

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 AUGUST 30, 2016

- Present:** Commissioners Dennis Shupak, Chair; Maureen Davey (via teleconference) and Gerald W. Dell, Members; and Lori Dobitz, Administrative Assistant. Others Present: Marlo Pronovost, Stillwater County News; John T. Patterson, CFR; Rich Hanners; Stillwater County News; Scott Waltner, Solid Waste Supervisor; Jerry Friend, Treasurer; Carol Arkell, Fire Warden; Travis Hansen, CFR; Rich Cowger, Chief CFR; Nancy Rohde, Stillwater County Attorney; Mark Schreiner, Road and Bridge; Steve Hopsitter, Deb Parod, and Curt Robbins, Columbus Fire District Board; Heidi Stadel, Clerk & Recorder; and Mark Crago, Commissioner Candidate.
- Open Meeting:** Commissioner Shupak opened the meeting at 9:00 am with the pledge to the flag.
- Minutes Approval:** Commissioner Dell **MOVED** to approve the minutes of June 7, 2016, as corrected.
- Ordinance Reading:** 1. First Reading Ordinance 2016-03 - Commissioner Dell read the first reading of Ordinance 2016-03 to reduce the speed limit from 35 to 25 mph on Shane Ridge Road (a gravel road) located in Sections 4,10,14, 23 and 24, T3S, R20E, M.P.M, starting at the intersection of Shane Creek Road and continuing south easterly to the end of the county road, approximately 5 miles. Commissioner Dell explained a previous ordinance was adopted in 2013 that included Shane Ridge Road and this ordinance would repeal that portion of Ordinance 2013-13 applicable only to Shane Ridge Road. Commissioner Dell **MOVED** to approve the first reading of Ordinance 2016-03. Commissioner Shupak **SECONDED**.
- Mark Schreiner, Road Superintendent, explained the reasoning behind initiating this speed limit was because of dust complaints filed with MT DEQ. He said this would be one way to mitigate the dust (lowering the speed limit). Other options include the creation of an Rural Special Improvement District (RSID) and dust control. Commissioner Dell said when the speed limit was set at 35 mph in 2013, there was residents from the Bearpaw Subdivision that petitioned the road for 30mph and the Commission set it at 35mph.

Since that time, with the dry conditions we have now and the complaints we have been receiving, Mark Schreiner has been in contact with DEQ and proposing 25 mph. Commissioner Shupak called for a vote. Motion passed .

2. First Reading Ordinance 2016-04 - Commissioner Dell read the a letter dated April 4, 2016 addressed to the Commission from Renee Copock, Attorney with Crowley and Fleck, representing Tippet Rise. The letter is requesting a reduction in speed limit on South Grove Creek Road to 25 mph beginning at the intersection of said road, Davidson Creek Road and Grove Creek Road located in the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 13, Township 4 South, Range 17 East, south through the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Township 4 South, Range 18 East, and continuing in a southerly direction along the section lines of the easterly boundary of said Section 13 and the westerly boundary of said Section 18 to the end of the county road at Lot 4 of said Section 18 and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 13, approximately 1 mile. Commissioner Dell said a speed study was conducted by the Stillwater County Road Department and a report was submitted outlining the proposed speed limit zone on South Grove Creek Road near Fishtail. Lori Dobitz, Admin. Asst. read the first reading of Ordinance 2016-04.

Commissioner Dell **MOVED** to approve the first reading of Ordinance 2016-04. Commissioner Shupak **SECONDED**. No further discussion or comments were heard. Commissioner Shupak called for a vote. Motion passed.

Special Issues:

1. Stillwater River Road Rockslide: Commissioner Dell said no new information is available at this time.
2. 2016 Fire Season - Carol Arkell stated that there have been no fire calls this past week. She is recommending remaining in Stage I Fire Restrictions at this time due to high temperatures and dry conditions. The Commissioners concurred.

Regular Business:

1. Local 3877 - Commissioner Dell said four meetings took place between the county and the Local 3877; Road and Bridge Superintendent; and the Solid Waste Representative; the draft working agreement for the Road & Bridge and Solid Waste Departments. Commissioner Dell read a letter dated August 23, 2016, from the Local 3877 stating they voted to approve the contract. Commissioner Dell **MOVED** to approve the working agreement between the county and Local 3877, effective July 1, 2016 through June 30, 2019. Commissioner Shupak **SECONDED**. Motion passed.

Commissioner Davey joined the meeting via teleconference at this point.

2. Proposed Ambulance District - Rich Cowger, Columbus Fire Chief., presented the Commission with a draft Resolution of Intent to create a Special District for an Ambulance District. He said he has worked in putting together a timeline for an election to be held on December 16, 2016. He also included a sample ballot with the draft resolution. He said public hearings could be held on September 13 and 15, 2016. Commissioner Dell read correspondence addressed to Heidi Stadel, Clerk & Recorder, from the Lisa Kimmet with the Secretary of State's Office, stating administrating a local special election right after a federal general election can be tricky especially if there are any post election issues from the general election and/or if there is a recount of a race from the federal general election. The Secretary of State's Office recommends not holding the special election within 60-days of any federal election.

Commissioner Dell read the draft resolution of intent to order by referendum on the creation of a Stillwater Ambulance District No.1, as submitted by Rich Cowger.

Heidi Stadel, Clerk & Recorder, said considering that she would be the one conducting this election, she has concerns with the timeline and it being extremely tight. She would have to hire additional staff which is not budgeted. She said everything would have to fall into place exactly with the federal election in order for a special election to work. She said if a recount is required in the general election, she can not conduct a special election when another election is not closed out.

After much discussion on the election time line; mill levies vs fees; paid staff and volunteers; grants; and statutory requirements, Commissioner Dell **MOVED** to adopt the proposed Resolution of Intent to create Special District for an Ambulance District with the stipulation that it could fall apart with the federal general election. Commissioner Davey **SECONDED**.

Discussion: Commissioner Dell said he feels the Commission is being put under the gun to get something accomplished during a federal election that will not be easy to do. Commissioner Davey voiced her concern about holding a special election and the timing and after Heidi Stadel receiving the correspondence from the Secretary of State, said she is really concerned about holding the special election. Commissioner Davey said having the proper ambulance service is very important and she commend all the work that has been done so far, but can't support it happening at this time

using mills.

Vote: Commissioner Shupak called for a vote. Motion failed unanimously.

- File Items:**
1. Treasurer Cash and Investments - Report for month ending July 31, 2016.
 2. MT Fish, Wildlife, Parks -
 - a. 2017 Annual Work Plan for Elk Management Actions in areas with Brucellosis.
 - b. Yellowstone River and Tributaries Closure - notification

Commissioner Dell **MOVED** to place the file items to file. Commissioner Shupak **SECONDED**. Motion passed.

Public Comments Commissioner Shupak mentioned the new rumble strips on Rapelje Road.

Meeting Adjourned at 9:54 AM

Claims and
Warrants:

Claims were examined and warrants ordered drawn in the amount of \$365,989.05 and payroll in the amount of \$381,580.03 for a total of \$747,569.08 for the month ending August 31, 2016.

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