

Prairie County Board of Commissioners Meeting

October 13, 2022

Prairie County Board of Commissioners Todd Devlin, Christine Keltner, and Deanna Bockness met in regular session at 8 a.m. In attendance were Road Supervisor Todd Henry and Road Specialist Gary Pfiefler. Pledge of Allegiance recited.

Commissioners received a certified letter from the Miles City Bureau of Land Management that was a Notice of Intent for a potential amendment to the approved Resource Management Plan. The intent is to prepare a Supplemental Environmental Impact Statement in response to a court order that stemmed from Western Organization of Resource Council vs BLM. The BLM is requesting coal resource data and development potential on BLM lands and gave invitation for Prairie County to be a Cooperating Agency. A public meeting will be held October 18, 2022 from 5 p.m. to 7 p.m. at the Miles City Field Office to provide opportunity for comment submissions.

Reviewed the Milwaukee Bridge project notes prepared by Aaron Eklund, P.E. from the Western Federal Lands Highway Division. Commissioner Devlin reported that Curtis Jorgenson will also meet with Custer County Commissioner Jason Strouf to discuss the Kinsey Bridge Project later this afternoon.

The Commissioners, Mr. Henry, and Mr. Pfiefler will meet with the Bureau of Land Management and the Department of Environmental Quality on November 17, 2022, from 3 pm. to 5 p.m. at the Miles City Field Office. The meeting will be put on the agenda and noticed.

Received email from Carissa Shilling, BLM Geologist, about Prairie County Inspection Reports for the Cherry Creek, and Chapman Pits. The Chapman Pit is permitted through April 5, 2023. She is requesting a draft mining and reclamation plan for Chapman Pit so the NEPA can be combined on both pits.

Road Supervisor Todd Henry requested to use the \$56,104.04 Bridge and Road Safety and Accountability Program Funds for Chemical Project weed control in the amount of \$42, 230 and Specified Road Stabilization with Magnesium Chloride in the amount \$31,590. Local government funds must match \$1 to each \$20 requested and BARSAA request must be sent in by November 1, 2022. Draft resolution read and completed resolution will be presented at the October 19, 2022, meeting. Commissioner Keltner voiced concerns regarding the Round-up resistant kochia weeds.

9 a.m. Jennifer Grey Eagle and Andrea Bybee-CIH Paramedic and new employee hire. Dennis Teske joined meeting.

Commissioner Keltner made a motion to hire Brandi Jackson in the ambulance driver position. Motion seconded by Commissioner Bockness. All in favor, motion carried.

Jennifer Grey Eagle, Noel Martinson, Marek Dinges, and Andrea Bybee passed the Community Paramedic Course and will receive their endorsements. Claims were submitted for the reimbursement. Jennifer Grey Eagle and Andrea Bybee are putting in place protocols for the program.

Call placed to DES John Pisk for generator update. TAB electronics plans to install generator in the Community Center on October 22, 2022. He is looking for a replacement generator for the City/County fire well generator.

9:30 a.m. Clerk & Recorder Shari Robertson and County Attorney Dan Rice joined meeting.

Commissioner Bockness made a motion to sign the Prairie County Burn Permit Maintenance Agreement with Montana Interactive that allows citizen to apply for, pay for, receive, activate, and renew burn permits, and to map burn permits using an interactive map on-line. Motion seconded by Commissioner Keltner. All in favor, motion passed.

9:40 a.m. Deputy Clerk Walters in with claims. Commissioners reviewed claims and signed warrants in the amount of \$124,769.64. Larger claims noted for sanitarian yearly contract of \$6781 and quarterly mileage \$329.38. Loan payments to Stockman Bank of \$37,812.02 and \$968.50.

Clerk & Recorder office window replaced with old window to be removed by the contractor.

10:30 a.m. Clerk Robertson reviewed expenditure reports with the commissioners.

Update on Operation Green Light Resolution-an information booklet of Veteran Services has been compiled and available at the Prairie County Courthouse.

Commissioner Keltner made a motion to accept the September 30, 2022, minutes as presented. Motion seconded by Commissioner Bockness. All in favor, motion carried.

