

PROCEEDINGS OF THE BOARD OF THE COMMISSIONERS
MEAGHER COUNTY, MONTANA

May 7, 14, 21, 2013

Tuesday

May 7, 2013

8:30am-4:10pm

Met in Commissioner's Chambers

Meeting Called to Order:

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

Commissioners Present:

Chair Ben Hurwitz and Vice Chair Herb Townsend.

Predator Control/Aerial Hunting:

Hurwitz told Townsend that he had spoken with Dennis Biggs from the USDA the previous week. The USDA had recently flown three hours in Meagher County and killed 15 coyotes: one on Bert Williams's property and 14 on Bill Galt's property at Lingshire.

Bruce Smith—Road Report:

Helena Sand & Gravel Offer

Road Supervisor, Bruce Smith, discussed a letter from Helena Sand & Gravel in which they offer the County the use of a Kolberg Screen that could be used to screen the gravel that HSG had begun crushing on Becky Johnston's ranch. The gravel had so much clay in it that they stopped and removed their equipment. The cost to the County for the screen and for HSG to set it up and run it for a day would be \$3000. Smith said they had 7,000 cubic yards of the crushed gravel left, and if they did screen it, he estimated there might be 40% of that remaining. There are places he can use it as is, maybe as a base layer for good gravel. Hurwitz agreed, saying he does not want to put good money after bad. He added he would hate to tie up a loader and a man.

Hurwitz asked about the crushing in Lennep that is to be done by Sierra Rock & Dirt. Smith said they have their equipment down there but they do not appear to be crushing yet. He added that the County is hauling gravel from the highway to the bridge on Findon Lane. They will be working to fix that road up.

Restoring Healthy Forests for Healthy Communities Act (H.R. 4019):

Hurwitz mentioned to Townsend an e-mail that Commissioner Nancy Schlepp had sent earlier that morning. It was forwarded from a staffer of Representative Steve Daines. It outlined the Restoring Healthy Forests for Healthy Communities Act, which Daines is co-sponsoring, that involves timber harvesting and temporarily extending Secure Rural Schools. After a brief discussion, Hurwitz and Townsend decided to write a letter in support of the bill. They will address this in more detail at the next meeting.

Cal Moore:

Recycling

Cal Moore dropped by to discuss two issues. First, he wanted to restart a recycling program in Meagher County. He said he had spoken with Brian Obert, who recommended he consider setting up a program modeled on Townsend's program. They received a grant from DEQ to purchase bins and have a private citizen running things. He asked the commissioners if they minded him, as a private citizen, trying to put together a community coalition to look into various options and come up with a plan. Hurwitz and Townsend encouraged him to do so.

Senior Citizens Transportation

Moore then lent his support for the County to back a transportation program for seniors, as has been addressed in a couple recent meetings. Moore mentioned the program in Liberty County, in which a driver takes people to Great Falls one day a week for various appointments and shopping needs. Townsend pointed out that due to its location, Meagher County's citizens have three or four locations they go for their appointments (Helena, Great Falls, Bozeman, Billings), not just one like Liberty County. Hurwitz asked if anyone in Liberty County pays for their rides. Moore replied that the program is run mostly with Department of Transportation grants and some other public monies. Many riders will tip the driver but payment is not required.

Hurwitz stated that Meagher County would be creating a program they would likely have forever. He was not sure they wanted to do that. Moore countered by asking if it isn't the government's role to provide things for people who can't do them for themselves.

Public Hearing—Budget Amendments:

Clerk & Recorder, Dayna Ogle, joined the meeting for a public hearing on three budget amendments: one for solid waste, one for alcohol rehab, and one for weed grant. There was no comment.

Minutes:

Action 1:

Townsend moved to approve the minutes from the previous meeting (April 16, 2013) without change. Hurwitz seconded. A vote was held and passed unanimously (2-0).

Health Insurance Renewal—Julie Blockey:

The County's insurance broker, Julie Blockey, joined the meeting to discuss renewal for the County's health, life, dental and vision insurance plans. Also present were Clerk & Recorder Ogle; Deputy Clerk & Recorder, Christy Rogers; 4-H Program Assistant, Bethany Steinken; and Meagher County City Library Librarian, Debbie Benedict.

Blockey told the group that it was a good year for Meagher County insurance wise. They received a negative 2% risk adjustment. She told the commissioners that based on a meeting with County employees the previous week, she feels there is a general consensus that the Tier 1 plan is a good plan. Rogers agreed, saying the singles, in particular, are happy, as their entire premium was covered by the County.

Rogers added that the HSA plan they had been considering for the coming year would not work for most employees. The singles were likely going to stay with Tier 1, which would leave the families as the potential participants in the HSA plan. The families though are already maxing out their County contribution of \$800 toward their premium so there would be no County money remaining to add to the HSA. She felt a straight high-deductible plan might work better.

After further discussion, Blockey decided to call her office to get some numbers for a high-deductible plan that matches the current year's Tier 2 premium for families, but keeps the prescription card and adds a copay for office visits. What she came up with was a plan with a \$3000 deductible, 50-50 coinsurance, \$5000 out-of-pocket limit, full pharmacy benefit, and a \$35-copay for office visits, labs, x-rays, and mental health. The premium would be \$1359 for families, about the same as it currently is.

