

Glacier County Board of Commissioners
Monday, January 14, 2019; Meeting Starts Promptly at 9:00 AM
Court House- Commissioners Chambers
512 East Main St., Cut Bank MT, 59427

Meeting Agenda

The Glacier County Board of Commissioners met at a regular meeting scheduled meeting at 9:00 a.m. on Monday, January 14, 2018. Commissioners Michael DesRosier, Tom McKay, and John B.Overcast was present. Mandi Bird Kennerly, Clerk & Recorder was present. Katrina Whitford, Minutes Clerk was present and taking minutes.

Present at the meeting: Kyla Presnell, Public; Carol Larson, Public; Roger Larson, Public; Elaine Mitchell, Public; Linda Luther, Public; Terry Matt, GC Attorney; Leanne Kavanagh, Press

- A. Roll Call: Commissioners met quorum, meeting called at 9:08 a.m.**
- B. Approval of Agenda: Add Special Deputy Hire**
- C. Reading of the Minutes; 01/08/2019 & 1/10/2019; Unavailable**

NEW BUSINESS:

- D. Discussion/Approval: Resolution # 2019-02 Gas Tax Transfer Funds- John Evans, Roads Supervisor**

\$1.00 match each \$20 amount to pay \$2,086. John Evans transfers money for the use of gravel and hyochloride. #2 transfer into 1 account, 2110 account to restricted account. \$374 fund, 4210 to 2822 account, needs to be done through Resolution to transfer funds.

Commissioner DesRosier asks for a motion; Commissioner McKay motions to approve Resolution#2019-02 Gas Tax Transfer of Funds; Commissioner Overcast seconded the motion; motion carried.

GLACIER COUNTY RESOLUTION
A RESOLUTION REQUESTING TRANSFER OF FUNDS FROM ROAD
BUDGET TO RESTRICTED ACCOUNTS
RESOLUTION#2019-02

WHEREAS, the Glacier County Road Department has received funds from the State of Montana BARSAA (Bridge and Road Safety and Accountability Restricted Account) to purchase magnesium chloride and gravel for rural roads in Glacier County; and

WHEREAS, these BARSAA funds are set up in two restricted accounts for use by the Glacier County Road Department; and

WHEREAS, the Glacier County Road Department is required to have matching funds in the amount of \$1 for each \$20 of BARSAA funds;

NOW THEREFORE BE IT RESOLVED, that John Evans, Glacier County Road Superintendent is requesting that \$2086.48 be transferred from fund 2110 and account number 430200 459 to restricted account 2821 330000 334040 to match funds for purchasing magnesium chloride; and that \$374.13 be transferred from fund 2110 and account number 430200 236 to restricted account 2822 330000 334040 for purchase and distribution of gravel onto rural county roads.

ADOPTED this 14th day of January, 2019

/s/ Michael J. DesRosier, Commissioner Chairman

/s/ Tom McKay, Commissioner Vice Chairman

/s/ John B. Overcast, Commissioner Member

/s/ Mandi Bird Kennerly, Clerk & Recorder

E. Discussion/Approval: Payment- Claim for DUI Drug Task Force- Juanita Wagner

Commissioner DesRosier explains to the public that they have dealt with this issue on numerous occasions. He provided an overview what Juanita Wagner has done in the past when she was working in the DUI Drug Task Force. The Blackfeet Tribe has hired a new person, Eileen Henderson. They would like to take action not to pay or collect from Juanita Wagner. She came in recently to submit a claim, we made the determination not to pay Juanita Wagner. The commissioners also asked her previously about inventory bought for summer events that the county did not receive back.

Action to take on record- Refuse any claims from Juanita Wagner for any payment, if she has questions to forward her to the Glacier County Attorney.

Commissioner McKay motions to discontinue taking any action from Juanita Wagner and forward her to the Glacier County Attorney; Commissioner Overcast seconded the motion; motion carried.

F. Discussion/Approval: **CLOSED SESSION- Litigation Strategy- Cut Bank Schools v.**

Glacier County

This meeting was not a closed session, but a request to hire a special deputy to deal with the School District lawsuit. Terryl Matt, GC Attorney recommends to the commissioners to appoint special deputy, Matt Dodd to help with the lawsuit. She also recommended the commissioners talk with Don Wilson, GC Treasurer and then proceed.

Commissioner DesRosier asks for a motion; Commissioner Overcast motions to hire Special Deputy County Attorney, Matt Dodd; Commissioner McKay seconded the motion; motion carried.

**GLACIER COUNTY RESOLUTION
SPECIAL DEPUTY COUNTY ATTORNEY - DODD
RESOLUTION 2019-06**

WHEREAS, the Glacier County Attorney has requested assistance in the case of the Cut Bank School District v Glacier County; and

WHEREAS, it is desired and deemed appropriate that a special deputy county attorney be appointed to assist in the representation of the aforementioned case, and

WHEREAS, Matt Dodd, Attorney at Law, Bozeman, Montana, has agreed to act as Special Deputy Glacier County Attorneys for the sole purpose of investigating and representing said case 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 Matt Dodd, Attorney at Law, Bozeman, Montana, as Special Deputy Glacier County Attorneys to represent Glacier County in the aforementioned case, 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 14th day of January, 2019.

/s/ Michael J. DesRosier, Commissioner Chairman
/s/ Tom McKay, Commissioner Vice Chairman
/s/John B. Overcast, Commissioner Member
/s/Mandi Bird Kennerly, Clerk & Recorder

Public Comment pertaining to Item F:

Leanne Kavanagh asked if common courtesy Glacier County not to pay? Terryl Matt response is MACo to pay through insurance, if not covered Glacier County will pay. Will discussion with Matt Dodd. Litigation is covered by insurance. Lawsuit is not asking for money but injunction, meaning a broad complaint, oil & gas money being held up. May 18, 2017, Jolene Volksman sent report to schools. Also made a check \$647 to Melissa. Jolene purposely made 12 adjustments, made fictitious/false statements. When asked Jolene why she said to catch Bob Denning but has created problems, which Don Wilson and Bob Denning are trying to fix.

Kyla Presnell said she read in the paper, how can Don Wilson be part of this lawsuit when Jolene Volkman did this?

Terryl Matt states this is still being investigated, Matt Dodd will have to address, which is a good question. Commissioner DesRosier states next step to set up meeting with Matt Dodd. Terryl Matt states that when Jolene Volkman was asked about a backup check, Jolene stated everything was there and refused to talk to us again.

Non-agenda:

The proposal for audit services was received in the Clerk & Recorder's office. Commissioner DesRosier states he needs approval, have proposal, State gave extension. We are up to date on audits, proposal to complete by June 30, 2019. Mandi Bird Kennerly, Clerk & Recorder recommends that the county go with Wipfli LLP for the fiscal year 2017-2018 Audits, the total cost will be \$96,500.00. She also adds it's difficult to find an auditor given the time line. The bigger firm will be able to get the county audit complete in the timeframe required by the Department of Administration.

Commissioner McKay motions to approve the hire of Wipfli LLP for the 2017/2018 Glacier County Audits; Commissioner Overcast seconded the motion; motion carried.

OTHER BUSINESS:

G. Public Comment: Kyla Presnell asked if the county was going to hire a person for the EMS Building to appraise it? Michael DesRosier stated that was discussion we talked about but not official.

H. Next Meeting – January 22, 2019 Browning