

**STILLWATER COUNTY
COMMISSIONERS MINUTES**

**REGULAR MEETING
FEBRUARY 3, 2015**

Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes were approved and will be filed with the Clerk and Recorder (MCA 7-4-2611(2)(b)) in their entirety, and the complete current month ending, along with resolutions and other supporting documents.

Present: Commissioners Dennis Shupak, Chair; and Gerald W. Dell, Members; Lori Dobitz, Administrative Assistant; Penny Redli, Historic Preservation Museum of the Beartooths; Robert Witham, Stillwater County News; and Shirlee Keffer, Stillwater Republican Women. Commissioner Maureen Davey is testifying at a legislative hearing in Helena at the capitol.

Public Comments: Public Comment on matters within the Commissioners jurisdiction pursuant to §2-3-103, MCA, public comments will be accepted on any public matter that is not scheduled on the Agenda.

Shirlee Keffer - wanted the commissioners to be aware of the three U.S. Presidents have birthdays in February which is celebrated on February 16, 2015, a federal holiday. She commented that every 2 years, the Montana Legislative guide is produced and has requested the Commissioners pickup 20-30 booklets for her while they are in Helena the next week.

Minutes Approval: Commissioner Dell **MOVED** to approve the minutes of January 6 and January 13, 2015, as presented. Commissioner Shupak **SECONDED**. Discussion: Shirlee Keffer said she went to educate herself about the minutes and she would like to see the minutes put on the website so that one could go and lookup what has been approved. She said it cost her \$2.75 to get copies of the approved December minutes from the Clerk & Recorder's Office. She said *again this is something that the word transparency - I'm the only citizen here. We need to let people know, they have to do their part and as far as the minutes, if they could be put on the website, I would appreciate it*, she said. Commissioner Shupak said we will look into that.
Vote: Motion passed unanimously.

Report(s):

1. Treasurers Cash Report - Cash and Investments totaled \$32,296,954.28 for the month ending December 31, 2014.
2. DUI Task Force - The commission received the year-end budget report FY 2013-2014 as submitted by Clifford Brophy, Sheriff. The annual report will be forwarded to the Montana State Department of Transportation as required by the program.
3. 2015 Legislative Session - Commissioner Shupak stated the commissioners wrote a letter in **support** of **HB 235 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DISPOSITION OF THE METALLIFEROUS MINES LICENSE TAX; AND AMENDING SECTION 15-37-117, MCA.** He read the body of the support letter as follows: Stillwater County supports HB 235 because it adjusts the allocation of the MMLT to the county experiencing fiscal and economic impact for an approved large scale mineral development. The increased allocation of money to a county in this bill would be used for the hard-rock mine trust account, planning and economic development, and affected schools.
Commissioner Dell explained, this bill, if passed, would credit 47% of the total collections of the MMLT to the general fund of the state, rather than 57% as currently stated in §15-37-117, MCA. He also said the bill will increase the amount allocated to the counties for distribution from 25% to 35%. Dell read Stillwater Mining Company's letter of support for the bill they submitted to the House Taxation Committee.

Shirlee Keffer - favorable for the proposed HB 235. She also commented on SB 199 a bill that would *Prohibit the application of foreign law in state courts*. She said she is watching HB 89, a bill that *will generally revise human trafficking laws*. She said the Montana Federation of Republican Women have taken this cause for their caring for America project to bring awareness to our communities.

Courthouse Facilities

Space Project:

Commissioner Shupak stated the commission has not received any written public comments on the project. Commissioner Dell stated he would like to sit down with the Sheriff's Office and discuss what they would like to see. In the last Stillwater County News, he said there was a comment about setting a public hearing. He thinks that is a little premature at this time until the commission can put some facts and figures together. Commissioner Shupak said the commission asked Sheriff Brophy to give them some thoughts and we haven't seen anything yet.

