

**January 7, 2019 Regular Session of the Beaverhead County Commissioners**

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on Monday, January 7, 2019 at 9:00 a.m. in the Commissioners' Room of the Beaverhead County Courthouse. Present: Chairman John H. Jackson, Commissioner Mike McGinley, Commissioner Tom Rice and their Assistant Cindy Decker.

**Reorganization of Board**

At this time the Commissioners reorganized:

**MOTION:** Commissioner Rice moved and Commissioner McGinley seconded that Commissioner Jackson hold the position of Commission Chairman for 2019. A verbal vote was taken and the motion carried unanimously.

**MOTION:** Commissioner McGinley moved and Commissioner Jackson seconded that Commissioner Rice hold the position of Vice-Chairman for 2019. A verbal vote was taken and the motion carried unanimously.

Chairman Jackson gladly accepted the Chairmanship.

**Updates on County Projects:**

Road Supervisor Scott Jones and Road Secretary Jamie Flynn joined the meeting. Scott reported that Flynn Lane, Carrigan Lane and Blacktail are still flooding pretty badly. The crew plans on putting up some warning signs.

The state bridge inspector called about the bridge on Corrine Trail and has flagged it. The crew will take care of it soon. Scott also mentioned the bridge on River Road. There was discussion regarding Browne's bridge and why Madison County doesn't get the same report that Beaverhead County gets since in reality, the bridge is in both counties. We received a glowing report of the work that was done last summer but they want just a bit more done.

Scott will make a call to the state and find out more details.

There will be a safety presentation for MDOT Vision Zero at the high school on January 24 and the crew will bring a large piece of equipment like the new snow plow to exhibit.

Sheriff Craft and Jail Commander Javier Negron joined the meeting. Paul wanted to discuss the possibility of setting up a portable solar powered speed warning trailer in rural areas that deal with speeding issues. Paul commented that if he remembers correctly, these trailers cost around \$3500. Scott expressed concern that in the rural areas, signs tend to get shot at and destroyed. Mike stated that if the sign was placed right at the entrance of small towns and near houses that might not happen.

Casey Elliott from the Tribune joined the meeting.

Scott asked the Sheriff about what can be done about land owners getting water on the roads. Discussion ensued.

Javier reported that they are in need of another detention officer to replace the last one that left. The following motion was made:

**MOTION:** Commissioner McGinley moved and Commissioner Rice seconded that Detention be authorized to interview and select a new Detention Officer. A verbal vote was taken and the motion carried unanimously.

Mike stated that the commissioners need to be the final say so on new hires and or fires from here on. Any hiring committee will bring in their recommendation to the Commissioners and then they will approve or disapprove.

Paul mentioned that he would like the County employee policy reviewed and updated. The Commissioners concurred.

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

**BEAVERHEAD COUNTY ROAD WORK**  
December 30<sup>th</sup>, 2018 to January 5<sup>th</sup>, 2019  
Dillon, Lima and Wisdom Areas

**DILLON AREA**

- Plowed snow on the following roads: Scenic Byway, Bannack Pass (Hwy 324), Lemhi Pass, Brenner, Ten Mile, Taylor Creek and all local roads.
- Flood control on Flynn Lane.
- Cut washboards on Anderson Lane.
- Rebuilt the sign shed at the county shop.
- Moved equipment.
- Road checked Dillon area roads.
- Equipment service and repair.

**LIMA AREA**

- Plowed snow on the following roads: Big Sheep Creek, South Valley, Nicholia Creek, Meadow Creek and Nicholia Meadow cut across.
- 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, Little Lake Creek, Big Swamp Creek, Big Lake Creek, Gibbonsville, Lower North Fork, Upper North Fork, and Rock Creek.
- Road checked Jackson and Wisdom area roads.
- Equipment service and repair.

**Action on Previous Meeting Minutes:**

The minutes of the December 31, 2018 meeting were read and the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that the minutes of the December 31, 2018 meeting be approved. A verbal vote was taken and the motion carried unanimously.

**Discussion & Action – Resolution 2019-01 ~ Set Commission Meeting Dates**

After brief discussion, the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that Resolution 2019-01 ~ Setting Commission Meeting Dates be adopted. A verbal vote was taken and the motion carried unanimously.

