

## April 2023

April 5, 2023

Special Work Session on April 5, 2023, for Commission to discuss issues brought forth during public comment on a regular Friday meeting, 2023, at 10:00 AM in the Commissioners Meeting Room.

Present were Commissioners Duane Simons and Dawn Terrill.

Diane Magone from the public was present.

Review of the request regarding tabletop microphones and a video camera.

The need, or no need, for language translation was discussed

Merry Mueller joined at the commissioners' request to apprise of the final plans for the investment committee. Merry stated the committee will be asked for their suggestions for investing, with Merry being the final decision maker. The committee will meet for a trial period of 6 months.

Several people were consulted regarding public comment period; most valuable information included the chair's right and responsibility to shut down any activity that interferes with the conduct of the meeting.

Emily Park joined the commissioners to discuss contract vs employee for the County Resource Advisor position

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

April 7, 2023

The Board of County Commissioners of Mineral County, Montana met in a regular session on Friday, April 7, 2023. Present were Commissioner Duane Simons, Commissioner Roman Zylawy, and Commissioner Dawn Terrill.

#### **9:00 AM Administrative Business**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Mark Testa- Citizen, Gretchen Webb- Citizen, Diane Magone- Citizen

Commissioner Zylawy moved, and Commissioner Simons seconded to approve payroll paid on April 7, 2023, for the amount of \$168,435 with check numbers 18973 through 18985 and electronic deposits 64843 through 64912. Motion carried unanimously.

Commissioner Simons moved, and Commissioner Zylawy seconded to approve minutes from March 24, 2023, and March 31, 2023 with said changes. Motion carried unanimously.

**Documents:**

**There were no documents signed**

**10:05 AM Call Meeting to order, Pledge of Allegiance.**

Meeting called to order

Pledge of Allegiance led by Commissioner Terrill

**10:05 AM Public Comment**

Present: Ken Verley- Citizen, Diane Magone- Citizen, Julie Miller- Citizen, Clayton Ward- Citizen, Mike Galloway- Citizen, Gretchen Webb- Citizen

Citizens brought forth the following:

- rain gutter is still not fixed; disappointed because without it being fixed we will be right back where we were with the repairs made to the sheriff's office.
- support for the county commissioners; thinks they are doing a great job, supports all of the elected officials.
- everyone elected ran as republicans and asked everyone to remember what the republicans stand for in Montana.
- political party has nothing to do with this level of government; also voiced concern with people speaking in the back of the room when people are at the podium speaking.
- clear agenda has been requested for over a month; stated the public has the right to see everything on the table; asked to put minutes on the agenda, says that it seems to not be transparent the way it is being done.
- displeasure about being told to step away from a table; stated that he hears people saying that the commissioners are in disarray.

**10:35AM Sponsorship for high school students to attend SAF meeting, \$500**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Diane Magone- Citizen, Anna Marie White- Citizen

**Commissioner Simons moved, and Commissioner Zylawy seconded to take \$500 out of Title 3 money pay for student education. Motion carried unanimously.**

**10:45AM Appoint Sue Ann Cleveland to Deborgia Cemetery Board**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Diane Magone- Citizen, Anna Marie White- Citizen

**Commissioner Zylawy moved, and Commissioner Simons seconded to appoint Sue Ann Cleveland to the DeBorgia Cemetery Board. Motion carried unanimously.**

**10:50AM Appoint Judy Stang to Tax Appeal Board**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Diane Magone- Citizen, Anna Marie White- Citizen

**Commissioner Simons moved, and Commissioner Terrill seconded to appoint Judy Stang to the Tax Appeal Board. Motion Carried unanimously**

**11:00 AM Requesting action for approval of pavilion construction for Keystone Drill, Water Cannon, and additional Relics as presented to commissioners 3-31-23- Ginny Tubbs**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Diane Magone- Citizen, Anna Marie White- Citizen, Ginny Tubbs- Museum, Marlys Schwaderer- Citizen

Ginny Tubbs requested approval of pavilion Construction. Explained that there are three trees to be removed to build the pavilion. Commissioner Simons asked how the trees will be taken care of /Response Leroy Godin will remove them; no opposition has been heard from the Library or public.

