

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

January 31st, 2023

9:00 a.m. – 12:00 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 Vice Chair Ben Hurwitz were present for the meeting. Commissioner Errol Galt was absent.

Meeting was moved to downstairs conference room to accommodate accessibly for public attendance.

Resolution directing the County Election Administrator to conduct an election for a vote in favor or against the Predatory Animal Control Tax for Cattle Owners:

Clerk & Recorder Liv West, County Attorney Burt Hurwitz, Chief Financial Officer Dayna Ogle, and Temporary Deputy Clerk & Recorder Penny Plachy entered the chambers at 9:00 a.m.

County Attorney Hurwitz opened discussion asking if the Commissioners were wanting to discuss Predatory Animal Control Fee for both cattle and sheep. Commissioners stated that they would like to just address the Predatory Animal Control Fee on the cattle and not the sheep. County Attorney Hurwitz then presented the Commissioners with a draft resolution, draft cover letter, and draft petition for review. Brief discussion took place on the Predatory Animal Control Fee history and how the Commissioners would be seeking information on petition and not a vote. Ogle asked for clarification about the Predatory Animal Control Fee and the Livestock Per Capita Fee payment discussed in HB66; currently being heard in the 2023 Montana Legislative Session. County Attorney Hurwitz explained that Meagher County Producers currently pay a Livestock Per Capita Fee directly to the Department of Revenue and an additional 0.50 cent per head Predatory Animal Control Fee paid to the Meagher County Treasurer's Office. The Predatory Animal Control Fee is billed as a personal property tax bill due in June of the calendar year and then is paid to the Montana Stockgrowers. The petitions are in regard to the tax paid in the Treasurer's office that are at the discretion of the Commission. Chair Brewer requested that clarification of the fees be placed in the cover letter to producers. The following decision was made.

ACTION#1

Resolution Fiscal Year 22.23 - #82

Chair Brewer moved to authorize Clerk & Recorder West to create and gather petitions from the Meagher County Cattle Producers on the Predatory Animal Control Fee which is paid to the Meagher County Treasurer's Office. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Clerk Luchterhand will collaborate with West to edit the presented draft cover letter and create the petitions that will be mailed to the Meagher County Cattle Producers.

Presentation of the Petition from the Grassy Mountain Fire District Taxpayers' to abolish the Grassy Mountain Fire District:

Clerk & Recorder Liv West, County Attorney Burt Hurwitz, Chief Financial Officer Dayna Ogle, Temporary Deputy Clerk & Recorder Penny Plachy, Paul Komlosi, and Dayle Komlosi entered the chambers at 10:00 a.m. Grassy Mountain HOA President Greg Philpot attended via conference call.

County Attorney Hurwitz opened discussion stating that there are two (2) options for the dissolution of the Grassy Mountain Fire District. The first requires a petition to the County Commissioners by 40% of the property owners and 40% of the taxable value of Grassy Mountain Subdivision. After the petition is certified by the County Clerk and Recorder's Office it would go to the Commissioners to vote on the process to amend the final plat of the Grassy Mountain Subdivision. In order to amend the final plat, there would need to be 100% agreement of the landowners and lien holders in the subdivision. This amendment process would need to take place in both Meagher County and Broadwater County due to the fact that the subdivision is platted across county lines. The second option is that the Grassy Mountain Fire District could consolidate within another existing district in Meagher County. Komlosi asked if the discussion today was counting as the required public hearing in the dissolution process. County Attorney Hurwitz clarified that the discussion today was not the hearing required by Montana Code Annotated. More a conversation of the options that can be pursued regarding the Grassy Mountain Fire District. During discussion a third option was explored about appointing members to the Grassy Mountain Fire Board to help create a record of the functionality of the district and have a vote on the direction needing to be taken.

County Attorney Hurwitz then asked HOA President Philpot to explain the process of the Homeowners Association collection of petitions.

