

**MINUTES OF A REGULAR MEETINGS OF THE BOARD OF COUNTY COMMISSIONERS OF DANIELS COUNTY, MONTANA, HELD FEBRUARY 5, 6, 20, 2024.**

**Monday, February 5, at 9:00 o'clock a.m.**

The Board met in regular session, Commissioners Lund and Linder were present with the clerk. Commissioner Humbert was absent.

The meeting was called to order.

Pledge of Allegiance was recited.

Commissioner Lund made a motion to approve the agenda, Commissioner Linder seconded the motion, all present voted in favor, motion passed.

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Commissioner Linder made a motion to approve January 2024 minutes, Commissioner Lund seconded the motion, all present voted in favor, motion passed.

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Undersheriff Lowe, Shawna and Gavin Lowe, Deputy Morgan, Tammi Fladager, Burl Bowler, Mike Stebleton, and Logan Olson joined the meeting. The Board swore in Undersheriff Clint Lowe as interim Daniels County Sheriff/Coroner.

Shawna Lowe, TAC Officer, gave an update of the radio system review conducted by Red Tail Inc. Equipment at the Flaxville tower needs replaced, the dispatch console needs replaced, the sheriff's handheld radios need replaced, some of the wires had kinks in them between the antenna and the receiver, and so Red Tail replaced the wire. They discovered the lines were crossed between Peerless and Flaxville when the new antenna was put up. Red Tail is going to put together a quote for updating and fixing systems.

Discussed with Sheriff Lowe was pre-employment drug testing and adding the sheriff's office to our drug and alcohol random testing program. The Clerk will contact Lane and Associates.

Tammi Fladager, Clerk of District Court, asked the Board about switching up the seating in the courtroom with pews with padding. The museum is interested in the old seats. The pews are being donated by an anonymous source from a church in Great Falls, and Tammi is volunteering to go pick them up. Commissioner Lund made a motion to approve changing the courtroom seating to pews, Commissioner Linder seconded the motion, both Commissioners voted in favor, motion passed.

The Board approved JV#'s 8600 and 8601.

The Board reviewed the officer reports for January 2024.

J. Perry Wolfe, Insurance, met with the Board regarding the water pipe freezing at the sheriff's office also needing to have a lease for the vehicles that we insure but do not own.

The Board approved payroll for January 31, 2024.

J. Perry Wolfe and Michael Bjarko met with the Board requesting the extra 50 mill levy resolution for the Public Hospital District be approved and put into a resolution. Commissioner Lund made a motion to have the resolution for the 50 additional mills for the Public Hospital District be done and put on the agenda for February 20, 2024, Commissioner Linder seconded the motion, both Commissioners voted in favor, motion approved.

Neil Holum, Rural Fire Chief, brought in the list for the fire trucks that are insured by the County. One copy was given to J. Perry Wolfe.

Logan Olson, County Attorney, Julia Laurie, Treasurer and Burl Bowler, Daniels County Leader, met with the Board regarding Resolution 2024-6, amending the mill levy for state equalization, county high school equalization and county elementary equalization mills back to 95 mills. Commissioner Linder made a motion to approve resolution 2024-6, Commissioner Lund seconded the motion, both Commissioners voted in favor, motion passed.

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The Board recessed for lunch.

The Board reconvened after lunch, Commissioners Lund and Linder were present with the clerk. Commissioner Humbert was absent.

The Board reviewed and signed the Certificate of State Use for fuel with Pro Co-op.

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Gordy Leibrand with L & L Construction met with the Board with questions regarding the solid waste transfer station and the cost of dumping construction materials.

The Board reviewed and signed the website agreement by digital signature with Local Government Services with Montana State University.

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Troy Jensen, Benchmark Land Surveying, Doug Smith, Daniels County Planner, Kody Brinton, Daniels Memorial Hospital Administrator, met with the Board regarding the survey for the hospital to purchase property. Troy would like to do a Certificate of Survey with an agriculture covenant in order to speed up the buying process and then they will do a minor subdivision lifting the agriculture covenant. Doug Smith verified that this is acceptable.

The Board signed the Certificate of Survey for the purchase of property for the transfer station.

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The Board approved the road supervisor's request to purchase grader tires.

Commissioner Linder made a motion to re-sign the task order DPHHS 24-07-4-21-110-0 scope of work due to an error on the original task order. Commissioner Lund seconded the motion, both Commissioners voted in favor, motion passed.

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The meeting recessed until February 6, 2024.

**Tuesday, February 6, 2024, at 9:00 o'clock a.m.**

The Board met in regular session, Commissioners Lund and Linder were present with the clerk. Commissioner Humbert was absent.

Meeting was called to order.

Julia Laurie, Treasurer, brought in a job evaluation for the Board to review.

The Board reviewed the appraisal for the "ball park" property 300' x 300' in section 16, Township 35 North, Range 45 East, approximate 2.067 acres.

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The Board held a zoning change hearing for lots 1-12, Block 3 of the Original Townsite of Peerless, MT. No public was present. The Board reviewed the approval from the planning board. Commissioner Linder made a motion to approve the zoning change, Commissioner Lund seconded the motion, both Commissioners voted in favor, motion passed.

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Commissioner Linder made a motion to sign the Airport grant closeout for the CRRSA grand and the federal financial report, Commissioner Lund seconded the motion, both Commissioners voted in favor, motion approved.