Citizen asked if the museum would be changing location/ Response No.

**Commissioner Zylawy moved, and Commissioner Simons seconded to approve pavilion construction. Motion carried unanimously.**

**11:10 AM Property Tax – Ken Verley**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Diane Magone- Citizen, Anna Marie White- Citizen, Mike Galloway- Citizen, Ken Verley- Citizen, Marlys Schwaderer- Citizen

Ken brought forth the following:

- There are numerous new constructions that are not being taxed. Says we are missing out on tax dollars. Some places do not have addresses. Stated we are missing out on a lot of tax revenue.

Citizens brought forth the following:

- The number of properties are not being taxed
- hiring to contract a worker to physically verify addresses
- recommendation to send everything to the Montana Department of Revenue.
- clarified address situation.
- the need look at grants to fill a position to determine new builds

**11:20 AM Amend Resolution 1-6-2023a**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Diane Magone- Citizen, Anna Marie White- Citizen, Mike Galloway- Citizen, Ken Verley- Citizen, Marlys Schwaderer- Citizen

Commissioner Terrill read aloud the amendments to the resolution

Citizen stated that there is a contradiction in the draft.

The changes will be available to the public for another week before the change is made

Citizen asked that minutes from board meetings be brought forth by the commissioners.

**1:00 PM Mineral County Fairboard request Motion to approve \$350,000 or cost of new fairgrounds building to replace Quonset Hut**

Present: Julie Miller- Citizen, Clayton Ward- Citizen, Diane Magone- Citizen, Anna Marie White- Fairboard, David Moyer- Citizen, Nikki Moyer-Fairboard, Glen Koepke- Citizen, Maura Jonson- Fairboard

Nicole:

- Gave a power point presentation on the financials and statistics for the project. Power point gave two options A and B.
- Option A is for \$125,000 to fix the building just to get by for a few years.
- Option B is a request for the building of a new building. Gave details of what the new building requires. Gave size and what updates will be done.
- Asked the commissioners to seriously consider option B because it would be a better long- term option.

Commissioner Terrill asked that the board also try to raise funds as well as bring forth actual bids/costs

Commissioner Zylawy asked that they include volunteer work and costs that they are donating for tree removal and the excavation work.

Commissioner Terrill gave fair board members a list of potential grant sources.

**Meeting adjourned at 2:30 PM**

**The next regular meeting will be Friday, April 14, 2023, in the Commissioners Meeting Room**

**Minutes were taken by Darin Castor**

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

**April 14, 2023**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, April 14, 2023. Present were Commissioner Duane Simons, Commissioner Roman Zylawy, and Commissioner Dawn Terrill.

**9:00 AM Administrative Business**

Present: Juliet Miller- Citizen, Clayton Ward- Citizen, Gretchen Webb- Citizen, Diane Magone- Citizen, Ken Verley- Citizen, Mike Curtin- Citizen, Leroy Godin-Citizen,

**Commissioner Zylawy moved, and Commissioner Simons seconded to approve claims paid on April 14, 2023, for the amount of \$57,183.29 with claims numbers 41454 through 41497 and warrant numbers 16970 through 17013. Motion carried unanimously.**

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve minutes from April 7, 2023 with said changes. Motion carried unanimously.**

**Documents:**

There were no documents signed

**10:05 AM Call Meeting to order, Pledge of Allegiance.**

Meeting called to order

Pledge of Allegiance led by Commissioner Terrill

**10:05 AM Public Comment**

Present: Juliet Miller- Citizen, Clayton Ward- Citizen, Lance Jasper- Citizen, Ken Verley-Citizen, Mike Curtin-Citizen, Diane Magone- Citizen, Leroy Godin- Citizen, Glenn Koepke-Citizen, Leslie Sarlry-Citizen, AnnaMarie White- Citizen, Stephen Moats- Citizen, Mike Galloway- Citizen, Rick Miller- Citizen

