

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

Friday, January 7, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, January 7, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill. Videotaping the meeting was Mary Furlong.

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

Administrative Business:

9:00 AM Adopt Resolutions:

Commissioner Zylawy questions paragraph 3 of Resolution 1-7-2022 (c): and wonders if it should also read the town of Alberton;

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS SETTING THE DAILY RATE FOR
PAYMENT OF COSTS FOR USE OF DETENTION CENTER**

WHEREAS, if the town of Superior commits a person to the detention center of the county in which the city or town is located for a reason other than detention pending trial for or detention for service of a sentence for violating an ordinance of the city or town, the costs must be paid by the county, except as provided in § 7-32-2245, MCA, If the department of corrections is the arresting agency and the inmate is a probation violator, the costs must be paid by the county in which the district court that retains jurisdiction over the inmate is located, except as provided in § 7-32-2245, MCA

The Commissioners' Assistant will research this concern. Adoption of 1-7-2022 © will occur at a later time.

Commissioner Simons moved, and Commissioner Johnston seconded to appoint Commissioner Zylawy as Board Chair. Motion carried unanimously.

Commissioner Johnston moved, and Commissioner Zylawy seconded to appoint Commissioner Simons as Vice- Chair. Motion carried unanimously.

Commissioner Johnston moved and Commissioner Simons seconded to approve and adopt Resolution No. 1-7-2022 (a); A RESOLUTION ESTABLISHING REORGANIZATION OF THE BOARD OF THE COUNTY COMMISSIONERS, MINERAL COUNTY

Roman Zylawy-Chair

- Resource, Conservation & Development
- BREDD Economic Development Board
- Union Negotiator
- County Employee Drug Testing
- Area VI Agency on Aging
- Weed Board
- Juvenile Detention Regional Board

Duane Simons

- Health Board Chair
- Hospital Board

Laurie Johnston

- Human Resource Council
- Transportation Board
- Local Emergency Planning Committee
- Conservation District
- DUI Task Force
- Resource Coalition

Motion carried unanimously.

Commissioner Johnston moved, and Commissioner Simons seconded to approve Resolution No. 1-7-2022(b); A RESOLUTION PROVIDING FOR THE PUBLIC PARTICIPATION AND ESTABLISHING REGULAR MEETING DATES AND TIMES OF THE BOARD OF MINERAL COUNTY COMMISSIONERS FOR CALENDAR YEAR 2022 which will be every Friday of the month from the hours of 9:00 am until 4:00 pm or until business is complete. Motion carried unanimously

Commissioner Johnston moved, and Commissioner Simons seconded to approve and adopt Resolution No. 1-7-2022 (d); A RESOLUTION TO ESTABLISH TRAVEL, MEALS AND LODGING RATES FOR CALENDAR YEAR 2021 AS FOLLOWS:

The mileage rate shall be 58.5 cents per mile for the first 1,000 miles of travel within each month.
The rate for mileage over 1,000 is 3 cents less per mile.

PER DIEM RATES

<u>IN-STATE</u>	<u>OUT-OF-STATE</u>
\$7.50 Morning meal	\$ 13.00 Morning meal
\$ 8.50 Mid-day meal	\$ 14.00 Mid-day meal
\$ 14.50 Evening meal	\$ 23.00 Evening meal
TOTAL \$ 30.50	TOTAL \$ 50.00

LODGING RATES

Mineral County policy is to follow the State of Montana travel reimbursement policy. The in-state lodging reimbursement rate is \$96 plus tax, with the exception of the communities listed in Exhibit A (attached).

1-0340.25 In-State travel-lodging reimbursement rates at actual cost subject to federal per diem cap.

Except as provided for in section 1-0340.30, you are eligible to be reimbursed your actual out-of-pocket lodging expenses, not to exceed the federal per diem room rate for the location involved, plus the taxes on the allowable cost, for any location

Exhibit A

Federal per diem room rates for Montana				
Primary Destination	County	Max Lodging (excluding taxes)	Max Per Diem Rate	First & Last Day
Standard Rate	Applies for all locations without specified rates.	\$96	\$96	\$44.25
Big Sky West Yellowstone Gardiner Oct. 1 - May 31	Gallatin/Park	\$124	\$203	\$59.25
Big Sky West Yellowstone Gardiner June 1 - Sept. 30	Gallatin/Park	\$241	\$320	\$59.25
Helena	Lewis & Clark	\$103	\$167	\$48.00
Kalispell Whitefish Oct 1-June 30	Flathead	\$96	\$157	\$48.00
Kalispell Whitefish July 1-Aug 31	Flathead	\$177	\$241	\$48.00
Kalispell Whitefish Sept 1-Sept 30	Flathead	\$96	\$160	\$48.00
Missoula Oct. 1 – May 31	Missoula	\$96	\$165	\$51.75
Missoula June 1-Sept 30	Missoula	\$131	\$200	\$51.75

* NOTE: Traveler reimbursement is based on the location of the work activities
 ** Meals and Incidental (cabs, parking meters, etc) Expenses, see Breakdown of M&IE Expenses for important information on first and last days of travel.
 M*IE are expenses that the Federal Govt reimburses without receipt but it doesn't apply in Montana, because meal rates are set in statute (MCA 2-18-501).

