

**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-*

**REGULAR MEETING
In Reedpoint MT
May 14, 2019**

Present: Commissioners Mark Crago, Chair; Tyrel Hamilton, members;
Heidi Stevens, Admin

Dana Weatherford, Weed District, Terry Brumfield, CRF #2, Mark Schreiner, Road and Bridge, Bob VanOosten, Cathy Brumfield, Jerry Friend, Jill Bue, Lev Ott, Gene Van Oosten, Misty Ketola, Edward May, Citizens, Heather Jarrett, Reedpoint School, Adam Milligan, Reedpoint School.

Minutes: Commissioner Hamilton **MOVED** to approve the minutes from 5-7-2019
Commissioner Crago **SECONDED**. Motion passed unanimously.

Claims: None Heard

Announcements: 1. We have job openings in the county, (1) Part Time and (1) Full Time Dispatcher in the Sheriffs Dept.
We also still have board openings. We have 1 City/County Planning and 1 County Planning.

Consent Agenda: 1. Molt Elementary Application for Classification as an Isolated School
2. WWC Engineering – Change Order #1

File Items:

1. Sheriff's Report – April \$350.00
2. Justice Court Report – April \$22,205.25
3. Letter from DOT on Ingersoll Road Closer
4. Park City Elementary Board Meeting Minutes

Commissioner Hamilton **MOVED** to Consent to the Consent agenda and File the File items. Commissioner Crago **SECONDED**. Motion passed unanimously.

Regular Business: 1. Absarokee Sewer – Drawdown Number 1 DNRC Grant \$18,116.81
Commissioner Hamilton **MOVED** to approve this item. Commissioner Crago **SECONDED**. Motion passed unanimously.

2. Weed Department – Approve Right of Way Contracts Area 1,2,3

Commissioner Hamilton **MOVED** to approve the Contracts with AEI, (Area 1), Red Rooster Spraying, (Area 2), and Range Rider Land Management, (Area 3).

Commissioner Crago **SECONDED**. Motion passed unanimously.

3. Sanitarian – Seamless Docs Approval & Purchase

\$13,632.50 First year and \$7,125.00 for two-five years.

Commissioner Hamilton **MOVED** to approve the project. Commissioner Crago **SECONDED**. Discussion - Commissioner Crago explained that this was presented by our Sanitarian but that he is also our Interim Web Designer. This project will allow the County to have 50 documents that can be accessed by employees and also citizens. This will allow anyone to print, pay, and complete forms online without having to come to the Courthouse. Motion passed unanimously.

4. Allocating 2019 Stillwater Wind Farm Impact Fees

Commissioner Hamilton **MOVED** to pass **RESOLUTION 2019-14**. Commissioner Crago **SECONDED**. Discussion –

Bob VanOosten – What happens to the \$340,000.00?

Commissioner Crago explained that it is for improvements for the County. Most likely used for the new offices or roads. By allocating it this way it allows us to use it in different areas as we see fit.

Gene VanOosten - \$100,000.00 is not nearly enough to rebuild Springtime road to the way it was before the Wind Farm moved in. This road is eroded and needs to be repaired. He believes it will cost nearly double that amount.

Bob – Is this for the new or existing Wind Farm and are there more Wind Farms coming?

Commissioner Crago – this is for the existing one and yes there has been discussion and some plans for more but nothing has been finalized.

Bob – Our concern is not only what happened in the past but also with the future and any other projects coming in. These companies are not rebuilding or putting these roads back to as good as or better condition.

Commissioner Crago – We appreciate what you are saying and we are working with the new companies to make sure the contract is clear and is a lot more inclusive than the first one was. We want to make sure that your concerns are addressed and to follow up with more backing to ensure your concerns are addressed.

Bob – We would appreciate it. These roads are horrible. We have lost eight inches of road and now needs a culvert the water just runs across. It is costing us also in time and inconvenience, we have legitimate concerns. We hope you can do better.

Gene – These roads are anything but back to the way they were. We used to be able to drive down these roads thinking we were invincible, now we have to drive careful and with caution.

Edward May – I called in and I believe I was misled. I spoke with Commissioner Hamilton and I was under the impression that this was for an upcoming wind farm.

Commissioner Crago- When a wind farm comes in the county can assess them up to 1.5% of their project total over a three-year period. They paid the first year, and this will be their second year and there will be a third payment coming in 2020. This is all coming from Stillwater Wind that is currently operational.

