

January 31, 2022 Regular Session of the Beaverhead County Commissioners

The Board of Commissioners, in and for Beaverhead County, Montana, met in session on January 31, 2022 at 9:00 a.m. in the Commissioners' Room of the Beaverhead County Courthouse. Present: Chairman Michael J. McGinley, Commissioner C. Thomas Rice, Commissioner John H. Jackson and their Assistant Cindy Decker.

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 joined the meeting. He stated that the crew fixed some cattle guards. Bob also stated that interviews were conducted and the committee recommends hiring Gene Longie.

MOTION: Commissioner Rice moved and Commissioner Jackson seconded that the Commissioners agree with the hiring committee's recommendation that Gene Longie be hired to fill the vacant Road Mechanic position. A verbal vote was taken and the motion carried unanimously.

He will start on February 7, 2022.

Facilities Manager Chris Booth, County Attorney Jed Fitch, Sheriff Paul Craft, Casey Elliott from the Tribune, GIS Coordinator Tracy Sawyer, Planning Board Chairman Larry Volkening and Planning Board member Ken Scalzone joined the meeting.

Chris stated that he still has not heard back from Johnson Controls but has left him a voicemail this morning. This is for the panel upgrade with the new emergency lights etc.

Paul said that he has been busy doing some interdepartmental reconfigurations as far as equipment and logistics go. He did receive confirmation that the parts for the jail will ship on February 7, 2022. Paul hopes to start that project very soon.

Chairman McGinley stated that the Coroner vacancy will be addressed next Monday. The green suburban (county vehicle) will possibly serve as the Coroner vehicle.

Jed commented that his office is plenty busy. Thorin Giest is on the last of his cases that he took during Jed's absence.

Chairman McGinley commented that the commissioners received a letter regarding skiing in Wisdom. This will be on the agenda next Monday.

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

BEAVERHEAD COUNTY ROAD WORK
January 23rd to January 29th, 2022
Dillon, Lima and Wisdom Areas

DILLON AREA

- Plowed snow on the following areas: Horse Prairie, Scenic Byway, Polaris and Wise River.
- Fixed a cattle guard on Hogsback Road.
- Cleaned a cattle guard on Albers Lane.
- Attended a "One Call" before you dig workshop.
- Road checked Dillon area roads.
- Equipment service and repair.

LIMA AREA

- Attended a "One Call" before you dig workshop.
- Road checked Lima and Dell area roads.
- Equipment service and repair.

WISDOM AREA

- Plowed snow on the following roads: Twin Lakes, Rock Creek, River, Big Lake Creek.
- Attended a "One Call" before you dig workshop.
- Shop cleaning.
- Road checked Jackson and Wisdom area roads.
- Equipment service and repair.

Action on Previous Meeting Minutes

The minutes of the January 24 & 26, 2022 meetings were read and the following motion was made:

MOTION: Commissioner Rice moved and Commissioner Jackson seconded that the minutes of the January 24 & 26, 2022 meetings be approved with changes. A verbal vote was taken and the motion carried unanimously.

Public Comments on Subjects Under County Jurisdiction Not on Agenda**Discussion & Action ~ Rattey Family Transfer**

Planner Rob Macioroski, GIS Coordinator Tracy Sawyer, Surveyor Travis Wilson, Deputy County Attorney Jennifer Morgan, Planning Assistant Rochelle Hoerning, Planning Board Chairman Larry Volkening, Planning Board member Ken Sclazone, DES Coordinator Tom Wagenkecht, Deputy Clerk & Recorder Tina Caron, County Attorney Jed Fitch and Clerk & Recorder Stacey Reynolds joined the meeting.

Rob stated that this was a topic of discussion last week. There have been a few changes since last week. He would like to go ahead and pass this particular transfer but from here on out, there will be some very specific rules and regulations. Chairman McGinley asked if the owners understand that they *cannot* sell this land for at least 18 months to which Rob replied yes, they are aware.

Stacey asked if her office should allow them to do a family transfer exemption on a parcel that is part of a subdivision, because MCA says that you cannot use a family transfer exemption on a parcel that is within a subdivision.

Chairman McGinley said that it doesn't make sense to him how these couple lots that are in a subdivision got more land NOT in the subdivision but became part of those parcels. Rob replied that it was done through a boundary adjustment to which Chairman McGinley said THAT shouldn't happen. Jed said that you can't deny a boundary adjustment but it does create a recipe for problems.

Land Use Attorney Tara Depue advises against passing this. Jed sees her point but does not agree with that. He doesn't see how the commissioners cannot pass this since they just recently passed another one. Until more strict rules are put in place, this should be approved.

Chairman McGinley would like all family transfers to come before the commissioners from here on out.

After brief discussion, the following motion was made:

MOTION: Commissioner Rice moved and Commissioner Jackson seconded that the Rattey Family Transfer be approved.

Chairman McGinley called for more discussion.

Jed stated that there are no specific rules in writing as of yet, so really, there is no choice but to approve this today. Commissioner Jackson said that the only reason he seconded this, is that it is his understanding that much more strict rules will be put in place shortly.