Motion carried unanimously.

Commissioner Johnston moved, and Commissioner Simons seconded to approve and adopt Resolution No. 1-7-2022 (e); A RESOLUTION TO SET OFFICIAL HOLIDAY FOR CALENDAR YEAR 2022 as follows:

If any holiday falls on a Sunday, the Monday following is a holiday (Section 1-1-216 MCA). When a holiday falls on a Saturday, the holiday shall be observed on the preceding Friday (Op. A.G. Vol 34. No. 27).

Holidays	Observed
New Year’s Day	Monday, January 2
Martin Luther King Jr. Day	Monday January 17
President’s Day	Monday February 21
Memorial Day	Monday May 30
Independence Day	Monday July 4
Labor Day	Monday September 5
Columbus Day	Monday October 10
General Election Day	Tuesday November 8
Veterans’ Day	Friday November 11
Thanksgiving Day	Thursday November 24
Christmas Day	Monday December 26

Motion carried unanimously.

10:00 A.M. Public Hearing for Public Hearing for Lower Meadows Major Subdivision Preliminary Plat Approval

Present: Andy Short- Environmental Health and Planning, Dave Levenson- property owner, Al Dunlap- citizen, Paul Forsting- Planner, Danny Oberweiser- Designer, Ann Vickers- Planner, John Bigart- Mayor of Alberton, via teleconference was Jeanine Leveille and arriving late was Denley Loge- Mt State Legislator.

Andy-

- introduced the proposed major subdivision consisting of 35 individual lots to be used for residential homes and one light commercial lot
- the subdivision is proposing to have separate water storage facilities at both ends of the subdivision
 - the total storage for fire flows is proposed to be 40,000 gallons total
- there are 43 conditions and all future uses must comply with the conditions, the approved plans, and sanitation -related approvals.

The report and conditions of Mineral County Planning Board Report and Recommended Conditions For the Proposed “Lower Meadows Major Subdivision” can be viewed in the meeting notes of the commissioners or the Environmental Health and Planning Office.

Commissioner Simons moved, and Commissioner Johnston seconded to approve Lower Meadows Major Subdivision Preliminary Plat with conditions. Motion carried unanimously.

11:25 AM Weed Board Appointment

Present: Denley Loge- Mt State Legislator

Commissioner Zylawy explained the weed board openings: Debra Regan was appointed to fill Al Meeks' seat and Phil Donally recently passed, leaving an open seat. Jim Lommen is a Board Member at Large but has offered to take the Central District, leaving an at Large vacancy.

Commissioner Zylawy read Michelle Lower's application and interest in the Weed Board position.

Commissioner Simons moved, and Commissioner Johnston seconded to appoint Michelle Lower as the Mineral County Weed Board West End Representative.

Commissioner Johnston moved, and Commissioner Simons moved to appoint Jim Lommen as the Mineral County Weed Board Central District Representative. Motion carried unanimously.

Public Comment

Present: Denley Loge- Mt State Legislator

- stated the plow crew is doing a great job
- asked if anyone had heard from Brinkmeyer (owner of IFG) Response- no
- stated his opinion that the St Regis sewer ARPA money should have been a stand - alone project
- asked if the commissioners have any questions or needs he can help with/ Response- nothing at this time
- Title 3 money- Carole Johnson told Denley in a meeting that Missoula BLM would not pay for the state line survey; Denley wonders aloud if that could be a RAC funded project

Administrative Business

Commissioner Johnston moved, and Commissioner Simons seconded to approve claims paid on January 7, 2022, for the amount of \$85,560.09 with claim numbers 39419 through 39474 and warrant numbers 14935 through 14990.

Commissioner Simons moved, and Commissioner Zylawy seconded to approve minutes of December 31, 2021. Motion carried unanimously.

Commissioner Johnston reviewed JVs and the income statement for November FY 21-22.

Documents signed:

There were no documents signed

Meeting adjourned at 2:30 PM

The next regular meeting will be Friday, January 14, 2022, in the Commissioners Meeting Room.

Minutes were taken by

Dawn Terrill

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

Friday, January 14, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, January 14, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill. Videotaping the meeting was Mary Furlong.