The utilization rate for dental insurance was close to 110% for the year, so dental rates went up. The vision stayed the same. And she briefly touched on the life insurance plan, reminding the group that anyone who purchased \$10,000 above and beyond the \$20,000 the County provides is eligible to purchase up to \$50,000 more without evidence of insurability.

It was agreed that the commissioners would make a final decision on the health plans by May 21, which would give Blockey's office time to mail out personalized letters to employees with renewal rates and other information.

Title III Funds—Rick Seidlitz:

County Fire Chief/DES Coordinator, Rick Seidlitz, joined the meeting to discuss spending Title III funds he has accumulated. Clerk & Recorder Ogle remained for this portion of the meeting. Ogle explained that the County's auditor said that with federal money, the County has the fiscal year in which it was received plus three months (through the end of September) to spend it. Otherwise they need to return it. Before they were under the understanding that it was sufficient simply to designate the funds, whether they were spent or not. That is not the case. Ogle added that it would be helpful if he could simply spend it within the fiscal year itself as it would be difficult to track if he waited till September.

Seidlitz shared a handout showing the amounts remaining that had to be spent. By September 30 of this year, \$20,611.74 needed to be spent. Between his salary, which is paid with Title III funds, and what will be paid to Jess Secrest to update the Community Wildfire Prevention Program, they would surpass that amount easily. By the end of 2013, however, they would need to spend a total of \$56,824.74.

Seidlitz then mentioned that they had discussed in April having Jess Secrest review and update the CWPP at a cost of about \$4200. After further review, he realized it would cost more.

Action 2:

RESOLUTION 2013-#36

Townsend moved that the County contract with Jess Secrest to review and update the Community Wildfire Prevention Program (CWPP) for a total cost of \$6900, to be paid out of Title 3 (2903), half up front and half upon completion. Hurwitz seconded. A vote was held and passed unanimously (2-0). It is therefore resolved.

County Attorney Update—Kimberly Deschene:

County Attorney Deschene gave her weekly update to the commissioners. She discussed a couple cases she is working on. Of note, she needed the commissioners to appoint the State Attorney General's office as special deputy county attorney so that they can handle a case in which she has a conflict of interest.

Action 3:

RESOLUTION 2013-#37

Whereas, the Meagher County Attorney has requested prosecutorial assistance in the case of *State v. David G. Ellington*, and

Whereas, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the prosecution of the aforementioned case, and

Whereas, Mont. Code Ann. § 44-4-111 authorizes and contemplates that the training coordinator for county attorneys and the bureau chief of Prosecution Services Bureau (together with the deputies within said bureau) act as special counsel on request of the county attorney and upon the approval of the board of county commissioners, and

Whereas, Mont. Code Ann. § 2-15-501(6) authorizes the Attorney General to provide assistance to county attorneys in the discharge of his or her duties.

It Is Hereby Resolved:

That the attorneys assigned to the Prosecution Services Bureau of the Department of Justice are hereby appointed as special deputy county attorneys for Meagher County for the purpose of assisting in the prosecution of the aforementioned case and that any of said deputies can fulfill the functions set out in Mont. Code Ann. § 44-4-103.

It is Further Resolved:

That under the terms of this agreement, no fee will be charged for attorney time provided by the Bureau based upon the fact that pursuant to the internal operational policies adopted by the Attorney General September 1, 1999, assistance in such cases is provided without an hourly fee. Witness fees and expenses, jury costs, and other normal costs associated with trial will be the County's responsibility as with all other prosecutions.

Dated this 7 day of MAY, 2013.



ATTEST:

Naama Gal
CLERK AND RECORDER

J. Hurwitz
CHAIRMAN

Flesh Townsend
MEMBER

Naama Gal
MEMBER

RESOLUTION
PAGE 2

LUNCH:

The commissioners broke for lunch at 12:00 noon. They returned at 1:15pm.

CTEP Update—Jim Richard:

Richard was unable to attend the meeting but he did leave paperwork for the commissioners to sign. Hurwitz duly signed a Letter of Agreement with The Garden Shop to Provide Additional Trees on the Golf Course, and an Amended Letter of Agreement with Mid-State Signs from Winifred for Constructing CTEP Signs.

County Clean Up Day

Action 4:

RESOLUTION 2013-#38

Townsend moved that June 1, 2013, from 8:00am through 4:00pm, be County Clean Up Day at the Meagher County Transfer Site. Hurwitz seconded. A vote was taken and passed unanimously (2-0). It is therefore resolved.

Action 5:

RESOLUTION 2013-#39

Townsend moved that any County employee who volunteers half a day at the Transfer Site for County Clean Up Day receive a full day off in return, with prior approval of his or her department head. Hurwitz seconded. A vote was held and passed unanimously (2-0). It is therefore resolved.

Checkerboard TV—Francine Hutzenbiler:

Ms. Hutzenbiler was unable to attend. She rescheduled for a later date.

