

COMMISSIONER MEETING
515 Broadway, Townsend, MT 59644
May 18, 2020

Commissioners entered in to a closed-door session at 8:00 a.m. with the County Attorney for legal strategy re: Joe Schmaus.

Commissioner Laura Obert called the meeting to order at 9:00 a.m., for a re-do of the April 20, 2020, meeting, as it was not live-streamed on YouTube.com. Commissioner Mike Delger and Darrel Folkvord were also present.

Commissioner Obert read a letter from William Driscoll, attorney for CX Ranch, in opposition to opening Red Hill and Lefler Roads. Commissioner Folkvord moved to acknowledge receipt of the petition to open Red Hill and Lefler Roads, and to investigate the merits of the petition. Motion seconded by Commissioner Delger and carried.

Commissioner Delger moved to authorize Commissioner Folkvord, with assistance of Schaubert Surveying, to investigate the feasibility and desirability of granting the petition request, and to authorize WWC Engineering to investigate the cost of said request. Motion seconded by Commissioner Folkvord and carried.

Commissioner Delger moved to revoke the contract with Mary Hendrickson, which was approved on April 6, due to MCA 2-2-201, which prohibits contracting with employees within six months of leaving a position. Commissioners were not advised until April 9 of this MCA. He moved to sign a letter to Mary informing her of the decision. Motions seconded by Commissioner Folkvord and carried.

Commissioner Delger moved to advertise for a Public Works Director. Motion seconded by Commissioner Folkvord and carried.

Commissioner Delger moved to accept the job description for Solid Waste foreman and to advertise for the position. Motion seconded by Commissioner Folkvord and carried.

Commissioner Folkvord moved to approve the overtime and standby pay for Public Health staff retroactive to March 17, 2020. Motion seconded by Commissioner Delger and carried.

Commissioner Delger moved to pay approved claims dated 4/8/20 for \$32,027.32; to pay approved claims dated 4/10/20 for \$204,161.06; and to approve payroll for pay date 4/15/20 in the amount of \$195,414.32. Motions seconded by Commissioner Folkvord and carried.

Commissioner Folkvord move to pay approved claims dated 4/17/20 for \$27,934.27, and to approve payroll for pay date 3/31/20 in the amount of \$204,083.96. Motions seconded by Commissioner Delger and carried.

Commissioner Laura Obert called the scheduled meeting to order at 10:00 a.m., Commissioner Mike Delger and Darrel Folkvord were also present.

Public comment is the opinion of citizens and does not necessarily reflect accurately on Broadwater County actions, operations, policy, practice or processes.

Bobbi Meehan asked where is the Silos KOA contract. Joe Schmaus offered comments about the 1898 road records. Tim Ravndal asked the status of some roads in the county.

Commissioner Delger moved to approve minutes dated 5/4/20 and 5/11/20. Motion seconded by Commissioner Folkvord and carried.

The meeting was closed and the public hearing was opened to adopt the County Capital Improvement Plan. Comment from Tim Ravndal. The hearing was closed and the meeting opened.

Commissioner Folkvord moved to adopt the resolution approving the County Capital Improvement Plan. Motion seconded by Commissioner Delger and carried.

The meeting was closed and the public hearing was opened to increase launch feed and camping fees at Silos Recreation Area. Commenting in favor: Steve McCullough, Tom Wolfe, Kim and Joe Kondelik. Written comments in favor: Al Christopherson, David Payne, Silos Recreation Area Citizens Action Group, Paul Backlund, Kris and Jim Farrington. For camp fees and against boat fees: Brent Kronfuss and Fred Jakubowski, against fees: Adam MacDonald, David Sedlock, Lee Ann Cauffman, Jim Eloff and Tim McAlpine. The hearing was closed and the meeting opened.

After comments from the Commission, Commissioner Folkvord moved to adopt the resolution increasing fees at Silos Recreation Area. Motion seconded by Commissioner Delger. Comments from Tom Wolfe and Steve McCullough. Motion carried.

TJ Graveley, Road foreman, discussed concerns with Diamond Gulch Road, which could be reshaped to improve the surface, and Filson Road, which has trees encroaching the right of way and fences. Commissioners agreed the problem trees should be removed.

In response to the petition to open Lefler and Red Hill Roads, Bernadette Swenson, Schauber Surveying, and Cary Swanson, County Attorney presented information. William Driscoll, Attorney for CX Ranch, spoke in opposition to said opening, as did Cliff Cox. Joe Schmaus offered his information. Harvey Ravndal and Alan Wright had questions. Bob and Gay Ann Masolo spoke in opposition to the opening, as did Adam MacDonald and Randy Robertson. Written opposition was received from Alan Davies, Bob and Linda Davis, Chris and Jim Robinson-Cox. Cliff Cox, Isabel Cox, Julie Reynolds, Levi Laughery, and Darrel Baum. After more discussion, Commissioner Folkvord moved to reject the petition to open said roads. Motion seconded by Commissioner Delger and carried.

After more discussion, Commissioner Delger moved to send a letter to District Court stating Broadwater County will not open Red Hill Road. Motion seconded by Commissioner Folkvord. Cory Swanson, County Attorney, advised the commission to postpone the vote until the regular meeting on Tuesday, May 26, 2020, to provide time for him to draft a letter for the Commission to sign and present to District Court Judge Mike McMahon.

Nichole Brown, Community Development, presented a COS for Rudy Yoder, with a tract for cemetery purpose. Commissioner Delger moved to support the COS exemption. Motion seconded by Commissioner Folkvord and carried.

Nichole presented the boundary relocation for Delaney and Lambott. Commissioner Folkvord moved to support the COS exemption. Motion seconded by Commissioner Delger and carried.

Nichole presented the Gingerich family transfer. Commissioner Folkvord moved to support the COS exemption. Motion seconded by Commissioner Delger and carried.

Nichole presented the Robert Miller family transfer. Commissioner Folkvord moved to support the COS exemption. Motion seconded by Commissioner Delger and carried.

Commissioner Folkvord moved to designate alcohol tax revenue for outpatient services. Motion seconded by Commissioner Delger and carried.

Commissioner Folkvord moved to reaffirm the vote to support the Airport CIP. Motion seconded by Commissioner Delger and carried.

Commissioner Delger moved to approve payroll for pay date 5/15/20 in the amount of \$180,040.81. Motion seconded by Commissioner Folkvord and carried.

Commissioner Folkvord moved to pay approved claims dated 5/12/20 for \$24,892.80. Motion seconded by Commissioner Delger and carried.

Communications received: Department of Revenue (DOR) request for information on Broadwater Hospital District; MSH Capital Advisors brochure. Communications are on file in the Commissioners' office as deemed necessary and are available for review.

Debbie Kelley, Accounting, was present to assist with the FY20 county budget review. Most departments are in good financial shape. Necessary amendments will be ready in two weeks. A memo to departments re: June 1 deadline for FY21 budget requests.

Commissioners signed a letter to Billings Clinic Broadwater requesting continued partnership for the County Peer to Peer program for Behavioral Health Services.

The meeting was adjourned at 2:44 p.m. The next regular meeting is scheduled for May 26, 2020 at 10:00 a.m.

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Laura Obert, Chair

Attest:
Ann Rauser, Deputy Clerk and Recorder