

DECEMBER 2024

PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS OF MINERAL COUNTY, MONTANA December 6, 2024

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, December 6, 2024. Commissioner Duane Simons and Commissioner Dawn Terrill were present. Commissioner Roman Zylawy was absent.

9:00 AM- 10 AM Administrative Business- in individual offices of Commissioners

Documents Signed: Resolution # 12-6-2024(A) to enact new land use fees. Resolution # 12-06-2024 (B) Budget Amendments. Resolution # 12-06-2024 (c) to Amend the Lozeau Overlook Subdivision Covenants and restrictions.

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

Meeting was called to order
Pledge of Allegiance led by Commissioner Terrill

10:05 AM- 10:10 AM Approve minutes of November 15, and 22, 2024 and to approve claims of 12-26-2024

Present: RJ Kroupa- citizen, Shawn Smalley- citizen

Commissioner Simons moved, and Commissioner Terrill seconded to approve Claims for December 6, 2024, for \$308,958.39, check numbers 770867 through 770961 and claim numbers 44595 through 44631. All in favor. Motion carried.

10:10 AM- 10:35 AM Public Comment:

Present: RJ Kroupa- citizen, Shawn Smalley- citizen, Monte Turner- citizen, Ryan Funke- Sheriff, Wayne Cashman- Brenda Auge- citizen, Eric Lindauer, and friend.

Citizen Monte Turner requested the previous system of emailing the agenda to individuals rather than only posting on the website.

Ryan Funke voiced concern about an upcoming agenda item regarding his budget and stated he is not part of that agenda item and no one should be allowed to have an agenda item about another elected official's business/budget

10:30 AM- 11:00 AM- Environmental Health and Planning – Land use Fees schedule revisions- Resolution of intent to adopt- Resolution # 12-06-2024(a) ACTION ITEM- Andy Short

Present: Candis Hampton- Environmental Health and Planning Assistant, RJ Kroupa

Andy- this is the third public meeting and would like the intent to adopt the new fees and will return in two weeks with the resolution to adopt the land use fees.

Commissioner Simons moved, and Commissioner Terrill seconded to 12-06-2024 A Resolution of Intent to Enact New and Revised Land Use Fees for Services Rendered by the Mineral County Environmental Health and Planning Department. Motion Carried

11:00 AM Ruth Burke, Hannah Tester discuss Community Reinvestment Opportunities

Present: RJ Kroupa- citizen, Shawn Smalley- citizen

Ruth introduced Hannah Tester who gave background information on A community Reinvestment Organization, specifically Neighbor Works Montana. Neighborworks Montana is a statewide organization that creates homeownership opportunities for Montana’s workforce; there is interest in bringing Neighborworks to Mineral County.

For more information contact Neighborworks Montana

Approve Transfers between funds for FY 2023-2024 and to approve

Commissioners adjourned for the day at 12:45 p.m.

The next regular meeting will be Friday, December 13, 2024, in the Commissioners Meeting Room

Minutes were taken by Dawn Terrill

**PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS
OF MINERAL COUNTY, MONTANA
December 13, 2024**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, December 13, 2024. Present were Commissioner Duane Simons, Commissioner Dawn Terrill and Commissioner Roman Zylawy.

9:00 AM- 10 AM Administrative Business- in individual offices of Commissioners

Documents signed: A letter to Nominee for U.S. Secretary of Agriculture Brooke Rollins, for support for Tom Schulz as Deputy secretary.

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

Meeting was called to order

Pledge of Allegiance led by Commissioner Terrill

10:05 AM- 10:10 AM Approve minutes of November 29th and December 6, 2024 and to approve payroll on 12-13-2024

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Shawn Smalley-citizen.

Commissioner Simons moved, and Commissioner Terrill seconded to approve the minutes of November 29, 2024. All in favor. Motion carried.

The Minutes for December 6, 2024 were not ready for approval.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve payroll of 12-13-2024 in the amount of \$186,499.75 dollars, check numbers 660069 through 660075 and electronic check numbers 61714 through 61782, as well as liability check # 660076 and 660077, and electronic liability checks # 61712 and 61713. All in favor. Motion carried.

