

**PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS**

**OF MINERAL COUNTY, MONTANA**

**Thursday, September 5, 2019**

The Board of County Commissioners of Mineral County, Montana met in regular session on Thursday, September 5, 2019. Present were Board Chair Roman Zylawy, Commissioner Laurie Johnston and Administrative Assistant Dawn Terrill. Commissioner Duane Simons was absent.

Commissioner Zylawy called the meeting to order at 1:00 PM

**MACo**

**Present:** Harold Blattie- MACo

Harold-

- present to give brief overview of MACo history
- states appreciation for Mineral County business
- reviews services provided by MACo
- would like to hear feedback
- asks two questions
  - How did MACo do representing Mineral County at the legislative session
    - Commissioners respond they saw no conflicting presentation
  - Any ideas for workshop topics and methods of presentation would be welcomed
    - none expressed
- reminds the commissioners to let him know if there's anything needed by the county from MACo

Meeting adjourned at 2:00

**The next meeting is Friday, September 6, 2019 in the Commissioners Meeting Room**

Minutes taken by

Dawn Terrill

Mineral County Commissioner's Assistant

**PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS**

**OF MINERAL COUNTY, MONTANA**

**Friday, September 6, 2019**

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, September 6, 2019. Present were Board Chair Roman Zylawy, Commissioner Laurie Johnston and Administrative Assistant Dawn Terrill. Commissioner Duane Simons arrived at 10:00 AM.

Commissioner Zylawy called the meeting to order at 10:00 AM

**Administrative Business:**

**Commissioner Johnston moved and Commissioner Simons seconded to approve claims in the amount of \$49,678.00 with claim numbers 35668 through 35723 and warrant numbers 11149 through 11204 . Motion carried unanimously**

**Commissioner Simons moved and Commissioner Johnston seconded to approve minutes of August 30, 2019. Motion carried unanimously**

**Detention Update:**

**Present:** Ellen Donohue- County Attorney, Dale Magone- Justice of the Peace, Kathleen Brown- District Court, Diane Magone-citizen, Mary Jo Lommen- citizen

Ellen-

- continues working with CCCS, Mike Thatcher; nothing concrete but things continue to look hopeful
- is checking to confirm it is legal for CCCS to run Mineral County Jail; will check the Regional Correctional Facilities Act to confirm

Public-

- based on conversations with people it is believed there is hope because people have indicated they will apply
- would CCS hire locals?
  - Ellen believes so; it is expected that CCS would be temporary to help the jail open and run efficiently and effectively

Ellen –

- summarizes and restates the hope that CCCS will continue to be a viable option for getting the Mineral County Jail re opened and running

The next Detention Update is Friday October 4<sup>th</sup>, 2019 in the Commissioners Meeting from 10:00 AM- 11:00 AM

**Public Comment** : None

**CVA Update:**

**Present:** Jess Schaak- Crime Victim Advocate, Ellen Donohue-County Attorney- via telephone

Jess-

- final dollar amount for the CVA grant that pays Jessica Schaak's position has arrived, though it might see a slight change
  - \$104,690.00 is the amount granted
- Jess's salary and benefits are covered by the amount of the grant and the dollars left over will be used for training and victim needs
- this grant will carry through to June 2021
- plans to attend grant writing training specific to the CVA needs

**West End Fuel Mitigation:**

**Present:** Bruce Charles- citizen, Frank McGee- Volunteer Firefighter/Chairman Board of Trustees, Stacey Neill- Timber Accountant

Bruce-

- asks for fuel mitigation left over funds to be released in order to start work in the West End
- would like to get Stacey Neill to the West End for analysis right away

Stacey-

- believes there is \$6000 left in the fund

Commissioner Johnston states the actual amount left over must be determined before any work is started

Discussion of best practices and changes for the new contract with new money

Commissioner Johnston

- wants to see more fuel mitigation with the money
- wants money earned from sale of mitigated logs put back into the fund

Commissioner Simons-

- believes money from mitigated timber should go to the landowner from whose property the timber was removed

Stacey-

- the contract can be modified to meet the requests of the commissioners

Commissioner Zylawy-

- states Stacey Neill will be paid per project in addition to mileage when analyzing for mitigation

Moving forward, a Fuel Mitigation ad will be placed as a legal notice in the Mineral Independent, with dates to be determined, allowing for a 45 day public comment period for new Title III Fund Expenditures

**Approve School Budget 2019/2020**

**Present:** Mary Yarnall- Treasurer/Superintendent of Schools

**Commissioner Simons motioned and Commissioner Zylawy seconded to approve Mineral County School Districts 2019/2020 budgets. Motion carries unanimously**