A copy of the Resolution can be viewed below:

107397 Fee: \$ 0.00 File: 2019-01 Page: 1  
BEAVERHEAD COUNTY Filed 1/7/2019 At 11:09 AM  
Stacey Reynolds, Clerk and Recorder  
By: \_\_\_\_\_

**RESOLUTION NO: 2019-01**

**A RESOLUTION TO SET COMMISSION MEETING DATES AND TO ESTABLISH LOCATIONS FOR POSTING PUBLIC NOTICES**

WHEREAS, Section 7-5-2122 MCA requires that county commissioners establish a regular meeting date and that the public be notified of this date

WHEREAS by resolution county commissioners shall set a time schedule for posting public meetings, and

WHEREAS, Opinion #13 of the Montana Attorney General states that 48 hours is considered sufficient to notify the public of meetings

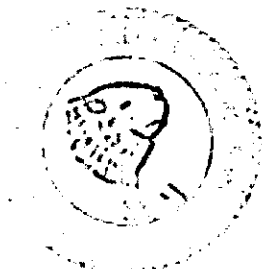
WHEREAS, HOUSE BILL 334 (2013) establishes requirements when public notice is to be provided by posting and is codified as 7-1-2123 MCA.

NOW, THEREFORE BE IT RESOLVED by the Beaverhead County Board of Commissioners that Mondays will be the Commissioners regular meeting days. If Monday is a holiday the meeting will take place on Tuesday. Regular meetings will be held in the Commissioners Room of the Beaverhead County Courthouse unless otherwise posted. If for some reason a meeting is cancelled, a notice will be posted at least 48 hours before the cancelled meeting was to be held.

BE IT FURTHER RESOLVED that public meeting notices of the Beaverhead County Board of Commissioners will be posted throughout the County at least 48 hours before each public meeting.

BE IT FURTHER RESOLVED that copies of this Resolution be filed with the Beaverhead County Clerk and Recorder, will be posted on the bulletin board near the west entrance on the first floor of the Courthouse, will be posted on the bulletin board located by the door of the County Commissioners meeting room, will be posted at other places throughout the County, and will be given to the news media.

PASSED AND ADOPTED by the Beaverhead County Board of Commissioners this 7th day of January 2019.



INDEXED

BEAVERHEAD COUNTY COMMISSION

*John H. Jackson*  
JOHN JACKSON  
Chairman

*Michael J. McGinley*  
MICHAEL J. MCGINLEY  
Commissioner

*C. Thomas Rice*  
C. THOMAS RICE  
Commissioner

ATTEST

*Stacey Reynolds*  
Stacey Reynolds  
Beaverhead County Clerk and Recorder

**Discussion & Action – Resolution 2019-02 ~ Adopt Mileage and Per Diem Rates**

After brief discussion, the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that Resolution 2019-02 – Adopt Mileage and Per Diem Rates be adopted. A verbal vote was taken and the motion carried unanimously.

A copy of the Resolution can be viewed below:

107398 Fee: \$ 0.00 File: 2019-02 Page: 1  
BEAVERHEAD COUNTY Filed 1/7/2019 At 11:01 AM  
Stacey Reynolds, Clerk and Recorder  
By: \_\_\_\_\_

**RESOLUTION NO: 2019-02**


**RESOLUTION TO ADOPT MILEAGE AND PER DIEM RATES**

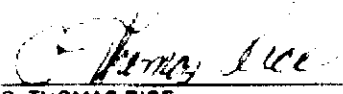
IT IS HEREBY RESOLVED that effective January 7, 2019, the Beaverhead County Commissioners adopt the State's mileage rate and lodging rate, and the per diem rate for business travel as per Beaverhead County Personnel Policy

PASSED AND ADOPTED by the Beaverhead County Board of Commissioners this 7th day of January 2019

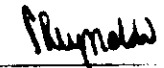
BEAVERHEAD COUNTY COMMISSION

  
\_\_\_\_\_  
JOHN H. JACKSON  
Chairman

  
\_\_\_\_\_  
MICHAEL J. MCGINLEY  
Commissioner

  
\_\_\_\_\_  
C. THOMAS RICE  
Commissioner

ATTEST

  
\_\_\_\_\_  
STACEY REYNOLDS  
BEAVERHEAD COUNTY CLERK AND RECORDER



RECEIVED

**Discussion & Action – Resolution 2019-03 ~ Establish Fire Season**

After brief discussion, the following motion was made:

MOTION: Commissioner Rice moved and Commissioner McGinley seconded that Resolution 2019-03 ~ Establish Fire Season be adopted. A verbal vote was taken and the motion carried unanimously.

