

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

**Wednesday**

July 5<sup>th</sup>, 2017

08:30 a.m. – 11:15 a.m.

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chair Brewer called the meeting to order at 08:30 a.m.

**Commissioners Present:**

Chair Brewer, Vice Chair Hurwitz, and Commissioner Townsend were present.

**Minutes:**

**ACTION #1**

Commissioner Townsend moved to approve the minutes from the June 20<sup>th</sup>, 2017 and June 27<sup>th</sup>, 2017 meetings. Chair Brewer seconded the motion. A vote was taken and minutes were approved.

**Road Report- Bruce Smith:**

Road Supervisor Bruce Smith entered the Chambers at 9:00 a.m.

Smith reported the repairs the 140 Grader and the Magnesium Chloride applications. Discussion ended with the time schedule for mowing the ditches and when the road will be prepped for the Red Ants Pants Music Festival.

**Sheriff Report – Jon Lopp:**

Sheriff Jon Lopp entered the chambers at 9:30 a.m.

Lopp presented the Commissioners with the Complaint Report for June 2017. Lopp presented the new Body-Worn Camera Policy to the commissioners for approval.

**ACTION#2**

**Resolution 2017-62**

Chair Brewer moved to approve the Body-Worn Camera Policy for the Sheriff's Office. Commissioner Hurwitz seconded the motion. A vote was taken and passed. The issue is hereby resolved.

**Smith Shields Project Update – Jess Secret:**

Jess Secret entered the chambers at 10:00 a.m.

Secret presented information regarding the Smith Shields Forest Health Project being taken to court by the Native Ecosystems Council and the Alliance for the Wild Rockies. Discussion took place on the formal ways the commissioners can show their support for the project once it goes to trial.

**Public Comment:**

Building Maintenance Supervisor Ken Martin and Grounds Keeper Alvin Kujath entered the chambers at 10:20 a.m.

Martin and Kujath presented information to remove the trees on the west side of the courthouse. Commissioners decided to table the issue until the next budget year.

Assessor Ray Masee and Clerk & Recorder Dayna Ogle entered the chambers at 10:30 a.m.

Masee discussed the new assessed values of properties and the AB 26 Tax Appeal process and how new values may affect the county.

**Claims Approved:**

Commissioners were presented with Check #53112 through Check #53131 and Check # 53134 through Check# 53135 totaling \$82,967.38. Check# 53132 through Check # 53133 were presented as voided checks due to printing error. All Checks were signed as presented.

**Meeting Adjourned:**

The meeting was adjourned at 11:15 a.m.

**Wednesday**

July 11<sup>th</sup>, 2017

8:30 a.m. – 4:15 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 Brewer, Vice Chair Hurwitz, and Commissioner Townsend were present.

**Minutes:**

**ACTION #1**

Commissioner Hurwitz moved to approve the minutes from the July 5<sup>th</sup>, 2017 meeting. Chair Brewer seconded the motion. A vote was taken and minutes were approved.

**Treasurer's Report – Sue Phelan:**

Treasurer Sue Phelan entered the chambers at 9:00 a.m.

Phelan presented the Cash Report for June 2017 and asked for permission to move \$50.30 from the General Fund - Treasurer's Fees to the Treasurer Redemption Fund.

**ACTION#2**

**Resolution 2017-63**

Commissioner Hurwitz moved to transfer \$50.30 from the General Fund – Treasurer's Fees to the Treasurer Redemption Fund. Chair Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

*Ray Seaman entered the chambers at 9:15 a.m.*

**County Attorney Report – Kimberly Deschene:**

County Attorney Kimberly Deschene entered the chambers at 9:30 a.m. Deputy Clerk and Recorder Penny Plachy entered the chambers at 9:35 a.m.

Deschene presented to the Commissioners with her case load. She discussed concerns that about if a prisoner can be housed in the arresting county rather than the county the crime was committed.

Then discussion turned briefly to the letter Sheriff Jon Lopp received from O'Neill Law Office PLLC. The letter is a Notice of Anticipated Litigation, which is sent to ensure records aren't destroyed. Deschene stated she had no intentions of suing the county.

