

**COMMISSIONERS PROCEEDINGS  
REGULAR SESSION  
May 12, 2014**

**BOARD MEMBERS PRESENT:**

CHAIRMAN: Robert P. Cosgriff  
VICE-CHAIRMAN: Teddy R. Robertson  
MEMBER: Jerry L. Coldwell

**ALSO PRESENT:**  
Jerry Collins

**MINUTES TAKEN BY:** Carla McWilliams

**CALL TO ORDER – ROLL CALL**

Chairman Cosgriff called the meeting to order at 9:00 a.m.

**AGENDA**

Motion by Robertson and seconded by Coldwell to approve the agenda as posted 48 hours ago. Motion carried unanimously.

Cosgriff met with the Auditors on Friday and there were no major issues other than the separation of duties. The preliminary report should be here in 2-3 weeks.

**NEW BUSINESS**

**Parks & Pool Board**

Earline Lawrence said she talked to the Parks & Pool Board and they have no problem with removing trees in the park to enlarge parking area at the Health Center. Lawrence reported the pool is leaking and Thompson Pools is taking full responsibility. A valve is leaking so it will be shut off so the pool can open for the summer. Two filters need to be replaced at a cost of \$1900. Lawrence is sending three people to Baker for lifeguard training.

**GARY RYDER – COUNTY ATTORNEY**

Discussed litigation that has been filed. Discussed procedure to close abandoned roads. Andrea West contacted Cosgriff about the gas tax roads. Brian Phipps and Layne Murnion joined the meeting. Ryder asked if any landowners would object to the road closure. Phipps and Murnion said they were the only landowners. Ryder asked if there were any petitions to make it a County road. Cosgriff said there were not. Ryder said there should be no problem with closing the road if it is not of record. Collins asked if a road is on the gas tax road if it is considered a public road. Ryder said it was not. Collins said hunters say gas tax roads are public roads. Cosgriff asked Ryder if a public hearing needs to be held to close the road. Ryder said it would be good to have a public hearing but it would not have to be advertised. The hearing could be placed on the agenda.

**DISTRICT MEETING**

Robertson reported on District Meeting held in Miles City on May 9, 2014. Robertson said she had spoken with representatives from the State concerning the millings from Highway 59 and was told that the State may reuse them.

#### RESOLUTION NO. 11-2014

Motion by Coldwell, seconded by Robertson to pass Resolution No. 11-2014, authorizing the Garfield County Bank to issue a credit card in the name of Garfield County Clerk and Recorder in the amount of Two Thousand Dollars (\$2,000.0). Motion carried unanimously.

#### JODI McWILLIAMS – DEPARTMENT OF REVENUE

McWilliams said the State changed the personal property exemption from \$50,000 to \$100,000. The rate also changed from 3% to 1.5%. Cosgriff asked how much this was going to impact the County. McWilliams said last year she billed \$176,274 for personal property, PAC and Special Livestock. \$98,306 is what she will be billing this year. McWilliams said she has found \$1.5 million worth of equipment that people have not reported this year alone. Also discussed the income derived from highway construction and oil activity.

#### RESOLUTION NO. 12-2014

Reviewed draft of Resolution No. 12-2014, for a loan in the amount of \$6,000 from the Aeronautics Division of the Department of Transportation for the purpose of runway improvements at the Jordan Airport. Will hold off signing until payment schedule is received.

Discussed setting sanitation fee schedule. A Resolution will be needed but public input should be received prior to adopting a schedule. Will discuss this further at next meeting.

#### GARY RYDER – COUNTY ATTORNEY

Ryder requested a closed meeting to discuss litigation.

Chairman Cosgriff then closed the meeting at 11:00 a.m. under the provisions of §2-3-203 to discuss litigation with Ryder, Hanz Arnston and Sarah Nordlund. Meeting opened at 11:45 p.m. No action was taken.

Ryder will review by-laws of the County and the Health Center. Also discussed agreement between the Health Center and ambulance service. Ryder will contact Rex Phipps to get more information.

Discussed possible re-location of the County Attorney's office.

Recessed for lunch at 12:00 p.m.