Senior Center—Beth Hunt:

Beth Hunt, Director of the Meagher County Community Senior Center, made her annual visit with the commissioners to request funding for the following fiscal year. Joining her was her board of directors: Chuck Lucas, Gordon Doig, Colleen Owens, Dellamae Lind, Gene Richeson, Melinda Vennard, and Nina Barfuss.

Hunt gave a brief overview of the Senior Center's activities for the year, costs, and funding sources. She added that as token of appreciation for the support from the community, they plan on doing a free Christmas dinner this year. She mentioned that there would likely be a cut to some of their funding, so it was crucial to continue to receive the support they receive from the County. Hurwitz told her the County would support them again with \$10,000. No further action was taken.

Board Updates:

Action 6:

Townsend moved that the following people be reappointed to the Salary Compensation Board, effective immediately: Tary Buckingham, with a term to run through June 30, 2016; Mike Eby, with a term to run through June 30, 2015; and Mary Jane Indreland, with a term to run through June 30, 2014. Hurwitz seconded. A vote was held and passed unanimously (2-0).

Action 7:

Townsend moved that the following people be reappointed to the Meagher County Ambulance Board, effective immediately: Jack Berg, with a term to run through June 30, 2016; Darci Shane, with a term to run through June 30, 2015; and Sara Driemeyer, with a term to run through June 30, 2014. Hurwitz seconded. A vote was held and passed unanimously (2-0).

PUBLIC COMMENT:

Bruce Smith

Road Supervisor Smith returned for public comment. He had run into Miriam Barth, who shared her concerns about dust on Luppold Road being kicked up by a company hauling gravel from the Mikesell Pit. Smith said he would get a name and number of the company doing the hauling so he could contact them about taking care of it. Hurwitz said he would make the call. And the County could write a letter as well if necessary.

Hurwitz mentioned a conversation he had had with the Assistant Road Supervisor in Flathead County about using magnesium chloride. He called him to get the details. In Flathead County they treat 55 miles of road with the mixture for a cost of \$180,000 per year. They share the cost with residents along the road. Smith said he would look into companies nearby who might be able to do that. He made it clear that the County should not pay for it. Otherwise people would demand it all over the County. He just wanted to know what the options were.

Claims:

Commission was presented Voucher #1368, CK#45393 through CK #45457, totaling \$46,718.26, and Voucher #1363, CK#45389 through CK#45392, totaling \$7202.00. Commission approved and signed checks as presented. From Voucher #1361, the following checks were voided: CK#45366, CK#45367, CK#45372. Also presented were Health Insurance Voucher #1365, CK#218481 through CK#218487, totaling \$18,351.00; Payroll Deduction Voucher #1364, CK#218474 through CK#218480, totaling \$98,530.15; Payroll Voucher #12, CK#218458 through CK#218473, totaling \$10,950316; Payroll Voucher #13, CK#218488, totaling \$1,079.47; Payroll Deduction Voucher #1366, CK#218489 through CK#218494, totaling \$686.61, and Health Insurance Voucher #1367, CK#218495 through CK#218498, totaling \$1,565.19. Commission approved as presented.

Meeting Adjourned:

The meeting was adjourned at 4:10pm.

Next Meeting:

Commissioners are scheduled to meet Tuesday, May 14, 2013.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder, Nate Sanders.
Distributed May 14, 2013 to Chairman Hurwitz, Commissioner Townsend, Commissioner Schlepp, and Clerk & Recorder Ogle

Tuesday
May 14, 2013
8:45am-3:35pm
Met in Commissioner's Chambers

Meeting Called to Order:

Chair Hurwitz called the meeting to order at 8:45am.

Commissioners Present:

Chair Ben Hurwitz, Vice Chair Herb Townsend and Commissioner Nancy Schlepp.

Treasurer Update—Shauna Porter:

Deputy Treasurer, Shauna Porter, presented the Treasurer's monthly update. She presented the cash report for the commissioners to sign, which they did. They briefly discussed the County's cash, a significant amount of which is now invested in the MMAX program through Bank of the Rockies; protested taxes, which total \$896,000 dating back to 2005; delinquent taxes, which currently total \$22,900 (for all taxes). It was also decided to shop around for alternatives to the Deer Lodge Prison as a place to purchase new tables for the courtroom.

Minutes:

Action 1:

Townsend moved to approve the minutes from the previous meeting (May 7, 2013), with no changes. Hurwitz seconded. A vote was taken and passed unanimously (3-0).

Public Hearing—Budget Amendments:

Clerk & Recorder, Dayna Ogle, joined the meeting for the public hearing on three budget amendments. There was no comment.

Action 2:

Resolution 2013 – #40

Budget Amendment

WHEREAS, the 2012-2013 budget has been set, and

WHEREAS, the Solid Waste Fund (2500) had to repair the well and,

WHEREAS, the Solid Waste Fund (2500) had unexpected expenses totaling \$2,764.10 and,

WHEREAS, the Meagher County Board of Commissioners have agreed to transfer \$2,765.00 out of the PILT Fund (2900) into the Solid Waste Fund (2500) to offset the unexpected expenses.

NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED that the Meagher County Board of commissioners are amending the FY 12.13 budget for the unexpected expense to the Solid Waste Fund (2500) totaling \$2,765.00 (two thousand dollars and no cents) and that the money will be transfer from the PILT Fund (2900) into the Solid Waste Fund (2500).

Dated this 14th day of May, 2013

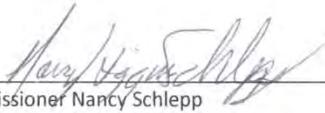
Attest:

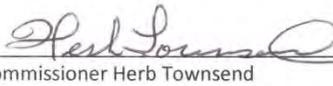
Board of County Commissioners:


Dayna Ogle


Chairman Ben Hurwitz




Commissioner Nancy Schlepp


Commissioner Herb Townsend

Action 3:

Resolution 2013 - #41

Budget Amendment

WHEREAS, the 2012-2013 budget has been set, and

WHEREAS, the Alcohol Rehabilitation Fund (2800) receives funds from the Montana Department of Revenue and pays Southwest Chemical Dependency for alcohol related illness and,

WHEREAS, the Department of Revenue has under estimated the 2012 earmarked tax for Meagher County and,

WHEREAS, the under estimate resulted in the Alcohol Rehabilitation Fund (2800) receiving unexpected revenue of \$2,396.00 and unexpected expenses of \$2,396.00.

NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED that the Meagher County Board of Commissioners are amending the FY 12.13 budget for the Alcohol Rehabilitation Fund (2800) for unexpected revenue totaling \$2,396.00 (two thousand three hundred ninety six dollars and no cents) and unexpected expense totaling \$2,396.00 (two thousand three hundred ninety six dollars and no cents).

Dated this 14th day of May, 2013

Attest:

Board of County Commissioners:


Dayna Ogle


Chairman Ben Hurwitz




Commissioner Nancy Schlepp


Commissioner Herb Townsend

Action 4:

Resolution 2013 – #42

Budget Amendment

WHEREAS, the 2012-2013 budget has been set, and

WHEREAS, the Noxious Weed Fund - Ringling WMA (2840.120) had unexpected revenue of \$56,620.00 and,

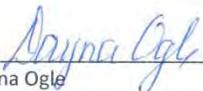
WHEREAS, the Noxious Weed Fund – Ringling WMA (2840.120) had unexpected expenses of \$15,265.00.

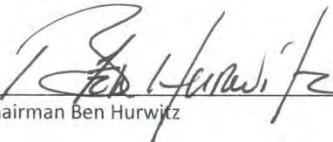
NOW THEREFORE LET IT BE KNOWN AND HEREBY RESOLVED that the Meagher County Board of Commissioner are amending the Fiscal Year 2012-2013 budget for the Noxious Weed Fund - Ringling WMA (2840.120) for unexpected revenue of \$56,620.00 (fifty six thousand six hundred twenty dollars and no cents) and for unexpected expenses of \$15,265.00 (fifteen thousand two hundred sixty five dollars and no cents).

Dated this 14th day of May, 2013

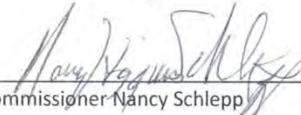
Attest:

Board of County Commissioners:


Dayna Ogle


Chairman Ben Hurwitz




Commissioner Nancy Schlepp


Commissioner Herb Townsend

Bair Grant:

Schlepp mentioned that she had spoken recently with Penny Doak of the Bair Family Foundation. They had \$200,000 set aside for the year to be split between Wheatland and Meagher Counties. But the Public Health Nurse, Kari Jo Kiff, was the only one in Meagher County who applied for any of the funds so most of the money wound up going to Wheatland County. There was still money left over though so the Bair Foundation cut a check for \$4000 to Meagher County Ambulance to help them with their new ambulance garage.

There was general disappointment that no other groups applied for any of the funds, especially given the various needs in the County. Ogle mentioned the Mayn Cemetery, which is trying to get a new sprinkler system. Schlepp mentioned a group of citizens that is trying to fund a transportation program for seniors.

Senior Center Funding:

It was agreed that the Senior Center's funding for the coming fiscal year would be included in the budget process. As such, no formal action was required at the current time.

Justice of the Peace Office Hours:

It was agreed that since the Justice of the Peace was an elected position, she could set her hours as she chooses. Thus no formal action adopting the new hours was required.

Health Insurance:

Ogle rejoined the meeting with Deputy Clerk & Recorder, Christy Rogers, to discuss health insurance options. Rogers gave an overview of the options. She told the commissioners that the Tier 1 plan, the one that all the single participants had joined, was solid and generally well liked. The Tier 2 plan, however, was not very popular. She said there were seven employees currently on Tier 2 but two of them were moving to Tier 1.

They had considered a Health Savings Account plan but it simply would not work out. So they have two Tier 2 options that Julie Blockey came up with. Both are based on the current Tier 2 family premium but maintain the pharmacy benefit and add a \$35 copay for office visits and other services.

