

## July 10, 2017 Regular Session of the Beaverhead County Commissioners

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on Monday, July 10, 2017 at 9:00 a.m. in the Commissioners' Room of the Beaverhead County Courthouse. Present: Chairman Tom Rice, Commissioner Mike McGinley, Commissioner John Jackson and Secretary Cindy Decker.

### Updates on County Projects:

Road Supervisor Scott Jones and Road Secretary Jamie Flynn joined the meeting. County Attorney Jed Fitch also joined the meeting.

The crew has been putting down chloride and beginning to move a lot of equipment up towards Big Sheep Creek.

They also pulled down weight limit signs for the spring thaw around the county. Heidi Hirschy advised that she would like a cattle guard cleaned or replaced on Gibbonsville Road.

Tom mentioned that he had attended the pre-construction milling meeting. The start date is September 13, 2017. He handed Scott some reading material that he brought back from the meeting regarding this. There was discussion as to whether or not to complete the Old Armstead Road this year with the millings. Of course, the road budget is an issue. It was decided that we will just play it by ear for a month or so.

Mike asked if selling the <sup>C.T.R.</sup> gravel pile on Tash Livestock Property would be an option. Jed will look into the legalities and procedures. The Forest Service or R.E. Miller might be interested.

Tom also brought up that all traffic studies are being postponed due to personnel retiring. So, it is anyone's guess when the bicycle study from Hwy 278 to Barretts will be completed.

The following Road Department Report was submitted and scanned into the minutes:

**BEAVERHEAD COUNTY ROAD WORK**  
July 2<sup>nd</sup> to July 8<sup>th</sup>, 2017  
Dillon, Lima and Wisdom Areas

### DILLON AREA

- Bladed on the following roads: Carrigan, Eliason, Flynn, Smith, Laknar, Clayton, Grant, Bryce, Albers, Bannack Pass (Highway 324).
- Applied magnesium chloride on various roads.
- Removed weight limit signs.
- Work on the Big Sheep Creek Road and bridge project. Project #1506-03.
- Moved equipment.
- Road checked Dillon area roads.
- Equipment service and repair.

### LIMA AREA

- Bladed on the following roads (3 weeks): Medicine Lodge, Big Sheep Creek, Meadow Creek, Nicholia Creek, Meadow-Nicholia Cut Across, and South Valley.
- Road checked Lima and Dell area roads and bridges.

**Discussion & Action – Resolution 2017-16 – Authorize Submission of CDBG Grant Application for Jackson Water and Sewer District**

County Attorney Jed Fitch and County Planner Rob Macioroski joined the meeting. This is a \$600,000 project but between the TSEP money (which is already in place) and this CDBG money, it should be fully funded by grants. Rob advised that there will be maintenance costs afterward however.

Jed stated that adopting this resolution would be a good thing. This is concerning the "water" side of things, not the sewer. The sewer seems to working fine as of right now.

Mike stated that this might be a good year for the district to pay the county back for the money loaned to them years ago. Jed recommended that the commissioners make sure there is a written record of the amount that is owed to the county. Board members that remember this loan could be moving on with no record left behind for the "new generation". Mike concurred.

Rob commented that as of right now, the residents pay a monthly charge of \$63.00 which is expected (worst case scenario) to increase by \$47.00 for a new monthly payment of \$110.00 for the residents. It is their hope that this could help offset some of the maintenance costs.

The following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Jackson seconded that Resolution 2017-16 – Authorize Submission of CDBG Grant Application for Jackson Water and Sewer District be adopted. A verbal vote was taken and the motion carried unanimously.

A copy of the resolution can be viewed below:

**A RESOLUTION TO AUTHORIZE SUBMISSION OF CDBG GRANT APPLICATION FOR JACKSON WATER AND SEWER DISTRICT**

WHEREAS, Beaverhead County, county seat Dillon, Montana, is applying to the Montana Department of Commerce for financial assistance from the Community Development Block Grant Program (CDBG) for water and sewer system upgrades for and on behalf of the Jackson Water and Sewer District, located in Beaverhead County, Montana.

WHEREAS, the Jackson Water and Sewer District has the legal jurisdiction and authority to construct, finance, operate and maintain the water and sewer system upgrades required.


