

**STILLWATER COUNTY  
COMMISSIONER MINUTES**

**Notice:** These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder (MCA 7-4-2611(2)(b)).

**REGULAR MEETING  
JANUARY 9, 2018**

**Present:** Commissioners Dennis Shupak, Chair; Maureen Davey, Member; and Lori Dobitz, Administrative Assistant.

Others Present: Heidi Stadel, Clerk and Recorder; Mark Schreiner, Road Superintendent; Randy Werdal, Road Foreman; Carol Arkell, DES; Jerry Friend, Treasurer; Cliff Brophy, Sheriff; Nancy Rohde, County Attorney; and Mikaela Koski, Stillwater County News.

**Pledge to Flag:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.

**Public Comments:** none heard.

**Minutes:** Commissioner Davey **MOVED** to approve the minutes of January 2, 2018. Commissioner Crago **SECONDED**. Motion passed unanimously.

**Consent Agenda:** LEPC Board Appointment – Marlo Pronovost - News Media Rep.

**File Items:** Department Report(s) – Fees collected for the month/or quarter ending Dec. 31, 2017

- a. Justice Court - \$9,905
- b. Clerk & Recorder - \$5,866
- c. Clerk of District Court - \$8,573

Commissioner Crago **MOVED** to approve the consent agenda and place the file items to file. Commissioner Davey **SECONDED**. Motion passed unanimously.

- Regular Business:**
1. Road Department
    - a. Review action of October 31, 2017, regarding bid award of snow-blower  
Commissioner Davey **MOVED** to rescind the action taken on October 31, 2017, and reject all bids submitted for the snow blower at the advice of the county attorney. Commissioner Crago **SECONDED**. Commissioner Davey said there were irregularities with the bid and following discussion with the county attorney, it was advised to rescind the action taken and reject all bids. Motion passed unanimously.
    - b. Request to re-bid snow blower - Commissioner Crago stated a new bid packet was submitted by the Road Department that clarifies the bid specifications. Commissioner Crago **MOVED** to grant the request and to seek re-bids for the snow blower for the new loader. Commissioner Davey **SECONDED**. Motion passed unanimously.
  2. Columbus Airport – AIP 3-30-0017-012-2015 Final Closeout Project Documents. Commissioner Crago explained this is the final closeout from 2015 which was part of FFA Grant that help cost share on the design of the airport project currently. Commissioner Crago **MOVED** to approve the final closeout document. Commissioner Davey **SECONDED**. Motion passed unanimously.

**Recess:** Hearing no further regular business, Commissioner Shupak recessed the meeting at 9:07 AM.

**Reconvene:** Commissioner Shupak reconvened at 9:30 AM for the purpose to conduct two public hearings.

**Present:** Commissioners Dennis Shupak, Chair; Maureen Davey, Member; and Lori Dobitz, Administrative Assistant.

Others Present: John Sherwood; Bill Murphy; Heidi Stadel, Clerk and Recorder; Mark Schreiner, Road Superintendent; Randy Werdal, Road Foreman; Carol Arkell, DES; and Mikaela Koski, Stillwater County News.

**Public Hearings:** Proposed road abandonments

9:30 AM Commanche Road Abandonment – that portion located in T3N, R22E, MPM, between Sections 9,10,4, and 3 for a distance of approximately 2 miles. Commissioner Davey read the viewers report stating the findings of

fact. She stated the road is not developed or maintained and is used by the landowners only to access farm ground. Mark Schreiner, Road Superintendent, stated one of the certified letters came back that was sent to Virgil Palmer as it could not be forwarded or delivered.

Commissioner Shupak called for proponents and opponents. None heard. Written comments will be accepted until 8:30 AM January 16, 2018 and a decision will be made at January 16, 2018 at 9:00 AM. Commissioner Shupak stated this portion of the hearing is closed at 9:34 AM.

9:45 AM

West Gee Road Abandonment – that portion located at the NW 1/4 Section 20, T2N, R20E, MPM, between Sections 19 and 20 approximately 1 mile. Commissioner Davey read the viewers report. She stated the road is not developed or maintained and is being used by the landowners to access farm ground. She also presented pictures taken the day it was viewed and also photo's from Google maps. Commissioner Shupak asked for comments. John Sherwood said this road accesses his property (40 acres) and stated if this road closed, it would cut-off access to his property. He said he doesn't want to see that happen.

Commissioner Shupak called for proponents, those in favor of the abandonment.

1. Bill Murphy – said his main concern is fire hazard as people use the road for hunting and it gets very dry in the summertime weeds and brush. He said he would rather see people walk in during the dry season. It is in rough shape, he said, and he doesn't think the county should be responsible for keeping it mowed down. He said work and culverts is needed on the road.

Commissioner Shupak called for opponents, those not in favor of the abandonment.

1. John Sherwood – said the county isn't spending any money on the road to maintain it. If the road is left alone it would be a mile of frontage on a county road keeping the property values. If Murphy's want to sell their property, it is worth a lot more with the frontage that dead ends. If abandoned, he said, it would cut-off access to his land and property values would go down. He gave the history (1913) of the road and how it was established. He discussed right-of-way, surveys, culverts, etc. He said the only other access to his property is Stagecoach Road which has a culvert washed out and is very poor. He stated the grass and brush that was brought up by Murphy is true on every rural county road. He finished by saying he needs this access to get to his property.

A lengthy discussion followed regarding gates on county roads, culverts washed out, cost sharing for cattleguards, cadastral mapping, etc.

**Hearing Closed:** Written comments will be accepted until 8:30 AM January 16, 2018, and a decision will be made at January 16, 2018 at 9:00 AM. Commissioner Shupak stated this portion of the hearing is closed at 10:08 AM.

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