

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

**Tuesday**

May 7<sup>th</sup>, 2019

8:30 a.m. – 3:30 p.m.

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chair Hurwitz called the meeting to order at 8:30 a.m.

**Commissioners Present:**

Chair Ben Hurwitz, Vice-Chairman Herb Townsend, and Commissioner Rod Brewer were present for the meeting.

**Minutes:**

**ACTION #1**

Commissioner Brewer moved to approve the Minutes from April 16<sup>th</sup>, 2019 meeting with minor revisions. Chair Hurwitz seconded the motion. A voted was taken and minutes were approved.

**Road Report – Bruce Smith:**

Road Supervisor Bruce Smith and Foreman Tim Collins entered the chambers at 9:00 a.m.

Smith and Collins updated the Commissioners about the counters on the Smith River Road. Currently there is approximately 110 vehicles traveling the road daily. Commissioners, Smith, and Collins discussed changing the position of the counter to try and determine more effectively the number of recreational vehicles verse daily traffic. Collins then updated the Commissioners about the cost of having Tractor and Equipment repair a motor grader in Great Falls verse in Meagher County. After the update it was decided that hauling the equipment to Great Falls, by an outside party, was a lower cost to the County than having a Tractor and Equipment employee directly come to Meagher County for repairs. Discussion then ended about the potential of investing in a lowboy trailer that would haul a motor grader.

**Gordon Butte Hydro Project Update:**

*Commissioners left to the Senior Center to listen to the presentation by Rhett Hurless on the Gordon Butte Hydro Project.*

**Health Nurse Report – Eva Kerr R.N.:**

Health Nurse Eva Kerr R.N. entered the chambers at 10:30 a.m.

Kerr presented the Health Report for April 2019. Kerr stated to the Commissioners that she had received a Bair Grant for \$7,000. Kerr then updated the Commissioners about the new WIC Agreement with Lewis and Clark County. WIC will come once a quarter to Meagher County for appointments. Discussion ended with the homemaker program and training Kerr will be attending in May.

**US Bank Harmon Trust – Jason Jewett:**

Jason Jewett and William Northey from US Bank entered the chambers at 10:50 a.m. Deputy Treasurer Maura Kusek entered the chambers at 10:55 a.m.

Jewett presented the Commissioners with an Investment Relationship Review. Northey, Jewett, and the Commissioners discussed Meagher County's investment portfolio through a page by page review. Northey explained the differences between the global and national markets, inflation rates, and stock concentrations.

**Clean Up Day – Penny Plachy:**

Deputy Clerk and Recorder Penny Plachy entered the chambers at 11:30 a.m.

Plachy presented the Commissioners with a request that County employees that volunteers for half day at the transfer site for will be given a full comp day off.

**ACTION #2**

**Resolution 2019 - #16**

Commissioner Brewer moved to approve that any employee that volunteers for a half day at the transfer site for Clean Up Day will be given a full comp day off (to be approved by the Department Head). Chair Hurwitz seconded. A vote was taken and unanimously approved. It is therefore resolved.

*Cemetery Sexton Mike Marion entered the chambers at 11:40 a.m. Marion presented the Commissioners with the request to purchase a mini-excavator for the Cemetery. This would allow for Marion to dig full burial graves without having to contact the City for the service. Commissioners stated it would be reviewed during budget.*

**Working Lunch**

*Commissioners reviewed Road Supervisor Job Applications and discussed times for interviews of the candidates.*

**Title III – Intent to Spend – 45 Day Comment Period:**

Clerk and Recorder Dayna Ogle entered the chambers at 1:30 p.m.

Ogle and the Commissioner discussed the intent to spend the Title III funds on the Fire Wise Program and the beginning of the 45-day comment period.

**NOTICE OF PUBLIC COMMENT PERIOD**

**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").

**Comment Period:** Written comments will be accepted immediately through June 17, 2019 and can be mailed or hand-delivered to:

Meagher County  
PO Box 309  
White Sulphur Springs Mt 59645

**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. These purposes are generally categorized as (1) activities under the Firewise Communities program; (2) reimbursement of costs for search and rescue and other emergency services on federal land within Meagher County; and (3) development of a Community Wildfire Protection Plan.

