

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
October 18, 2016**

Present: Commissioners Mullen and Kirsch; Paul Backlund

Absent: Commissioner Wortman

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

REPORTS

Commissioner Mullen noted the receipt of the Treasurer's cash report for September.

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

CORRESPONDENCE

Commissioner Mullen stated that the State of Montana just did a settlement with NorthWestern Energy and they want everyone to go back and re-certify mill levies and recalculate taxable valuation. Jefferson County has agreed to go back and do that.

Commissioner Mullen stated that the Commission has received draft of a letter from BTAC, the Commission and the City of Boulder to Governor Bullock regarding the MDC closure and requesting a two-year extension. BTAC is looking for our support and the county logo to affix to the letter. Commissioner Kirsch moved to sign the letter. Commissioner Mullen seconded. The motion carried.

Commissioner Mullen noted that the Town of Whitehall has signed easement for the Sugar Beet Row pipeline. The Commissioners signed the easement.

Commissioner Mullen stated that he would like to propose that he write a letter. He understands that the City of Helena is going to oppose a mine by White Sulphur Springs. If that is the case, he would like to write a letter to city, stating the County's support of the mine.

CALENDAR REVIEW

- 10/18 DUI Task Force - 6:00
Fire Council - Montana City - 7:00
- 10/19 Boulder Senior Citizens lunch and business meeting - noon
Whitehall Transportation Committee - 2:00
- 10/20 Area IV Agency on Aging - 9:00
Survey review committee - 1:00

COMMISSION REPORTS

Commissioner Kirsch reported that he attended the BTAC meeting Wednesday morning. The person working on the master plan came and gave an update on how that is going. They did a feasibility study on building 6 on the south campus, and it seems feasible to update rather than demolish and rebuild.

Commissioner Kirsch reported that he attended the Ten Mile Collaborative meeting Wednesday afternoon. Originally, they had three alternates on the Environmental Impact Study that went to the comment period. They are now developing a 4th alternate. The City of Helena has been doing a lot of mitigation work on their own; they don't have to jump through the hoops that the Forest Service does, so they are able to just plan and complete projects.

Commissioner Kirsch reported on the Weed Board meeting. One of the contentious things right now is that the city isn't following their own guidelines as far as policing the weeds around town, so the county can't come in and take care of weeds. He noted that the state weed conference will be in Great Falls in January and he will probably attend that.

Commissioner Kirsch reported that on Monday night he attended the Boulder City Council meeting. They are working on a mobile home ordinance, which has been pretty contentious.

Commissioner Mullen reported that he attended a Center for Mental Health meeting last week. The board invited local legislators and he spoke about his concerns with the MDC transition and crisis facilities.

Commissioner Mullen reported that on Friday he had a meeting with the Meadowlark Ridge homeowners association. Their issue is that a young gentleman that wants to do a subdivision adjacent to theirs, and use one of their roads for access. He also wants to join their RMD and they discussed the process to follow for that to happen.

ITEMS FOR COMMISSIONERS' ACTION OR REVIEW

**RESOLUTION 32-2016 AMENDING RESOLUTION 37-2014 RESOLUTION CREATING
SUNLIGHT BUSINESS PARK RMD**

Commissioner Mullen read the resolution as follows:

RESOLUTION 32-2016

AMENDING RESOLUTION 37-2014

**RESOLUTION CREATING SUNLIGHT BUSINESS PARK RMD
RURAL IMPROVEMENT DISTRICT NO. 2521**

WHEREAS, on November 25, 2014, and pursuant to Mont. Code Ann. §7-12-2101, *et. seq.*, the Jefferson County Commissioners passed and adopted Resolution 35-2014, Resolution on Intent to Create Rural Improvement District No. 2521, Sunlight Business Park RMD; and

WHEREAS, because Resolution 35-2014 was based upon the petition of all owners of property to be included in the district (attached as Exhibit A and incorporated by reference), the public and mailing provisions of Mont. Code Ann. §7-12-2105(1)&(2), respectively, do not apply. *See*, Mont. Code Ann. §7-12-2105(4). Further, the protest provisions of Mont. Code Ann. §7-12-2109 are inapplicable. *See*, Mont. Code Ann. §7-12-2109(2); and

WHEREAS, the boundaries of the RMD are particularly detailed as Lots 1-1 to 1-13 and remainder as shown on Golden Sunlight Business Park Subdivision COS No. 243218, Folio F874A, JLDC Parcel as described by COS No. 217803, Folio F816A, and Golden Sunlight Mines, Inc. As described by COS No. 121840, Folio F190A, which are situated in the southeast corner of Section 31 and southwest corner of Sections 32, Township 2 North, Range 3 West, P.M.M., Jefferson County, Montana. The lots are shown and depicted in the shaded areas of the boundary map attached as Exhibit B and incorporated by reference; and

WHEREAS, the District and the territory included within the boundaries of the RMD shown in Exhibit B, are declared to be the RMD and will benefit from the maintenance of the infrastructure in place in the RMD. The properties included within the boundaries of the RMD, whether on or abutting all of the improvements, are benefitted by the infrastructure and the

maintenance of the infrastructure, which are of more than local or ordinary benefit and are declared to be the properties which will be assessed and taxed for the costs of the RMD; and

WHEREAS, the maintenance the RMD will be responsible for includes, but is not limited to, snow plowing, grading and graveling, culvert cleaning, sign maintenance, weed control, and water and wastewater system maintenance; and

