

**November 20, 2023 Regular Session of the Beaverhead County Commissioners**

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on November 20, 2023 at 9:00 a.m. in the Commissioners' Room of the Beaverhead County Courthouse. Present: Chairman Michael J. McGinley, Commissioner John H. Jackson, Commissioner C. Thomas Rice, and their Assistant Taylor Longie.

**Pledge of Allegiance**

At this time, those present recited the Pledge of Allegiance aloud to begin the day.

**Updates on County Projects**

Road Supervisor Bob Ferris, Lead Maintenance Shonna Graham, Superintendent of Schools Mike Miller, Land Use and Planning Director Rob Macioroski, Sanitarian/DES Tom Wagenknecht, Undersheriff Ceth Haggard, Clerk and Recorder Stacey Reynolds, Deputy County Attorney Coty Calvin, Weed Control Supervisor Amber Burch were present.

Coty Calvin introduced the new Deputy County Attorney Sky Jones. Sky introduced himself with a little background about him.

Bob stated that they are still blading roads before winter. They are getting all the snow plows ready.

Tom W. stated that they got the scale from Big Sky, a couple guys from the road crew helped Solid Waste get the Scale.

Rob stated that DEQ approved Sweetwater View 2. That will be coming to the commissioners soon. They moved the Planning board meeting back a week. They will be holding public hearings to adopt the subdivision regulations here soon.

Undersheriff Ceth stated that it was a busy week. There are 15 inmates in jail. One is in the hospital.

Mike Miller said that he has to go to Wise River. One student was suspended, so he needs to go there to address that.

Stacey said that she had interviews last week and hired a new deputy clerk and recorder.

Amber stated that she is working on grants.

Shonna stated that they got public health moved into their new building. They will be working on getting everything put in place in this week.

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

**BEAVERHEAD COUNTY ROAD WORK**  
November 12<sup>th</sup> to November 18<sup>th</sup>, 2023  
Dillon, Lima and Wisdom Areas

**DILLON AREA**

- Bladed on the following roads: Bloody Dick, Coyote Flat off Bloody Dick Road, Blacktail and Lemhi.
- Cleaned cattle guards on Hogsback Road.
- Cleaned culverts.
- Removed trees on the Scenic Byway.
- Hauled new Landfill scale from Big Sky to the Landfill.
- Road checked Dillon area roads.
- Equipment service and repair.

**LIMA AREA**

- Bladed on the following roads: Reeder, Chute Canyon, Big Sheep Creek, Munday, West, Gosman and Fitters.
- Culvert installation on Little Sheep Creek Road.
- Road checked Lima and Dell area roads.
- Equipment service and repair.

**WISDOM AREA**

- Bladed and hauled gravel on the following roads: Little Lake Creek and Big Swamp Creek.
- Road checked Jackson and Wisdom area roads.
- Equipment service and repair.



**Discussion & Action~ Request for Speed Study Hwy 43 Dewey, MT**

A Couple of residents in Dewey held a meeting regarding the speed limit through Dewey. One of them lives off the highway. He wants a speed study to slow down the traffic further out on both sides of the town to decrease the speed.

Mike said all the commissioner can do is request it.

John has called the state to inform of the speed study request. He will call to have them move forward on the speed study.

**Discussion & Action~ Lamey Tract Survey**

This is a 160-acre tract. This does not have any subdivision rules applied to it. He believes that it will be transferred to family.

After Brief Discussion, a motion was made:

MOTION: Commissioner Rice moved and Commissioner Jackson seconded that the Lamey Tract Survey meeting be approved. A verbal vote was taken and the motion carried unanimously.

**Discussion & Action~ City/County Contract for Legal Services**

Chairman McGinley asked Attorney Sky Jones to discuss the contract.

Sky said that this is something he wanted to get put in place so that the city wasn't left high and dry to prosecute misdemeanors short term while they look for a new city attorney.

Discussion about how payment will be made took place.

After brief discussion, a motion was made:

MOTION: Commissioner Jackson moved and Commissioner Rice seconded that the city/county Contract for Legal Services be approved. A verbal vote was taken and the motion carried unanimously.

**Discussion & Action~ Missouri Headwaters Conservation Area for Comment Period**

Argenta residents Jim and Mirna Carpita, Beaverhead County Residents JS Turner, Alan Conover, Larry Skiles, Christa DeGroot, and Todd Tash. Surveyor Travis Wilson, Planning Director Rob Macioroski, and Des/ Land Use Sanitarian Tom Wagenknecht were present. Commissioner John Jackson was absent during this time.

Chairman McGinley said there is a group of people to gather signatures and comments, they will be meeting at papa T's tomorrow.

Chairman McGinley said that they want to get on the record for Beaverhead County's stance on the Conservation area.