Ed – How will the second phase and allocation work? I would have to agree with the VanOostens in that it is going to take more than the \$100,000.00 to return this road back to proper working order. Is there any way that we can reallocate this money to Springtime road? It was the most impacted. I believe this warrants further discussion and reallocation of funds.

Bob – If we get a good rain, we won't even be able to get an ambulance up there.

Adam Milligan – I would just like to say thank you to the County from the Reedpoint School.

Commissioner Crago – Nothing is set in stone until it goes to vote. It can still go either way. It could be voted down and we can have further discussion.

Ed – When is this coming to vote?

Mark S. – With the money being allocated this way there are a lot of different ways we can spend this money. Fixing roads is one of them.

Ed – This money needs to be earmarked specifically to Springtime Road. I support the school but this money needs to be allocated to the roads.

Commissioner Hamilton – That is exactly what we are working with Mark S. about. What is it going to cost to get these roads back up to good condition? This is a two-part answer. First, Great West Engineering is coming to the County to reassess all county roads. They will tell us which ones have been impacted most. We will then focus our energies to the roads in most need. It is hard to earmark this money with out a cost of repairing these roads. The second part of that comes down to do we allocate \$300,000 to rebuild Springtime road? I don't know what the cost would be to rebuild it. It's hard to earmark it currently the way it sits with out a number to attach to that earmark. If we do put it in a general fund and we get our independent review back from Great West then those funds are available to us to say Mark S. we can hire a road crew to go rebuild and we use our crew to maintain or vice vs. But first we need a cost to associate that with.

Ed – Can you please have the residents along Springtime have input. The whole road is a mess but there are definitely some key areas.

Commissioner Hamilton – Rapelje residents came into our office after our Agenda meeting in Rapelje. We sat around the table and looked at a map. We talked roads, we talked culverts. Now we have the information to arm us with what we need when Great West comes in we can say hey pay close attention to these roads that need attention. It really helped us to identify these roads and what areas were the worst. I would suggest the same thing to you. Come in lets take a look at what is the biggest concerns.

Ed – You have heard of the Bridge to Nowhere? Well we have a culvert to nowhere. There are key hot spots that we can identify for you. Thank you for letting us be involved.

Commissioner Crago – Called for a vote. Commissioner Hamilton voted in favor and Commissioner Crago voted against so that he could visit with Commissioner Hamilton and Commissioner Shupak and decide what they need to do. Motion failed due to a tie vote. He also said he would entertain a motion to approve and allocate at least the \$15,000.00 to the Reedpoint School and we can encompass it into the resolution at the time that we do that. Commissioner Hamilton **SO MOVED.**

Commissioner Crago **SECONDED.**

Commissioner Crago asked for an update from the school on how the money was spent that was awarded last year and what they have upcoming on the project with the school.

Heather Jarrett – last year the County Commissioners were very generous and gave the school \$300,000 of impact money. To date we have purchased a four unit modular that will be a five classroom Elementary for \$279,000. We had to relocate our Northwest energy service line and that cost \$18,000. We \$1000 to temporarily put the power to a unit that was used for two classrooms this year. This helped us to alleviate the crowding in our Junior High and High School. Great West came in to help us formalize a plan for the foundation and we paid them \$500. Great West secured a contractor and a plan for \$18,000. Contractor secured for foundation crack and all excavation and dirt is around \$193,000. To date we have spent \$364,000 but still have a few expenses of the electrician to hook up power, plumbing and fire alarm systems that will need to be installed

Bob – How much did you get last year?

Commissioner Crago – We received \$465,000. Given the circumstance the school was in we allocated \$300,000 of it to the school, \$70,000 to the roads, \$70,000 to the Capital Improvement Fund which went to crushing gravel that actually went up on Springtime road and \$25,000 to the Reedpoint Sewer District. Motion passed unanimously.

5. Search and Rescue – Approve Closing Documents on boat. Commissioner Hamilton stated that we had a request from the Finance Department to approve closing documents for the Search and Rescue boat and I would **MOVE** that we approve the closing documents. Commissioner Crago **SECONDED**. Motion passed unanimously.

