

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

Thursday, July 2, 2020

The Board of County Commissioners of Mineral County, Montana met in regular session on Thursday, July 3, 2020. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill. Commissioner Duane Simons was absent

Commissioner Roman Zylawy called the meeting to order at 9:30 AM

Office Staffing-

Present: via teleconferencing were Mary Yarnall- Treasurer and Ellen Donohue- County Attorney

Mary-

- informs that she has an illness and is unable to be in the office and will need additional office staff

Commissioner Zylawy inquires about the third employee taking additional hours/Response is that's not an option

Commissioner Zylawy asks for the treasurer for her recommendation/request

Commissioner Johnston suggests returning to appointment only as was done during the COVID 19 shutdown

Ellen-

- asks if a county part - time employee might help with tasks but supports the idea of the office being open for appointment only

Agreement for the treasurer's office to work by appointment is reached. Ellen will make a statement/sign to let the public know of the office operating by appointment only. This information will be posted on FaceBook, the Webpage, and the front door.

COPS Grant Discussion

Present: Jess Schaak- Crime Victim Advocate, Mike Boone-Sheriff, via teleconferencing: Ellen Donohue-County Attorney

Jess-

- this is a three-year grant, offering up to \$125,000; the sheriff's office asked the -grant to pay the full cost of an officer which would include salary and fringe benefits, clothing allowance, shift differential and holiday pay
- because of the request, \$223,00.00 was awarded
- the grant requires a commitment to keep the officer hired for one year at the end, with the total cost being paid by the county
- must be an entry - level officer
- the focus of the grant is community policing; combatting violent crime
- the grant starts July 1, 2020, ending June 2023; financials are due every three months, reimbursement is quarterly, and a status report is to be turned in every six months

Reporting designation is to be determined

Board of Health Meeting

See Commissioners' Assistant for minutes

Public Comment

No comment was received

Administrative Business

Commissioner Johnston moved and Commissioner Zylawy seconded to approve payroll paid on July 3, 2020, for the amount of \$ 140,345.43 with check numbers 17897 through 17909 and electronic check numbers 69753 through 69813. Check# 17905 is void due to printer error. Motion carried unanimously.

Commissioner Johnston moved and Commissioner Zylawy seconded to approve minutes of June 26, 2020, with change. Motion carried unanimously.

Documents signed:

There were no documents signed

Meeting adjourned at 2:00 PM

The next regular meeting will be Friday, July 10, 2020, in the Commissioners Meeting Room

Minutes were taken by

Dawn Terrill

Mineral County Commissioners' Assistant

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

Friday, July 10, 2020

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, July 10, 2020. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill. Commissioner Duane Simons was absent

Commissioner Roman Zylawy called the meeting to order at 9:30 AM

Office Staffing Discussion

Present- Mary Yarnall- Treasurer, via teleconference Ellen Donohue- County Attorney

Mary-

- requests approval to advertise for hiring a new employee
- requests the position be full time

Preliminary Budgets will be discussed on Friday, July 17, 2020 and full or part time can be discussed at that time. Commissioners approve placing an ad for the position. HR will place the ad in the Mineral Independent on Monday, July 19, 2020.

Airport Hangar Purchase

Present- Steve Temple- Airport Board

As previously approved, Commissioner Johnston moved and Commissioner Zylawy seconded to approve purchase agreement for the purchase of the airport hangar and cancel the underlying ground lease with Ernie Hutton. Motion carried unanimously

Board of Health Meeting

See Commissioners' Assistant for minutes

Public Comment

Present: Ernie Ornelas- Undersheriff, Ellen Donohue- County Attorney, Deb Jackson-Deputy County Attorney, community members Kathy Verley, Anita Parkin, Frank Magee, Brandy Taylor, Riley Taylor, Philip Taylor, Shawn Cielke, Amy English, Keanan Taylor, C Isaiah Guffey, M. Coleman, B. Moree, Lauren

Hunt, Tom Olding, Milt Pearce, Tyler Cheesman, Ryan Funk (deputy), Pat Nobles (deputy) Tim Palmer, Donna Ruehn, Julie Prater, Katherine Mears, Kirk Bruce, Gayle Bruce, Brandon sand Becky Holloron, Sonny Capece US Congress, Ron Stortz, Jason Maxwell, Angela Marack, Lynnee Maillet, Devin Hughes, Daniel Ruiz, Wayne Ishler, Kim Mitchell, Linda Christofferson, Lisa Ishler, Mary Furlong, Lauren Athim, Patti Pickering, Gina Perier, MM, Tenna Yulana, Jill Davis, Monte Turner

Comments and discussion ensued with concerns and questions regarding election verses appointment of a new sheriff.

