

January 24, 2022 Regular Session of the Beaverhead County Commissioners

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on January 24, 2022 at 9:00 a.m. in the Commissioners' Room of the Beaverhead County Courthouse. Present: Chairman Michael J. McGinley, Commissioner C. Thomas Rice and their Assistant Cindy Decker. Commissioner John H. Jackson was absent.

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 and Public Works Secretary Jamie Flynn joined the meeting. Bob stated that the crew plowed snow at Elkhorn and crushed gravel up at Sheep Creek. Two interviews were conducted for the mechanic's job and one more will be today.

Sheriff Paul Craft, County Attorney Jed Fitch, Superintendent of Schools Mike Miller, Facilities Manager Chris Booth, Deputy County Attorney Jennifer Morgan and GIS Coordinator Tracy Sawyer joined the meeting. Casey Elliott from the Tribune joined the meeting via conference call.

Mike Miller advised that 3 rural schools are closed due to Covid protocol.

Paul mentioned that a representative from Dunne Communications was here last Thursday headed to Sierra. His snow cat broke down just before he got to the top so he didn't get into the repeater site. Paul received a call from Univision yesterday stating that the internet was down in Dispatch. He came down to the complex on Sunday to help remedy that situation.

Paul commented that he spoke with Univision about the conduits. He wanted a site map of the wire conduits so he could tell where the wires went in to the radio room. They said that's not a good idea because those cables have been sitting there for over ten years and the copper wire may break if manipulated. Paul is looking into using a "snake camera" to see exactly what the condition is.

Paul plans on drafting a policy limiting people in the radio room.

Tracy said that he would like to move the server from the basement to possibly the mail room. DIS is looking at replacing the server soon anyway. He also mentioned that only 6 out of 33 people have completed the cybersecurity training.

Chris said that he got in touch with Johnson Controls to look at the smoke detector, CO2 and emergency lighting for the jail. He is hoping that it can be done within the next 2 weeks.

Jed stated that our Coroner Julie Briggs resigned effective February 18, 2022 and that will be a difficult position to replace. There are a lot of variables since this is an elected official position. This will be at the top of the list of priorities. The equipment and facilities is also a real issue since the county has been using Julie's things for a long time since she owns and operates the funeral home.

Chairman McGinley asked if a current elected official or County employee can be appointed as a temporary Coroner. Jed will look into that.

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

BEAVERHEAD COUNTY ROAD WORK
January 16th to January 22nd, 2022
Dillon, Lima and Wisdom Areas

DILLON AREA

- Plowed snow on the Pioneer Mountain Scenic Byway.
- Hauled gravel on Stone Creek Road.
- Road checked Dillon area roads.
- Equipment service and repair.

LIMA AREA

- Plowed snow on the South Valley Road.
- Moved equipment.
- Road checked Lima and Dell area roads.
- Equipment service and repair.

WISDOM AREA

- Plowed snow on the following roads: Upper North Fork, Lower Bender Creek, Steel Creek, Rock Creek and in Wisdom.
- Attended a safety meeting.
- Road checked Jackson and Wisdom area roads.
- Equipment service and repair.

Action on Previous Meeting Minutes

The minutes of the January 18, 2022 meeting were read and the following motion was made:

MOTION: Commissioner Rice moved and Commissioner Jackson seconded that the minutes of the January 18, 2022 meeting be approved. A verbal vote was taken and the motion carried unanimously.

Public Comments on Subjects Under County Jurisdiction Not on Agenda**Department Head/Elected Officials Meeting**

Clerk & Recorder Stacey Reynolds, Weed Coordinator Amber Burch, GIS Coordinator Tracy Sawyer, Planner Rob Macioroski, DES/Land Sanitarian Tom Wagenknecht, Road Supervisor Bob Ferris, County Attorney Jed Fitch, Justice of the Peace Randi Braddock, Sheriff Paul Craft, Treasurer Cathy Hucke, Financial Administrator Betty Tinsley, Solid Waste Manager Larry Laknar and Public Health Director Sue Hansen joined the meeting.

Chairman McGinley began the discussion. He thanked everyone for attending and advised that we will be having these meetings quarterly on the 4th Monday at 1:30p.m. and that this is long overdue. He encouraged everyone to think of subjects they would like to see discussed.

Mike mentioned the cyber security training and that everyone needs to do it and encourage their staff to as well.

He also said that health insurance rates will be coming in soon. The county will be pushing "wellness" participation more stringently. Jed asked if this would apply to spouses as well to which Mike replied yes.

Mike encouraged people to write their suggestions regarding "Healthy Is" if they have concerns.

Mike commented that sick leave and vacation time has become a huge concern. Each Department Head should be keeping track of their staff's vacation/sick time available. It is *their responsibility* to know if each employee has time available. Betty will email each Department Head every month with their staff's available hours.

