

March 6, 2017 Regular Session of the Beaverhead County Commissioners

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on Monday, March 6, 2017 at 9:00 a.m. in the Commissioners' Room of the Beaverhead County Courthouse. Present: Chairman Tom Rice, Commissioner Mike McGinley and Secretary Cindy Decker. Commissioner Haugland's position will be filled today.

Report & Action on Commissioner Selection

County Attorney Jed Fitch, Jamie Flynn, Maris Love and her husband, John Jackson, Sadie Caltrider, Betty, and JP Plutt joined the meeting and were welcomed. Mike Probst was not present as he was calving.

Chairman Rice thanked those involved in this process, in particular, Jed Fitch, the Screening Committee Members and of course, the 9 applicants for their interest and willingness to serve. Tom stated that volunteerism is the driving force of supporting our lifestyle here in Beaverhead County.

Commissioner McGinley wanted all the applicants to know that this is a very difficult decision. Each applicant has strong qualities and Mike elaborated on each individual's strengths that were observed during interviews.

Regardless of what has been in the papers, he feels that both he and Tom have the utmost respect and confidence in the election process. Mike stated that it is their intention today to pick a new County Commissioner, not necessarily replace Garth. He reminded all those present that the people of Beaverhead County will vote in about a year and a half for this commission position, and it is his hope that it will not be an approval or rejection of what happens here today. It is the duty of the people to elect the commissioner.

With that said, in the due fashion of parliamentary procedure, the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that John Jackson be appointed to fill the remaining term of Garth Haugland for District 3 Commissioner with that term expiring December 31, 2018.

Chairman Rice called for discussion. There being none:

A verbal vote was taken and the motion carried unanimously.

John wanted everyone to know that this is a very humbling experience for him and he will strive to do his best for Beaverhead County. He expressed his admiration for Commissioner Garth Haugland.

County Attorney Jed Fitch then officially swore Mr. Jackson in and he was welcomed on board.

Mr. Jackson also signed the appropriate paperwork.

Jed requested to have few minutes to give a short education piece as far as legal procedure for county commissioners and their responsibilities. Jed gave several scenarios that could occur during his tenure and advised Commissioner Jackson of the "do's and don'ts". He explained how the Agenda is done and the deadlines associated with it.

He also brought up mileage reimbursement or using the county car for John since he lives out of town. Jed will look into the statute.

Updates on County Projects:

Road Supervisor Scott Jones and Road Secretary Jamie Flynn joined the meeting. The crew will try to replace the deck on the Red Butte Bridge at Bloody Dick Road next Monday the 13th. The road will be closed for a few days but there is a very easy detour so it's not that huge of a deal. He will advertise on the radio and post a sign on the road as well.

Mike brought up the gravel pit up at Elk Lake. A.M. Welles is going through the process of expanding this pit. Commissioner McGinley has signed off on the DEQ permits and

Cindy emailed them back to A.M. Welles. Scott mentioned that it will be nice because then the Road crew will probably end up with a little extra gravel.

Scott mentioned daylight savings time begins this weekend, March 12, 2017.

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

BEAVERHEAD COUNTY ROAD WORK
February 26th to March 4th, 2017
Dillon, Lima and Wisdom Areas

DILLON AREA

- Plowed snow on the following roads: Bannack Pass (Hwy 324), Scenic Byway, Wise River, Medicine Lodge, and Bloody Dick.
- Bladed on East Bench Road.
- Flood control on Blacktail Road.
- Set oil storage tank at the Lima shop.
- Equipment set-up.
- Moved equipment.
- Road checked Dillon area roads.
- Equipment service and repair.

LIMA AREA

- Plowed snow on the following roads: Big Sheep Creek, Steel Bridge, Glead, and South Valley.
- Road checked Lima and Dell area roads and bridges.
- Equipment service and repair.

WISDOM AREA

- Plowed snow on the following roads: Skinner Meadows, Miner Lake, Lower and Upper North Fork, Lower Bender Creek, and Mussigbrod. They also plowed snow at the Jackson shop and the fire hall.
- Shop maintenance.
- Flood control on Miner Lake Road.
- Road checked Jackson and Wisdom area roads.
- Equipment service and repair.

Action on Previous Meeting Minutes:

The minutes of the February 21, 2017 meeting were read and the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Jackson seconded that the minutes of the February 21, 2017 meeting be approved. A verbal vote was taken and the motion carried unanimously.

I.T. Committee

Facilities Manager Jay Hansen joined the meeting. Since Tom W. and Mike Gee are gone, the I.T. Committee will meet next Monday the 13th.

Public Hearing Regarding Listing Absinth Wormwood as Noxious Weed

Weed Supervisor Jack Eddie and Amber Burch joined the meeting. A sign in sheet was available for the public, a copy of which is included below:

PUBLIC HEARING REGARDING
LISTING ABSINTH WORMWOOD AS NOXIOUS
MONDAY, MARCH 6, 2017 – 11:00 A.M.
COMMISSIONERS' ROOM, BEAVERHEAD COUNTY, DILLON, MT

PLEASE PRINT

<u>NAME</u>	<u>REPRESENTING</u>
Tom Rice	
John Jackson	
Amber Bunch	
Joel Ed	
Mike McGinley	
Cindy Decker	

This weed is mainly in the Maiden Rock area. By statute, funding cannot be spent on controlling this weed unless it is listed as noxious. There are 3 counties currently in Montana that have it listed as well as all the provinces above Montana. There was no one from the general public attending this hearing.

