

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

Tuesday

March 12th, 2024

1:00 p.m. – 4:40 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Chair Brewer called the meeting to order at 1:00 p.m.

Commissioners Present:

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

Minutes:

ACTION #1

Commissioner Brewer moved to approve the Minutes from March 5th, 2024. Commissioner Hurwitz seconded the motion. A vote was taken and minutes were approved.

Monthly Health Report – Eva Kerr

County Health Nurse, Eva Kerr entered the chambers at 1:30 p.m.

Kerr stated the DUI Taskforce Super Bowl Party went very well. There were approximately 41 kids at the party. In addition to games, food and prizes, Under Sheriff Jerami West had goggles that showed what it would be like to have different blood alcohol levels, so the kids could see how alcohol impairs body functions.

Kerr stated there have been some Flu and RSV diagnosis in the community but have not had hospitalizations this year for those illnesses like we have had in the past.

Kerr stated she completed her monthly reporting for the Homemaker and Respite Programs. Kerr presented Chairman Brewer with a Grant letter for his signature. Kerr is asking \$14,675 for Homemaker, \$5,2508 for Respite with \$1750 in kind match. Kerr will be attending the mandatory area agency meeting on March 14th.

Commissioners were informed Kim Frisbie's grant will be decreasing. There is concern that it will not cover wages with insurance and everything. Kerr will be looking into it and see if the amount can be negotiated.

Kerr and Frisbie have immunization annual education in Great Falls on March 20th.

Non agenda item

Jennifer Lester and Lloyd Studer entered the chambers at 1:50 p.m.

Studer started by explaining there are 3 water leaks originating from the city water lines on their 10-acre property. These leaks have led to the formation of voids and sinkholes. Studer stated they have engaged with the city of White Sulphur Springs several times over the last 8-years regarding the leaks. Studer explained they recently had a sheep drown in one of the voids created by the leaks. Studer stated despite their efforts, they are unable to locate documentation of

deeded easement. He stated the pipeline runs diagonally through the 10-acre property. Commissioner Brewer asked what the county can do to help. Studer stated he didn't know but he thinks the next step would be to seek legal action. County Attorney Hurwitz suggested organizing a meeting with Mayor Rick Nelson and ask that the city engineer attend, to address the situation.

Monthly County Attorney Report – Burt Hurwitz

County Attorney Burt Hurwitz entered the chambers at 2:00p.m.

Attorney Hurwitz emphasized that Meagher County has not witnessed a more pivotal event in the past 30 years than the recent Supreme Court ruling on Tintina. This decision carries the potential to dramatically reshape both Meagher County and the City of White Sulphur Springs. The Supreme Courts acceptance of the mine's objectives mark a significant milestone. However, the unprecedented nature of Tintina's practices necessitate ongoing vigilance. Responsible stewardship of the land demands regular monitoring. Attorney Hurwitz and the commissioners engaged in discussions about strategies to achieve this goal. The discussion has been tabled until the second week of April.

Harmon Fund Discussion

County Attorney Burt Hurwitz entered the chambers at 2:00 p.m.

Commissioners and the County Attorney Burt Hurwitz discussed moving the Harmon Fund to Short Term Investment Pool (STIP).

RESOLUTION AUTHORIZING PARTICIPATION IN THE MONTANA BOARD OF INVESTMENTS
SHORT-TERM INVESTMENT POOL (STIP)

CERTIFICATE AS TO
RESOLUTION FY 23:24 #76

Political Subdivision: County of Meagher
Governing Body: Board of County Commissioners

Type, date, time, and place of meeting: A Commission meeting held on 3/12/24
at 2:38 o'clock p.m. in Meagher County, Montana.

Members present: Ben Hurwitz
Errol Galt

Members absent:

I, the undersigned, being the qualified and acting recording officer for the political subdivision identified above ("Participant"), certify that the attached RESOLUTION AUTHORIZING PARTICIPATION IN THE BOARD OF INVESTMENTS SHORT-TERM INVESTMENT POOL AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO and Exhibits A and B ("Resolution"):

- (1) is a true and correct copies of the original Resolution on file in the Participant's original records.
- (2) was approved and adopted by the Participant's Governing Body as required by law; and
- (3) has not been amended or repealed.

