

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

December 7, 14, 21, 2010

Tuesday

December 7, 2010

9am – 4:00pm

Met in Commissioner's Chambers

Meeting Called to Order:

Chairman Townsend called meeting to order at 9:00am

Commissioners Present:

Chairman Herb Townsend, Vice Chairman Ben Hurwitz, and Commissioner Nancy Schlepp were present.

Road Report:

Road Supervisor Ray Ringer and Rick McDaniel met with commission to open sealed bids for 20,000 cubic yards of gravel to be crushed on the Johnston Ranch. Two companies submitted bids. Rick McDaniel from Great Falls and Helena Sand and Gravel from Helena. Helena Sand and Gravel submitted the low bid at \$114,000.

Action 1:

RESOLUTION 2010-54

Commissioner Hurwitz moved to accept Helena Sand and Gravels bid of \$114,000 for crushing 20,000 cubic yards of gravel. Chairman Townsend seconded. A vote was taken and passed unanimously

Sheriff's Report:

Sheriff Jon Lopp reported on the status of medical marijuana and also gave the commission his monthly written report.

Horizon Wind Energy:

Horizon Wind Energy represented by Ann Siqueland gave the commission an update on the Martinsdale Wind Farm.

Action 2:

Chairman Townsend moved to extend the agreement of the Horizon contract for two additional years for the tax extenders. Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

Hospital District:

Michael Kakuk met with commission to inform them that the meeting with the hospital liaison committee is scheduled for December 14, 2010 at 6:30pm.

County Health Nurse:

County Health Nurse Kari Jo Kiff stopped by to have Chairman Townsend sign the Pilot Program Project Contract. Chairman Townsend signed as presented. Commission discussed having the county health nurse as an employee versus a contractor.

T&E Great Falls:

Craig Pester representing T&E Great Falls offered to sell Meagher County a new 140 M CAT Grader. The price would be \$235,000 less \$95,000 trade for our CAT 143 resulting in a cost of \$140,000. No decision was made.

Gifts for Outgoing Elected Officials:

Action 3:

RESOLUTION 2010-55

Commissioner Schlepp moved to purchase departing gifts for Justice of the Peace Ronda Shinabarger and County Attorney Linda Hickman for appreciation of their years of service to Meagher County. Chairman Townsend seconded. A vote was taken and passed unanimously.

Ken Mikesell:

Ken Mikesell and Treasurer Sue Phelan met with commission to discuss delinquent taxes. Mr. Mikesell asked to have the \$800 penalty and interest reduced on several delinquent tax bills. The commission declined sighting setting a president as a reason to decline.

Lucas Lawsuit:

Commissioners attended the Lucas class action property tax lawsuit for the remainder of the day.

Claims:

Commission was presented Voucher #1131, CK#41689 – CK#41725 totaling \$13,893.74, Out of Session Voucher #1130 for CK#41688 dated 11/30/10 totaling \$50.00, and Out of Session Voucher #1129 for CK#41687 dated 11/30/10 totaling \$350.00. Commission approved and signed as presented.

Public Comment:

No comment was made.

Meeting Adjourned:

Chairman Townsend adjourned meeting at 4:00pm.

Next Meeting:

Commissioners are scheduled to meet Tuesday, December 14, 2010.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Commissioner Nancy Schlepp & Commissioner Ben Hurwitz
Distributed December 14, 2010 to Chairman Townsend, Commissioner Hurwitz, Commissioner Schlepp, and Clerk & Recorder Ogle

Tuesday
December 14, 2010
9am - 4:30pm
Met in Commissioner's Chambers

Meeting Called to Order:

Chairman Townsend called meeting to order at 9:00am

Commissioners Present:

Chairman Herb Townsend, Vice Chairman Ben Hurwitz and Commissioner Nancy Schlepp were present.

Minutes:

Commissioners approved minutes as presented.

