November 5, 2019

Commissioner Kartevold opened the meeting at 10:00 a.m., with Gary Kartevold, Dennis Zander, and Joe Sharbono present. Also present were GL Tweten, Joe Kauffman, Chad Knudson, Ranger Review Reporter and Shirley Kreiman Clerk & Recorder.

Prior Meeting Minutes:
A motion was made to approve the minutes for October 15-22. The motion was seconded. All voted in favor. Motion carried.

Items to be added to the agenda:
A motion was made to add the following items to the agenda.
Administrative: Travel Requests
The motion was seconded. All voted in favor. Motion carried.

Previously Approved Administrative Items:

**Resignations:** Clarice Utgaard, School Nurse 10-9-19; Brandy Thornton, VWA 11-7-19; Richard Michelleto, Seasonal HP Irrigation, Kyle Millsphaug HP Irrigation Seasonal
**New Hires** Valerie Meiers, Deputy Elections Adm. 11-13-19; Dee Hall Fill-In Cook Sr. Center 11-1-19

503 Fir St: The commissioners acknowledged the estimated costs and fees for selling $165,000.00 as approved on May 30, 2018.

Administrative Items:
**Travel Authorization**
- A motion was made to approve a travel request from: Mary Jo Gehnert to attend Safety Fest in Billings November 17-21.
The motion was seconded. All voted in favor. Motion carried.
- A motion was made to approve travel requests for:
  - Joy Partridge and Renee Steinbron to attend ASQ/SE Training as required for model fidelity in Great Falls November 17-18.
  - Timber Demewolf to attend the MT Public Health Association Executive Board Meeting in Bozeman December 4-6.
The motion was seconded. All voted in favor. Motion carried.

New Business:
**Ordinance #11 Vicious Animal Ordinance** - Commissioner Kartevold did the second reading of the ordinance. Gerald Tweten was present and stated that he felt the ordinance was too loose. He was previously bitten by a vicious dog and it was handled poorly. The owner of the dog was allowed to keep the animal in quarantine. It was 10 days and he never heard back from anyone. There needs to be a hard line of what happens. He often has to fend off dogs when walking. He does not like that the county has the option of placing the dog in another county. You should not push it off onto another county and you’re still liable if you do that. You need steps to deal with them and not just a good old boy club. Is the state law referred to in the ordinance? There is law for it in 71-1-15. Commissioner Zander stated that Tweten made a good point, but they felt that this still gives some discretion to the court depending on the circumstances, such as, the dog is taunted by someone with a stick. Euthanasia doesn’t give the court any leeway depending on the circumstances. Tweten stated that there are a lot of dogs around at the school bus stops. Kartevold agreed that they need to allow the courts to give some consideration to the circumstances. Zander commented on an adequate facility. He agreed that it should not have been left in the owner’s control, but they were not trying to create loopholes, rather they were trying to give some options such as in a case when the vet clinic is full or can’t take them. Commissioner Zander made a motion to pass the second reading. Commissioner Sharbono seconded the motion. All voted in favor. Motion carried.

**Ordinance #1 Vicious Dogs (Dogs at Large)** – Commissioner Kartevold held the second reading of the ordinance. There were no additional comments. Commissioner Zander stated that Tweten made some good comments and he will bring them to the attention of the Sanitarian. Commissioner Zander made a motion to pass the second reading. Commissioner Sharbono seconded the motion. All voted in favor. Motion carried.
Resolution 2019-39 Resolution to Adopt Ordinances-Commissioner Zander read the Resolution to adopt the amended Ordinances #1 and #11 concerning Vicious Dogs and Animals. The Ordinances will be in effect on December 5, 2019. A motion was made to approve the resolution to adopt Amended Ordinance #1 and Amended Ordinance #11. The motion was seconded. All voted in favor. Motion carried.

Resolution 2019-40 Updated Policy & Procedure Manual-This item was tabled to ensure the latest draft is a final draft.

Resolution 2019-41 Resolution for Prosecutorial Assistance-The commissioners reviewed the request from the county attorney for assistance in the case of State v. Ashley Maria Howard. There will be no additional cost for the assistance. A motion was made to approve Resolution 2019-41 for a special deputy county attorney appointment for Dawson County from the prosecution services Bureau of the Department of Justice to assist with case. The motion was seconded. All voted in favor. Motion carried.