10:10 AM- 10:35 AM Public Comment

Present: R.J. Kroupa, Ginny Tubbs-citizen.

No Public comment was provided.

10:30 AM-11:10 AM Topic on how to pay for the Sheriffs' Attorney fees with his lawsuit against the County was CANCELLED.

11:15 AM- 11:45 AM Librarian Guna Chabarek wanting a Budget Transfer request- ACTION ITEM

Present: R.J. Kroupa, Ginny Tubbs-citizen.

Discussion about the request not being necessary, and without Guna present to explain otherwise-
No action was taken.

1:10 PM- 2:00 PM Mineral County Property Information GIS Web APP presentation, by Joe Rhoades from Civic Lens-POSSIBLE ACTION ITEM

Present: Andy Short- Land Planner, Joe Rhoades-Civic Lens representative, Candis Hampton-Land Planner assistant, Shawn Smalley-citizen.

ARC reader maps are being discontinued so it will be replaced by ARC GIS online. EZZR sales people said that we currently aren't utilizing the program to its full potential. Now Matt Pearce and Joe Rhoades are working together so we can have a more modern system which is a cloud-based operation. Joe presented the capabilities of the system using the large screens in meeting room and demonstrated the myriad ways to obtain accurate information. After an hour of seeing the system, a motion was made.

Commissioner Zylawy moved, and Commissioner Simons seconded to adopt the ARC GIS online Web APP for property information be published and available on our County Website. All in favor. Motion carried.

2:00 PM-2:30 PM Lozeau Overlook Covenants follow up-Andy Short- POSSIBLE ACTION ITEM

Present: Andy Short- Land Planner.

Andy wanted to advise everyone that at last week's meeting regarding the signatures from residents of Lozeau Overlook Subdivision, the people were not actually residents. Andy said that next time he will double check the maps and the people who own lots within the subdivision in question. Gretchen Webb was the only signature to change the covenants, who was a owner of lots in the subdivision. Therefore, Resolution # 12-6-2024 (C) that was approved last week, is not accurate and valid and will now need to be rescinded. So, a new Resolution was presented to rescind it.

Commissioner Simons moved, and Commissioner Zylawy seconded to adopt Resolution # 12-13-2024 which would rescind the Lozeau Overlook Subdivision amendment resolution# 12-6-2024 (C) that was passed last week. All in favor. Motion carried.

The regular County Business Meeting adjourned at 2:30 PM.

Commissioners adjourned for the day at 4:00 p.m.

**The next regular meeting will be Friday, December 20, 2024, in the Commissioners Meeting Room
Minutes were taken by Roman Zylawy**

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

December 20, 2024

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, December 20, 2024. Present were Commissioner Duane Simons, Commissioner Dawn Terrill and Commissioner Roman Zylawy.

9:00 AM- 10 AM Administrative Business- in individual offices of Commissioners

Documents signed: Memorandum of Agreement between Recipient and Subrecipient between Mineral County and Trestle creek for \$50,000.00 dollars ARPA monies.

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

Meeting was called to order
Pledge of Allegiance led by Commissioner Terrill

10:05 AM- 10:10 AM Approve minutes of December 6th and December 13, 2024 and to approve Claims of 12-20-2024

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Jim Debree-citizen.

Commissioner Simons moved, and Commissioner Zylawy seconded to approve the minutes of December 6, and December 13, 2024. All in favor. Motion carried.

In reviewing the Claims, discussion was had about the \$10,692.06 dollar claim submitted by Sheriff Funke to pay for his attorney in a suit against Mineral County. Upon advice from the Mineral County attorney, it was decided to pay the claim, but to include a signed agreement that this was a very unusual situation and that this would be acknowledged as an anomaly to only be paid this one time. But the Sheriff did not want to sign the agreement. So, it was decided to disallow the claim. All three Commissioners were in agreement to disallow the claim.

