

**GLACIER COUNTY COMMISSIONERS
REGULAR MEETING
Monday, December 14, 2009**

The Board of Glacier County Commissioners met at a regular meeting at 8:00 a.m. on Monday, December 14, 2009. Commissioners Michael DesRosier and Ron Rides At The Door were present. Commissioner Tony Sitzmann was absent for the morning, present for the afternoon proceedings. Commissioner Ron Rides At The Door called the meeting to order. Glenda Hall, Clerk & Recorder was present.

Present throughout the day: LeAnne Kavanaugh, Press/CBDC; Lara Poulton, Architect; Jerilee Wilkerson, CBDC; Roy Nollkamper, Airport Authority; Nicole Altenburg, Park Board; Jeff Billman, CBDC; Doug Embody, Cut Bank Mayor; Wade Johnson, Cut Bank Schools; Dennis Seglem, Museum; Larry Epstein, County Attorney; Dawn Bitz-Running Wolf; Bill & Melva Cooper, Charlie's Pizza; JoAnn Printy, DOR; Nikki Lako, Minutes

8:15 a.m. Commissioner Tony Sitzmann called and he won't be available this morning; however he will be present for the afternoon agenda items.

8:45 a.m. Commissioner Michael DesRosier called and he was having car problems. He is on his way. He has to pick up Glenda Hall, Clerk & Recorder, and they are on their way to Cut Bank for the commissioner's meeting.

8:30 a.m. Approval – October 2009 Cash Report

This agenda item was tabled due to both Commissioner Michael DesRosier and Commissioner Tony Sitzmann were absent at this time. The approval of October's 2009 Cash Report is on the agenda for January 5, 2009.

8:55 a.m. John Thompson from the Glacier County Sheriff's Department called and advised the commissioners that Wayne Dusterhoff, Sheriff, would not be available for the 9 a.m. scheduled agenda item due to Sheriff Dusterhoff was called out to a vehicle accident. Sheriff Dusterhoff will call or stop by to reschedule.

9:00 a.m. Discussion – Law Enforcement Issues – Wayne Dusterhoff

Tabled until Sheriff Wayne Dusterhoff is available.

10:00 a.m. Public Hearing – CTEP Project Suggestions

CTEP stands for Community Transportation Enhancement Program. Commissioner Michael DesRosier explained what CTEP is used for. CTEP spends funds on historical and transportation related projects. For example skateboard parks, walk ways, signs, etc. CTEP dollars require matching funds. An example of the matching funds is the Welcome signs for Browning were funded by CTEP; the county did the work to put the signs up. The county dug the holes to put the signs in and installed the signs.

The first state for the CTEP projects is to hold a public hearing to take input from the community on how to spend the CTEP dollars. After you decide which project(s) to do, then a decision needs to be made of how much of CTEP dollars to spend on each project(s). The government recommends building up (bank roll) the funds for a larger project, but the government would like to see some spending due to the financial situation that the United States is going through. Glacier County would like to save some CTEP funds and spend some CTEP funds. CTEP dollars have been used for Cut Bank, Browning and East Glacier. Babb has never had a project funded by CTEP. Commissioner Michael DesRosier asked if there were any questions. Being there were no questions, he turned the table to Jerilee Wilkerson, CBDC, to present the CBDC's project ideas.

Jerilee Wilkerson, CBDC, made a presentation for the Central Cement Park. The goal of the CBDC is to make the park inviting. Jerilee Wilkerson introduced Lara Poulton. Lara Poulton, MSU graduate, is a citizen of Cut Bank and she drew up the plans for the CBDC's Cement Park ideas. Lara Poulton started by saying, "A livable community is a walk able community". Commissioner Ron Rides At The Door asked if the CBDC had a rough idea of what this project

may cost. Lara Poulton replied, about \$140,000.00 to \$160,000.00. Mayor Doug Embody stated that the city would go back to the community and ask to redirect the CTEP funds towards this project. Jerilee Wilkerson added that the CTEP matching funds would come in thru grants.

Dennis Seglem said another idea for a CTEP project would be old time street lamps like Cut Bank had in the "Oil Days". Jerilee Wilkerson added, like period lighting. Mayor Doug Embody stated that Doug Ray from Glacier Electric is working on the details.

Wade Johnson suggested connecting the east end of town to the swimming pool including a bike path to the sports complex and the museum.

