

Macque L. Bohlen

022

COMMISSIONERS' PROCEEDINGS

January 30, 2024

Commissioners Scott Miller, Scott Blain, and Bill Bullock, and Administrative Officer Angela Newell were present.

8:30 Pledge of Allegiance.

Closed meeting to discuss HR letters and response.

9:00 Geospatial Information Systems Coordinator / Fire Warden Tom Kohley and Sanitarian Barbara Krizek met regarding the fee schedule revision. Krizek proposed her changes noting she would like to streamline fees and remove fee for programs not being provided including removing the additional cost for additional endorsements as there is no additional time for multiple endorsements. DEQ is no longer reviewing engineering for Pressure Dosing systems. Discussion of after-the-fact permit fees, Krizek would like to double fees for after-the-fact permits. May need to do a hydraulic analysis. Discussion of contracted DEQ reviews via Spry consulting; broke out a tiered schedule based on level of review. For Board of Health variances Krizek proposes removing the inspection Fee. Krizek would propose that Septic repairs fall in the \$200 base fee. Blain is concerned that the permit should not cost more than the fix. Discussion of implementing "shall" issue permit without fees for minor repairs that do not affect the drain field. Kohley discussed the Burn Permit system costs, Address and placard costs, large format printing costs. Newell discussed Group 2 Planning.

Bullock moved to approve revised fees as proposed by Krizek and the removal of cattle guard maintenance; Blain seconded; motion carried.

9:40 Treasurer Lori Lynde, Elanor Guerrero, and Denise Rivette were present. Bullock moved to adopt Resolution 2024-08 Amending the Mill Levy for the State Equalization, County High School Equalization, and County Elementary Equalization Mill Levy Authority for the Fiscal Year Beginning July 1, 2023 and Ending June 30, 2024; Blain seconded; discussion of language for the tax billing insert, Commissioners requested language regarding the additional billing being made at the direction of Governor Gianforte; motion carried.

10:00 Blain moved to approve a letter of support for the BLM ^{trail} ~~trial~~ steward grant application; Miller seconded; motion carried.

Bullock moved to appoint Marni Echols-Bell to the At Large Planning Board position for the remainder of the Term to end 12/31/2024; Blain seconded; motion carried.

COMMISSIONERS' PROCEEDINGS

January 30, 2024 (cont.)

Discussed Bridger member for Compensation Board; Miller is still looking for a member as Christ would like to step down. Discussed the Red Lodge Area Community Foundation's Historic Preservation grant program and a possible representative from the Clarks Fork Valley. Bullock noted he had issued a letter of support from him individually for a Revitalization Grant for the Yodeler Motel.

Blain noted Fromberg's meeting last night regarding the EWP project and Fromberg's required financial commitment for the project; the public was generally in favor of paying for it with a water rate increase.

Bullock moved to approve Commissioners proceedings for January 23; Blain seconded; motion carried.

Bullock moved to approve employee time as submitted; Miller seconded; discussion about the elimination of preapproved non-emergency overtime being effective in reducing overtime; motion carried.

Bullock moved to approve Resolution 2024-09 Adopting Amended Fee Schedule; Blain seconded; motion carried.

Bullock moved to accept Erin Cross' Schedule change request to Tuesday – Friday, 7:00 am – 5:30 pm; Blain seconded; motion carried.

11:00 Department Head Meeting. DES Coordinator Cyrina Allen, Building Maintenance Coordinator Mike Schilz, Public Health Director Erin Cross, GIS Coordinator Tom Kohley, Justice of the Peace Kevin Nichols, Treasurer/Superintendent of Schools Lori Lynde, Extension Agent Carrie Guderjahn, Weed District Coordinator Brian Ostwald, Sheriff Josh McQuillan, Clerk and Recorder Macque Bohleen, Sanitarian Barbara Krizek, County Attorney Alex Nixon, and Human Resource Specialist Kate Asbury were present.

