

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

Friday, June 3, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, June 3, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill.

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

9:30 AM Cyr Iron Mtn Rd

Present: Wally Congdon- Deputy County Attorney, Diane Magone- citizen, Dale Magone-citizen, Denley Loge- State Representative and arriving late were Randy Mitchell- citizen, Kim Mitchell- citizen

Wally-

- Stated the history of the Cyr Iron Mountain Road
 - told about the issue caused by the placement of a gate on the county road by new property owners in 2013
 - the Missoula County archives have been reviewed and confirm that Cyr Mountain Road is a dedicated county road and has not been vacated or abandoned by the county
- requested the commissioners write a letter to Woodland Range, LLC (Thomas Orr) asking for a meeting to discuss the gate and posting the right of way

Commissioner Simons asked about the consequences of moving forward with this issue/ Response: the documents/archives are solid in their confirmation of Cyr Mountain Road being a county road.

Commissioner Zylawy moved, and Commissioner Johnston seconded to review and sign a letter to Woodland Range, LLC (Thomas Orr). Motion carried unanimously.

10:00 AM Request to advertise and fill the part-time vacancy (due to resignation)

Present: Kelann McLees- Clerk and Recorder, Randy Mitchell- citizen, and Kim Mitchell- citizen

Kelann requested approval to advertise and fill the part-time vacancy left by the resignation of Melyssa Wickham.

Commissioner Simons moved, and Commissioner Johnston seconded to approve the request to advertise and fill the part-time vacancy in the Clerk and Recorder's Office. Motion carried unanimously.

10:15 AM Approve a post-election audit committee

Present: Kelann McLees- Clerk and Recorder, Kim Mitchell- citizen, and Randy Mitchell- citizen

Kelann requested approval for the mandatory post-election committee with Melyssa Wickham, Mary Yarnall, and Mary Jo Berry as the committee.

Commissioner Johnston moved, and Commissioner Simons seconded to approve the post-election committee of Melyssa Wickham, Mary Yarnall, and Mary Jo Berry. Motion carried unanimously.

Citizen asked if the post-election committee could be observed during their work because she would like to observe Response: Yes. At her request, the Clerk and Recorder will call the citizen to observe.

10:00 A.M. Cemetery liability insurance discussion

Present: Ellen Matz- Cemetery Board, Stephanie Todd- Cemetery Board, Jerry Hatcher- citizen

Ellen explained recent exorbitant expenses due to weather and asked about insurance coverage. Response: The cemetery, as a special district, is covered for liability by the County Insurance. The cemetery board should shop for an insurance policy that would cover personal injury.

Ellen told of the recent \$700.00 tree removal expense, along with the replacement of the stolen lawn mower.

Commissioner Zylawy recommended appealing to the residents to increase their mill levy and Commissioner Johnston proposes the Commissioners pay the tree removal expense and encourages Ellen to come to the Commissioners when unexpected costs beyond their budget arise. Commissioner Zylawy concurs with that proposal.

Commissioner Zylawy told Stephanie Todd to send the invoice for the tree removal and the commissioners will find the money to pay it.

11:30 AM Public Comment

Present: Diane Magone- citizen, Dale Magone-citizen, Joe Hughes- citizen, Andy Short- citizen, Wayne Cashman- undersheriff, Wally Congdon- Deputy County Attorney

There were no comments received, though informal discussions took place

1:15 PM Forest Service- discussion regarding a CERCLA (environmental) removal/clean-up action in the Flat Creek drainage

Present: Bob Wintergerst-US Forest Service Regional Office, Shane Hendrickson- US Forest Service- Superior District, Paul Parson- Trout Unlimited, Anita Bailey- Superior Technical Assistance Committee, John W. Perrin – Assistant Fire Management Officer- Superior

Bob Wintergerst updated the commissioners regarding unfinished tails clean-up work at Flat Creek.

- The remaining tails will be put into the repository, next to the one already there
- Partnering with Trout Unlimited rather than DEQ this time, due to their reclamation skill, restoring Flat Creek into its original state
- The plan is to start this summer, the third week in June, to remove the upper portion of the tails, carry it over to next year and remove the tails that are on Forest Service land

Commissioner Johnston asked the proposal for avoiding the disaster of last time /Response: they have learned from those mistakes and using other materials, getting a good structure of the stream, and working with Trout Unlimited.

Administrative Business

Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll paid on June 3, 2022, for the amount of \$104,093.68 and \$117.56 (\$104, 211.24) with check numbers 18663 through 18672, and electronic deposit numbers 66386 through 66457. Motion carried unanimously.

