

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 JUNE 28, 2016

- Present:** Commissioners Dennis Shupak, Chair; and Maureen Davey, Member; Lori Dobitz, Administrative Assistant. Others Present: Jerry Friend, Treasurer; April Limburg, Planning; Carol Arkell, Fire Warden; and Rick Hanners, Stillwater County News. Absent: Commissioner Gerald W. Dell.
- Open Meeting:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.
- Minute Approval:** Commissioner Davey **MOVED** to approve the minutes of April 12 and April 19, 2016. Commissioner Shupak **SECONDED**. Motion passed.
- Special Issues:**
1. Stillwater River Road Rockslide:
 - a. Commissioner Davey gave updates stating last Tuesday, June 21, 2016, there was updated message placed on the website about the rockslide.
 - b. Shannon & Wilson Change Order - Commissioner Davey said the county is in receipt of a change order from the engineers to apply \$4,646.52 to Phase II of the project. They are requesting a budget increase of \$2,351.69. Commissioner Davey **MOVED** to approve the Change Order as submitted by Shannon & Wilson. Commissioner Shupak **SECONDED**. Discussion: Commissioner Davey said following the review of this, this will give Shannon & Wilson a little more ability to move forward on the rockslide. **Vote:** Motion passed.
 2. 2016 Fire Season - Carol Arkell, Fire Warden, reported on the weekly restriction conference call she participates in. She said the surrounding counties of Yellowstone, Big Horn, Sweet Grass, Carbon, and Musselshell all have their burn permit systems shut down. The Fire Chiefs from Park City, Molt, Columbus, and Absarokee, are recommending that the burn system in Stillwater County remain shut down. She said the resources are very limited in our district. Staffing from DNRC has been sent to the western part of the state because of wildland fires. High temperatures and low humidity with wind poses a risk she said. She is recommending remaining in shutdown on the burn permit system until conditions

improve. Stage I Restrictions were discussed but not acted on at this time.

Motion: Commissioner Davey **MOVED** to remove the County Attorney items 2(a) and 2(b) from the Consent Agenda and place them under Regular Business for further discussion. Commissioner Shupak **SECONDED**. Motion passed.

Regular Business: 1. Library Board - Commissioner Davey said we have four applicants for the two positions available on the Library Board. Commissioner Davey **MOVED** to appoint Pat Heard to fill a vacancy created by resignation on the Library Board for a three-year term. Commissioner Shupak **SECONDED**. Commissioner Davey stated in reviewing her application, Ms. Heard is a long time resident and supporter of the library. Motion passed. Commissioner Davey **MOVED** to appoint Linda Halstead-Archarya to serve a 5-yr term. Commissioner Shupak **SECONDED**. Commissioner Davey said she is presently completed her first five-year term on the board and is willing to apply for another five-year term. She has been very faithful to the board and the Friends of the Library (FOL), Davey said. Motion passed.

2. County Attorney -
- a. Deputy County Attorney Contract (Scott Pederson, Attorney) effective June 20, 2016 through June 30, 2017. Commissioner Davey stated she was out of the office last week when the commission received a letter from the County Attorney regarding the hiring of a contract deputy position. She said in looking at the contract, it states it would be effective June 20, 2016, and it has not been approved as of today's date, Commissioner Davey said. Also, she would consider approving the contract if the insurance carrier concurs with the insurance stipulation. Davey stated the county's insurance carrier is being consulted on the matter. Commissioner Davey **MOVED** to conditionally approve the contract with the following conditions:
 1. The date of the contract be changed to reflect today's date of June 28, 2016
 2. Stillwater County's insurance carrier concurs with the insurance stipulations in the contract. Commissioner Shupak **SECONDED**. Motion passed.
 - b. Settlement Agreement and Mutual Release with Outback Construction, Inc. on Road Shop. Commissioner Davey said Commissioner Dell and the County Attorney are not present to explain this settlement agreement. Commissioner Davey **MOVED** to postpone action on the Settlement Agreement

and Mutual Release with Outback Construction, Inc, until the County Attorney and Road Superintendent can be in attendance. Commissioner Shupak **SECONDED** Motion passed.

- Consent Agenda:**
1. Planning - Prosper Place Subdivision Final Approval - Mylars and Subdivision Improvement Agreement.
 - 2.. Columbus Airport-Woltermann Memorial - FAA Non-Primary Entitlement Transfer to West Yellowstone
- File items:**
1. Treasurer's Report - Cash and Investments month ending May 2016 totaled \$36,088,798.84
 2. DPHHS - Sy2017- Alcohol Earmar ked Tax Distribution.

Commissioner Davey **MOVED** to approve the Consent Agenda and place the file items to file. Commissioner Shupak **SECONDED**. Motion passed.

Public Comments: Jerry Friend, Treasurer, explained on June 21, 2016, the Treasurer's Office mailed out reminders to those who hadn't paid in a timely fashion (past-due notices). He said over 500 were sent out and when he checked this morning, the total is down to 374 unpaid real property. He said the notices have been effective thus far. He said he has been receiving positive feed-back of the reminders with the payments.

Meeting Adjourned: Hearing no further business, Commissioner Shupak adjourned the meeting at 9:18 A.M.

Claims and Warrants:

Claims were examined and warrants ordered drawn in the amount of \$572,732.04 and payroll in the amount of \$ 375,983.13 for a total of \$ 948,715.17 for the month ending June 30, 2016.

Approved by: /s/ Dennis Shupak, Commissioner Chairman

ATTEST: Heidi L. Stadel, Clerk and Recorder