

August 25, 2025 Regular Session of the Beaverhead County Commissioners

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on August 25, 2025 at 9:00 a.m. in the Commissioners Room of the Beaverhead County Courthouse. Present Commissioner John Jackson, Commissioner Tom Rice, Commissioner Michael McGinley and Commissioner Support Specialist Dana Basile.

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 was present and reported the following. They are blading roads and hoping for rain to help with that.

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

BEAVERHEAD COUNTY ROAD WORK

August 17th to August 23rd, 2025

Dillon, Lima and Wisdom Areas

DILLON AREA

- Blade Eliason, Old Stage, Hogsback, Sweetwater
 - Hauled Gravel Alber Ln
 - Repairs and Maintenance
 - Road Check

WISDOM AREA

- Blade Miner Lake
- Spray on Rock Ck, Skinner Meadows, Little Lake, Miner Lake and Twin Lakes
 - Culvert and Cattle Guard Clean on Skinner Meadows
 - Culvert repair on Rock Ck
- Load, Haul and Spread Gravel on Miner Lake and Twin Lakes
 - Equipment Move, Weld, Tires
 - Check Local Roads

LIMA AREA

- Bladed North Valley Rd, South Valley Rd, Brundage Ln
 - Excavated and Lowered a Culvert
 - Cleaned Ditches and Shoulder Work
 - Moved and Serviced Equipment
 - Checked Local Roads

School Superintendent Mike Miller, Clerk and Recorder Stacey Reynolds, Fairgrounds Manager Justin Kellabrew, GIS Coordinator Tracy Sawyer, Landfill Supervisor Nick Hoem, County Planner Tina Caron, Facilities Supervisor Shonna Graham, County Attorney Sky Jones, Food Sanitarian Joyce Pollastro, Land Use Sanitarian/DES Tom Wagenknecht joined the meeting.

Nick added that the tentative day to go live is Wednesday for scale. Someone is going to pull a lot of the brush from the landfill brush pile for a restoration project. Tomorrow Nick will be in Antelope at the repeater site. The generators are being serviced.

Tom commented that he is working on permits that are still coming in. There was a small fire in the western part of the county.

Justin added he is working on the fair this week. Vendors have started arriving. The plumber finished installing 14 new toilets, a new floor drain, and a new hand sink.

Stacey added that she is working on the November election.

Shonna mentioned that she has more work on the concrete scheduled for this afternoon and prepping for next week. They are getting ready for Labor Day in the Police department. Kevin is still working on the county attorney office remodel. West Electric is coming to look at the AC at the public health building.

Tina commented that this week she is working on flood plain issues.

Joyce commented it is Fair Week and she will be over there for inspections and checking licenses.

Mike added that teachers are back at school for PIR days. Wisdom starts Thursday and all others start on September 2nd. Budgets have been submitted, except one. He is getting ready for budget talks at the next commissioners meeting.

Tracy mentioned that this week he has lots of computer work to complete. He was able to complete the paperwork for the Gravel Pit at Hirschy's.

Sky added that last week they had a juror trial. There is another in a few weeks that he is working towards with Margot. There is a felony trial he is prepping for. There is a prosecutorial assistance agreement coming up soon with Butte SilverBow. Their office is getting ready for Fair week and Labor Day.

Bob added he got a call saying they are about to haul gold out of Elkhorn and they plan to come in and talk to the Commissioners before they start.

Discussion and Action- Rakich Floodplain Variance (Violation)

Lisa and Scott Rakich, and Land Use Sanitarian Tom Wagenknecht were present and began the discussion.

Tom began with explaining that there was a flood plain issued by the prior planner (Rob) but it did include the language of a permanent structure and needing an engineered flood plain analysis as a conditional requirement. This has not been done and there is now a permanent foundation constructed on this spot.

The commissioners asked about the flood analysis by an engineer- Scott replied he was quoted around \$20,000 -30,000 for this. He said Rob advised him to put gravel under and flow channels. Lisa added they were not notified when the flood plain was updated in 2023.