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

10:00 AM Old Highway 10 North Side Sidewalk and Trail Extension - Transportation Alternatives (TA) Capital Improvement

Present: Andy Short- Environmental Health and Planning Director, Mark Bellon-Civic Engineer- IMEG, Jessica Connolly-St Regis Resort District Board, Emily Park- Mineral County Office of Economic Development

Andy summarized the grant awarded to the County

- being discussed is the Master walkability Plan (the Old Highway 10 North Side Sidewalk and Trail)
- \$900,000.00 has been secured
- There is an ongoing maintenance agreement- see the Commissioners' Assistant for the Interlocal Agreement between St Regis Resort Area District and Mineral County and Site Photos as well

Commissioner Simons asked if the project will include some badly needed tree trimming/Response: Yes

Jessica questioned who is running the grant/Response: Emily Park- Mineral County Office of Economic Development

Andy states a motion to approve the match is needed; the match, as stated by Jessica is \$40,184. Jessica will work with Kelann to set up an account.

Commissioner Simons moved, and Commissioner Johnston seconded to accept and move forward with the old Hwy 10 sidewalk project grant with the State of Montana and the matching amount will be provided by the St Regis Resort Board. Motion carried unanimously.

The timeline for the project to begin is unknown.

11:00 Employee Update- County Attorney

Present: Ellen Donohue- County Attorney, Patti Curtin- CVA

Ellen reviewed that the Commissioners approved a part- time person as well as a full-time to fill a vacancy.

With the appropriated money not spent from July forward, Ellen would like to keep a short-term position until training has occurred; Commissioner Zylawy clarified that the money has already been approved and is in her budget./ Response- Yes, this is simply an update on the money appropriated in July 2021.

Commissioner Johnston inquired about the rental agreement for the Highway Patrol; she learned at the LEPC meeting that the Highway Patrol has moved out of the county office./Response: Ellen will get a contract drawn up

11:30 AM Public Comment

No comments were received.

1:15- VOCA Grant status update and discussion

Present: Jessica Connolly- CPA, arriving late was Ellen Donohue- County Attorney, Patti Curtin-CVA, Mike Toth- Sheriff arrived at the end of this meeting

Jessica:

- Summarized the source of confusion with the Voca grant
 - the County was too busy to write and manage the grant
 - the grant was subbed out to SCFF (Sanders County Coalition For Families), but they are taking \$25,000.00 (over two years) to write and administer the grant- leaving the county short, roughly a total of \$12,000.00 (two-year grant- \$6000.00 per year)
- the County could take the grant back (if the state would allow that)
- there is another fund that could be used for the shortage-the surcharge fund- it has roughly \$20,000.00; it's where JP and District Court charge fees that can be used since there is an advocate person. Commissioner Johnston asked who would administer the money from the surcharge.
- stated there is also a shortage of \$12,710.00 as of June 2021
 - without finding the \$12,710.00 the shortage is about \$22,000
 - stated that the other CVA grant is short as well- Tamera's; thinks not enough is given for fringe

Ellen-

- recommended using the CVA surcharge and any extra in her budget because the CVA position is needed and the county should not have the financial burden; she is very familiar with the CVA surcharge and using it in this circumstance fits its purpose
- stated her responsibility and intent to find the \$12,000

Patti suggested some places to check for the money

Jessica will work with the Clerk and Recorder this afternoon to find the specifics of the \$12,000 shortage.

1:07:57 PM Jessica mentioned to the commissioners that the county started spending payroll in August 2020 from the COPS Grant but has not received any reimbursement. The account balance from the Cops Grant is now negative \$111,000.00 and she recommends that if the County does not get reimbursement, that needs to stop.

Stonegarden Grant is negative \$47,000 And Equitable Sharing is negative \$5200.00

Mike Toth called Undersheriff Wayne Cashman to the meeting.

Undersheriff stated he has done all of the work on the COPS Grant and understands they are waiting for a check- he will call COPS to inquire and will call Helena to inquire about the shortage from Stonegarden.

Sheriff Toth stated they are waiting for an \$8000.00 check for the Equitable Sharing fund.

The jail is doing very well; revenue is above what was budgeted

1:45 PM Request to fill two detention vacancies

Present: Sheriff Mike Toth, Undersheriff Wayne Cashman

Commissioner Johnston moved, and Commissioner Simons seconded to approve filling two vacancies if and when they come available. Motion carried unanimously.

Commissioner Zylawy asked the Sheriff about the clothing allowance and its status/Response- Shirt styles and logos are ready to order.

Administrative Business

Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll paid on January 14, 2022, for the amount of \$169,046.25 with check numbers 18523 through 18535 and electronic deposit #s 67107-67128.

Commissioner Simons moved, and Commissioner Johnston seconded to approve minutes of January 7, 2022. Motion carried unanimously.