A verbal vote was taken and the motion carried unanimously.

Discussion & Action ~ Review Family Transfer Process

Everyone from the previous agenda item remained in the meeting. Jed presented a document to everyone and began the discussion by stating that this is strictly a DRAFT document in front of the commissioners today. Eric Wendland joined the meeting.

Ken asked if changes are needed, what group would begin with those change? Chairman McGinley replied that it is beginning here at the commissioner's table today. Larry stated that the foundation for this would be the comprehensive plan. Jed referred to the Gallatin county regulations. He stated that this is in front of the commissioners today because really, family transfers only come to the Clerk & Recorder. If someone is avoiding subdivision, then the commissioners should be involved.

Commissioner Rice said that some of the questions don't really seem relevant. Much discussion ensued.

Eric said that he feels that this is a deed encumbrance. Jed disagreed.

Chairman McGinley asked if the commissioners could change the holding time from 18 months to five years. Jed believes that yes; but you'd have to have public hearings. Stacey gave a few examples of other counties' holding times.

Chairman McGinley would like to go through the document piece by piece.

On a side note, Chairman McGinley asked Eric to address the Johnson property for the Planning members present. He does plan to put water/sewer in this summer for the portion that is in the city. There is one buildable site but there are no specific plans right now. The waterway will most likely go to FWP just like Swenson did.

Travis stated that looking from the outside in, this all needs to be tightened up and the commissioners should look at other small or similar size counties and what they do. Everyone concurred and agreed that education is the key. The topic of AG Exemption came up for discussion as well.

No action occurred today.

Discussion ~ Bridge Assessment with Great West Engineering

Public Works Secretary Jamie Flynn, Casey Elliott from the Tribune, Road Supervisor Bob Ferris, Karl Yakavich from Great West Engineering and GIS Coordinator Tracy Sawyer joined the meeting.

Karl began the discussion. The county began the grant so the ball is rolling. He stated that there are two parts; MCEP (Montana Coal Endowment Program) which used to be TSEP (Treasure State Endowment Program) and the Construction Planning Grant.

Chairman McGinley reviewed the last Bridge Assessment done 10 years ago to see which projects have been completed. Out of 19 bridge projects, 15 were completed. Karl stated that the county has made great progress but this is an ongoing process; and MCEP grants are very competitive.

He went over his list with the commissioners. If we are going after an MCEP grant, we should look at the largest bridge projects. Karl shows 30 bridges that would score well with an MCEP grant as far as the structural condition. There were several bridges on his list that have been replaced already, so those were crossed off.

The commissioners will prioritize the top ten bridges to be worked on. Great West will then look at the cost estimates and get back to the commissioners. Karl said that we will develop a 5-year Bridge CIP. The 5 main bridges that need attention are Anderson Lane, Big Swamp Creek, Taylor Creek Road, Lima Dam Road and Bannack Bench Road.

Karl will start preparing the cost estimates for each bridge project and get back to the commissioners.

Recess

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

Discussion & Action ~ Resolution 2022-04 – Changing Precinct 8/Grant Polling Place Location

Clerk & Recorder Stacey Reynolds joined the meeting and began the discussion.

After brief discussion, the following motion was made:

MOTION: Commissioner Jackson moved and Commissioner Rice seconded that Resolution 2022-04 Changing Precinct 8/Grant Polling Place Location to the Grant Fire Hall and that the School be used as a backup. A verbal vote was taken and the motion carried unanimously.

Discussion & Action ~ Robert's Rules of Order

Deputy County Attorney Jennifer Morgan joined the meeting. County Attorney Jed Fitch joined the meeting late.

After brief discussion, the following motion was made:

MOTION: Commissioner Rice moved and Commissioner Jackson seconded that Beaverhead County Board of Commissioners officially adopt the rules contained in the current edition of Robert's Rules of Order Newly Revised. Robert's Rules of Order and any subsequent revisions shall govern the Beaverhead County Board of Commissioners meetings in all cases to which they are applicable and in which they are not inconsistent with any bylaws and any special rules of order the Board of Commissioners may adopt. A verbal vote was taken and the motion carried unanimously.

Chairman McGinley wanted it to be clear that ONLY the Commissioners can put subjects on the Agenda. The secretary must check with the commissioners before anything is put on the Agenda.

Discussion ~ Review of Insurance Agency Service Proposals

Chairman McGinley began the discussion. We have received only two proposals. The process will be as follows:

February 3 – Notification of finalists to be interviewed

February 8 – Oral Interviews

February 14 – Selection of successful agency

Chairman McGinley will ask Betty to be involved in the interviews. Much discussion ensued.

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 \$82,764.59, beginning with check #208928 and ending with check #208969. 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

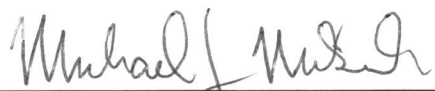
There being no further business to come before the Board, the meeting was adjourned at 5:00 p.m.

Attest:



Clerk of the Board

Approved:



Chairman of the Board