Another meeting is scheduled for July 24, 2020, 1:15 PM – 1:45 PM. Should new information come to the forefront, a special meeting will be scheduled, consideration for COVID guidelines will need to be followed. An evening meeting is to be considered

Holiday Pay Discussion

Present: Ellen Donohue- County Attorney, Deb Jackson-County Attorney, Monte Turner- resident, Steve Temple- Fire Chief, Deb Jackson- County Attorney, Jess Schaak-CVA, Patti Curtin-CVA, Patrick Nobles, Deputy, Ryan Funke- Deputy, Micah Allard-Deputy

Ryan-

- asks that the new holiday pay rulings be revisited:

To align with State Law and County Policy holiday benefits shall not exceed eight hours. Employees who work on the day a holiday is observed shall be paid for all hours worked. If banked holidays cannot be taken within three months the employee will receive pay at the regular rate for those hours.

Ellen-

- suggests needing a legal opinion on the change and determines that the holiday pay should be paid as it has been for the last 6-12 months until she can research the issue

The commissioners and deputies agree to the County Attorney's suggestions

Administrative Business

Commissioner Johnston moved and Commissioner Zylawy seconded to approve claims paid on July 10, 2020, for the amount of \$284,521.10 with claim numbers 36999 through 37048 and warrant numbers 12496 through 12545. Motion carried unanimously

Commissioner Johnston moved and Commissioner Zylawy seconded to approve minutes of July 2, 2020. Motion carried unanimously

Documents signed:

Interlocal Agreement Between Mineral County and the Town of Alberton, Montana to provide City Court Facilities and Services, signed by Commissioner Zylawy

Health Department Contract, signed by Commissioner Zylawy

Meeting adjourned at 5:00 PM

The next regular meeting will be Friday, July 17, 2020, in the Commissioners Meeting Room

Minutes were taken by

Dawn Terrill

Mineral County Commissioners' Assistant

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

Friday, July 17, 2020

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, July 17, 2020. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill. Commissioner Duane Simons was absent

Commissioner Roman Zylawy called the meeting to order at 8:00 AM

The Board met with Jessica Connolly and the Department Heads to discuss the Preliminary Budgets for FY 2020/2021. Jessica stated the wage increase right now is with a .53 cent increase for each employee. Jessica reviewed cash, revenue, expenditures and payroll with the following:

Present: Jessica Connelly-Finance Consultant, Jason McLees- Road Foreman, Ellen Donohue- County Attorney, Barb Jasper- Mineral County Health Department, April Quinlan- Mineral County Health Department, Emily Park-MSU Extension, Dave Brink-Weed/Extension, Kasey Feasel- Deputy Clerk and Recorder, Dale Magone- Justice of the Peace, Kim Taron Justice Clerk, Carole Johnson- Fair Board, Guna Chaberek- Library, Ernie Ornelas- Undersheriff, Joel Skinner- Maintenance, Steve Young- St. Regis Parks, Kathleen Brown- District Court, Jaime Talbot- District Court Clerk, Claudia Boyer- Treasure's Deputy, Patti Curtin-CVA, Monte Turner- resident, Rick Miller- resident, Denley Loge-resident, Gloris Castles- resident

Each Department presented a proposal for their upcoming budgets; Jessica and each Department discussed their proposals and will continue with the final budget after review

Public Comment

Present: Gloris Castles- resident, Randy and Kim Mitchell- resident, Dale Magone- Justice of the Peace, Tyler VanTessel- resident, Scott VanTessel- resident, Monte Turner- reporter, David Mirisch- resident, Denley Loge- resident, Brendon and Becky Holloran- residents

