

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS

MEAGHER COUNTY, MONTANA

Tuesday

October 17th, 2023

8:30 a.m. – 12:25 p.m.

Met in Commissioner's Chambers

Meeting Called to Order:

Chair Rod 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.

Claims Review / Minutes Review:

ACTION #1

Commissioner Galt moved to approve the Minutes from October 10th, 2023. Commissioner Brewer seconded the motion. A vote was taken and minutes were approved.

Library Report – Rachel Wahlstrom

Rachel Wahlstrom entered the chamber at 8:55 a.m.

Wahlstrom reported that the Community room usage has increased significantly in the past few months. Wahlstrom also informed the Commission that she is currently waiting to hear back about a grant for children's books and supplies, amounting to \$5500. The library had an estimated 1100 more books checked out than this time last year. Additionally, Wahlstrom mentioned that there are 22 two-year-olds who attend preschool story time. If this number remains consistent, the library will consider dividing the preschoolers into two groups.

Extension Report – Makayla Paul

Makayla Paul entered the chambers at 9:23 a.m.

Paul stated the new 4-H year started October 1st and October 1st – 8th was National 4-H week. Paul reported that 8 new families attended "New Family Orientation". On October 15th Paul hosted the 4-H Awards Ceremony for the 22-23year. Paul stated she will be approaching the 4-H Council regarding purchasing an online system for fair registration. This would allow for documents to be held in one program for fair entry, 4-H sale and livestock auction.

Paul stated that she attended the Pesticide Education Program update on September 20-21st. Montana Department of Agriculture was there to provide updates on the private applicator program and a presentation on reducing risks in females in agriculture. Paul stated that she will be working with a nurse at the hospital to develop a short presentation about those risks for new faculty at the hospital to learn about.

Paul stated she attended the National Epsilon Sigma Phi conference on September 25 – 28th in Billings. This gave Paul the opportunity to connect with agents from across Montana and other states.

Looking ahead, Paul stated she will be attending MSU Extension Annual Conference, “Negotiations in Agriculture” training, The Beef Nutrition Conference, and Hosting a Rancher Roundtable.

Meagher County Housing Discussion – Department of Commerce

Makayla Paul, Emma Bess, Justin Barnes: White Sulphur Springs School Superintendent, Nancy Schlepp: Tintina, County Attorney Burt Hurwitz, Cal Moore entered the chambers at 9:50 a.m.

Attending via Zoom: Cassie Coburn: Meagher County Stewardship Council, Rob Brandt: CEO Mountainview Medical Center, Louis Welch: Department of Investments, Gus Byrum: Department of Commerce, Chandler Rowling: DOC Housing Specialist, Dani Arps: Department of Commerce

Byrum opened by asking what the Commissioner are thinking with regards to affordable /workforce housing. Byrum brought up the remaining 62 acres around the new hospital building site and discussed different programs and opportunities that would be available to develop that site or any other site within the county including the HOME program (Home Investment Partnership Program), CDBG (Community Development Block Grant), USDA funding, Trust Montana; a statewide community land trust and the Board of Investment funding through bonds or loans. All the programs are open to the entire community and are not limited to county or city governments. Byrum will send the Commissioner a listing of available programs, program information and deadlines to review.

Treasurer Report – Maura Kusek

Muara Kusek entered the chambers at 11:43a.m.

Kusek presented the Commission with the Harmon Fund report from US Bank. The Commissioners discussed the returns we are receiving from US Bank and the possibility of sending out RFPs to financial institutions with the intent to get a better return on the investment.

EMPG Grant- Sheriff Jon Lopp

Sheriff Lopp entered he chambers at 11:55 a.m.

Sheriff Lopp presented the Commissioners with The Emergency Management Performance Grant (EMPG) application for signature. The Grant funds 50% of the expenses associated with the Director of Emergency Services (DES) Position.