Mike stated that employees can use vacation and sick hours only *after* those hours are incurred.

The last subject brought up was the use of credit cards and how they are to be used. This will be discussed at length at later meetings. Right now, the commissioners are reviewing every High Peaks credit card bill at length.

Randi asked what the policy is for parents of children if the schools/Daycares close because of Covid. Mike will do some checking. There are several rural schools in the county that are already closed.

Sue commented that this strain of Covid (Omnicon) is extremely contagious. If it comes to this again, Jed said that hopefully people can work from home. Paul said that he let his assistant work from home when she was quarantined. The big question is how we deal with the employees with children if the schools and daycare close down.

Sue suggested creating a committee to get a policy in place very soon. Mike would like Betty, Sue, Paul and Randi get together today with him at 3:30 to get this going. They all agreed that they can be here. Sue phoned later to say that this time doesn't work for her after all. This meeting was rescheduled for Tuesday the 25th at 10:30 a.m. Amber suggested that there should be some kind of proof or accountability that people can provide that they were actually "working". Of course, this would differ from department to department.

Recess Commission meeting for Public Hearing

Public Hearing ~ Relocating Precinct 8/Grant Polling Place

A Public Hearing concerning relocating Precinct 8/Grant Polling Place came on at the predetermined time and place pursuant to notice duly given.

A sign in sheet was passed around, a copy of which can be viewed below:

PUBLIC HEARING
Relocating Precinct 8/Grant Polling Place
MONDAY, January 24, 2022 at 10:00 a.m.
In the Commissioners' Room - Beaverhead County
Courthouse

PLEASE PRINT

NAME

Cindy Decker

Tom Rice

Stacey Reynolds

Jed C. Fitch

Scott Marsh

Tracie McDougall

Bev & Michael

Mike McGinley

Cathy Elliott (via phone)

Clerk & Recorder Stacey Reynolds began the discussion. She stated that it has been nearly impossible to get judges signed up for Grant. Now, someone has volunteered to step up to be a judge for Grant even though she does not live in that precinct. Stacey took a road trip out there last week and is proposing that the polling place change from the school to the Fire Hall. It is much more accessible. She has already gotten the "go ahead" from the fire chief BJ Klose.

Jed said that the polling place has been at the school for many years, so if this is passed, Stacey should send out letters to the voters and also will make sure that it is posted clearly so there is no confusion on voting day.

Scott Marsh is attending just out of curiosity. Bev said that there is one potential new judge.

Reconvene Commission meeting

Discussion & Action ~ Appointment to LAC (Local Advisory Council)

A letter of interest has been received from Morgan Bialas. A Consumer position is vacant on the LAC.

Chairman McGinley called for a motion:

MOTION: Commissioner Rice moved and Commissioner McGinley seconded that Morgan Bialas be appointed to the LAC with her term to expire on December 31, 2022. A verbal vote was taken and the motion carried unanimously.

Cindy will send a letter welcoming her aboard.

Discussion & Action ~ Relocating Precinct 8/Grant Polling Place

Clerk & Recorder Stacey Reynolds began the discussion. Graeme said that he would like to see that precinct remain in Grant but be moved to the Fire Hall.

Jed echoed the same and added that even though there are a lot of absentee voters, this polling place should remain physically open in Grant.

Bev commented that this would be more convenient for her as well as the entire community. She has been the Chief Judge for Precinct 8 for 25 years and has always thought that the Fire Hall would be the ideal spot.

After brief discussion, the following motion was made:

MOTION: Commissioner Rice moved and Commissioner McGinley seconded that Precinct 8/Grant Polling Place be relocated to the Fire Hall in Grant and use the School as a backup. A verbal vote was taken and the motion carried unanimously.

Chairman McGinley said that this is local government at its best solving issues together.

Discussion ~ Rattey Family Transfer

Planner Rob Macioroski, Clerk & Recorder Stacey Reynolds, Deputy Clerk & Recorder Tina Caron, County Attorney Jed Fitch, DES Coordinator Tom Wagenknecht and Surveyor Travis Wilson joined the meeting.

Rob Macioroski began the discussion and presented a copy of the Certificate of Survey for the commissioners to review. He stated that the Clerk & Recorder brought this to his attention. He has discussed this with the Tara Deputy from MACo and she said that this should not be approved and Lenegar's should not have been approved either. Much discussion ensued.

Rob stated that there will be another meeting next week about this same issue. Stacey would like the commissioners to set a policy in stone regarding family transfers for her office to follow. Rob concurred that the "nuts and bolts" of family transfers need to be tightened down.