Chairman McGinley said there is a difference between conservations easements and this actual Boundary of this Missouri Headwaters Conservation Area. Chairman McGinley stated that as a county government, conservation easements are the right of the private land owner and private landowners have the right to do what they want with their land. The concern is the boundary of this Conservation area.

Chairman McGinley stated that their letter of comment is done and signed by the commissioners.

The US Fish and Wildlife Services can't maintain the budget they have and haven't paid their taxes in Beaverhead County which affects the Lima School District greatly.



Commissioner Rice stated that everyone has their reasons to do these easements, he has personally never written a comment stating whether he is for or against the easements. This is different because of the boundary of the area.

JS informed he has a copy of the map of this Conservation Area and informed of all the counties included in this boundary. These counties include Most of Beaverhead County, Half of Madison County, a portion of Deer Lodge County, a portion of Silver Bow and a portion of Jefferson Counties.

JS stated that this objection they are putting in is for the conservation area not necessarily the easements.

Todd Tash asked who came up with this area.

Todd Tash asked if they think that Fish and Wildlife came up with this area, the answer was yes and a bunch of non-Government organizations.

Todd Tash stated that for him personally, that he has not found a fit for him for a conservation easement. He has talked to different groups and hasn't found a fit. He stated that the Gallatin Valley Land trust seem more specific to the local area. He said maybe this could be discussed for down the road. He said this could be something out of our hands and maybe they could work together to create a land trust for SW MT with Beaverhead and Madison County.

Todd said that he was interested in this but the more he reads and hears, this concerns him too.

Chairman McGinley stated that yes, if you can separate the conservation easement and this boundary. Conservation easements are different. this boundary area is the issue. All the refugees have been put together with congressional action for a specific purpose. Ours is the Trumpeter Swan. They have already expanded it into arctic grayling and others without congressional pieces. They are working on that angle as well. that refuge without congressional support does not need to expand.

Jim stated he agrees, the meetings he attended with the fish wildlife and parks, they specifically stated that it went as far as the director of that agency. It didn't require congress or anything else.

Todd Tash asked if it has been brought up to US Fish and Wildlife to drop that boundary.

Chairman McGinley stated that is exactly what we are trying to do, they need the boundary for the land and water conservation money.

JS said he has not seen or heard of a document that says they need that area to get the money.

Todd Tash asked if other counties have spoken on this. Chairman McGinley said that no not the close ones yet but Wibaux County has and is supporting the removal of the boundary line. He said the other counites should be commenting on this soon.

Jim stated he would like to thank the commissioners on their stance on this.

Chairman McGinley stated that he hasn't seen a dollar amount that they would be getting.

Todd Tash asked that even with the county's stance on this, will they still continue on with this. Chairman McGinley stated that yes, they will, we are just in the beginning and they will be talking about this again.

Todd Tash asked about a local conservation group, focused more to our county. He stated he called the bitterroot land trust and they are focused just on bitterroot area.

Chairman McGinley stated that as a government they leave the easements alone.

Discussion about the length of conservation easements and how they are written took place.

Chairman McGinley stated that he has heard of conservation easements that are generations old where the restrictions are being found due to the contract not saying certain things.



Discussion about how conservations easements work took place.

Chairman McGinley reminded everyone that there will be a group at Papa T's collecting signatures.

**Discussion & Action~ Municipal General Election Canvass**

**Minutes for Official Canvass of  
2023 MUNICIPAL GENERAL ELECTION  
Held on November 7, 2023**

The Board of Commissioners, in and for Beaverhead County, Montana, met in session as Board of Official Canvassers on November 20, 2023 at 11:00 A.M.

Present: Chairman Michael J. McGinley, Commissioner C. Thomas Rice, Clerk of Court Carly Jay Anderson and Election Administrator Stacey Reynolds.

The Official Canvass of votes cast in the 2023 Municipal General Election held on November 7, 2023 was completed and officially recorded in the Election Return Book in the office of the Election Administrator.

The Board of Canvassers adjourned.

Chairman of the Board

*Michael J. McGinley*

Clerk of the Board

*Stacey Reynolds*

**Action on Previous Meeting Minutes**

The minutes of the November 13, 2023 meeting were read and the following motion was made:

MOTION: Commissioner Jackson moved and Commissioner Rice seconded that the minutes of the November 13, 2023 meeting be approved. A verbal vote was taken and the motion carried unanimously.

**Recess**

At 12:00 noon, Chairman McGinley recessed the meeting. At 1:30 p.m., Chairman Michael J. McGinley reconvened the meeting with Vice Chairman Jackson, Commissioner C. Thomas Rice, and their assistant Taylor Longie present.

**Payment of Invoices**

The Commissioners reviewed and approved invoices for a total of \$109,834.57, beginning with check #213773 and ending with check #213810. 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 pm.

Attest:

*Stacey Reynolds*

Clerk of the Board

Approved:

*Michael J. McGinley*

Chairman of the Board