

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
May 16, 2017**

Present: Commissioners Kirsch, Wortman and Mullen; Steve Haddon, County Attorney; Chad Cross, Jefferson County Sheriff's Office; Doug Dodge, Jefferson County DES; Jack Smith, *Whitehall Ledger*; Doug Salsbury, Gerry & Marty Keogh, Tom Harrington, Bob & Connie Sims, Colleen Teeling, Terry Murphy, Jeanne Reinschmidt, Lori Young, Dale Davis, Angel Adams, Dawn Welch, Kevin & Dana Brunett, Gert Michaelis,

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

Commissioner Wortman suggested a moment of silence for the family of the Broadwater County officer that was slain in the line of duty this morning.

MINUTES

Commissioner Mullen moved to approve the minutes of April 18. Commissioner Wortman seconded. The motion carried.

REPORTS

Commissioner Kirsch noted the receipt of the April cash report from the Treasurer.

CORRESPONDENCE

Commissioner Kirsch noted the receipt of request for proposals from First Boulder Valley Bank and the Whitehall Bank. The proposals will be reviewed and the banking services contract will be awarded at the May 30 meeting.

CALENDAR REVIEW

- 05/17 Boulder Senior Citizen lunch and business meeting - 1:00
Beaverhead - Deer Lodge working group meeting - Jefferson Co Fairgrounds - 1:00
Transportation Advisory Committee - Whitehall - 2:00
Scoping meeting for Red Rocks project - 5:30
- 05/18 Area IV Agency on Aging meeting - Three Forks - 8:00
Meeting with railroad and Confluence Consulting regarding Pipestone Creek - 10:00
Survey review committee - 1:30
LEPC - Montana City - 6:00
- 05/22 Meeting regarding insurance - 2:30

COMMISSION REPORTS

Commissioner Mullen reported that on Tuesday he attended a meeting in Whitehall regarding the Head Start program. They discussed the teaching position that is going to be vacant; if the position is not filled by the first of June, the Whitehall money will go to the Helena program. They had another meeting earlier today and talked to a couple ladies that they hope are qualified.

Commissioner Mullen reported that he had a meeting with Gary Spaeth, the County's lobbyist. They reviewed the legislation that was enacted during the last session, and how it will effect Jefferson County.

Commissioner Mullen reported that on Wednesday the Commissioners attended the Planning Board meeting. Commissioner Wortman stressed the importance of them getting to work on the County growth policy, which is required for many grants that could be beneficial to Jefferson County.

Commissioner Mullen reported that on Thursday he attended the North Jefferson County Library Board meeting. They discussed the budget, their strategic plan, capital improvements to the building, and Clancy's Day. They have also been talking to the Clancy Superintendent regarding the old gymnasium building.

Commissioner Mullen reported that last weekend the Local Mental Health Advisory Committee took part in helping with a Mariah's Challenge color run and the Green Your Spring event in Boulder. He noted that May is Mental Health Awareness month.

Commissioner Wortman reported that on Tuesday he met with landowners in the Boulder area to discuss urban renewal. That night he attended the fair board meeting. They are prepping for the fair, and getting ready for the first 4-H fair to be held in Boulder.

Commissioner Wortman reported that on Wednesday he attended the Boyd Andrew board meeting. They discussed their current projects, and they have hte possibility of five short-term beds in the Boulder facility.

Commissioner Wortman reported that on Thursday he attended the STI and CTAC meetings in Whitehall. During the STI meeting, they discussed the possibility of high-speed internet for all of Jefferson County.

PUBLIC COMMENT

Bob Sims noted that the Extension Agent position is vacant and asked what is happening with that. Commissioner Wortman stated that MSU is in the process of re-writing the position description. He assured Mr. Sims that the process is moving forward.

ITEMS FOR COMMISSIONERS' ACTION OR REVIEW

APPROVAL OF PRE-DISASTER MITIGATION PLAN

Doug Dodge, Jefferson County DES Coordinator, presented the 2017 update to the County's pre-disaster mitigation plan. He gave a brief history of the plan. The risks, as ranked, are wildfire, hazmat incidents, severe weather/drought, flooding/dam failure, transportation accidents, earthquakes, terrorism, violence or civil unrest and communicable disease. They then developed mitigation strategies for the risks. He is asking for support in approving the plan.

Commissioner Wortman moved to accept the PDM. Commissioner Mullen seconded. The motion carried.

Commissioner Kirsch read the resolution as follows:

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

PUBLIC HEARING - CREATION OF JEFFERSON VALLEY RURAL AMBULANCE DISTRICT

Commissioner Kirsch called the public hearing to order and asked that people keep things civil and address their comments to the Commissioners.