Rob mentioned that Gallatin County has the land owners come in physically and swear that they understand all the rules and answer about 20 questions regarding family transfers. He believes that this is a good idea and would like to implement it in Beaverhead County.

Recess

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

Discussion ~ Presentation from Seitz Insurance – Worker's Compensation

Dave Seitz, Cami Skinner, Jamie Larsen from Seitz Insurance and Montana Insurance Managers Executive Officer Karla Dedman joined the meeting.

Dave began the discussion by stating that he is glad to meet the commissioners in person. He said that the numbers are expected very soon. Cami commented that right now the loss ratio is 9% for Beaverhead County through December. Dave said all indications are there (but he hasn't actually seen the calculations come back yet) that our rates could possibly go down.

Chairman McGinley invited them all back for the Safety Fair in July or August.

Dave said it's nice to put a face to the names, thanked the commissioners and left the meeting.

Discussion ~ Planning Board Presentation of Community Survey on Growth Policy

Planner Rob Macioroski, Planning board member Kelly Rowe, Surveyor Travis Wilson, Planning Board member Rich Lawson, County Attorney Jed Fitch, GIS Coordinator Tracy

Sawyer, DES Coordinator Tom Wagenknecht and Planning Board Chairman Larry Volkening joined the meeting.

Rob began the discussion by stating that the Planning board desires to hear what the commissioners' vision is for Beaverhead County in the next ten years.

Larry handed out a paper he had prepared regarding a comprehensive plan for our county, a copy of which can be viewed below:

What is a Comprehensive Plan?

1. A comprehensive plan for a community, county or specific region which establishes an overall plan and recommended actions relevant to the current and future needs of an area.
2. The Comprehensive Plan is intended to provide an over-all encompassing blueprint for the community, county or region's future.
3. The Comprehensive Plan assesses the current overall status of a community, county or region and helps decision makers support "The 10-to-20-year future needs" of a community, county or region.

How does a Comprehensive Plan work?

A Comprehensive Plan contains the goals and objectives necessary to manage future growth within a community, county or region. The Comprehensive Plan is the guide used by governing bodies in making long- and short-term decisions.

Some examples of typical topics addressed in the Comprehensive Plan are:

1. Quality of life
2. Resource management
3. Community services
4. Land usage
5. Agricultural issues
6. Economic growth
7. Current and future needs for the Health, Safety and Welfare of citizens
8. Long- and short-term infrastructure development

Purpose:

The Comprehensive Plan ensures current and future citizens that decision makers will address their current and future needs within a community, county or region.

Benefits:

The comprehensive plan:

1. Reduces governmental exposure to legal action
2. Increases the opportunity to save money.
3. Improves the quality and compatibility of new development.
4. Enhances citizen involvement in decision making.

Key Element For A Successful Comprehensive Growth Plan.

A Comprehensive Growth Plan must have a component for the local governing body to use when implementing the plan and when addressing issues of concern affecting the community, county or specific region.

He also handed out some of the things that the board has been discussing at their meetings lately, a copy of which can be viewed below:

A work in progress regarding the Beaverhead Comprehensive Growth Plan

In building the 2022 Beaverhead County Comprehensive Growth Plan, meetings by the Beaverhead County Planning Board in the last 18 months have deliberated upon in great deal the following question:

How does Beaverhead County embrace growth with minimal regulations yet keep and maintain the current 'living choices' enjoyed by past and current citizens?

Discussions over the last few months have circled around the following county growth issues:

1. Lack of securing control over septic system placement despite DEQ identified location.
2. Lack of control over well placement despite DEQ identified location.
3. Lack of new rural housing address identification.
4. Lack of purchasing landfill usage permit.
5. Lack of securing 'amiable' positive relationship building between adjacent subdivisions covering such topics as road maintenance, road usage, ingress and egress issues which arise as 'new' adjacent subdivisions are created, etc.
6. Lack of future land planning designations and considerations in the subdivision review identifying best places in locating housing, businesses, public areas within subdivision.
7. Lack of identifying best locations for future infrastructure and utility locations such as windmills and solar, main service roads, etc.
8. Lack of areas identified and designated as future public use areas.
9. Lack of securing and protecting areas suited for agricultural use.
10. Lack of wildlife protection through requirements such as wildlife safe fencing bordering subdivisions.
11. Lack of property owners meeting the intent of the Safe Stocking Rate by using multiple stock pens along with grazing property to bare ground resulting in lack of weed control.
12. Lack of cautionary identification of land not suitable for development and/or with poor or non-existing year-round access.
13. Lack of land type identification as a category in subdivision review to help determine land usage issues such as livestock needs and weed control.
14. Lack of addressing future water concerns covering the need to use a community well in subdivisions.
15. Lack of education and clarification on the role subdivision land and homeowners have in the managing, the maintaining and the responsibilities of an HOA in a subdivision.