DATED this 12 day of March, 2024.

By [Signature]
Its Chairman

RESOLUTION NO. 76

RESOLUTION AUTHORIZING PARTICIPATION IN THE MONTANA BOARD OF INVESTMENTS OF SHORT-TERM INVESTMENT POOL AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS RELATED THERETO

BE IT RESOLVED BY THE Board of County Commissioners (the "Governing Body")
of Meagher County (the "Participant") AS FOLLOWS:

ARTICLE I

DEFINITIONS

The following terms will have the meanings indicated below for all purposes of this Resolution unless the context clearly requires otherwise:

"Account" means a specific Participant Bank account to be used in conducting STIP Program transactions.

"Agreement" means the agreements of the Participant contained within this Resolution.

"Authorized Representative" means the officer or official of the Participant designated and authorized by the Governing Body to act on behalf of Participant in the STIP Program.

"Authorized Delegate" means any officer, official, or employee of the Participant delegated authority by the Authorized Representative to initiate transactions using the STIP Program.

"Bank" means a financial institution designated and authorized to send and receive money on behalf of the Participant for purposes of participation in the STIP Program.

"Board" means the Board of Investments, a state agency organized and existing under the laws of the State.

"Exhibit A" means the STIP Participation Information Sheet attached to and incorporated into this Resolution as provided in Article IV, Section 3.01.

"Exhibit B" means the Electronic Funds Transfer Authorization Form attached to and incorporated into this Resolution as provided in Article IV, Section 3.01.

"Governing Body" means the governing body of political subdivision (Participant) authorized by Montana state law to participate in the STIP Program.

"Participant" means the political subdivision requesting participation in the Board's STIP Program.

"Short-Term Investment Pool" means the Board's investment program administered under the direction of the Board of Investments as authorized by the Unified Investment Program and as more fully defined and described by the Montana Code Annotated and in the Board's Governing Policies. "Short-Term Investment Pool" is synonymous with "STIP" and "Program" as used in this Resolution and Exhibits A and B.

SHORT-TERM INVESTMENT POOL PARTICIPATION AGREEMENT

Section 1.01 Participation Agreement. The Governing Body requests participation in the STIP Program and agrees that Participant will comply with and be bound by all laws, policies, procedures, and participation requirements applicable to the Program, as may be amended from time to time.

Section 1.02 STIP Program. STIP is available to state and local governments to serve their short-term cash flow and deposit needs. The Program's objectives are to preserve capital and maintain high liquidity. The Program has the following attributes:

- 1) STIP transactions are fixed at \$1 per share;
- 2) STIP interest on pool assets accrues daily;
- 3) STIP earnings distribution methods are:
 - (a) Interest is distributed at the beginning of the month and can be distributed as cash to the designated Bank; or (b) earnings can be reinvested into STIP;
- 4) Buying or selling shares in STIP requires one (1) business day's notice (transactions for which notice is received after 2:00 p.m. will be processed two (2) business days after receipt of the original notice);
- 5) Access to STIP is only through the Board's electronic web-based portal (no cash, checks or notifications by fax, phone or email will be accepted);
- 6) The Board's STIP web portal provides real-time information on each account including investment balances, buys, sells, pending transactions, and transaction notes, as determined by the authorized user; and
- 7) The Board reports the Short-Term Investment Pool on a Net Asset Value (NAV) basis on its financial statements. A NAV per share of STIP will be reflected on the Board's website for each month-end period.

Section 1.03 Review of Policies, Procedures, and Participation Requirements. Participant represents that it has reviewed to its satisfaction all Board policies, procedures, and participation requirements applicable to the STIP Program. See, Board Governance Policies 40.600, 40.601, and 40.602.

Section 1.04 Authorized Representative: The Governing Body designates Maura Kusek, who holds the position of Meagher County Treasurer as the Participant's Authorized Representative to execute transactions between STIP and the Bank.