That Beaverhead County agrees to comply with all the applicable parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited herein, as well as with other applicable federal laws and regulations, and all state laws and regulations and the requirements described in the CDBG Community and Public Facilities Application Guidelines and those that are described in the CDBG Manual.

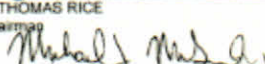
That Beaverhead County understands that the TSEP Grant obtained by the Jackson Water and Sewer District will be utilized for matching funds. Beaverhead County fully supports this approach, and will work with the Jackson Water and Sewer District to implement the program.

That C. Thomas Rice, Chairman of Beaverhead County Board of Commissioners, is authorized to submit to the Montana Department of Commerce, on Behalf of Beaverhead County, to act on its behalf and to provide such additional information as may be required.

PASSED AND ADOPTED by the Beaverhead County Board of Commissioners this 10<sup>th</sup> day of July 2017

BEAVERHEAD COUNTY COMMISSION

  
C. THOMAS RICE

Chairman  
  
MICHAEL J. MCGINLEY

Commissioner  
  
JOHN H. JACKSON

Commissioner

**Action on Previous Meeting Minutes:**

The minutes of the July 3, 2017 meeting were read and the following motion was made:

MOTION: Commissioner Jackson moved and Commissioner Rice seconded that the minutes of the July 3, 2017 meeting be approved with changes. A verbal vote was taken and the motion carried unanimously.

**Discussion & Action – Speed Zone South Valley Road Through Monida**

Jed gave a brief explanation of this Ordinance. Tom mentioned that this ordinance will make the speed limits coincide through Lakeview and Monida. There will be an intersection sign set up as well.

Mike asked Jed to investigate whether the commissioners have authority to make the speed limit 20 mph as he recalls that it might be 25 mph minimum. After checking, Jed advised that indeed, the minimum speed limit the commissioners can set is 25 mph.

The second reading of this Ordinance will be on the agenda next week, July 17, 2017.

MOTION: Commissioner Jackson moved and Commissioner McGinley seconded that the first reading of Ordinance 2017- 01 be approved with the second reading to be held on July 17, 2017. A verbal vote was taken and the motion carried unanimously.

**Budget Discussion – Beaverhead County Humane Society**

Beaverhead County Humane Society Manager Susie Brown joined the meeting and presented the commissioners with her budget. Mike advised that these budget accountability meetings will be held yearly from now on.

Susie began her presentation by handing each commissioner a copy of her revenue and expense print out with an explanation.

There are 3 full time employees at the shelter. Mike asked Susie what she considers full time and she replied from 8 a.m. to 4 p.m. On average there are 3 part time employees. Dr. Anderson is the Vet for the shelter but has been ill and hasn't worked for about 5 months. Dr. Madson comes in her place, twice a week to care for the animals and charges a bit more.

Mike would like to meet with Judy Carlson (the Shelter's accountant) soon. Susie said that would be fine. She also mentioned that Mardell Scott does the Shelter's taxes and payroll every year.

Scott Marsh joined the meeting.

Susie explained the recent rescue project with the plane load of animals. It was just a stopping place for the plane and the animals were distributed among other shelters. Each animal has a health inspection certificate. She advised that her facility is not a rescue operation but a shelter. She also wants it to be clear that her facility is a "no kill" facility.

Susie commented that the money the shelter receives from the county mill is really not enough to run the facility. She also receives between \$70,000 and \$85,000 from an individual every year to help keep the shelter running. Susie stated that maybe she would be better off refusing the money from the county than she would be refusing that money from "Lisa" (private donor) because she is passionate about the shelter. This has been going on for some time now. At the present, there are 203 cats and 79 dogs residing at the shelter. She feels this justifies the full time positions.

Mike stated again, that the commissioners would like to meet with Judy Carlson. Also, that possibly this year, the county will assess only one of the mills and hold off on the 2<sup>nd</sup> one unless Judy can really show the commissioners accountability for the funds in the past years. Donations and taxes and adoption fees should be listed distinctly. Judy Carlson will meet with the commissioners on July 31, 2017 at 10:00 am.