Tom Rice questioned if their homeowners insurance made them add flood insurance since the changes. Scott answered their house is not in the red, this pole barn was so they don't carry flood insurance.

McGinley added the regulations are federal and based on elevations.

Tom W elaborated a bit on the elevations and reasonings behind the regulations and zones. Their structure is in the red zone so the engineering is necessary to not restrict the flow. The permanent foundation needs to be approved by an engineer.

Lisa commented on the culvert they installed and dug deeper to help the flow.

It was questioned who was responsible to notify the landowners of the change in floodplains. Lisa commented they would not have started building had they known. Tom W added it was a public meeting, public comment, going through the adoption of the new flood plain.

Lisa questioned what the consequences of a violation are- will they have to rip up the foundation completely.

McGinley commented that they can't allow any or it opens the gates to others trying to build. They need an engineer to approve that barn in the red area.

Scott replied asking about the 1/10th of an inch rise. Tom W clarified.

Scott mentioned others that have built in the red zone. Sky replied that they know about that situation and are dealing with the case by case basis.

Sky added he is still doing research on the law. If it is determined by a tenth of an inch, that seems unattainable.

Tom Rice said it still needs an engineers stamp on it to approve going back to what was existing at the time of the flood plain change.

McGinley added today the only decision is they approve or deny the variance then they will be notified of options after.

McGinley motioned to deny the variance.

MOTION: Commissioner McGinley moved and Commissioner Rice seconded to deny the flood plain variance. A verbal vote was taken and the motion carried unanimously.

Tom W added anything in the floodway needs to be engineered to not interfere with the water flow. Sky will look into the regulations. They will work with DNRC and FEMA to get back to them.

Lisa asked for clarification on what they do next. Do they pull the beams down or leave everything. Tom W added to wait until they hear from him to do anything. It is an insurance issue that is coming across on flood plains.

If there is a permanent structure that changes the flow path, the county could be at liability if it affects a neighboring property due to the waters moving around the structure.

Discussion and Action- Resolution 2025-16 Adopting the Beaverhead County Resource Use Plan

Katie Bump was present.

Commissioner Jackson began with asking if the other commissioners had any comments or changes to the plan.

Mike added that under the nuclear piece they should add a part about reclamation bonds. The other was on geoengineering and weather modification that the agency needs to let the county know prior.

Jackson clarified we will adjust the plan to add those 2 changes.

Rice motioned. McGinley seconded. Changes approved.

Katie asked if the Commissioners viewed the comments she submitted last week. They replied that they did. She clarified a few points under nuclear and mineral.

MOTION: Commissioner Rice moved and Commissioner McGinley seconded to adopt the Updated Resource Use Plan with the changes approved above. A verbal vote was taken and the motion carried unanimously.

Rice commented he appreciates the effort of the committee updating the plan over the last few months.



115485 Fee:\$ 0.00 File: RESOLUTION 2025-16 f
BEAVERHEAD COUNTY Filed 8/26/2025 At 8:54 AM
Stacey Reynolds, Clerk and Recorder
By: Shannon Burkenpa

RESOLUTION NO: 2025-16

**RESOLUTION ADOPTING THE 2010 BEAVERHEAD COUNTY
PUBLIC LAND'S RESOURCE USE POLICY AND PLAN**

WHEREAS, Beaverhead County, Montana, pursuant to the provision of Title 76, Chapter 1, Part 6, Montana code Annotated, has authority to adopt a Beaverhead County Public Land's Resource Use Policy and Plan with respect to land and property contained within Beaverhead County, Montana; and

WHEREAS, Beaverhead County has previously adopted a Beaverhead County Resource Use Plan with respect to Beaverhead County, Montana; and

WHEREAS, the Beaverhead County Commissioners proposed updating a 2025 Beaverhead County Public Land's Resource Use Policy and Plan; and

WHEREAS, prior to the submission of the proposed 2025 Beaverhead County Public Land's Resource Use Policy and Plan to Beaverhead County, the Commissioners gave notice of the proposed Public Land's Resource Use Policy and Plan and held a public hearing on this Plan, said public hearing being held on the 12th day of August 2025; and