Commissioner Ron Rides At The Door would like to get a "road map" of the projects that the communities are interested in so the projects may be completed in twelve (12) to eighteen (18) months, instead of five (5) years. The paperwork is a formality and it is going to help to get it out in a timely fashion. Commissioner Michael DesRosier added that this would help to keep the CTEP projects rolling. LeAnne Kavanaugh asked if the decision making would be easier if the commissioners had letters from the community voicing their support behind certain projects. Both Commissioners Michael DesRosier and Ron Rides At The Door said absolutely, that will help with priority and help with the phasing out of the projects. LeAnne Kavanaugh asked if the matching funds could come from tax levy money. Commissioner Michael DesRosier replied that the government cannot match government funds. LeAnne Kavanaugh asked what the time frame for the CTEP project ideas to get into the commissioner was. Commissioner Michael DesRosier said after the first of the year (2010) so by spring time we are geared up and ready to go. Jeff Billman asked if the commissioners had any other ideas presented to them.

Dennis Seglem from the museum began his presentation. The museum is needing space and help with historical preservation. There are two (2) historical sites in town that are not being used, the Hi Mac and the Wagon Wheel. Dennis gave a brief history of Cut Bank during the 1094's. At that time Cut Bank was the oil capital of Montana. The museum needs a place to store, clean, etc. historical documents. The idea for the old Hi Mac and Wagon Wheel building is to have one or two galleries with rotating exhibits, a possible gift shop, and a research center. The Wagon Wheel is one of the oldest buildings on the original foundation in Cut Bank. Commissioner Ron Rides At The Door asked Dennis Seglem if he had an idea of the cost of the museum's CTEP project idea. Dennis Seglem couldn't give an estimated price until he has a chance to go through the buildings and check out the foundation, roof and see how much of the buildings would be useable. Commissioner Michael DesRosier asked Dennis Seglem to hand out his handout with his CTEP project information. Nicole Altenburg and the other Cut Bank citizens all were in agreement that the museum project would work in conjunction with the Central (Cement) Park project.

Commissioner Michael DesRosier stated that the CTEP funds are not limited to one (1) project. The notes from both presentations were given to the commissioners to present to CTEP when the decision is made on which project(s) to proceed on. The presentation given today will make it easier for CTEP to say "yes" to Glacier County's projects. Commissioner Michael DesRosier stated that he would give the citizens of Glacier County sixty (60) days to submit the CTEP project ideas and the cost of the project. The commissioners would like to have the paperwork done so the CTEP project(s) can be started in the spring of 2010. Commissioner Ron Rides At The Door asked if there were any other proposals.

Roy Nollkamper with the Cut Bank Airport Authority presented two (2) CTEP project ideas. The first was signage for the Airman's Museum & Airport. The airport comity would donate the property. The estimated cost is \$40,000.00 to \$45,000.00. The second CTEP project idea was a hanger project. The hanger and the 1800 acres is a historic district. The hanger was a recreation building on the base used for dances and movies. The west end of the hanger needs to be rebuilt and the hanger needs a roof. The estimated cost is going to be around \$20,000.00.

Commissioner Michael DesRosier would like to see all the different CTEP project ideas together, and have them prioritized thru the Chamber or CBDC Board meetings. LeAnne Kavanaugh asked if the \$400,000.00 included this year. Commissioner Michael DesRosier said yes, but there are still bills that need to get paid for the current CTEP projects. Commissioner Michael DesRosier and Commissioner Ron Rides At The Door thanked all present for their thoughts, ideas and input.

11:00 a.m. Discussion – Dawn Bitz-Running Wolf Introduction – US Attorney’s Tribal Liaison

Dawn Bitz-Running Wolf re-introduced herself to the commissioners. Dawn Bitz-Running Wolf recently started a new position as US Attorney’s Tribal Liaison, working out of Great Falls Montana. Her plan is to dedicate two-thirds (2/3) of her time to represent the reservations of Montana and the other one-third (1/3) of her time to prosecuting smaller cases. Commissioner Michael DesRosier asked if Dawn Bitz-Running Wolf would be helping with cases that lack jurisdiction. She replied she was going to help as much as she could. Larry Epstein, County Attorney, added that if a defendant gets on the reservation, you can’t prosecute. Commissioner Michael DesRosier stated that he would like to see individuals that belong to any reservation start being held responsible for their actions.

