

Prairie County Board of Commissioners

December 20, 2021

Prairie County Board of Commissioners Todd Devlin, Christine Keltner and Deanna Bockness met in regular session at 9 a.m. In attendance were Road Supervisor Todd Henry, Jackson & Tracy Dion, William (Bill) Dolatta, Aaron Martinson, and Sheriff Keiffer Lewis.

Mr. Jackson Dion reported on livestock panels placed across Pump House Road since April or May 2021. The panels have been difficult for the Buffalo Rapids Irrigation crew and public to move or open and the panels pose a safety concern for motorists who are unaware of their presence blocking the road.

Discussion held on the possibility of moving a cattleguard and cost of establishment of a new cattleguard. Road Supervisor Henry reported total cost of approximately \$4000 for a 24-foot cattleguard. The landowner/landowners are responsible for purchase of a new cattleguard. Fencing options and land ownership were discussed.

Tracy and Jackson Dion and Bill Dolatta requested their protest of moving the current cattleguards be on record.

Sheriff Lewis discussed Montana Code Annotated 7-14-2135 notice to remove encroachments and legal actions that can be taken.

9:50 a.m. County Attorney Dan Rice joined meeting and was requested to prepare a Road Encroachment letter to be presented to the landowner.

10:00 a.m. Discussion of Montana Department of Administration significant audit findings. In attendance were Clerk & Recorder Shari Robertson, Treasurer Noell Martinson, County Attorney Dan Rice. Per telephone were Montana Association of County Executive Director Eric Bryson, Deputy Director Jason Rittal, General Counsel Karen Alley and McKenzie McCarthy.

Discussion held on audit findings 2020-001 unreconciled cash difference and 2020-005 reconciliation of ambulance activity. Montana Code Annotated 2-7-515(3) failure to resolve findings or to implement corrective measures must result in the withholding of financial assistance in accordance with rules adopted by the Department of Administration pending on resolution or compliance.

Current unreconciled cash difference in the cash reconciliations and the general ledger account from 2016 forward is \$14,000, prior to current Clerk's and Treasurer's terms. and have been an accumulation of accounting errors as there has been no indication of impropriety. MACO Deputy Director Jason Rittal suggested reaching out to the auditor to reconcile the accounts by resolution at public meeting.

Clerk & Recorder Shari Robertson reported the ambulance account has been reconciled, accurate and balanced. The Corrective Action Plan will be amended with review from the Montana Association of County personnel.

10:30 a.m. Discussion held on ArcaSearch digital archiving proposals for records 1884 through 2003. The Commissioners requested Clerk & Recorder Robertson to seek a new proposal that includes deeds, water rights, road petition, and land plats, but not the mortgages or register of candidates. Mr. Fox will be at the courthouse on January 3, 2022, and will have proposal for the January 5, 2022, Commissioner meeting.

Commissioners reviewed the December 20, 2021, claims and signed warrants in the amount of \$17,817.34. Commissioners reviewed claims from December 8, 2021, in the amount of \$25,677.45.

Correspondence: Eastern Plains Economic Development Annual Meeting January 19, 2022, in Glendive Montana.

Correspondence: Title Release for Schedule #9134900 the 2017 Ford F-150 with Police Equipment from Ford Credit's Municipal Finance Program.

11:00 a.m. County Attorney Dan Rice requested for opinion to whether the county can donate funds to the newly formed AAU wrestling club in Terry.

Resolution No. 22-12 A Resolution Approving Prairie County's Participation in the Montana Distributors' and Janssen Opioids Settlement and Designating Authorized Official. Prairie County will participate in the settlement pursued by the Montana Attorney General. County Attorney Dan Rice shall be authorized to execute the agreements on behalf of Prairie County. Commissioner Keltner made a motion to pass and adopt Resolution 22-12. Motion seconded by Commissioner Devlin. All in favor, motion carried.

11:20 a.m. Reviewed petition for permit for excavation across county property from Kim Anderson on Hatchet Creek Loop for T13N, Range 53E, Section 20, NW ¼ of SW ¼. Call placed to Road Supervisor Todd Henry to discuss permit. Commissioner Keltner made a motion to approve petition, motion seconded by Commissioner Devlin, all in favor, motion passed. Deposit has been placed with Clerk & Records office.

11:30 a.m. Commissioner Bockness made a motion to accept the December 2021 Treasurer's Investment in the amount of \$3,132,787.79. Motion seconded by Commissioner Keltner. All in favor, motion carried.

Area I Agency on Aging Addendum #01 to Service Contract #2022-001-01 with Prairie County for American Rescue Plan Act funds of \$25,108 allocated to county with required match of 15% for Titles IIIB, IIIC1, IIIC2, and 25% match for Title IIIE, Title IIID requires no match. Commissioner Keltner made a motion for Chair Devlin to sign addendum. Motion seconded by Commissioner Devlin, all in favor, motion passed.

Commissioner Keltner made a motion to accept the November 30, 2021, minutes as read. Motion seconded by Commissioner Bockness. All in favor, motion carried.