Newell reviewed the status of budget amendments and noted the cash drain from 2022 flood repairs. Asbury reviewed policy changes. Discussion of travel reimbursements and forms added to the policy this summer. Bohleen noted all vendors need a new W9 form each year for each new contract. Asbury noted preparing a binder for each department with policy, work comp procedures, and the Safety Policy. Asbury reviewed training schedules and discussed the rollout of online safety training. Discussed payroll reporting, requested that any schedule changes be presented to the Commissioners for approval, and reviewed the revisions to the Commissioners' administrative procedures specifically agenda procedures. Nichols asked about Cedarwood; Bullock noted that remodel requirements would be extensive and may not provide adequate space.

COMMISSIONERS' PROCEEDINGS

January 30, 2024 (cont.)

Commissioners are still in discussions with architects as they want to make sure the facility will serve the County for the future. Bullock noted the building probably needs to be demolished and have new construction that will meet the County's needs.

Commissioners are looking at grant opportunities to fund the construction and have had discussions of how to phase the project so it is more affordable and what financing options are available. Discussion of subleasing space in the building, Bullock noted he is not inclined to lease beyond the current food bank. Commissioners also noted the \$70k profit on the sale of the Joliet property that had been acquired for the Jail Election.

Kohley asked about remote work and accommodations when on leave. Bullock believes when sick time is used an employee shouldn't be working; Asbury discussed the FMLA Policy which prohibits remote work without a variance. Discussion of public nature of work and the expectation of the public that employees are present; Commissioners expressed concerns about remote work being used as a fallback and possible liability exposure. Commissioners noted their expectation is that employees perform their work on-site and that there is a discussion about remote work and overtime in advance of the event. Discussion of payroll records and notifications for sick leave when email is not available.

Krizek asked about schedule changes for larger breaks; Commissioners confirmed that it was their intent to tighten up schedules and reduce schedule flexing that is not to prevent overtime due to a work function.

12:00 Those that did not have any issues or questions regarding leave requests and time tracking policies departed.

Krizek and Kohley stayed to discuss scheduling and adherence to policy. Krizek does not believe policy should be uniform for all department heads under the Commissioners' supervision as their job functions differ greatly. Commissioners clarified that the Board has supervision over non-elected department heads and needs to have oversight of those employees so they know when there are deviations and that this need does not differ on a department by department basis. Bullock noted the County has been in response mode and need to establish a sense of normal schedules and work expectations. Discussion of leave liability, overtime allocations between various departments. Commissioners noted they do not desire to allow schedule changes to augment the use of leave as a regular practice.

12:30 Lunch

COMMISSIONERS' PROCEEDINGS

January 30, 2024 (cont.)

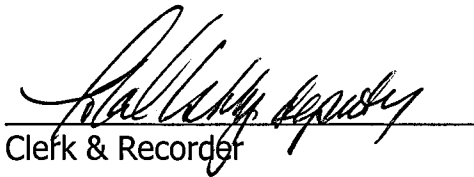
1:00 Tyler Lindbloom, Brent Moore, and Disaster and Emergency Services (DES) Coordinator Cyrina Allen met to discuss 2023 flood recovery and recent site inspections on Cherry Springs, Grove Creek, Pryor Road, and Elbow Creek Road. Discussed challenges with existing hydraulic modeling and the changes following the Robertson Draw Fire.

2:00 Commissioners and Allen Discussed the FEMA process and feedback for Allen to bring to the conference this spring. Discussed the National Flood Insurance Policy and the cost of Flood Insurance vs FEMA reimbursement for individuals.

2:30 Geospatial Information Systems Coordinator / Fire Warden Tom Kohley noted he would like to hold a Home Hardening Workshop for properties in the Wildland Urban Interface (WUI) and would like to apply for funding through Fire Adapted Montana Learning Network to help support the workshop. The Grant requires a 2 to 1 match. Kohley anticipates using burn permit fees to match the grant. Bullock moved to approve the grant application with a request that if the grant is awarded, contract documents be placed on the agenda; Blain seconded; motion carried.

