

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

Friday, August 5, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 5, 2022. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill. Commissioner Johnston was absent.

Commissioner Roman Zylawy called the meeting to order at 11:30 AM

Public Comment

No public comments were received

1:00 PM Public Hearing for a local marijuana excise tax

Present: Brooke Lincoln-Silver Dollar Manager, Diane Magone- citizen, Sharon Briggs- Alberton Council Member, Norm Naef- citizen, Wally Congdon- Deputy County Attorney

Wally explained the option of an excise tax on medical and recreational marijuana and told that the public hearing was a necessary part of learning if the public would like this topic on the ballot. Voters would decide if the option tax would be implemented.

One citizen asked that if this tax is implemented by way of vote, please keep in mind the money would be for the whole county.

A second public hearing was set for Monday at 6:00 PM on August 15, 2022.

Administrative Business

Commissioner Zylawy moved, and Commissioner Simons seconded to approve claims paid on August 5, 2022, for the amount of \$130,972.73 with claim numbers 40380 through 40448 and warrant numbers 15893 through 15961. Motion carried unanimously.

Meeting adjourned at 2:30 PM

The next regular meeting will be Friday, August 12, 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, August 12, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 12, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill.

9:30 AM Adopt Resolution 8-12-2022 A Resolution Establishing a Mineral County PACE (Community Property Assessed Clean Energy) Program

Present: Glenn Koepke- citizen, George Bailey- citizen

Commissioner Zylawy read the resolution aloud

Commissioner Simons moved, and Commissioner Johnston seconded to adopt Resolution 8-12-2022 A Resolution Establishing A Mineral County PACE (Community Property Assessed Clean Energy) Program. Motion carried unanimously.

9:35 AM Parking lot replacement quote

Present: Norm Naef- Maintenance Director

Norm gave the commissioners the most recent quotes for parking lot replacement.

10:00 AM Forest Service Update

Present: Sara Alberts- Acting Superior District Ranger, Chris Gauger – Ninemile District Ranger, Glenn Koepke- citizen

Sara and Chris gave updates for their areas, including 15 lightening strikes from the night before, and 50 strikes in Chris' area; these areas will be watched carefully for startup fires

10:30 AM The Mineral County ARPA committee will meet on Tuesday night with the applicants for the County ARPA Water and Sewer Minimum Allocation Grants. The Committee would like to give a recommendation on the amount of funding each of the applicants will receive. The applicants are St. Regis Sewer District, Town of Superior, and Town of Alberton.

Present: Kelly Dillon-Councilman-Superior, Brenda Schneider-Town Clerk/Treasurer Town of Superior, Emily Park- Mineral County Economic Development Committee, Roni Phillips- Mayor of Superior, Mary Yarnall- Treasurer, Scott Kinney- Superintendent Superior Schools

Emily explained that \$521,172.00 was awarded to Mineral County for Water and Sewer Funds. Requests for the funds were as follows:

Town of Superior- \$473,154.00

Alberton- \$438,240.00,

St Regis- \$400,000.00

The MCEDC made the following decision:

Town of Superior- \$200,000.00

Alberton- \$121,172.00

St Regis- \$200,000.00

Commissioner Zylawy asked if the towns were satisfied /response- Yes

Commissioner Simons moved, and Commissioner Johnston seconded to approve Resolution 8-12-2022 B A RESOLUTION REQUESTING AUTHORITY FOR DISTRIBUTION OF COUNTY MINIMUM ALLOCATION GRANTS FOR WATER AND SEWER INFRASTRUCTURE PROJECTS – Alberton and Superior. Motion carried unanimously.

Commissioner Johnston moved, and Commissioner Simons seconded to approve Resolution 8-12-2022 C A RESOLUTION REQUESTING AUTHORITY FOR DISTRIBUTION OF COUNTY MINIMUM ALLOCATION GRANTS FOR WATER AND SEWER INFRASTRUCTURE PROJECTS. Motion carried unanimously.

Public Comment;

Present: Emily Park- Mineral County Economic Development Committee, Scott Kinney- Superintendent Superior Schools

Scott informed the commissioners that the school needs to move forward on a land swap and or a sale with the county.

Commissioner Zylawy stated purchasing the piece of land from the school is something to be thought of in more depth.

Administrative Business

Commissioner Johnston gave her retirement/resignation with the last working date of September 2, 2022.

Commissioner Johnston moved, and Commissioner Simons seconded to approve payroll paid on August 12, 2022, for the amount of \$163,190.90 with check numbers 18730 through 18743. Motion carried unanimously.

Documents signed: School Nurse Contract between Superior School District # 3 and Mineral County Health Department, signed by Commissioner Zylawy

Meeting adjourned at 2:00 PM

The next regular meeting will be Friday, August 19, 2022, in the Commissioners' Meeting Room.

Minutes were taken by

Dawn Terrill

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

Monday, August 15, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Monday, August 15, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill.

6:00 PM Public Hearing for local marijuana excise tax- Commissioners Meeting Room

Present: Wally Congdon- Deputy County Attorney, Mary Yarnall- citizen, Dennis Yarnall- citizen, Diane Magone- citizen

Commissioner Zylawy opened the meeting at 6:00 PM and explained that this meeting was the second public hearing for the public to decide if the November ballot should include adopting or rejecting a local-option tax of 3% on recreational and/or medical marijuana.