*Ray Seaman left the chambers at 9:50 a.m.*

**Extension Report – Bob Sager:**

Extension Agent Bob Sager entered the chambers at 10:00 a.m.

Sager presented his report for June 2017 and discussed how Meagher County was chosen to be a part of an Alfalfa Weevil survey. Discussion ended with the upcoming 4H Fair July 27<sup>th</sup>, 2017 and progress of the new 4H building.

**Health Nurse Report – Eva Kerr:**

Health Nurse Eva Kerr entered the chambers at 10:30 a.m. Sanitarian Sean Hill entered the chambers at 10:35 a.m.

Kerr presented her Report for June 2017 to the Commissioners. Kerr discussed finishing up with immunizations with the Springdale and Martindale Colonies. Then discussion turned to trainings Kerr will be attending in the coming weeks.

**Board of Health Meeting – Eva Kerr & Sean Hill:**

Sandy Harris and Mayor Julian Theriault entered the chambers at 11:00 a.m.

Present for the Board of Health meeting were Ben Hurwitz, Rod Brewer, Herb Townsend, Sandra Harris, Julian Theriault, Sean Hill, and Eva Kerr. Health Nurse, Eva Kerr passed out a report for the Commissioners review and discussion.

Sanitarian Hill stated that inspections of septic systems and food establishments are up to date.

Kerr reported on disease incidents that occurred April 2017 through June 2017. Vaccination rates improved to 85% coverage within the county. Also the Animal Bite Protocols were reviewed.

Mayor Theriault explained the water line break which occurred on May 15<sup>th</sup>, 2017. Pipe was installed and sterilized; water was then tested at three points below the new pipe. Normal pressure was returned to the city within 4 hours. The city was able to keep enough water flowing to avoid a boil order.

**Smith Shields Project Update – Jess Secrest:**

Jess Secrest entered the chambers at 2:20 p.m.

Secrest and the Commissioners discussed the writing of the request for funds to provide legal counsel to Meagher County in order to write an amicus curiae brief for the Smith Shields Project being taking to court by the Native Ecosystems Council and the Alliance for the Wild Rockies. Commissioners agreed to draft a letter to request funds.

**Red Ants Pants – Sarah Calhoun:**

Sarah Calhoun entered the chambers at 3:00 p.m.

Calhoun thanked the Commissioners for spraying the Jackson Road with Magnesium Chloride for dust control. Calhoun asked the Commissioners to consider closing the Jackson Road and post the 15 mph speed limit during the festival. Commissioners agreed Road Supervisor Bruce Smith would be contacted for signs.

**ACTION#3**

**Images to be scanned in**

**Public Comment:**

Mike Eby entered the chambers at 3:20 p.m.

Commissioners and Eby discussed the proposed Law Enforcement Agreement. Both parties agreed how communicating through third parties has caused communication gaps regarding the agreement.

**Claims Approved:**

Commissioners were presented with Check #53139 through Check #53161 and Check # 53164 through Check # 53175 and Check # 53177 totaling \$134,700.18. Check# 53136 - 53138, Check #53157-53158, Check # 53160 and Check # 53162 - 53163 were presented as voided checks due to printing error. All Checks were signed as presented.

**Meeting Adjourned:**

The meeting was adjourned at 4:15 p.m.

**Tuesday**

July 18<sup>th</sup>, 2017

8:30 a.m. – 12:30 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, Vice Chair Ben Hurwitz, and Commissioner Herb Townsend were present for the meeting.

**Minutes:**

**ACTION #1**

Commissioner Townsend moved to approve the minutes from the July 11<sup>th</sup>, 2017 meeting. Chair Brewer seconded the motion. A vote was taken and minutes were approved.

**IT Update – Jim McDanel:**

IT Supervisor Jim McDanel entered the chambers at 9:00 a.m.