The Governing Body (check one) DOES DOES NOT allow the Authorized Representative to appoint and remove additional Authorized Delegate(s) on behalf of the Participant. If "DOES" is checked, any addition or removal of an Authorized Delegate requires notice via the submission of a completed Exhibit A (STIP Participation Information Sheet) to the Board by the Authorized Representative before transactions will be accepted and processed.

The Governing Body designates and authorizes the Participant's Bank, (the "Bank"), identified in Exhibit B, with the Account Number and American Bankers Association (ABA) Number, for settlement of STIP participant transactions. The account is a (check one): Checking account Savings account .

The Governing Body (check one): DOES DOES NOT allow the Authorized Representative to change either the Bank or the Account. If 'DOES' is checked, the Board will notify both the office of the Authorized Representative AND the office of the Governing Body within three (3) business days that such a change has been made.

The Governing Body (check one): DOES DOES NOT allow the Authorized Representative to change the earnings distribution method. If DOES NOT is checked, the Governing Body chooses the following earnings distribution method (check one): Reinvest cash earnings into STIP Distribute cash earnings to the Bank .

SHORT-TERM INVESTMENT POOL PARTICIPATION AGREEMENT

Section 1.01 Participation Agreement. The Governing Body requests participation in the STIP Program and agrees that Participant will comply with and be bound by all laws, policies, procedures, and participation requirements applicable to the Program, as may be amended from time to time.

Section 1.02 STIP Program. STIP is available to state and local governments to serve their short-term cash flow and deposit needs. The Program's objectives are to preserve capital and maintain high liquidity. The Program has the following attributes:

- 1) STIP transactions are fixed at \$1 per share;
- 2) STIP interest on pool assets accrues daily;
- 3) STIP earnings distribution methods are:
 - (a) Interest is distributed at the beginning of the month and can be distributed as cash to the designated Bank; or (b) earnings can be reinvested into STIP;
- 4) Buying or selling shares in STIP requires one (1) business day's notice (transactions for which notice is received after 2:00 p.m. will be processed two (2) business days after receipt of the original notice);
- 5) Access to STIP is only through the Board's electronic web-based portal (no cash, checks or notifications by fax, phone or email will be accepted);
- 6) The Board's STIP web portal provides real-time information on each account including investment balances, buys, sells, pending transactions, and transaction notes, as determined by the authorized user; and
- 7) The Board reports the Short-Term Investment Pool on a Net Asset Value (NAV) basis on its financial statements. A NAV per share of STIP will be reflected on the Board's website for each month-end period.

Section 1.03 Review of Policies, Procedures, and Participation Requirements. Participant represents that it has reviewed to its satisfaction all Board policies, procedures, and participation requirements applicable to the STIP Program. See, Board Governance Policies 40.600, 40.601, and 40.602.

Section 1.04 Authorized Representative: The Governing Body designates Maura Kusek, who holds the position of Meagher County Treasurer as the Participant's Authorized Representative to execute transactions between STIP and the Bank.

The Governing Body (check one) DOES DOES NOT allow the Authorized Representative to appoint and remove additional Authorized Delegate(s) on behalf of the Participant. If "DOES" is checked, any addition or removal of an Authorized Delegate requires notice via the submission of a completed Exhibit A (STIP Participation Information Sheet) to the Board by the Authorized Representative before transactions will be accepted and processed.

The Governing Body designates and authorizes the Participant's Bank, (the "Bank"), identified in Exhibit B, with the Account Number and American Bankers Association (ABA) Number, for settlement of STIP participant transactions. The account is a (check one): Checking account Savings account .

The Governing Body (check one): DOES DOES NOT allow the Authorized Representative to change either the Bank or the Account. If 'DOES' is checked, the Board will notify both the office of the Authorized Representative AND the office of the Governing Body within three (3) business days that such a change has been made.

The Governing Body (check one): DOES DOES NOT allow the Authorized Representative to change the earnings distribution method. If DOES NOT is checked, the Governing Body chooses the following earnings distribution method (check one): Reinvest cash earnings into STIP Distribute cash earnings to the Bank .

