

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 7, 2017**

Present: Commissioners Kirsch, Wortman and Mullen; Tom Harrington and Micky Zurcher, JLDC; Lori Ladas, Ashley Peña-Larsen, and Chrisy Irey, RMDC; Joe Willauer, Executive Director Headwaters RC&D; Gary Craft, Boulder Mayor; Drew Dawson, BTAC; Jan Anderson, *Boulder Monitor*; Betty Schluter, Connie Grenz, Dick Krott, Belva Lotzer, Dee Anna

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

REPORTS

Commissioner Kirsch noted the receipt of the Clerk and Recorder fees report for January.

CORRESPONDENCE

Commissioner Kirsch noted the receipt of documents from Great West regarding the Williams Bridge repair project.

Commissioner Kirsch noted the assignment of interest for right-of-way on the Boulder-south project on Highway 69, at the old Whitetail Road.

CALENDAR REVIEW

- 2/7 BTAC recreation committee meeting - 5:00
- 2/8 Meeting with Gary Spaeth and Dan Villa - Helena - 10:00
- Boyd Andrew - noon
- Ten Mile Collaborative meeting - Helena - 1:30
- Boulder Chamber of Commerce - 5:00
- Planning Board meeting - 7:00
- 2/9 STI meeting - Whitehall - 7:00
- CTAC meeting - Whitehall - 8:00
- Tri-Co Fire meeting - Helena - 9:30
- Weed Board meeting - 6:00

COMMISSION REPORTS

Commissioner Mullen reported that he attended the RMD language meeting on Wednesday. They discussed coordinating language across the maintenance districts. The county Attorney is reviewing.

Commissioner Mullen reported on the Mental Health Local Advisory Committee meeting in Montana City. Most of the meeting revolved around a display by Kelly Hanna regarding the ability for people unable to attend the meeting to still participate. There has also been some interest in trying to consolidate with the Broadwater County group.

Commissioner Mullen reported on the Thursday morning BTAC meeting. They discussed current legislation and noted that the two year extension bill is out, that would allow MDC to continue operation through June 2019.

Commissioner Mullen met with the Whitehall Transportation Advisory Group on Monday. They approved the transportation plan that needs to be submitted to MDT.

Commissioner Wortman reported that on Wednesday he had a phone conference with various people regarding the Sugar Beet Row project. The bids were high and the project has been going on for so long that it has increased the engineering costs. Rural Development is willing to do another \$20,000 grant towards the project, DNRC will put in another \$10,000, the engineers will cut the engineering over-runs in half, the bond council agreed to cut their over-run costs, and Jefferson County would need to pitch in \$9,775.

Commissioner Mullen asked if there is any way to cut costs further. Commissioner Wortman stated that they are working with the low bidder. Also, one homeowner was to have a lift pump, but we are not entirely sure that it is needed; this would save \$7,000. Also, Rural Development rules state that the loan needs to be drawn down first, before any grant money is used, but they have indicated that they would be willing to let the County use the grant money first, before tapping into the loan. Commissioner Wortman stated that all of the agencies have been working together and have been great to work with.

Commissioner Wortman stated that on Thursday the new district court judge was sworn in. This was very well attended.

ITEMS FOR COMMISSIONERS' ACTION OR REVIEW

LORI LADAS - EXECUTIVE DIRECTOR - RMDC - APPROVAL OF TWO-YEAR CSBG WORK PLAN

Lori Ladas, Executive Director of Rocky Mountain Development Council, stated that she is here for approval of their work plan. This is a two year plan, and covers programs for low income families, head start, low income housing, low income energy assistance programs, nutrition

programs - meals on wheels, daily dinner clubs, deliver commodities, and more. Lori reviewed the programs that they provide and the numbers of participants in Jefferson County.

Commissioner Mullen stated that Jefferson County provides \$50,000+ to RMDC, and it all goes to the aging services portion of the budget. He asked how the amount is determined. Lori stated that she is embarrassed to say that she is not sure how it is determined. Commissioner Wortman stated that this was researched, and the Jefferson County money comes from the senior citizen levy.

Commissioner Mullen asked about the Head Start program. Ashley stated that what they have been facing in Whitehall is that enrollment is low. To be eligible for Head Start, there are income threshold requirements; they can take over income students, but it affects funding. They will be meeting with the Whitehall Head Start group next week. They are also looking to address mental health services within the Head Start program.

