

**GLACIER COUNTY COMMISSIONERS  
REGULAR MEETING  
Monday, June 13, 2011**

The Board of Glacier County Commissioners met at a regular meeting at 8:45 a.m. on Monday, June 13, 2011. Commissioners Michael DesRosier, Ron Rides At The Door and Tony Sitzmann were present. Commissioner Michael DesRosier called the meeting to order. Glenda Hall, Clerk & Recorder was present.

**Present throughout the day:** Bill Bandel, Public Works; Charles Farmer, DES; Carolyn Berkram, County Attorney; Darrol Berkram, Pfeifer Farms; Loretta Torgerson, Deputy Recording Clerk; Maurice Redhorn, Under Sheriff; Lyle Salois, Maintenance Supervisor; Steve Gross, Road & Bridge Union Representative; John Evans, Road Department; Nikki Lako, Minutes

**8:45 a.m. Discussion/Approval: Appoint Special Deputy Glacier County Attorney**

Glacier County Attorney explained that she would like it on record that Mary Ann Ries, County Attorney for Pondera County will help Glacier County with conflict cases and help with co-counsel. Commissioner DesRosier asked Berkram if she has a large number of conflict cases. Berkram's response was yes due to county employees, city officers, etc. She would like to have it on record so if a case requires outside help, she already has approval.

**Glacier County Resolution  
Appoint Special Counsel – Deputy County Attorney  
Resolution No. 2011-22**

**WHEREAS**, occasionally the Glacier County Attorney's Office requires the assistance of co-counsel in the prosecution of cases in Glacier County, Montana; and

**WHEREAS**, at those times, the Glacier County Attorney's Office requires the services of attorneys to aid in review, evaluation, charging, trying, and resolving criminal cases for the State of Montana in Glacier County, Montana; and

**WHEREAS**, Mary Ann Ries, Pondera County Attorney, Conrad, Montana has agreed to act as Special Deputy Glacier County Attorney for the purpose of aiding in these cases for Glacier County and the State of Montana;

**IT IS HEREBY RESOLVED AS FOLLOWS:**

**IT IS RESOLVED** that the Glacier County Board of Commissioners appoint Mary Ann Ries, of Conrad, Montana as Special Deputy Glacier County Attorney to act as co-counsel in the aforementioned cases for Glacier County, Montana, as deemed necessary and appropriate.

**IT IS FURTHER RESOLVED** that all expenses of such prosecution and investigation shall be paid from the budget of the Glacier County Attorney.

ADOPTED this 13th day of June, 2011.

**Glacier County Resolution  
Appoint Special Counsel – Deputy County Attorney  
Resolution No. 2011-23**

**WHEREAS**, occasionally the Glacier County Attorney's Office has conflicts of interest in the prosecution of cases in Glacier County, Montana; and

**WHEREAS**, at those times, the Glacier County Attorney's Office requires the services of an outside disinterested party to review, evaluate, prepare charging documents, try, and resolve a criminal case involving these events for the State of Montana in Glacier County, Montana; and

**WHEREAS**, Mary Ann Ries, Pondera County Attorney, Conrad, Montana, has agreed to act as Special Deputy Glacier County Attorney for the sole purpose of investigating and prosecuting said conflict cases for Glacier County and the State of Montana;

**IT IS HEREBY RESOLVED AS FOLLOWS:**

**IT IS RESOLVED** that the Glacier County Board of Commissioners appoint Mary Ann Ries , of Conrad, Montana as Special Deputy Glacier County Attorney to investigate and to prosecute the aforementioned conflict cases for Glacier County, Montana, as deemed necessary and appropriate.

**IT IS FURTHER RESOLVED** that all expenses of such prosecution and investigation shall be paid from the budget of the Glacier County Attorney.

ADOPTED this 13th day of June, 2011.

Commissioner Ron Rides At The Door motioned to approve both Resolutions 2011-22 & 2011-23 appointing Pondera County Attorney Mary Ann Ries as Special Deputy County Attorney to help with conflict cases and co-counsel with Glacier County's Attorney's office. Commissioner Michael DesRosier seconds the motion; the motion carried.