Section 1.05 Change of Authorized Representative. Any change to the Authorized Representative requires a new Resolution adopted by the Governing Body. However, the absence of an Authorized Representative does not nullify the current authority of the Authorized Delegate(s) to make STIP transactions.

Section 1.06 Annual Confirmation. The Board will annually confirm with the Governing Body and the Authorized Representative the:

1. Name of the Authorized Representative;
2. Name(s) of any Authorized Delegate(s); and
3. Name of the Bank and the associated Account Numbers (truncated).

Section 1.07 Effective Date. Participant's Agreement will take effect when the Resolution Certificate, this Resolution, and completed and executed Exhibits A and B are received by the Board. The Participant's Agreement will stay in effect until terminated in writing by the Governing Body.

ARTICLE II

MISCELLANEOUS

Section 2.01 No Guaranteed Return. The Governing Body understands and agrees that there is no minimum or maximum interest rate or any guaranteed rate of return on STIP shares or funds invested in STIP shares.

Section 2.02 Voluntary Participation. By adopting this Resolution, the Governing Body acknowledges that it is not compelled to participate in STIP, that its participation in STIP is voluntary, and agrees to the Board's administration and governance of the Program according to the Board's policies, procedures, and participation requirements.

Section 2.03 Responsibility for Participant Mistakes. The Governing Body and Participant agree to hold harmless the state of Montana, the Board, and the Board's members, officials, and employees for the acts, omissions, mistakes, and negligence of the Participant, Governing Body, and their members, officials, and employees, including but not limited to an Authorized Representative or Authorized Delegate who, for any reason, is not qualified or mistakenly listed with the Board as a permissible representative to authorize transactions using the STIP Program, incorrect instructions as to amounts or timing of sales or purchases, or missed deadlines.

Section 2.04 No Warranty. The Governing Body and Participant agree that the Board makes no warranty that funds will be immediately available in the event of any failure of a third party or that Governing Body will not suffer losses due to acts of God, natural disasters, terrorism or threats of terrorism, civil disorder, medical epidemics or other calamities, or other market dislocations or interruptions.

Section 2.05 Participation Conditions: STIP Administration. The Governing Body and Participant acknowledge and agree that the Board will allow participation in STIP by and conduct STIP business with only those parties it determines are qualified and authorized to participate in the Program who abide by the Board's policies, procedures, and participation requirements. The Governing Body and Participant understand that the Board administers the STIP Program subject to Montana law and prudent fiduciary practices as required by Montana law and Board policy and that the Board is legally charged to manage the Unified Investment Program, which includes STIP, in accordance with the prudent expert rule as set forth in Montana law.

Section 2.06 STIP Not Insured Against Loss. The Governing Body and Participant understand and acknowledge that the Board's STIP Program is NOT FDIC insured or otherwise insured or guaranteed by the federal government, the state of Montana, the Board, or any other entity against investment losses.

ARTICLE III

EXHIBITS A AND B

Section 3.01 Approval and Adoption of Exhibits A and B. Attached to this Resolution are Exhibit A, the STIP Participation Information Sheet, and Exhibit B, the Electronic Funds Transfer Authorization Form, which together provide the instructions required by the Board to enable Participant's participation in the STIP Program. The Governing Body and Participant represent that Exhibits A and B have been completed and executed by the Participant's Authorized Representative and that Exhibits A and B must be complete and accepted by the Board before participation is allowed in the STIP Program. Exhibits A and B are hereby incorporated into and made a part of this Resolution and are approved and adopted by the Governing Body as if set forth fully herein.

APPROVED AND ADOPTED by the Meagher County Commissioners this 13 day of March, 2024.