A copy of the Resolution can be viewed below:

HM 111 1 08 001111 111  
107399 Fee: \$ 0.00 File: 2019-03 Page: 1  
BEAVERHEAD COUNTY Filed 1/7/2019 At 11:02 AM  
Stacey Reynolds, Clerk and Recorder  
By: \_\_\_\_\_

**RESOLUTION NO: 2019-03**

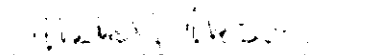
**RESOLUTION TO ESTABLISH FIRE SEASON**

IT IS HEREBY RESOLVED that pursuant to Beaverhead County Ordinance 2004-6 the Beaverhead County Commissioners establish for the 2019 calendar year the following fire season: January 1, 2019 - December 31, 2019. This season may be adjusted depending upon weather and moisture conditions later in the year.

PASSED AND ADOPTED by the Beaverhead County Commissioners this 7th day of January, 2019.


BEAVERHEAD COUNTY COMMISSION

  
\_\_\_\_\_  
JOHN H. JACKSON  
Chairman

  
\_\_\_\_\_  
MICHAEL J. MCSINLEY  
Commissioner

  
\_\_\_\_\_  
C. THOMAS RICE  
Commissioner

Attest

  
\_\_\_\_\_  
STACEY REYNOLDS  
Beaverhead County Clerk and Recorder



INDEXED

Chairman Jackson left the meeting to attend a Montana Weed Control Association Conference in Great Falls. Vice Chairman Rice took over the duties of Chair.

**Discussion – County Planner’s Year End Report**

County Planner Rob Macioroski, Surveyor Travis Wilson, Sanitarian Tom Wagenknecht and Planning Board member Larry Volkening joined the meeting. Rob presented his year-end report a copy of which can be viewed below:

### PLANNING 2018 Activity Report

In 2018, the Beaverhead County Planning Board reviewed nine (9) minor subdivisions that created twenty three (23) additional residential lots. These numbers reflect an increase in subdivision activity since about 2010. In 2017 the Planning Board reviewed three (3) minor subdivisions that created ten (10) additional lots, and one (1) major subdivision that created eighteen (18) total lots. The 10-year average for subdivisions reviewed is running about five (5) minor subdivisions and one (1) major (6+ lots) subdivision every 2 years. The Planning Board also reviewed and approved four (4) Conservation Easements from Montana Land Reliance and The Nature Conservancy this year, up from two (2) Conservation Easements for 2017.

In addition to the nine (9) minor subdivisions, forty-four (44) Certificates of Survey were submitted and reviewed. These forty-four (44) Certificates of Survey are up significantly from the twenty-eight (28) reviewed in 2017, and up from the thirty (30) reviewed in 2016.

The 10-year average for Certificates of Surveys submitted is about thirty-five (35) per year.

In addition, two (2) Big Hole River Conservation Development Standard applications were reviewed and permitted on the Big Hole River. This last year the County Planning Department also has reviewed and consulted with cell tower contractors for three (3) cell tower requests for upgrade, and for possible location and construction of two (2) new cellular communication towers in Beaverhead County.

The Beaverhead County Floodplain Administrator issued two (2) floodplain permits and one (1) floodplain determination letters in 2018, floodplain permits were issued on the Beaverhead River and Selway Slough off of Laknar Lane using the new Floodplain Hazard Management Regulations, Beaverhead County Ordinance 2015-02. Reviewed possible river crossing plans located within the floodplain for the City of Dillon's waterline upgrade across the Beaverhead River.

The Beaverhead County Sanitarian's office issued fifty (50) permits for new septic systems which is an increase of nine from forty-one (41) from 2017, and twenty-nine more than the twenty-one (21) in 2016. Eleven (11) permits were issued for replacement systems in 2018 for a total of sixty-one (61) permits (Also 1 permit was voided). The 10-year average for total septic permits issued per year is sixty-six (66).

The Beaverhead County Planning Board formally met nine (9) times for meetings and public hearings in 2018. The Board also had several members attend the Economic Outlook Seminar in Butte in February.

The Planning Board also heard informational presentations during the year from Michelle Morganthaler and Jim McIssac from McIssac Appraisals on the Beaverhead County real estate market and from Jerry Grebenc from Great West Engineering gave us all a few pointers on updating the Beaverhead County Growth Policy.