**Proposed Use:** Meagher County intends to use the funding to **carry out activities under the Firewise Communities program to provide to homeowners in fire-sensitive ecosystems education on, and assistance with implementing, techniques in home siting, home construction, and home landscaping that can increase the protection of people and property from wildfires.**

**Additional Information:** Information regarding the County's Firewise Communities program is available from the County's Fire Chief and DES coordinator. Additional information regarding Title III funds is available from the US Department of Agriculture's Forest Service webpage discussing the SRS Act.

### **ACTION#3**

#### **Resolution 2018 - #17**

Commissioner Townsend made a motion to commit all of the Title III funds on the Fire Wise Program. Chair Hurwitz seconded. A vote was taken and approved unanimously. It is therefore resolved.

#### **Library Foundation/New Building Update – Gordon Doig:**

Gordon Doig from the Library Board, Betsy Hamman from the Friends of the Library, County Attorney Burt Hurwitz entered the chambers at 1:55 p.m.

County Attorney Hurwitz presented those present with a memo regarding the sale of the old library building. County Attorney Hurwitz stated that the Commissioners must give public notice for two weeks in the newspaper for the intent to sell the property and hold a public hearing for comment. After the public hearing the Commissioners must run an advertisement for the property they wish to sell; this advertisement must include the appraised value, sale date and time, and place of sale. County Attorney Hurwitz contacted an appraiser that would be available to appraise the building by the end of May. Commissioners agreed to scheduling the appraisal. Discussion then turned to the selling the furniture that will not be used in the new location. It was decided that the County would need to post notice of a sale for the furniture items.

Doig then updated the Commissioners on the progress of new library building, currently the parking lot is being paved. Doig stated that the library will need to close for one week to transition into the new building. Doig ended his update with a request of \$10,000 - \$20,000 from the Commissioners. The proceeds from the sale of the old library building would be used to cover the final expenses of the new building.

#### **Mid-Montana Insurance Renewal – Jodi Tierney:**

Jodi Tierney from Mid-Montana and Shannon Shanholtzer from MACo entered the chambers at 2:30 p.m.

Shanholtzer presented the Commissioners with Insurance Renewal Packets for FY 19.20 Property Causality and Worker's Compensation Insurance for Meagher County. Tierney, Shanholtzer, and the Commissioners discussed the packet page by page. Major points of discussion were the 1.55% decrease for FY 19.20 making the cost \$103180.00, changes to the

by-law language and polices, and Meagher County's Worker's Compensation Rates for FY 19.20 decreased by 1.070%.

**Senior Center Update – Beth Hunt:**

Beth Hunt entered the chambers at 3:00 p.m.

Hunt presented the Commissioners with a budget report for the Meagher County Senior Center and a picture book. Hunt and the Commissioners discussed the meal program through the center, speaker presentation events, grants Hunt has written and received for maintenance to the building, and future projects for the Meagher County Senior Center. Hunt requested a donation of \$10,000 for the Senior Center from Meagher County. Commissioners stated that they would consider the donation during their budget process.

**Public Comment:**

No Public Comment.

**Claims Approved:**

Commissioners were presented with Check #55598 through Check #55647 totaling \$48,403.34. Claim Checks # were pre-presented. Payroll Check # through Check # totaling \$ were also pre-presented. All Checks were signed as presented.

**Meeting Adjourned:**

Meeting was adjourned at 3:30 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, May 14<sup>th</sup>, 2019.

  
CLERK & RECORDER

  
CHAIRMAN

SEAL



  
VICE-CHAIRMAN

  
COMMISSIONER

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

**FRIDAY**

May 10<sup>th</sup>, 2019

1:00 p.m. – 4:30p.m.

Met in Commissioner's Chambers

**Commissioners Present:**

Chair Ben Hurwitz, Vice Chair Herb Townsend were present for the meeting.