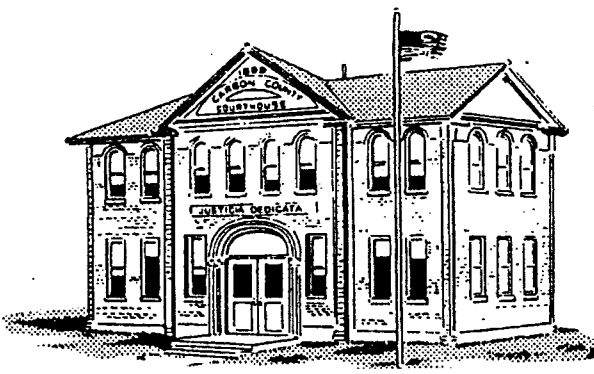
Adjourned.

ATTEST:


Clerk & Recorder


Commission Presiding Officer

Respectfully submitted: Angela Newell, Administrative Officer



BOARD of COMMISSIONERS

COUNTY OF CARBON • STATE OF MONTANA

Post Office Box 887
Red Lodge, MT 59068

Phone: (406) 446-1595
Fax: (406) 446-2640

RESOLUTION NO. 2024-08

A RESOLUTION AMENDING THE MILL LEVY FOR THE STATE EQUALIZATION, COUNTY HIGH SCHOOL EQUALIZATION AND COUNTY ELEMENTARY EQUALIZATION MILL LEVY AUTHORITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024

WHEREAS, the Department of Revenue has indicated the number of mills that the board of county commissioners shall levy upon all property in the state and has determined that the ad valorem tax for Fiscal Year 2024 for the State Equalization Aid is 40.00 mills, the County Elementary Equalization Levy is 33.00 mills, and the High School Equalization Levy is 22.00 mills; and,

WHEREAS, Section 15-10-420(8), MCA states the department shall calculate, on a statewide basis, the number of mills to be imposed for purposes of 15-10-109, 20-9-331, 20-9-333, 20-9-360, and 20-25-439. However, the number of mills calculated by the department may not exceed the mill levy limits established in those sections. The mill calculation must be established in tenths of mills. If the mill levy calculation does not result in an even tenth of a mill, then the calculation must be rounded up to the nearest tenth of a mill; and,

WHEREAS, the Montana Department of Revenue performed the calculation under 15-10-420, MCA, and reported that the levy authority for FY2024 is 77.89 mills; and

WHEREAS, the Montana Supreme Court issued an Order stating that the Department of Revenue may continue to determine statewide mills by carrying forward any mills exceeding the cap in one year and require counties to apply those mills to reach the cap; and

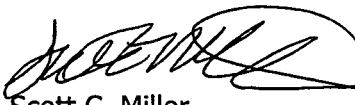
WHEREAS, the Department of Revenue under the direction of the Governor's Budget Office and Governor Gianforte is directing the County to levy extra mills they hold in reserve to generate additional revenue from property taxpayers in Montana; and


WHEREAS, The Board of County Commissioners must modify the levy to comply with the court order of the Montana Supreme Court and to comply with the State of Montana/Department of Revenue's adjust the second half of taxes to request to levy the statewide mills as determined by the Department of Revenue.

NOW THEREFORE BE IT RESOLVED by the Carbon County Board of County Commissioners that an additional 17.1 additional mills must be fixed for the State Equalization Aid Levy for a total of 95 mills, as determined by the Montana Department of Revenue, for Fiscal Year 2024 are hereby fixed.

PASSED AND ADOPTED this 30th day of January, 2024.