Documents signed:

HOME Program Income Quarterly Reporting Form for 4th Quarter, 2021, signed by Commissioner Johnston

Meeting adjourned at 3:30 PM

The next regular meeting will be Friday, January 21, 2022, in the Commissioners Meeting Room.

Minutes were taken by

Dawn Terrill

**PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS
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Friday, January 21, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, January 21, 2022. 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 10:00 AM.

10:00 AM Administrative Business

Commissioner Zylawy moved, and Commissioner Simons seconded to approve claims paid on January 21, 2022, for the amount of \$38,817.34 with claim numbers 39475 through 39517 and warrant numbers 14991 through 15033. In addition, Payroll liabilities were paid for Unemployment Insurance Tax with check number 18536 in the amount of \$3065.92 and Montana State Fund Worker's Compensation with check number 18537 for the amount \$14,001.22.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve minutes of January 14, 2022. Motion carried unanimously.

Documents signed:

There were no documents signed

11:30 AM Public Comment

Present: Glenn Koepke

Glenn spoke about the need for help getting the word out about the Park Maintenance position and about joining the St Regis Community Committee. Glenn will advertise both.

Meeting adjourned at 2:30 PM

The next regular meeting will be Friday, January 28, 2022, in the Commissioners Meeting Room.

**Minutes were taken by
Dawn Terrill**

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

Friday, January 28, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, January 28, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, and Administrative Assistant Dawn Terrill. Commissioner Duane Simons was absent. Videotaping the meeting was Mary Furlong.

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

10:00 AM Preliminary Meeting for the Proposed Abandonment of the Alley Located Between Lots 1-22; Block 82 of the Amador Townsite, Book of Townsites Number 6, Mineral County

Present: Andy Short- Environmental Health and Planning Director, Ken Verley- citizen, Bessie Spangler- representing Brett Moats

Andy

- explained that this meeting required no action
- Moats Farm, LLC, have petitioned the Commissioners to abandon a 20-foot by 576-foot portion (about ¼ of an acre) of the alleyway located between lots 1-22 of block 82 of the Amador Townsite, Book of Townsites Number 6.
- discussed the steps to be taken in the case the commissioners agree to abandon the portion of alleyway
- cautioned the commissioners that once you sell the land, it's gone and the property is the most valuable thing you own

Ken:

- commented that selling the piece would bring in tax money, so if the county isn't going to build on it, they might take advantage of bringing in more taxed

Andy asked for general thoughts on this request for abandonment/Response: Commissioner Zylawy stated he and Commissioner Johnston think they might as well move forward and advertise so the public has a chance to comment.

11:30 AM Public Comment

Marc Thomas-citizen, LeRoy Godin-citizen, Andy Short- Environmental Health and Planning Director, Glenn Koepke-citizen, and Robert Underhill- citizen.

Citizen explained circumstance of an arrest and his displeasure with several processes during his arrest status.

Commissioner Zylawy gave his opinion on why procedures are done in the manner experienced by the citizen, and stated he would look into the exact reasons.

Glenn and Robert brought forth their concern for the open position for St Regis Park Manager and advertising. They will work with the Commissioners' Assistant to navigate the county website and other on-line avenues of advertising.

1:15 PM COPS Grant and Stone Garden Grant Update; Jail Security Equipment Purchase Request- Action Item

Present: Mike Toth -Sheriff, Wayne Cashman- Undersheriff

Mike-

- clarified that the COPS grant and Stone Garden grants have been straightened out and \$84,000.00 from COPS will hit the bank on Monday, and \$17,000.00 from Stone Garden
- they have requested Stone Garden to purchase a pickup truck for the department with the excess money in for
- mentioned they have put in for a grant

Commissioner Johnston explained the protocol for writing grants- the department wanting to write a grant asks the commissioners for permission to do so. Permission is requested so the Commissioners can review and determine there is no cost to the county.

The Jail Security Equipment Purchase Request is tabled until the sheriff brings his budget to be viewed for purchase approval.

Administrative Business

Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll paid on January 28, 2022, for the amount of \$108,781.50 with check numbers 18538 through 18548 and electronic deposit #s 67034-67105.

Commissioner Johnston moved, and Commissioner Zylawy seconded to approve minutes of January 21, 2022. Motion carried unanimously.

Documents signed:

MOU Contract Agreement Zero to Five, docu - signed by D Terrill for mcommissioners

OSHA Form 300 A- Summary of Work-Related Injuries and illnesses for 2021, signed by Commissioner Roman Zylawy

Meeting adjourned at 3:45 PM

The next regular meeting will be Friday, February 4, 2022, in the Commissioners Meeting Room.

Minutes were taken by

Dawn Terrill