

JEFFERSON COUNTY COMMISSIONERS
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CORY KIRSCH, CHAIR

LEONARD WORTMAN

BOB MULLEN

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
February 28, 2017**

Present: Commissioners Kirsch, Wortman and Mullen; Paul Backlund, Ted Dodge

The meeting was called to order and opened with the Pledge of Allegiance.

REPORTS

Commissioner Kirsch noted the receipt of the January Treasurer's report.

CORRESPONDENCE

Commissioner Wortman read a letter to the editor that he wrote regarding serial litigants against Forest Service project.

CALENDAR REVIEW

- 2/28 Clancy Water & Sewer meeting - 6:30
- 3/01 Breakfast with Kirk Wagoner and Gary Spaeth - 9:00
- Distribute BTAC flyers - 10:00
- Mental Health Local Advisory Committee meeting - 2:00
- 3/2 BTAC - 8:00
- Pre-construction meeting for Kountz Bridge - Bordens
- Drought meeting - Butte - 10:00
- Easement Presentation - 1:30
- Jefferson River Watershed Council meeting 4:00

COMMISSION REPORTS

Commissioner Mullen reported that on Tuesday night he attended the Health Board meeting. Megan Bullock, County Sanitarian, discussed the problem we are having in Clancy regarding nitrates in water wells. A group from Tech did a study and has presented Megan with a working paper. They have started testing water wells, and some have tested high for nitrates. We have agreed to give them up to \$10,000 to cover incidentals and stipends for the students. Joan VanDunhoven discussed the possibility of getting involved with the Lewis & Clark Health Department and look at some sites in the County that could have problems with lead.

Wednesday morning the Commissioners had an exit conference with auditors. All in all, it was a very good audit, with no adverse conditions.

Commissioner Mullen reported that on Wednesday afternoon he testified regarding SB274, an act to revise special elections.

Commissioner Mullen reported that Monday morning he attended the Center for Mental Health meeting in Great Falls. The financials are looking good, and they will be moving \$500,000 into an investment account, because of the fiscal uncertainty due to the state budget.

Commissioner Wortman reported that on Thursday he and Ted Dodge met with Tim Mulligan and Ed Simon regarding work to be done on the Slough. After that, he attended a stream mitigation presentation by the Ruby Valley Conservation District.

Commissioner Kirsch reported that on Tuesday night he attended the DUI Task Force meeting. They got a Super Bowl Party update, which was really successful.

Commissioner Kirsch reported that on Tuesday night he attended the Boulder City Council meeting. The only contentious topic at the meeting was the possible revision of the nuisance dog ordinance classification.

Commissioner Mullen stated that he would like to give thanks to Drew Dawson and Jan Anderson for their role in keeping the \$500,000 earmarked for the Town of Boulder in the budget.

ITEMS FOR COMMISSIONERS' ACTION OR REVIEW

OPEN BIDS FOR JEFFERSON SLOUGH CHANEL MODIFICATION PROJECT

Commissioner Wortman stated that seven contractors were pre-qualified for the bid. The bids were as follows:

Missouri River Contractors	\$455,555.00
Intermountain Construction Services, LLC	\$313,869.75

Miller Recreational Development, Inc.	\$509,009.76
Aqua Terra Restoration	\$531,438.33
R.E. Miller & Sons	\$478,269.00
Rowe Excavation	\$515,327.00

Bids will be forwarded to Mike Sanctuary for review.

APPOINT BOARD MEMBERS

Commissioner Mullen moved to reappoint Paul Johnson to the Planning Board. Commissioner Kirsch seconded. The motion carried.

Commissioner Mullen moved to reappoint Paul Backlund to the Museum Board. Commissioner Kirsch seconded. The motion carried.

RESOLUTION 07-2017 APPOINTMENT OF SPECIAL DEPUTY COUNTY ATTORNEY

Commissioner Kirsch read the resolution as follows:

RESOLUTION 07-2017

APPOINT SPECIAL DEPUTY COUNTY ATTORNEY

WHEREAS, the Jefferson County Attorney has requested prosecutorial assistance in the case of *State v. Joshua Reams*; and

WHEREAS, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the prosecution of the aforementioned case; and

WHEREAS, Mont. Code Ann. §44-4-111 authorizes and contemplates that the training coordinator for county attorneys and the bureau chief of Prosecution Services Bureau (together with the deputies within said bureau) act as special counsel on request of the County Attorney and upon the approval of the Board of County Commissioners; and

WHEREAS, Mont. Code Ann. §2-15-501(6) authorizes the Attorney General to provide assistance to County Attorneys in the discharge of his or her duties.

NOW, THEREFORE, BE IT RESOLVED, that the attorneys assigned to the Prosecution Services Bureau of the Department of Justice are hereby appointed as Special Deputy County Attorneys for Jefferson County for the purpose of assisting in the prosecution of the aforementioned case and that any of said deputies can fulfill the functions set out in Mont. Code Ann. §44-4-103.

IT IS FURTHER RESOLVED, that under the terms of this agreement, no fee will be charged for attorney time provided by the Bureau based upon the fact that pursuant to the internal operational policies adopted by the Attorney General September 1, 1999, assistance in such cases is provided without an hourly fee. Witness fees and expenses, jury costs, and other normal costs associated with trial will be the County's responsibility as with all other prosecutions.

DATED this 28th day of February, 2017.

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

CORY KIRSCH, CHAIR

LEONARD WORTMAN, COMMISSIONER

BOB MULLEN, COMMISSIONER

Commissioner Mullen moved to adopt the resolution. Commissioner Kirsch seconded. The motion carried.

AWARD SUGAR BEET ROW PROJECT BID

Commissioner Wortman stated that the bids were opened several weeks ago, and we have been working with Rural Development and bond council, as the low bid was over the amount of money that we have. Rural Development agreed to kick in another \$20,000, DNRC put in another \$10,000, the engineers cut their overrun in half, and the bond council agreed to cut his bill down. Jefferson County is also contributing another \$9700. Great West Engineering is recommending that the bid be awarded to Missouri River Contractors in the amount \$216,825.00.

Commissioner Mullen moved to award the bid to Missouri River Contractors. Commissioner Wortman seconded. The motion carried.

MEETING ADJOURNED

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

CORY KIRSCH, CHAIR

LEONARD WORTMAN, COMMISSIONER

BOB MULLEN, COMMISSIONER