

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

**Friday, August 6, 2021**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 6, 2021. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill. Commissioner Laurie Johnston was absent. Videotaping the meeting was Mary Furlong.

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

**Sheriff Toth:**

- Still negotiating with the US Marshalls for daily rate and rate for transporting prisoners
- Requests the commissioners' room an a regularly scheduled meeting day/Response: yes

**Public Comment**

There were no comments taken

**Administrative Business**

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve claims paid on August 6, 2021, for the amount of \$60,155.28 with claim numbers 38801 through 38875 and warrant numbers 14341 through 14387. Liabilities totaled \$79,976.82 with electronic check number 67946 and check numbers 18355 through 18358. Check numbers 18359 through 18363 are void due to printing errors. Motion carried unanimously.**

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve minutes of July 23, 2021, and July 30, 2021. Motion carried unanimously.**

**Documents signed:**

There were no documents signed

**Meeting adjourned at 12:10 PM**

**The next regular meeting will be Friday, August 13, 2021, 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, August 13, 2021**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 13, 2021. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill. Videotaping the meeting was Mary Furlong.

Commissioner Roman Zylawy called the meeting to order at 9:00 A.M.

**2021 Sanding Material Bid Opening and Award-** Jason McLees-

**Present:** Jason McLees- Road Foreman, Mike Raether- citizen

Jason:

- states there is one bid and proceeds to open and read the bid aloud

MIH Construction	\$6.25 per yard from Dry Creek Pit for 2500 yards/ total \$15,625.00 to be stored and stockpiled by October 15, 2021
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Jason recommends accepting the MIH Contracting bid of \$ 15,625.00

**Commissioner Johnston moved, and Commissioner Simons seconded to accept MIH Construction's bid for sanding gravel for \$15, 625.00**

**Public Comment**

**Present:** Mike Raether- citizen, David Mirisch, citizen

David gave updates on the success of the Fair parade, the desire of some for the RailTrain, and the progress of the skate park which is due to open in October. David reports that the building of the pool is \$2,000,000.00 short

**HealthCare Trust Update and Renewal, Benefits Review, and Wellness Screening-** Pam Walling and Sandra Marks- MACo (Montana Association of Counties), Kelann McLees- Clerk and Recorder

Pam and Sandra are present to introduce Sandra to Commissioner Simons. Pam asks if the county has any issues with MACo insurance- there are none.

Pam states the Employee Eligibility Form needs to be updated to match Mineral County Policy and Procedure Policy; the commissioners sign the new form making the hours for eligibility (30 hours) match the policy. There is one employee to be grandfathered in (for receiving benefits working less than thirty hours).

The Commissioners' Assistant will provide documentation showing the date and the circumstances allowing this deviation. (Minutes and a signed letter to the employee stating continued insurance coverage at the time of lowering the hours worked due to budgetary reasons).

Pam and Sandra will work with the Commissioners' Assistant to determine a date for the Wellness Blood Draw.

### **Administrative Business**

**Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll paid on August 6, 2021, for the amount of \$96,189.74 with check numbers 18364 through 18375 with electronic check numbers 67877 through 67945; liability check numbers 18359 through 18363 are void due to misprint. Check numbers 18359 through 18363 are void due to printing errors. Motion carried unanimously.**

**Commissioner Simons moved, and Commissioner Johnston seconded to approve minutes of August 6, 2021. Motion carried unanimously.**

### **Documents signed:**

Road Project Agreement between Mineral County and the USDA Forest Service, Lolo National Forest Agreement #21-RO-11011600-057 effective until August 01, 2026; signed by Commissioners Johnston, Simons, and Zylawy.

County Superintendent of Schools Agreement between Mineral County, State of Montana, and Donald Paul Almquest, effective until June 30, 2022; signed by Commissioner Zylawy.

### **Meeting adjourned at 12:30 PM**

**The next regular meeting will be Friday, August 20, 2021, 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, August 20, 2021**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 20, 2021. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill. Videotaping the morning meeting were Patti Curtin and Ellen Donohue; afternoon videotaping was Mary Furlong.

