

108

COMMISSIONERS' PROCEEDINGS

June 13, 2024

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

8:30 Pledge of Allegiance.

Miller and Blain attended the Montana Association of Counties (MACo) District meeting in Winnetta yesterday; no Carbon County-specific business was discussed. MACo noted that in the next legislative session, they intend to do less negotiating with legislators and will support or oppose bills based on policy.

Commissioners discussed the failures of environmentally friendly embankment stabilization measures required by permitting agencies for 2022 flood repairs on Rock Creek and East Rosebud. Miller noted on the Clarks Fork where the water is slower it works well. Commissioners expressed their frustrations with the politics involved in the stream permitting process.

Public Health Director Erin Cross met with Commissioners. Bullock moved to approve the Carseat Recipient Agreement with the Montana Department of Transportation; Blain seconded; motion carried.

Commissioners continued the discussion on flood recovery permitting through the Conservation District. They noted that the appears to be favoritism/nepotism on projects approved by Stillwater Conservation District.

Commissioners discussed increasing the cost of dust control more significantly for those who turn in their forms and payments after the deadline.

9:00 Sanitarian Jesse Gutierrez and Administrator Lori Kane met for an Environmental Health Department update. Gutierrez reviewed the written report (attached). Bullock expressed concerns about the County weighing in on complaints related to construction in the 7D Subdivision related to the removal of topsoil. Bullock informed Gutierrez regarding complaints about the fur company in Bridger leaving carcasses on the property.

9:23 Blain moved to recess until 10:00 as Mayor Westwood will not be available for the 9:30 meeting; Bullock seconded; motion carried.

10:00 Contract Civil Attorney Jacque Papez met to discuss Matriarch, Bennette, and Windstream litigation; Bullock moved to close; Blain seconded; motion carried.

10:06 Deputy County Attorney Robert Spoja joined the meeting.

COMMISSIONERS' PROCEEDINGS

June 13, 2024 (cont.)

10:19 Meeting reopened.

10:20 Human Resources Specialist Kate Asbury joined the meeting. Bullock moved to close the meeting for Human Resources discussion; Blain seconded; motion carried.

10:27 Meeting reopened

Commissioners discussed ongoing issues with the previous manager of the Conservation District and frustrations with the Administration of EWP Projects by the Stillwater Conservation District.

10:35 Human Resource Specialist Kate Asbury met for a Preliminary Budget meeting. Asbury discussed advertising costs for positions. Newell requested to increase Asbury's wage to 85% to keep her parallel with other staff with high-level responsibilities. Discussed the Safety/Loss Control Budget and central service expenses currently housed under the County Building budget.

10:47 Meeting recessed until the next agenda item at 11:00.

11:00 Clerk and Recorder Macque Bohleen met for her Preliminary Budget meeting. Bohleen and the Commissioners discussed staffing levels for the office with the administrative restructuring and creation of a Finance Department.

With no objections, Miller recessed the meeting until the next agenda item.

11:30 Miller Montana Ranch Subdivision. Contract Planner Forrest Mandeville, Clerk and Recorder Macque Bohleen, Kate Stout Red Lodge Surveying, Robyn Miller, Steve Miller, and Charles Sallade of Sallade Custom Homes were in attendance. Bullock noted in attendance at the Planning Board meeting and that he will recuse himself from the decision. There was a brief discussion of some procedural questions and Roberts Rules of Order. Mandeville reviewed the Planning Boards recommendation for denial and the variance request related to driveway length. Blain having reviewed and considered the application materials, project memorandum, and all of the information presented, moved to approve the Miller Montana Subdivision, final plat; Miller seconded. Commissioner discussion ensued regarding the Subdivision's inclusion in a Herd District but adjacent to open range, and the limited feed available on the parcel which prevents it from supporting significant cattle grazing. Mandeville discussed complaints regarding the existing buildings on the property, noting that an agricultural covenant does not protect a piece of property from having house in perpetuity. Blain noted grazing benefits for fire protection and rangeland management.

COMMISSIONERS' PROCEEDINGS

June 13, 2024 (cont.)

Miller confirmed he is not related to the property owner or developer. Both Miller and Blain emphasized property rights. Discussion of agricultural buildings or structures that do not require water and sewer; Mandeville noted agricultural buildings are not restricted by the covenant and are not regulated by zoning. Discussion the condition of the cattleguard; Sallade noted open range requirements to fence out. Blain moved to amend the conditions of approval to remove condition #1 for placement of a cattle guard on Selms Road and to amend findings to exclude the section regarding the subdivision's impacts on agriculture; Miller seconded; Blain asked if there was any history of requirements for cattleguards and danger to horses; motion carried. Miller opened to Public Comment; none. Motion carried.