**Job Interview:**

Clerk and Recorder Dayna Ogle entered the chambers to present the Commissioners with the interview questions for the Road Dept. Supervisor position. Ogle reviewed the process for the score sheets. Ogle then presented the Commissioner with the job application and attachments from Tim Collins.

Tim Collins entered the chambers at 1:00. The Commissioner went through the interview questions with Collins. Collins left the meeting at 1:55

Ogle entered the chambers at 2:00 to present the Commissioner with Jake Kusek's Job application and attachments along with the interview questions and score sheet.

Jake Kusek entered the chambers at 2:00. The Commissioner went through the interview questions with Kusek. Kusek left the meeting at 3:00.

Ogle entered the chambers at 3:15 to present the Commissioner with Dennis Clemenson Job application along with the interview questions and score sheet.

*Commissioner Rod Brewer entered the chambers at 3:25*

Dennis Clemenson entered the chamber at 3:20. The Commissioner went through the interview questions with Clemenson. Clemenson requested information regarding county benefits. The Commission instructed Clemenson to make arrangements with Clerk & Recorder Dayna Ogle to go over the employee benefits for Meagher County. Clemenson left the meeting at 4:20

The Commissioners then discussed the interviews and each applicant's abilities, strengths, weaknesses, and concerns regarding each applicant. A decision will be announced at the May 14<sup>th</sup> Commissioner meeting.

**Meeting Adjourned:**

Meeting was adjourned at 4:45 p.m.

**Next Meeting:**

Commissioners are scheduled to meet Tuesday, May 14<sup>th</sup>, 2019.

  
CLERK & RECORDER

SEAL



  
CHAIRMAN

  
VICE-CHAIRMAN

  
COMMISSIONER

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

**Tuesday**

May 14<sup>th</sup>, 2019

8:30 a.m. – 4:00 p.m.

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chair Hurwitz called the meeting to order at 8:30 a.m.

**Commissioners Present:**

Chair Ben Hurwitz, Vice-Chairman Herb Townsend, and Commissioner Rod Brewer were present for the meeting.

**Minutes:**

**ACTION #1**

Commissioner Townsend moved to approve the Minutes from May 7<sup>th</sup>, 2019 meeting with minor revisions. Commissioner Brewer seconded the motion. A voted was taken and minutes were approved.

*Chair Hurwitz and Vice-Chairman Townsend decided to make a decision regarding the interviews for Road Supervisor that were held on Friday, May 10<sup>th</sup>, 2019.*

**ACITON#2**

*Commissioner Townsend moved to hire Jacob Kusek as the Road Supervisor. Chair Hurwitz seconded. A vote was taken and passed. Commissioner Brewer abstained from discussion and voting. Chair Hurwitz will contact the applicants about the results.*

*Road Foreman Tim Collins entered the chambers at 8:40 a.m. Collins updated the Commissioners about a Road Grader that will be headed to Great Falls for work due to a large leak near the transmission.*

**Treasurer's Report – Maura Kusek:**

Deputy Treasurer Maura Kusek entered the chambers at 9:15 a.m.

Kusek presented the Commissioners with the Cash Report for April 2019 and a delinquent tax report for Real Property. Kusek and the Commissioners discussed the cash sheet and the delinquent tax amount total.

**County Attorney Report – Burt Hurwitz:**

County Attorney Burt Hurwitz entered the chambers at 9:30 a.m.

County Attorney Hurwitz presented the Commissioners with a report for April 2019. Hurwitz updated the Commissioners about the cost of the State verse Tipton trail and the incarceration costs for Tipton before his sentencing. Hurwitz then updated the Commissioners about the upcoming trail in August 2019, his meeting with the principal and superintendent regarding the truancy policy, and other cases. Also he will be attending training in July with Deputy Wilson.

**Sheriff Report – Jon Lopp:**

Sheriff Jon Lopp entered the chambers at 10:00 a.m.

