

**GLACIER COUNTY COMMISSIONERS  
REGULAR MEETING  
Monday, September 19, 2011**

The Board of Glacier County Commissioners met at a regular meeting at 9:00 a.m. on Monday, September 19, 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, GC Road Supervisor; Leanne Kavanaugh, Press; Scott Gage, Gage Accounting; Scott Laird, Cut Bank Public Schools; JoAn Printy, DOR; Gene Walburn & Kory Hofland (via conference call), DOR; Carolyn Berkram, County Attorney; Sheriff Napi Billedeaux; Judd Millender, Corporal Sheriff Dept; Nathan St. Goddard, Blackfeet Tribal Attorney (via conference call); Nikki Lako, Minutes

**9:00 a.m. Conference Call with Department of Revenue regarding MATL Evaluation**

Gene Walburn of Department of Revenue (DOR) started the conference call with an update on the MATL line. He explained the appeal process while preparing the county for these actions. Kory Hofland, also from DOR detailed the steps in which MATL has not followed in a timely fashion. That meaning reports haven't been turned into DOR that would be used in the classification for tax purposes. He briefly spoke of a meeting with MATL to be held on September 23<sup>rd</sup>. Walburn continuing that the outcome of the meeting would be the adjustment (+/-) of the market value and the classification for MATL. Walburn and Hofland went thru the different scenarios that the county could possibly face. Hofland stated that after DOR's determination the county will most likely need to recertify the mill levies. Walburn urged the county to keep moving forward in this process; the chance of MATL appealing is great which could take a year or more. Hall replied that Glacier County will proceed with the information at hand. The Commission will be updated on September 23<sup>rd</sup> by DOR; Glacier County will proceed thru the steps as recommended by DOR.

**11:00 a.m. Approval of August 2011 Cash Report – Kate Salois, Treasurer**

The Commissioners Administrative Assistant, Nikki Lako, explained to them that the cash report is off \$2,349.01. Lako spoke with Andrea Anderson, Deputy Clerk for Treasurer Salois during her absence. Anderson explained that the difference is due to an A101 being entered twice. Once Salois returns to her office, she'll update the report(s) to show the reflected changes in order to balance the August 2011 Cash Report.

Commissioner Ron Rides At The Door motioned to table the approval of the August 2011 Cash Report until the Treasurer Kate Salois can present a report that balances. With no further discussion required, Tony Sitzmann seconds the motion, the motion carried with Board vote.

**11:30 a.m. Approval of Mill Levies**

Clerk & Recorder Glenda Hall presented the Board of Commissioners with a sheet of the Glacier County Levies for 2011-2012. She explained that the mill levy went up from \$22,165 last year to \$29,731 this year. Hall discussed with the Commission the general obligation bond with the nursing home. Hall explained that it is a twenty (20) year bond. Commissioner Sitzmann inquired why the school districts vary so much. Hall replied that the school districts present their numbers based on the different taxable values. The county doesn't change that information.

**GLACIER COUNTY LEVIES**

<b>COUNTY LEVIES</b>			<b>MUNICIPAL LEVIES</b>		
<u>FUND</u>		<u>MILLS</u>	<u>FUND</u>		<u>MILLS</u>
1000	GENERAL	52.10	7850	CITY OF CUT BANK	237.21
2130	BRIDGE	9.57	7860	TOWN OF BROWNING	137.08

2180	DISTRICT COURT	8.98	7301	CROWN HILL CEMETERY	5.01
2280	SENIOR CITIZEN	1.29	7302	WEST END CEMETERY	5.53
2282	SR CITIZEN TRANS	1.66			
2230	AMBULANCE	1.66		<b><u>STATE LEVIES</u></b>	
2360	MUSEUM	2.93			
7900	HOSPITAL/NURS HOME	16.74	7521	UNIVERSITY MILLS	6.00
2140	WEED	3.33	7527	STATE SCHOOL EQUAL	40.00
7260	AIRPORT	2.51			
2220	LIBRARY	8.36			
3050	BOND SERV DEBT	10.45			
2300	PUBLIC SAFETY	32.21			
4080	JAIL FUND	14.55			
7901	HOSPITAL/NRMC	12.84			
	<b>TOTALS</b>	<b>179.18</b>			
	<b><u>SPECIAL LEVIES</u></b>				
2110	ROAD	45.14			
7310	CONSERVATION DIST	1.79			
	<b><u>SCHOOL LEVIES</u></b>				
7529	GENERAL SCHOOL	33.00			
7840	ELEM RETIREMENT	32.56			
7531	HS GENERAL	22.00			
7830	HS RETIREMENT	17.30			
7820	COUNTY-WIDE TRANS	8.39			
	<b>TOTALS</b>	<b>113.25</b>			
	<b><u>DISTRICT SCHOOL</u></b>				
	SD #9	266.23			
	SD #15	169.60			
	SD #50	193.17			
	SD #64	123.24			
				<b><u>TOTAL LEVIES</u></b>	
				CITY OF CUT BANK	750.25
				(0402)	
				TOWN OF BROWNING	747.27
				(0400)	
				SD #9 (1400)	655.33
				SD #15 (1402)	558.18
				SD #50 (0404-2404)	582.27
				SD #64 (0C22)	511.82

