STILLWATER COUNTY
COMMISSIONER MINUTES

REGULAR MEETING
May 17, 2022

PRESENT
Commissioners Tyrel Hamilton, Chair, Steve Riveland, member. Heidi L. Stadel, Clerk & Recorder

Others Present: Kisha Cornell, City of Columbus; Dana Weatherford, Weed Dept.; Randy Smith, SCSO; Webb Mandeville, Mandeville Insurance; Stephanie Ray, Economic Development; Shannon Fisher, Environmental Health; Kevin Ray, Road & Bridge; Chip Kem, SCSO; Jerry Friend, Treasurer; Chad Coles, Facilities; Marlo Pronovost, Stillwater County News; Citizens: Jeff Ruffatto, Ron Van Hoosear

PLEDGE
Commissioner Hamilton opened the meeting with the Pledge of Allegiance.

MINUTES
April 19, 2022. Commissioner Riveland MOVED to approve the minutes from April 19, 2022. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

CLAIMS
109507 through 109624 in the amount of $273,241.13. Commissioner Riveland MOVED to approve the claims 109507 through 109624 in the amount of $273,241.13. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

RECOGNITION
Dana Weatherford for five years of service with the weed department. Commissioner Hamilton thanked Dana for service and having taken the county from having four contractors to spray weeds to currently doing all the spraying by county employees. Commissioner Riveland thanked Dana as well.

CONSENT AGENDA
Road & Bridge
A) Uniform application form for Montana Public Facility projects.

FILE ITEMS
Clerk & Recorder
A) Report for the month of April in the amount of $7598.15.

Treasurer
A) Report for the month of April in the amount of $55,069,898.02.

Commissioner Hamilton explained that the structure of the way the agenda is delivered will change. The agenda items will open with a staff report and discussion. Then the motion will be made and there will be a discussion, if any, amongst the Commissioners. Public questions and comments will occur during the staff report portion.

Commissioner Hamilton explained that the Uniform application for is a portion of the MCEP grant program for the Valley Creek Bridge Project. This outlines funding sources for the bridge and the current assets and debt for the county.

Commissioner Riveland MOVED to consent to the consent agenda and file the file items. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.
REGULAR BUSINESS  Economic Development

A) Cushing Terrel scope of work for the PLSS task associated with the MLIA grant for GIS data point collection. Stephanie Ray explained that this is the second MLIA system grant the county applied for the public land surveying geodata pick up points within the county to readjust the GIS base layer. On Montana Cadastral in the northern portion of the county there is a significant shift in the way the actual GIS property lines are displayed. They are not accurate and are approximately 600 to 1,000 feet off from the property markers. This will pick up data points in these areas and will shift the baselines so there is a more accurate depiction of property lines. This grant contract with Cushing Terrell to do the work. The county portion of this $3,750.00. The remainder is grant funded. The project is expected to be completed in September. No further questions or comments heard. Commissioner Riveland MOVED to approve Cushing Terrel scope of work for the PLSS task associated with the MLIA grant for GIS data point collection. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

Environmental Health

A) Proclamation for Stillwater County Beautification Weeks. Shannon Fisher explained that this is to set aside the second weeks of June and September for projects that would benefit the community. This year will be a community clean up date for June. If there are any ideas for the September date, Shannon would be open to discuss ideas. This year clean up will be at fishing accesses along the Yellowstone and Stillwater Rivers as well as West Rosebud and the Mystic Lake area to police any litter in those areas. This is the second year of this project. Last year’s cleanup was grant funded by the Montana Wilderness Association. This year the county will be using the supplies leftover from last year’s cleanup. This year there was sponsorship from Montana Fish, Wildlife and Parks and the Stillwater Protective Association. The date is June 10th for the first cleanup and contact Shannon for signup and scheduling. No further questions or comments heard. Commissioner Riveland MOVED to approve the Proclamation for Stillwater County Beautification Weeks for June and September. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

Commission

A) Appoint two Solid Waste Board member for a three-year term ending April 2025. Commissioner Hamilton explained that the two positions are reappointments for Kevin Downs and Natasha Sailer. No further questions or comments heard. Commissioner Riveland MOVED to approve the appointment of two solid waste board members for a three-year term being Kevin Downs and Natasha Sailer. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

B) Allocation of metal mines license tax for hard rock impact plan. Commissioner Hamilton explained that the Commission met with Kevin Mitchum of Stillwater Mine to review the plan. This is for the East Boulder side. Stillwater County is named on the plan and requires a signature from the Commission, the funds in the amount of $3,248,516.00, are allocated to Sweet Grass County for their hard rock mining impact plan. There will be a second resolution in a few weeks regarding the Stillwater County side of the mine for the Stillwater County impact plan. Marlo Pronovost asked why a signature from Stillwater is required. Commissioner Hamilton replied that the Reed Point School districts are impacted receiving 7.2665% of the funds as a local government unit. The Commission has to sign off to acknowledge that allocation. The Reed Point School District is part of the East Boulder hard rock mining impact agreements. Jerry Friend noted that the Reed Point High School District lies within Stillwater County, however, the elementary district overlaps into Sweet Grass County. No further questions or comments. Commissioner Riveland MOVED to approve the allocation of metal mines license tax for hard rock impact plan. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