Commissioner Roman Zylawy called the meeting to order at 9:00 A.M.

**Forest Service Update-** Carole Johnson- Superior District Ranger, Eric Tomasik – Ninemile District Ranger

**Present:** Carole Johnson- Superior District Ranger, Eric Tomasik – Ninemile District Ranger, Clint Der-citizen, Mike Raether- citizen, David Hannah- citizen, Randy Mitchell-citizen, Kim Mitchell-citizen, arriving late were Bobby Carroll- citizen and Mike Toth- Sheriff

Eric-

- West Fork Fish Creek Bridge got put in
- 5 groups filed objections to SawMill Petty
- Soldier's Butler decision should be signed in a few weeks

Eric is leaving his position as Ninemile District Ranger in late August or very early September

Carole-

- it's the end of camping season, it's been a good year for visitation
- the reservation system brought in the highest occupancy/ Citizen asks for an explanation of the reservation system; Carole explained the online system for reserving a campsite
- Savanac has been selected by Great American Outdoor Act to receive a new water and sewer system along with a furnace replacement
- the bid opening for Cruz Anne will open on August 24, 2021
- a unit or two from Deep Jam has fir beetle
- the last fire was a 7-acre lightning caused fire
- Forest Service Offices are still closed due to COVID; a doorbell alerting staff to their presence gets their needs met
- received a request from the US Fish and Wildlife Service wanting to look at a couple areas for release of grizzly bears; CC Divide and Breen Creek (upper 12 mile); Carole asked for those to be taken off the list- CC Divide has a lot of human traffic activity; voices concern that requests like this will keep coming in

Commissioner Johnston reminded that the commissioners signed a resolution in 2013 or 2014 that they need to be contacted for such matters

Commissioner Simons tells that his concern is US Fish and Wildlife Service will not listen to the public as they did not listen to the public regarding wolves.

Discussion ensues from the public regarding grizzly relocation; Carole has no more information than the request

Commissioner Simons asks about the name South Side Cut Off Rd and the confusion with Southside Rd and requests a name change for South Side Cut Off Rd; suggests Mill Creek Spur/ Response: Carole will take care of this

### **Sheriff Toth**

**Present:** Clint Der- citizen, Mike Raether- citizen, David Hannah- citizen, Randy Mitchell-citizen, Kim Mitchell-citizen, Melanie Batt – County Attorney’s Office, Andy Short- Environmental Health and Planning Director, arriving late were Bobby Carroll- citizen and Mike Toth- Sheriff

Mike-

- tells that the radio backup system goes down every night at 5:30 P.M.
  - shows a proposal from Stine for back up for \$15,000.00
  - will continue talking to Stine and return to the commissioners
- tells that he needs an administrative assistant
- requests an Administrative Assistant Position Response / Commissioner Johnston states the need to wait for a final budget
- tells about the 911 system installation

Citizen asks about Stonegarden and the sheriff explained the grant

### **Request to create an account funded by COVID vaccine billing to be used for COVID response- supplies, travel, payroll, etc. Action Item-Jenn Donovan- Health Department**

**Present:** Clint Der- citizen, Mike Raether- citizen, David Hannah- citizen, Randy Mitchell-citizen, Kim Mitchell-citizen

Jenn-

- explained billing for the administrative fee for the COVID vaccination
  - would like to create a new fund for the administrative fees collected to pay for covid related items
  - estimates bringing in \$20,000.00 to new the fund

The Commissioners tell Jenn they will ask the accountant and will get back to her.

A citizen questions about billing for the vaccination when the government pays for the vaccination

Jenn explains that it is standard practice to bill for the administration fee; if a person wants to provide health insurance information the Health Department will bill the insurance for the administration fee, if they don’t want to provide insurance information there is no administration fee charged.