Comments from the public:

- unable to reach Sheriff Boone
- questioning if Sheriff Boone is going to change his date of resignation/ Response- no
- inquiry for clarification of resignation/ Response: one recorded resignation with resignation date of August 1, 2020
- asking for explanation of “first resignation”/Response: a letter came to HR which was not deemed a resignation; it was not dated, it was not addressed to anyone and it did not indicate it was from the sheriff, thus not considered a resignation
- requesting the replacement of the sheriff by election
- asking the role of the community in the appointment
- expresses the desire to know the applicants/Response- not appropriate at this time
- asking about possible question and answer session with the community and the applicants/Response- that could be considered, but it is not a promised action

Commissioner Zylawy explained the process is dictated by law according to circumstances. Given the resignation date of August 1 a replacement must be appointed by the commissioners, there is not an option for election.

Administrative Business

Commissioner Johnston moved and Commissioner Zylawy seconded to approve payroll paid on July 17, 2020, for the amount of \$ 89,525.14 with check numbers 17910 through 17918 and electronic check numbers 69691 through 69751. Motion carried unanimously.

Commissioner Johnston moved and Commissioner Zylawy seconded to approve minutes of July 2, and July 10, 2020 with changes. Motion carried unanimously

Documents signed:

Interlocal Agreement Between Mineral County and the Town of Superior, MT, Montana to provide City Court Facilities and Services, signed by Commissioner Zylawy

School Nurse and Supplemental Education Contract between Mineral County and Alberton, signed by Commissioner Zylawy

HOME program Income Quarterly Reporting Form for the 2nd quarter 2020, signed by Commissioner Zylawy

Vendor Invoice to State of MT DNRC for Milwaukee Road -Haugan, signed by Commissioner Zylawy

Law Enforcement Services Interlocal Agreement between Mineral County and town of Superior, signed by Commissioner Zylawy

Meeting adjourned at 5:00 PM

The next regular meeting will be Friday, July 24, 2020, in the Commissioners Meeting Room

**Minutes were taken by
Dawn Terrill
Mineral County Commissioners' Assistant**

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

Friday July 24, 2020

The Board of County Commissioners of Mineral County, Montana met on Friday, July 24, 2020. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill.

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

Budget Discussion

Present: Andy Short - Planning and Environmental Health

Andy presented his budget requests

Board of Health Meeting

See Commissioners' Assistant for minutes

Car Abandonment Follow-Up

Present: Debra Jackson, Deputy County Attorney

Deb-

- explains the law regarding abandoned cars and the steps to take for auctioning those vehicles
- will calculate storage fees to go to publication
- offers to write policy and procedures for future abandoned vehicles/Response- yes, please
- will keep the commissioners and sheriff informed as the process moves along

Public Comment

Present: Patti Curtin- citizen, Brandon Holloron-citizen, Mitchell-citizen, Mike Curtin-citizen, Rebecca Holloron-citizen, J McLees-citizen, Ron Stortz-Planning Board

Comments-

- Commissioner Simons is asked about his part- time job as commissioner
- suggests alternatives to the present commissioners
- literature has been brought to the meeting regarding the rules of recall

Sheriff Update:

Present: Norman Naef- citizen, Julie Prater-citizen, Wayne Cashman-citizen, Wayne Cashman III- citizen, Ron Stortz- citizen, Gina Pereirer- citizen, Jason Maxwell- citizen, Angela Mauer- citizen, Brandy Taylor-citizen, Mitchell-citizen, Holloron- citizen, Tim Palmer-citizen, Tyler Cheesman-citizen, Rick Kulawinski-citizen, Charles Goss-citizen, Patti Curtin- CVA, Mike Curtin-citizen, Pat Metzger-citizen, Angela Parkin-SAAS, Sharon Patterson-citizen, Malinda Steinbach-citizen, Kevin Manahan- supervisor, Gayle Brua-citizen, Kirk Bruce- citizen, Ryan Funke-Deputy Sheriff