Discussion & Action – Listing Absinth Wormwood as Noxious Weed

After brief discussion, the following motion was made:

MOTION: Commissioner Jackson moved and Commissioner McGinley seconded that Absinth Wormwood be listed as a Noxious Weed. A verbal vote was taken and the motion carried unanimously.

Amber updated the commissioners regarding HB 410 - AN ACT INCREASING CERTAIN VEHICLE REGISTRATION FEES TO INCREASE FUNDS FOR NOXIOUS WEED CONTROL. This bill was tabled. She is requesting that the commissioners sign a letter encouraging the House Agriculture Committee to re-consider their position on this bill.

MOTION: Commissioner Jackson moved and Commissioner McGinley seconded that the Commissioners sign the letter requesting that HB 410 - AN ACT INCREASING CERTAIN VEHICLE REGISTRATION FEES TO INCREASE FUNDS FOR NOXIOUS WEED CONTROL be moved from the House Agriculture table. A verbal vote was taken and the motion carried unanimously.

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.

Floodplain Appeal Public Hearing – BAM Ventures re Joseph Balla

A sign-in sheet was available for the general public, a copy of which is included below:

PUBLIC HEARING REGARDING
FLOODPLAIN APPEAL
BAM VENTURES re JOSEPH BALLA
MONDAY, MARCH 6, 2017 – 1:30 P.M.
COMMISSIONERS' ROOM, BEAVERHEAD COUNTY, DILLON, MT

PLEASE PRINT

NAME	REPRESENTING
Ray Schonsberg	Balla/BAM
Mike McGinley	SELF (McGinley Law)
Tom Rice	BAM
John Jackson	COM
Cindy Decker	

Ray Schonsberg joined the meeting representing Balla/BAM Ventures. He gave the commissioners a brief explanation of his request for an extension. Commissioner McGinley referred to the Floodplain Regulations book and gave his understanding of Regulation 8.5(a)(2).

No decision will be made today, but action will take place on March 13, 2017 during the next regular Commissioner Meeting.

Unfinished Business/Other Topics of Discussion:

Commissioner McGinley gave a brief update on his Washington DC trip regarding the SRS monies. He stated that it will be a matter of really tightening our belts budget wise around the county this year if we don't get the SRS.

Discussion ensued regarding whether Commissioner McGinley should head back to Washington DC in April to present the case how imperative these funds are to Beaverhead County. Commissioner Rice feels it is vital that we send a representative instead of sending an email. He stated that we can't afford NOT to go after this money.

Representative Tom Welch joined the meeting to discuss the old Hwy going to Barretts. There was much discussion regarding bicyclists on State highways and ordinances. Commissioner Jackson mentioned that a bicycle licensing fee might work.

Senator Daines Representative Patrick Webb joined the meeting to discuss SRS monies. Commissioner McGinley gave him the details of the county's commitments as far as bridge projects etc. and the frustrations associated with the suspense of not knowing whether the money is coming or not. Mike asked Patrick to please pass this information along to Senator Daines. Tom also brought up the importance of the money for the schools in Beaverhead County.

Mr. Webb stated that he would really like to have Senator Daines come personally to Beaverhead County to see for himself the issues facing us. The Commissioners would greatly appreciate that. Patrick will check the Senator's schedule and get back to the Commissioners. It was discussed that a tour of Big Sheep Creek would be quite beneficial for the Senator.

Commissioner McGinley reminded Patrick how much money Beaverhead County has saved the federal government by being practical and using our own road crew to install the bridges and also challenging some of the ridiculous specs.

Scott Marsh joined the meeting to advise the commissioners about HB 481 – AN ACT REVISING WILDFIRE INITIAL ATTACK AUTHORITY ALLOWING COUNTY GOVERNING BODIES TO AUTHORIZE WILDFIRE INITIAL ATTACK ON ALL LANDS WITHIN THE COUNTY REGARDLESS OF OWNERSHIP REQUIRING THE GOVERNING BODY TO PROVIDE NOTIFICATION PROVIDING FOR COMPENSATION TO THE COUNTY FOR COSTS INCURRED IN INITIAL ATTACK ACTIVITIES AND AMENDING SECTIONS 7-33-2202, 7-33-2209 and 76-13-105, MCA.

Scott has gotten several phone calls and emails regarding opposing this bill. His concern is Section 2 paragraph 4 in particular – fire districts authority and all the billing

and record keeping - Scott is concerned that the county coop mutual aid will go away if this bill passes. Mike asked how long an initial attack usually lasts. He feels that "initial attack" should be clarified.

The Commissioners called Bruce Suenram via speaker phone and Commissioner McGinley asked why there should be opposition to this bill. Mike feels that the county already does all the record keeping on initial attacks so he wants to know why this bill would be a problem. Bruce feels that it would be a problem with other organizations and counties not necessarily Beaverhead County. Scott asked what exactly defines "initial attack". Bruce replied that it is not clearly defined and can be a matter of interpretation. Mike asked who started this and Bruce replied that Senator Fielder wrote it but Bob Brown is carrying it.

Tom stated that he has heard that MACo Executive Director Harold Blattie is opposed to this bill as well.

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 \$113,718.44, beginning with check #196298 and ending with check #196381. 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: _____ Approved: _____
Clerk of the Board Chairman of the Board