C) Approve Unicom Radio System purchase for Woltermann Memorial Airport in the amount of $250.00. Kisha Cornell explained that this is a $1000.00 radio. The state is paying for half of it and the remainder would be divided between the City of Columbus and the county. This city approved the $250.00 at their meeting last night. The city is asking the
D) MACO insurance renewal update. Webb Mandeville explained that the package policy through MACO property casualty pool was increased this year. Commissioner Hamilton noted that the average increase across all counties was 12 to 14%. Stillwater County landed in the middle with just over 13%. Webb went on to explain that storm losses and liability losses have affected this. There is no market for cyber liability going forward. He was not able to procure a bid for cyber liability. In Webb’s office, they are trying to find alternate markets for cyber liability. The county is trying to make changes regarding this such as multi-factor authorization for all contacts. On the positive side, workman’s compensation renewal was significantly less than last year in every classification resulting in a lower overall premium. Marlo Pronovost asked why there was no cyber security liability anymore. Webb explained that MACO could not get a quote for it. MACO pools all the member counties and the environment for cyber liability is deteriorating significantly. There are no specifics but the threat of international hacking in addition to domestic hacking. Stillwater County did have an incident but was nothing the county had done directly. Commissioner Hamilton further explained that each county is unique in how they set up their technologies. The MFA is something the county will have to seriously look into and discuss. A second device is required for MFA. The county is looking at ways to accomplish this. The Sheriff’s office currently uses MFA. There are a lot of emails that will be affected by this. There would be a potential for a significant rate decrease just by implementing MFA. The county is currently working with Morrison Maierle on the applications. Webb noted that last year cyber liability security cost the county $2,700.00. This year, the one quote received so far was for $19,000.00. Commissioner Hamilton added that it went from a $10,000.00 deductible to a $50,000.00 deductible. Cyber liability insurance cost have increased significantly and will be expensive no matter how you go about it. Commissioner Riveland MOVED approve the MACO insurance renewal update. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

Absarokee Sewer
A) Change order #4 for Absarokee Sewer wastewater project. Commissioner Hamilton explained that this change order covers electrical changes in the blower and the UV buildings as requested by the owner, the relocation of the MVB control panel from the north side to the west side, and the relocation of the sink in the bathroom. The cost of this change order is $27,325.34. Ron Van Hoosear asked if the change order is the result of any mistake on the county’s part. Commissioner Hamilton replied that this is just a result of working through the process and noticing that the control panel would be better situated on the west side for environment and protection reasons. The electrical changes were housekeeping change order items identified through the process. Commissioner Riveland MOVED to approve Change order #4 for Absarokee Sewer wastewater project. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

B) Approval for Draw #23 for Absarokee Wastewater Project. Commissioner Hamilton explained that this is a draw on the bond in the amount of $17,495.00, which is $9,246.00 out of the RD loan. This will cover bond counsels invoice of $5,000.00, which consisted of bond closeout. It also covers legal services to Great West, liquidated damages to Great West, construction services to Great West and a secondary payment of liquidated damages to Great West. Commissioner Riveland MOVED to approve draw #23 for the Absarokee Wastewater Project. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

C) KLE contract amendment. Commissioner Hamilton explained that this is an amendment for a new completion date. KLE will have 180 days for substantial completion. If they do not finish within 180 days, they will be subject to 100% of the liquidated damages. Currently, through the second winter shutdown, they are subject to and are in agreement to pay $120,000.00 worth of actual damages incurred during the winter shutdown. An example
of these items would be the Great West legal services, and the Great West engineering and construction services, the true costs instead of a $2,000.00 a day fine. If they do not finish within the work window, they will be subject to the full $2,000.00 a day fine. Ron Van Hoosear asked when the 180-day window will start. Commissioner Hamilton replied that it will start when the amendment is signed and returned. Ron asked what the proposed end date would be. Commissioner Hamilton replied that it would be 180 days from either today or tomorrow. They hope to do it in 150 days. Ron asked if the land swap that is supposed occur will happen during this time period as well. Commissioner Hamilton replied that once the project gets closer to substantial completion the land swap will happen. Commissioner Riveland has been working with the land owner and they are still in agreement.

Commissioner Riveland MOVED to approve KLE contract amendment. Commissioner Hamilton SECONDED. No discussion. Motion passed unanimously.

PUBLIC COMMENTS ON COUNTY BUSINESS – None heard.

With no further comments heard the meeting was adjourned at 9:23 a.m.

APPROVED BY: /s/ Tyrel Hamilton, Commissioner Chairman

ATTEST: Heidi L. Stadel, Clerk and Recorder