After reviewing the levies Commissioner Tony Sitzmann motioned to approve the County Wide Levies as presented by Clerk & Recorder Glenda Hall. Commissioner Ron Rides At The Door seconds the motion. With all in favor, the motion passed by Board vote.

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

\*Clerk & Recorder Glenda Hall left for the remainder of the day.

### **1:30 p.m. Discussion: Tax Deed Properties: Johnny's Supper Club & War Bonnet**

County Attorney Carolyn Berkram updated the Commission that Blackfeet Tribal Court restricted Glacier County in the taking of the Johnny's Supper Club property for thirty (30) days. She's not positive that they have the authority to do so. Nathan St. Goddard, Tribal Attorney (via conference call) agreed they didn't have the authority to do so. St. Goddard excused himself to call Tribal Court and he would call back in immediately.

The discussion continued with the question of, what if Tribal Court doesn't dismiss the order. Berkram will then file a motion to dismiss. She also mentioned the option of hiring a legal representative for Glacier County for Federal Court. If Tribal Court agreed to dismiss the order the County could then go in and seize the property. In the case of the county seizing the property the Sheriff's Department prefers to do on Fridays when they are fully staffed and able to coordinate with the Tribal officers. This would help eliminate a standoff if we all work together. The last Federal Court injunction of this nature took seven (7) months and one (1) day. Since this issue has been addressed the process should be quicker. Those present agreed that the county needs to get clarification from Tribal Court and that Ms. Arrowtop has had several years to pay the back taxes.

Mr. St. Goddard called back into the meeting. He said that Glacier County has two (2) options.

The first being that technically Tribal Court does not have jurisdiction over the property, meaning Glacier County seizes the property. The second option being that the county files a motion for dismissal and a motion for governing judgment. At this time the date of proceeding is October 19, 2011. Berkram expressed the urgency of getting this done this week, for it is on the list of county properties up for county tax deed auction on September 23<sup>rd</sup>. St. Goddard suggested giving Tribal Court a good faith chance being they don't have jurisdiction and request the motions to be expedited. Berkram intends on moving forward in this process first thing in the morning.

The discussion now turned to the War Bonnet property. The Blackfeet Tribe Business Council (BTBC) paid the mortgage but has left the taxes unpaid. Berkram stated that the BTBC already put up \$200k; they have stated they are prepared to write an \$80k check for the back taxes, what \$30k would be to pay to clear up the books for this property, which would then be property of the BTBC.

St. Goddard once again called into the meeting. He briefly spoke of his discussion with the Chief Judge Allie Edwards regarding Johnny's Supper Club. BIA has stated that Arrowtop only received ten (10) days notice. Berkram replied that she has known of this since August 2011. St. Goddard stated that the first thirty (30) days was secure payment and within this time Arrowtop lost her brother. St. Goddard also reported that the status hearing can be expedited per the Chief Judge Edwards. The county has been fair; we need to get this done. Commissioner Rides At The Door suggests filing for the dismal tomorrow, pointing out all of the facts and referencing the previous case. The documentation is black and white, which shows that we are going thru the process by the book. Corporal Judd Millender suggested having Tribal Court drawing up the court ordered eviction notice.

The Commissioners took a few minutes to review several statutes regarding tax deed properties, auctions, etc. They then asked County Attorney Berkram to file a motion for dismissal. She will do so; meanwhile staying in contact with the Commissioners throughout the process.

**2:30 p.m. Approval: Resolution 2011-17 FY2011 Budget**

Due to an ongoing issue with MATL and their recertification issue the budget hearing according to statute is a day to day basis until it is approved by the Board of County Commissioners.

There being no further business for the day, the meeting adjourned at 3:00 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**

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Michael J. DesRosier, Chairman

ATTEST:

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Glenda Hall, Clerk and Recorder