Citizens brought forth the following:

- would like to see the commissioners acknowledge the heroes that helped with the shooting incident; said people did extraordinary things to help with incident; suggested thanking other counties and emergency teams
- stated his belief that the county needs an independent investigation regarding what may be a hostile work environment
- Agreement with independent investigation comment.
- The need for old business and new business on the agenda.
- A statement that the public needs to stop micromanaging how the commissioners are doing their business. As long as the information is available to the public the commissioners are fulfilling their requirement
- a definition for the word sanity; a statement supporting recording meetings; Stated that he has known Dawn Terrill for over 35 years and has never lied. Said that chairlady Terrill is trying to make change for the good with meetings.
- Support for the comments made about moving forward and doing it in a good manner; also stated that the sheriff's office was thanked for their work during the hostage/shoot out incident
- The fact that "the public" is continuously used to represent comments and demands, yet a low percentage of people are actually showing interest in the commissioners agenda; its an open door meeting; people presenting are using the "I" pronoun in meetings making it a personal issue; talk about getting the points of interest out to the public so there is a higher percentage of interest
- the sheriff's office are not the only first responders in the county, need to reach out to all the responders as well as the community that was involved.
- that low percentage may be incorrect because of the number of children calculated in; would

like a sandwich board for commissioners meeting; would like to honor everyone involved with the St Regis incident at the fair this year

### **10:35 Update from US Forest Service**

**Present:** Abby Lane- Superior District Forest Ranger, Chris Gauger- Ninemile District Forest Ranger, Diane Magone- citizen, Glenn Koepke- citizen, AnnaMarie White- citizen

Abby reported:

#### **Superior Ranger District**

- **Montana Water Rights Settlement:**
  - The state has identified 3.5 sections near DeBorgia for consideration
    - Currently these have no active timber sales and all fuels work has been completed.
    - Negotiations continue.
- **Forest Plan Revision:**
  - The team is requesting a letter from the Commissioners confirming that Willy Peck is assigned to carry out the roles as the Cooperating Agency MOU.
    - Just need to ensure we are 100% clear in roles, and everything is properly documented.
- **Recreation:**
  - 6 YCC hired
  - Preparing campgrounds for opening over the next 6 weeks
  - Cabin City Campground April 25-26 & May 12-13 public can collect free green fire wood, already cut into rounds, FS personnel will be on site
- **Fire:**
  - New AFMO of operations started at the beginning of April.
  - Conducted first Rx of season on Monday up Flat Crk.
  - Likely to burn new St. Regis on Sunday
  - Forest wide press release to be issued soon, necessary county contacts are informed.
- **Planting:**
  - 198,000 seedlings were delivered on Monday
  - Planting to commence on 4/24 – approximately 800 acres – mix of harvest and fire reforestation.
  - 22 acres of white bark pine planting

Chris Gauger gave an update on activities in the Ninemile District

### **11:05 Appoint Salary Compensation Board**

**Present:** Kim Taron- Justice of the Peace, Ken Verley- citizen, M Curtin- citizen, Diane Magone- citizen, AnnaMarie White- citizen, Stephan Moats- citizen

A citizen asked for the qualifications for being on the board /Response: none except applicants should be familiar with the county budget, the budget process and the workings within the county.

**Commissioner Simons moved, and Commissioner Zylawy seconded to appoint Kim Taron, Kelann McLees, Merry Mueller, Ken Jasper, and Diane Magone to the Salary Compensation Board. Motion carried unanimously.**

Citizen asked the process for getting another applicant/Response- the county will solicit by various means if needed; advertising in the paper was already done, therefore another publication is not necessary.

HR will solicit one more applicant for the board as there was one applicant withdrawal.

