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**September 5, 2006 Regular Session of the County Commissioners**

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on September 5, 2006, at 9:15 a.m. Present: Chairman Garth Haugland, Commissioner Mike McGinley, Commissioner Tom Rice, and Secretary Patti Odasz.

Permission to leave the State and County was given to all elected officials.

The minutes of the August 28, 2006 meeting were read and the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that the minutes of the August 28, 2006 meeting be approved. The motion carried unanimously.

Road Manager Richard Miller joined the meeting and submitted a newsletter update on the Scenic Byway Project and the Road Report for August 27 – September 2, 2006:

Dillon Area

- ❖ Gravel was stockpiled and the Grant Gravel Pit GP209 was reclaimed.
- ❖ Potholes on Laknar Lane were patched.
- ❖ Mansfield Lane, Bannack Bench Road, and Bachelor Mountain Road were graveled, watered, and graded.
- ❖ Big Sheep Creek Road and the Fairground's arena were watered.
- ❖ Warning and bridge markers signs were installed on the temporary bridge on Mansfield Lane.
- ❖ Equipment was hauled from Grant to Dillon.
- ❖ Equipment was serviced and repaired.

Lima Area

- ❖ Sage Creek Road and Big Sheep Creek Road were bladed.
- ❖ Equipment was serviced and repaired.

Wisdom Area

- ❖ Skinner Meadows Road was bladed.
- ❖ Gravel was hauled to Bannack Bench Road.
- ❖ Equipment was serviced and repaired.

The Commissioners reviewed pictures of the Mansfield Lane Bridge project.

Richard reported that he met with Dale Carlson, Manager of Bannack State Park, and Jerry Walker from Fish, Wildlife and Parks about graveled behind the Bannack State Park and fixing the parking areas behind the Park.

Richard informed the Commissioners that Grasshopper Creek has washed into the County's section of Bannack Bypass Road. Fisheries Biologist Dick Oswaldt from the Fish, Wildlife, and Parks recommended that the bank be left alone and a couple of barbs be installed upstream.

The Commissioners gave their approval for the State to use the temporary bridge placed on Mansfield Lane when the State starts construction of the permanent bridge.

Next week Sun Mountain Logging will be hauling approximately 30 loads of logs on Trail Creek Road. The County needs to repay Sun Mountain \$2,500 for the bond they posted last winter when hauling on Lemhi Pass Road.

Commissioner McGinley will call Nate Finch and set up a date to meet with him regarding the flooding on his property.

Richard asked the Commissioners to think about having the Old Armstead Road graveled this winter from the end of the pavement to the cattleguard. Ned Welborn will sell the gravel for 35 cents per yard.

Richard will find out what progress Dave Elias has made on the engineering of the Sweetwater Road project.

Richard suggested that next summer to help alleviate the dust problem at the Fairgrounds, millings be put on the end of Argenta Street by the Fairgrounds.

Richard reported that he and Commissioner Rice met with Evan Huntsman last week at Tipton Creek regarding the flooding problem in this area. Evan will have to control the water above South Valley Road, not below the Road like he has been doing. Commissioner Rice suggested to Evan that he contact the NRCS to design the structure required to control the water and to see if NRCS might have some money available for this project.

Richard is meeting with AMCOR tomorrow to complete the storm water project at the Fairgrounds. Two 1,500-gallon septic tanks will be installed at the Weed building. A hard surface will be constructed for any spills that might occur. The spills will then drain into the tanks.

Don Alley from Anderson Engineering has copies of all the deeds and copies of the Certificates of Survey for the North Lane project. Don should have an estimate of the North Lane survey to Richard sometime this week. Richard left the meeting.

Deputy County Attorney Kurt Steadman joined the meeting. Kurt informed the Commissioners that County Attorney Marv McCann is in court today.

Kurt reported that Wally Congdon has now formally been removed as the County's representative for the Dixon lawsuit.

Kurt reported that he submitted his draft easement for the Mauer Mountain Road project to Turner's attorney in Georgia and that this attorney is making some changes. Turner does not have a problem with giving the County an easement but will probably cut off access to the public. The public does have another access to this area.

Commissioner McGinley will meet with Dave Schuett about the County obtaining a deeded easement to the Centennial repeater site. Kurt left the meeting.

At this time the Commissioners reviewed the Resolution to set salaries and the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that the Resolution to Set Elected Officials' Salaries be adopted. The motion carried unanimously.

### **RESOLUTION TO SET ELECTED OFFICIALS' SALARIES**

#### **RESOLUTION NO. 2006-22**

IT IS HEREBY RESOLVED THAT the salaries for the Beaverhead County elected officials are as follows:

|                           |                     |             |
|---------------------------|---------------------|-------------|
| Clerk and Recorder        |                     | \$33,154.24 |
| County Commissioners      | \$33,154.24 + 2,000 | \$35,154.24 |
| Sheriff                   | \$33,154.24 + 2,000 | \$35,154.24 |
| Superintendent of Schools | \$33,154.24 + 400   | \$33,554.24 |
| Treasurer                 |                     | \$33,154.24 |
| Clerk of Court            |                     | \$33,154.24 |
| Justice of the Peace      |                     | \$33,154.24 |
| Coroner                   |                     | \$ 5,801.99 |

PASSED AND ADOPTED this 5<sup>th</sup> day of September 2006.

