

**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  
OCTOBER 9, 2018**

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

Others Present: Mark Schreiner, Road Superintendent; Michelle Flemming, Richard Abromeit and Jason Smith, Montana Advanced Caregivers; Ginny and Bo Segeberg, Trigger Relief; Chip Kem Undersheriff; Nancy Rohde, County Attorney; Tom Geehan and Charles Blaylock, Rosebud Remedies; and Mikaela Koski, Stillwater County News.

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

**Public Comments:** none heard

**File Items:** Department Reports–Fees collected

- a. Clerk of District Court – Quarter ending September 2018 totaled \$13,204.48
- b. Clerk and Recorder – Month ending September 2018 totaled \$6,582.20.
- c. Justice Court – Month ending September 2018 totaled \$15,765

Commissioner Davey **MOVED** to place the file items to file. Commissioner Crago **SECONDED**. Motion passed unanimously.

**Regular Business:** 1. County Attorney – Resolution of Intent to adopt Stillwater County Medical Marijuana Providers Regulations by Ordinance.

Commissioner Crago read draft Resolution 2018-21, a Resolution of Intent to adopt Stillwater County Medical Marijuana Providers Regulations. He said the intent is to provide regulations on medical marijuana provider locations if approved and start the ordinance process. Following the draft resolution reading, Commissioner Davey **MOVED** to adopt Resolution 2018-21. Commissioner Shupak **SECONDED**.

Discussion: Commissioner Davey stated she was not in attendance during the meeting held between the commission and the county attorney and when this was presented to the commission for discussion. Davey said she was not comfortable making a decision at this time. Commissioner Crago asked the county attorney to give some clarification to what the resolution and or ordinance may or may not do if they were to pass. Nancy Rohde, County Attorney, explained the point of the resolution and ordinance is to simply prohibit storefront within Stillwater County not including the City of Columbus. Rohde said the purpose of this simply is not to stop providing and to not put any provider that exist out of business, that is not the intent, but to give the local government the authority to regulate the location within 500' of schools, churches, and public parks. Rohde said it is not the intent to not have the product be available to the people that are card holders.

Commissioner Davey asked the County Attorney questions regarding language in the regulations for clarification as she was not part of the discussion. There was discussion on the draft resolution which then the County Attorney stated the draft the commission presented for the public is not her latest version and therefore advised the commission to postpone action at this meeting.

Comments: Richard Abromeit and Jason Smith, Montana Advanced Caregivers, Billings, Montana – said he would like to invite the Commissioners to their facility, as well as the County Attorney, to see how a dispensary operation works and see how it is all tracked through the DPPHS.

Commissioner Crago said it is the intent to make sure that they are strategically placed to be of benefit to the customer base that there may be and at the same rate have the least amount of impact to neighboring schools and churches. He said the presumed areas, as this is written, would be outside the City of Columbus which is not governed by the county. All the other towns in Stillwater County are governed by the Commissioners.

Jim Pearson stated he rents a portion of a building he owns to a provider and said they are good tenants with absolutely zero disruption to his business which he operates at the other end of the building. He said the customers that come in are low-key and has had no issues with odors or loitering.

Vote: Commissioner Crago called for a vote on the motion. Commissioners Davey and Shupak voted NAY. Commissioner Crago abstained. Motion Failed.

Second Motion: Commissioner Davey **MOVED** to postpone action for further clarification. Commissioner Shupak **SECONDED**. Motion passed unanimously. Commissioner Crago told those present to keep an eye on the agendas as it will come back in front of the commission for a decision once the questions are answered.

2. Road Department – Bid Award to lease eight (8) 2019 motor graders. Commissioner Crago read the letter of recommendation from the Road Superintendent to accept the bid from Tractor and Equipment on (8) 2019 CAT 140M3AWD Motor graders. Commissioner Shupak **MOVED** to take the Road Superintendents recommendation and award the bid to Tractor and Equipment for a 5-year Lease in the amount of approximately \$2.5 million dollars. Commissioner Davey **SECONDED**. Motion passed unanimously.

3. Custodial Services - Notice to seek proposals - date change. Commissioner Crago said in the last agenda meeting it was discussed to seek proposals for custodial services for three county buildings. The notice has been modified to receive RFP's no later than 5:00 PM on October 26, 2018. Publication in the Stillwater County News will be Oct. 11 and Oct. 18, 2018. (Note for Record)

4. DES – ACS upgraded proposal for panic alarm system. Commissioner Davey said the alarm system price has been increased due to the number of panic switches requested. The proposed increase went from \$5,300 to \$7,300. Commissioner Davey **MOVED** to approve the increase in the proposal. Commissioner Shupak **SECONDED**. Motion passed unanimously.

**Meeting Adjourned:** Hearing no further comments, Commissioner Crago adjourned the meeting at 9:35 AM.