Dawn Bitz-Running Wolf introduced the US Attorney’s Office’s Case Tracker Form. This form is available to anyone. This form is for any individuals to make reports on a crime. Larry Epstein would like to see the Tribal Court start reporting items like DUI’s and Domestic Violence reports. Currently the tribe doesn’t report those items. Dawn Bitz-Running Wolf stated that once her office receives the case tracker form, her job is to make sure the investigators do their job so that the US Attorney’s Office may prosecute. Dawn Bitz-Running Wolf is going to get up the Glacier County and the Blackfeet Reservation as much as possible, however she is representing six (6) tribes in Montana. The Fort Peck Tribe is using the case tracker form and the system is working well and helping get the needed information to the US Attorney’s Office so they may prosecute for crimes committed. Dawn Bitz-Running Wolf reported that the Blackfeet Tribe is one of the most violent tribes in the state of Montana.

Dawn Bitz-Running Wolf asked about the Cross Deputization agreement between the Blackfeet Tribe and Glacier County Sheriff’s Department. Commissioner Michael DesRosier stated that the tribe is not cooperating with the temporary agreement. Commissioner Michael DesRosier would like to have County Attorney included in the drafting of the cross Deputization agreement. Commissioner Michael DesRosier would like to see that when a deputy from Glacier County Sheriff’s Office makes an arrest on a tribal member that the defendant goes to tribal court and tribal jail. This would require a protocol/agreement to help the state. The commissioners believe these actions would strengthen the tribe’s sovereignty. Dawn Bitz-Running Wolf agreed. Dawn Bitz-Running Wolf would be providing training for the MDT meetings, with the hopes the training will help with prosecution. Dawn Bitz-Running Wolf thought it was a good idea to have the US Marshall Service and Fort Peck Reservation meet with the Blackfeet Tribe to show the Blackfeet Tribe the agreement between the two entities and how they share resources. Commissioner Michael DesRosier added this would require diverse training. The commissioners would like to see a meeting set up in the near future, so after the New Year the commissioners will work with the Blackfeet Tribe to get this process moving forward. Dawn Bitz-Running Wolf said she would be out about every four (4) months, she will stay in touch and lastly she stated that no case is too small! Both Commissioner Ron Rides At The Door and Commissioner Michael DesRosier congratulated Dawn Bitz-Running Wolf on her new position and thanked her for meeting with them.

12:45 pm Lunch

1:30 p.m. Discussion – Law Enforcement Issues – Wayne Dusterhoff

Sheriff Wayne Dusterhoff reported that the jail floor looks good and a rhino liner was installed in the shower to avoid someone from slipping and falling. Sheriff Dusterhoff received the vehicle title from the wrecked vehicle out of Oklahoma. The remaining discussion was tabled for a Glacier County citizen had some road concerns he wanted to address with the commissioners.

1:35 p.m. Non Agenda Item: Discussion – County Road Issues – Joe Kipp

Joe Kipp thanked the commissioners for allowing him a few minutes to voice his concerns. Joe Kipp advised the commissioners that he is personally been clipping the weeds and maintaining the road. Joe Kipp wasn’t sure if the road was a private road or a county road. Joe Kipp added

that the road department advised him that if the gate was closed they would not go thru. Joe Kipp added that the gate is never locked, there is a pivot across the road, and the gate is for livestock control and traffic control.

Joe Kipp asked what he should do in an emergency. Commissioner Michael DesRosier replied in an emergency the road department would go out ahead of the emergency services and make sure the road was cleared.

Commissioner Ron Rides At The Door mentioned that Joe Kipp could get the process started to get the easement switched to a county easement. The downside of the switch is that the road would become a public road. Commissioner Michael DesRosier reminded Joe Kipp that the road department makes a priority list. The list is broken down by children using schools buses, elderly and the number of families on each road. For example, if there are four families on one road and one family on the next road, the road with four families will be cleared first.

Joe Kipp asked about spraying for weeds on private roads. Commissioner Tony Sitzmann stated that the road department can't spray on private property. Commissioner Ron Rides At The Door said the county has a "Spray Day" in the Spring/Summer season. The Spray Day allows the citizens of Glacier County to use equipment and spray for free. The citizen has to do the work themselves.

Joe Kipp said it was refreshing to talk to the commissioners and get an explanation of why his private road was not being maintained. Commissioners Michael DesRosier, Tony Sitzmann and Ron Rides At The Door all thanked Joe Kipp for coming in with his concerns.