Lopp and the Commissioners discussed the pre-presented Complaint Report for April 2019. Lopp updated the Commissioners about holding a sheriff auction for the abandoned vehicles in the county impound, the Bair Grant received for installing a dog box into the new patrol vehicle, the estimated arrival of the new patrol vehicle, and the current training of the canine unit.

**Sheriff Inter-Local Agreement – Burt Hurwitz:**

Susan Wordal was conferenced into the meeting at 10:40 a.m. by phone.

County Attorney Hurwitz presented the Commissioners and Sheriff Lopp with the most recent draft of the Sheriff Inter-Local Agreement. Commissioners, County Attorney Hurwitz, and Lopp went through the latest draft of the agreement.

City Attorney Susan Wordal was conference called into the meeting. Commissioners, Lopp, County Attorney Hurwitz, and City Attorney Wordal discussed language concerns within the agreement. Commissioners requested that language regarding the City's general fund and the Special Police District be removed. Discussion ended with Wordal stating that the changes from this meeting would be presented to the Mayor and City Council on Monday May 20<sup>th</sup>, 2019.

**Fire/DES Report – Rick Seidlitz:**

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

Seidlitz presented the Commissioners with a report for April 2019. Seidlitz updated the Commissioners about two fires that happened within the county and one fire that happened within the city. Seidlitz also reported that two training burns took place for the fire volunteers.

**Opened Sealed Bids – Courthouse Exterior Paint:**

Al Nyhart entered the chambers at 11:30 a.m.

Chair Hurwitz opened the two sealed bids for painting the exterior of the courthouse building. The first bid opened was from Pats Painting out of Fairfield, Montana. Pat Painting bid the project at \$12,300 with optional upgrades for paint. The second bid opened was from Rocket Painting for \$24,000 for the project. Commissioners and Nyhart discussed the type of paint that Rocket Painting would use on the stucco exterior.

Commissioners decided to table decision on the sealed bids until the next schedule meeting to further understand the different types of exterior paint options.

**Lunch**

**DUI Taskforce Update – Katherine Walter:**

Katherine Walters entered the chambers at 1:20 p.m.

Walters presented the Commissioners with the DUI Task Force Plan for Fiscal Year 19.20 for signature. Walters updated the Commissioners about the work that the DUI Task Force has

completed in Fiscal Year 18.19 and the goals that they have for Fiscal Year 19.20. Main goals for the task force are Education, Law Enforcement Support, Underage Drinking Prevention, and more Funding Options.

**Health Insurance Renewal – Julie Blockey:**

Julie Blockey entered the chambers at 1:50 p.m. Clerk and Recorder Dayna Ogle, Deputy Clerk and Recorder Penny Plachy, and Deputy Treasurer Maura Kusek entered the chambers at 1:55 p.m.

Blockey presented the Commissioners and those present with renewal packets for Fiscal Year 19.20. Blockey stated that two of the county's current policies saw a 1% rate increase and the other two policies saw a 2% rate increase. Blockey then updated specific policy changes in regard to copay, out of pocket, and deductible increases. Blockey did state that Guardian Vision and Dental Insurance saw no rate increases. Discussion ended with receiving a Life Insurance quote from Guardian Insurance to compare costs to Unum.

**Extension Report – Bob Sager:**

Extension Agent Bob Sager entered the chambers at 2:20 p.m.

Sager presented the Commissioners a report. Sager updated the Commissioners about the installation for lights at the new 4H Building and the amount of livestock entries for the 4H Fair and the Equine show. Sager and the Commissioners also discussed his most recent response letter to his Tenure Application.

**IT Update – Jim McDanel:**

IT Supervisor Jim McDanel entered the chambers at 2:50 p.m.

McDanel updated the Commissioners about the IT work that will need to be completed in the new library building before the library opens. Commissioners and McDanel discussed wiring and equipment upgrades that will be needed. McDanel ended discussion about upgrading the software on the servers for the county.

**Public Comment:**

No Public Comment.

**Claims Approved:**

Commissioners were presented with Check #55648 through Check #55736 totaling \$31,696.85. All Checks were signed as presented.