Schlepp asked if Blockey had ever mentioned going out to bid again. She had heard from Janine Rooney from Western States, who said there is a new provider in Montana, Pacific Source. Rogers told her it was mentioned but the process is time consuming and it is too late to do that this year. Schlepp asked about the possibility of changing brokers. Rogers and Ogle agreed that they were frustrated with some of the issues they have had to deal with with Blockey's office. It was agreed to focus on selecting the plan now, and then address the broker issue at a later time. After further discussion, the commissioners decided on a plan.

Action 5:

RESOLUTION 2013-#43

Schlepp moved that the County offer the following two health insurance plans to its employees for the 2013-14 fiscal year: Tier 1 (same as current plan) with \$1000/\$2000 deductible, \$35 copay, 80%/20% coinsurance, \$3000/\$6000 out of pocket max, and prescription card; and Tier 2 with \$3000/\$6000 deductible, \$35 copay, 50%/50%-40%/60% coinsurance, \$5000/\$10,000 out of pocket limit and a prescription card. Townsend seconded. A vote was taken and passed unanimously (3-0). It is therefore resolved.

Fire/DES—Rick Seidlitz:

Fire Chief/DES Coordinator, Rick Seidlitz, gave his monthly update to the commissioners (a copy of his report is on file in the Clerk & Recorder's office). Of note, Seidlitz mentioned that Meagher County Rural Fire received a \$2000 gift from Park County for helping them fight their wildfires last summer. Also, the Chief's truck has a cracked windshield that will need repaired before it gets inspected.

He also briefly discussed how to spend Title III funds, which need to be spent by September 30 of this year. He told the commissioners he has been working out of an office in his home for years and wondered how they felt about using some of the Title III funds to pay him rent for his office space. There was general agreement that it would be fine.

Clerk & Recorder Ogle returned to the meeting at 11:35am.

Southwest Chemical Dependency—Jean MacCauley:

Jean MacCauley, the executive director of the Southwest Chemical Dependency Unit, which administers the County's programs for alcohol-earmarked taxes, dropped by to thank the commissioners for the County's support.

County Attorney Update—Kimberly Deschene:

County Attorney Deschene gave the commissioners her weekly update. Of note, she mentioned that the attorney handling the human rights complaint against the County had prepared his response and she was recommending they sign off on it. They had not seen the response though

so she said she would get them a copy of it to review. She also discussed some complaints that had been written to the Attorney General's office about her and her responses to them.

Finally she and Ogle discussed a potential agreement with Family Search, a group that would like to take pictures of many different documents in the Clerk & Recorder's office and put them on a hard drive. There would be no charge to the County for their services, as they are affiliated with Ancestry.com, who will use the images. The County, Ogle said, would be able to have a different company index the images on the hard drive and then add them to the County's Document Pro system where they would be electronically accessible. The cost for that, she estimated, would be \$6000-8000, which she does have in her budget. It was agreed to move forward with the agreement, as long as it was clear that no County documents were to leave the courthouse. Ogle said Family Search would send a few people in to the courthouse to do the work, and it would take six to eight weeks.

LUNCH:

The commissioners broke for lunch at 12:30pm. They returned at 1:20pm.

Health Nurse Report—Kari Jo Kiff:

County Health Nurse, Kari Jo Kiff, gave her monthly report to the commissioners. Of note she talked about the need for an animal holding area in the County to use to quarantine animals suspected of rabies. She contended that it is a serious issue as there is rabies all around. The City of White Sulphur Springs would need to be on board as well since they have the animal control ordinance.

Kiff reminded the commissioners she would like to increase the monthly stipend received by County Public Health Officer, Brett Williams, from \$100 to \$125. The commissioners told her they would address the raise during the budget period.

She told the commissioners she had received an award at a recent Immunization Regional Workshop, an "Improvement Award for Increasing Immunization Coverage by 40 Percentage Points in 2012." She will get a new contract for Billing Improvements, around \$6000, which requires five objectives/tasks for the year and will pay for all billing expenses: electronic billing software, Lorna's salary, some of hers, and maybe a new computer for Lorna. She is also planning to purchase an iPad as her secondary computer. She had budgeted for a new laptop but decided an iPad would be more convenient out of the office.

Restoring Healthy Forests for Healthy Communities Act:

Action 6:

RESOLUTION 2013-#44

Townsend moved that Meagher County support the passage of H.R. 4019, Restoring Healthy Forests for Healthy Communities Act, being co-sponsored by Montana Representative Steve Daines. "As a county containing portions of three separate National Forests, Meagher County relies heavily on Secure Rural Schools funding. The passage of this bill is vital to the well-being of the community. The temporary extension of SRS will provide a much-needed and steady revenue stream for our schools and roads. And the sustainable harvesting of timber mandated by the bill will gradually restore the health of our forests in the wake of one of the worst wildfire seasons on record." Hurwitz seconded. A vote was taken and passed unanimously (3-0). It is therefore resolved.

Personnel:

There was a closed-door session to discuss personnel issues. The meeting re-opened at 3:00pm.