Philpot explained the process that was taken by the Grassy Mountain Homeowner's Association. It began in August of 2022 at their annual meeting when they asked homeowners to "vote" on the retention of the Grassy Mountain Fire District. Of those not collected during the annual meeting he mailed a letter and form to property owners for their vote on the retention of the Grassy Mountain Fire District. While this was taking place, Philpot was reaching out to Fire Chiefs and County Commissioners from both Broadwater County and Meagher County to have conversations around the district and fire protection available from these entities.

County Attorney Hurwitz then requested Clerk & Recorder West to explain the certification process and her findings of the received petitions. West then explained based on the documentation presented to the Clerk & Recorder's Office, from the HOA Annual Meeting, the petition will not be certified at this time. West explained with the lack of uniformity of the presented petitions and unknown validity of the owner signature, her office would not be able to confidently verify that 40% of the value and 40% ownership in the Grassy Mountain Subdivision is represented. West stated that she would like to work with Philpot on drafting a more formal petition and instructions to show proof of property ownership.

All present discussed at length the three options for dissolution of the fire district, consolidation of the fire district, and appointment of board members. During discussion it was determined that all involved need to continue researching the options and start a formal petition process. Philpot will approach various residents about interest to participate as board members for the Grassy Mountain Fire District. West and Philpot will also collaborate to create formal petition and a process to collect petitions from the homeowners in the subdivision.

Sheriff Report – Morgue and Drone Discussion – Jon Lopp:

Sheriff Jon Lopp entered the chambers at 11:00 a.m.

Lopp updated the Commissioners that currently the Anderson Wilke Funeral Home property is listed for sale and that the Sheriff's Office will need to find another facility for handling decedents. Lopp stated the Meagher County Sheriff's Office will be able to utilize the morgue and hearse vehicle until the property sells. The Sheriff's department would like to invest in a pickup truck topper in order to transport decedents respectively. Lopp and the Commissioners discussed process for caring for a decedent and typical length of storage required. Lopp reported when the new hospital facility is built, Meagher County be able to place a morgue unit within their facility at the cost of Meagher County. Discussion ended on Lopp contacting neighboring counties to help with future needs until the hospital is built.

Lopp then requested to increase Dispatcher Tamara Bear's wage by \$1.00 starting Pay Period 8. Lopp explained to the Commissioners Tamara's position a permanent part-time position and how Bears has the required academy training for 911 Dispatching. The following decision was made.

ACTION #2

Resolution Fiscal Year 22.23 - #83

Commissioner Hurwitz moved to increase Dispatcher Tamara Bears by \$1.00 starting Pay Period 8. Chair Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Lopp stated to the Commissioners that currently Meagher County has \$12,700 in accrued funds from the Forest Service Patrol Agreements. Lopp would like to utilize the funds to purchase a DJI Matrice 30T drone unit; total cost of the unit is \$18,490. The unit would be utilized to aid in searches, thermal detection during fires, and other uses by the Sheriff's Department. Lopp stated that purchase includes a training course for five (5) operators and that each operator will need to acquire a FAA Drone Pilot License specific. Lopp's goal would be to have certified operators from the Sheriff's Office, Fire Department, and Search and Rescue. This would allow the departments to have a higher use rate with multiple certified operators. The Sheriff's Office has until February 15, 2023 to expend the \$12,700 in the account. Lopp, Ogle, and the Commissioners discussed how the Sheriff's Office, Search and Recuse, and/or Fire would apply for grants to help offset the remainder cost of the drone unit. The following decision was made.

ACTION #3

Resolution Fiscal Year 22.23 - #84

Chair Brewer moved to purchase the DJI Matrice 30T drone unit for \$18,490. Commissioner Hurwitz seconded the motion. a vote was taken and passed. The issue is hereby resolved.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Check #59975 through Check #60019 totaling \$167,506.86. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 12:00 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, February 7th, 2023.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

Absent
COMMISSIONER

Note: Minutes taken by Clerk to the Commission Rebekah Luchterhand
Distributed February 7th, 2023 to Chairman Brewer, Vice Chair Hurwitz and Commissioner Galt, and Clerk & Recorder West.