Commissioners received call from Jody Haidle reporting on the holiday food boxes with thirty-three total which included nine families.

12:00 noon Commissioners Devlin, Keltner, and Bockness attended the Board of Health meeting in the courtroom. In attendance were Health officer Samuel Mintz, Provider Laura Furham, Ambulance Jennifer Grey Eagle, County Attorney Dan Rice, County Health Nurse Tylene Eaton. Discussion centered around the Covid 19 Pandemic Plan and county updates.

1:00 p.m. Transportation Committee on future van transportation options. In attendance were Hospital Administrator Burt Keltner, Hospital CFO Lori Chandler, County Health Nurse Tylene Eaton, Public Lance Kalfell. Discussed issues with conflict of use between the County and the Hospital and liability issues if personnel take private vehicle to transport if more than one party requires van at the same time. The current state contract with van ends June 2023 with deliverables due every 3 months. Hospital Administrator Burt Keltner will investigate hospital vehicle trade-in and grant funding for a hospital van.

1:30 p.m. AAU Wrestling Program funding. In attendance were Lance Kalfell, Marshall, Megan, Renee, and Lawson Pirtz.

Lance Kalfell presented a summary of expenditures from the AAU grants from the Prairie County Economic Development Board after the former AAU Wrestling club had distributed to other nonprofit or government organizations.

Commissioner Devlin read County Attorney Dan Rice's opinion which noted that the newly formed AAU club is not the same legal entity that donated funds previously, and the funds which were donated were not a loan or repayable obligation. Additionally, there is no legal basis for a local government entity to donate public funds to private organizations to include nonprofit organizations regardless of the source of those public funds. As such, it would be legally impermissible for Prairie County to make the donation requested.

The county could donate money to another government entity. Lance Kalfell noted that since other groups utilize the matts that an economic development grant would be a possibility. Eastern Plains Economic Development Corporation Beth Epley joined discussion and stated she had emailed Megan Pirtz requesting information to apply for three grants that could be a possibility for the wrestling mat and program funding.

2:00 p.m. Eastern Plains Economic Development Corporation Executive Director Beth Epley, Dara Deines, Alissa Miller, and Melissa Higbee.

Work session on the Comprehensive Economic Development Strategy planning document to reflect local economic development needs and priorities of projects and for a regional approach in the five counties of Carter, Dawson, Fallon, Prairie, and Wibaux, along with the incorporated communities of Baker, Ekalaka, Glendive, Plevna, Richey, Terry, and Wibaux. Ideas for needs include updating the Prairie County Growth Policy, Capital Improvement Plan, assisted living, bridge, and irrigation projects.

Commissioner Devlin signed letter to USDA Rural Development to request extension the Rural Business Development Grant of \$25,000 for the Prairie Irrigation Project which was originally delayed due to staffing during the pandemic and working with the busy harvest schedule of local landowners.

Commissioners signed gravel donation form for Lisa Evertts for 7938 tons aggregate to Prairie County at \$1.50 per ton.

3:00 p.m. Clerk & Recorder Shari Robertson

First Reading: **RESOLUTION NO. 2022-11 A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2021-2022 TO ACCOUNT FOR UNANTICIPATED REVENUE.**

1. The appropriations for the Final Budget for Fiscal Year 2021-2022 shall be increased in the following funds and amounts because of the County's receipt of ARPA grant proceeds from Action for Eastern Montana in the amount of \$25,108.00:2280.000.216.450310.920, Senior Center Capital Equipment: \$14,997

2280.000.216.450310.400, Senior Center Building Maintenance: \$2,077

2280.000.216.450312.220, Congregate Meals Supplies: \$4,484

2270.000.216.450315.110, Personal Care Salaries: \$3,000

2270.000.216.450315.370, Personal Cares Employer Contributions: \$550

2. The appropriations for the Final Budget for Fiscal Year 2021-2022 shall be increased in Fund 2270.000.217.440182.220, Public Health, in the amount of \$1,799.05 to account for carry over funds from FY2020-2021.

3. A budget transfer in the amount of \$10,000 from Fund 2940.000.000.521000.000, CDBG, to Fund 1000.000.000.383000.000, General Inter-fund Operating Transfers, is hereby approved, to be used for payment of audit services.

4. The appropriations for the Final Budget for Fiscal Year 2021-2022 shall be increased in Fund 2800.000.202.440500.392, Alcohol Rehab Services, in the amount of \$10,000 as the result of unanticipated alcohol tax revenue.

Commissioner Kelter made a motion to put said resolution on its final passage. Motion seconded by Commissioner Bockness. All in favor, motion carried. Public hearing will be held on the 30th day of December at 1 p.m. at the Prairie County Court House.

4:00 pm. Clerk & Recorder Shari Robertson in to discuss need to review the Prairie County Policy Manual. County Attorney Dan Rice emailed draft policy for Commissioners and policy committee to review with recommendations that a work session will be set up.

Signed this 30th day of December 2021.

 12/30/21

Todd Devlin, Commission Chair

ATTEST: 

Shari Robertson, Clerk & Recorder