Beaverhead County Commission

By: \_\_\_\_\_  
Garth L. Haugland  
Chairman  
Beaverhead County Commissioners

Attest:

\_\_\_\_\_  
Rosalee B. Richardson  
Beaverhead County Clerk and Recorder

The Commissioners reviewed the Resolution Reallocating a One-Half of One Percent Vehicle Tax and the following motion was made:

MOTION: Commissioner Rice moved and Commissioner McGinley seconded that the Resolution Of The Beaverhead County Commissioners Reallocating A One-Half Of One Percent (.5%) Vehicle Tax be adopted. The motion carried unanimously.

**RESOLUTION NO. 2006-23**

**A RESOLUTION OF THE BEAVERHEAD COUNTY COMMISSIONERS REALLOCATING A ONE-HALF OF ONE PERCENT (.5%) VEHICLE TAX**

WHEREAS, the Board of County Commissioners of Beaverhead County intend to reallocate a "local option" one-half of one percent (.5%) vehicle tax; and

WHEREAS, the proposed local one-half of one percent (.5%) vehicle tax will be distributed in accordance with law as set forth in Section 61-3-537, M.C.A., as amended by the 1991 Legislature, that is, fifty percent (50%) of the proceeds to be distributed to the County, and the remaining fifty percent (50%) to the County and the incorporated cities and towns within the County, apportioned on the basis of population, as follows: for incorporated cities and towns, by multiplying the amount of money available by the ratio of the population of the city or town to the total county population; and for counties, by multiplying the amount of money available by the ratio of the population of unincorporated areas within the county to the total county population; and

WHEREAS, the County, and cities and towns do need the monies generated by this tax to maintain current services; and

WHEREAS, the distributions for Beaverhead County's share at approximately 75% of the total will be as follows:

|                     |       |                         |
|---------------------|-------|-------------------------|
| 2110 - Road         | 81.0% | Approximately \$290,000 |
| 1000 - General Fund | 19.0% | Approximately \$ 60,000 |

NOW, THEREFORE, the Board of County Commissioners resolve as follows:

One-half of one percent (.5%) local option tax on motor vehicles having a rated capacity of one ton or less is ordered as authorized by state law.

DATE: This resolution shall be effective upon passage and approval.

Passed and approved by the Board of County Commissioners of the County of Beaverhead, State of Montana, this 5<sup>th</sup> of September, 2006.

BEAVERHEAD COUNTY COMMISSION

BY: \_\_\_\_\_  
Garth L. Haugland

Chairman

\_\_\_\_\_  
Michael J. McGinley  
Commissioner

\_\_\_\_\_  
C. Thomas Rice  
Commissioner

ATTEST:

\_\_\_\_\_  
Rosalee B. Richardson  
Beaverhead County Clerk and Recorder

Commissioner McGinley moved to adopt the resolution, Commissioner Rice seconded the motion and the following voted in favor thereof: Chairman Garth L. Haugland, Commissioner Michael J. McGinley, and Commissioner C. Thomas Rice, and the following voted against the same: \_\_\_\_\_.

DES Coordinator Larry Laknar, Montana Hazard Mitigation Officer Kent Atwood, Dillon Mayor Marty Malesich, Dillon Operations Manager J.S. Turner, County Grant Coordinator Frank Mastandrea, and Road Manager Richard Miller joined the meeting. Kent informed the Commissioners that the County has been awarded a \$435,000 FEMA grant for the Blacktail Deer Creek Pre-Disaster Mitigation project. Kent will meet with Larry regarding how payments are made, about timetables, requests for proposals, etc. for this project. J.S. thanked Larry and the Commissioners for doing this project. The Commissioners thanked the City and Richard for their support of this project. Larry, Kent, Marty, J.S., Frank, and Richard left the meeting.

Chairman Haugland went over the day's business with the news media

Chairman Haugland recessed the meeting at 12:00 p.m. for the lunch break. At 1:30 p.m. Chairman Haugland convened the public hearing to receive comments on the County's preliminary budget. Present were all Commissioners and Secretary Patti Odasz. No one attended the hearing to offer comment and the hearing was adjourned at 3:30 p.m.

Chairman Haugland reconvened the Commissioners' meeting. The Commissioners worked on various County projects.

The Commissioners reviewed and approved the August 27-September 2, 2006 invoices for a total of \$32,351.75. The Invoice Payment Schedule is located in the Financial Administrator's Office.

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

Attest: \_\_\_\_\_  
Clerk of the Board

Approved: \_\_\_\_\_  
Chairman of the Board