**11:15 AM Approve Detention Supervisor Job Description**

**Present:** Diane Magone- citizen, AnnaMarie White- citizen, Ryan Funke- Sheriff

**Commissioner Simons moved, and Commissioner Terrill seconded to approve the Detention Supervisor Job Description as provided by Sheriff Ryan Funke. Motion carried unanimously.**

**11:25 AM Request to fill dispatch vacancy**

**Present:** Ryan Funke- Sheriff, Diane Magone- citizen, AnnaMarie White- citizen

**Commissioner Simons moved, and Commissioner Terrill seconded to approve advertising and filling the dispatch vacancy position. Motion carried unanimously.**

Sheriff Funke asked if he could hire from the applicants recently interviewed and not hired /Response-yes

**11:35 AM Resolution changes to 1-6-2023a establishing ReOrganization of the Board of County Commissioners, Mineral County**

**Present:** K Verley- citizen, M Curtin- citizen, Diane Magone- citizen, AnnaMarie White- citizen

Changes to the Resolution are as follows:

- Now, therefore, be it resolved, that the Board of County Commissioners of Mineral County hereby designates Dawn Terrill as the Presiding Officer of the board in compliance with Section 7-4-2109, MCA
- Be it Further Resolved that the members of the commission ~~will~~ **may** serve as liaison **at their discretion** on the following boards and committees

Citizen comments brought forth were:

- asking for drafts of the resolution; pointed out that the original resolution stated Roman Zylawy; concerns with familiarization of amending a resolution; asked that the resolution change be held for yet another week for public review
- stated desire to move forward and make the changes
- commented about minutes from other boards
- stated concern with the language
- the resolution has been discussed long enough- move forward and make a decision- everyone cannot be pleased

Commissioner Zylawy explained the error in having Commissioner Zylawy as chair rather than Commissioner Terrill

Changes to the commissioners as liaison are as follows:

Juvenile Detention and Justice Public have changed from Commissioner Zylawy to Commissioner Simons

**Commissioner Zylawy moved, and Commissioner Simons seconded to adopt Resolution 4 14 2023. By virtue of it being a new resolution it will replace the old resolution. Motion carried unanimously.**

**11:50AM Request to hire two administrative assistants for County Attorney with appropriate wage increase**

**Present:** Ken Verley- Citizen, Mike Curtin- Citizen, Diane Magone- Citizen, AnnaMarie White- Citizen, Mary Jo Berry- Citizen, Patti Curtin- Citizen, Kelann McLees- Clerk and Recorder, Kim Taron- Justice of the Peace, Claudia Boyer- Deputy Treasurer, Jaime Talbot- District Court, Kasey Feasel- Deputy Clerk and Recorder, Mariah Hinson- Justice Court Clerk, Wendie Richards- Justice Court Clerk, Stephen Moats- Citizen

- Wally Congdon represented the Elected Official- Deb Jackson- County Attorney, in her request to advertise and hire two administrative assistants (to fill the two vacancies ).
- The request for a higher wage was addressed. Commissioner Terrill said that in urgent circumstances the county can grant raises. Commissioner Terrill said they would clearly state the

experience that would warrant the raise.

Commissioner Zylawy said that we should advertise as usual for now, and can possibly make changes later at budget time in July.

**Commissioner Zylawy moved, and Commissioner Simons seconded to approve advertising and filling the two vacancies at \$13.00 each per hour Motion carried unanimously**

**1:00PM Finalizing Willy Pecks Resource Advisor Position**

Present: Ken Verley- Citizen, Mike Curtin- Citizen, Diane Magone- Citizen, AnnaMarie White- Citizen

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve Willy Peck as the Resource Advisor employee for a salary of \$60,000.00 for a one - year period, to be paid out of Title III funds. Hours worked must be logged on a Mineral County Time Sheet and travel expense (\$10,000.00) must be itemized with detail. Motion carried unanimously.**

**Meeting adjourned at 1:45 PM**

**The next regular meeting will be Friday, April 21, 2023, in the Commissioners Meeting Room**

**Minutes were taken by Darin Castor**

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

**April 21, 2023**

The Board of County Commissioners of Mineral County, Montana, did not meet on Friday, April 21, 2023, though Commissioner Terrill signed payroll checks.