**9:00 a.m. Discussion: Road Issues (LeBruche Rd) – Darrol Berkram**

Darrol Berkram, Pfeifer Farms explained that he has been farming for Pfeifer's since 1986 and they would like to make the entire LeBruche Road completely a county road. The road has families with kids that utilize school buses. Berkram continued that Salty Murphy and Dick Bird always maintained the entire road. Loretta Torgerson, Deputy Recording Clerk told Berkram that he needed to go to the title company and check on easements, rights of way, etc. Commissioner Sitzmann told Berkram that he needs to sign the easements over to Glacier County. Berkram asked about the deed and trust land on the reservation. Commissioner Rides At The Door spoke of the very involved process regarding trust property with the BIA. Berkram is going to work on the Pfeifer Farm side of legal documents regarding the road.

Berkram asked about two (2) low spots that are under water at this time; could the county put a culvert in and possibly raise the road. Bandel responded that culverts won't help and the county would pump the water out and raise the road in these spots.

Public Works Supervisor Bill Bandel informed the commissioners that he leased a motor grater. His road crew has all five (5) machines running. They won't get to all the roads today, but they are working vigorously to get all the roads back into proper driving condition.

**9:15 a.m. Non-Agenda: Sheriff Department**

Under Sheriff Maurice Redhorn told the commissioners that they received a large invoice from NRMC for an inmate with unnecessary charges. Redhorn, Sergeant Tom Seifert and Sheriff Napi Billedeaux have set up a meeting for next with NRMC regarding the unnecessary charges and work up for inmates. The commissioners asked that they report back after the meeting.

**9:30 a.m. Discussion/Approval: Glacier County Attorney's Office**

County Attorney Berkram detailed the list of needs for her new office out at the annex building (computer(s), server, printers, office furnishings, phones, etc.). She would like to get the computers, printers, etc ordered now so that when the move happens that they will be ready to go. Berkram also was concerned about flooring, built in cupboards and minor remodeling she'd like done to the space. Berkram would like the receptionist's desk and office space to be opening to the door also with privacy considering the legal documents that will be there. Keith Larson has measured for the desks, printer tables and other office furnishings required for an office setting. Larson's quote stated that all of the furniture will be made and will not exceed \$6,200. Salois suggested keeping the desks that are currently in the space from the Health Department and putting the new desks in the new Health Department building. Berkram rebutted that her budget isn't paying for new desks for the health department; she wants them in

the county attorney's office. The commissioners agreed. Josh Czech Construction does the remodeling of the office space for under \$1,000. The commissioners checked with Maintenance Supervisor Lyle Salois if the remodeling would be fine with him. He had no objections. Billman's is working on flooring to match the current flooring in the office space. Another concern for Berkram is the door between what will be the county attorney's office and the food bank. The door needs to be locked for confidentiality reasons. Berkram has two (2) more issues to resolve. First being the telephone system. Berkram was pleased to hear that she will have county phone lines. She will advertise the new numbers once she receives that information. Berkram's last concern is lighting; she is called out in the middle of the night for warrants, etc and she would like reassurance that there will be adequate lighting for the exterior of the office and a key pad dead bolt. Salois will install both the key pad dead bolt and the motion lights for her. Commissioner DesRosier would like to see signage at the new office space. He suggested Two Medicine Sign Company (Gary Gobert). He does a great job with the vinyl on wood signage. It is durable and looks great. The county attorney's budget will cover most of the costs with the commissioners helping out if needed.

### **10:00 a.m. Discussion: County Attorney's Budget**

Carolyn Berkram, County Attorney reviewed her budget with Clerk & Recorder Glenda Hall. The two of them made calculations and adjusted the budget accordingly. Berkram ensured that she budgeted for reimbursement for her intern and mileage, etc for her special deputy county attorneys for conflict cases and/or co-counseling. She reminded the commissioners that the special deputy county attorney(s) don't get wages from Glacier County; only travel and per diem. Commissioner DesRosier urged Berkram to increase her travel budget. The Commission would like to have her in attendance at the outlining commissioner meetings, training, etc. Hall told the commissioners that the county attorney's budget looks good with nothing out of the ordinary.

### **11:00 a.m. Closed: Personnel Issue**

The Commissioner's chambers were closed in order to tend to a personnel issue.

