

**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)).

**PUBLIC HEARING**

**PRELIMINARY BUDGET FY 2019-2020**

**JUNE 11 – 9:00 AM**

**Present:** Commissioners Mark Crago, Chair; Dennis Shupak and Tyrel Hamilton, Members; and Heidi L. Stadel, Clerk & Recorder.

Others Present: Chip Kem, Sheriff; Randy Smith, Undersheriff; Scott Waltner, Solid Waste; Mark Schreiner, Road & Bridge; April Limburg, Planning; Jerry Bokma, Facilities; Della Haverland, Library; Sandy Fox, District Court; Dana Weatherford, Weed Department; Jerry Friend, Treasurer; and Mikaela Koski, Stillwater County News.

**Open Hearing:** Commissioner Crago opened the Public Hearing and made introductions. He stated the reason for the hearing is for the preliminary budget FY 2019-2020. The Preliminary Budget has been made available for review in the Clerk & Records Office.

Commissioner Crago asked if there are any questions.

Scott Waltner stated that his budget would change right away due to an increase from 5% to 15% from Billings. Commissioner Crago replied the increase was for out of state not out of district. Commissioner Crago asked if there were any other questions. Commissioner Crago stated no written comments have been received.

Commissioner Crago called for comments from opponents to the Preliminary Budget as presented. None heard.

Commissioner Crago called for comments from proponents to the Preliminary Budget as presented. None heard.

**Hearing Closed:** Commissioner Crago stated the commission will accept written comments until Tuesday, July 16, 2019 at 8:30 a.m. Final approval and adoption will be made on Tuesday, July 16, 2019, at 9:00 a.m. during the regular agenda meeting. Commissioner Crago added that mil values will not be available until August 5<sup>th</sup> and there may be budget amendments to the approved budget. This portion of the hearing was closed at 9:09 a.m.

**REGULAR MEETING**  
**JUNE 11, 2019**  
**Fishtail, 6:30 p.m. at Hanna Hall**

**Present:** Commissioners Mark Crago, Chair; and Tyrel Hamilton, members;  
Heidi L. Stadel, Clerk & Recorder, Heidi Stevens, Admin

Others Present: Mark Schreiner, Road Superintendent; Carol Arkell, DES; Charles Sangmeister; Lana Sangmeister; Olaf Sherwood; Burton Williams; Ed McCrone; Arleen Boyd; Frank Willett; Kenadie Stevens; Tom Heyneman and Karen Heyneman.

**Pledge to Flag:** Commissioner Crago opened the meeting at 6:30 p.m. with the pledge to the flag.

**Minutes:** None Presented

**Claims:** None Presented

**Consent Agenda:** None Presented

- File Items:**
1. Clerk & Recorders Report – May 2019 in the amount of \$6847.55
  2. Justice Court Report - May 2019 in the amount of \$26,601.25
  3. Clerk of District Court Quarterly Report – Quarter ending March 2019 in the amount of \$10,407.21
  4. Montana Historical Society - Stillwater County Courthouse Preservation

Commissioner Hamilton **MOVED** to File the File Items. Commissioner Crago **SECONDED**. Motion passed unanimously.

**Regular Business:**

1. Road & Bridge – Designation of Applicant Agent & Request for Assistance for the 2019 FEMA Projects. Commissioner Hamilton **MOVED** To sign the Designation and Request. Commissioner Crago **SECONDED**. Discussion – Carol Arkell, DES, met with FEMA in Bozeman today to discuss the spring flooding. The designation is to appoint Mark Schreiner as the lead on this project and Commissioner Crago as the signee. State DES will be in the county the second week of July to go over the project. This is the first step to receive the FEMA funding to start the project. Commissioner Crago stated the FEMA funding is for damages done to the roads, culverts and bridges due to the spring flooding. Arleen Boyd asked if the project is approved at the Federal Level. Carol Arkell replied the county and state have been approved for the Federal Presidential Declaration. Motion passed unanimously.

2. Montana Surplus Property Program – Resolution to Participate in the State of Montana Surplus Property Program. Commissioner Hamilton **MOVED** to approve Resolution 2019-22. Commissioner Crago **SECONDED**. Discussion - Commissioner Crago explained the reason for the resolution is to allow the County to acquire State surplus vehicles, office equipment and construction equipment at a discounted surplus rate. This is required to participate in this program. Carol Arkell inquired which departments are listed to participate. Commissioner Crago replied that the listed

signers are the Board of County Commissioners and Joe Morse, Human Resources and Finance Officer. Any department can participate. Motion passed unanimously.

3. Board Appointment – Appoint representation for Area II Agency on Aging. Rhonda Golden, current board member has reapplied. Commissioner Shupak would be appointed as the Commissioner Representative. Commissioner Hamilton **MOVED** to appoint Rhonda Golden and Dennis Shupak to Area II Agency on Aging. Commissioner Crago **SECONDED**. Motion passed unanimously.