Commissioner Simons moved, and Commissioner Zylawy seconded to approve Claims of 12-20-2024 in the amount of \$72,676.66 dollars, check numbers 770962 through 771028 and Claim numbers 44689 through 44755. Check # 771017 was Disallowed and Claim number 44744 was Disallowed. All in favor. Motion carried.

10:10 AM-10:30 AM Public Comment

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Shawn Smalley-citizen, Jim Debree-citizen.

Ginny Tubbs spoke and expressed appreciation for the work that the Board of Commissioners do. The complaints, out of town board meetings, FEMA map updates and keeping Mineral County operating well were all subjects of her praise.

R.J. Kroupa spoke and said that he wanted to echo the same sentiments as Ginny.

10:30 AM- 10:45 AM Weed Board members expiring terms- applications and appointments. -Dave Brink- ACTION ITEMS

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Shawn Smalley-citizen, Jim Debree-citizen, Dave Brink-Weed Board Director, Candis Hampton-Land Use office assistant, Andy Short-Land Use Planner.

Two seated weed board members had their terms expiring 12-31-2024, and both wanted to be re-appointed. After the advertisement in the Mineral paper, they were the only interested applicants.

Commissioner Zylawy moved, and Commissioner Simons seconded to Re-Appoint Michele Lower and Jim Lommen to the Mineral County Weed Board. All in favor. Motion carried.

10:45 AM- 11:00 AM Land Use Fee Schedule Revisions-Adopt Resolution # 12-20-2024(A) ACTION ITEM

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Shawn Smalley-citizen, Jim Debree-citizen, Sharon Patterson-citizen, Candis Hampton-Land Use office assistant, Andy Short-Land Use Planner.

Andy talks about the need for increased fees and how this would be the 4th public hearing on it. If the resolution is passed, the new fees would take effect January 2025. The new fees reflect what surrounding counties are implementing for fees as well. Commissioner Zylawy asked if any contractors or developers came in to voice opposition during the comment period. Andy replied that his office had not heard anything at all.

Commissioner Simons moved, and Commissioner Zylawy seconded to Adopt Resolution # 12-20-2024(A). All in favor. Motion carried.

11:00 AM- 12:00 PM ARPA Fund monies requests, Fair Board and for a County car-Emily Park-ACTION ITEMS

Present: R.J. Kroupa- citizen, Ginny Tubbs-Fair Board member, Shawn Smalley-citizen, Jim Debree-ARPA committee, Sharon Patterson-ARPA committee, Al Acheson-Fair Board member, Kelann McLees-Clerk and Recorder.

Emily Park was absent, so Sharon Patterson spoke on her behalf from the ARPA committee. She said that the remaining balance of ARPA monies was \$35,277.35 dollars. The fair Board would like a portion of the money to pay for new sound system that blew out last year, and for some added power and outlets for vendors to plug in electrically to. Also, some county employees have expressed an interest in having a county car to travel to trainings and conferences.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve ARPA funding for the Fair Board in the amount of \$ 17,968.35 dollars, and the remaining ARPA money to go towards the County Travel car in the amount of \$ 17,309.00 dollars. All in favor. Motion carried.

12:15PM- 1:00 PM Hendon Minor Subdivision Final Plat Approval -ACTION ITEM

Present: Andy Short-Land Planner, Candis Hampton-Assistant Land Planner, Shawn Smalley-citizen.

Andy explained how the Final plat for the 2-lot minor subdivision at 345 quartz loop road is done and ready for approval. There was no questions or concerns. Subject was moved upon.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve final plat application for the Hendon minor subdivision, and to file with accompanying documents.

All in favor. Motion carried

1:00 PM- 1:30 PM Resolution # 12-20-2024 (b) to approve participating in the Montana Community Reinvestment Organization housing program -ACTION ITEM

Present: R.J. Kroupa- citizen, Andy Short-Land Planner, Shawn Smalley-citizen, Hannah Tester-NeighborWorks Montana, Ruth Burke-Human Resource Council.