**Meeting Adjourned:**

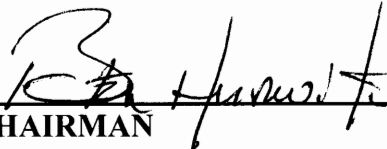
Meeting was adjourned at 3:30 p.m.



**Next Meeting:**

Commissioners are scheduled to meet Tuesday, May 21<sup>st</sup>, 2019.

  
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CLERK & RECORDER

  
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CHAIRMAN

SEAL



  
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VICE-CHAIRMAN

  
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COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder Rebekah Luchterhand  
Distributed May 21<sup>st</sup>, 2019 to Chairman Brewer, Vice Chair Hurwitz, and Commissioner Townsend, and Clerk & Recorder Ogle

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

**Tuesday**

May 21<sup>st</sup>, 2019

8:30 a.m. – 12:00 p.m.

Met in Commissioner's Chambers

**Meeting Called to Order:**

Chair Hurwitz called the meeting to order at 8:30 a.m.

**Commissioners Present:**

Chair Ben Hurwitz, Vice-Chairman Herb Townsend, and Commissioner Rod Brewer were present for the meeting.

**Minutes:**

**ACTION #1**

Commissioner Brewer moved to approve the Minutes from May 14<sup>th</sup>, 2019 meeting. Chair Hurwitz seconded the motion. A voted was taken and minutes were approved.

**Sheriff Inter-Local Agreement – Burt Hurwitz:**

County Attorney Burt Hurwitz, Sheriff Jon Lopp, and Clerk & Recorder Dayna Ogle entered the chambers at 9:00 a.m.

County Attorney Hurwitz presented the Commissioners with the draft agreement approved by the Mayor and City Council. Commissioners, Lopp, Ogle, and County Attorney Hurwitz discussed language concerns and amended the agreement to have a due date of payment and other minor changes.

**ACTION #2**

**Resolution 2019 -#18**

Chair Hurwitz moved to sign the amended Sheriff Inter-Local Agreement. Commissioner Brewer seconded the motion. A vote was taken and passed. The amended agreement was signed and will be presented to the Mayor and City Council.

**New Gas Tax Resolution – Dayna Ogle:**

Ogle presented the Commissioners with the New Gas Tax Resolution for Fiscal Year 19.20.

**ACTION #3**

**Resolution 2019 -#19**

**A RESOLUTION REQUESTING DISTRIBUTION OF  
BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS**

**Resolution 2019 - #19**

**WHEREAS**, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

**WHEREAS**, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

**WHEREAS**, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

**WHEREAS**, the project(s) to be funded is: Application of Magnesium Chloride on various County Roads and,

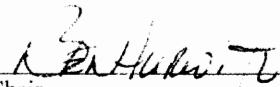
**WHEREAS**, the local match for the allocated funds has been budgeted from Meagher County Road Fund.

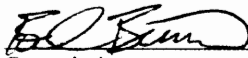
**THEREFORE, NOW BE IT RESOLVED THAT:**

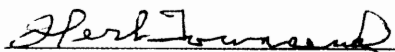
1. Meagher County requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein.
2. That the Commission hereby empowers and authorizes a Commissioner or other staff to execute such further documents as may be necessary to facilitate the distribution of said funds.

**Adopted this 21<sup>st</sup> day of May, 2019.**

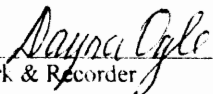


  
Chair

  
Commissioner

  
Commissioner

ATTEST:

  
Clerk & Recorder

Ogle also presented the Commissioners with a contract for planning services with Stahly Engineering. Stahly would provide services for subdivision reviews and certificate of surveys. Commissioners signed the contract.

**Public Hearing – Sale of Old Library Building:**

Amy Schmechel and Ron Smorg entered the chambers at 9:45 a.m. Gordon Doig entered the chambers at 10:00 a.m.

Schmechel inquire about the process for selling the Old Library Building. Commissioners and Ogle explained the process to Schmechel. No public comment was taken for or against the sale of the Old Library Building.

