

JEFFERSON COUNTY COMMISSIONERS  
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ROBERT MULLEN, CHAIR

LEONARD WORTMAN

CORY KIRSCH

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
November 15, 2016**

**Present:** Commissioners Mullen, Wortman and Kirsch; Steve Haddon, County Attorney; Kellie Doherty, Personnel Officer; Tom Harrington, JLDC; Paul Backlund

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

**MINUTES**

Commissioner Kirsch moved to approve the minutes of October 18. Commissioner Mullen seconded. The motion carried.

**REPORTS**

Commissioner Mullen noted the receipt of the October expense and revenue reports from the Clerk and Recorder.

Commissioner Mullen noted the receipt of the October Clerk and Recorder fees report.

**CALENDAR REVIEW**

11/15 DUI Task Force - 6:00  
Museum board - Clancy  
11/16 Boulder Senior lunch and meeting - noon  
11/17 RMDC finance meeting - 2:30  
RMDC board meeting - 3:30

**COMMISSION REPORTS**

Commissioner Kirsch reported he attended the Solid Waste safety meeting.

Commissioner Kirsch reported that on Wednesday he attended the Ten Mile Collaborative meeting. They are gearing up for the alternate 4 on the Ten Mile environmental statement.

Commissioner Kirsch reported that he attended the Board of Adjustment meeting. They approved an alternate use permit for the recycling center.

Commissioner Kirsch reported that on Monday he attended a pre-disaster mitigation meeting. They are working through the process to update the plan.

Commissioner Wortman stated that on Thursday he attended the STI meeting in Whitehall, followed by the CTAC meeting. He then attended the Beaverhead-Deer Lodge working group meeting.

Commissioner Mullen reported that he attended the Mental Health Local Advisory Committee meeting, probably the best meeting we've had to date. They are working on goals and objectives and plans to involve the schools more.

Commissioner Wortman stated that he has been approached by at least three individuals with concerns regarding the locked gate on Rocky Road. A letter has been sent to neighbors that they are able to use road, but the privilege could be pulled at any time. He feels that this needs to be put back on the agenda and make a decision about the locked gate. He doesn't understand how the court approved a settlement between two individuals that eliminated a public access that has been open and used by the public for over 100 with no notification to the public.

Steve stated that he needs to get the file from District Court. He has seen the proported settlement agreement that has been represented to him as what was approved by the court. At first blush, what is troubling to him about that is the settlement agreement attained to a very limited group of individuals and a company and the agents and assigns of that particular group. He needs to check out the file and find out who the named parties are and who was provided notice.

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

### **APPOINT BOARD MEMBER**

Commissioner Mullen stated that we have received an application to serve on the Board of Adjustment.

Commissioner Wortman moved to appoint Mike Dalbec to the Board of Adjustment. Commissioner Kirsch seconded. The motion carried.

### **SIGN LEASE WITH JLDC FOR A PORTION OF THE BOULDER SOUTH CAMPUS**

Tom Harrington, JLDC, stated that this will cover the purchase of lots 1, 3 and 4 - lot 2 will remain under county control.

Commissioner Wortman moved to approve the lease, contingent on approval from legal. Commissioner Kirsch seconded. The motion carried.

KELLIE DOHERTY - EMPLOYEE ASSISTANCE PROGRAM

Kellie Doherty, Personnel Officer, stated that she received a letter stating that if the County has an EAP program, and didn't offer it to all employees, we are in violation of the Affordable Care Act. She checked, and we are not in violation. There are 37 employees that are currently not on the county insurance, but we could add them to the EAP for about \$2000/year. Commissioner Wortman stated that he thinks that it is probably a valuable service.

Commissioner Wortman moved to offer the EAP to all employees. Commissioner Kirsch seconded. The motion carried.

RESOLUTION 35-2016 ADOPT INTERCAP LOAN FOR BIG SKY ACRES RSID

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

PUBLIC HEARING - BUDGET AMENDMENT

Commissioner Mullen called the public hearing to order and called for comment. Hearing none, he closed the public hearing.

RESOLUTION 34-2016 BUDGET AMENDMENT

Commissioner Mullen read the resolution as follows:

**RESOLUTION 34-2016**

**BUDGET AMENDMENT**

**WHEREAS**, The Board of County Commissioners may approve and adopt a resolution amending a final budget when shortfalls in anticipated and budgeted revenues occur that, unless reductions in appropriations are made, will result in expenditures for the year exceeding actual revenues and cash balances available for the year; and

**WHEREAS**, a public hearing was properly noticed in accordance with county policy. Such notice was published in the November 2<sup>nd</sup> and 9<sup>th</sup> editions of the *Boulder Monitor*, to hold a public hearing on November 15, 2016 at 2:15 p.m. in the meeting room of the Jefferson County Clerk and Recorder building in Boulder, Montana; and

**WHEREAS**, new taxable valuations have been received from the Montana Department of Revenue pursuant to the mediation that was completed with NorthWestern Energy; and

**WHEREAS**, the public was provided the opportunity to comment on the proposed budget amendment and no public opposing comments were received.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners of Jefferson County hereby direct the Clerk and Recorder to make the following adjustments:

Reduce the General Fund 1000 revenue source 316000 \$1,590.00  
Reduce Entitlement Fund 7950 due to governments account 212000 \$1590.00  
Reduce Mosquito #3 Fund 2202 org 223 expenditure account 440700-350 \$200

**DATED** this 15<sup>th</sup> day of November, 2016.

**ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**BOB MULLEN, CHAIR**

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**LEONARD WORTMAN, COMMISSIONER**

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**CORY KIRSCH, COMMISSIONER**

Commissioner Wortman move to adopt the resolution. Commissioner Kirsch seconded. The motion carried.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**BOB MULLEN, CHAIR**

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**LEONARD WORTMAN, COMMISSIONER**

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**CORY KIRSCH, COMMISSIONER**