**Documents :**

**Budgets Reports for Alberton K-12 ,Superior K-12 and St Regis K-12 Schools Fiscal Year 2020 signed by Commissioner Roman Zylawy**

**WIC Program Satellite Agreement between Sanders County Health Department and Mineral County Health Letter to Department signed by Commissioner Roman Zylawy**

Letter to:

Tash Wisemiller, Community & Economic Vitality Program Manager withdrawing from the award given for Superior Meats signed by Commissioner Roman Zylawy. (Superior Meats opted to go with a different funding option that aligned with the project timeline)

Mineral County Fair Board regarding overpayment for electrical pole installation and hook up

**The next meeting is Friday September 13, 2019 in the Commissioners Meeting Room**

Meeting adjourned at 3:00 PM

Minutes taken by

Dawn Terrill

Mineral County Commissioner's Assistant

**PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS**

**OF MINERAL COUNTY, MONTANA**

**Friday, September 13, 2019**

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, September 13, 2019. Present were Board Chair Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons and Administrative Assistant Dawn Terrill.

Commissioner Zylawy called the meeting to order at 9:00 AM

**Administrative Business:**

Commissioner Johnston moved and Commissioner Zylawy seconded to approve payroll in the amount of \$166,490.93 with warrant numbers 17629 through 17643. Motion carried unanimously

Commissioner Johnston moved and Commissioner Zylawy seconded to approve minutes of September 6, 2019. Motion carried unanimously

Documents:

Letters:

Project: Swamp Eddy; Project Leader Plains/Thompson Fall Ranger District P.O. Box 429 Plains, Montana 59859 signed by Commissioners Zylawy, Johnston and Simons

Agreements:

Task Order 20-07-5-01-031-0 To Mineral County Unified Government Master Contract for the period July 1 2019 to June 30 2026 Maternal and Child Health Block Grant Program signed by Commissioner Zylawy

**Discuss potential DNRC Grant for environmental work at Milwaukee Road –Haugan-Matthew Kent**

Environmental Science Specialist, Montana DEQ

**Present:** Matthew Kent- Environmental Science Specialist, Montana DEQ, Andy Short Environmental Health and Planning, Glenn Koepke- citizen

Matthew:

- asking Commissioners for the county to be the entity signing an application for a Reclamation and Planning Grant at the Old Switching Station at Haugan; the county will have no liability
- there has been very little investigation at this point but it appears there is a thick petroleum product- probably fuel oil-that is a main environmental concern at this time
- EPA looked at this facility in the 80's and felt it wasn't a high priority
- DEQ decided it is high priority in the 90's
- Now trying to get this site cleaned up and looking for a way to fund clean up
- Reclamation and Development Planning Grant by DNRC for \$50,000
- DEQ can't be the applicant
- proposing to apply for this grant with DNCR

Commissioner Simons-

- asks who will be responsible if the site has greater recovery needs than the grant allows/response is the DNRC offers grants up to \$500,000 and that there are other funding sources

Andy-

- if commissioners approve and agree, he will sign the grant
- believes this is a great opportunity at no cost to the county

The Commissioners agree to be the local entity for the DNRC Grant and have Andy Short as the authorized representative to sign and oversee the grant

Matthew-

- deadline for grant submission is October 10
- will proceed with grant writing for the Haugan site

**Public Comment:**

**Present:** Steve Young- St Regis Park Board Chair, Carol Young- citizen, Glenn Koepke- citizen, Denley Loge- State Rep

Steve-

- asks for a wage increase for employee Dan Woodson- seasonal part time employee

Commissioner Zylawy-

- the St Regis Park Board can make that decision, but must do so operating within their budget

Glenn-

- discussion of goals for the park

Denley-

- updating on Idaho- MT border dispute; confirms that the Mineral County argument is correct
- asks if Mineral County is losing PILT money for the 13 acres in the border dispute

Commissioner Johnston-

- suggests a field trip to the disputed area with MDOT and IDOT

## HR Job Description/Details Discussion- Kelann McLees, Kasey Feasel

**Present:** Kasey Feasel- Deputy Clerk and Recorder, Kelann Mclees- Clerk and Recorder, Merry Mueller- Clerk, Ellen Donohue- County Attorney

Kelann-

- asks for clarification of HR duties vs payroll
  - specifically, who will discuss insurance with new hires and who will figure costs of elected extras
  - who completes paperwork
  - is a reorganization letter needed?/response- each department head would do the reorganization letter/commissioners approve the reorganizations
  - does everyone sign?/ response- Ellen thinks not, just department heads
  - concerned having enough employees in the office, worries about election time

Kasey

- would like HR and payroll duties defined
  - define payroll; define HR
- insurance rates- who is responsible?/response- numbers should job of payroll

Commissioner Johnston

- What paperwork for payroll needs to be done?/ response: taking insurance out of paycheck, etc.