Resolution to Allow MACo to Intervene

Finance Officer Dayna Ogle presented the Commissioners with a Resolution to allow MACo to intervene on our behalf regarding the 95 School Equalization Mills.

Commissioner Galt moved to approve the resolution to allow MACO to intervene on our behalf. Commissioner Hurwitz seconded the motion. A vote was taken and passed.

ACTION#2

RESOLUTION FY23.24 #45

RESOLUTION FY23.24 #45

A RESOLUTION AUTHORIZING MACO TO REPRESENT THE INTERESTS OF THE COUNTY IN SEEKING A DECLARATORY JUDGMENT FROM THE MONTANA SUPREME COURT REGARDING STATEWIDE MILLS

WHEREAS, there is an ongoing dispute regarding the calculation and levying of statewide mills authorized by Mont. Code Ann. §§ 20-9-331, 333 and 360 which now requires a judicial resolution; and

WHEREAS, the Montana Quality Education Coalition has filed OP-23-0592, a Writ of Mandate, with the Montana Supreme Court listing all 56 counties as Respondent; and

WHEREAS, the State of Montana has filed an action for declaratory relief against Missoula County and its Commissioners and Treasurer, in the Fourth Judicial District Court; and

WHEREAS, taxpayers and other parties have made public statements indicating an intent to initiate additional lawsuits against various counties; and

WHEREAS, the ongoing dispute regarding the proper calculation and levying of statewide education mills is an issue of statewide importance, impacting every property taxpayer in the State, which can and should be more efficiently resolved by an original action before the Montana Supreme Court than separate lawsuits in different courts; and

WHEREAS, pursuant to Mont. Code Ann. § 7-5-2104 the board of county commissioners has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to direct and control the prosecution and defense of all suits to which the county is a party; and

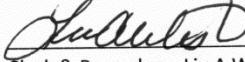
WHEREAS, Meagher County is a member of the Montana Association of Counties (MACo); and

WHEREAS, MACo has proposed to pursue an original action at the Montana Supreme Court on behalf of its member counties seeking a declaration as the proper interpretation of Mont. Code Ann. § 15-10-420 and the Counties' legal rights and obligations regarding levying of the statewide mills authorized by Mont. Code Ann. §§ 20-9-331, 333 and 360;

NOW THEREFORE BE IT RESOLVED THAT the Meagher County Board of County Commissioners authorize MACo to take all steps necessary to file and prosecute an original action before the Montana Supreme Court regarding the state-wide mill levy calculation issues and to represent interests of Meagher County in that action.

Dated this 17th day of October, 2023.


ATTEST:

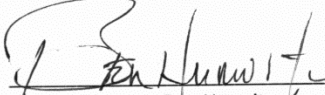

Clerk & Recorder – Liv A West

I have read this resolution.


County Attorney

BOARD OF COMMISSIONERS


Chairman – Rod Brewer


Commissioner – Ben Hurwitz


Commissioner – Errol Galt

Public Comment / Claims Approval:

Jess Secrest entered the chambers at 12:15 p.m.

Secrest presented the Commissioners with a change to the Meagher County Wildfire Protection Plan for 2023. Page 24 in the document was changed to add an explanation on how the information is obtained.

Secrest also informed the Commission that the Forest Service is not interested in cleaning up the area around Willow Creek Watershed. Secrest discussed with the Commission the possibility of declaring the area a disaster by the City of White Sulphur Springs and Meagher County. Which would help encourage the clean-up of the area. No decision was made.

Claims Approved:

Commissioners were presented with Claim Check #13935 through Check #14012 totaling \$70,544.46. All Checks were signed as presented.

Meeting Adjourned:

Meeting was adjourned at 12:25p.m.

Next Meeting:

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

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Chief Financial Officer Dayna Ogle/ formatted by Clerk to the Commission Jennifer Deems.
Distributed August 22nd, 2023 to Chairman Brewer, Vice Chair Hurwitz, and Commissioner Galt, and Clerk & Recorder Liv West.