By [Signature]
Its Chairman

Attest:
By [Signature]
Its Clerk & Recorder

Exhibit A

STIP PARTICIPATION INFORMATION SHEET						
STIP Program Manager Montana Board of Investments boi_stip@mt.gov PO Box 200126 Helena, MT 59620-0126 Phone 406.444.0003				For Official Use Only		
Requests must be submitted by Authorized Representative of the Participant.				STIP DATA		
				INVEST TA		
				ACCT ID		
The STIP Participant listed below agrees to participate in the STIP Program as established under § 17-6-204, MCA, and the terms and conditions of STIP operations as determined by the Montana Board of Investments as follows:						
Section 1. STIP Participant Information Summary						
STIP Participant Name →	Harmon			Tax Identification Number (TIN) →	81-6001393	
Mailing Address →	PO Box 429	City →	Wht Sphr Spr	State →	MT	Zip → 59645
STIP Account # → (For official use only)						
Authorized Representative Name, First →	Maura	Name, Last →	Kusek	Title →	Meagher County Treasurer	
Telephone Number →	406-547-3029	Fax Number →	406-547-3036	E-mail →	mkusek@meagherco.net	
Section 2. Investment and Earnings Information						
The STIP Participant has the option to either reinvest their earnings or distribute earnings. Check one box only.						
Reinvest Earnings <input checked="" type="checkbox"/>			Distribute Earnings <input type="checkbox"/>			
Section 3. Authorized Delegates						
The Authorized Delegate(s) whose name(s) appears below is (are) authorized to purchase and sell shares in STIP for the Participant.						
Name, First →	Maura	Name, Last →	Kusek	E-Mail →	mkusek@meagherco.net	
Name, First →		Name, Last →		E-Mail →		
Name, First →		Name, Last →		E-Mail →		
I hereby certify as the Authorized Representative of the STIP Participant that the information contained herein is true, accurate and complete as of the date hereof.						
Signature →	Maura Kusek			Date →	3/12/24	
Printed Name →	Maura Kusek			Title →	Meagher County Treasurer	

Revised 8/19/2019

Exhibit A

STIP PARTICIPATION INFORMATION SHEET					
STIP Program Manager Montana Board of Investments boi_stip@mt.gov PO Box 200126 Helena, MT 59620-0126 Phone 406.444.0003			<i>For Official Use Only</i>		
Requests must be submitted by Authorized Representative of the Participant.			STIP DATA		
			INVEST TA		
			ACCT ID		
<i>The STIP Participant listed below agrees to participate in the STIP Program as established under § 17-6-204, MCA, and the terms and conditions of STIP operations as determined by the Montana Board of Investments as follows:</i>					
Section 1. STIP Participant Information Summary					
STIP Participant Name →	Harman		Tax Identification Number (TIN) →	81-6001393	
Mailing Address →	PO Box 429	City →	Wht Slpr Spr	State →	MT Zip → 59645
STIP Account # → <i>(For official use only)</i>					
Authorized Representative Name, First →	Maura	Name, Last →	Kusek	Title →	Meagher County Treasurer
Telephone Number →	406-547-3027	Fax Number →	406-547-3036	E-mail →	mkusek@meagherco.net
Section 2. Investment and Earnings Information					
The STIP Participant has the option to either reinvest their earnings or distribute earnings. Check one box only.					
Reinvest Earnings <input checked="" type="checkbox"/>			Distribute Earnings <input type="checkbox"/>		
Section 3. Authorized Delegates					
The Authorized Delegate(s) whose name(s) appears below is (are) authorized to purchase and sell shares in STIP for the Participant.					
Name, First →	Maura	Name, Last →	Kusek	E-Mail →	mkusek@meagherco.net
Name, First →		Name, Last →		E-Mail →	
Name, First →		Name, Last →		E-Mail →	
I hereby certify as the Authorized Representative of the STIP Participant that the information contained herein is true, accurate and complete as of the date hereof.					
Signature →	Maura Kusek		Date →	3/12/24	
Printed Name →	Maura Kusek		Title →	Meagher County Treasurer	

