

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  
January 31, 2017**

**Present:** Commissioners Kirsch, Wortman and Mullen; Steve Haddon, County Attorney; Steve Lipetzky, Great West Engineering; Jan Anderson, *Boulder Monitor*; Paul Backlund, Buster Bullock, Ron Smartnik

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

**MINUTES**

Commissioner Wortman moved to approve the minutes of January 10. Commissioner Mullen seconded. The motion carried.

Commissioner Mullen moved to approve the January 24 Road meeting minutes. Commissioner Wortman seconded. The motion carried.

Commissioner Mullen moved to approve the minutes of the January 24 Personnel meeting. Commissioner Wortman seconded. The motion carried.

Commissioner Wortman moved to approve the minutes of the January 24 Treasurer's meeting. Commissioner Mullen seconded. The motion carried.

**CALENDAR REVIEW**

- 03/01 RMD language meeting - 10:00  
Mental Health Local Advisory Council meeting - Montana City - 2:00
- 03/02 BTAC - City Hall - 8:00  
Elkhorn Working Group - Helena - 2:00
- 03/03 Swearing in of new District Judge - 2:00
- 03/06 Transportation Advisory Committee - Whitehall - 2:00

## **COMMISSION REPORTS**

Commissioner Mullen reported that on Thursday he attended a hearing on HB14, the Montana Community Grant and Loan program. This is for those projects that were unfunded in this round of TSEP funding.

Commissioner Mullen reported that on Monday he met with the RMDC executive director and board president and discussed Head Start in Whitehall. It appears at this time that they plan to continue the program through the summer, and they are advertising for a teacher.

Commissioner Wortman reported that he met with Bill Lloyd, Jerry Grebenc, Tom and Micky about the proposed TEDD and urban renewal. Jerry drew up some maps with proposed boundaries.

Commissioner Wortman reported that on Wednesday he attended the JLDC meeting in Whitehall. They reviewed current projects that they are working on.

Commissioner Kirsch reported on the Clancy Water and Sewer district meeting. He stated that staff from Tech will be helping us with a water study and community education.

Commissioner Kirsch reported that yesterday they dug up the water line to the Clerk and Recorder building. The water line is 5 feet 3 inches deep.

## **SUBDIVISION REVIEW**

### **AMENDED PLAT - BUFFALO CREEK MINOR SUBDIVISION**

LaDana stated that the survey review committee recently reviewed this boundary line adjustment. Commissioner Kirsch asked the necessity of the adjustment. LaDana stated that there is an easement that the lot owner is accommodating.

Commissioner Wortman moved to approve the amendment. Commissioner Mullen seconded. The motion carried.

## **ITEMS FOR COMMISSIONERS' ACTION OR REVIEW**

### **OPEN BIDS FOR JEFFERSON CANAL BLOWOUT STABILIZATION PROJECT**

The bids were opened as follows:

Jeffrey Contracting - Butte -	\$103,377.75
Weave Consulting Inc	\$ 46,240.00
George Rabel Contracting	\$ 31,175.00
Smith Contracting	\$ 69,300.00

Townsend Backhoe Service	\$290,000.00
TNT Farms and Landscaping	\$360,000.00
Wyoming Earthmoving	\$ 69,183.00
Highland Construction Svc.	\$ 92,900.00
RF Construction	\$ 59,840.00
Shotgun Construction	\$ 63,920.00

Commissioner Wortman said that we will get the bids to Confluence for review and we will award at the next meeting.

OPEN BIDS FOR SUGAR BEET ROW SEWER IMPROVEMENTS PROJECT

Steve Lipetzky, Project Manager, Great West Engineering, conference in with Laura Sattler, RD for the bid opening.

The bids were as follows:

Missouri River Contractors	\$216,825.00
Karnath Contracting Inc.	\$257,595.00
Mike Colman Construction	\$303,249.33
Intermountain Construction Services	\$222,390.00
Bullock Contracting	\$273,514.15
H & H Contracting	\$267,345.00
Smith Contracting	\$252,632.00
Helena Sand & Gravel	\$356,785.00
Hard Rock	\$261,424.00

Steve stated that he will take the bids and review them, and get a recommendation back to the Commission before the next meeting.