## **Public Comment**

**Present:** David Mirisch- citizen, Mike Toth- Sheriff

David-

- tells the car club is sending checks of \$600.00 to six students for scholarships; one student from each school and two from one school
- the upcoming golf tournament has 15 teams and is looking for two more teams
- a new flag pole is being placed at the hospital

## **Final Budget Meetings**

**Present:** Jessica Connolly- CPA, Mike Toth- Sheriff, entering later was Andy Short- Environmental Health and Planning Director, Ellen Donohue- County Attorney, Melanie Batt- County Attorney's Office, Kelann McLees- Clerk and Recorder, Norm Naef- Maintenance Director, and via teleconference Jenn Donovan- Health Department Director

Commissioner Zylawy asks if Jenn (Health Department Director) could start a new fund for COVID monies (insurance payments for administration of COVID vaccinations) /Response: recommendation is no, \$20,000 is not enough money to create a new fund; put it into the general fund under immunization revenue to help offset the expenses that are in the general fund now.

Jessica will create a fund for ARPA money to be spent when clear guidelines come in.

Jessica presents an overview with key points-

- compares last year to this year
  - overall, the budgets are requiring \$400,000.00 more than last year, from 3.2 million to 3.6 million
  - mill levy calculation- \$109,683.00 more than last year

The General Fund has 28% Reserve (good)

PILT- starting the year with \$855,000 estimating \$381,700.00 with \$236,000.00 to be transferred to Retirement and Permissive Health; ending with \$1,000,000.00.

Health Department out of the General Fund

Jessica is bringing the Health Department and the General Fund to the attention of the Commissioner:

- gives an example that Sanders County pays 1 FTE out of the General Fund
- look at expenditures last year \$91,113.85 and this year \$145,000
- they get \$67,000.00 plus \$25,000.00 for admin of vaccines, and school contracts

Commissioner Zylawy figures the real cost to the General Fund is about \$42,000.

Ellen asks the cost to give every department their request/Response: \$400,000; Ellen confirms money coming in is only increased by \$109,000.

Jenn explains the reason for wanting to create a new fund

Kelann and Ellen ask for a part-time employee; Ellen would prefer 30 hours a week so insurance could be offered

Commissioner Zylawy suggests putting in a part-time employee on a year trial basis; Jessica adds that all new positions should be reviewed in a year

Commissioner Simons moves and Commissioner Zylawy seconds to approve a part-time employee for 24 hours per week and \$12.00 per hour for the County Attorney and the Clerk and Recorder.

Commissioner Zylawy concurs with the County Attorney adding a part-time (24 hour) employee, as does Commissioner Simons and Commissioner Johnston.

Commissioner Zylawy concurs with the Clerk and Recorder adding a part-time (24 hour) employee, as does Commissioner Simons.

Commissioner Zylawy recommends waiting a year before hiring an administrative assistant for the Sheriff and Commissioner Simons comments that a lot of money has been put into the Sheriff's Office and states waiting is a good idea.

Norm inquires about the raise for obtaining his boilers' license; no mention of any amount was discussed. Checking the minutes, there is no mention of a raise for the boilers' license, though an informal discussion is remembered. The Commissioners believe they intended to give the COLA raise of .53 to Norm, backdated to the date of completion of the boilers' license.

#### **Administrative Business**

**Commissioner Johnston moved, and Commissioner Zylawy seconded to approve claims paid on August 20, 2021, for the amount of \$67,858.45 with claim numbers 38876 through 38932 and warrant numbers 14388 through 14444. Claim number 38911/ check number 14423 is void due to uncompleted work. Payroll liability totaled \$77.00 with check number 18376 for August 13, 2021. Motion carried unanimously.**

**Commissioner Zylawy moved, and Commissioner Johnston seconded to approve minutes of August 13, 2021. Motion carried unanimously.**

#### **Documents signed:**

St Regis Airway Beacon National Register Nomination, the Commissioners have no objection, signed by Commissioner Simons.

School Nurse and Supplemental Health Education Contract between Mineral County Health Dept and Alberton School District # 2 for \$15,313.00, and St Regis School District # 1 for \$12, 556.00

Commissioner Simons excused himself from the meeting at 3:45 PM

**Meeting adjourned at 5:00 PM**

**The next regular meeting will be Friday, August 27, 2021, 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, August 27, 2021**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 27, 2021. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill. Videotaping was Mary Furlong.

