

Doc # 402479 Fee: \$0.00

Commissioners Minutes

Macque L. Bohleen, Clerk & Recorder, Carbon County, MT

Recorded 1/30/2025, At 2:11 PM

By Macque L. Bohleen

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COMMISSIONERS' PROCEEDINGS

January 9, 2025

Commissioners Scott Blain, and Bill Bullock, Deputy Clerk Katrina Kruger and Administrative Officer Angela Newell were present.

8:30 Pledge of Allegiance.

8:35 Public Comment. Commissioner Scott Miller was absent due to travel to Great Falls. Seeing no public comment, Presiding Officer Scott Blain recessed the meeting until the next agenda item. Presiding Officer Scott Blain re-opened the meeting as DES Coordinator Cyrina Allen joined to discuss grant matters in regard to the North Tuttle Lane Bridge. The bridge was destroyed by flooding in 2022. Allen has been investigating additional options for funding, since the FEMA Mitigation Program grants move slowly. Allen reported there have been no updates from the Mitigation Application in September of 2023. Allen has identified two available national grants, and noted the State of Montana is able to provide grant consultant services at no cost to the County. The applications are very detailed and require a significant amount of information. Discussion was held regarding the cost and time obligations of preparing the grant applications and the scope of work required for replacing the North Tuttle Lane Bridge. Newell suggested hiring someone to assist with grant management and grant writing. Discussion was held regarding contracting with an outside company with Federal Grant Writing experience. Blain suggested Allen contact outside firms to see if they believe the North Tuttle Bridge project would be competitive in the grant process before moving forward. Bullock suggested including additional projects in the grant applications. Allen advised she will investigate options further and report back. Allen left the meeting.

9:00 Employee Time Status Review.

Annual Resolutions Review. Newell presented resolutions for review. Commissioners discussed County office hours and remote work. Newell advised the County has no policy regarding remote work. Conversation was held regarding statutory requirements for office hours and the legal ramifications of non-compliance for elected offices. Newell advised a public hearing should be held regarding any changes to office hours and can schedule a hearing within the next three weeks. Newell presented the resolution for reimbursement rates for mileage and per diem travel rates. All requests for out of state travel and requests for reimbursement for hotel rates above the State Rate must come before the Commission. Blain suggested reimbursements of hotel rates in excess of 125 percent of the State Rate should come before the Commission for approval. Newell inquired about whether a fleet vehicle should be available for work-related travel. Discussion was held regarding personal use of County vehicles.

COMMISSIONERS' PROCEEDINGS

January 9, 2025 (cont.)

Newell advised the current policy allows for di minimis use of a Carbon County vehicle for personal use. Discussion was held regarding accessibility and exposure when utilizing a County-owned vehicle. Newell will update resolutions and will place them on a future agenda. Bullock moved to appoint Commissioner Blain as Presiding Officer for 2025 and Bullock as the backup Presiding Officer. Blain seconded. Motion carried.

9:30 City of Red Lodge. Mayor Dave Westwood joined the meeting to discuss City of Red Lodge matters. Westwood spoke with the Airport Consultant regarding the airport, zoning, interlocal agreement and is hoping to have the interlocal agreement done within a week. Westwood raised a question regarding combining efforts for prosecutorial services between the City of Red Lodge and the County. Discussion was held regarding historic approaches and concerns. Commissioners advised Westwood to reach out to County Attorney Nixon to see if he would entertain the combination of services. Westwood advised there are community development efforts to re-visit zoning regulations. He mentioned uses of some properties within the City are not in compliance with current zoning regulations. Presiding Officer Scott Blain adjourned the meeting until the next agenda item.

10:10 County Attorney Alex Nixon joined the meeting. Bullock and Blain raised concerns regarding the possibility of "urban camping" or unauthorized camping in public right of ways. Nixon suggested the enforcement of existing ordinances. Blain asked if there were ordinances to enforce. Nixon advised no parking designations would limit most issues regarding urban camping. Concerns were raised about unauthorized camping in plowing and turnaround areas. Blain inquired whether Nixon had reviewed the lawsuit between the State Board of Corrections and Flathead County Board of Adjustments regarding Flathead County's denial of the conversion of a hotel to a corrections facility. Discussion was held regarding an email from Stillwater County Conservation District stating they will continue making inspections in the Fromberg area. Questions were raised about whether the Stillwater Conservation District has any authority to do so as Carbon County has its own District Administrator. Nixon will reach out to the Stillwater County Conservation District to discuss. Newell suggested a discussion regarding office space for Child and Family Services and Youth Court. There is seldom anyone staffing those offices and the space could be utilized by the County. Bullock began discussion regarding the Office Hours resolution and removing remote work and flexing schedules. Nixon noted offices receiving customers and receipting monies are different than other types of County offices.

COMMISSIONERS' PROCEEDINGS

January 9, 2025 (cont.)

Montana Department of Justice – Motor Vehicle Division Lease. The Montana Department of Justice – Motor Vehicle Division Lease is up for renewal and currently no lease payment is being assessed. Newell advised MVD is paying \$12/sq foot in Beaverhead County. Nixon advised consulting with the Department of Revenue to inquire about the rate being paid for their lease in the McCampbell Building. The Commissioners advised Nixon that Mayor Westwood would be in contact to discuss combining prosecutorial services with the City of Red Lodge.

Bullock moved to approve Resolution 2025-01 Establishing the 2025 Fire Season and Related Burn Permits and Fees for Carbon County, Montana, Blain seconded. Motion carried.