Payroll in the amount of 122,078.18, with check numbers 18986 through 19000 and electronic deposits 64769 through 64841 will be approved on April 28, 2023 during administrative business.

Check numbers 18986 through 19000 were signed by Commissioner Terrill.

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

**April 27, 2023**

The Board of County Commissioners of Mineral County, Montana, met in a special session on Thursday, April 27, 2023. Present were Commissioner Duane Simons, Commissioner Roman Zylawy, and Commissioner Dawn Terrill.

**10:00 AM Property Casualty Meeting**

**Present:** Shannon Chamberlain- MACo and Krui Siewing- Payne West

Shannon reviewed the 2023-2024 Property & Casualty Contract. The Agenda was:  
Excess and Reinsurance Market Analysis  
Pool Claims Analysis

2023-2024 Contribution compared to 2022-2023  
County Claims Review  
Liability & Property Coverage Document Language Changes  
Special Districts  
Risk Management Services  
Property Acknowledgement Form

See the Commissioners' Assistant for more information

**Meeting adjourned at 11:00 AM**  
**Minutes were taken by Dawn Terrill**

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

**April 28, 2023**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, April 28, 2023. Present were Commissioner Duane Simons, Commissioner Roman Zylawy, and Commissioner Dawn Terrill.

**9:00 AM Administrative Business**

Present: Juliet Miller- Citizen, Clayton Ward- Citizen

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve claims paid on April 28, 2023, in amount of \$28,100.94 with claim numbers 41498 through 41524 and Warrant numbers 17014 through 17040. Motion carried unanimously.**

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve minutes from April 7, 14, 21, 27, 2023. Motion carried unanimously.**

**Documents:**

Commissioner Terrill signed a Vendor receipt for The Milwaukee Road Cleanup and remedial/removal cleanup grant at Haugan Mt.

Commissioner Simons signed Home quarterly report.

**10:05 AM Call Meeting to order, Pledge of Allegiance**

Meeting called to order  
Pledge of Allegiance led by Commissioner Terrill

**10:05 AM Public Comment**

**Present:** Juliet Miller- citizen, Clayton Ward- citizen, Anna Marie White-citizen, Diane Magone-citizen, Lori Stetzel-citizen, Ginny Tubbs-citizen

Juliet Miller :

- asked that the Public not be told what they can and can't do without hearing an explanation or reason from the board
- asked that Old Business be on the agenda as follow-up.
- Reminded board that "Work Sessions" must have minutes taken if decisions are made.
- stated that March minutes are too long in being made available.



Diane Magone

- stated that the Big Sky Rail authority is having a meeting in Paradise Mt. on May 24, 4 p.m. to 8 p.m. All are invited

Clayton Ward

- apologized for being loud and upset at last weeks meeting; he was trying to thank someone and felt he got shut down in the process.
- asked why it's an issue to have three chairs along the wall.

Lori Stetzel

- directed question to the Presiding Officer why her sitting in the chair next to camera is a problem; stated the reason she is there is to learn how to film the meetings.

Ginny Tubbs

- stated that if people were more courteous and explained in advance what their intentions were by adding more chairs along the wall: that maybe the misunderstanding might not have happened

Anna Marie White:

- commented that the Fairgrounds cleanup was a success; they hauled off over 100 trash bags of debris and trash; she expressed excitement about another one happening in May; she thanked Commissioner Terrill to help with the cleanup.
- also asked for a future meeting with Commissioners to clarify some issues and decisions.

**10:35 to 10:50 Route of The Olympian Bridge Repairs- Bid opening Action Item**

**Present:** Juliet Miller-citizen, Clayton Ward- citizen, Lori Stetzel-citizen, Ginny Tubbs-citizen, Diane Magone-Anna Marie White-citizen, Forest Service employees Mike Frawley, Jared Koskela, Kade Van Elswyk, and Road Foreman Jason Mclees.

Jason Mclees opened and read the two bids aloud:

First bid was from Timberline Contracting = \$293,980.00

The secondary Option bid was \$39,556.00

Second bid was from Price Contracting= \$412,027.00

The secondary Option bid was \$41,050.00

The Option bid was if money leftover to continue some additional work.