Commissioner Kirsch stated that the Clerk and Recorder sent out notices with the opportunity to protest the creation of the district. He read the results of the protest period, that were certified by the Clerk and Recorder. 1875 forms were sent out. 344 forms, both in support and in opposition, were returned to the Clerk and Recorder's office by the deadline. 220 forms (11.73%) were in opposition to the creation of the district. 29 forms (1.55%) that were in opposition to the creation of the district were rejected because they didn't meet the requirements laid out in § 7-11-1008(2)(b) MCA. 95 forms (5.07%) were in support of the creation of the district. 1511 forms (80.59%) were not returned, and per statute, must be construed as in support of the creation of the district. 20 envelopes (1.06%) were returned as undeliverable.

Commissioner Kirsch opened the floor to comment.

Lori Young stated that neither she nor her husband received a document. She is concerned that since she didn't receive the paperwork, it was counted as being in favor.

Marty Keogh stated that she received the document several months ago, however, she does not own property in the proposed district, pay taxes or reside in proposed district. She asked why she received them. She asked why people received numerous letters. Commissioner Wortman stated that people received the documents for each parcel that they own. Marty stated that unless the election laws have changed, you can only vote on the parcel that you reside on the majority of the time. Commissioner Wortman noted that this is not a vote, but an opportunity to protest. The law allows for a protest per parcel.

Larry Skogin asked why the County didn't follow the school district. Commissioner Wortman stated that the people in the Milligan Canyon area asked to be taken out of the district boundaries, as the Three Forks ambulance area is much closer.

Terry Murphy stated that he is not for or against the district, not being included in it, but he does have a couple questions as a tax paying resident of Jefferson County. He asked who would have the liability, if the district is formed. Steve Haddon, County Attorney, stated that special districts are autonomous; this will have a board of directors, they will have to procure their own insurance. Terry asked how a private a private company become a public entity. Commissioner Wortman stated that if the district is created, there will also be on the ballot five positions to serve as trustees. Those trustees would then set up how the district would be run and who will provide the service. He noted that there is no guarantee that the current ambulance service will be providing service.

Dawn Welch stated that she is wondering if there would be a possibility to have the opposition forms taken out of Jefferson County go to a neutral area to be recalculated by a neutral party. Commissioner Kirsch stated that the problem he sees with that is the neutral party would have to go to the Clerk and Recorder and get the same information that we used to send them out. The results would be the same. Commissioner Wortman stated that if this was really close, this might have some merit, but the way the law reads, the results were not even close.

Commissioner Wortman noted that this was a protest for the creation of the district. The district won't be formed tonight; it will be going to a vote.

Joy DeRosier stated that she understands that the ballot will be used to create the district; she asked how they will choose the trustees. Commissioner Wortman stated that it will be done at the same time. If it is approved to put the creation of the district on ballot, the Clerk and Recorder will open a 145 day filing period to file for a trustee position.

Charles Roth stated that he lives in Cedar Hills area. He is on the Butte exchange. He asked if

he dials 9-1-1, where the call goes - Butte or Boulder. Chad Cross, Deputy Sheriff, stated that with a 494 number, the call will go to Butte and then be transferred to Boulder. Mr. Roth asked where would he be transported. Commissioner Mullen stated that it would depend on the medical professionals responding, but probably the closest facility. Angel Adams stated if it is a medical emergency and need rapid transport, you typically go to the closest facility, but the patient can specify where they want to go.

Dana Brunett stated that it is her understanding that this is just for the Commission to decide whether to go for a vote or not; with the amount of public misunderstanding of everything involved, she feels that it is imperative for this to go to a vote.

Hearing no further comment, Commissioner Kirsch closed the public hearing.

DISCUSS AND DECIDE ON PIPESTONE/JEFFERSON SLOUGH PROJECT ISSUES

Commissioner Wortman stated that the Kountz Road bridge is completed. The project in the Slough is currently on hold because of high water, and has been suspended until the beginning of July. He stated that things seem to be holding up well with the high water. There will be a tour of Pipestone tomorrow to look at the railroad. Commissioner Kirsch stated that he toured the Slough with the Weed Board, and it looks really good. They also got a good kill off of the Eurasian millfoil.

DISCUSS AND DECIDE ON FACILITY CONSTRUCTION ISSUES

Commissioner Wortman reported on the Sugar Beet Row sewer system. He said that our facilities manager will be maintaining, and has installed a grinder pump at one residence. The project is shutting down for a period of time while waiting for the company that will line the pipe.

MEETING ADJOURNED

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

CORY KIRSCH, CHAIR

LEONARD WORTMAN, COMMISSIONER

BOB MULLEN, COMMISSIONER