6. Allocation of the Stillwater County Earmarked Alcohol Tax Money. Commissioner Crago explained that this is what is commonly referred to as the Barrel Tax Money. It is the State collection on alcohol taxes redistributed back to the counties for the sole purpose to use for chemically dependency treatment in your county. Commissioner Hamilton **MOVED** that we approve the Earmarked Alcohol tax to the Alternatives Program. Commissioner Crago **SECONDED**. Discussion – Commissioner Crago stated that it is a guarantee of three payments. Last year it was around \$14,000. They guarantee you three payments then at the end of the year the allocate the remaining funds to all the counties. Typically, it falls between \$19,000 and \$21,000 per year and the County receives those funds. Motion passed unanimously.

7. Road and Bridge Department – Contract Agreement between Bobs Noxious Weed Control and Stillwater County Road and Bridge to Spray Kochia. Commissioner Hamilton **MOVED** that we approve the Contract between Road and Bridge and Bobs Noxious Weeds. Commissioner Crago **SECONDED**. Discussion-

Bob – How is this any different than what you did earlier?

Commissioner Crago -This year the Weed Department is spraying for noxious weeds and the Road and Bridge is spraying just for Kochia. Motion passed unanimously.

8. Amend Resolution 97-17 - Redistribution of Local Option Vehicle Tax.

Commissioner Hamilton **MOVED** to draft a resolution to modify Resolution 97-17 to update it to match 2019 needs. Commissioner Crago **SECONDED**. Discussion – Commissioner Hamilton explained that this Resolution was from 97 talking about our local Option Tax and what it can be used for. Ninety percent of it currently goes into our road material fund which can solely be used for gravel a crushing and road oil. Some of the things we have talked about is adding contracting road repair services in there to help in a timelier matter to help fix culverts, emergency repairs to roads and adjusting the percentages a bit to more match what we need. This money can be used to crush gravel and road repair services.

Ed – How much a year you looking at?

Mark S. – There is \$846,000 in there right now. That is what is kind of allocated every year.

Commissioner Crago – It is .5% that shows up on vehicle registration.

Commissioner Hamilton- There is \$850,000 sitting in there right now.

Commissioner Crago – With what Ty is trying to do, it would allow us to utilize these funds to better do these things we are discussing now. Knowing that he is working on this I am not as worried about the monies we are allocating from the Wind Farm because we are trying to free up some money so we can do some of the concerns you have expressed today.

Commissioner Hamilton - It will help us with culverts and things like if Mark S. crew is tied up with wash outs on one end of the county then we can hire an independent contractor to come fix a culvert on the other end. With thirteen washouts

this year alone, it became apparent that Mark S. and his crew would be busy fixing those then we don't have anyone to do maintenance.

Knowing that I was working on this that the previous resolution had less stress. This money will also be available for road repair.

Jerry Friend – I know how these things work and set up close to State Legal Statutes and I would advise you have the legal department take a look.

Commissioner Hamilton- We have had legal look at it. We want it brought up to 2019 needs. The surveys and rates and statutes are clearly outdated and current Montana Code and Statutes. Motion passed unanimously.

Public Comments: None heard.

Special Discussion- Local Issue Roundtable – While no action will be taken the floor is open for discussion and public comments.

Jerry Friend – Just wanted to remind everyone about the upcoming Solid Waste public hearing to raise fees.

Commissioner Crago – Stated that it was in fact May 28th at 9:15 and 9:30 and that it is Solid Waste Board driven and discussed.

Jerry – Tuesday morning at 9:30 is not a great time to have a public meeting.

Commissioner Crago – While we agree with that it is why we have decided as a commission to get out to the communities on these monthly agenda meetings to discuss road concerns, and see people and find out what the issues are. We want you to know that our door is open. We can't change the past but together we can change the future.

Adam Milligan– Do you deal with the drainage that comes off the hill and into my yard? I have built a berm that sends it into my neighbors' yard and he built one and it goes on and on.

Commissioner Crago – So basically you are irrigating everyone's yard. These same issues were brought up when we were in Park City. The County can come in and cut new ditches but we have found that the residents want to mow on the flat and just fill them in again. It is difficult and a complicated issue.

Jerry – Part of the problem is that the roads have been rebuilt and rebuilt up so now the sidewalks are lower than the roads and water also runs down them.

Commissioner Crago – We would like to thank all of you for coming out tonight and remind you that we have open to the public working sessions every Tuesday from 2-4pm and on Thursday from 10-Noon. Feel free to come in with all of your concerns.

Meeting Adjourned: Hearing no further business, Commissioner Crago adjourned the meeting at 7:23PM.