WHEREAS, the annual cost of the RMD is \$12,323.52 (twelve thousand three hundred twenty-three dollars and fifty two cents). The total annual costs and a breakdown of the line item costs included in the total estimated annual costs are detailed in Exhibit C, attached and incorporated by reference. Costs are subject to change in the future; and

WHEREAS, pursuant to Mont. Code Ann. §7-12-2151(1)(d), each lot within the RMD shall be assessed an equal amount based upon the total annual maintenance cost for the RMD. The annual cost for each lot will be \$770.22 (seven hundred seventy dollars and twenty two cents). The annual assessment may change in the future. If a change occurs in the number of benefitted lots within the boundaries of the RMD, the annual assessment per lot then in the RMD will be recalculated as provided in Mont. Code Ann. §7-12-2151(4); and

WHEREAS, public comment on the creation of the RMD was taken at a Public Hearing of the Jefferson County Commission on December 9, 2014. Following the close of the public comment, the Jefferson County Commission voted to approve Resolution 36-2014 and create Rural Improvement District No. 2521, Sunlight Business Park RMD.

NOW, THEREFORE, BE IT RESOLVED, Rural Improvement District No. 2521, Sunlight Business Park RMD, is hereby created.

DATED this 18th day of October, 2016.

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

BOB MULLEN, CHAIR

LEONARD WORTMAN, COMMISSIONER

CORY KIRSCH, COMMISSIONER

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

RESOLUTION 31-2016 RESOLUTION FORMING THE JEFFERSON COUNTY MENTAL HEALTH LOCAL ADVISORY COUNCIL

Commissioner Mullen read the resolution as follows:

RESOLUTION 31-2016

A RESOLUTION OF THE JEFFERSON COUNTY BOARD OF COUNTY COMMISSIONERS FORMING THE JEFFERSON COUNTY MENTAL HEALTH LOCAL ADVISORY COUNCIL

WHEREAS, the Board of County Commissioners has the authority to “establish boards, districts or commissions allowed by law” pursuant to Section 7-1-201, MCA; and

WHEREAS, the Mental Health Local Advisory Council (MHLAC) was established pursuant to §53-21-702 MCA to report to the Mental Health Oversight Advisory Council (MHOAC) as part of the statewide mental health care system; and

WHEREAS, the MHLAC also collaborates with the Service Area Authority (SAA) in planning, implementation and evaluation of regional public mental health care pursuant to §53-21-103, MCA; and

WHEREAS, the MHLAC has requested the active support and participation of Jefferson County to improve public mental health services; and

WHEREAS, the Montana State Legislature in 2009 made revisions to the Montana Code Annotated regarding administrative boards, districts, commissions and special districts, and the County Commissioners seek to maintain conformity with the law; and

WHEREAS, Section 7-1-201, MCA, makes particular requirements of the resolution creating an administrative board, district or commission; and

WHEREAS, it is the desire of the Jefferson County Commission to ensure that all boards are created per applicable statutes and in uniform fashion.

NOW, THEREFORE, BE IT RESOLVED:

1. The Jefferson County Commission hereby ratifies and forms the MHLAC, and
2. Determines that the MHLAC shall be comprised of not more than fifteen (15) voting members to be appointed by and serve at the will of the Jefferson County Commission.
3. The MHLAC shall consist of fifty-one (51%) percent consumers and/or family member of consumers, and may include members from each of the following entities:
 - a) One (1) County Commissioners or designee
 - b) One (1) Provider of Adult Mental Health Services
 - c) One (1) Provider of Child Mental Health Services
 - d) One (1) Representative from the Public Health Department
 - e) Two (2) School Representatives
 - f) One (1) Law Enforcement Representative
 - g) One (1) Preventative Services Representative

Consumers of mental health services may include persons with serious mental illness who are receiving public mental health services, other recipients of mental health service, former recipients of mental health services, and immediate family members of recipients of mental health services. All members must be residents of Jefferson County.

4. Members shall service staggered four (4) year terms, except Elected Official terms shall be for one year and shall be reviewed for appointment annually by each Commission. Terms shall commence January 1.
5. Members shall adopt the bylaws with the consent and approval of the County Commissioners.
6. Members shall have no power to sue or be sued independently of Jefferson County unless authorized by law.
7. Members, personnel, and employees shall abide by all federal, state and local laws and rules and as applicable, the policies and procedures of Jefferson County.
8. Members shall serve at the pleasure of the County Commissioners and may be removed for cause by a majority vote of the County Commissioners.
9. The principle mission of the MHLAC is to assist in the improvement of public mental health services in the local community and to provide input and recommendations to the MHOAC, the SSA serving the community, and the Jefferson County Commission.
10. If any part or provision of this Resolution is held to be unenforceable, then the remainder shall be upheld. In the event of any conflict with any part or provision of this Resolution and the Montana Code Annotated, the statute shall be controlling.

PASSED AND ADOPTED by the Board of County Commissioners of the County of Jefferson, Montana this 18th day of October, 2016.

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

BOB MULLEN, CHAIR

LEONARD WORTMAN, COMMISSIONER

CORY KIRSCH, COMMISSIONER

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

MEETING ADJOURNED

ATTEST:

**BONNIE RAMEY
CLERK AND RECORDER**

BOB MULLEN, CHAIR

LEONARD WORTMAN, COMMISSIONER

CORY KIRSCH, COMMISSIONER