

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

November 9, 16, 23 2010

Tuesday

November 9, 2010

8:30am – 2:30pm

Met in Commissioner's Chambers

Meeting Called to Order:

Chairman Townsend called meeting to order at 9:00am

Commissioners Present:

Chairman Herb Townsend and Commissioner Ben Hurwitz were present.

Road Report:

Road Supervisor Ray Ringer is going to put a call for bids in the newspaper for 20,000 yards of gravel. Commissioner Hurwitz and Road Supervisor Ringer will be the contacts. The notice will run for two weeks. Bids will be due December 6, 2010 at 4:00pm in the Clerk and Recorder's office. Sealed bids will be opened at 9:00am December 7, 2010. Commission discussed budget, rock quality, and location of gravel the county has and will need. Ringer reported that the supplies for the fence were delivered but has not been started. The roof project has not begun either. Clerk & Recorder reported on personnel workers comp claim. Ringer asked if they should over haul the 1966 Cat, it is estimated to cost \$7,000 to \$8,000 to over haul the engine. Ringer noted they do not use it a lot but when they need it there is nothing else to use. Commission and Ringer discussed options of buying a new one, over hauling existing one, or possibly renting one. Ringer reported that some of the trucks are in need of being upgraded also.

Action 1:

RESOLUTION 2010-47

Commissioner Hurwitz moved to have Doug Russell over haul the 1966 Cat D6 dozer. Chairman Townsend seconded. A vote was taken and passed unanimously.

Canvass Votes:

Donna Morris Clerk of Courts, and County Attorney Linda Hickman joined the commission to canvass votes. Dayna Ogle Clerk & Recorder presented tally sheets and explained how to verify vote totals. Canvass committee approved results. Ogle will submit official election results as required.

Policy Handbook:

Commission and Clerk & Recorder Ogle decided to table discussion and will review the policy handbook next week when the entire commission is present.

Treasurer:

Treasurer Sue Phelan met with commission to discuss reimbursement policy for meals and hotel. Commission agreed to make an exception for Sue Phelan and Shauna Porter.

Action 2:

Commissioner Hurwitz moved to allow Phelan and Porter to be paid the meal allowance in advance for meals during trainings or other conferences they attend. They will be required to submit their receipts upon their return to work. Chairman Townsend seconded. A vote was taken and passed unanimously.

Treasurer Phelan noted the Martinsdale lights were out and a tax payer was wondering why they are paying taxes when the lights are not working. The power company was contacted and addressed the issue.

Snow Removal for Moose Creek:

Rooney explained the Forest Service has changed the Moose Creek Roads designation to year round wheel access. He asked if the county would do the same agreement that Grassy Mountain residents have to plow the road for \$120/hr. Him and his neighbors have discussed and are interested in having service done. Commission and Mr. Rooney discussed traffic, access, and road designations.

Action 3:

Commissioner Hurwitz moved to allow the Road Department to snow plow the Moose Creek resident's roads at \$120.00/hr, with a minimum of 1 hr, when the road department is near the area. Chairman Townsend seconded, a vote was taken and passed unanimously.

Fire/DES Report:

Fire Chief Seidlitz did not attend.

Minutes:

Action 4:

Commissioner Townsend moved to approve October 19th minutes. Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

County Extension Report:

Bethany Steinken met with the commission and discussed the recent interviews for the County Extension position. The hiring committee made their decision. The candidate has made a verbal agreement. He may be here by the middle of December.

Clerk & Recorder:

Dayna Ogle Clerk & Recorder met with commission and discussed resignation of the Deputy Clerk and Recorder. They will post the opening for the position to the public.

Action 5:

Commissioner Hurwitz moved to accept the resignation of Deputy Clerk & Recorder Becky Hurwitz Leger, with her last day being November 19, 2010. Chairman Townsend seconded. A vote was taken and passed unanimously.

Health Care Trust:

Chairman Townsend reported that some counties are not meeting their 75% participation obligation. He told Ogle that the Health Care Trust will be contacting her regarding health insurance enrollment, who is exempt and who is eligible.

Claims:

Commission signed claims as presented by Deputy Clerk & Recorder; Voucher #1123, CK# 41551-CK#41627 totaling \$73, 865.34. Voucher #1124 CK#41628 – CK#41630 totaling \$4,292.00. Out of Session 10/21/2010 Voucher #1117, CK#41529 for \$36.00 for County Attorney Process Service. Out of Session 10/26/2010 Voucher #1118, CK#41530 for \$374.00 for postage for the treasurer. Out of Session 11/4/2010, Voucher #1121, CK#41549 for \$9,547.06 for Library Maintenance. Payroll Voucher #4, CK#217807 – CK#217820 totaling \$12,202.36. Payroll Deductions Voucher #1119, CK#41531 – CK#41538 totaling \$95224.74. Health Insurance Voucher 1120, CK#41539 – CK#41548 totaling \$17,654.66. Payroll Deductions Voucher 1122, CK#41550 totaling \$325.