Ellen-

- states HR typically does insurance and she believes HR reviewing insurance at the time of orientation seems best
- payroll should continue to figure elected insurance extras that include numbers
- asks what the job descriptions for HR and Clerk and Recorder/Deputy Clerk state

Job descriptions, from MACO but specialized to Mineral County positions, will be sent to Ellen

Merry-

- who does what is being questioned
- changes or updates need to be communicated /response:-a group email, newsletter and webpage will note HR/Safety Coordinator changes

To clarify the changing roles the August 16, 2019 meeting are acknowledged and clarified: Dawn Terrill has been assigned the duties of Human Resources, Safety Coordinator and Commissioner's Administrative Assistant as determined by the Commissioners and will serve 25 hours per week at their direction. Dawn will devote Mondays, Thursdays and Fridays to these duties, though will be available at other times as needed; you can email or call Dawn if another day better meets your needs. Her office is in the corner of the Commissioners Meeting Room. Dawn will serve 15 hours a week as a clerk in the Clerk and Recorder's Office under the direction of the Clerk and Recorder on Tuesdays and Wednesdays, though will maintain a flexible schedule for this office as well. There was no promotion or rate change for these reassignments.

**The next meeting is a special meeting on Monday, September 16 from 10:45 AM – 11:15 AM, in the Commissioners Meeting Room, with Shoshone County Commissioners, via telephone, to continue the Idaho Montana Border Discussion and a regular board meeting on Friday September 20, 2019 in the Commissioners Meeting Room**

Meeting adjourned at 2:30 PM; Commissioner Simons excused himself from the meeting at 12:00 PM

Minutes taken by

Dawn Terrill

Mineral County Commissioner's Assistant

**PROCEEDINGS OF A SPECIAL MEETING**  
**OF MINERAL COUNTY, MONTANA**  
**TO DISCUSS THE IDAHO MONTANA BORDER DISCREPENCY**  
**Monday September 16, 2019**

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, September 16, 2019. Present were Board Chair Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons and Administrative Assistant Dawn Terrill.

Commissioner Zylawy called the meeting to order at 9:00 AM

**Present:** Andy Short- Director of Environmental Health and Planning, Candis Hampton- Environmental Health and Planning Administrative Assistant, Dawn Terrill- Commissioner's Administrative Assistant, Carol Young- Economic Development and Mineral County Resource Coalition , Ellen Donohue-Mineral County Attorney(via teleconference)- Susan Hendrixson (via teleconference)- Department Clerk Shoshone County, Commissioner Jay Huber (via teleconference)-Shoshone County, Commissioner Mike Fitzgerald-(via teleconference)- Shoshone County; Commissioner John Hanson (via teleconference). Steve Young, citizen, joined the meeting at 11:00 AM

Andy-

- introductions
- asks Commissioner Mike Huber if they have any new information

Commissioner Fitzgerald-

- yes, two parts- one being the actual defined border and how to define; the other part is taxable property
  - Idaho department of transportation is forwarding maps; some buildings and parking lot clearly fall on the Montana side
  - asks that Andy send thoughts on what that is exactly and it can they be added to MT taxes and removed from Id

Andy-

- Mineral County has a draft Certificate of Survey completed by Rocky Mountain Surveyors that includes buildings- up to 2005; this draft concurs with BLM description
- Will email a copy to Shoshone

Commissioner Fitzgerald-

- the COS is not an official conclusion by the state or the county

- not saying they definitively know where the border is

Andy-

- asks if tax commission will rely on the COS and BLM document

Commissioner Fitzgerald-

- tax assessor said - what's in your half is yours and what's in our half is ours- you'll be adding stuff, we'll be subtracting stuff
- not sure where the border discussion belongs, but from an operational standpoint, assess what's on the ground, get an agreement to fix these issues; if a building is in MT, you should have it written up in yours- hopefully easily identifiable concerning buildings; operationally how do we do the tax role? response: no answer
- send information and Shoshone will do what can be done to be operational- then will involve assessor

Andy-

- any Forest Service monies that would be affected by a border change?/response: unlikely
- maybe if FS receives pressure from Mineral and Shoshone Counties perhaps monuments could be set and be done with it

The COS and BLM document will be sent by Andy and will be reviewed by Shoshone, at which time they will contact Andy and the next meeting will be scheduled; Andy suggests a month.