2:10 p.m. Reconvened Discussion – Law Enforcement Update – Wayne Dusterhoff

Sheriff Dusterhoff started by reporting that there were only 4 prisoners transported to have the jail floor fixed, three male and one female. Wayne Dusterhoff would like to see the county receive an extended warranty for the padded cell plumbing, Sportsman Plumbing is pouring a cleaner down the drain and no one is sure of the consequences this may cause in the future. Sheriff Dusterhoff asked if the Jag Grant pays the city separately from the county. Glenda Hall told Wayne Dusterhoff to have the grant pay the county and city separately.

Regarding the BIA contract, the rate change (per MACo) from \$55.00 a day to \$60.00 per day will start in June 2010.

Wayne Dusterhoff received new Public Notices regarding sex offender registration. The Adam Walsh Child Protection Act requires all convicted sex offenders to register under tribal law or federal, state, local, military, District of Columbia, U.S. territorial law, or foreign law. Any changes in their registration must be reported within three (3) business days. Sheriff Dusterhoff reminded the commissioners that the county can't prosecute on the reservation. Commissioner Michael DesRosier reminded Wayne Dusterhoff to use the case tracker form from the US Attorney's office. Commissioner Ron Rides At The Door mentioned drafting a letter to the councilmen wishing them a Merry Christmas and arranging a meeting to work on an agreement.

Commissioner Michael DesRosier asked Wayne Dusterhoff about applying for a Sam's Club card. Wayne Dusterhoff replied that the Sam's Club card was supposed to be directly billed to the Glacier County Sheriff's Department. Commissioner Michael DesRosier advised him that it was not directly billed to the Sheriff's Department and the bill is not paid. Wayne Dusterhoff stated that he would get it straightened out.

3:00 p.m. Discussion – Charlie's Pizza Taxes – Bill Cooper

Bill and Melva Cooper were present to discuss their concerns regarding the taxes for Charlie's Pizza. Bill Cooper started by showing a copy of the taxes for Charlie's Pizza for \$10,000.00. Commissioner Ron Rides At The Door asked the Cooper's if they had spoke with JoAnn Printy from the DOR. Bill Cooper said that one problem was that they didn't get their inventory list in on time, they were about one week late. Commissioner Michael DesRosier asked how long the Cooper's had Charlie's Pizza open for business. Melva Cooper replied two (2) years in April. Commissioner Sitzmann went to the DOR office and asked JoAnn Printy to join the meeting with the commissioners and the Cooper's. JoAnn Printy began to review the taxes with the

Cooper's. One major taxable item would be the number of gambling machines that Charlie's Pizza had on January 1st of the year. Larry Epstein told the Cooper's that the first half of the taxes has to be paid before they make an appeal to the Tax Appeal Board. The Cooper's thanked everyone for their time and they went to the DOR with JoAnn Printy to continue reviewing their taxes.

4:15 p.m. Approval – Purchase of Adobe Professional Software

Commissioner Ron Rides At The Door explained the Adobe Professional Software to commissioners Michael DesRosier and Tony Sitzmann. The software would be used for editing, work on the website, forms, files, newsletters, etc. Commissioner Tony Sitzmann asked about how much does software of this nature cost. Commissioner Ron Rides At The Door stated about \$800.00 to \$1,100.00. Commissioner Ron Rides At The Door motioned to approve the purchase of Adobe Professional Software for 3-5 licenses. Commissioner Tony Sitzmann second the motion, all in favor, motion carried.

4:30 p.m. Approval – WIC Pay Raise

Glenda Hall, Clerk & Recorder, sent a letter to Michelle Harrell. Michelle Harrell, WIC coordinator, asked Nikki Lako to open the sealed envelope. Nikki Lako opened the sealed letter and read it to Michelle Harrell. The letter requested a copy of the WIC contract and documentation justifying the pay raise. Michelle Harrell agreed to provide the commissioners the needed information so they may make a proper decision. This agenda item will be tabled until December 21, 2009.

4:55 p.m. Approval – Establish Cut Bank Airport Authority CIP Adj.

Commissioner Ron Rides At The Door made a motion to Establish the Cut Bank Airport Authority CIP Adj. Commissioner Tony Sitzmann second the motion, all in favor, motion carried.

There being no further business for the day, the meeting adjourned at 5:00 p.m. with a motion by Commissioner Tony Sitzmann and a second by Commissioner Ron Rides At The Door. The motion passed by Board vote.

BOARD OF GLACIER COUNTY COMMISSIONERS

Michael J. DesRosier, Chairman

ATTEST:

Glenda Hall, Clerk and Recorder