Carbon County Commissioners


Scott C. Miller
Commissioner Dist. #1

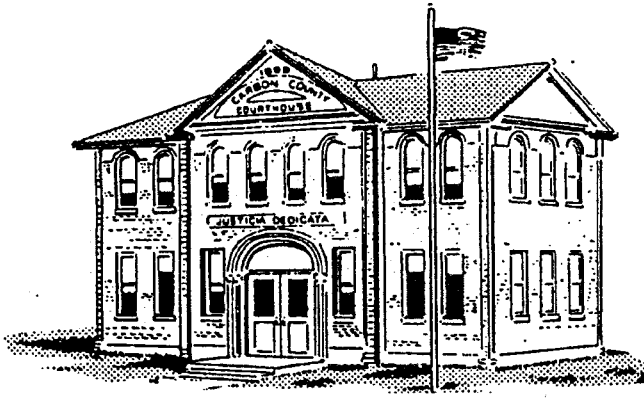

Scott Blain
Commissioner Dist. #2


Bill E Bullock
Commissioner Dist. #3

ATTEST


Macque L. Bohleen, Clerk and Recorder

RESOLUTION 2024-08 - A RESOLUTION AMENDING FIXING THE MILL LEVY FOR THE STATE EQUALIZATION, COUNTY HIGH SCHOOL EQUALIZATION AND COUNTY ELEMENTARY EQUALIZATION MILL LEVY AUTHORITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024



BOARD of COMMISSIONERS

COUNTY OF CARBON • STATE OF MONTANA

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RESOLUTION 2024-09 ADOPT AMENDED FEE SCHEDULE

WHEREAS, Montana Law provides for the establishment of reasonable fees to defray the costs associated with development activity; and

WHEREAS, the County Commissioners believe that persons submitting development applications should defray some of the costs associated with the review of said applications; and

WHEREAS, the Carbon County Sheriff has set Civil Process Fees to defray the costs of offering those services; and

WHEREAS, Carbon County has set fees associated with Large Group Ordinance applications to defray the costs to the County of supporting Large Group Functions; and

WHEREAS, on January 30, 2024 the County Commissioners held a duly noticed public meeting on the proposed fee schedule for development activities in Carbon County.

NOW THEREFORE, in order to promote the public health, safety and general welfare of Carbon County, the Carbon County Commissioners hereby adopts the fees as set forth in Exhibit A attached hereto and incorporated herein for the purpose of defraying the costs associated with development activities and civil process services in the County.

NOW THEREFORE BE IT FURTHER RESOLVED, that previous fee schedule resolutions including Resolution 1994-1 and Resolution 2022-20 are hereby rescinded.

Dated this January 30, 2024.

Carbon County Commissioners

Scott C. Miller
Commissioner Dist. #1

Scott Blain
Commissioner Dist. #2

Bill E. Bullock
Commissioner Dist. #3

ATTEST:

Macque Bohlen, Clerk and Recorder

CARBON COUNTY FEE SCHEDULE
P.O. Box 887, Red Lodge, Montana 59068
(406) 446-1595 | Fax (406) 446-2640

PLANNING 406-896-6286

Development Permit Group 1:	\$ 50.00	after the fact: \$100.00
Group 2:	\$150.00	after the fact: \$300.00
Conditional Use:	\$850.00	after the fact: \$1,700.00
Variance:	\$250.00	after the fact: \$500.00
Minor Subdivision:	\$800.00 plus \$100.00 per Lot	
Major Subdivision:	\$1500.00 plus \$100.00 per Lot	
Plat Review Fee (Final):	\$250.00 plus (*)	after the fact: \$500.00
Plat Review Fee (Amended):	\$250.00 plus (*)	after the fact: \$500.00
Plat Review Fee (Exempt COS):	\$200.00	after the fact: \$400.00
Subdivision Design Standard Variance:	\$100.00	after the fact: \$200.00
Subdivision Fire Inspection:	\$100.00 per Lot	after the fact: \$200.00

WEED 406-962-3967

Weed Inspection Fees:	\$150.00 1-10 acres
	\$300.00 11-50 acres
	\$450.00 51 acres and over
Weed Bond Fee:	\$100.00/acre/year for three years.
	<i>An additional \$25.00/acre for each acre where noxious weeds are present.</i>

** Plus fees - Consultant fee may include, engineering review of public improvements, examining land surveyor, legal review of other professional fees as required and certified mail required.*

ENVIRONMENTAL HEALTH / SANITARIAN 406-446-1694

Corrective Action Plan/Compliance Fee:	\$90.00
Cottage Food Operation Registration:	\$40.00
Food Establishment Plan Review:	See Attached
Sanitarian Review:	See Attached
Septic Permit Copy	\$5.00
Temporary Food Service Permit:	\$85 per year (1-2 Emp) \$115 per year (> 2 Emp)

FLOODPLAIN 406-932-5470

Floodplain Permit:	\$50.00	after the fact: \$100.00
Floodplain Permit Variance Application:	\$250.00	

NOTE: All encroachments, road cut, and approach permit applications for commercial locations or installed by a commercial contractor, must include copy of contractor's liability and worker's compensation insurance with a minimum \$1,000,000 per occurrence coverage.