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Morgan Lekvold, Scobey City Mayor met with the Board for the discussion on hiring a grant writer. The County has a contract with Interstate Engineering to provide services for the county, which also includes grant writing.

Morgan Lekvold and Tammi Fladager, by phone, were present for the discussion to create a resolution for the local government review question for the June 4, 2024 primary ballot. Commissioner Lund a motion to create a resolution with the same details as the resolution done in 2014, being one mill per year and three commission members, Commissioner Linder seconded the motion, both Commissioners voted in favor, motion passed.

The Board approved claims dated January 31, 2024.

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The Board recessed for lunch.

The Board reconvened after lunch, Commissioners Lund and Linder were present with the clerk. Commissioner Humbert was absent.

Lee Hinkley, Ambulance, met with the board regarding delinquent ambulance accounts.

Mike Bergeron, Road Supervisor, met with the board regarding the coal creek bridge.

Teiler Fishell, Public Health, met with the Board to present their job evaluations and job descriptions. There was a discussion on adding office hours into the job descriptions. The Commissioners would like to see her in the office. She stated she is there on Monday and Thursday.

Commissioner Linder stated he will be leaving the state this month.

Upon motion, the Board adjourned.

**Tuesday, February 20, at 9 o'clock a.m.**

The Board met in regular session, Commissioners Linder and Lund were present with the clerk. Commissioner Humbert was present by zoom.

Meeting was called to order.

Commissioner Linder made a motion to approve the agenda, Commissioner Lund seconded the motion, all present voted in favor, motion passed.

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Mike Bergeron, Road Supervisor, met with the Board regarding rims for the Dresser Loader.

The Board approved JV's # 8602-8603.

The Board approved claims dated February 20, 2024.

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The Board reviewed the Treasurer's Securities for January 2024 with the Independence Bank.

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The Board reviewed the Treasurer's report for January 2024.

Commissioner Lund gave a report on the meeting regarding the creation of a fire district on February 19, 2024.

The Board discussed whether to hold a public hearing on the sale of the property in Peerless so that people can comment in favor or against the county selling the property and whether the planning board needs to meet to change zoning prior to the sale.

Logan Olson, Burl Bowler and John Leibrand were present.

The Board reviewed Resolution 2024-7 to put on the June 4, 2024 ballot to impose an additional 50 mill levy over and above the current statutory mill levy. Commissioner Humbert made a motion to approve Resolution 2024-7, Commissioner Linder seconded the motion. Commissioner Lund called for questions. Commissioner Linder asked what the money being raised is used for. Burl said it can be used in support of the hospital. Logan said the Hospital District is making sure the repairs that need to be done on the current hospital are being done. The Public Hospital District Board can make the determination where the money is spent and it can be used for the new hospital. After no more questions, Commissioner Lund called for the vote, all Commissioner present voted in favor, motion passed.

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Tammi Fladager, Clerk of District Court, joined the meeting.

The Board reviewed Resolution 2024-8 calling for an election on the question of conducting a local government review and establishing a study commission.

Commissioner Lund made a motion to approve Resolution 2024-8, Commissioner Linder seconded the motion. Commissioner Lund called for the vote. Commissioners Lund and Linder voted in favor, Commissioner Humbert voted against, motion carried.

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Burl Bowler, Tammi Fladager, John Leibrand and Commissioner Humbert left the meeting.

The Board reviewed Tax Correction No. 141. The cell tower is assessed to wrong owner. Tower is owned by AT&T not CCAAT LLC. Commissioner Linder made a motion to approve the tax correction and refund to CCAAT LLC, Commissioner Lund seconded the motion, both Commissioners voted in favor, motion passed.

Mary Nyhus, DES Coordinator, met with the Board to have the EMPG letter confirming authorized person for July 2024-June 2025, approved and signed, The FY 2024 annual time certification form and non-construction programs.

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The Board asked Mary about the Peerless "ball park" zoning. She said the owner of the property requests zoning changes. The County would not do that as we don't know what the new owner would want it zoned as.

The Board recessed for lunch.

The Board reconvened after lunch, Commissioners Lund and Linder were present with the clerk. Commissioner Humbert was absent.

The Board reviewed the letter and resolution from Scobey Public Schools regarding the amendment to their budget reflecting a \$6,272.00 payment for increase in enrollment.

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The Board reviewed and signed the signature certificate form for the CDBG grant monies.

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The Board reviewed the immunization grant task order. They did not sign as there were questions regarding payments and administrations of the grant.

Neil Holum, Rural Fire Chief, met with the Board regarding budgeting for equipment, sharing a mill levy with the road department, setting up a fire district minus Peerless fire district and the incorporated city and town. The board had no answer as to why the road and fire share a mill levy. It was discussed to possibly ask for an additional mill levy on the ballot.

Terry Rask, Fair Board, Tim Rask, Fair Association, met with the Board to discuss the fair contract. Also present was Tammi Fladager. The contract states that they meet every February to review what the fair board will pay for for the fair. Terry Rask said the Fair Board approved paying for the rodeo stock and \$5000.00 for the carnival. It comes to approximately \$12,000.00. Commissioner Lund made a motion to pay for the rodeo stock and \$5000.00 for the carnival, Commissioner Linder seconded the motion, both commissioners voted in favor, motion passed.

Upon motion, the Board adjourned.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
Daniels County, Montana

Kristy Jones  
Clerk of the Board

by Mikel P. Lund, Chairman  
Board of County Commissioners