Open Bids for Final Disposition of Indigent Dead:

Chairman of the Cemetery Board, JR Shinabarger, met with the commission to open sealed bids for final disposal of the indigent dead. As there were no bids, however, a discussion was held on how to proceed in the future. Shinabarger recommended setting a meeting with Larry Scholz and the County Attorney to come up with an agreement. Commissioner Schlepp moved to set up a meeting with Scholz and the County Attorney. Commissioner Hurwitz seconded, but after further discussion, Commissioner Schlepp withdrew her motion. It was agreed that Shinabarger would set up a meeting with the County Attorney before meeting with Scholz. It was also decided that at the next Commission Meeting, it should be decided whether or not to adopt the County Policy for the Final Disposition of the Indigent Dead within the County, which was drawn up by County Attorney Hickman at the request of the Commission in August.

Shinabarger also discussed with the Commission the possibility of using some of the remaining budget for snow removal to purchase a snow blower. It was agreed not to act now but to consider it as a budget item for the following fiscal year.

Clerk and Recorder Update:

Clerk and Recorder, Dayna Ogle, gave her update. First she presented the Commission with the agreement for the new Extension Agent. After reviewing it, the Commission decided to meet with new Agent Cantalupa at the next Commission meeting before signing it.

Ogle also presented the Commission with samples of MD&A (Management Discussion and Analysis) Reports done by other counties in the state, suggesting that the Commission make one this year, as it has been an audit "finding" for several years.

Jim McDanel met with Commission to update them on a couple issues. The old e-mail address is finally blocked so now people have to use the new e-mail address. The new County Attorney, Kimberly Deschene, would like a laptop. Commissioner Schlepp offered to let her use her laptop, since she does not use hers. The Commission agreed. Commissioner Schlepp also mentioned that County Health Nurse, Kari Jo Kiff, will have Nancy Hereim assisting her and she will need a desktop. McDanel said she could use one of the old desktops. Finally he warned the Commission that many of the older computers will need to be updated to handle Windows 7 in the coming year.

Ogle mentioned the possibility of purchasing ID cards for county employees from MACo and then raised the topic of cell phone usage by county employees.

Action 1:

Commissioner Schlepp moved that all cell phones used by county employees be moved from county name into personal name and that a monthly allowance of \$50 be provided through payroll.

Commissioner Hurwitz seconded. A vote was taken and passed unanimously.

Ogle also discussed the land classification issue Gerald Massee is having, and that according to Brian Clifton, he will have to go through subdivision reviews in order to remove the agricultural classification.

Finally it was agreed to get Mike Beckhoff of Stelling Engineers on the agenda for the following week's Commission meeting to give a status update of progress at the airport.

Policy Handbook Review:

Ogle and the Commissioners reviewed various parts of the Policy Handbook.

Sixteen Mile Creek:

Ralph Miller and Rod Brewer met with the Commission to discuss the Sixteen Mile Creek issue. Incoming County Attorney Kimberly Deschene was requested by Commissioner Hurwitz to join the meeting. After discussion of the matter at hand, Attorney Deschene agreed to research the matter further so she would be able to attend hearings if necessary and help the Commission draft a letter to FWP and do whatever else legally possible to forestall the proceedings.

Moose Creek:

Bob Rooney met with Commissioners on behalf of other residents of Moose Creek area requesting the County to plow snow from the road up there. Rooney brought letters from other residents sharing their desire and also stating they would pay the County a fair rate to plow. Commissioner Townsend replied that the matter is between the residents and the Forest Service, and that it is not the County's problem.

Fire/DES Report:

Fire Chief, Rick Seidlitz, presented his report to the Commission. He gave an update on his department's budget for the year and also told the Commission his radio might need to be replaced. He discussed the plan in Ringling to sell the school building and use the proceeds to house a fire truck there.

The issue of the Grassy Mountain Fire Fund was also raised. The County is collecting money for the fund, for an agreement that is no longer active, and the money is not being used. It was agreed that County Attorney Deschene would need to be consulted on how to proceed in the matter.

County Health Report:

County Health Nurse, Kari Jo Kiff, gave her report to the Commission. The open position of PHEP assistant was discussed and it was agreed to hold the interviews the following Tuesday, December 21, beginning at 1pm, with the Commissioners and Nurse Kiff serving as the hiring committee.

There is also still money available from a Tobacco Grant for a six-month task order, according to Kiff. She said that Nedra Chandler from the State DPHHS would be willing to meet the Commission at the following meeting to discuss the opportunities available. The Commission agreed to have Chandler placed on the agenda for the next meeting.