The consensus from the first public hearing and the second public hearing was that the people should be able to vote their will on this topic, therefore, it belonged on the ballot.

The Commissioners' Assistant heard and reported that one community member voiced that there should be no tax allowed in the tax-free state of Montana; when hearing the meeting issue, the residents deciding if this issue should even be on the ballot, the resident acquiesced that it should indeed be up to the public to decide.

Commissioner Johnston moved, and Commissioner Simons seconded to put forth on the ballot for the general election two questions regarding a 3% tax on recreational and medical marijuana. Motion carried.

Meeting adjourned at 6:30 PM

**Minutes were taken by
Dawn Terrill**

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

August 19, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 19, 2022. Present were Commissioner Roman Zylawy, Commissioner Laurie Johnston, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill.

9:25 AM Library Board Appointment

Present: Dawn Terrill- Library Board applicant, Gretchen Webb- citizen, Dan Clemts- citizen

There was one applicant to replace the seat of Sheelia Miller; Dawn Terrill

Commissioner Zylawy read the application from Dawn aloud

Commissioner Johnston moved, and Commissioner Simons seconded to appoint Dawn Terrill to fill the unexpired term left vacant by Sheelia Miller. Motion carried unanimously.

9:30 AM Bid Opening and Award for stationary full body cam scanner

Present: Mike Toth -Sheriff, Wayne Cashman- Undersheriff, Gretchen Webb- citizen, Dan Clemts- citizen

There were no bids received so the ad will run for one more week; a date of Sept 9@9:15 AM in the Commissioners Meeting Room.

9:45 AM Request to advertise and fill a dispatch vacancy

Present: Mike Toth -Sheriff, Wayne Cashman- Undersheriff, Gretchen Webb- citizen, Dan Clemts- citizen

Mike Toth requested filling a dispatcher vacancy due to the resignation of Mistydawn Holyoak.

Commissioner Simons moved, and Commissioner Johnston seconded to approve advertising and filling a dispatcher vacancy left by Mistydawn Holyoak. Motion carried unanimously.

9:50 AM Order and place radio tower ASAP

Present: Mike Toth- Sheriff, Wayne Cashman- Undersheriff

Mike puts this request on hold and there was no discussion.

10:00 AM Budget question

Present: Mike Toth- Sheriff, Wayne Cashman- Undersheriff

Mike did not present a budget question- he talked about the COPS grant and its status- he's expecting \$148,000 to arrive shortly

10:30 AM Pioneer Council

Present: Lyn Hellegaard- Pioneer Council, Andy Short- Environmental Health and Planning Director, Denley Loge – Montana State Representative, Kathleen Brown- citizen, Sharon Patterson- Mineral County Economic Development Committee, Emily Park- - Mineral County Economic Development Committee, Gordon Hendrick- citizen, Mary Yarnall- citizen, Patti Curtin- citizen, Lori Fillo- Pioneer Council member, Gretchen Webb- citizen, and Dan Clemts- citizen

Lyn stated the commissioners asked for clarification was needed for the Pioneer Council Plans regarding a bus barn on the specified County property.

The Pioneer Council has Cares Act money to begin building the previously approved facility that is 73 feet by 30 and a minimum of a 10-foot max of an 18-foot asphalt skirting around the building.

Discussion of the Pioneer Council leasing the land for \$1.00 per year for 40 years with the first right of refusal and the end of the 40-year lease. Andy agrees the lease option is the best idea and asked who will develop the lease. /Response- Lyn will have the lease agreement prepared.

Lyn will send a lease template, along with the most recent site plan and contact information for bid opening and award

Commissioner Zylawy moved, and Commissioner Simons seconded approval to lease the land needed for the site plan presented, only the land needed for this site plan, by the Pioneer Council for \$1.00 per year for 40 years, and giving them the first right of refusal after the 40-year lease. Motion carried unanimously.

11:30 AM Public Comment

Present: Wayne Cashman- Undersheriff

No comments were received

Administrative Business

Commissioner Zylawy and Commissioner Johnston attended a FWP Fish Creek Wildlife Management and State Park planning meeting on August 17, 2022, from 1:00 PM-4:00 PM at the Alberton Community Center. No County business was discussed.

Commissioner Johnston moved, and Commissioner Simons seconded to approve claims paid on August 19, 2022, for the amount of \$54,807.96 with claim numbers 40449 through 40499, and warrant numbers 15962 through 16012. \$6562.56 disallowed; disallowed due to no department head approval Claims# 40450,40467,40473,40476,40488,40495; warrant numbers 15963,15980,15986,15989,15996 and 16008. Claim number 40145 was canceled due to not the county's responsibility, and Claim number 40163 was canceled due to the wrong vendor. Motion carried unanimously.

Commissioner Johnston moved, and Commissioner Zylawy seconded to approve the minutes of August 5th, 12th, and 15th, 2022. Motion carried unanimously.