Sheriff Report—Jon Lopp:

Sheriff Lopp presented his monthly report to the commissioners. Of note, he said his department had decided to use some old pagers they had bought from the hospital a few years ago instead of purchasing new ones like he had told the commissioners. He said this would save money and they would probably only need to buy new batteries for them. He also told the commissioners

that it did not look like the Rainbow people would be congregating in the County this summer as was thought. They appear to be concentrating around Dillon and Kalispell instead.

He also mentioned he has some money left in his budget for the year and would like to purchase a few things. Former Deputy Sereday's pickup needs a tool box. He found one for \$500. His office needs a new shredder, which will run between \$600-\$1000. And they need to replace a camera they use to take pictures of crime scenes and evidence. That will cost about \$650.

Action 7:

Schlepp moved to allow Lopp to make the purchases he described. Hurwitz seconded. A vote was held and passed unanimously (3-0).

He mentioned that Triangle had completed the switchover at the jail to fiber optic, without incident. He concluded by asking if it would be okay to borrow the services of Ken Martin, the courthouse janitor/maintenance person. The commissioners agreed, as long as it was okay with Martin's supervisor, Treasurer Sue Phelan.

PUBLIC COMMENT:

Jess Secrest

Recently retired Forest Service FMO, Jess Secrest, joined the commissioners for public comment. He told them not to be afraid to give the Forest Service direction and share the County's priorities with them. He encouraged them to give their input to District Ranger Hatfield and Forest Supervisor Avey. He advised them that in order to have standing in the review process for various projects, it is important to respond to the scoping document. Get in at the very beginning and remain involved throughout, he recommended. Townsend shared his frustration that it appears the Forest Service only listens to the environmental groups, who often try to stop projects. Secrest told him the reason they take them seriously is because they are involved in the process from the beginning, which is what he feels the County needs to do as well.

He gave the Castle Mountain Restoration Project as an example. The deadline to respond to the scoping document was the previous day (Monday, May 13), but District Ranger Hatfield said she would accept comment through the end of the week. The commissioners said they were not familiar with the project. Secrest offered to draft a response the commissioners could use. It was agreed.

He mentioned by way of example the new FMO the Forest Service had hired, a person named Pat Davis. There was talk of moving the position to the Big Timber District, but the commissioners wrote a letter supporting keeping the position based in the White Sulphur Springs District. And that is what the Forest Service decided. Finally he mentioned that the Forest Service may need a push to redo its management plan. The County might be able to nudge that along.

Road Dust—Bruce Smith

Road Supervisor, Bruce Smith, came by to give Hurwitz the name and number of the company that will be hauling gravel from the Mikesell pit later this summer. There was concern from local residents about the dust that will be kicked up. Hurwitz told Smith he would contact the company to discuss the issue if Smith could find out who it was. Smith told Hurwitz it was Schellinger out of Livingston. He gave him the phone number.

Claims:

Commission was presented Voucher #1369, CK#45458 through CK #45485, totaling \$36,381.91. Commission approved and signed checks as presented. Voided were CK#218465 from Payroll Voucher #12 and CK#45425 from Voucher# 1368.

Meeting Adjourned:

The meeting was adjourned at 3:35pm.

Next Meeting:

Commissioners are scheduled to meet Tuesday, May 21, 2013.

CLERK & RECORDER

CHAIRMAN

SEAL

VICE-CHAIRMAN

COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder, Nate Sanders.
Distributed May 21, 2013 to Chairman Hurwitz, Commissioner Townsend, Commissioner Schlepp, and Clerk & Recorder Ogle

Tuesday
May 21, 2013
9:30am-2:15pm
Met in Commissioner's Chambers

Meeting Called to Order:

Chair Hurwitz called the meeting to order at 9:30am.

Commissioners Present:

Chair Ben Hurwitz, Vice Chair Herb Townsend and Commissioner Nancy Schlepp.

Demolition Derby Finances:

After a brief discussion, it was decided to send Undersheriff Dave Wendt a letter requesting an accounting of the finances from the demolition derbies. The commissioners decided that since the Sheriff Department sponsored the derbies, it made the County liable, and as such, they have a right to see the finances.

Minutes:

Action 1:

Schlepp moved to approve the minutes from the previous meeting (May 14, 2013), with no changes. Townsend seconded. A vote was taken and passed unanimously (3-0).

Salary:

Clerk & Recorder, Dayna Ogle, joined the meeting to review the materials she had prepared for the Salary Compensation Board meeting, scheduled for later in the afternoon. She explained that she had compared the salary of elected officials in Meagher County with those in counties with similar taxable valuations. She found that Meagher County officials have the lowest pay among the group. She would like to see the County more in line with the others. She reminded the commissioners that they gave the County Attorney a raise last year that put her near the top in salary among county attorneys from those same counties. She pointed out that the County is in great shape financially compared with a few years ago, due in large part to the employees sticking to their budgets. They should be rewarded for that, she argued. She also mentioned longevity pay as an option.

Weed Grant Paperwork:

Chair Hurwitz signed some paperwork for a grant from the Noxious Weed Trust Fund.