10:48 Bullock moved to approve the Consent Agenda consisting of Carbon County Justice Court Bank Reconciliation Report for December 2024, Blain seconded. Presiding Officer Blain recessed the meeting.

11:00 Safety Committee Meeting. Commissioner Scott Blain, Commissioner Bill Bullock, Administrative Officer Angela Newell, and Committee Members Erin Cross, Cyrina Allen, Amanda Dove, Leah Niemi and Kate Asbury were in attendance.

12:00 Board of Health Meeting. Commissioner Scott Blain, Commissioner Bill Bullock, Administrative Officer Angela Newell, Sanitarian Barbara Krizek, DES Coordinator Cyrina Allen, Public Health Director Erin Cross, and Board Members Richard Nolan, Stacie Warehime, and Becky Frank were in attendance.

12:45 Scott Miller adjourned the meeting until Tuesday, January 14, 2025.

ATTEST:

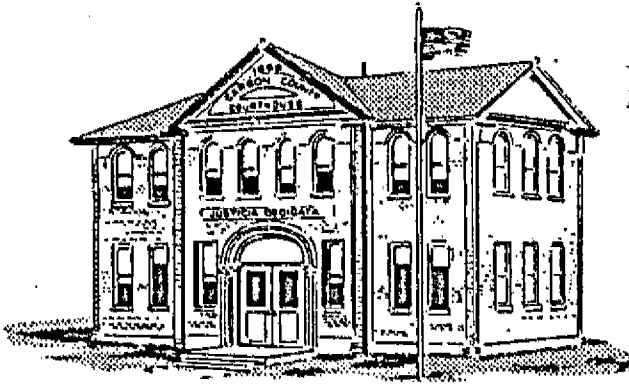


Margaret Behlen
Clerk & Recorder



Commission Presiding Officer

Respectfully submitted: Deputy Clerk, Katrina Kruger



BOARD of COMMISSIONERS

COUNTY OF CARBON • STATE OF MONTANA

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RESOLUTION 2025-01

A RESOLUTION ESTABLISHING THE 2025 FIRE SEASON AND RELATED BURN PERMITS AND FEES FOR CARBON COUNTY, MONTANA

WHEREAS, Section 7-33-2205, MCA, provides that the county governing body may, at its discretion, establish fire seasons annually, during which time no person may ignite or set a fire, slash-burning fire, debris-burning fire, or open fire within the Carbon County fire protection areas on any forest, range, or croplands without having obtained an official written permit to ignite or set such fire from the recognized protection agency for that protection area, excluding Forest Service Affidavit lands which will require a Forest Service issued permit; and

WHEREAS, Section 7-33-2206, MCA, provides that any person who ignites or sets any forest fire, slash-burning fire, land-clearing fire, debris-burning fire, or open fire within any forest, range, or croplands during the fire season without first having obtained a written permit to ignite or set such fire is guilty of a misdemeanor punishable by a fine not to exceed \$500 or be imprisoned in the county jail for any term not to exceed six (6) months, or both; and

WHEREAS, Carbon County incurs outside costs to maintain and enhance a web-based burn permit service; and

WHEREAS, Section 2-17-1101, MCA through 2-17-1103, MCA (Montana Electronic Government Services Act) and Section 7-5-2101, MCA and 7-5-2102, MCA authorizes the Board of County Commissioners (BOCC) to charge fees to recover costs associated with electronic government and business; and

WHEREAS, 7-33-2203, MCA authorizes the BOCC to appoint a county official who in the opinion of the BOCC is best qualified to perform the duties of the office of County Rural Fire Chief; and

WHEREAS, the Carbon County Fire Warden is appointed the County Rural Fire Chief; and

WHEREAS, the primary responsibility of the County Rural Fire Chief will be to order the temporary closure of the burn season for the entire county or by fire district in the event of extreme fire conditions, and

WHEREAS, the burn permit must be activated by calling (888) 835-2221 or by using the Website, <https://carboncounty.burnpermits.com>

NOW, THEREFORE, BE IT RESOLVED, the Carbon County Board of Commissioners establish the Annual Fire Season as the period from January 1, 2025 through December 31, 2025. A person must obtain and activate a burn permit online at <https://carboncounty.burnpermits.com> or by calling (888) 835-2221, or in person at one of the designated walk-in sites in the County, before igniting any fire.

BE IT FURTHER RESOLVED, the Carbon County Fire Chief may issue a burn ban anytime the National Weather Service issues a Fire Weather Warning, Red Flag Warning, Rangeland Fire Statement, Fire Weather Watch, High Wind Warning, High Wind Watch, or Wind Advisory or if winds are predicted to adversely affect burning in the County.

BE IT FURTHER RESOLVED, the annual cost to obtain or renew a burn permit is \$5.00 (Five Dollars and Zero Cents) to offset the cost of permitting, any surplus funds will be used for advertising permit renewals and fire education. The permit may be used multiple times during the Fire Season for all properties listed on the permit.

BE IT FURTHER RESOLVED, the effective date of this resolution is January 1, 2025.

DATED this 9th day of January, 2025.

Carbon County Commissioners

Scott C. Miller
Commissioner Dist. #1


Scott Blain
Commissioner Dist. #2


Bill E Bullock
Commissioner Dist. #3

ATTEST


Macque L. Bohlen, Clerk and Recorder

RESOLUTION 2025-1: A RESOLUTION ESTABLISHING THE 2025 FIRE SEASON AND RELATED BURN PERMITS AND FEES FOR CARBON COUNTY, MONTANA