**Discussion & Action – Repeal Resolution 2014-05 – Clarifying Beaverhead County Soil & Conservation District Boundaries**

Clerk & Recorder Deb Scott joined the meeting. Jed advised that he has spoken with Don McIntyre, the attorney for the District. He agreed that we should pursue repealing this resolution as he had never seen a situation like this before. The DOR originally wanted this resolution to pass. Beaverhead County is only a "pass through" entity; we collect the money to give to the Conservation District.

If the city is not in the district, they don't get to vote and don't get to appoint their member. Mike wanted to clarify that it is not the city of Dillon that says they don't want this, it is the Mayor speaking as a citizen that has brought this to light.

The Clerk & Recorder needs to know exactly what the boundaries are so everyone gets the correct ballots and the DOR needs to know for tax records. The district needs to figure this out. Jed advises to proceed with this because it really didn't have legal basis when it was passed years ago. It should have been the District's decision. Tom remembers Kevin Hodge being at the meeting when it was passed.

The following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Jackson seconded that Resolution 2014-05 – Clarifying Beaverhead County Soil & Conservation District Boundaries be *repealed* for lack of authority.

Tom called for discussion.

Deb wants to know who will tell her what the boundaries are or will be. Jed advised that the Soil Conservation District will be the ones to advise her.

Scott Marsh asked if they have to have an election. Jed advised that they must petition. Deb should keep things status quo for now until she contacts the head of the district to determine the exact boundaries. A Soil Conservation District meeting is scheduled to occur soon and the commissioners need to know the results of that meeting.


There was much discussion regarding what the boundaries are even now with no conclusion.


A verbal vote was taken and the motion carried unanimously.

*A copy of these minutes will be attached to Resolution 2014-05.*

**Drought Task Force**

DES Coordinator Tom Wagenknecht set up the Drought Task Force Meeting. Chairman Rice opened the meeting at 11:00 A.M. A copy of the sign in sheet can be viewed below:

|   |   |                                   |            |   |  |
|---|---|-----------------------------------|------------|---|--|
| JURISDICTION USING SOFT MATCH: <u>Beaverhead Co Drought Task Force</u><br>POINT OF CONTACT OR LEAD INSTRUCTOR: <u>Tom Wagenknecht</u><br>EVENT/MEETING NAME: <u>Drought Task Force Meeting</u><br>LOCATION: <u>Dillon, MT</u><br>DATE AND TIME: <u>7/10/17 @ 11:00</u> CONTACT HOURS: <u>.5</u> |   | Training/Event/Meeting Roster     |            |  |  |
| Name / Title: <u>Scott Marsh</u><br>Organization: <u>BVHD Co Fire Warden</u>  | Email / Phone #: <u>smarsh@beaverheadcounty.org</u><br>Address:       | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | LEAVE SHARED AREA BLANK<br>2013 Hourly \$ for Volunteering<br>Total Soft Match |
| Name / Title: <u>Jed Fitch</u><br>Organization: <u>County Attorney</u>  | Email / Phone #: <u>jfitch@beaverheadcounty.org</u><br>Address:       | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Name / Title: <u>Dennis Miotke</u><br>Organization: <u>East Bench Irrigation</u>  | Email / Phone #: _____<br>Address:                                    | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Name / Title: <u>Erick Later</u><br>Organization: <u>DVFD</u>   | Email / Phone #: _____<br>Address:                                    | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Name / Title: <u>Tom Wagenknecht</u><br>Organization: <u>BVHD DES</u>   | Email / Phone #: <u>twagenknecht@beaverheadcounty.org</u><br>Address: | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Name / Title: <u>Andy Decker</u><br>Organization: <u>BVHD County</u>  | Email / Phone #: <u>adecker@beaverheadcounty.org</u><br>Address:      | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Name / Title: <u>John Jackson</u><br>Organization: <u>County Commissioner</u>   | Email / Phone #: <u>jjackson@beaverheadcounty.org</u><br>Address:     | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Page Total  |   |                                   |            |   |  |