**Public Comment:** Commissioner Crago stated there will be a special roundtable discussion period after the public comment period to address local issues in and around the area. Commissioner Crago called for public comment. Frank Willett questioned when the bridge on the West Fork would be done. Commissioner Crago replied there was a meeting for the Ingersoll Bridge today. The engineers are working on a plan and design work to be in place when the permitting process is completed. The goal is to have a new bridge completed by year end. Mark Schreiner stated if it is not completed before winter then they will try to have it completed in the spring. Commissioner Crago stated the county understands the importance of the bridge and will work with the budget to pay for the bridge. The county could do a TSEP program for the bridge but that could extend the time of the project by two to three years. Olaf Sherwood thanked Mark Schreiner and the road department for the work that was done on the ditch bridge. Olaf questioned Mark Schreiner as to why the grader operators have to survey the roads before they begin to work on them. Mark Schreiner replied that they have to check for rock falls and that the road is clear before they bring the graders out to begin work. Commissioner Crago added that due to insurance issues the workers can no longer tow their vehicles behind the graders and that has had an impact on efficiency. The county is looking into having equipment more readily accessible to the workers to expedite the process. Mark Schreiner pointed out that the grader operators have a lot of other duties in their area besides the everyday work such as putting out signage for public safety. Commissioner Crago remarked that the local issues could be discussed in the special discussion segment of the meeting and began the special discussion for local issues.

**Special Discussion:** Commissioner Crago opened the special discussion with introductions of all persons present and requested that speakers identify themselves during the discussion when speaking.

**West Rosebud Rd:** Tom Heyneman inquired about the status of the West Rosebud Road, if there was a plan in place. Mark Schreiner replied that the engineer viewed the road today. S&K will do soil and core sample testing similar to what was done in 2011. After that the county will come up with a plan to anchor that area. Commissioner Crago commented that the difference between the current erosion and the one in 2011 is that it appears to extend further than the Heyneman Driveway. Mark Schreiner stated that it extends past the Heyneman driveway through the ditch to the slough area and into the bottom. The one above the house goes through the same area and it is getting wider. The engineer will coordinate with S&K to view the area, do testing and come up with a plan on how to proceed. Karen Heyneman questioned where would the information regarding this project be found. Mark Schreiner replied that it depends on the plan of action and how the county decides to proceed. Commissioner Crago stated that the county will have to work together with the landowners with the repair actions. Commissioner Hamilton stated that when information becomes available to the Commissioners it will be posted on their agenda. Mark Schreiner stated that work can begin when the area is stabilized. Commissioner Crago stated that the county does not have a plan as to how to fix the road yet but is actively involved in observing and

getting the appropriate people to fix the road correctly. Tom Heyneman asked “Who is the engineering company?” Mark Schreiner replied that it was Great West Engineering and they are the firm the county uses. Karen Heyneman stated that the traffic to Mystic has increased and that it is a public safety issue. Mark Crago replied that the county has added a dirt gravel road and is checking the signage.

**Ingersoll Bridge:** Ed McCrone stated that his biggest concern is the Ingersoll Bridge. Ed thanked Commissioner Hamilton for listening to his concerns about the Ingersoll Bridge. Ed is concerned about the bridge not for convenience but for access to health care. Ed and his family prefer Red Lodge over for Columbus for Health care and the bridge provides access and is a faster route. Ed stated that he has written letters to the State about the Bridge Closure. Ed further stated that he had gone out to look at the bridge and that there is visible damage to the bridge, the concrete is in good shape though. Ed thought perhaps a second temporary bridge could be built beside it but it is not wide enough. Ed reemphasized the importance of the bridge and hopes the bridge will be fixed as soon as possible and offered to help in any way possible. Ed believed there may be a way to temporarily fix the bridge with heavy metal plates and he has seen it done but feels that a wider right of way easement would be a problem. Ed again offered his help to write letters if needed. Ed thought perhaps environmental issues may delay fixing the bridge. Commissioner Crago replied the environmental issues would be the permitting process. Ed believes the bridge could still be used if there was a wide enough easement and something could be built next to it. Commissioner Crago stated that even if it was decided to use a temporary fix bridge the county would still have to go through the same permitting process as they would to fix the current bridge. Commissioner Crago further stated the county would have to go out for bids to fix the bridge because it will cost over \$80,000 to repair. A quick fix solution would cost \$65,000 and it would last approximately 3 years. The county would rather spend the money, go through the process and do it right. Ingersoll Bridge is one of the last bridges in the county to be replaced. Ed expressed concern about the length of the project. Commissioner Hamilton stated that the county is expediting the process. The county is currently waiting on the Army Corps of Engineers. The Corps will be working on the engineering portion of the project so that when the permitting process is completed the project can go out for bid. Ed stated that he appreciates all that has been done and thanked the Commissioners for holding the meeting in Fishtail and thought it was a great idea. The Commissioners said that this is new this year and that they will be doing this every second Tuesday’s agenda meeting until all eight towns in the county have had one. Commissioner Crago corrected his previous statement of the Ingersoll Bridge being the last bridge in the county to be replaced. The Johnson Bridge is also being replaced but that is a State project. Mark Schreiner added that the county just finished paying for the Spring Creek Bridge.