- inquiry regarding the process of appointing a new sheriff/Response: Commissioner Zylawy explains the process according to law
- inquiry about the lack of a special evening meeting/Response: Commissioner Zylawy explains there is no new information or a change in the law that warrant a special evening meeting
- concerns are voiced for the process and the ability of the commissioners to exercise good judgment with this appointment without the public's input / Response: Commissioner Zylawy tells the categories the commissioners will use to determine final candidates, and shares copies with the public. Commissioner Zylawy encourages the public to voice additions to the list they have devised
- requests for the public to complete the vetting process on each candidate/Response- it is inappropriate that the public is involved in the vetting process

The top candidates will be rated according to the following categories:

- Law Enforcement Experience
- Versatility in Law Enforcement
- Law Familiarity
- Public Service Experience
- Operational Knowledge
- Budget expertise concerning operations
- Ability to manage resources
- Leadership experience
- Communications training/experience

The meeting is ended to allow for the next scheduled meeting

B and S Minor Final Plat Approval- Action Item

Present: Candis Hampton- Environmental Health and Planning Assistant

Commissioner Zylawy moved and Commissioner Johnston seconded to approve the Final Plat of B and S Minor- Minor Subdivision. Motion carried unanimously.

Administrative Business:

Commissioner Johnston moved and Commissioner Zylawy seconded to approve claims paid on July 24, 2020, for the amount of \$311,8.72 with claim numbers 37049 through 370498 and warrant numbers 12456 through 12595. Motion carried unanimously

Commissioner Johnston moved and Commissioner Zylawy seconded to approve minutes of July 17, 2020, with said changes. Motion carried unanimously

Meeting adjourned at 2:30 PM

The next regular meeting will be Friday, July 31, 2020, in the Commissioners Meeting Room

Minutes were taken by

Dawn Terrill

Mineral County Commissioners' Assistant

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

Monday, July 28, 2020

The Board of County Commissioners of Mineral County, Montana met on Monday, July 28, 2020, for a Zoom meeting with an MDT update. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, Commissioner Laurie Johnston, Denley Loge, HD 14 rep., and Jason McLees Road Supervisor. Present via Zoom from MDT were Jacquelyn Smith, Ben Nunnallee, Steve Felix, John Schmidt, Robert Bossen, and Darrell Williams.

The meeting started at 11:00 am. The following was discussed:

- Jacquelyn projected a map of all engineering projects slated for Mineral County. Ben Nunnallee went through and explained each project
- Steve Felix went through the maintenance projects for Mineral County
- discussed the right-of-way in St. Regis and why MDT quit maintaining it. MDT stated their records show they do not own the right-of-way. Looking into a way to find common ground and share maintenance
- discussed the on-ramp in Superior and the possibility of building another on ramp at Cedar Creek turn off
- discussed the underpass at Riverbend and the limited access
- discussed Safety funds to address installing new guard rails on Mullan Road East

The meeting was adjourned at 12:02

Conference Call with Sanders County

Present were Commissioner Zylawy and Commissioner Johnston. Present via phone were Tony Cox, Sanders County Commissioner, Carol Brooker, Sanders County Commissioner, Jennifer Ekberg, Executive Assistant, Katy Conlin, Receptionist, Jason Peterson, County Refuse Dist. Supervisor, Shawna Chenoweth Detention/Dispatch Supervisor, Tom Rummel, Sheriff

- discussed the Care of Prisoners and the contract between Sanders and Mineral County; Sanders County is asking for a renewal contract with \$90 per day/per inmate because it is creating extra work; asking for the prisoners being released be transported back immediately
- Sanders County is getting residents from Mineral County dumping their garbage in their refuse containers; voiced their concerns of not being able to keep up with the added amount; they will be monitoring their sites for Sanders County residents only; asked Mineral County Commissioners to place an ad in the local paper giving Republic's contact information and that Sanders County will no longer be accepting garbage from Mineral County.

The meeting adjourned at 1:40 pm.

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

Friday, July 31, 2020

The Board of County Commissioners of Mineral County, Montana met in regular session on Friday, July 31, 2020. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, Commissioner Laurie Johnston. Administrative Assistant Dawn Terrill came in for Public Comment and Sheriff appointment.

Commissioner Zylawy called the meeting to order at 9:05 am.