Commissioner Simons moved, and Commissioner Johnston seconded to approve the minutes of May 27, 2022. Motion carried unanimously.

Documents signed:

There were no documents signed.

Commissioner Simons excused himself from the meeting at 2:15 PM

Meeting adjourned at 2:30 PM

The next regular meeting will be Friday, June 10, 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, June 10, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, June 10, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill.

Commissioner Simons called the meeting to order at 9:30 AM (Commissioner Zylawy attended a MACo HealthCare Trust meeting from 9:00 AM-11:00 AM)

9:30 AM Request to fill a vacant deputy position

Present: Mike Toth- Sheriff

Mike requested filling a deputy vacancy

Commissioner Johnston moved, and Commissioner Simons seconded to approve the Sheriff's Office filling a deputy vacancy. Motion carried unanimously.

10:00 AM St Regis concerns discussion: Lobo Loop deteriorating conditions, St Regis Park maintenance backlog, and South Fork Little Joe Rd 221

Present: Glenn Koepke- citizen, Collin Antilla- citizen, Denley Loge- MT State Representative, Vicki Kraft- citizen, and Mike Raether-citizen

- Glenn summarized the poor state of Lobo Loop Rd and the lack of maintenance

Commissioner Simons agreed with Glenn's statement and stated a conversation will need to include the Road Foreman (Jason McLees) and the commissioners

No date was set

Glenn stated:

- St Regis Park grounds are getting rougher
- Buildings need maintenance
- the old toilet that has never been hooked up to the sewer still sits out front

Glenn requests a field trip for the commissioners to see the issues discussed on this day

A field trip to St Regis was set for June 24, 2022, from 9:00 AM-10:00 AM; it is hoped Denley Loge and Deputy County Attorney Wally Congdon will attend.

Little Joe Rd included a discussion about the Redd Bull decision presently being evaluated by the US Fisheries and, at this point, there is no indication of the conclusion.

10:30 AM 15-16-701 Cancel 5 years or longer delinquent personal property taxes

Present: Mary Yarnall- Treasurer, Glenn Koepke- citizen, Collin Antilla- citizen, Vicki Kraft- citizen, and Mike Raether-citizen

Mary explained the taxes (\$6000.00) to be canceled to remove them from the tax rolls. The owed taxes are mainly mobile homes- most of which are no longer in the county or are dilapidated and/ or abandoned.

The Commissioners asked Mary to work with Wally for solutions other than canceling the taxes. Mary agreed to do so and return with the outcome.

11:30 AM Public Comment

There were no comments received

Administrative Business

Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll liabilities paid on June 10, 2022, for the amount \$60,074.48 with check numbers 18673 through 18678. Motion carried unanimously.

Commissioner Johnston moved, and Commissioner Simons seconded to approve claims paid on June 10, 2022, for the amount of \$151,983.29 with claim numbers 40112 through 40170 and warrant numbers 15626 through 15683. Claim number 40145 and warrant number 1569 for the amount \$60.45 is disallowed and void, not being the responsibility of Mineral County. Motion carried unanimously.

Commissioner Simons moved, and Commissioner Johnston seconded to approve the minutes of June 3, 2022. Motion carried unanimously.

Documents signed:

Task Order Amendment Number Two for Healthy Montana Families Task Order #22-25-5-41-178-0, signed by Commissioner Zylawy

Task Order #23-07-4-31-129-0 Contract 7-1-19 through 7-30-26 between the State of Montana Department of Public Health & Human Services and Mineral County, signed by Commissioner Zylawy

DNRC Grant Management Plan – signed by Commissioner Zylawy

Meeting adjourned at 2:00 PM

The next regular meeting will be Friday, June 17, 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, June 17, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, June 17, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill.

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

9:00 AM Law Enforcement Reimbursement Agreement Discussion- County Attorney's Office

Present: Wally Congdon- Deputy County Attorney, Andy Short-citizen, Gretchen Webb- citizen, Lori Dove- citizen

Wally brought forth a contract for discussion that will require deputy officers to refund the county for their education away from the job (training at Montana Law Enforcement Academy)

Discussion centered around an appropriate time frame after completion of training and leaving the Mineral County position.

Wally will work on the contract and bring it back for approval.

9:15 AM Licensed Establishment Inspection Contract- Andy Short Environmental Health and Planning

Present: Andy Short- Environmental and Health Planning Director, Gretchen Webb- citizen, and Lori Dove- citizen

Andy presented a Consulting Agreement for Licensed Establishment Sanitation Inspection Services. The contract is a renewal contract from last year, though it will be a new consultant. The new consultant is Tim Read at \$100.00 per inspection.