Thomas Reynolds Family Transfer Exempt Survey-A certificate of survey proposing to create a parcel by family transfer in Section 32, T 15N, R55E was presented from surveyor Joe Kaufman. He was present to answer questions from the commission. Total acreage involved is 46.95 acres. The surveyor noted that Bill and Tom Reynolds own the property and Bill is not doing well. They want to give the parcel to the son Jeff. The commissioners reviewed the plat and the planner’s recommendation to approve the claimed exemption as it does not appear to be an attempt to evade subdivision review. A motion was made to approve the use of the claimed exemption and authorize the Clerk & Recorder to file the Certificate of Survey as proved in the Dawson County and Town of Richey subdivision regulations.

Nagle Gravel Pit Agreement-The road department presented a gravel pit agreement updating the previous agreement in place. The pit is located on Section 22, T17N, R55E and owned by Jim Nagle. The county has approximately 32.8 acres of land permitted for an opencut mining gravel pit through the Department of Environmental Quality. In return for Nagle allowing the County to permit the premises the county agrees to pay Nagle a total of $2.50 per ton for extracted gravel that it removes from the premises. The agreement may be reviewed and renegotiated every two (2) years. A motion was made to approve the agreement. The motion was seconded. All voted in favor. Motion carried.

October Payroll-The board of Commissioners certified the payroll warrants register total and the Invoice Journal total for the month of October 2019 and noted they were in agreement.

PAYROLL EXPENSE FOR PERIOD OF Oct 1 · Oct 31, 2019
(Employer Costs Includes Gross plus taxes and benefits including Health & Life Insurance for 2 pay periods)

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A motion was made certifying the payroll warrants register and invoice journal. The motion was seconded. All voted in favor. Motion carried.

**Non Holiday Closures of Departments** - The commission noted requests from departments wishing to close on the day after Thanksgiving, noting that staff is required to use vacation or comp time. A motion was made to approve the closure of Health Department, Human Resources, Disaster Emergency Services, Extension, Cemetery Library, and Senior Citizen Center. The Sr. Center will be closed, but they will work a portion of the day and provide Meals on Wheels. There were also requests from the following departments to close on the day before Christmas, Health, DES, Extension, Cemetery, Library, The motion was seconded all voted in favor. Motion carried.

**MSU FY2020 Extension Services Agreement** - A renewed contract was presented from the Extension office. A motion was made to approve the FY2020 Extension Services Agreement between Montana State University Extension and Dawson County for the budget and 50% reimbursement of the Extension agent salary and benefit. The motion was seconded. All voted in favor. Motion carried.
Family Planning Agreement-Roosevelt County - The health department submitted an updated family planning agreement with the Roosevelt Satellite Clinic. This will extend the contract from September 10, 2019 through June 30, 2020 for the Roosevelt Satellite Clinic to provide family planning services with administration from Dawson County. A motion was made to approve the Family Planning Agreement with the Roosevelt County Clinic. The motion was seconded. All voted in favor. Motion carried.

Correspondence/Information:

- MDOR - Notice of protested tax settlement with Blackfoot Communications.
- Letter from Foster Care Project of Eastern Montana - awareness of their needs.
- Letter of support to CDBG planning grant for the Manor Apartment Complex.

Public Comment:
None

Meeting adjourned at 10:40 a.m.

DATED this 5th day of November 2019.

________________________________________________________________________
Gary Kartevold, Chairman

________________________________________________________________________
Dennis Zander, Member

________________________________________________________________________
Joe Sharbono, Member

ATTEST: ____________________________
Shirley A. Kreiman, Clerk & Recorder
Commissioner Kartevold opened the meeting at 10:00 a.m., with Gary Kartevold, Dennis Zander, and Joe Sharbono present. Also present was Shirley Kreiman Clerk & Recorder/Election Administrator. Commissioner Kartevold stated they were meeting as the Canvassing Board for the Municipal Election held on November 5, 2019. Shirley Kreiman read Montana Code 13-15-401 in regards to Governing body as board of county canvassers. She presented them with the tally sheets from Election Judges on Election Night and informed the Commissioners that no provisional ballots were verified to be counted. The Board of Canvassers certified the results and declared Leon Baker, R. Michael Dryden and Tate Vaira to be candidates receiving the highest number of votes.
November 19, 2019

Commissioner Kartevold opened the meeting at 10:00 a.m., with Gary Kartevold, Dennis Zander, and Joe Sharbono present. Also present were Brenden Heidner, Ranger Review Reporter and Shirley Kreiman Clerk & Recorder.