CARBON COUNTY ENVIRONMENTAL HEALTH
17 West 11th St.
PO Box 466
Red Lodge, Montana 59068
(406) 446-1694

ENVIRONMENTAL HEALTH DEPARTMENT
PLAN REVIEW & INSPECTION FEES
FOR STATE-LICENSED ESTABLISHMENTS

Revised January 30, 2024

Retail and Wholesale Food	
Small (2 or less employees/shift) - Retail/Manufacturing	\$ 180
Large (>2 employees/shift) - Retail/Manufacturing	\$ 250
Pushcart	\$ 90
Public Accommodations	
< 10 rooms (Most Short-Term Rentals)	\$ 150
10-25 rooms	\$ 250
> 25 rooms	\$ 350
Trailer Courts/ Campgrounds	
< 10 spaces	\$ 150
10-25 spaces	\$ 250
> 25 spaces	\$ 350

***Note: All Licensed Establishments require a separate MT DPHHS Environmental Health and Food Safety License. Fee set by Montana Statute ***

Other Fees	
Compliance Inspection/Corrective Action Plan	\$ 90
Cottage Food Operation Registration	\$ 40
Temporary Food Service Permit	\$ 85 per year (1-2 Emp)
	\$ 115 per year (> 2 Emp)

CARBON COUNTY ADMINISTRATION
17 West 11th St.,
PO Box 887
Red Lodge, Montana 59068
(406) 446-1595

Large Group Ordinance Applications

Application Fee: \$500 Minimum
\$1,500 Maximum
\$100 per five hundred (500) people without alcohol
\$150 per five hundred (500) people with alcohol

Weed Inspection Fee: \$250

Sheriff Additional Staff: \$30/hr per additional deputy or dispatcher required

CARBON COUNTY SHERIFF
102 N. Broadway
PO Box 230
Red Lodge, Montana 59068
(406) 446-1595



CARBON COUNTY SHERIFF

Josh McCullum, Sheriff / Coroner
Jeff Schmale, Undersheriff

102 Broadway Ave N / P.O. Box 230
Red Lodge, Montana 59068
(406) 446-1595 Fax (406) 446-1239

REQUEST FOR COPIES

Please fill out this form to obtain a copy of a law enforcement report. There is a non-refundable charge of \$5 to provide the search and up to four (4) pages; additional pages are \$.50 each. \$5 needs to be included with this form. If there are additional fees, you will be advised. If the requested report is considered confidential in nature, it requires a different type of request, procedure, cost, and longer waiting period. If you are not sure, please ask!

ONLY COMPLAINANT/VICTIM OR AN AUTHORIZED REPRESENTATIVE IS ENTITLED TO RECEIVE COPIES. REPRESENTATIVE MUST INCLUDE COPY OF SIGNED WAIVER OR RELEASE FROM CLIENT.

TODAY'S DATE: _____ NAME: _____

RELATIONSHIP (VICTIM/COMPLAINANT, INSURANCE AGENT, ATTORNEY, ETC.): _____

MAILING ADDRESS: _____

HOME PHONE: _____ CELL PHONE: _____

INCIDENT: (check one) _____ CASE NUMBER _____
 _____ Accident _____ Damaged property
 _____ Theft _____ Other (Explain) _____

REPORTED BY: _____

DATE REPORTED: _____

LOCATION OF INCIDENT: _____

HAVE YOU APPEARED BEFORE A JUDGE REGARDING THIS INCIDENT OR OFFENSE: YES NO

Check one: Please mail to address above.
 Please email to _____
 Please fax to _____

Records Custodian: _____ Release Date: _____

Paid cash _____ check _____