

STILLWATER COUNTY COMMISSIONERS 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 MARCH 29, 2016

- Present:** Commissioners Dennis Shupak, Chair; Maureen Davey and Gerald W. Dell, Members; Lori Dobitz, Administrative Assistant. Others present: Kevin Downs, William Downs, Will Patterson, Weed Coordinator; Cathy Nelson, Road Department, Administrative Assistant; Jerry Friend, Treasurer; and Rick Hanners, Stillwater County News.
- Open Meeting:** Commissioner Dell opened the meeting at 9:00 am with the pledge to the flag.
- Minutes Approval:** Commissioner Davey **MOVED** to approve the minutes of February 9, 2016, and February 16, 2016. Commissioner Shupak **SECONDED**. Motion passed unanimously
- Public Hearing:** Theisen Road - Commissioner Dell announced the public hearing is now open to hear the proposed abandonment of An one-mile portion of Theisen Road (County Road #198Y) lying on the mutual border of Stillwater and Yellowstone Counties. He said a petition submitted by Kevin Downs, et al, was filed with the Stillwater County Commissioners to abandon a portion of Theisen Road (County Road #198Y). Theisen Road is a petitioned county road within Stillwater County and Yellowstone County. This portion of road runs on the eastern boundary of Section 6, T1N, R23E, MPM. Along that portion of the road, the eastern half of the road is in Yellowstone County and the western half of the road is in Stillwater County. The petitioner is seeking to abandon an approximately one-mile of Theisen Road. Notice was published March 17 and March 24, 2016, in the Stillwater County News. The board will accept public comments and consider the viewers report on the proposed abandonment.
- Viewers Report - Commissioner Dell read the viewers report to those present. The report stated the road is being used by landowners only to access farm ground. It is not passable in areas because of a swamp and the county does not maintain the road. There will not be an impact to the county for the abandonment of one mile of road.

Comments - Commissioner Dell said a letter from Triangle Communications was received on March 16, 2016, stating they have no facilities paralleling Theisen Road in this section. No other comments were received.

Proponents - Commissioner Dell called for those in favor of the abandonment. Kevin Downs - said he is the petitioner and all the landowners surrounding the proposed abandonment are in favor. He said the road has been fenced off on the south end for years. He said at one time it was fenced off at the north end. He said there is still access for those that need on the north end of the closure. There hasn't been a car or pickup on this road in years, he said.

Opponents - Commissioner Dell called for opponents. None were heard.

Motion - Commissioner Dave **MOVED** to conditionally approve the abandonment and draft an Order for adoption, pending Yellowstone County's concurrence, and the Order will be filed in both counties. Commissioner Shupak **SECONDED**.

Discussion - Commissioner Davey said the petitioner made a good point, the road is not being used for public travel. There are other roads that take care of the needs of the area. Stillwater County still has a lot of roads that are not established but they are in the books. Commissioner Shupak said that part of the road is a swamp and it does not need to be made into a road.

Vote - Commissioner Dell called for a vote on the motion. Motion passed unanimously.

Special Issues :

Stillwater River Road Rockslide: Commissioner Dell reported, weather permitting, Shannon & Wilson will start April 5, 2016, on Proposal #2 rappelling off the face of the cliff and drone work.

Regular Business

1. Weed District

a. Bid Awards for Weed Management Areas 3 and 4: Commissioner Shupak **MOVED** to award Area 3 to Range Rider Land Management at \$90 per hour; and Area 4 to Bob's Noxious Weed Control at \$85 per hour, at the recommendation of the Weed Board. Commissioner Davey **SECONDED**. Motion passed unanimously.

b. Purchase Request - The Weed Board submitted a request to purchase a 2016 F350 4x4 dually Ford Pickup in the amount of \$38,432 and build a spray platform in the amount of \$7,000. Discussion - Commissioner Dell asked if any thought was given to purchasing a used vehicle. Will Patterson responded that the board did give thought about the purchase of a used pick-up. He said it is difficult to find a used vehicle with a 165

inch wheelbase. The ones that were located, were located in Glendive and Glasgow and were used in the oilpatch and out of warranty. Patterson said if the county was to purchase one of those used vehicles from the oilfields, we would inherit a maintenance nightmare. That left the option for looking for a new vehicle for not much more, he said. Commissioner Davey **MOVED** to approve the purchase request as presented for the pick-up and equipment platform. Commissioner Shupak **SECONDED**. Discussion - Commissioner Davey said the weed district has changed dramatically since she became a commissioner. She said we are moving forward, trying to do a better job, and be cost conscience. At one time we had no trucks so to speak and now we are increasing our fleet and in order to do the job that maybe we should have been doing a long time ago. Commissioner Dell and Shupak agreed with Commissioner Davey. Motion passed unanimously.

c. Hiring additional seasonal employee - Commissioner Dell asked if this is in addition to the one seasonal employee they had last year. Will Patterson said that is correct. Discussion continued regarding hours, salaries, weeks of work. Following discussion Commissioner Shupak **MOVED** to **table** the decision until April 5, 2016. Commissioner Davey **SECONDED**. Motion passed unanimously.

d. Cooperative Agreement and Noxious Weed Management Plan - Commissioner Davey **MOVED** to approve the Cooperative Agreement and Noxious Weed Management Plan between the City of Columbus and Stillwater County Weed District Board. Commissioner Shupak **SECONDED**. Motion passed unanimously.

2. Montana Association of Counties (MACo) - Commissioner Davey, MACo President, made an announcement of the availability of the MACo "President's Scholarships". She said the competition is based upon merit and offered to eligible graduating seniors from Stillwater County, who plan to attend a Montana community college or 4-year unit of the University System. Two scholarships will be available, one in the amount of \$1,000 and one for \$500. She said the deadline for application is April 22, 2016.

3. Road & Bridge - Flooring Quotes - Commissioner Shupak **MOVED** to accept the Pierce Flooring quote in the amount of \$13,582.95 for carpet and vinyl of the new road shop building. Commissioner Davey **SECONDED**. Motion passed unanimously.

4. Stillwater County Board Openings - Commissioner **MOVED** to appoint the following:
Board of Health - Michelle Flemming - 3 year term; and Solid Waste - Harry Harsha and Kevin Downs - 3- year term. Commissioner Shupak **SECONDED**. Motion passed unanimously. Commissioner Davey said we really appreciate those people who step up and help us on these boards.

Consent Agenda:

1. Montana Association of Counties (MACo) - Health Care Trust - Final Renewal Rates for Stillwater County July 1, 2016 - June 30, 2017.
2. U.S. Forest Service - Limestone Road - Resource Advisory Committee (RAC) Grant Financial & Performance Reviews.

File Items

1. Treasurer- Cash and Investments totaled \$31,932,416.94 for the month ending February 29, 2016.

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

Public Comments: None heard.

Meeting Adjourned: Hearing no further business, Commissioner Dell adjourned the meeting at 9:50 AM.

Claims and
Warrants:

Claims were examined and warrants ordered drawn in the amount of \$ 221,431.32 and payroll in the amount of \$379,066.29 for a total of \$ 600,497.61 for the month ending March, 2016.

APPROVED BY /s/ Gerald W. Dell, Commissioner Co- Chairman

ATTEST: /s/ Heidi L. Stadel, Clerk and Recorder