Exhibit B

ELECTRONIC FUNDS TRANSFER AUTHORIZATION FORM			
STIP Program Manager Montana Board of Investments boi_stip@mt.gov PO Box 200126 Helena, MT 59620-0126 Phone 406.444.0003			
Local Government Name:	Harmon		
STIP Account #: <i>(For official use only)</i>			
I, the undersigned, a duly Authorized Representative of the local governing board, hereby authorize the Montana Board of Investments to initiate electronic debit and/or credit to the account listed below. The Authorized Representative acknowledges the origination of ACH transactions to the listed account complies with the provisions of federal law.			
Any sale, purchase, or distribution of funds will be made by Electronic Funds Transfer or wire debiting or crediting to the appropriate treasury or shareholder bank account. Please specify the local government depository.			
Check one transaction type only.			
Checking Account <input checked="" type="checkbox"/>		Savings Account <input type="checkbox"/>	
Name of Bank →	Bank of the Rockies	Routing/ABA No →	092901382
Address →	PO Box 709		
City →	White Sulphur Springs	State →	MT Zip → 59645
Account Number →	██████████		
I hereby certify as the Authorized Representative of the STIP Participant that the information contained herein is true, accurate and complete as of the date below.			
Signature →	Maura Kusek	Date →	3/12/24
Printed Name →	Maura Kusek	Title →	Meagher County Treasurer
Please notify the Board if you have applied a filter or a block to your account.			

Clerk & Recorder, Elections, Superintendent of Schools – Liv West

Clerk and Recorder, Liv West entered the chambers at 3:25 p.m.

West presented the Commissioners with an optional zoom meeting regarding the Local Government Voter Review.

Deputy Clerk and Recorder Emma Bess has been busy. Bess has recorded 133 documents this year, 16 more than at this time last year. Bess has been organizing paper files and transferring them to digital so they are easier to manage. Bess has also been able to transfer cemetery files from Word Perfect to Excel which has made them easier to manage. West shared that starting in January, a Senior student from White Sulphur Springs School’s Work-Based Learning Program has been assisting in the Clerk and Recorder’s office on Mondays, Wednesdays, and Fridays. His tasks involve scanning and special projects.

West gave an update on elections. West and Penny Plachy went to an Election Judge training in Jefferson County.

Martindale Water and Sewer District, Grassy Mountain Fire District, and The Conservation District will not have elections this year. The School Board will have an election. There are two 3-year terms and a 1-year term open. Meagher County will have a presidential primary. Commissioner Rod Brewer and Clerk of Court Candi Richardson are running unopposed.

West informed the Commissioners that Wheatland County Superintendent of Schools Susan Beley will be retiring in September and asked to have a 6-month contract with Meagher County. The new Contract was written for 6 months and approved by all parties.

Resolution FY23.24 #77

Commissioner Hurwitz moved to sign a 6-month contract with Wheatland County Superintendent of Schools Susan Beley. Commissioner Galt seconded the motion. A vote was taken and passed. The issue is hereby resolved.

HRDC – Support Letter – Terry Taylor

HRDC representative Terry Taylor entered the chambers at 3:45 p.m.

Taylor requested a letter of support from the Commissioners for the HRDC to accompany her grant application. The Commissioners signed the letter of support for the HRDC Grant.

Non -agenda item – Jake Kusek.

Kusek entered the chambers at 3:55 p.m.

Kusek and the Commissioners went over the maps for the gas tax.

Public Comment:

No Public Comment.

Claims Approved:

Commissioners were presented with Claim Check #61202 through Check #61222 totaling \$32,494.90. Electronic Check# - 99966 through check# -99970 totaling \$3490.98. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 4:40 p.m.

Next Meeting:

Commissioners are scheduled to meet Tuesday, March 19th, 2024.



CLERK & RECORDER

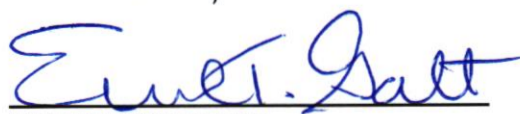


CHAIRMAN





VICE-CHAIRMAN



COMMISSIONER

Note: Minutes taken by Clerk to the Commission Jennifer Deems
Distributed March 19th, 2024 to Chairman Brewer, Vice Chair Hurwitz, and Commissioner Galt, and Clerk & Recorder Liv West