**NUMBER OF SUBDIVISIONS APPROVED  
IN BEAVERHEAD COUNTY 2007 - 2017  
(10 Years)**

Year	Minor Subdivisions (1-5 Lots)	Major Subdivisions (6+ Lots)	Total # of Lots
2008	10	0	18
2009	7	1	28
2010	4	0	(Recreational Sites) 3 +9
2011	7	0	15
2012	1	1	13
2013	6	0	6
2014	1	0	6
2015	1	1	1 lot 11 RV Sites
2016	2	0	4
2017	3	1	28
2018	9	0	23
<b>2008 - 2018</b>	<b>53</b>	<b>4</b>	<b>165</b>
<b>Totals</b>			

**NUMBER OF SEPTIC SYSTEMS  
PERMITTED IN BEAVERHEAD COUNTY  
2007 - 2017**

Year	New	Replacement	Total Permits
2008	58	21	79
2009	41	11	52
2010	36	9	45
2011	38	13	51
2012	54	10	64
2013	47	15	62
2014	38	10	48
2015	48	14	62
2016	61	15	76
2017	41	20	61
2018	50	11	61
<b>2008 - 2018</b>	<b>512</b>	<b>149</b>	<b>661</b>
<b>Totals</b>			

Mike mentioned that this report should be sent to the Department of Revenue and that he would like to meet with those in charge regarding the taxable values in Beaverhead County.

Rob mentioned that there will be some meetings set up with land owners around February regarding flood plains.

There was also discussion regarding building permits.

**Discussion & Action – Special Purpose District for Emergency Medical Services ~ Reconsideration on Public Hearing now Scheduled for January 22, 2019**

Mike began the discussion by stating that at the last meeting a public hearing was set for January 22, 2019.

MOTION: Commissioner McGinley moved that the public hearing set for January 22, 2019 be rescinded and/or postponed until a later date to be announced.

Vice Chairman Rice called for discussion.

Mike advised that he has had lengthy discussion with County Attorney Jed Fitch. It was determined that this should be a multi-jurisdictional district. It needs to have the city of Dillon involved as well. Mike commented that the volunteer fire department may be looking at this same problem of having paid fire fighters as well. He commented that if this district is going to happen, then an formal committee needs to be formed and they need to get to work right now. It is an involved process to say the least.

If it's a special district, state law requires that it be held in the school election. If it's a county wide mill levy vote, it goes on the ballot in November. There are a lot more questions than answers right now.

Tom W. asked if maybe this could be run through the LEPC.

Mike suggested again, that a formal committee should be formed. Mike stated that he would be willing to sit on the committee for budget advice. He also commented that a representative from the hospital should be on the committee.

Commissioner Rice seconded the motion.

Vice Chairman Rice called for the vote:

A verbal vote was taken and the motion carried unanimously.

**Public Comments on Subjects Under County Jurisdiction Not on Agenda**

**Recess**

At 12:00 noon, Vice Chairman Rice recessed the meeting. At 1:30 p.m., Vice Chairman Rice reconvened the meeting with Commissioner McGinley and their Assistant Cindy Decker present. Chairman Jackson had left the meeting earlier to attend the Montana Weed Control Association Conference in Great Falls.

**Discussion & Action – Independent Contractor Agreement Between Richard Stem & Beaverhead County**

This topic came up at the last Beaverhead/Deer Lodge Working Group meeting. Mr. Stem is a retired Forest Service worker and has his own consulting firm. This is from a collaborative but they needed a lead county. We would be a pass through county for funds.

After brief discussion, the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that Beaverhead County enter into this Independent Contract Between Richard Stem & Beaverhead County. A verbal vote was taken and the motion carried unanimously.

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

Dillon resident, Jim Harvey, joined the meeting to discuss the terribly icy conditions between the Treasurer's Office drive through and the Child Care building to the north that he owns. He made several suggestions as to how to remedy the situation. Discussion ensued.

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

**Payment of Invoices:**

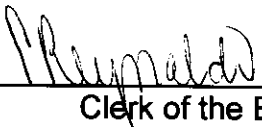
The Commissioners reviewed and approved invoices for a total of \$32,211.55, beginning with check #201315 and ending with check #201348. The Invoice Payment Schedule is located in the Financial Administrator's Office.


**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:   
Clerk of the Board

Approved:   
Chairman of the Board