McDanel stated to the Commissioners that the Text to 911 will be finished and ready before Red Ants Pants. Proper newspaper publications will occur to notify the public about using the text feature. McDanel then explained the current progress with the new email server.

*Clerk and Recorder Dayna Ogle entered the chambers at 9:15 a.m.*

McDanel and Ogle presented a letter for signature which will be given to department heads about McDanel assessing the IT equipment to place on a schedule for replacement.

**Taser Policy Review – Jon Lopp:**

Sheriff Jon Lopp entered the chambers at 9:30 a.m.

Commissioners, Lopp, and McDanel discussed the upgrades to take place within the portable command station with computers and the best options. Lopp and the Commissioners also discussed the Law Enforcement Agreement.

Lopp then presented the Commissioners with the Electronic Controlled Device Policy for review. Discussion about the policy took place; in particular Lopp went over the training, when a Taser should not be used on a suspect, and the reporting if a Taser is used.

**ACTION #2**

**Resolution 2017-66**

Chair Brewer moved to accept the Electronic Controlled Device Policy for the Meagher County's Sheriff Office. Commissioner Hurwitz seconded the motion. A vote was taken and unanimously passed. The issue is hereby resolved.

Commissioners and Lopp agreed that yearly all policies should be review to keep them updated. At this time all policies have been approved.

Lopp and the Commissioners then discussed the program Nixle Engage. Lopp presented that the program is currently free, with limitations, to the Sheriff's Office but he is planning to add the school to the program. After talking with the school, Lopp found out that having a joint contract would cost \$2,000 annually. The county would pay \$1,000 for its portion of the services. The program assists in mass messaging alerts through text, phone calls, or email. The alerts can be tailored to specific events, weather storm warnings, fires, etc.

### **Public Hearing Budget Amendment – Dayna Ogle:**

Clerk and Recorder Dayna Ogle entered the chambers at 10:00 a.m.

Ogle presented to the Commissioners the final budget report for the fiscal year 2016-2017. Ogle discussed the Funds that went over their authorized budget after payroll and claims that were processed in June. The General Fund as a whole was over \$17,000; by moving two expenditures into the PILT Fund and one into Records Preservation Fund the General Fund becomes under budget. The Health Insurance Fund is also over the authorized budget; by moving half the cost of two employee's health insurance contribution out of the Health Insurance Fund and into the Extension Fund and Meagher County Health Fund will not be over its authorized budget. Ogle also stated that the majority of the Funds had used 97% of their spending authority.

### **Fire/DES Report – Rick Seidlitz:**

Rick Seidlitz entered the chambers at 11:00 a.m.

Seidlitz reported on the recent fire activity around the county and growing concerns for the fire season. Seidlitz then discussed the fixing of the radios within the fire trucks and proposing fire restrictions. Seidlitz stated that there are various levels of Fire Restrictions he can place; for example no open burning to no camp fires.

### **ACTION#3**

#### **Resolution 2017 -67**

Commissioner Hurwitz moved that at the discretion of the Fire Chief fire restrictions can be placed for the safety of those within the county. Chair Brewer seconded motion. A vote was taken and passed.

**Budget Hearing Meagher County TV – BJ Hawkins:**

BJ Hawkins entered the chambers at 11:20 a.m.

Hawkins presented the Commissioners with the Meagher County Public Television, Inc. Year in Review for 2016-2017. The report included expenditures and future budget needed. Commissioners agreed to review the amount once the new budget was set.

**Public Comment:**

Julie Hanson, Annie Lester, Bethany Steinken, and Bob Sager (members of the 4H Council) entered the chambers at 12:00 p.m.

Commissioners and members from the 4H Council discussed the new 4H building. Main points discussed were funding, presenting information to the public, and the plans on construction. Commissioners asked the amounts of total money raised at this point.

**Claims Approved:**

Commissioners were presented with check number 53178 through check number 53193 and 553196 totaling \$13,188.62. Check number 53194 was voided due to printing error. All checks were signed as presented.

**Meeting Adjourned:**

Meeting was adjourned at 12:30 p.m.