Building Maintenance Position:

Treasurer, Sue Phelan, joined the meeting to discuss the status of Ken Martin, the Courthouse janitor/maintenance person. She told the commissioners that there is plenty of work for him to do if they would be willing to let him work over 20 hours per week, which would qualify him for benefits. She had received a request from the Sheriff office to allow him to do some work there but she is concerned about the number of hours he is already working. Ogle suggested making him a full-time employee and having him do work at the jail as well. Schlepp agreed, saying it makes sense to have one person do all the County janitorial and maintenance work. Hurwitz worried about budget issues. Ogle told him he was being paid out of the Building budget currently. Hurwitz replied that the jail is in such bad shape he would be worried that Martin would wind up spending all his hours there. That should come out of the jail budget. Schlepp suggested using a request sheet to track the hours done at various locations. She added that they just invested some money in Martin to go to boiler school. She felt maybe they should give him more hours to keep him around. It was agreed to revisit the situation during budgeting to see if they could get Martin more hours.

Leave Without Pay

Phelan presented the commissioners with a letter from one of her employees, who requested leave without pay for some time in July. After a brief discussion, the commissioners agreed to grant the employee the leave.

Action 2:

Schlepp moved that the employee be allowed to take leave without pay for the week of July 8-12 and the afternoons of July 15-19. Townsend seconded. A vote was held and passed unanimously (3-0).

Delinquent Taxes—Jim McDanel

Phelan mentioned that Jim McDanel, the County's IT contractor, has received three sizeable checks in the last couple weeks and still has yet to pay his back taxes. A discussion ensued and it was decided that Phelan should do whatever was necessary to collect the taxes.

Checkerboard TV—Fran Hutzenbiler:

Fran Hutzenbiler joined the meeting to discuss having her name removed from the tax rolls for the Checkerboard TV tax. She does not want to pay \$15 any more since she has Dish Network. Only one person in Checkerboard does not have Dish, she added. Hurwitz wondered if they could get rid of the district all together. Schlepp said it would require a petition. Hutzenbiler said there are only seven residents of Checkerboard year-round and up to 250 people there in the winter. The district was taking in maybe \$700 a year in the TV tax, but nobody is physically able to get to the antenna to maintain it.

Clerk & Recorder Ogle rejoined the meeting at 11:00am with information regarding the dissolution of special districts (like Checkerboard TV).

Ogle handed out MCA 7-11-1029, Dissolution of special district, for review. She summarized that a special district may be dissolved if it is in the best interest of a local government or the inhabitants of the local government. The governing body may pass a resolution of intention to dissolve a special district upon its own request or the request of the board administering the district. After passage of the resolution, public notice will be made of the intention to dissolve. The dissolution will then take place unless there is protest from 40% of registered voters or 40% of the owners of real property in the district. Ogle felt that the commissioners, as the governing body, would be able simply to pass the resolution to start the process. Schlepp disagreed, arguing that it was the board who had to pass the resolution.

The issue is that Sally Fredenburg is currently the only member of the board. Two more members would be required. Ogle added that upon dissolution any remaining funds of the district would go into the County's General Fund. Hutzenbiler asked if they could be used for fire instead. Ogle replied that the statute says it has to go into the General Fund. Currently there is \$13,501.67 in the district's fund.

It was agreed to appoint Hutzenbiler to the board. She said she would find someone else to appoint as well. Schlepp said they would need to have a meeting and take minutes, at which time they could pass the required resolution. Hutzenbiler left the meeting at 11:15am.

Action 3:

Schlepp moved to appoint Fran Hutzenbiler to the Board of the Checkerboard TV District, effective immediately, with a term running through June 30, 2014. Townsend seconded. A vote was taken and passed unanimously (3-0).

LUNCH:

The commissioners broke for lunch at 11:40am. They returned at 1:00pm.

Salary Compensation Board:

Hurwitz called the meeting to order at 1:00pm. Present for the meeting, in addition to the three commissioners, were the members of the Salary Compensation Board: Tary Buckingham, Mary Jane Indreland, Mike Eby; and the following elected officials: Clerk & Recorder Ogle; Treasurer

Phelan; Sheriff, Jon Lopp; Clerk of the Court, Donna Morris; Justice of the Peace, Paula Wildman; and County Attorney, Kimberly Deschene (who joined the meeting by telephone).

Ogle began by telling the gathering that when she began working for the County in April of 2009, the County had a budget of \$1.999 million with a cash reserve of only \$16,000. Through the years, the County was able to lower its appropriations and increase its cash reserves significantly. But Meagher County is still one of the lower paid counties when compared with other counties of similar taxable valuation. She recommended that the Board consider a 6.6% raise for elected officials. Buckingham asked if the deputies' pay was still based on what the elected officials make. Ogle replied that it is.

Lopp said his concern is for all the employees. He has some dispatchers who are only making \$9 per hour. Hurwitz said he is looking forward to being able to give the employees a raise, but it has to be based on the final budget figures. Ogle reminded the group that the goal of this meeting is for the Board to make a recommendation to the commissioners. She then suggested longevity pay as another option.