**Commissioner Zylawy moved, and Commissioner Simons seconded to award the contract to Timberline in the amount of \$293,980.00 upon recommendation of the Forest service and the County Road Foreman. Option bid is rejected. Motion carried unanimously.**

**10:50 to 10:55 Amy Lommen from Health Dept. with request to approve \$5,000 funding for STD education and treatment**

**Present:** Juliet Miller-citizen, Clayton Ward- citizen, Lori Stetzel-citizen, Ginny Tubbs-citizen, Diane Magone-Anna Marie White-citizen

- no match required; money is available from the Montana Public Health Institute

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve the request from the Health Department to apply for a no match grant for STD education and treatment. Motion carried unanimously.**

**10:55 to 11:10 Month End Finance report from Treasurer Merry Mueller**

**Present:** Juliet Miller-citizen, Clayton Ward- citizen, Lori Stetzel-citizen, Ginny Tubbs-citizen, Diane Magone-Anna Marie White-citizen

Merry informed the Board of the balances in Sweep account, Cd's, and the school district investments. She advised that the Investment Board committee was doing well. They will be asking for a D.A Davidson broker to meet with them soon as well. She talked about some of the Tax assistance programs available to defer hardships on the elderly and the Veterans.

**11:10 to 11:20 Appoint Ginny Tubbs to Salary Compensation Board-Action Item.**

**Present:** Juliet Miller-citizen, Clayton Ward- citizen, Lori Stetzel-citizen, Ginny Tubbs-citizen, Diane Magone-Anna Marie White-citizen

There was one application received.

Juliet Miller asked why there was not a posting for the opening on the Cork Board in courthouse. Response/: previously, there was an ad in the newspaper; the single opening was announced at the last meeting, and an application was submitted on that day, thus the need to post the opening was unnecessary.

**Commissioner Simons moved, and Commissioner Zylawy seconded to appoint Ginny Tubbs to the Salary Compensation Board. Motion carried unanimously.**

**11:20 to 11:40 School Resource Officer COPS Grant**

**Present:** Ryan Funke- Sheriff, Juliet Miller-citizen, Clayton Ward-citizen, Diane Magone-citizen, Ginny Tubbs-citizen, Lori Stetzel-citizen, Logan Labbe Superior School Principal, Scott Kinney-Superior School Superintendent, Derek Larson- St Regis School Superintendent

Sheriff Funke presented the need for a school resource officer and the logistics of how it would work. The three schools would help select the officer from current deputies and the officer would rotate days in serving the three county schools. When school is out in the summer, the officer would work as a regular Deputy in the county.

Concern was raised by the Commissioners that the two other Grants being carried by the Sheriff-The Stonegarden Grant and the other COPS grant- are behind in reporting by seven or more months. And that meant that the county was paying until current reporting brought in the federal payment. Sheriff Funke assured the board that they would be current within two weeks and no longer behind.

Principal Logan Labbe, Superintendent Derek Larson, and citizen Lori Stetzel all spoke in favor of the School Resource Officer COPS Grant.

**Commissioner Simons moved, and Commissioner Zylawy seconded to approve the SRO Cops Grant. Motion carried unanimously.**

**Meeting adjourned at 1:45 PM**

**The next regular meeting will be Friday, May 5, 2023, in the Commissioners Meeting Room**

**Minutes were taken by Roman Zylawy**

**MINERAL COUNTY COMMISSIONERS**

**ATTEST: \_\_\_\_\_**

**Kelann McLees, Clerk & Recorder**

\_\_\_\_\_  
**Dawn Terrill, Chairman of the Board**

\_\_\_\_\_  
**Duane Simons, Member**

\_\_\_\_\_  
**Roman Zylawy, Member**

**April 29, 2023**

**Commissioners Terrill, Zylawy and Simons attended the Lincoln Reagan Dinner, put on by the Republican Central Committee. No official business was conducted**