Laura asked if everyone would like to meet tomorrow to discuss the shortfall. It was decided that at 9:00 a.m. tomorrow they will conference to talk about shortfall. Jan Anderson, *Boulder Monitor*, asked why they need to meet again. Commissioner Wortman stated that Laura is from Rural Development, and we are dealing with federal monies. We are currently short on funding.

RESOLUTION 04-A-2017 PREDATOR CONTROL FEE

Commissioner Wortman gave the background on the resolution. The Commission received a letter from Bull Mountain Grazing Company, which is owned by several Jefferson County ranchers. The letter requested that the current predator control fee which is due to sunset be retained and extended.

He read the resolution as follows:

**RESOLUTION NO. 04-A-2017**  
**RESOLUTION ESTABLISHING PREDATORY ANIMAL CONTROL PROGRAM**

**Whereas**, on or about January 23, 2017, the Jefferson County Commission received a recommendation (attached as Exhibit 1) from the Bull Mountain Grazing Company (an association of cattle producers in Jefferson County) to establish a predatory animal control program (PACP) in Jefferson County; and,

**Whereas**, Mont. Code Ann. § 81-7-601 *et seq.* permits the Board of County Commissioners to create a PACP upon the recommendation of an association of cattle producers in the County; and,

**Whereas**, under Resolution No. 30-2013 a PACP was in existence in Jefferson County from January 1, 2013 to December 31, 2016; and,

**Whereas**, the Jefferson County Commission, upon the recommendation of Bull Mountain Grazing Company deems it appropriate to renew the PACP in Jefferson County.

**Therefore, it is resolved:**

1. There is established in Jefferson County a PACP to help defray the expense of the protection of cattle from predatory animals;
2. A license fee of \$0.50 (fifty cents) per head of cattle, per year, for all head of cattle 9 months or older to fund the PACP is established;
3. The per head license fee shall continue from year to year unless terminated or modified upon petition of 51% of the resident cattle owners in Jefferson County as is contemplated by Mont. Code Ann. § 81-7-605;
4. The license fee is due and payable to the Jefferson County Treasurer on or before November 30 of each year the PACP is in effect; and,
5. The Treasurer shall place the license fees in a Predatory Animal Control Fund which funds may be expended by the board of county commissioners only for the predatory animal control program.

Dated this 31<sup>st</sup> day of January, 2017.

**Board of County Commissioners  
Jefferson County, Montana**

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Cory Kirsch  
Chair

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Leonard Wortman  
Commissioner

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Bob Mullen  
Commissioner

**ATTEST:**

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Bonnie Ramey  
Jefferson County Clerk & Recorder

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

**DISCUSS AND DECIDE ON ENTERING PAYMENT AGREEMENT FOR DELINQUENT TAXES WITH MONTANA TUNNELS**

Commissioner Wortman stated that we have been through this before with Tunnels. Once they made one payment and a partial of another payment. He was talking to Pat Imensen about what we can do. Pat stated that he is in the middle of a financing deal. We aren't going to get any money unless the mine is up and running.

Steve Haddon, County Attorney, stated that it is not in the County's best interest to get into the chain of title process on this; it is fraught with peril.

Commissioner Wortman stated that the only difference between this agreements and prior agreements, is that this agreement has some incentives for timely payments. If this fails, we might want to hire a firm to look at a solution, and determine the value of the mine without the operating permit.

Commissioner Wortman moved that we go with this agreement and if payments aren't made we look at hiring someone to study going in a different direction. Commissioner Mullen seconded. The motion carried unanimously.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**CORY KIRSCH, CHAIR**

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**LEONARD WORTMAN, COMMISSIONER**

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**BOB MULLEN, COMMISSIONER**