|  |  |                                   |            |   |  |
|--|--|-----------------------------------|------------|---|--|
| JURISDICTION USING SOFT MATCH: <u>Beaverhead County DES</u><br>POINT OF CONTACT OR LEAD INSTRUCTOR: <u>Tom Wagenknecht</u><br>EVENT/MEETING NAME: <u>Drought Task Force</u><br>LOCATION: <u>Dillon, MT</u><br>DATE AND TIME: <u>7/10/17 @ 11:00</u> CONTACT HOURS: <u>.5</u> |  | Training/Event/Meeting Roster     |            |  |  |
| Name / Title: <u>Tom Rice</u><br>Organization: <u>County Commissioner</u>  | Email / Phone #: <u>trice@beaverheadcounty.org</u><br>Address:       | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | LEAVE SHARED AREA BLANK<br>2013 Hourly \$ for Volunteering<br>Total Soft Match |
| Name / Title: <u>Mike McGinley</u><br>Organization: <u>County Commissioner</u>   | Email / Phone #: <u>mcmcginley@beaverheadcounty.org</u><br>Address:  | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Name / Title: <u>Sally Caltrider</u><br>Organization: <u>BVHD DES</u>  | Email / Phone #: <u>scaaltrider@beaverheadcounty.org</u><br>Address: | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |
| Name / Title: _____<br>Organization: _____   | Email / Phone #: _____<br>Address:                                   | Federally Funded? <u>Yes</u> / No | Trip Miles | Total Hours   | 2013 Hourly \$ for Volunteering<br>Total Soft Match                            |

**National Weather Service**

There was no presentation this month.

**Bureau of Rec/East Bench Irrigation/Clark Canyon Water users – Dennis Miotke**

Dennis began his presentation, a copy of which is included below:

**DROUGHT TASK FORCE MEETING  
July 10, 2017  
PROGRESS REPORT**

**CLARK CANYON RESERVOIR:**

|                     | <u>ELEVATION</u> | <u>STORAGE</u> |                        |
|---------------------|------------------|----------------|------------------------|
| YEAR: June 30, 2017 | 5539.67'         | 142,387 a/f    | 81% Full, 127% of avg. |
| YEAR: June 30, 2016 | 5529.62'         | 99,073 a/f     | 57% Full, 88% of avg.  |
|                     | Difference       | +43,314 a/f    |                        |

**Present Elevation: 5538.34 feet; Storage: 136,118 a/f 78% Full, 128% of avg**  
**Inflows (Last five (5) days Average: 247 cfs/day**  
**Present releases: 736 cfs**

|                        |            |             |          |
|------------------------|------------|-------------|----------|
| INFLOWS FOR: June 2017 | 25,763 a/f | 433 cfs/day | 99% Avg  |
| INFLOWS FOR: June 2016 | 10,924 a/f | 184 cfs/day | 42% Avg. |

|                         |            |                          |
|-------------------------|------------|--------------------------|
| RELEASES FOR: June 2017 | 26,528 a/f | Storage Used: 765 a/f    |
| RELEASES FOR: June 2016 | 33,601 a/f | Storage Used: 22,677 a/f |

**SNOW PACK:**

|                         |      |     |
|-------------------------|------|-----|
| Above Clark Canyon Dam: | 2017 | 33% |
|                         | 2016 | 0%  |
| Above Lima Dam:         | 2017 | 0%  |
|                         | 2016 | 0%  |

**Lima Dam:**

|                |                      |                      |           |              |
|----------------|----------------------|----------------------|-----------|--------------|
| July 10, 2017: | Elevation: 6579.38'; | Storage: 64,900 a/f; | 76% Full; | 110% of avg. |
| July 10, 2016: | Elevation: 6577.88'; | Storage: 57,883 a/f; | 68% Full; | 93% of avg.  |
|                | Difference           | + 7,017 a/f          |           |              |

Inflows (Last five (5) days Average: 123 cfs/day  
 Present releases: 328 cfs

Scott asked Dennis what the maximum release is. He replied that he can put 1200 cfs down the Beaverhead River. Usually about 1000 is the most he would do however.

**NRCS**

None

**Forest/BLM**

None

**State Lands**

None

**Dillon VFD**

Rick Later stated that the pack test and walk test are all completed. All the equipment has been inspected and is ready to go. The season looks interesting and in good shape. He stated that Wisdom and the Centennial received quite a bit of rain last night.