Townsend asked what the inflation factor for the mill calculation was for the coming year. Ogle told him it is 1.1%. Townsend wondered how they could give a raise of 6.6% when they were only allowed to increase spending by 1.1%. Ogle replied that the County is in much better financial shape than in years past, with increased reserves and P.I.T. funds.

Schlepp shared her concern that the county insurance premiums for families were going up by \$250 a month in the coming year. She wondered whether they should give a raise, or use the permissive mill-levy to raise the contribution the County makes towards insurance costs. Hurwitz added that the insurance benefit is pre-tax but related the frustrations of some single employees who do not benefit from the full \$800 that the County contributes towards insurance since their premiums are only about \$570.

Townsend agreed that Meagher County needs to pay its employees more but he was not sure from where the money should come. Schlepp said that MACo recommends reserves of 20%, and the County is almost there. She suggested slowing down the growth of reserves to maybe 1% a year instead of the 5% they have been doing in recent years.

According to Ogle, MACo is recommending a Cost of Living Adjustment (COLA) of 2.1% for the year. That would take the elected officials' base hourly rate from \$17.04 to \$17.46. The 6.6% increase she is recommending would take it up to \$18.43. Indreland asked how many employees there are. Ogle replied there are 75 all together and about 40 who are full-time. Indreland wondered if all 75 employees would get the raise. Ogle replied that only the permanent employees would. Any temporary employees would not.

Eby asked if there were any forecasts of the taxable valuation for the coming year. Ogle said she thought the wind farms would be coming on the tax rolls for the year. Schlepp asked what kind of hit to the County a 5.5% raise would be. Ogle told her it would amount to \$1778 per year for each elected official. Phelan suggested giving the raise to the elected officials and then leaving it up to department heads what kind of pay their employees receive.

Schlepp mentioned her concern about being able to keep employees if the mine does come in and offer better-paying jobs. Hurwitz said he does not support longevity pay. They would be required to pay it even in bad years. Ogle told him they could cap it. Indreland felt strongly that any raises need to be given across the board, if they do happen. She verified with Ogle that there was no way to tell yet just what would happen to cash reserves. Ogle confirmed that was the case.

Eby asked if there would be any interest in a pay schedule. He said he was concerned that the County might get to a point where it cannot afford its payroll. Health benefits are huge too, he added. Lopp asked if there was any way to take leftover insurance premium contributions from single participants and apply them towards families. That was not possible, replied Ogle.

County employees have a very good job, continued Eby, with a living wage and good benefits. Meagher County is behind other similar counties and a raise is justified, but he wondered where it will stop. Someone with a longer tenure with the County clearly deserves more than someone who just started, which is why a pay scale is something to consider.

Schlepp asked the Board if they were ready to make a recommendation, or if they would prefer to wait. Buckingham related a time when she was Treasurer when the elected officials were given a 6%-raise and the rest was up to them. That was with the understanding that more work would be taken on. That was a possibility, she suggested. Schlepp felt that all the employees have been asked to take on more work already. Indreland reiterated her opinion that raises needed to be given across the board.

Schlepp said she wished there was some way to give the employees at the bottom of the ladder a little more. Hurwitz said they have the same issue at the school, where beginning teachers make very little. Phelan thought it would be interesting to have an idea what other employers in the community pay. Schlepp thought the next step might be to see what raises of various rates—say 3%, 4% and 5%—would do to the County's finances. Ogle agreed to work on that. Schlepp asked the Board if they would come back again at a later time. They all agreed they would.

Ogle suggested another option, to give the COLA effective July 1, then to revisit the issue when the taxable valuation comes in later in the summer. After further discussion, it was decided to do that.

Salary Compensation Board Action 1:

Indreland moved that the Salary Compensation Board recommend that the Meagher County Board of County Commissioners grant a COLA of 2.1% to Meagher County employees for the fiscal year 2013-2014. They also recommend to revisit the salary of elected officials once the taxable valuation of the County is received. Lopp seconded. A vote was taken and passed unanimously.

Hurwitz adjourned the meeting of the Salary Compensation Board at 2:00pm.

PUBLIC COMMENT:

There was no public comment.

Claims:

Commission was presented Voucher #1371, CK#45487 through CK #45515, totaling \$34,910.39, and Voucher #1370, CK#45486, totaling 3,732.00. Commission approved and signed checks as presented.

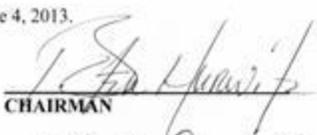
Meeting Adjourned:

The meeting was adjourned at 2:15pm.

Next Meeting:

Commissioners are scheduled to meet Tuesday, June 4, 2013.

CLERK & RECORDER

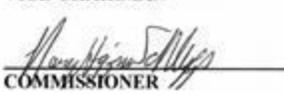


CHAIRMAN

SEAL



VICE-CHAIRMAN



COMMISSIONER

Note: Minutes taken by Assistant to the Clerk & Recorder, Nate Sanders.
Distributed June 4, 2013 to Chairman Hurwitz, Commissioner Townsend, Commissioner Schlepp, and Clerk & Recorder Ogle