Commissioner Roman Zylawy called the meeting to order at 9:00 A.M.

**Approve/Adopt Budget Resolution 8-27-2021 A**

**Present:** Jessica Connolly- CPA, Melanie Batt- County Attorney's Office, Jaime Talbot- Clerk of District Court, entering late were Wayne Cashman- Undersheriff and Steve Temple- Fire Chief. Videotaping was Mary Furlong.

- In discussion, Commissioner Zylawy inquiries about the mill values going up (\$109,000.00) if the result included real estate and motor vehicle tax /Response- No (Jessica)

Commissioner Zylawy read aloud the Budget Resolution 8-27-2021 A

**Commissioner Johnston moved, and Commissioner Simons seconded to approve and adopt Budget Resolution 8-27-2021 A. Motion carried unanimously.**

- Jessica states that after an email exchange with Jenn Donovan a budget amendment for the \$25,000 vaccination administration fee will be added to the increased revenue in the general fund and then increase her expenses by \$25,000.

**Approve/Adopt Salary Resolution 8-27-2021 B**

- Before adopting the Salary Schedule, Commissioner Johnston points out that two long time employees, Dixie Hendershot, Justice Court, and Echo Hayder, MSU Admin., should be bumped up to the same wage as a newer employee at \$12.50 per hour/ Response: The Salary Schedule will be changed to reflect \$12.50 per hour for Dixie Hendershot and Echo Hayder.
- Entry- level clerks wage has gone up to \$12.00 per hour: **Commissioner Zylawy states: The Commissioners decided the new budget year 21-22 will put the starting rate for entry- level clerks will be \$12.00 per hour**
- Weed Department for the new hire should read 'up to' the amount per hour
- Commissioner Zylawy wonders if the Maintenance Director should be .25 higher than the \$16.00 per hour; explains that wage increases used to be considered at 6 months, proposes that all raises (even probationary) be considered at budget time; the commissioners will decide at budget time if a new employee should get the COLA increase



Melanie asks to discuss the County Attorney's Office wage increase

- Melanie believes \$16.00 per hour is a reasonable increase for her position- she is presently scheduled for \$15.42
  - Asks if the request for \$16.00 or more was considered; \$16.42 was Ellen's request
  - verbalizes thanks to the commissioners for Deb Jackson's wage increase and for agreeing to a part - time position for the County Attorney's Office
  - details her dedication and work ethic

Commissioner Zylawy explains granting a part- time assistant for the County Attorney's Office is an effort to help the work effort and tells they will discuss her request for more of an hourly increase

Commissioner Zylawy states her request will be considered with the three additional requests; the discussion can continue at 10:15 AM

### **Sheriff Toth**

**Present:** Wayne Cashman- Undersheriff, Steve Temple- Fire Chief

Jail Update and US Marshals

- A two-year contract for \$78.00 per day; the CAP program (takes the ten beds allotted to them and payout upfront for the jail) could change this- we'll know in a month or so if they will bring the CAP Program to us;
- Currently, there are four federal inmates, we have asked for six more; we take only well-behaved inmates
- presently, there are 16 inmates, 4 are marshals, three are Probation and DOC, the rest belong to the county

New and termed employees

- There are two detention positions open right now (and one dispatch position)-
  - Josie resigned on Monday
    - the position was offered to Eric Lindauer who has accepted the position. (After the last round of interviews, Eric was next in line for a deputy position based on his interview and test scores). Eric will not be able to start until the other Detention Officers return from the academy in September.

Commissioner Johnston asks if it would be wise to hold off taking more federal inmates until the detention staff is where it needs to be/Response- No, present detention officers are all well trained

Commissioner Johnston asked if the County Attorney has looked over the Federal Contract and approved it/Response-it's actually just a revision of the original contract and states there has been a verbal acceptance; they have been told to start billing at the \$78.00 rate.