Reconvened by Chairman Cosgriff at 1:04 p.m.

#### BRIDGET NIELSEN and MATT DEROSIER – U.S. FISH & WILDLIFE SERVICE

Nielson said Derosier is the new head person in Lewistown, Montana and has taken Bill Berg's place. Nielson said Rick Potts has also retired and has not been replaced yet. When a position opens it takes about 4 months to fill the vacancy. Nielson said there will be 5 firefighters arriving in Jordan for the summer. Steve Becker is the head of the fire crew. Nielson said they have been visiting with the road crew about the Hell Creek road. Robertson said she talked with the State about the Heart Coulee project who said the County should talk with CMR, U.S. Fish & Wildlife and the Corps to see if they could work together to come up with matching funds for a grant. Derosier said there are other grant programs that could be applied for as well. A meeting will be set up with the various agencies. Cosgriff asked Nielson to contact whoever she thinks would be helpful. Nielson said U.S. Fish & Game is giving \$12,000 worth of gravel for the Devil's Creek Road. Discussed the use of plastic pipes instead of galvanized.

Robertson said she didn't want to jeopardize other projects such as the Old Stage Road. Nielson said if some of the other projects lead to federal land they could also be funded. Nielson said the next CMR meetings are in Malta on June 17<sup>th</sup> and at the recreation area in Phillips County on July 17<sup>th</sup>. Nielson said the real estate transactions on cabin sites in Garfield County are getting close to finishing up. Of the 367 cabin sites all except 2 have been closed. It generated approximately \$7 million. Approximately half of this has been spent on purchasing land to add to the CMR refuge. Nielson said the land is purchased for fair market value. An appraisal is completed on all the land.

#### MINUTES

Motion by Coldwell, seconded by Robertson, to approve May 5, 2014 minutes with corrections. Motion carried unanimously.

Discussed the use of the vacant lot where the old Courthouse was located.

#### CLAY LAMMERS

Lammers reported KariLyn Honadel has been hired as Deputy Sheriff. Discussed the grant that Cathy Byron is working on. Cosgriff asked Lammers if he had gotten any applications from Miles City Job Service. Lammers said he had gotten one but they had gotten fired from their last job.

Janet Guptill joined the meeting. Guptill asked if the Health Center had built up any reserve. Cosgriff said there were some but the plan is to build the reserve to the same 20% as required on the rest of the budgets to run from the first part of the fiscal year until tax dollars come in the end of November. Guptill asked if there enough reserve to keep the place open and the answer was unknown at this time.

#### HEALTH CENTER

Hanz Arnston, administrator and Sarah Nordlund, DON, met with Commissioners for weekly report. Cosgriff repeated Guptill's question to Arnston about the reserve. Guptill said she doesn't think everyone understands that the reserves that are being built are to run from July to November and not to save up for anything else.

Arnston said the last pieces of equipment for the Red Button are here and need to be installed and connected to Avera. Arnston asked if the Commissioners had any feedback about the brochures. Cosgriff asked if the Red Button would keep us in compliance for Frontier Status if our provider would be gone over 72 hours. Arnston said as far as he knew the Health Center would still be in compliance. Since the County pays for Muniak's malpractice insurance for the ER, if Muniak is not here, how is the County covered for malpractice. The insurance is still provided through Avera. Robertson asked if Avera and the Health Center worked together on the procedure protocol. Nordlund said Avera provided her with some sample procedures. Nordlund said the staff is not in agreement on what constitutes the need to use the Red Button. Nordlund said Muniak wants more control over when the Red Button is used. Cosgriff said the ER is under the control of our medical providers. Coldwell and Robertson said the nurses should have the discretion to push the Red Button. Collins said he was under the impression that as soon as a patient arrived the Red Button would be pushed and then Muniak could take over when he arrives. Commissioners asked what Dr. Kidder's opinion was. Nordlund said he hasn't really said too much but stated he wants it to be used. Cosgriff said the Red Button is