WHEREAS, at least ten (10) days prior to the date set for the hearing the Commissioners caused to be published in the Dillon Tribune Examiner a notice of the time and place of hearing on the proposed Beaverhead County Public Land's Resource Use Policy and Plan pursuant to the provision and 76-1-602, M.C.A.; and

WHEREAS, after consideration of the recommendations and suggestions elicited at the public hearing, the Commissioners passed a motion recommending that the 2025 Beaverhead County Public Land's Resource Use Policy and Plan be adopted; and

NOW, THEREFORE, after consideration of the recommendations and suggestions elicited at the public hearing, and pursuant to the provisions and requirements of Title 76, Chapter 1, Part 6, Montana Code Annotated, **IT IS HEREBY RESOLVED**, by the Commissioners of Beaverhead County, Montana, that the 2025 Beaverhead County Public Land's Resource Use Policy and Plan attached hereto and by this reference made a part hereof, is hereby adopted and made an addendum of the Beaverhead County Growth Policy.

IT IS THE INTENTION of the Beaverhead County Commission that this 2025 Beaverhead County Public Land's Resource Use Policy and Plan replaces the 2010 Beaverhead County Resource Use Plan.

115485 File: RESOLUTION 2025-16 Page:2
BEAVERHEAD COUNTY Filed 8/26/2025 At 8:54 AM

DATED THIS 25th day of August 2025.

BEAVERHEAD COUNTY COMMISSION

BY:

John H. Jackson
John H. Jackson
Chairman
Beaverhead County Commissioners

C. Thomas Rice
C. Thomas Rice
Commissioner

Michael J. McGinley
Michael J. McGinley
Commissioner

ATTEST:

Stacey Reynolds
Stacey Reynolds
Beaverhead County Clerk and Recorder

Recess

At 12:00 noon, Commissioner Jackson recessed the meeting. At 1:30 p.m., Commissioner Jackson, Commissioner Rice and Commissioner McGinley reconvened the meeting with Assistant Dana Basile present.

Discussion and Action- Deputies Union Contract

Present: Deputy Cade Dairy, Christina Cooley, Tabitha, Deputy Quinton Wheatley, Deputy Chris Feathers, Justin Hawkaluk with MFPE, Jail Commander Ian Ternes

The deputies and dispatch presented a collective bargaining agreement to the Commissioners for review.

Justin presented the differences including Beaverhead County Sheriffs Office Employees which includes dispatch- Public Safety Communication Officers. There are a few changes he would like to point out. P.12 Workday/Workweek - alternate shifts is language regarding dispatch

p.17 Section N- identifying sheriff office employees vs deputies that receive training

p. 19 Section J- employee paid out for accrued excess annual leave – McGinley does not agree with this.

Rice questioned article 8 compensation- Justin replied the table of contents and page numbers are off a little bit. This will be corrected.

McGinley commented he had discussion with Cross before he left about what he wanted crossed out. He doesn't want to incentivize not taking vacation in lieu of being paid out. Christina commented this is for Dispatch as it is hard to cover leave at this time so they would prefer the payout. McGinley commented he feels they need a break as well. We are trying to budget a new dispatch as well as a deputy. Dairy added they hit the point of use it or lose it, and most just lose it so this is an alternative.

Tabitha asked if they could prove they tried to request it and show it gets denied proving its not just an incentive. Christina added this controls and reduces the overtime as well as they only have 6 that work 24/7/365.

McGinley added this could be specified to just Dispatch with proof of them trying to take. Deputies agreed to this change.

Cade added the instructor level trainings are paid out to deputies, the dispatch is also eligible for this. In similar, some dispatchers are EMTs and he thinks this should qualify as instructor level certification.

Rice asked if they receive that now. McGinley added this was supposed to be add dispatch to the union and it won't cost any extra.

Tabitha added that this is part of the Education Pay that was already agreed upon for the deputies. Currently 2 are qualified as EMTs. Certifications will be paid out monthly. Christina added currently 2 are intermediate.