**County Fire Warden**

Scott Marsh stated that he has been in touch with several of the fire chiefs. There has been no need for burning restrictions as of yet. If we can get by without any restrictions, we would just as soon do that. Of course, lightening is always a concern. Scott also reported that Eastern Montana is looking dangerously dry.

**County Des Report**

Tom W. stated that his observation from the byway yesterday looked better than he expected. The humidity this last week has been very low. The foothills are beginning to turn brown. The main concern is lightening.

**Watershed Report**

None

**Next Meeting**

The next Drought Task Force Meeting will be August 14, 2017 at 11:00 A.M. in the Commissioners' Room of the Beaverhead County Courthouse.

This meeting was adjourned at 12:00 noon.

**Recess**

At 12:00 noon, Chairman Rice recessed the meeting. At 1:30 p.m., Chairman Rice reconvened the meeting with Commissioner Mcginley, Commissioner Jackson and Secretary Cindy Decker present.

**Steve Gross – Operating Engineers – Road Department Union Agreement**

International Union of Operating Engineers Representative Steve Gross and Shop Steward Russ Sigman joined the meeting.

Mike asked if the Road Department and the Union would entertain a proposal of extending this same contract and then reviewing it next year or even next spring. Discussion ensued.

Russ presented his argument for "lead man" on article 7. Again, the budget is really restricting any kind of raise at all. Steve echoed Russ's sentiments. Discussion ensued. There was also discussion about the Solid Waste employee's wages as compared to the Road Department wages and what occurred in 2005 as far as comparing wages. Russ will go back and discuss the option of putting negotiations on hold for a year with the other Road Department guys and see what happens. He will advise the commissioners of the results of that conversation by next Monday July 17, 2017. Mr. Gross will type up a letter stating the outcome of this meeting and mail out to the commissioners this week.

**Budget Discussion – Search & Rescue**

Brian Vinson, Sheriff Kluesner, Brad Wagner, Larry Skiles, Trent Cottom, Tommy Goins, Cody Schnee and Chuck Maddox joined the meeting.

Mike began by advising those present that the county is reviewing those entities that have been receiving voted mill monies. He also stated that this will be an annual meeting with the commissioners for accountability purposes.

Mr. Cottom had prepared written documentation of their budget which he presented to the commissioners with an explanation.

Mike wanted it to be clear that looking down the road; the mills *do not have* to be assessed every year if not needed. And, if the choice is made to *not* accept the mill one year, there is no penalty for the next year. It will be available every year.

it was decided that with all the changes, there needs to be an additional reading next week before any action is taken.

Jed will type up another revised copy of this resolution to be reviewed next Monday, July 17, 2017 at 9:30 A.M.

**Unfinished Business/Other Topics of Discussion:**

Ken Heberling joined the meeting. He wanted to discuss the extra gravel possibly coming available. He also brought up the "Schedule A" Agreement with the Forest Service for discussion. He would like to see the gravel put on Clark Creek Road. Tom Waldorf (president of the homeowners association) joined the meeting. It is their hope that the Forest Service will purchase the gravel and then they can deal with them. If this is the case, the county will have no more to do with it.

Mike commented that Tom and Ken should try to follow up with the Forest Service and hopefully by the end of the week, we will all know something more concrete. There will be a subdivision meeting this Saturday so this will be a subject of discussion for sure. Tom and Ken thanked the commissioners and left the meeting.

The Commissioners opened their mail and email and responded accordingly.

The Commissioners worked on their individual County projects.

**Payment of Invoices:**

The Commissioners reviewed and approved invoices for a total of \$102,172.55, beginning with check #197207 and ending with check #197253. The Invoice Payment Schedule is located in the Financial Administrator's Office.

**Public Comments on Subjects Under County Jurisdiction:**

There were no public comments.

**Adjourn:**

There being no further business to come before the Board, the meeting was adjourned at 5:00 p.m.

Attest: Debra P. Sweet  
Clerk of the Board *Deputy*

Approved: C. Thomas Rice  
Chairman of the Board