferous Mines License Tax revenues:

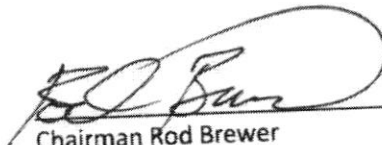
<u>Fund</u>	<u>Entity</u>	<u>Amount</u>
2895	County Hard-Rock Mines Trust Fund	\$1326.99

Dated this 11th day of June 2024

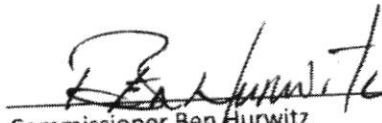
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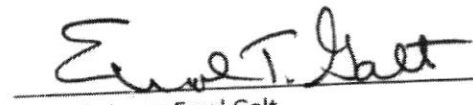
Board of County Commissioners:


Liv A West
Clerk & Recorder


Chairman Rod Brewer




Commissioner Ben Hurwitz


Commissioner Errol Galt

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Ogle informed the Commissioner that there is \$11,086.21 carrying forward in the Payroll Clearing Fund for many years. Ogle stated the money is from health insurance premiums and requests to transfer the money back to the Health Insurance fund (2371).

Resolution FY23.24#103

Commissioner Hurwitz moved to transfer \$11,086.21 from the Payroll Clearing Fund (7910) to the Health Insurance Fund (2371). Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Ogle discussed with commissioners moving Meagher County employee's Health Insurance to United Health Care from Blue Cross Blue Shield starting July 1st, 2024.

Post-Election Audit – Liv West

Clerk & Recorder Liv West entered the chambers at 10:35 a.m.

West updated the Commissioners on post-election audit laws, which now mandate audits for all counties. The Commissioners must appoint a committee to conduct a hand count by June 18th. If the audit results diverge from the election night count, the audit takes precedence.

Action #3

Hurwitz moved to appoint a post audit committee of Brandi Dreidlein, Kendra Manger, Jessa Rasmussen, and Clive Townsend. Commissioner Brewer seconded the motion. A vote was taken and passed the issue is hereby resolved.

Title III Opening of 45 Comment Period.

Chief Finance Officer Dayna Ogle entered the chambers at 10:50a.m.

Ogle presented the Commissioners with a Resolution to open a 45-day comment period for Title III funds.

Resolution FY23.24# 104

Galt Moved to approve opening a 45-day comment period. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Title III – Secure Rural Schools and Community Self-Determination Act

Notice is hereby given that Meagher County will open a forty-five (45) day period to accept written comment from the public on the payments received by the County pursuant to Title III of the Secure Rural Schools and Community Self-Determination of Act, as reauthorized (the "SRS Act") for Fiscal Year ending June 30, 2024.

Comment Period: Written comments will be accepted immediately through July 23, 2024 and can be mailed or hand-delivered to:

Meagher County
PO Box 309
White Sulphur Springs Mt 59645
dogle@meaghercounty.mt.gov

Comment Purpose: Meagher County is eligible to receive revenue under Title III of the SRS Act for application to certain statutorily defined purposes specified in Title III.

Proposed Use: Meagher County intends to use the funding for one or all of the following uses: **(1) Activities under the Firewise Communities program; (2) Salary or wages of emergency response personnel deployed during an emergency response; (3) Replacement of equipment, materials and supplies expended damaged or destroyed during an emergency response; (4) Repair of equipment damaged during an emergency response; (5) maintenance of vehicles, equipment and facilities during an response; (6) purchase of capital equipment such as the purchase of a fire engine, a search & rescue snowmobile, or other emergency response equipment; (7) Expenses of training personnel to respond to emergencies on national forests; (8) Expenses of equipment and supplies to be kept on hand for response to emergencies on national forests; (9) Expense of non-disposable personal protective equipment and electronic aids such as GPS devices in anticipation of responding to emergencies; (10) Purchase of equipment for 911 emergency systems.**

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Claims Approved:

Commissioners were presented with Check #61452 through Check #61472 totaling \$41,516.48 and electronic check #-99917 through electronic check # -99909 totaling \$4,324.35. All Checks were signed as presented.

Commissioners were also presented with payroll check#14074 through check#14082 totaling \$34,249.55 and electronic check# -85146 through electronic check# -85085 totaling \$167,673.50. All checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 11:15 a.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, June 11th, 2024.


CLERK & RECORDER


CHAIRMAN

SEAL




VICE-CHAIRMAN


COMMISSIONER

Note: Minutes taken by Clerk to the Commission Jennifer Deems
Distributed June 11th, 2024 to Chairman Rod Brewer, Vice Chair Ben Hurwitz, and Commissioner Errol Galt, and Clerk & Recorder Liv West.

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Liv A. West Clerk & Recorder, MEAGHER COUNTY By BO