**County Courthouse:** Ed McCrone asked about replacing the county courthouse. Commissioner Hamilton replied that the courthouse would not be replaced but building new county facilities and making the courthouse a law and justice center is one of the things discussed. Ed stated the courthouse means a lot and has a majestic look to it, it is something to be proud of and needs to be maintained. Commissioner Hamilton explained that the county has a Facilities Capital Improvements plan committee that has been working to address the needs for more county office space. Commissioner Crago pointed out that Burt Williams and his wife Joan did a walkthrough with the committee and the State Historical Preservation Architect and explained a lot of the things that can be done during a remodel of the courthouse and what regulations need to be followed to bring things up to code. Commissioner Crago further explained that the Commissioners will be back with the Facilities Capital Improvements before the end of summer to present the committee’s recommendation and other options to the public for feedback. The

Commissioners believe that they can implement this without raising tax dollars and this can be done on a budget the county can afford. Burt Williams stated that the commissioners are looking at a better functional flow for the county office buildings with the possibility of law and justice center in the current courthouse and an office building in close proximity. The county has also acquired a piece of land north of Interstate 90 that could be used for community activities and fairgrounds. If the public agrees, it will be a real improvement to life in Stillwater County. Ed McCrone asked where would everything go. Burt stated that there is currently a fairgrounds to the north. Commissioner Crago thanked Burt.

**County Signage:** Charles Sangmeister asked if there were going to be signs in place about the Ingersoll Bridge Closure. Commissioner Hamilton assured him that the signs will be in place in Carbon County and Stillwater County. Mark Schreiner stated that the signs are at the West Rosebud Road at the bridge turnoff. Charles inquired if signs could be placed in Fishtail or at the beginning of the West Rosebud Rd. Commissioner Crago stated that more signs could be ordered and it will be looked into.

**Zoning:** Arleen Boyd thanked the Commissioners for taking the time to go out into the communities and conducting these meetings. Commissioner Crago stated that he feels these meetings are more productive than their regular 9:00 a.m. agenda meetings. Arleen stated that she heard there was good progress made at the Stillwater County Planning Board Meeting and that there are some people that admire the work that has been done to try to define a workable solution regarding the Beartooth Front Zone. Arleen further stated that there are some that would like to be protected by provisions that the people who worked on the zone provided. She would like to go on the record to endorse their work, thank them for their work and thank the Commissioners for being open for taking this forward. Commissioner Crago stated the Commission is waiting for the report from the planning board on what transpired during the planning board meeting. Olaf Sherwood commented that he disagrees with what Arleen stated and that the same money could be spent educating people on zoning. Burt Williams stated that during the planning board meeting Bob Van Oosten stated that he read though their group was proposing and found it reasonable. He tried to lease his property for oil and gas, went to a lawyer and had provisions drawn into his lease, and the oil and gas company refused his lease and was unable to protect his property and the oil and Gas Company went where it was cheaper. Burt further stated that Bob introduced the Resolution for the County to approve Part II Zoning and regulations for it. Charles Sangmeister stated this is not to stop oil and gas drilling it is just protections at the County level. Karen Heyneman asked what the process is after the planning board recommendation. Commissioner Crago stated that it depends on the decision of the planning board and that memorandum should be presented to the Commission for action. Commissioner Hamilton remarked that he had not seen the minutes or any formal recommendation and if there was a decision, Forrest would be working on that. Karen stated that the planning board made a motion to move forward. Commissioner Hamilton replied that it would be an approval of the planning board to make a recommendation of zoning with regulations, at that point it would come before the Commissioners. Commissioner Hamilton further stated that he did not believe that had happened but that the planning board decided to continue to work on it. Commissioner Crago stated that he and the other Commissioners would not be attending the meeting so that it would not appear that they have tried to sway the outcome. The planning board is aware of the timeline. The Commissioners will wait until they receive the recommendation from the planning board. Arleen asked if the Commissioners would act on the recommendations of the planning board.

Commissioner Hamilton replied that at that point the County may have to have a public comment period, followed by proponents and opponents, from there the Commissioners would base their decision on all of the information. Commissioner Crago stated that it is a process and that it is moving again and hope it keeps moving in a positive direction. Commissioner Crago called for any other discussion.

**Meeting Adjourned:** Hearing no further business, Commissioner Crago adjourned the meeting at 7:35 p.m.

APPROVED BY: /s/  
Commissioner Crago, Commissioner Chairman  
ATTEST: Heidi L. Stadel, Clerk and Recorder