Documents signed:

Resolution 8-12-2022 Mineral County Resolution of Intent to Establish a Mineral County PACE Program- signed by Commissioners Zylawy, Simons, and Johnston

Mineral County HBA (491) HOME Program Income 2022 Quarterly Reporting Forms Contract # M2000-SG300145, signed by Commissioner Johnston

Meeting adjourned at 2:15 PM

The next regular meeting will be Friday, August 26, 2022, in the Commissioners' Meeting Room.

Minutes were taken by

Dawn Terrill

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

August 26, 2022

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, August 26, 2022. Present were Commissioner Roman Zylawy, Commissioner Duane Simons, and Administrative Assistant Dawn Terrill. Commissioner Laurie Johnston was absent.

10:30 AM Closed Session recommended by Deputy County Attorney- Employee Investigation-Hiring and Retention; Department Policy Compliance – Remedies and Consequences

Present: Jim Warnken- citizen, Tony Pearson- citizen, Kim Mitchell- citizen, Clayton Ward- citizen, Julye Miller- citizen, Kat Thompson- citizen, Patti Curtin- citizen, Ryan Funke- citizen, Ken Verley- citizen, Travis Mateer- citizen, Wally Congdon- Deputy County Attorney, Debra Jackson- County Attorney, Mary Yarnall- citizen, Norm Naef- citizen

The citizens in attendance questioned the content and reason for a closed meeting. The wording of the closed meeting was challenged and Commissioner Zylawy agreed that more specific wording of a closed meeting must be followed. The meeting closed was tabled until further notice.

11:30 AM Public Comment

Present: Jordan Gulick- citizen, Shawn Visintin- citizen, Gretchen Webb- citizen, Patti Curtin- citizen, Gretchen Webb- citizen, Travis Meeter, Mike Toth- Sheriff, Wayne Cashman- Undersheriff, Norm Naef- Maintenance Director, Wally Congdon

A citizen voiced concern for politicizing issues

Mike stated repair people are here for diagnosing the AC in the jail; it's been stated that there is no air conditioning- nothing was ever hooked up and it will be very expensive to fix

Commissioner Zylawy suggested the Public Safety Mill Levy will need to be run; Sheriff Toth agreed that a good deal of money will be needed for the AC project

Norm stated there has been an HVAC problem in the jail; he will continue looking for someone/company to look at the problems. Norm will continue to look for a company to estimate solutions.

1:00 PM 2nd Budget Hearing

Present: Kelann McLees- Clerk and Recorder, Mike Toth - Sheriff

Kelann-

- Told that Jessica asked to move \$340,000.00 of PILT money into the Sheriff Department account
- Jessica asked to move \$70,000.00 out of Detention Funds to fund the Sheriff's Department account

Commissioner Zylawy explained that the mill levy (the "tax rate" that is applied to the assessed value of a property) is down from last year- from the value of 12600 per mill to the value of 12300 per mill

Commissioner Simons moved, and Commissioner Zylawy seconded to approve the transfer of \$340,000.00 from PILT and \$70,000.00 from Detention Funds into the Sheriff's Department Account.

Motion carried unanimously.

- Get all hourly changes made and reported to the departments- \$1.05 was budgeted except for Library and Road since they are separate budgets- keep his ask the way it is? Response- Commissioner Zylawy stated, yes, as is

Commissioner Simons asked if the county had to get into any reserves to pay the \$1.05 Response- Kelann stated no

Mike asked if his two individuals got above \$1.05 Response- Kelann stated no- the salary board recommended \$1.05 and that's what they got

Mike stated the Lead Dispatch wanted another .50 per hour and Lead Detention wanted \$1.00 more

It was decided that the Lead Detention officer will get an additional .95 after the year mark of employment, which will be in November

Kelann stated the sheriff's last year budget was over by \$81,000. Mike's total budget presented for this year was \$950,000.00 (Public Safety) \$541,000 (Detention)

Mike asked for an additional % above all other elected officials Response- Kelann stated he was budgeted for the \$1.05

Justice Court- Kim Taron

Kim requested the full-time position be kept when she vacates the clerk position to take over as the Elected Justice of the Peace. Kim is told staffing of the office will remain as it is now- two full time and one half time position

Kim will return in October to make the request to advertise and fill her clerk position.

County Attorney's Office- The County Attorney's employees will get the \$1.05 raise and additional \$10,000 increase for necessary contracts for investigators.

Administrative Business

Commissioner Simons moved, and Commissioner Zylawy seconded to approve payroll in the amount of \$107,338.79 with check numbers 18744 through 18758 and electronic deposits 65964 through 66031.

JVs and Income statements for March 21-22, April 21-22, and May 21-22 were reviewed by Commissioners Zylawy and Simons

Commissioner Zylawy moved, and Commissioner Simons seconded to approve the minutes of August 26, 2022. Motion carried unanimously.

Documents signed:

A letter to Jamie Barbour, Ecosystem Management Coordinator, on behalf of mature and old-growth forests, signed by Commissioners Zylawy and Simons.

Meeting adjourned at 5:00 PM

The next regular meeting will be Friday, September 2, 2022, in the Commissioners' Meeting Room.

Minutes were taken by

Dawn Terrill