Ellen-

- when did we realize this may be a problem? /response: before 2005; draft survey then done
- confirming MC has been persistent in letting Shoshone know of the problem and concerns
- making sure Doctrine of Acquiescence won't rule- the only issue of concern

Commissioner Zylawy-

- because the ski area may be growing, it's important to get this dispute settled
- no one acquiesced at all- check road maintenance and the division of maintenance between MDOT & IDOT

Efforts to resolve the border issue were reviewed

Meeting adjourned at 11:10 AM

The next meeting will be set at a later date

Minutes taken by

Dawn Terrill

Mineral County Commissioner's Assistant

**PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS  
OF MINERAL COUNTY, MONTANA**

**Friday, September 20, 2019**

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, September 20, 2019. Present were Board Chair Roman Zylawy, Commissioner Laurie Johnston and Administrative Assistant Dawn Terrill. Commissioner Duane Simons was absent.

Commissioner Zylawy called the meeting to order at 10:00 AM

**Administrative Business:**

**Commissioner Johnston moved and Commissioner Zylawy seconded to approve claims paid on September 20, 2019 in the amount of \$158,953.43 with claim numbers 35724 through 35850 and warrant numbers 11205 through 11331 . Motion carried unanimously**

**Commissioner Johnston moved and Commissioner Zylawy seconded to approve minutes of September 13th and 16th, 2019 with changes. Motion carried unanimously**

**Documents:**

**Modification of Grant Agreement 16-RO-11011600-048 Cedar Creek Road Reconstruction signed by Commissioner Zylawy and Johnston; Commissioner signed on 9/23/2019**

**Records Destruction Document (RM88), Mineral County Clerk and Recorder, signed by Commissioner Zylawy**

**Records Retention and permission to destroy**

**Present:** Kelann McLees- Clerk and Recorder

- requests permission to rid the election storage room of outdated materials that are allowable for destruction according to the records retention schedule

Commissioners approve destruction of outdated material as allowed by law

**Public Comment - NONE**

**Personnel Insurance Discussion- Closed Session**

**The board went into closed session to discuss a personnel insurance issue. The closed session began at 2:30 pm and ended at 3:45 pm. Minutes were reviewed and approved. Minutes sealed and delivered to the County Attorney and will be mailed, as requested, to the party involved.**

**The next regular meeting will be Friday, Sept 27, 2019 in the Commissioners Meeting Room**

Meeting adjourned at 4:00 PM

Minutes taken by

Dawn Terrill

Mineral County Commissioner's Assistant

PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS

OF MINERAL COUNTY, MONTANA

Friday, September 27, 2019

**Sunrise Salvage Forest Service Field Trip:**

**Present:** Commissioner Laurie Johnston, Commissioner Duane Simons, Representative Denley Loge, Erik Tomasik-Forest Service and Carole Johnson-Forest Service; Commissioner Roman Zylawy was absent.

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, September 27, 2019. Present were Board Chair Roman Zylawy, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill.

Commissioner Zylawy called the meeting to order at 1:30 PM

**Public Comment: None**

**Board of Health Meeting:**

See Candis Hampton id Environmental Health and Planning for minutes

**Superior District TV Budget-Funds Overage- Action Item**

**Present:** Tim Read-Superior TV Board Chair, Kelly Dillon TV Board Member, Glenn Koepke-citizen

Tim:

- asks for additional funds to cover present current overage
  - the original estimate for upgrading the tv equipment was \$33,000
  - because of unforeseen glitches, the cost increased to \$35,000 and upward to \$45,381.40
  - \$45,381.40 is over the current available funds by \$1,434.64
- the Superior TV District proposes additional funding to cover overage and the anticipated costs of the Channel 8 upgrade for the transmitter and two new antennas
- the Superior TV District will reimburse the funds once the next available taxes have been collected

**Commissioner Zylawy moved and Commissioner Johnston seconded to approve paying the balance of \$1434.64 for the Superior TV District which is to be reimbursed to the county when the next available taxes have been collected. Motion carries unanimously**

**Administrative Business:**

Commissioner Johnston moved and Commissioner Zylawy seconded to approve payroll paid on September 23, 2019 in the amount of \$94,853.94 with check numbers 17644 through 17653. Motion carried unanimously

Commissioner Johnston moved and Commissioner Zylawy seconded to approve minutes of September 20, 2019 with changes. Motion carried unanimously

Documents: NONE

Letters:

To: Michelle McNamee, State Trails Coordinator, asking to revert the 2016 RTP funds; signed by Roman

Agreements: NONE

Commissioner Duane Simons excused himself from the meeting at 12:00 PM

**The next regular meeting will be Thursday, October 3 if business so dictates and Friday, Oct 4, 2019 in the Commissioners Meeting Room**

Meeting adjourned at 4:00 PM

Minutes taken by

Dawn Terrill

Mineral County Commissioner's Assistant