Commissioner Simons moved, and Commissioner Johnston seconded to approve the Licensed Establishment Inspection Contract. Motion carried unanimously.

9:30 AM Outlaw GIS to discuss her mapping services- Ashley Bache

Present: Ashley Bache- Outlaw GIS owner, Andy Short- Environmental and Health Planning Director

Ashley presented the services offered by her company to let the commissioners know of an alternative to their present mapping service.

9:45 AM Requesting an additional position- Dale

Present: Dale Magone- Justice of the Peace, Kim Taron- Justice Court Clerk, Wendie Richards- Justice Court Clerk, Gretchen Webb- citizen, Andy Short-

Kim explained that Justice Court isn't looking for an additional person, but someone to replace her before she takes over as Justice of the Peace (January 2023). Kim would like someone hired in October so there is time for training.

Commissioner Johnston asked if the position has to be full time. /Response- yes, to keep the office staffed as it is now

Commissioner Zylawy said to revisit this issue after the county knows what the budget will be.

10:00 AM Salary Board Compensation

Present: Dale Magone- Justice of the Peace, Jaime Talbot- Clerk of District Court, Kelann McLees- Clerk and Recorder, Judy Stang- Salary Compensation Board Member, Ken Jasper- Salary Compensation Board Member, Gretchen Webb- citizen, Mary Yarnall- Treasurer, Merry Mueller- Treasurer Elect, Wally Congdon- Deputy County Attorney, Deb Jackson- County Attorney, Lance Jasper- citizen, Andy Short- Environmental and Health Planning Director, and Wayne Cashman – Undersheriff (arrived late)

- Kelann told that Montana Association of Counties recommended cost of living wage is 4.7%.
- Judy Stang asked where the Public Safety Fund will come from? (It's in the hole \$272,000) /Response: PILT
- Judy commented that the general fund has good cash at \$900,000.00
- Will the COPS grant balance out? And Stone Garden?
- Ken asked if the Commissioners have any idea at this time for the budget/ Response- that won't be known until August
- Judy expressed that it's necessary to have county officials held accountable and that someone is checking to see that their work is being completed and accurate and that they are coming to work as they should be; she suggested using the budget to make sure they are doing as expected

A citizen voiced that the low wages are a main problem

4.7% on the base for elected officials equals \$1.05, which is how the raise for hourly employees should be figured.

Ken Jasper moved, and Judy Stang seconded recommending 4.7% for elected officials and \$1.05 per hour for hourly employees if the budget can afford it.

11:05 AM Superior TV Board – Gordon Hendrick

Present: Gordon Hendrick- TV Board

Gordon read a letter from the FCC stating the TV permit has expired.
Gordon has called the FCC , and will continue to do so- there has been no answer to his calls
There is no resolution at this point

11:30 AM County Auction Update- Gordon Hendrick

Present: Gordon Hendrick- citizen/auctioneer

Gordon identified the vehicles to sold at auction:

- 87 Chevy one-ton flatbed
- Two Swanson sander boxes
- Suzuki 400 four-wheeler from the weed control board- it doesn't run
- 1989 water truck
- 1976 950 Cat Loader
- Two 20x4 used galvanized culverts
- Street Sweeper
- Three six-foot round culverts
- Several miscellaneous items from the Sheriff's Office

A date for July 30, 2022 has been established.

11:30 AM Public Comment

There were no comments received

1:15 PM 2022 Primary Election Canvass - Kelann McLees

Present: Kelann McLees- Clerk and Recorder/Elections

Kelann distributed the election results:

Commissioner Johnston moved and Commissioner Simons seconded to approve the Mineral County Unofficial results of the Primary Election held June 7, 2022. Motion carried unanimously.

Administrative Business

Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll paid on June 17, 2022, for the amount of \$114,238.23 with check numbers 18679 through 18691, and electronic deposit numbers 66312 through 66335. Check numbers 18682 void, printed by mistake and check numbers 18686 and 18687 void due to printer error. Motion carried unanimously.

Commissioner Johnston moved, and Commissioner Simons seconded to approve a claim paid on June 17, 2022, for the amount of \$150,000. with claim number 40172 and warrant number 15684. Motion carried unanimously.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve the minutes of June 10, 2022. Motion carried unanimously.

Documents signed:

Licensed Establishment Inspection Contract between Mineral County and Tim Read Consulting, LLC, signed by Commissioners Zylawy, Johnston and Simons.

Application for a Commercial Cyber Insurance Policy Quote# QCB-100-UF575LZ0 for the amount of \$5694.00, Signed by Commissioner Zylawy.