not to be a walk-in clinic. The Red Button is only to be used for emergencies. Guptill said Muniak should be called because he would most likely know the history of the patient. Robertson said the Red Button should be pushed for immediate attention if an RN assesses its need and the provider is not available in the time frame an emergency has begun and then Muniak can be called and when he gets there he can take over. Cosgriff said our Medical Staff has to sign off on what happens in the ER. Collins said if the Red Button is not used for the benefit of the nurses he doesn't know if he can support the mill levy. Cosgriff asked what happens when our medical provider decides he doesn't want to participate and walks out. Robertson said if our medical provider bails on us we need to have the Administrator make calls to bring in a backup provider. Guptill asked why Robertson was assuming that Muniak was not willing to cooperate. Robertson said it was not an assumption. Nordlund said this was not an assumption and she feels the nurses should have the discretion to push the Red Button. Guptill said she was told there would be an additional cost after the first two or three years. The cost will be to \$1200 per month but St. Vincent's is planning to help with an additional grant. For the first three years the cost will be approximately \$1200 per month. Currently there are 2-3 ER's a month. Robertson said once the Red Button is active this number will most likely grow. Cosgriff asked Arnston if he felt the number of ER's would increase if the Red Button was used as a walk-in clinic. Arnston said the Health Center got their first day care client inquiry. The charge is \$100 per day whether it is for one hour or 24 hours. The limit is 7 nights. Arnston asked if Cathy Byron had received any word on the grant and there has been nothing received. Nordlund presented procedure manual for the ER. Nordlund said Eva Kerr has resigned. Nordlund said Randa Ross will start as soon as she graduates. Mega Kreider will start working full time. Robertson said Dianna Fitch is a registered nurse and wanted Nordlund to know she might be interested if needed.

#### HANZ ARNSTON – EXECUTIVE SESSION

Hanz Arnston requested a closed meeting.

Chairman Cosgriff then closed the meeting at 4:17 p.m. under the provisions of §2-3-203 to discuss litigation with Hanz Arnston, Sarah Nordlund and County Attorney Ryder. Meeting opened at 4:40 p.m. No action was taken.

#### DAVE AWBERY – ROAD SUPERVISOR

Awbery presented an estimate for pipe. \$1,720 is the cost for two elbows. Awbery said he has located 2 ½" x 3/16<sup>th</sup> square tubing at a cost of \$5.35/ft that will be coming from Billings or Sidney. Robertson updated Awbery on the meeting with Bridget Nielson with U.S. Fish & Wildlife. Discussed Old Stage Road. Alven Clark's pit is still open. Cosgriff informed Awbery the application for the gravel pit on the Old Stage Road is in the BLM Wilderness Study Area and therefore will be stopped. The State side does not have enough gravel to open a pit. Spillum would like to use the dump truck to haul gravel into his driveway. He will fill out the permit just like any other taxpayer. Discussed West Little Dry Road.

Motion by Coldwell, seconded by Robertson to authorize Awbery to order culverts and car gate material. Motion carried unanimously.

Plastic tubing for Heart Coulee is cost prohibitive and will be put on hold unless some other agencies want to help finance it.

Meeting adjourned at 5:05 p.m. The next regular meeting is scheduled for May 12, 2014, at 9:00 a.m.

GARFIELD COUNTY COMMISSIONERS:

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Robert P. Cosgriff – Chairman

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Teddy R. Robertson – Vice-Chairman

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Jerry L. Coldwell – Member

ATTEST:

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Janet Sherer, Clerk & Recorder

11-2014 – RESOLUTION  
GARFIELD COUNTY CLERK & RECORDER CREDIT CARD

IT IS HEREBY RESOLVED BY THE COUNTY OF GARFIELD, STATE OF MONTANA, that:

The Garfield County Commissioners authorize the Garfield County Bank to issue a credit card in the name of the Garfield County Clerk & Recorder in the amount of Two Thousand Dollars (\$2,000.00).

PASSED AND APPROVED this 12th day of May, 2014.

GARFIELD COUNTY COMMISSIONERS

\_\_\_\_\_  
Robert P. Cosgriff, Chairman

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Teddy R. Robertson, Vice-Chairman

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Jerry L. Coldwell, Member

ATTEST:

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Clerk & Recorder