USDA Forest Service:

Commissioner Dell said the Cooperative Law Enforcement Operating Plan and Financial Plan is an annual agreement that has been ongoing for several years. He explain it is a cooperative agreement for the sheriff's patrol of various roads and campgrounds within Forest Service lands in Stillwater County. The amount the U.S. Forest Service shall reimburse the County is not to exceed \$2,500. Commissioner Dell **MOVED** to conditionally approve the agreement. The condition being further clarification from the sheriff is needed before signing the agreement. Commissioner Shupak **SECONDED**. Motion passed unanimously.

MT State Historic

Preservation Office: Penny Redli, Museum of the Beartooth, said this Certified Local Government (CLG) program grant is the third year the museum has been in the program. She said the grant helps them carry out the historic preservation office for the county and the town of Columbus, both matching the grant with \$3,750. Redli said in her cover letter that the program has given them the tools to inventory, document and evaluate their resources here in Stillwater County, and being a CLG shows our community's commitment to keeping what is significant from the past for future generations.

Commissioner Dell asked, in order to receive this grant from the state, it is required that the county put up match money, is that correct? Redli said it was and the Commissioners adopted a resolution in 2012 to carry out the program. It was set up with matching funds from both the town and county, she said. The total federal grant monies is \$5,500, Redli said. She reminded the commission that the Museum is there to assist the county in any historic preservation issues or concerns the commissioners may have, stating we are here to help you. Shirlee Keffer said it was her knowledge that MT State Historic grant receives money from the federal government to fund this grant. She asked *are grants not taxpayers money in essence?* Commissioner Dell said in essence they are, but not all grants received by counties have federal money in them.

Commissioner Dell **MOVED** to approve the Certified Local Government Grant Application for FY 2015-2016 for the Museum of the Beartooths. Commissioner Shupak **SECONDED**. Motion passed unanimously.

Commissioners Meeting

Resolution:

Commissioner Dell **MOVED** to adopt **Resolution 2015 -40**, canceling the Commissioner's agenda meeting of February 10, 2015, due to the Commissioners attending the MACo Mid-winter conference in Helena. Commissioner Shupak **SECONDED**. Motion passed unanimously. Shirlee Keffer asked if the commission would have an opportunity to meet with the president of the senate during this meeting. Commissioner Dell said as general rule, they set aside so many hours on a particular day for the attendees

to visit the capitol and a gathering of all that can attend. Keffer said the reason she asked was, last year marked the 100th anniversary giving women the right to vote. It has taken 100 years plus for there be a woman that presides over the Senate of Montana Legislature. She said it would be a great opportunity for the commissioners to meet and have a photo-op with Debbie Barrett, a rancher from Dillon.

Recessed Meeting: The meeting will recess until 1:30 PM, at which time the new Road Department Shop bid opening will take place.

Meeting Recessed at 9:28 AM

**FEBRUARY 3, 2015 - 1:30 PM
BID OPENING
ROAD DEPARTMENT SHOP**

Present: Commissioners Dennis Shupak, Chair; and Gerald W. Dell, Members; Lori Dobitz, Administrative Assistant; Joe Morse, Finance Specialist; Kristie Skelton, Unbound Architecture; Mark Shreiner, Road Superintendent; Randy Werdal, Road Foreman; Alvin Stadel and Harry Harsha, Stadel Construction; Larry Patterson, Hardy Construction; Cassie Riggin, Great West Engineering; Erick Prather, Outback Construction; Brian Beck, Jackson Contractor; Cathy Nelson, Road Administrative Assistant; Ricky Grossman, General Contractors Construction; and Mike Berue, Fisher Construction.

Bid Opening: Joe Morse, Finance Specialist, opened the following bids for the construction of a new Road Department Shop as duly advertised in the Stillwater County News on 1/8/2015, 1/15/2015, and 1/22/2015. (Bid summary on file in the Clerk & Records Office).

Commissioner Dell **MOVED** to take all bids under advisement.
Commissioner Shupak **SECONDED**. Motion passed unanimously.

Meeting Adjourned at 1:40 PM