Commissioner Johnston tells the undersheriff the contract needs to go to Ellen for review and approval/  
Response: The undersheriff agrees to have Ellen look at it once it comes in

The Undersheriff explains that the Stine estimate (\$31,000.00) from last week is strictly for the backup radio system, it has nothing to do with the primary system; it's not a perfect fix but it will be a great help

Steve supports that it makes the most sense to spend the money now with a small investment rather than waiting and ending up with a very expensive investment.

~~A year in review and suggested changes~~

### **Reopen and discuss Salary Schedule changes**

**Present:** Melanie Batt- County Attorney's Office

Commissioner Zylawy reviews the salaries in the County Attorney's Office and reads aloud: The Deputy County Attorney at \$30.00 per hour, the new position for a part- time clerk at \$12.00 per hour, and Melanie at \$15.42 per hour requesting \$16.00 per hour

Melanie states her desire to be compensated, at least slightly appropriately, for the work she is doing.

Commissioner Johnston confirms Melanie's starting wage was \$13.00/ Response- yes

Commissioner Simons states it's a tough decision, but we have clerks who have been here for many years and are at \$15.40; 'it is what it is', and states they have been generous and will revisit the request next year at budget time

Commissioner Johnston states support for keeping Melanie's wage where it is and revisit it next year

Commissioner Zylawy reviews the salary schedule for Dixie Hendershot at \$12.18 moving to \$12.50, Echo Hader from \$12.00 to \$12.50, and the new hire at the Weed Department is 'up to' \$20.00/hr. Melanie's request for \$16.00/hr has been denied

Commissioner Zylawy asked for discussion regarding the Maintenance Director's (Norm Naef) wage and backdating what amount for obtaining his boilers license/Response-(Commissioner Johnston) suggests giving Norm the .53 raise from July 2020 back to when he got his boilers license (December 14, 2020), Commissioner Simons agrees; he came to work at 14.00, 14.53, retroactive to Dec and now he'll be at \$16.00 even

Changes were made to the Salary Resolution to reflect the 'up to' 20.00 per hour for the Weed District's replacement, the change to the Extension Office Administrative Assistant from \$12.00 to \$12.50 per hour, the Justice of the Peace part- time clerk from \$12.18 to \$12.50 and the Maintenance Director to \$16.00 per hour, with .53 retroactive to December 2020.

**Commissioner Johnston moved, and Commissioner Simons seconded to approve and adopt Salary Resolution 8-27-2021 B with changes made to Salary Schedule Attachment A. Motion carried unanimously.**

**Commissioner Johnston moved, and Commissioner Simons seconded to approve Resolution No. 8-25-2021- A Resolution Rescinding Stage Two Fire Restriction in Mineral County. Motion carried unanimously.**

**Public Comment**

**Present:** Jessica Connolly- CPA

Discussion of Commissioner Simons receiving a letter stating the St Regis TV District is defunct

Jessica suggests having a public meeting to hear what the public wants; the board needs to be dissolved and the commissioners be the governing board.

**Administrative Business**

**Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll paid on August 27, 2021, for the amount of \$99,931.52 with check numbers 18378 through 18390 with electronic check numbers 67802 through 67872; check number 18377 void due to printing error. Motion carried unanimously.**

**Commissioner Johnston moved, and Commissioner Simons seconded to approve minutes of August 20, 2021, with a change. Motion carried unanimously.**

**Documents signed:**

WIC Program Satellite Agreement between Sanders County Health Department and Mineral County Health Department, signed by Commissioner Zylawy.

Declaration in Support of Motion to Intervene as Party- Defendant, or in the alternative, to appear as Amicus Curiae, signed by Commissioner Zylawy.

Commissioners Simons and Zylawy attended a day with Governor Gianforte at Idaho Forest Group mill tour; no county business was conducted.

**Meeting adjourned at 1:45 PM**

**The next regular meeting will be Friday, September 3, 2021, in the Commissioners Meeting Room.**

**Minutes were taken by**

**Dawn Terrill**

**Mineral County Commissioners' Assistant**