Commissioner Wortman asked if they do recruitment, noting that Whitehall isn't an affluent community. Ashley stated that they do have recruitment efforts. The Head Start teacher is well established in Whitehall and will go door-to-door; they are having problems finding students that meet the income requirements. They will be having a public meeting, and advertising for a teacher.

DISCUSS COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS)

Joe Willauer, Executive Director Headwaters RC&D, came to present the Comprehensive Economic Development Strategy (CEDS).

Tom Harrington, JLDC, stated that they have been meeting with the Whitehall Town Council, Boulder Town Council, and both chambers and have gathered information. There is some carry-forward of previous projects that haven't been completed yet. Those in attendance reviewed the list, and Joe stated that there is a 45-day comment period.

County-wide priorities identified were expansion of Golden Sunlight Mine, development of the Elkhorn Mine, tourism enhancement, infrastructure, marketing, improving telecommunication infrastructure, the Boulder rest area, and trail development.

City of Boulder priorities are streets and sidewalks, affordable housing, telecommunications, urban renewal district, rest area, tourism, public transportation, downtown revitalization and business recruitment, and enhance health services.

Town of Whitehall priorities are water treatment, downtown revitalization, enhance telecommunication, affordable housing, and tourism enhancement.

APPOINT BOARD MEMBERS

Bettie Schluter, Tax Appeal Board secretary, stated that the board chair has moved out of county and has not responded to calls and letters to resign. Bettie stated that she has a letter from the state saying that it is okay for the Commission to appoint Trudy Dawson, who has expressed in interest in serving on the board.

Commissioner Wortman moved to appoint Trudy Dawson to the tax appeal board. Commissioner Mullen seconded. The motion carried.

Patricia Lewis has applied to serve on the TIFID/TEDD board (replace Scott Mendenhall). Commissioner Wortman moved to appoint Patricia Lewis. Commissioner Mullen seconded. The motion carried.

AWARD SUGAR BEET ROW SEWER PROJECT

Commissioner Wortman stated that there will be no award of the Sugar Beet Row bid today; they need to finish some paperwork.

AWARD BID - JEFFERSON CANAL BLOWOUT STABILIZATION PROJECT

Commissioner Wortman moved to award the Jefferson Canal Blowout bid to Rabal Construction. Commissioner Mullen seconded. The motion carried.

(Commissioner Wortman left the meeting at 3:00 p.m.)

CANCEL MEETING OF FEBRUARY 14

Commissioner Kirsch stated that the Commissioners will be out-of-town next week for a MACo conference.

Commissioner Mullen moved to cancel the meeting of February 14th. Commissioner Kirsch seconded. The motion carried.

RESOLUTION 01-2017 SETTING MEETING DAY FOR BOARD OF COUNTY COMMISSIONERS

Commissioner Kirsch read the resolution as follows:

RESOLUTION 01-2017

SETTING MEETING DAY FOR BOARD OF COUNTY COMMISSIONERS

WHEREAS, the governing body of the County will, by resolution, establish a regular meeting date and notify the public of that day; and

WHEREAS, the governing body of the County, except as may be otherwise required of them, may meet at any time for the purpose of attending to County business; and

WHEREAS, it was further determined that claims would be approved every Tuesday morning and that the Commission will meet with the Road Supervisor for departmental updates and with individual department heads starting at 9:30 a.m. on Tuesdays as needed; and

WHEREAS, the Board of County Commissioners of Jefferson County, Montana has determined that every Tuesday at 1:30 p.m. is the best time for their regular meeting for the purpose of conducting its official business.

NOW, THEREFORE, BE IT RESOLVED that every Tuesday at 1:30 p.m. of each week will be the regular meeting date and time, effective the 1st day of January 2017, and that every Tuesday morning of each week starting at 9:30 a.m. will be the time set for claims approval followed by Road and other department updates. Roberts Rules of Order shall be adhered to at these meetings. The Commission will recess for lunch and re-convene at 1:30 p.m. for their regular meeting to conduct official business.

BE IT FURTHER RESOLVED, that the policy providing for public participation on public meetings as stated in Resolution 05-2004 will be continued.

DATED this 7th 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.

DESIGNATE COMMISSION BOARD LIAISONS

Commissioner Kirsch stated that he would like to table this item until Commissioner Wortman can be present. This will be placed on a future agenda.