Sheriff Report:

Sheriff Jon Lopp handed out his report for commission to review. Under Sheriff Shroyer hit a deer in his new truck. They had an estimate to replace for \$2,100 and to repair for \$1,600. Commission discussed and determined to not repair or replace at this time. Lopp explained Crisis Response process and the contract the county has currently. This new system and contract is more efficient than the counties previous one. Lopp reported it is relatively quiet and hunting

season is going well. There has been one cow mutilation that was unusual. Noted the city is passing an ordinance regarding medical marijuana. Sheriff Lopp explained the process of a coroner's inquest. They are waiting for some reports and interviews to be completed before they do the inquest.

Public Comment:

No comment was made.

Meeting Adjourned:

Chairman Townsend adjourned meeting at 2:30pm.

Next Meeting:

Commissioners are scheduled to meet Tuesday, November 16, 2010.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Administrative Assistant Christy Rogers
Distributed November 16, 2010 to Chairman Townsend, Commissioner Hurwitz, Commissioner Schlepp, and Clerk & Recorder Ogle

Tuesday
November 16, 2010
9:15am – 6:00pm
Met in Commissioner's Chambers

Commissioners Present:

Chairman Townsend, Commissioner Hurwitz, and Commissioner Schlepp were present.

Meeting:

Meeting called to order at 9:15am by Chairman Townsend

Claims:

Commissioners reviewed claims and approved for processing.

Library Board:

Jim Johnston met with the commission and notified them that they have two openings on the Library board. The positions are to be filled outside the city limits. He would like to change the inter-local agreement so they can expand the pool so all board members just need to live within the county. The commissioners would appoint 3, and the Mayor would appoint 2.

Action 1:

RESOLUTION #2010-48

Chairman Townsend moved to accept changes as proposed. Commissioner Schlepp seconded. There was no discussion. A vote was taken and passed unanimously, it is therefore resolved.

Johnston noted the city passed the changes to the inter-local agreement yesterday. Friends of the library are working on decorating and organizing the library. There are tables and shelves that are being made by local residents.

Gerald Masee:

Mr. & Mrs. Masee met with commission to revoke agriculture designation on a piece of land they own.

Action 2:

Chairman Townsend moved to sign revocation documentation to remove agriculture designation on the Masee's land. Commissioner Hurwitz seconded. No further discussion. A vote was taken and passed unanimously.

Documentation was signed and will be recorded in the Clerk & Recorder's Office.

Closed Session:

Personnel issue discussed.

Policy Handbook Review:

Clerk & Recorder Ogle and Commission decided to review policy handbook next week.

Triangle Communications Update:

Todd Klassy was not able to attend due to weather.

Tenderfoot Road:

Discussed Tenderfoot Road access. Commission also discussed the forest service maintaining the Tenderfoot Road. Commissioner Hurwitz agreed to write a letter to follow up with them regarding a maintenance agreement.

Gluhm Subdivision:

John Gluhm, Willard and June Burnhardt were in attendance. Brian Clifton joined meeting via telephone. Mr. Clifton has reviewed and held appropriate hearings for Mr. Gluhm to make two tracts of land out of the existing one. Proponents: Mr. Gluhm in favor of subdivision. Opponents: Mr. & Mrs. Burnhardt had questions they would like answered before the subdivision is approved. They are concerned about taxes, annexation, population and access. Mr. Clifton explained the subdivision does not include their ground. The tracts that are being discussed will only have single family residents on each parcel and there are no population requirements. The subdivision will not affect surrounding property's taxes. Only the subdivision will be taxed at a higher rate. No further questions were asked. Chairman closed public hearing. Commission had no further discussion.

Action 3:

Chairman Townsend moved to accept the staff report and finding of facts and give conditional approval for the Old Mill Minor Subdivision. Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

Rescind Approval of Revocation of Agriculture Designation for Masee:

Clifton explained the proper process and regulations to revoke agriculture covenant and that a subdivision review has to happen prior to revoking covenant and filing proper documentation. The county regulations specify to lift a covenant a subdivision review has to be done. Review fee will be about a \$1,000 plus a cost of the surveying and DEQ process that Mr. Masee will be required to pay. Clifton will contact County Attorney Linda Hickman to follow up with Mr. Masee. Commission agreed they will resend revocation until the proper procedure is followed.