Prior Meeting Minutes:
A motion was made to approve the minutes for Nov 5 & 12. The motion was seconded. All voted in favor. Motion carried.

Items to be added to the agenda:
A motion was made to add the following items to the agenda.
- Correspondence: Request for support from Healthy Community Trading Card Kids
- DEQ public notice Rosebud Mine

Previously approved: Airport lease amendment
The motion was seconded. All voted in favor. Motion carried.

Previously Approved Administrative Items:
- Retirements: Ron Nodland – DCCF Assistant Warden - retirement 11-5-19
- Resignations: Anthony Berg – Seasonal Road Laborer - 11-6-19
- Airport lease amendment to expand an additional 90 ft. increasing total annual rent to $4,125.43

Old Business:
Resolution 2019-40 Resolution adopting an updated employee policy and procedure manual
The commissioners noted that the updated manual has been reviewed by the policy committee.

New Business:
Dick Carney Gas Tax-Dick Carney has asked to be on the agenda to place a 2 cent local gas tax on the ballot in the next election that would be used for infrastructure. Commissioner Kartevold noted that he contacted them but had decided not to attend the meeting. Commissioner Zander stated that this had come up in the past and since then legislature passed HB 473 which raises money for infrastructure. Commissioner Zander presented a spreadsheet he had done noting the increase in revenue from this and the price of gas in Glendive compared to the price of gas in Beach North Dakota. He stated that he felt an additional 2 cent local gas tax would be a hardship on local retailers competing for the gas market and the $15,000 it would raise in taxes would not go very far on road infrastructure and didn’t feel it was worth exploring and penalizing local residents.
Fire Warden Appointment - The commissioners stated that Richie Crisafulli has resigned as WG Fire Chief and the Dawson County Fire Warden. The commissioners intention was to wait until the WG Fire Department appointment a new Fire Chief before appointing a new Fire Warden. Brad Sharbono was appointed to be the WG Fire Chief. Commissioner Zander made a motion to appoint Brad Sharbono as the Dawson County Fire Warden. Commissioner Sharbono recused himself from the vote. Commissioner Kartevold seconded the motion. Commissioner Zander and Kartevold voted in favor of the motion. Motion carried.

Memorandum of Understanding - Military Affairs - A Memorandum of Understanding with the Department of Military Affairs was requested by the Clerk and Recorder for conduction of a cybersecurity assessment. This is at no cost to the county. A motion was made to approve the memorandum of understanding. The motion was seconded. All voted in favor. Motion carried.

Resolution 2019-42 2019 Subdivision Regulation Amendments - The county planner submitted a recommendation for updated subdivision regulations. Changes included an update from legislature with HB 124 for agricultural exemptions. Legislature provides that a parcel of land created by the use of the agriculture exemption can be changed to limited other “public uses” and establishes a procedure to revoke the required agricultural covenant necessary to claim the exemption. Other recommended changes include, replacing rebuttable presumption with review criteria as the standard of examination and road length standards with a separate standard for the road length in urban and rural developments. Commissioner Zander read aloud the information provided regarding the Huft Major Subdivision in Fallon County and recommended solution by splitting road length standards. A motion was made by Commissioner Zander to recommend the adoption of the staff report REGS-19-01 as finding of fact and adopt the described amendments into their respective subdivision regulations with Resolution 2019-42. The motion was seconded. All voted in favor. Motion carried.

Correspondence/Information:
- Treasurer’s cash report - September 30, 2019
- Notice from BLM on expression of interest to sell Federal oil & gas leases on eight parcels within the Miles City Field Office Area. Comments will be received until December 6, 2019.
- Request for support from Healthy Communities Trading Card kids
- DEQ public notice from Rosebud Mine Project. Comments will be received until December 20, 2019.

Public Comment:
Commissioner Zander noted that the period for accepting comment on the Keystone Pipeline Environmental Impact Statement ended yesterday, November 18th.

Meeting adjourned at 5:50 p.m.

DATED this 19th day of November 2019.

________________________________________
Gary Kartevold, Chairman

________________________________________
Dennis Zander, Member

________________________________________
Joe Sharbono, Member

ATTEST: _______________________________________
Shirley A. Kreiman, Clerk & Recorder