RESOLUTION 05-2017 CANCEL UNCALLED FOR WARRANTS

Commissioner Kirsch read the resolution as follows:

RESOLUTION 05-2017

ORDERING THE CANCELLATION OF UNCALLED FOR WARRANTS

WHEREAS, §7-6-2607, MCA, requires the board to cause to be cancelled all county warrants that have remained uncalled for one year or more in the County Treasurer’s office;

WHEREAS, the Board of County Commissioners has received a list of uncalled for warrants from the Clerk and Recorder;

NOW, THEREFORE, BE IT RESOLVED that the following warrants be cancelled:

Warrant #	To Whom Issued	Date of Issuance	Amount
72960	Gary Perdue	08/19/2014	8.75
9296	Quill Corp.	02/09/2015	833.51
9442	Justin James Harned	02/24/2015	35.00
10168	MTWeb	05/12/2015	39.00
10440	Central Parts Co.	06/16/2015	295.37
10448	Get Plowed Snowplowing	06/16/2015	15.00
10707	AT&T, Roth Price & Virginia Kalchbrenner	06/18/2015	141.79
10729	Charlotte Gabish	06/18/2015	141.79
10740	Dennis & Sharon Demers	06/18/2015	141.79
10747	Edward Baker, Bill	06/18/2015	141.79
10762	George Zamberlin	06/18/2015	141.79
10765	Harmonic Outdoor	06/18/2015	141.79
10802	Loretta Ann Burnham, Marc Joseph & Patrick	06/18/2015	141.79
10810	Mary Ellen Strom	06/18/2015	141.79
10867	T.C. Lyster III, Paul V. Henningsen	06/18/2015	141.79
11572	Helena Motors Repair	09/08/2015	67.34
12087	James Madison	11/03/2015	129.69

DATED this 7th 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.

RESOLUTION 06-2017 ESTABLISH BURNING SEASON

Commissioner Kirsch read the resolution as follows:

RESOLUTION 06-2017

ESTABLISHING BURNING SEASON

WHEREAS, §7-33-2205, MCA, provides that the County governing body may, at its discretion, establish controlled burning season annually, during which, subject to § 76-13-121, a person may not ignite or set a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or open fire within the county protection area on any residential or commercial property, forest, range, or croplands without having obtained an official written permit or permission to ignite or set a fire from the recognized protection agency for that protection area; and

WHEREAS, § 7-33-2206, MCA, provides that a person who ignites or sets a fire, including a slash-burning fire, land-clearing fire, debris-burning fire, or open fire on any

residential or commercial property, forest, range or cropland subject to the provisions of this part without first having obtained a written permit or permission from the recognized protection agency for that protection area to ignite or set the fire is guilty of a misdemeanor; and

WHEREAS, § 7-33-2205, MCA, provides that any person, entity, or representative of a person or entity has entered into a fire hazard reduction agreement pursuant to Title 76, Chapter 13, Part 4, and is complying with that agreement, open burning may be conducted, subject to §76-13-121, between October 1 and April 30 without obtaining a written permit or permission to set a fire, provided the person, entity or representative of a person or entity has:

- (i) obtained air quality and ventilation forecasts before igniting or setting the fire; and
- (ii) notified the County of the location of the burn area.

WHEREAS, Jefferson County has incurred costs to provide a web based, digital permitting and notification system; and

WHEREAS, §2-17-1101, MCA, through §2-17-1103, MCA (Montana Electronic Government Services Act) and §7-5-2101, MCA and §7-5-2102, MCA, authorizes the Board of County Commissioners to charge fees to recover costs associated with electronic government and business.

NOW, THEREFORE, BE IT RESOLVED, that during the period January 1, 2017 through December 31, 2017, a person must obtain a permit on-line at www.burnpermits.mt.gov or by calling 1-888-583-6499, or in person at the Jefferson County Sheriff's Office before igniting any fire referred to above. And that during the period from December 1, 2017 through February 28, 2018 a person must obtain documentation from the State of Montana Department of Environmental Quality authorizing burning during that period and present that documentation to the recognized protection area for Jefferson County.

BE IT FURTHER RESOLVED that the annual burn permits cost \$6.00 each and can be used throughout 2017 in accordance with the burning resolution and applicable public health regulations.

BE IT FURTHER RESOLVED, that the annual burn permit renewal fee is \$6.00 each and that each permit or renewed permit may be utilized at multiple times and multiple locations with notification of the time and location with each individual burn request required.

DATED this 7th 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.

MEETING ADJOURNED

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

CORY KIRSCH, CHAIR

LEONARD WORTMAN, COMMISSIONER

BOB MULLEN, COMMISSIONER