Action 4:

Chairman Townsend moved to rescind revocation of agricultural covenant that they had approved earlier in the day for Mr. & Mrs. Masee. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

Sheriff Report:

Sheriff Lopp explained that he is reporting that the Meagher County Sheriff's office did not have any large drug busts. They are required to report yearly because they have an agreement to share confiscated money if there are large amounts taken in. If Meagher County Sheriff's Office initiates and does majority of the work they get 80% and the State gets 20%. If the State initiates and does majority of work then they get 80% and Meagher County Sheriff's Office will get 20% of what is confiscated. Townsend asked about fueling Sheriff Department vehicles. Lopp explained they all fuel up at the County Shop yard.

Fire/DES Report:

Fire Chief Seidlitz met with commission and discussed public addressing. Commission and Seidlitz discussed the importance of physical addresses. There are a number of incorrect addresses connected with phone numbers. He gets a weekly report that he checks and verifies addresses. This is a big project that needs to be done. Someone use to be paid to update the data base, and the maps. It is budget to have \$3,000 for this MSAG addressing. Commission would like Seidlitz and Klassy (triangle communications) to work together to get everything updated. Seidlitz invited the commission to the December 19th volunteer Christmas party. Schlepp would like to have a list of volunteers to send them thank you cards.

Brownsfield Redevelopment Revolving Loan Funds Available:

Brian Obert called and cancelled due to the weather.

Clerk & Recorder:

Clerk & Recorder reported that she had an update on a worker's compensation claim. She called Chris at the work comp office so she could explain the details of accommodating employee's limitations and if those restrictions cannot accommodate then they will go into the vocational rehabilitation process and then settle.

Action 5:

Chairman Townsend moved that accommodations that are required for workers compensation claim are not able to be met. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

Airport Millings:

Townsend requested to purchase airport millings and asked the other two commissioners to discuss and decide if it is okay to purchase and at what rate. Townsend dismissed himself and left the room. Commissioner Hurwitz contacted Road Supervisor Ray Ringer for what the rate would be.

Action 6:

RESOLUTION #2010-49

Commissioner Hurwitz moved to sale Townsend about 12 loads of millings at \$1.00/yard. Commissioner Schlepp seconded. A vote was taken and passed unanimously, it is therefore resolved. (Note: Chairman Townsend excused himself and did not participate in the vote.)

Stelling Engineers:

Chairman Townsend called and talked to Mike Beckoff regarding land acquisition around the airport. Mike Beckoff proposed to apply for grant to cover match money for fencing for the airport. He noted it is a 5% match and the grant will cover the match money. Beckoff will mail paperwork to be signed by the end of this week.

Action 7:

Commissioner Townsend moved to apply for the grant to cover match money for the fencing that will be around the airport. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

Public Comment:

No comment was made.

Ken Mikesell:

Treasurer Sue Phelan and Ken Mikesell met with commission to discuss his back taxes. There are a number of them that are not livable and he would like for the commission to write them off. His delinquent taxes are \$421.91. There is \$275.83 owed on two trailers that are not livable, and one that he does not own. Commission discussed pros and cons at length.

Action 8:

RESOLUTION #2010-50

Commissioner Hurwitz moved to excuse Mr. Mikesell's taxes totaling \$275.83 that are owed with the agreement that Mr. Mikesell will sign an agreement that he will dispose of the two trailers that are unlivable. Chairman Townsend seconded. A vote was taken, Hurwitz and Townsend voted for and Schlepp voted against, passed 2 to 1, it is therefore resolved.

See Agreement Below:

November 16, 2010

To: Meagher County Commissioners

From: Ken Mikesell

Re: Mobile Home taxes

I, Ken Mikesell, agree to junk a 1975 Schult 12 x 64 trailer and a 1971 Tamarack 12 x 56 trailer at no expense to the county, in return for forgiving the 2009 & 2010 Mobile Home taxes on said trailers.

Per my discussion with you today, it is my understanding that taxes will also be forgiven on a 1966 Schult 10 x 46 trailer, which I do not have ownership or possession of.



Minutes:

Action 9:

Chairman Townsend moved to accept November 9th, 2010 minutes with changes. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

Claims:

Deputy Clerk & Recorder Becky Hurwitz-Leger presented commission Voucher No 1125 CK#41631 – CK#41653 totaling \$10,342.85. Journal Entry 168 CK#41611 totaling \$486.00. Commission signed as presented.

