

February 22, 2021 Regular Session of the Beaverhead County Commissioners

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on February 22, 2021 at 9:00 a.m. in the Commissioners' Room of the Beaverhead County Courthouse. Present: Chairman John H. Jackson, Commissioner Mike McGinley, Commissioner C. Thomas Rice and their Assistant Cindy Decker.

Updates on County Projects

Road Supervisor Bob Ferris and Public Works Secretary Jamie Flynn joined the meeting. Bob stated that the crew has been busy plowing snow drifts around the county.

County Attorney Jed Fitch, Sheriff Paul Craft, Jim Sivils from Facilities and Casey Elliott from the Tribune joined the meeting.

Jed commented that the door in his office is still not fixed. His staff and he will be attending training on March 2-4 for the new case management computer program. Jed mentioned that the folks in Wise River are very pleased with the work that Paul has done on the repeater.

Paul said that the bids for the jail remodel will begin the first week of March. He has already gotten one bid for the camera system for the jail.

There was discussion regarding installing a door at the bottom of the secret stairway at the front of the courthouse for security purposes.

Mike asked if wiring will be an extra cost for the remodel or if it will be included. Paul replied that he has mandated in the bid that new wiring be included since it is just a disaster right now. Mike reminded Paul that if we receive the Homeland Security Grant, no work can be done or any of the grant money spent before October 1.

Paul also mentioned that he plans on having Facilities help him to remove old radio equipment from the Search & Rescue Building soon to make room for the new equipment.

Jamie stated that the road crew will be doing their hearing tests tomorrow in the jury room.

Mike commented that the Solar Farm Bill passed Committee unanimously so it is headed to the House Floor next.

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

**BEAVERHEAD COUNTY ROAD WORK
February 14th to February 20th, 2021
Dillon, Lima and Wisdom Areas**

DILLON AREA

- Plowed snow on the following roads: Pioneer Mountain Scenic Byway, Bannack Pass, Taylor Creek, Highway 324, Lambi Pass, Bloody Dick, China Town, Bannack Bench, Brenner, Medicine Lodge, Argenta, Stonehouse, Ten Mile, Bon Accord, Stevenson, Trapper Creek, Big Horn, Cherry Creek, Browne's Bridge, Rock Creek, Schoolhouse, Rebick, Birch Creek, Carrigan and local roads.
- Road checked Dillon area roads.
- Equipment service and repair.

LIMA AREA

- Plowed snow on the following roads: South Valley and Lima Dam.
- Road checked Lima and Dell area roads and from Monida to Clark Canyon.
- Equipment service and repair.

WISDOM AREA

- Plowed snow on the following roads: Twin Lakes, Rock Creek, River, Big Lake Creek, Big Swamp Creek, Moose Creek, Gibbonsville, Little Lake Creek, Miner Lane, Warm Springs, Skinner Meadows, Upper and Lower North Fork, Steel Creek, Lower Munsiebrod, Lower Bender Creek, and in Wisdom.
- Road checked Jackson and Wisdom area roads.
- Equipment service and repair.

Action on Previous Meeting Minutes

The minutes of the February 16, 2021 meeting were read and the following motion was made:

MOTION: Commissioner Rice moved and Commissioner McGinley seconded that the minutes of the February 16, 2021 meeting be approved with a change. A verbal vote was taken and the motion carried unanimously.

Public Comments on Subjects Under County Jurisdiction Not on Agenda**Discussion & Action ~ Joint Resolution LC3331 ~ Urging Congress to Remove Hidden Pasture from Further Wilderness Study Area**

Beaverhead County residents Byron Martinell, Harris Wheat, JS Turner and Weed Coordinator Amber Burch joined the meeting. Byron began the discussion by stating that the Conservation District began this process back in 2016 and it has been a thorn in everyone's side ever since. This should have gone away many years ago.

Commissioner Rice stated that this WSA has the most variables of others. Mike asked why we don't include other WSA's in this. Byron replied that if we can get this one through, then maybe we could get things rolling on the others. But if we try to get a large number of them, then the opposition comes out in big numbers.

After brief discussion, the following motion was made:

MOTION: Commissioner McGinley moved and Commissioner Rice seconded that Beaverhead County support Senate Joint Resolution 7. A verbal vote was taken and the motion carried unanimously.

The commissioners will draft a letter of support and email it by this Friday.

Discussion & Action ~ Preliminary Plat Approval ~ Nissen Lane Minor Subdivision

Planner Rob Macioroski joined the meeting and began the discussion. He stated that the Planning Board has approved this Plat. Rob read the Findings of Fact aloud for the commissioners.

After brief discussion, the following motion was made:

MOTION: Commissioner Rice moved and Commissioner McGinley seconded that the Preliminary Plat for Nissen Lane Minor Subdivision be approved with the understanding that the word "private" is removed and "public" put in its place on the Plat. A verbal vote was taken and the motion carried unanimously.

Treasurer's Report & Cash Report Presentation ~ Cathy Hucke

Treasurer Cathy Hucke, Deputy Treasurer Michelle Davis, Financial Administrator Betty Tinsley and County Attorney Jed Fitch joined the meeting.

Cathy stated that the computer program Black Mountain has been causing some problems with the taxes. She handed out the Cash Reports for July 2020 through January 2021.

Mike stated that the audit was finished last week and there were several suggestions from the Auditor that he wanted to go over with Cathy. We got a clean and unmodified audit but there are some concerns.