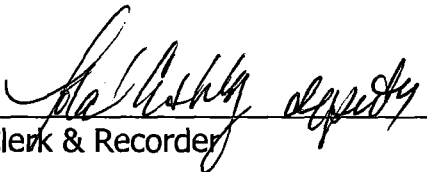
Bullock moved to approve Treasurer hiring authorization to backfill staff due to retirement; Blain seconded; motion carried.

12:18 Recess until 1:00

1:05 Geospatial Information Systems Coordinator / Fire Warden Tom Kohley, Deputy Clerk and Recorder/Elections Administrator Crystal Roascio, Bob Cochran, and Megan Burns from the State met to discuss Next Generation 911 and the associated Administrative Boundaries. Kohley and Roascio noted the potential alteration of Wards in the City of Red Lodge to account for population changes. 1:11 Brent Moore joined the meeting.

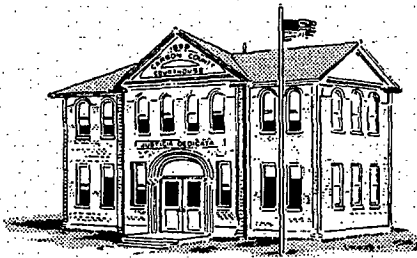
1:30 Moore and Commissioners discussed the Montana Community Reinvestment Plan Act (HB 819) and State funding that is available for housing. Discussion of workforce vs. low-income/affordable housing and the creation of a Community Reinvestment Organization.

ATTEST:


Clerk & Recorder


Commission Presiding Officer

Respectfully submitted: Angela Newell, Administrative Officer



COUNTY OF CARBON ~ STATE OF MONTANA

ENVIRONMENTAL HEALTH DEPARTMENT

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MONTHLY RE-CAP JUNE 13, 2024

ENVIRONMENTAL/ON-SITE WASTEWATER

- 39% greater volume of Septic Applications (2023 YTD = 36 applications; 2024 YTD = 50 applications).
- Mutual aid (backup) agreement with Big Horn County (Spry) provided to Newell for coordination/approval

EMERGENCY PREPAREDNESS/RESPONSE

- June 2022 Flood: East Rosebud Lake Association issues: Awaiting Ground Water Monitoring proposal.
- Bridger Train De-Railment: Clean-up and well monitoring in progress until remediated. BNSF/DEQ Regular Update forwarded to Commissioners' email.

LICENSED ESTABLISHMENTS (DPHHS)

- Goal: 15 non-Short Term Rental (STRs) inspections per month for end of October completion (ie "90%"+).
 - ON TARGET: 80 non-STRs completed through May (16 in May); 16 STRs inspected through Apr. (4 in May)

COMPLAINTS:

- OLD: Lonesome Spur Dude Ranch new wedding venue (Group-2/Septic) Family Transfer Plat needing Sanitary issues resolved; Boyd RV sites ("subdivision"); 12 Palisades Path reported by Contractor; Castaway (Planning); Vargas (Septic); 7D Draper Subdivision Lots 7-8 re: DEQ COSA Compliance (property owner Croell, Inc) with DEQ issuing violation notice; Illegal Tattoo Parlor in McCampbell.
- NEW: NONE

MISC:

- Krizek/Gutierrez awarded full scholarships to attend National Environmental Health Conference in Pittsburgh July 14-18; Engineering West currently slated as back-up for inspections.
- Krizek accepted as Mentee to MEHA Registered Sanitarian Mentorship Program
- Budget: For FY 25 will be proposing to advertise for Permanent Part-Time (16 hours) Clerk
- Leave: Gutierrez June 14; Krizek June 12-13, FMLA June 24-27
- Additional Projects (In order of priority. Would require overtime or additional staffing to accomplish):
 - Sanitarian Cross-training: Cross-train Krizek for Licensed Establishment protocols/inspections; Cross-train Gutierrez for Plat and Certificate of Survey Routing slips (DEQ Exclusions)
 - Carbon County Wastewater Regs Update (current edition = 2019). Revised goal = January BOH meeting
 - Reconcile ImageSilo discrepancies (unscanned DEQ COSAS; incomplete scans of COSAs). **SALLY BIRKELO**
 - Follow-up on Compliance issues/complaints
 - Ground Water Monitoring geographical/historical GIS layer of inventory over time
 - Site Evaluator qualifying criteria/test
 - GIS layer of septic systems (start with 2021 on...) linked to permit information