**ACTION#4**

*Image of sale resolution to be scanned in once the appraisal is completed.*

**Library – Request for Funds – Gordon Doig:**

Doig, from the Library Foundation, requested a loan of \$20,000. After the Old Library Building sells the loan will be repaid. Doig explained that the money requested would be utilized in purchasing IT equipment and supplies for the building and other small expenses in finishing the new library before opening to the public.

#### **ACTION#5**

##### **Resolution 2019 -#21**

Commissioner Brewer moved to loan \$20,000 to the Library Foundation for unforeseen finishing costs. Commissioner Townsend seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Doig then updated the Commissioners about a dress code policy the Library Foundation is exploring for the Librarian, Assistant Librarian, and the Volunteers. The goal of the foundation is to distinguish those working at the library from the public. Doig stated that the Foundation would bear the costs of the uniform if the policy is approved by the Library Board and Commissioners. Doig and the Commissioners also discussed the mural and library sign designed by Duncan Kippen.

#### **IT Update – Jim McDanel:**

IT Supervisor Jim McDanel entered the chambers at 10:45 a.m.

McDanel updated the Commissioners and Doig about the current IT work at the new library. McDanel explained the upgraded equipment that will be used within the new library and concerns about placing older equipment in the new building. McDanel ended his update with stating to the Commissioners he has potentially found a person who would assist him in the County IT department. Commissioners and McDanel discussed the future of JAM Computer and the County's IT.

#### **Decision on Opened Bids for Courthouse Exterior Painting:**

Clerk and Recorder Dayna Ogle entered the chambers at 11:30 a.m.

Ogle presented the Commissioners with the requested re-bid from Pat's Painting using the Elastomeric Paint that was bid by Rocket Painting. Pat's Painting bid using the Elastomeric paint comes to \$17,500. Rocket Painting Bid still remained the same at \$24,000.

#### **ACTION#6**

##### **Resolution 2019 -#22**

Chairman Hurwitz moved to accept and hire Pat's Painting for the amount of \$17,500 for painting the exterior of the courthouse. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Pats Painting and Rocket Painting will be contacted on the outcome of the bids via letters and phone calls.

#### **Public Comment:**

Jess Secrest entered the chambers at 12:00 p.m.

Secrest presented the Commissioners with a comment letter to review on the Custer Gallatin National Forest Revision Plan. Secrest and the Commissioners discussed the presented letter.

#### **Claims Approved:**

Chairman Hurwitz moved to accept and hire Pat's Painting for the amount of \$17,500 for painting the exterior of the courthouse. Commissioner Brewer seconded the motion. A vote was taken and passed. The issue is hereby resolved.

Pats Painting and Rocket Painting will be contacted on the outcome of the bids via letters and phone calls.

**Public Comment:**

Jess Secret entered the chambers at 12:00 p.m.

Secret presented the Commissioners with a comment letter to review on the Custer Gallatin National Forest Revision Plan. Secret and the Commissioners discussed the presented letter.

**Claims Approved:**

Commissioners were presented with Check #55737 through Check #55760 totaling \$27,209.05. All Checks were signed as presented.

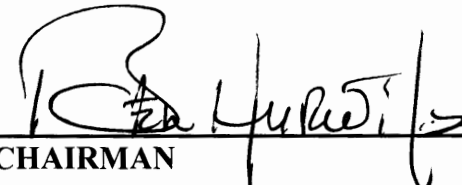
**Meeting Adjourned:**

Meeting was adjourned at 12:30 p.m.

**Next Meeting:**


Commissioners are scheduled to meet Tuesday, June 4<sup>th</sup>, 2019.

  
CLERK & RECORDER

  
CHAIRMAN

SEAL



  
VICE-CHAIRMAN

  
COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder Rebekah Luchterhand  
Distributed June 4<sup>th</sup>, 2019 to Chairman Brewer, Vice Chair Hurwitz, and Commissioner Townsend, and Clerk & Recorder Ogle