Chairman McGinley said that sometimes the answer to some building requests can and should be no. Larry commented that there is a need for consistency but that is difficult since there are so many differing situations. Larry also said that there needs to be some kind of educational outreach. He would like to see some more stringent regulations within subdivision covenants.

Kelly said that the Growth Policy is supposed to be a big blanket that we fit everything under and everything has to tie into it. He is totally opposed to zoning and building permits and always has been. We just don't have the man power in our county to follow through to ensure that it is professionally done.

Mike feels that subdivisions should only be one-acre high density lots because as far as he has seen, every time there is a 20-acre lot, it gets split up in the end.

Larry suggested that there should be something in the Growth Plan stating that if an idea that seems good now isn't such a good idea in 5 or 10 years, it can be changed. The right terminology is important.

Rich feels that there absolutely needs to be more education available to land owners and contractors. Larry said that we can talk about this till we're blue in the face; it is time for action.

The Growth Policy is done every ten years. Rob stated that maybe Jerry Grebance can come in and speak with the group sometime.

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 \$29,901.25, beginning with check #208892 and ending with check #208927. The Invoice Payment Schedule is located in the Financial Administrator's Office.

Public Comments on Subjects Under County Jurisdiction

There were no public comments.

Recess until Wednesday, January 26, 2022

Reconvene ~ WEDNESDAY, JANUARY 26, 2022

Discussion ~ ARPA Funding Jackson/Wisdom Water & Sewer District ~ WWC Engineering

Commissioners Mike McGinley and John Jackson, their assistant Cindy Decker, Dennis Havig representing Wisdom Sewer District, Rick Harwood representing Jackson Water & Sewer, Jeremy Fadness and Shawn Higley from WWC Engineering joined the meeting. Chairman McGinley began the discussion.

He stated that WWC is here basically to speak with the representatives from Jackson and Wisdom Water & Sewer Districts.

Mike turned the meeting over to Mr. Higley who said this is just a preliminary meeting to see if these projects fall under the ARPA funds. He has **preliminary** cost estimates and would like to see how the commissioners want to allocate funds towards each of these projects. We will need to apply to the DNRC to get approval for these so the ARPA forms will need to be signed by the Commissioners. There will also need to be letters of commitment provided from the Commissioners. From there, it's all on online through Submittables and is just a matter of checking boxes. The minimum allocation fund is the HB 632 which needs to be matched at one to one.

Shawn described the three different forms of funding through ARPA:

- 1) A direct allocation from the US Treasury to the communities (Local Fiscal Recovery Funds) or **Tier 1**
- 2) HB 632 is what the State got and split it amongst communities and required a one to one match or **Tier 2**. These funds can be used for Covid relief, broadband or any water/sewer projects that meet Clean Water Act requirements. Chairman McGinley advised that now, it has changed to any small community that received under \$10 million, can use the funds for any governmental purpose.
- 3) Competitive Grant or **Tier 3**

Shawn briefly explained how the ARPA funds work. He gave out the preliminary cost estimate for Jackson and stressed that this is **strictly preliminary**. The total was \$554,545 for Jackson and \$348,350 for Wisdom. Shawn stated that these are safe conservative numbers.

Chairman McGinley reminded everyone that Beaverhead County is committed to help pay the 50% match of the 632 money.

Shawn stated that it would be cleaner if these projects are contracted through the county. Mike asked if money could be set aside to reimburse our Financial Administrator Betty Tinsley to do the grant administration. Shawn replied that yes, that could be included in the funding. The Districts would make all the decisions and then forward the bills to the county to make the payments.

There was discussion regarding the matching funds for each district and how they can come up with that money. There are loans available that was discussed.

Now that a "plan" has been presented we can get the ball rolling.

A letter of commitment needs to be written by the commissioners authorizing the use of the ARPA money to DNRC.

Going forward, we are not going to exceed these preliminary numbers but the numbers may go down. Shawn is hoping that we may go out for bid by the end of this year if everything goes right.

On a side note, Chairman McGinley asked about the situation with the 4H building and the water main. The line is directly under the building and the county is willing to match the City of Dillon funds to put the main line in the midway of the fairgrounds. Mike would like to use 632 funds and asked if WWC would be willing to help us with this. Shawn and Jeremy stated that they are willing to look into this and get back to the commissioners. They will speak with the city contractor.

Shawn mentioned the broad band issue and that a proposal will be coming soon since it is in the funding package. He said that Air Grids needs to submit a proposal.

Adjourn

There being no further business to come before the Board, the meeting was adjourned at 11:20 a.m.

Attest: 
Clerk of the Board

Approved: 
Chairman of the Board