Ruth Burke explained how NeighborWorks Montana is a HUD intermediary partner with HRC and others that helps to acquire housing and projects for our area. They serve as a marketing piece we lenders and serve the Western Montana region. Hannah spoke about how the state legislature appropriated money through House Bill 819 to enhance much needed housing availability and improve ability for buyers to obtain loans for houses. This money does not require money from mineral county, but does need to be approved and have a named manager for the housing reinvestment program. House bill 819 requires that a county must opt into the Community Reinvestment organization, and must choose a entity to manage the program.

Commissioner Simons moved, and Commissioner Zylawy seconded to approve Resolution # 12-20-2024(b) to affirmatively participate in the Montana Community Reinvestment Plan by Identifying and approving a Community Reinvestment Organization. Nd to select NeighborWorks Montana as it's chosen CRO. All in favor. Motion carried.

1:30 PM- 2:00 PM Resolution # 12-20-2024(C) to amend the Kayak ridge covenants, conditions, and restrictions. -ACTION ITEM

Present: R.J. Kroupa- citizen, Andy Short-Land Planner, Candis Hampton- Assistant Land Planner.

The residents of Kayak Ridge HOA were all signing on and in agreement to change their conditions and covenants. There was no opposition received in writing or in the public meeting.

Commissioner Zylawy moved, and Commissioner Simons seconded to adopt Resolution # 12-20-2024(c) to amend the Kayak Ridge covenants, conditions and restrictions. All in favor. Motion carried.

2:00 PM – 2:15 PM Pioneer Council updates on the new building construction and the Van/Bus driver situation. Monte Turner and Lynn Hellegard-DISCUSSION

Present: R.J. Kroupa- citizen, Shawn Smalley-citizen, Lynn Hellegard -Chair of Pioneer Council, Monte Turner-Pioneer Council.

Lynn spoke on the progress of the ground-breaking site for the new Pioneer council bus barns. She said that Reed construction of Alberton is doing a great job and has been excavating for the new pad. The DOT grant of 450,000 dollars and the CARES ACT money of 1.2 million dollars has made this project happen with no money needed from Mineral County. Lynn also talked about how MDOT decided to no longer provide compensation for the van drivers. They used to provide a stipend amount of money for the driver's time, but now stopped the practice. Monte and Lynn would like to ask the County to consider possibly paying towards a driver stipend in the future.

The Commissioner meetings adjourned for the day at 2:26 PM.

The regular County Business Meeting adjourned at 2:26 PM.

Commissioners adjourned for the day at 4:00 p.m.

**The next regular meeting will be Friday, December 27, 2024, in the Commissioners Meeting Room
Minutes were taken by Roman Zylawy**

**PROCEEDINGS OF THE BOARD OF THE COUNTY COMMISSIONERS
OF MINERAL COUNTY, MONTANA
December 27, 2024**

The Board of County Commissioners of Mineral County, Montana, met in a regular session on Friday, December 27, 2024. Present were Commissioner Duane Simons, Commissioner Dawn Terrill and Commissioner Roman Zylawy.

9:00 AM- 10 AM Administrative Business- in individual offices of Commissioners

Documents signed: Commissioners signed Resolution # 12-06-2024(a) that was passed previously on 12-6-2024 meeting.

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

Meeting was called to order
Pledge of Allegiance led by Commissioner Terrill

10:05 AM- 10:10 AM Approve payroll of 12-27-2024

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Shawn Smalley-citizen, Sydney Conrow-citizen, Kelly Morrison-citizen, Tasha Anderson-citizen.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve payroll for December 27, 2024 in the amount of \$193,005.24 dollars ,check numbers 660081 through 660087 and electronic payroll checks # 61645 through 6711. As well as liability checks # 660088 through 660092 and electronic liability checks 61642 through # 61644. All in favor. Motion carried.