Forest Service Update

Present: Eric Tomasik, Ninemile District Ranger, Carole Johnson, Superior District Ranger and Denley Loge, HD 14 rep.

Eric gave the following updates:

- lawsuits filed on Soldier Butler Timber Sale
- two more FOIAs on the Frenchtown Face timber sale pertaining to roads
- two sales on the Soldier Butler is almost ready to go out for sale
- two sales on Stark Contrast Timber sale sold
- trail crew are doing some trail clearing in the Great Burn area

Carole gave the following updates:

- campgrounds and diverse sights have been busy
- increase recreation from the eastern US
- Murphy Creek recreation site is moving along
- will be starting on the Thompson Creek trailhead relocation
- she hiked in with members of Wilderness Society and Great Burn Alliance to address issues with hiker/goat conflicts and sanitation problems around Heart Lake
- Quartz Flat rest area will be going through a complete reconstruction
- 30-day comment period on Redd Bull timber sale was extended 30 days due to a glitch in the website
- Working on the decision for Cruzanne timber sale
- having a planning meeting with Pat Partika and Heather Berman for Superior North timber sale
- Alex Witcum who replaced Wanda Smith will be starting soon
- 10-12 active timber sales with a lot of road work going on
- Fire module in Arizona, one in Miles City and one in California
- has a concern for fire activity on logging projects

- requested funding for Federal law enforcement to patrol areas for fire and other activities
- more mining operation plans for Big Creek and Deep Creek off of Trout Creek

Holiday Pay Discussion

Postponed as Ellen is still gathering information

Drug Dog Discussion

The Commissioners discussed:

- Montana Highway Patrol is interested in purchasing the Mineral County drug dog; offered \$3500
- felt it was beneficial to sell it
- an ad will be placed where the sheriff feels it would be most beneficial

Commissioner Simons moved and Commissioner Johnston seconded a motion to sell the Mineral County drug dog to the highest bidder. Motion carries unanimously.

Public Comment

Present: Denley Loge, HD 14 rep., Linda Christofferson, citizen, Linda Vigue, citizen, Brandon Holloron, citizen, Randy Mitchell & wife, citizens, Patti Curtin, CVA, Tom Heacock, citizen, Monte Turner, Mineral Independent, Abby Kirchner, citizen

The public commented and asked questions on the Commissioner's upcoming appointment for sheriff.

Sheriff Appointment

Present: Linda Christofferson, citizen, Abby Kirchner, visitor, Hotchkiss, citizen, Becky Holloron, citizen, Brandon Holloron, Mrs. Mitchell, citizen, Linda Vigue, citizen, Mike Curtin, citizen, Monte Turner, Mineral Independent, David Mirisch, citizen, Tyler Cheeseman, St. Regis School Councilor, Calvin Berry, Superior Fire Dept., Shawn Smalley, MHP, Dale Magone, Justice of the Peace, Anita Parkin, Superior Ambulance, Patrick Metzger, Superior Ambulance, Donna Rickter, West End Fire Dept., Ryan Funke, Deputy

There was considerable discussion on who the Commissioners should appoint for the sheriff's position. Commissioner Johnston discussed her reasons for appointing Wayne Cashman and Commissioner Simons discussed his reasons for appointing Mike Toth. Ellen Donohue, County Attorney, sent an email stating a 60-day residency requirement for appointment.

Commissioner Simons moved to appoint Mike Toth as Sheriff. Commissioner Johnston stated because of the possibility of a question in Wayne Cashman's residency she would second Commissioner Simon's motion to appoint Mike Toth as Mineral County Sheriff. Motion carried unanimously after further discussion.

Administrative Business:

Commissioner Johnston moved and Commissioner Simons seconded to approve payroll paid on July 31, 2020, for the amount of \$ 99408.53 with check numbers 17919 through 17926 and electronic check numbers 69630 through 6960. Motion carried unanimously.

Documents signed:

Healthy Mothers, Healthy Babies -MT (HMHV) Project Agreement MOU Grant for \$5000, signed by Commissioner Zylawy

Meeting adjourned at 5:00 PM

The next regular meeting will be Friday, August 7, 2020, in the Commissioners Meeting Room