### **12:00 pm Lunch**

### **1:30 p.m. Discussion: Glacier County Road & Bridge Union Negotiations (1:30 – 3:30 pm)**

Steve Gross from the Road & Bridge Union started the discussion that after talking with the operators there are not a lot of concerns, mostly financial. Until John Evans arrived, everyone present reviewed the two page document from Steve Gross with the Union Proposals. Below are the union's requests (italics):

*1. Article VII Working Conditions Sections K*

*a. Increase boot allowance from \$160 to \$175*

*b. Increase clothing allowance from \$140 to \$160*

*2. Article X Holidays*

*Section C – Holidays that fall outside the employees regularity scheduled workweek will be paid at ten (10) hours.*

\*County Attorney Berkram is going to contact the Attorney General's office to get his recommendation of the holiday pay. The different work hours were discussed. Bandel believes that he'd lose productivity if he his crew went to five days a week at eight hours a day. It would make for short work days.

*3. Article XIII Health Insurance*

*a. Change the language to read, employees covered by this agreement shall receive maintenance of benefits for the health insurance premium benefit for the life of this agreement.*

\*Health insurance is a benefit. The county has reservations with this change in language due to that the premiums change from year to year.

*4. Schedule A Wages*

Delete language stating pay raises will be equal to the amount awarded all other county employees:

*July 1, 2011 One dollar per hour wage increase*

*July 1, 2012 75 cent per hour wage increase or CPIU not to exceed 6%*

*July 1, 2013 50 cent per hour wage increase or CPIU not to exceed 6%*

\*The road and bridge county employees receive a COLA (%) along with all county employees.

*5. Longevity Pay*

*a. Increase longevity pay \$50.00 per year*

*Anniversary of 2 years through 4 years \$250.00 per year*

*Anniversary of 5 years through 9 years \$350.00 per year*

*Anniversary of 10 years through 14 years \$500.00 per year*

*Anniversary of 15 years through 19 years \$600.00 per year*

*Anniversary of 20 years + \$700.00 per year*

\*John Evans stated that longevity would provide a good incentive for long term, hard working employees.

The commission is going to discuss and review the requests of the Glacier County Road & Bridge Union proposals. The Board of Commissioners will meet with the Union Representatives on July 7, 2011 at 1:30 p.m.

\*\*Commissioner Tony Sitzmann left the commission chambers for the remainder of the day to attend a Sweetgrass Development meeting in Conrad.

**3:30 p.m. Discussion/Approval: Resolution 2011-21 Unanticipated Revenue Increase to Immunizations**

**GLACIER COUNTY RESOLUTION  
UNANTICIPATED REVENUE IMMUNIZATION GRANT  
Resolution #2011-21**

**WHEREAS**, the Department of Public Health and Human Services of the State of Montana, has funds allocated to the Glacier County Health Department, under the Direction of County Health Nurse for the purpose of providing Immunization services to Glacier County residents. These monies are deposited to the Immunization Grant Fund No. 2976; and

**WHEREAS**, Glacier County's Immunization Grant fund monies received are \$1,200.00 from the State of Montana through DPHHS AWACS reimbursement for billable project (PCVAT).

**THEREFORE BE IT RESOLVED** that the funds be distributed to the Glacier County Health Grants – Immunization Grant Fund (Fund No. 2976) to account number 2976-334090 for reimbursable revenue and increase appropriations for the same amount in the account of 2976-440191 for administration of the grant by Glacier County Health Department.

**ADOPTED** this 13<sup>th</sup> day of June, 2011.

Commissioner Ron Rides At The Door motioned to approve Resolution 2011-21 Unanticipated Revenue Immunization Grant. With no further discussion or objections, Commissioner Michael DesRosier seconds the motion, the motion carried.

**4:00 p.m. Discussion: Building Code Enforcement**

The commissioners reviewed the proposal regarding building code enforcement from Kyle Harlan. Both Jim Yeagley and Ron Anderson have expressed their support in this enforcement. Clerk & Recorder Hall is going to do some research into the statutes and legality of the enforcement of building codes. Once the research is complete, it will be on the commissioner's agenda for further discussion and approval if necessary.

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

BOARD OF GLACIER COUNTY COMMISSIONERS

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Michael J. DesRosier, Chairman

ATTEST:

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Glenda Hall, Clerk and Recorder