Hospital Title Search:

Angle Evans met with the Commission, along with John Dracon sitting in; to share the results of a title search she performed on Mountainview Medical Center, at the request of Commissioner Hurwitz. Commissioner Hurwitz emphasized his desire that county residents, who will be voting for a mill levy in the spring, be educated regarding the hospital's financial situation. It was also agreed that a copy of the title search results presented by Evans should be shared with the Board of the Hospital and the Board of the Hospital District.

Claims:

Commission was presented Voucher #1132, CK#41726 - CK#41752 totaling \$18,992.66. Commission approved and signed as presented.

Public Comment:

No comment was made.

Meeting Adjourned:

Chairman Townsend adjourned meeting at 4:30pm.

Next Meeting:

Commissioners are scheduled to meet Tuesday, December 21, 2010.

CLERK & RECORDER

SEAL

CHAIRMAN

VICE-CHAIRMAN

COMMISSIONER

Tuesday
December 21, 2010
8:45am – 3:45pm
Met in Commissioner's Chambers

Meeting Called to Order:

Chairman Townsend called meeting to order at 8:45am

Commissioners Present:

Chairman Herb Townsend, Vice Chairman Ben Hurwitz, and Commissioner Nancy Schlepp were present.

Policy Handbook Review:

Clerk and Recorder, Dayna Ogle, and the Commissioners reviewed various parts of the Policy Handbook.

Airport Update:

Mike Beckhoff, from Stelling Engineers, met with the Commissioners by conference call to give an update on the status of the airport project. The cost of the fence portion of the project will be \$365,600 and the costs involved in the land acquisition are estimated at \$47,400. The land acquisition costs will be covered in the FAA grant for the fence, as the FAA is reluctant to give grants for small projects. However, the FAA will not pay out any money up front until something is done on the project. Commissioner Townsend asked Beckhoff if it was the case then that if the county did not build the fence, they would not get FAA money for land acquisition. Beckhoff replied that is the case.

Commissioner Hurwitz stated that he thought it was outrageous to pay that much for a fence. Beckhoff responded that it was estimated at \$11 per lineal foot but that was a budget number and would probably come in less in the end. Hurwitz went on to say that he hates having to tie in the land acquisition with the fence. He raised the possibility of leasing the land instead.

Commissioner Schlepp asked Beckhoff if there was a way he could pare down the costs. He said he would try. Commissioner Hurwitz asked him if there was a way to do this project without the fence at all. Beckhoff replied that he would talk to the FAA about a smaller grant. Commissioner Schlepp asked Beckhoff to call Louise Galt and talk to her, as she hadn't been contacted by anyone regarding the buy/sell agreement. He said he would. Chairman Townsend said in the end that the whole issue of the fence might need to be re-visited or even re-bid.

Montana Tobacco Use Prevention Program/Tobacco Grant Overview:

Linda Lee, Section Supervisor, and Nedra Chandler, Health Educator, from the Montana Tobacco Use Prevention Program, met with the Commission to give an overview of their program and also of the grant money available for the county to hire a contractor to implement the program in Meagher County. With a FY2010 budget of \$9.4 million (\$960,000 from the CDC and \$8.4 million from the Master Settlement Agreement of 1998), the program has statewide, county-wide, and reservation-based initiatives focusing on youth prevention, youth empowerment, protection from second-hand smoke, tobacco/smoke-free policy initiatives and surveillance and data collection. There are 57 programs across the state.

Chandler presented information about the opportunity to get a task-order to start in January to hire a Tobacco Prevention Specialist to implement a program in Meagher County. Based on the size of the county and the population, \$26,250 would be available per year, meaning a task-order starting in January and lasting through the end of the fiscal year would result in \$13,125 being available for a minimum quarter-time person devoted to tobacco prevention. As such, a \$2187.50 monthly payment would come to the county for the program, 25% of which would go to programming and travel expenses and 75% to wages. For this county, the specialist would focus on three areas: 1. capacity building, examining what the current state of tobacco use is in the county; 2) implementation of the Clean Indoor Act; and 3) promoting the Quit Line.