Maintenance Agreement RRP-RRS 31(46) RRXING-Daigle Lane UPN 9209000 between Mineral County and the Montana Department of Transportation, signed by Commissioner Zylawy.

Commissioner Johnston moved, and Commissioner Simons seconded to adopt the Maintenance Agreement between Mineral County and Montana Department of Transportation for a portion of Daigle Lane. Motion carried unanimously.

Interlocal Agreement between Mineral County and the town of Superior from July 1, 2022 through June 30, 2023 for the amount \$6,300.00, signed by Commissioner Zylawy.

Meeting adjourned at 4:00 PM

The next regular meeting will be Friday, June 24, 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, June 24, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, June 24, 2022. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill. Commissioner Laurie Johnston was absent.

9:00 AM St Regis Park Tour

Commissioners Zylawy and Simons participated in the St Regis Park tour

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

10:30 AM Final Plat Approval for the Warnken's Dry Creek Minor Subdivision

Present: Candis Hampton- Environmental Health and Planning Assistant, Birdie Warnken- citizen, Eric Barclay- citizen, Lyneé Maillet, Ted Martin- citizen, arriving late was Andy Short- Environmental Health and Planning Director

Candis summarized the pre-approval step and stated that all conditions have been met. The final plat, Warnken's Dry Creek Minor Subdivision, is ready for approval.

Commissioner Simons moved, and Commissioner Zylawy seconded approval for Warnken's Dry Creek Minor Subdivision final plat. Motion carried unanimously.

Commissioners Simons and Zylawy signed the Warnken's Dry Creek Minor Subdivision final plat.

11:00 AM Superior Rural Fire Board Appointments

Present: Steve Temple- Superior District Fire Ranger, Dan Clemts- citizen, Rick Miller- citizen

Steve stated that the only applicants for the Fire Board are those presently serving; the openings were advertised in the local paper for two consecutive weeks. Steve recommended reappointing the following: Dan Faller, Carl Metcalf, Ken Quitt, Dave Asay, and Dan Arnsan. Steve also recommended staggered terms.

Commissioner Simons moved, and Commissioner Zylawy seconded to appoint Dan Faller, Carl Metcalf, Ken Quitt, Dave Asay, and Dan Arnsan in staggered terms to the Superior Rural Fire Board. Motion carried unanimously.

11:10 AM Request to advertise and fill vacancy in District Court

Present: Jaime Talbot- Clerk of District Court, Dan Clemts- citizen, Steve Temple- citizen, Rick Miller- citizen, Tifani Amberson

Jaime requested approval to fill the vacancy in her office left by the Deputy in Training Clerk

Commissioner Zylawy moved, and Commissioner Simons seconded to approve filling the vacant Deputy in Training position in District Court for \$12.00 per hour. Motion carried unanimously.

11:15 AM Reverse 911 new system discussion

Present: Tifani Amberson- Dispatcher, Wayne Cashman- Undersheriff, Dan Clemts- citizen, Rick Miller- citizen, arriving late was Lori Dove- DES Coordinator, Steve Temple- Superior Fire District Chief

Tifani stated the purpose and cost of the 911 Reverse System, a process frequently used to contact citizens and businesses by matching a telephone number with an address; while not mandated, it is a necessity for assisting the safety of the community. She explained cost and found the cheapest services through a company servicing Missoula- Rave. The cost will be \$5100.00 annually with \$2500.00 install fee and goes up by 4-8% annually.

Undersheriff Cashman stated the cost will come out of the Sheriff's budget.

Tifani and the Undersheriff will return next week to inquire about purchasing the system.

Public Comment

Present: Rick Miller- citizen, Denley Loge- State Representative, Dan Clemts- citizen

Citizen commented on his displeasure with the county commissioners for their lack of attention to his property problems

Documents:

Warnken's Dry Creek Minor Subdivision final plat, signed by Commissioners Simons and Zylawy.

Montana Board of Crime Control: Coronavirus Emergency Supplemental Funding Grant, signed by Commissioner Zylawy

Administrative Business

Commissioner Zylawy moved, and Commissioner Simons seconded to approve claims paid on June 24, 2022, for the amount of \$134,460.90 with claim numbers 40173 through 40251 and warrant numbers 15635 through 15763. Motion carried unanimously.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve the minutes of June 17, 2022. Motion carried unanimously.

Meeting adjourned at 2:00 PM

The next regular meeting will be Friday, July 1, 2022, in the Commissioners' Meeting Room.

Minutes were taken by

Dawn Terrill