10:10 AM-10:30 AM Public Comment. - NO PUBLIC COMMENT RECEIVED

10:30 AM- 10:45 AM Treasurer's update -Merry Mueller. DISCUSSION

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Shawn Smalley-citizen, Sydney Conrow-citizen, Kelly Morrison-citizen, Tasha Anderson-citizen, Penny Henderson-citizen, Gary Chambers-citizen, Merry Mueller-Treasurer, Peggy McCarroll-Treasurer clerk, Becky Magone-citizen, Dale Magone-citizen.

Merry presented bank reconciliation work sheets from October and a list of the current CD's and Bonds with the DA Davidson financial brokerage. The new CD rate is 3.88 %. All financials are in order.

10:45 AM – 11:00 AM Appoint fair board member to one vacancy with five applicants. - ACTION ITEM

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Shawn Smalley-citizen, Sydney Conrow-citizen, Kelly Morrison-citizen, Tasha Anderson-citizen, Penny Henderson-citizen, Gary Chambers-citizen, Becky Magone-citizen, Dale Magone-citizen.

The five interested people applying for the fair board were: Tasha Anderson, Becky Magone, Kelly Morrison, Sydney Conrow, and Shaia Maturino. After all applications were reviewed, a motion was made.

Commissioner Terrill moved, and Commissioner Simons seconded to appoint Sydney Conrow to the Mineral County Fair Board. All in favor. Motion carried.

11:00 AM – 11:15 AM State of Montana DMV lease for space for Driver Services is expiring-Renewal of Contract. Merry Mueller, Treasurer-ACTION ITEM

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Kelly Morrison, Claudia Boyer-Deputy Treasurer, Merry Mueller-Treasurer, Monte and Loie Turner-citizens.

The State of Montana Department of Motor Vehicles drivers' services division uses a room in the courthouse every Tuesday and Thursday to renew driver's licenses. This year the rental/lease agreement is coming due for renewal. Some Counties may start charging the state to use the County building space, and Commissioners will be deciding if that is something to consider this year for Mineral County. Mineral County Treasurer Merry Mueller said that her relationship with them is good and she believes that their presence in the building is a great service for the residents of Mineral County and is the chosen option to go to as opposed to driving into Missoula. Often the lines and the wait is much longer in Missoula than in Superior and people prefer the better service. Therefore, Merry's recommendation to the commissioners is to renew the lease agreement with the same requirements as the previous agreement, and to not charge rent.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve the new contract lease agreement with the State of Montana Department of Motor Vehicles, Driver Services division with the same criteria as the prior agreement, and to be free of charge. All in favor. Motion carried.

11:15 AM- 11:30 AM Resolution # 12-27-2024 to cancel uncalled warrants drawn on Trail West Bank between November 22, 2022 and December 31, 2023 pursuant to MCA 7-6-2607 Deputy Treasurer Claudia Boyer- ACTION ITEM

Present: R.J. Kroupa- citizen, Ginny Tubbs-citizen, Kelly Morrison, Claudia Boyer-Deputy Treasurer, Merry Mueller-Treasurer, Monte and Loie Turner-citizens.

Deputy Treasurer Boyer explained how warrant amounts ranging from \$ 3.57 up to \$46.33 dollars issued between November 2022 and December 2023 had gone uncalled upon. The total amount was a total of \$ 129.54 dollars in uncalled warrants and the State MCA 7-6-2607 allows for those warrants to be cancelled after a year has passed. The Deputy Treasurer recommended that eight uncalled warrants be canceled by the Board of Commissioners.

Commissioner Zylawy moved, and Commissioner Simons seconded to approve Resolution # 12-27-2024 canceling Uncalled warrants in the total amount of \$129.54 on eight warrants issued between November 2022 and December 2023. All in favor. Motion carried.

***Commissioner business meetings ended at 11:20 AM.**

12 Noon- Swearing in of newly elected officials -Shawn Smalley for County Commissioner and Jaime Talbot for her re-elected position of Clerk of District Court.

The regular County Business Meeting adjourned at 11:20 AM.

Commissioners adjourned for the day at 4:00 p.m.

The next regular meeting will be Friday, January 3 , 2025, 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