

**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 -  
November 26, 2019**

**PRESENT** Commissioners Mark Crago, Chair, Tyrel Hamilton Dennis Shupak, Members; Pamela Stoddard Administrative Assistant, Mark Schreiner Road and Bridge Superintendent, Carol Arkell, Shirley Keffer, Mike Rouane, Doreen Stockdale Stillwater County News, Brandon Garoutte, Heidi Stadel Clerk and Recorder, Joe Morse Human Resources/Finance.

**PLEDGE**

Commissioner Crago opened the meeting with the Pledge of Allegiance.

**APPROVE AGENDA**

Commissioner Hamilton **MOVED** to approve the agenda with the correction to omit the word Bear in Grizzly Bear Wind LLC. The Company is actually named Grizzly Wind LLC. Commissioner Shupak **SECONDED**. Motion passed unanimously.

**ANNOUNCEMENTS**

Commissioner Crago informed the members of the audience that there will be a Public Hearing for the Library Depreciation Fund Amendment

**MINUTES**

November 19, 2019 Commissioner Hamilton **MOVED** to approve the agenda. Commissioner Shupak **SECONDED**. Motion passed unanimously.

**FILE ITEMS**

1. Road and Bridge –
  - A) Valley Creek Road Repair contract
  - B) Spring Creek Road Repair contract
  - C) Notice to proceed
  - D) Change Order #1

Commissioner Hamilton **MOVED** to file the file items. Commissioner Shupak **SECONDED**. Motion passed unanimously.

## REGULAR BUSINESS

1. Planning –

A) Final Approval Beartooth Subdivision Commissioner Hamilton **MOVED** to approve the Subdivision. Commissioner Shupak **SECONDED**. Discussion; Forrest Mandeville-Stillwater County Planning explained the subdivision is an 18-lot subdivision on 10 and half acres. The petitioner has met all stipulations that were set forth by the Board previous and Mr. Mandeville recommends approving the Final plat map. Motion passed unanimously.

2. County Attorney –

A) Garoutte request for variance of size of cargate. Commissioner Hamilton **MOVED** to deny the variance for the previously approved cargate. Commissioner Shupak **SECONDED**. Discussion; Commissioner Crago explained that the Commissioners have received written comments supporting and objecting to a 16 foot cargate, from landowners and lease holders affected, and while the two letters were supporting Mr. Garoutte they said they would like a minimum of a 16 foot gate the other two comments stated that anything less than a 24 foot cattle guard would be unacceptable for their needs for their equipment. Commissioner Hamilton added that road Superintendent Mark Schreiner and Commissioner Crago visited the site this morning and measured the road and potential installation site, Superintendent Schreiner stated that with some additional gravel and a 50 foot setback the County could install the 24-foot car gate and still allow semis to turn left or right out of the road. Commissioner Crago added that this should circumvent any further issues with gates being locked and one party or another not being able to access what they need. Motion passed unanimously.

3. Economic Development –

A) MOU Beartooth Resource Conservation and Development Area Inc. Commissioner Hamilton **MOVED** to approve the contract for membership in the amount of \$4061.46. Commissioner Shupak **SECONDED**. Discussion. Commissioner Crago explained that Beartooth RC&D has been helping the county find and write grants and has been working with the Road Department on several projects securing grant funds on many of them. Motion passed unanimously.

B) E-civis renewal subscription and service agreement. Commissioner Hamilton **MOVED** to table this item on the recommendation of legal counsel until they can further study the contract. Commissioner Shupak **SECONDED**. Motion passed unanimously.

4. Road and Bridge –

A) MDT Plan In Hand report Johnson Bridge Project. Commissioner Crago explained that the report covers the project specifics for the Johnson Bridge. Commissioner Crago explained this is a fairly new report that just covers the progress of the project. Commissioner Hamilton **MOVED** to accept and approve the report. Commissioner Shupak **SECONDED**. Motion passed unanimously.

B) Union Local #3877 agreement Commissioner Hamilton **MOVED** to approve the union Contract with back pay to October of 2019. Commissioner Shupak **SECONDED**. Motion passed unanimously.

5. Commissioners –

A) Request refund of taxes paid Trees Ranch. Commissioner Hamilton **MOVED** to approve the refund of \$2,778.48 for the tax years 2014-2018. Commissioner Shupak **SECONDED**. Motion passed unanimously.

**PUBLIC HEARING**

9:30 Black Bear LLC Wind Farm Tax abatement

Commissioner Crago opened the Hearing at 9:30 and explained where the Black Bear Wind Farm is being proposed. Commissioner Crago called for and questions none being heard he then called for proponent with none being heard he then called for opponents. With no comments being heard in either matter he then closed the hearing for the Black Bear Wind LLC project.

A) Resolution Tax abatement Black Bear Wind LLC Commissioner Hamilton **MOVED** to approve Resolution 2019-49 abating taxes for Black Bear Wind LLC at the rate of 25% for 10 years. Commissioner Shupak **SECONDED** Motion passed unanimously.

9:35 Grizzly LLC Wind Farm Tax abatement

Commissioner Crago opened the Hearing at 9:35 and explained where the Grizzly Wind Farm is being proposed. Commissioner Crago called for questions none being heard he then called for proponent with none being heard he then called for opponents. With no comments being heard in either matter he then closed the hearing for the Grizzly Wind LLC project.

A) Resolution Tax abatement Grizzly Wind LLC Commissioner Hamilton **MOVED** to approve Resolution 2019-50 abating taxes for Grizzly Wind LLC at the rate of 25% for 10 years. Commissioner Shupak **SECONDED** Motion passed unanimously.

Commissioner Hamilton added that most of this energy will go back into Montana's energy bank unlike other windfarms in the area.

**Public Comment**

Shirlee Keffer read a statement in to the record;  
I have been attending these Tuesday morning meeting to learn and observe the operations of local government. What I have learned is the agenda reflects a summary of prior activity not the actual workings. Thinking to really learn is to sit in the Commissioners Office every day (well that would be like going to work without pay).

I need to learn if one can read the minutes and view list of warrants/checks being approved on the agenda prior to the meeting.

Now that the Budget is posted on the County website, I have begun reviewing by department stating with the ones that a major interest to me. This is a new feature available to all of us.

Showing up for meeting, the question keeps cropping up why residents don't become engaged in our government. The answer in part: people are working and unable to take time off to attend. There is a cost to attend if you are traveling from any community outside Columbus. Rapelje resident would put on over 50 miles round trip (minimum) more like 60-70 miles for a 15-20-minute meeting Fuel cost?

Reviewing the various Boards, I have attended 2 County Planning monthly meetings and 3 Library Trustee meetings. Being present you know first hand what took place. Application to serve on the many Board-helpful if one attended to see firsthand what is involved and also reads the prior minutes of that Board. Did attend one "Discussion "meeting with Dept. Head of Roads and Bridges in the Commissioner's Office.

About the Concept Plans; I encourage you to mail to all property owners and registered voters this information. I have done research both with the Clerk and Recorders office and Post Office to the cost. Although the Commissioners are pleased with the 162 responses from the survey, I personally don't find that exciting based on the money to be spent on facilities. Just because monies have been set aside for Capital Improvements doesn't mean they have to spent. Maybe the solution is to stand. Regroup with a different vision.

**Meeting Adjourned:** Hearing no further business, Commissioner Crago adjourned the regular meeting at 9:47 a.m.

APPROVED BY: /s/ Mark Crago, Commissioner Chairman

ATTEST: Heidi L. Stadel, Clerk and Recorder