One of the suggestions was that the Treasurer be on the agenda once a month to present that month's Cash Report. Cathy concurred that would be fine.

Mike brought up the Search & Rescue mills. Cathy stated that from 2020 on, the Search & Rescue mills will be done the correct way but she can't go back and fix the past years but the Auditor will have to make a transfer.

Mike also brought up the NSF checks; some of which are many years old and must be "written off". Mike asked what Cathy's procedure for NSF checks is. She responded that she sends 2 certified letters and then it goes to the county attorney if she hasn't heard back from the individual. Jed stated that if a check is over one year old, it is past the statute of limitations. Cathy stated that she has been canceling vehicle registrations if she doesn't hear from the individual who wrote the bad check. Mike would like it to be a new policy with specific deadlines.

Jed stated that there really was a "lag time" this last year with Amy leaving and the flood downstairs. Some of the files got moved to storage and have since been lost. Mike commented that the county must now find budget authority to write those checks off.

Jed elaborated on the difference between NSF check and cancelling registration. Cathy mentioned that she includes the wording "your registration/taxes will be canceled if this is not taken care of" on the bottom of each letter. Mike stated that there must be follow up though, to which Cathy replied that she has indeed canceled registrations in the past.

Jed suggested that the county should invest in an auto withdraw machine for the Treasurer so that it is known right away if there is money available to cover each check. That would be a cure for NSF checks. Cathy asked what she should do when, for instance, the Fair gives her checks and one bounces. Jed said that those folks MUST be prosecuted. As it is right now, Cathy does not deduct the amount of the NSF check from the deposit. Because of this, the county general fund is short.

Mike wants ANY NSF check to be turned over to Jed after her certified letters are sent. Jed proposed that after the second letter is sent, Cathy should turn them into his office. He would then send a letter from his office and would file charges. It just needs to be clear what the check was originally for i.e. taxes, fines etc. Jed supports obtaining a machine to do auto withdraw.

Mike stated that he would like copies (front & back) of both redemption checks that were made out to the same person. Cathy has contacted the individual and he has not responded. They amount to just over \$4000 so that is another place the county needs to find out how to replace those funds.

Mike went on to the next issue. There were taxes that were prepaid by the company Rice-Ex. Cathy explained that her predecessor, Kathy Allard, would allow taxpayers to pay their taxes with a monthly payment. Cathy Huckle not only disagreed but found out that this practice is illegal; so, she has stopped. Cathy stated that the auditor had told her to just write the checks back to the customers. She called Rice-Ex telling them what she was going to do and they told her *not* to send a check because they wouldn't know what to do with that check. Mike commented that he agrees with the Auditor that this is not the county's problem. He advised Cathy to write the check and return it to Rice-Ex.

Mike continued with Collateralized dollars in banks. Cathy stated that she has some letters but according to the Auditor, it is not enough. She called Wells Fargo last week and asked them to up our percentage; and they told her that they won't. Then on Friday, they emailed her an agreement to sign which would only be 50%. She will approach them again and tell them that it needs to be 100%. Mike reiterated that it's GOT TO BE! Mike urged Cathy to get these up to date and current. This is required by the county and the Auditors. Cathy stated that Wells Fargo and Bank of Commerce will be getting back to her. She promised that she will take care of this.

The next issue of discussion was the Suspense Fund. Mike reminded Cathy that funds should only be in this account for 30 days. Then if it is still not known where the money should go, it should go into the general fund.

Continuing on to the next topic, Mike said that according to the Auditor, a policy should be adopted at the Treasurer's Office that all cash drawer balances will be counted by each other not self. Cathy will implement this policy. Betty suggested that there should

always be two people counting each drawer. This is for the protection of all the employees not an accusatory thing.

Lastly, Mike brought up the mask policy at the Treasurer's Office. Cathy stated that she is not turning folks away by any means. Mike commented that the commissioners have received many complaints from the general public while Cathy responded that she has gotten compliments on the same issue. Mike just wanted Cathy to be aware of the negative comments from Dillon residents.

Mike asked Cathy to email the December Cash Report today which she will do. Mike commented that hopefully communication will be better between the Treasurer's Office and the Commissioners now.

Recess

At 12:00 noon, Chairman Jackson recessed the meeting. At 1:30 p.m., Chairman Jackson reconvened the meeting with Commissioner McGinley, Commissioner Rice and their Assistant Cindy Decker present.

Legislative Update

At this time Commissioner McGinley gave a brief update of the legislative actions currently taking place in Helena.

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 \$8,655.47, beginning with check #206651 and ending with check #206670. The Invoice Payment Schedule is located in the Financial Administrator's Office.

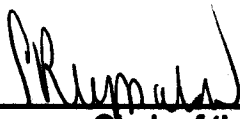
Public Comments on Subjects Under County Jurisdiction

There were no public comments.

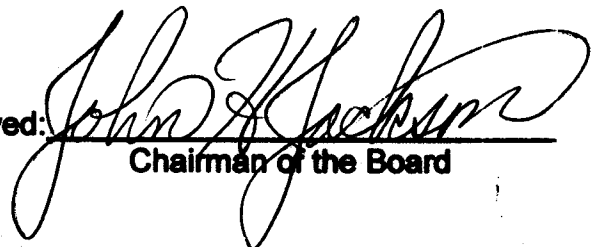
Adjourn

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