Commissioner Hurwitz asked whether we would still get someone to visit the schools to discuss tobacco prevention even if we decided not to do the program. Chandler responded that generally that kind of approach does not work anyway, which is why this program is so important. Commissioner Schlepp pointed out that there is no cost to the county to do this. Lee added that the program would contract with the county to have someone local implement a program. Schlepp asked Chandler if she was comfortable with a six-month contract. Chandler said yes. Chairman Townsend asked why it was only a six-month contract. Lee responded that it runs with the fiscal year, so at the end of six months, it would be renewable for another year. Chairman Townsend asked if office space was covered. Lee replied that it is not. That can either be the responsibility of the County or the contractor, and that there are home-based contractors. Commissioner Schlepp suggested they keep a sample contract for the County Attorney and then make their decision. It was agreed and she took the contract to the Attorney's office.

County Extension Agent Introduction:

Nico Cantalupo, the county's new Extension Agent, met with the Commission to introduce himself and discuss a few issues. First, he reviewed the County Extension Agreement. Of primary concern was 4H Program Assistant, Bethany Steinken. Steinken was hired originally as an administrative assistant but at some point, the previous Extension Agent, Rachel Soto, put her in charge of the 4H program. She had also budgeted in a \$2/hour raise for her as well. Commissioner Hurwitz pointed out that neither the change in job description, nor the raise, was discussed with or approved by the Commission. Cantalupo argued that since she is already doing the work of Program Assistant for 4H, she should either be paid accordingly, or he would need to scale back her duties to a purely administrative nature. Commissioner Hurwitz argued that she should not get the raise now and it should be revisited at the end of the fiscal year after Cantalupo had a chance to get his arms around the 4H program. It would not be fair, he asserted, to give her a raise mid-year but not give a raise to the other assistants in the Courthouse. Chairman Townsend agreed but did suggest that Steinken should at least get a bonus for the 4H work she has done to date. Commissioner Schlepp contended that we have a good thing in 4H and we should build on it. At the very least, she argued, let's give Steinken a \$1/hour raise. The County assistants all appear to get paid around \$11/hour, she said, so this would keep Steinken in line with them and recognize her for the work she has already been doing.

Action 1:

RESOLUTION 2010-56

Commissioner Schlepp moved to give Bethany Steinken a \$1/hour raise effective the beginning of the next pay period. Chairman Townsend seconded. A vote was held and Commissioner Hurwitz voted against the motion. The motion passed by a vote of 2 to 1.

Commissioner Schlepp mentioned a series of e-mails she has received from Gateway (the development group for Broadwater, Lewis & Clark, and Meagher Counties) wanting to know where the County stands on the proposed copper mine. She suggested the county needs to do its due diligence so that things can move along as they happen. Chairman Townsend pointed out the need to cover our bases in several areas, including weeds, water, roads. He shared his concern that there are environmental groups out there that would try to block this project and he does not want to "get in bed with the environmentalists" at the expense of economic development for the county. Cantalupo offered to develop a due diligence checklist that the Commission could use throughout the process. The Commission agreed.

Finally, Commissioner Schlepp commented on Cantalupo's job interview in which he mentioned a marketing club he had done in the past. She felt it was a compelling idea and could work well in the County. Cantalupo agreed and said he would work on starting one. It was agreed that it would be a great way to get cattlemen interested in Extension activities.

PHEP Assistant Interviews:

Closed session to interview candidates for PHEP Assistant position.

Public Comment:

No comment was made.

Action 2:

Chairman Townsend moved to advertise for a contractor to fill the part-time position of Tobacco Prevention Specialist, to be funded entirely by grant money from the Montana Tobacco Use

Prevention Program. Commissioner Schlepp seconded. A vote was taken and passed unanimously.

Action 3:

Chairman Townsend moved to approve the December 14 minutes. Vice Chairman Hurwitz seconded. A vote was taken and passed unanimously.

Claims:

Commission was presented Voucher #1133, CK#41753-CK#41777 totaling \$5292.05. Commission approved and signed as presented.

Meeting Adjourned:

Chairman Townsend adjourned meeting at 3:45pm.

Next Meeting:

Commissioners are scheduled to meet Tuesday, January 4, 2011.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk and Recorder Nathan Sanders
Distributed January 4, 2011 to Chairman Townsend, Commissioner Hurwitz, Commissioner Schlepp, and Clerk & Recorder Ogle