Hospital District Board:

1. The MCHDB was requested to appear in front of the county commissioners to give a progress report on the Board's goals/steps as outlined in the minutes of September 27, 2010.
2. In Attendance: Meagher County Commissioners Townsend, Hurwitz and Schlepp; MCHDB: Sundstrom and Dracon (Kakuk absent); Others: MMC Directors Ohlson and Schendel, MMC CEO Rogers and employee Short.
3. Progress report status – the MCHDB has completed Step 2 of the 5 Step Process. The Board has yet to determine research goals which will be determined at a later date, (to be announced).
4. The Board, Commissioners, and MMC officers and employees engaged in a spirited discussion of mutual interests and concerns. There were no resolutions or motions passed.

Meeting Adjourned:

Chairman Townsend adjourned meeting at 6:00pm

Next Meeting:

Commissioners are scheduled to meet Tuesday, November 23, 2010.

CLERK & RECORDER

SEAL

CHAIRMAN

VICE-CHAIRMAN

COMMISSIONER

Tuesday
November 23, 2010
9:00am – 4:00pm
Met in Commissioner's Chambers

Commissioners Present:

Chairman Townsend, Commissioner Hurwitz, and Commissioner Schlepp were present.

Meeting:

Meeting called to order at 9:00am by Chairman Townsend

Claims:

Commissioners reviewed claims and approved for processing.

Clerk & Recorder:

Clerk & Recorder Dayna Ogle met with commission and discussed possible candidates to fill the Tax Appeal Board Secretary position. Ogle proposed to change the cell phone policy.

Action 1:

RESOLUTION #2010-51

Commissioner Schlepp moved that Meagher County will give a flat rate of \$50.00/month for cell phone related to work calls. All cell phones will then be in employee's personal names and will be paid through payroll. Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

Action 2:

RESOLUTION #2010-52

Commissioner Hurwitz moved to set Travel Meal Per Diem at the same rates as the state except when the meals are covered by the workshop/conference registration. The county will reimburse the state for hotels when a receipt is shown. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

Clerk & Recorder Ogle noted that she would like to hold interviews Friday, December 3, 2010 to fill the Assistant to the Clerk & Recorder position that is currently open. Commission reviewed and edited the Policy Handbook Draft.

Hospital District Board:

Michael Kakuk called the commission and notified them that the next Hospital District meeting will be held Wednesday, December 1, 2010 at the Court House.

County Health Nurse Report:

Kari Jo Kiff gave her written report to the commission. Commissioners gave permission to get a new printer with PHEP Grant funds. There is a pilot program for billing that is for \$70.00/month covered by the state. The program should pay for itself with vaccine administration.

Action 3:

Commissioner Schlepp moved to hire a subcontractor to complete the County Health nurse billing under the state pilot program Health EWeb. Commissioner Hurwitz seconded, a vote was taken and passed unanimously.

Commissioner Hurwitz agreed to look into using confiscated computer from the old Clerk & Recorder assistants and secretary.

Action 4:

Commissioner Schlepp moved to allow Kiff to subcontract with BJ Hawkins for around 20 hours/month with moneys coming out of the PHEP Grant. Motion failed with no second.

Action 5:

Commissioner Hurwitz moved to advertise the PHEP Grant assistant for 2 weeks with a job description. A copy of the contract will be available at the Clerk & Recorder’s Office. Kiff will be the contact person for inquiries regarding open position. Commissioner Townsend seconded. A vote was taken and passed unanimously.

Action 6:

RESOLUTION #2010-53

Commissioner Schlepp moved to allow County Health Department to combine the PHEP Fund into the HAN Account that is referenced in a letter from the County Health Nurse.

Commissioner Hurwitz seconded, a vote was taken and passed unanimously.

Kiff reported that Nedra Chandler will come and visit with the commissioners about a possible Tobacco Grant available to Meagher County. Kiff added that the Community Service Block Grant is paying for the county health Nurse hemoglobin machine and will provide an extra \$3,000.00 to the county next year.

Claims:

Clerk & Recorder Ogle presented Voucher #1126 CK#41654 – CK#41668 totaling \$15,199. Payroll Checks Voucher #5 totaling \$11078.13, Payroll Deduction Voucher #1127 totaling \$91,603.49, Payroll Insurance Voucher #1128 totaling \$16,810.84. Commission approved and signed as presented.

Meeting Adjourned:

Chairman Townsend adjourned meeting at 4:00pm

Next Meeting:

Commissioners are scheduled to meet Tuesday, December 7, 2010.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Commissioner Schlepp
Distributed December 7, 2010 to Chairman Townsend, Commissioner Hurwitz, Commissioner Schlepp, and Clerk & Recorder Ogle