Rice commented he doesn't know where the budget would come from, this may be a table it until next year. Dairy replied he thinks it would only be \$80/month currently added to the budget for the EMT. Justin added all the incentives for dispatch would be about \$15,000 per year for education and specialized training.

McGinley added we are in a revenue crunch with taking the coroners office and combining with Sheriffs. The Sheriff is proposing a new building and looking for budget. Then they are adding the work of the coroner to deputies who are overworked so they are adding a new deputy hopefully in November. If they do that, then they don't have funding for the new build. Looking at this financially, this wasn't supposed to cost any money and now here it is costing money. They need to figure where to do and where the money is coming from

Justin added this is just a proposal, they can make changes as needed. McGinley said the budget is finalized next week so it needs to be completed and adopted before next week.

McGinley questioned deputies going to the high school football games. Is there a contract with them to pay? Cade also mentioned the forest service contract.

McGinley also pointed out health insurance states- The county shall provide and pay 100% of the premium –needs to add- IF they are full time. If they only pay ¾ time then they get ¾ paid for insurance.

Cade questioned cost of a new hire in dispatch. Response- it cost a lot in training a new hire so budget a percentage more. He pointed out these incentives help keep the employees working for the county versus new hires and turnover.

Ian added the workload is getting to be more than what is available. Where does the money come from for the new positions in the courthouse such as clerk and recorder and district clerk? With the increase of people in the community, increases their workload.

McGinley went back to the specialized training \$40/month incentive. Tabitha added there are only 2 of them EMT currently. There are four with bachelors degrees which is

an education incentive of \$50. He would like for it to be a flat rate this year and they can figure out the training wording and specific next year for each of the incentives. Justin clarified there are 3 buckets going into this- education, post basic certifications, and specialized trainings. The math on that is \$600 per month extra paid out to dispatch alone.

McGinley asked if we not include the EMT specialized trainings this year, we can add that in next year. Just incentivize the post basic and education monthly payout.

Tabisha added they are good with that.

McGinley asked if this was ok if it begins on next pay period not retroactive back.

Tabitha and Christina agreed. McGinley asked if the certifications can be given to payroll. Cade added their degrees can be photocopied and added to their personnel files.

Justin asked if they should make the corrections to the agreement and get to the commissioners for signatures. This includes the changes to the clarification on incentives, healthcare, and leave payout.

After a brief recess to make changes, Justin, Cade and Tabitha returned to present changes to the commissioners.

Changes made include: corrections to the index, payout for accrued excess leave, clarification on insurance prorated based on weekly hours worked.

With these changes made, the Commissioners accepted and signed the agreement.

Action on Previous Meeting Minutes

The minutes of the August 18, 2025 meeting were read and the following motion was made:

MOTION: Commissioner Rice moved and Commissioner McGinley seconded that the minutes be approved. A verbal vote was taken and the motion carried unanimously.

Public Comments on Subjects Under County Jurisdiction Not on Agenda

New or Unfinished Business/Other Topics of Discussion

Routine matters occupied the attention of the Board for the remainder of the day.

Payment of Invoices

The Commissioners reviewed and approved invoices for a total of \$118,796.89 beginning with check #218481 and ending with check #218581. The Invoice Payment Schedule is located in the Financial Administrator's Office.

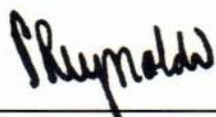
Void Checks 218479-218480- Printer Malfuction/Jam

Public Comments on Subjects Under County Jurisdiction

Adjourn

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

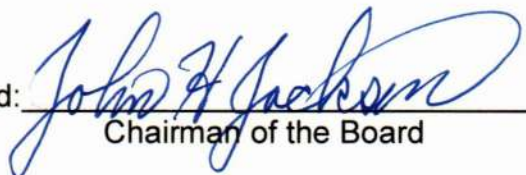
Attest:



Clerk of the Board

by Shannon Burkenpas, deputy

Approved:



Chairman of the Board