11:00 a.m. Photographs with Bureau of Land Management personnel. A 2011 Ford F550 Power Stroke Fire Vehicle was donated to Prairie County.

11:15 a.m. Tylene Eaton in for holiday pay clarification.

11:30 a.m. Public Comment: Sheriff Lewis stated he will provide instruction for the community on new burn permit program. The program will start January 1, 2023, with burn permits to cost \$10 that will be used to cover program costs.

11:45 a.m. Mark Dolatta and Sheriff Lewis in with concerns with the Gun Range on Coal Creek Road. Users of the range are not following rules of shotguns being not allowed and not picking up litter and used targets. Sheriff Lewis will get bids for a new sign stating rules. Discussion held on placing video surveillance at the site.

12:00 p.m. to 2:00 p.m. Milwaukee Bridge Project Meeting with Curtis Jorgenson at the Milwaukee Bridge. In attendance were Todd Henry, Dan and Les Thomason, Pat and Sheila Haughian, Commissioners Devlin, Keltner, and Bockness, Dennis Teske, and unidentified man. Curtis Jorgenson and co-worker did not show up to the bridge until 1:00 p.m. Mr. Jorgenson discussed project process and future timelines.

2:00 p.m. to 3 p.m. Lunch.

3:00 p.m. Commissioner Bockness made a motion to accept October 2022 Treasurers Investment in the amount of \$2,478,236.93. Motion seconded by Commissioner Keltner. All in favor, motion carried.

Election Concerns, Questions and Answers. In attendance were Ron Tibbets, Sheila Dixon, Jennifer Grey Eagle, Elections Administrator Shari Robertson, and Deputy Clerk Aria Walters. Lana Tibbetts joined meeting at 3:25 p.m.

Mr. Tibbets presented information from the Montana Election Integrity Project (MEIP) and the 2020 Canvass Report with focus on irregularities in the 2020 election.

Discussion held on Montana Code Annotated 13-1-302(1) noting that election costs unless specifically provided otherwise, all costs of the regularly scheduled primary and general elections shall be paid by the counties and other political subdivisions for which the elections are held.

The main concerns brought up by Mr. Tibbetts regarding a private corporation grant fund from the Center for Tech and Civic Life (who was later learned to have been funds from private corporations) The grant was promoted through the Montana Secretary of State for training and help rural election administrations respond to COVID-19 in which Prairie County received \$5000. Twenty eight of fifty-six counties received grant funding through this source. The Secretary of State has noted the acceptance of these grant funds as legal and County Attorney Dan Rice noted that grant funds, once received are county funds. It was suggested that Montana Code Annotated could be revised legislatively to specify that private grant funding for elections should be deemed illegal. It was noted that Prairie County also received federal/state money from the HAVA Security Grant and CARES Grant administered through the Secretary of State.

Another concern brought on the 2020. canvass of elections. (Per MCA Title 13 Elections, Chapter 15, part 4) The governing body of the county canvasses the votes. If a member of the governing body cannot attend the meeting, the place must be filled by a county officer chosen by the remaining members of the governing body. Commissioner Bockness read November 16, 2020, minutes where she attended the meeting by phone due to Covid-19 quarantine,

Minutes noted at 10:00 a.m. Canvass of the November 3, 2020, General Election. In attendance: Clerk & Recorder Shari Robertson and Canvassers: Commissioner Todd Devlin, Commissioner Dennis Teske and Treasurer Noell Martinson. One transcription error was noted and corrected where a 54 was written, but tally was 50. The error did not affect outcome of election. Commissioner Devlin made a motion to sign the Official Canvass. Motion seconded by Commissioner Teske. All in favor, motion passed.

Mr. Tibbets does not dispute the integrity of Prairie County elections but requests the Commissioners to write letters to their legislature representatives to encourage to make private election grant funding illegal and to promote election integrity in Montana.

4:00 p.m. Sheila Dixon update on bathroom facilities at the Fallon Fishing Access Bridge. Commissioners will write a letter of support.

Ambulance Coordinator Jennifer Grey Eagle and County Attorney Dan Rice. Coordinator Grey Eagle with concerns that non-active members of the Prairie County Ambulance have radios and EMT jackets in their possession. Grey Eagle will first contact non-active members in person prior to involvement of the County Attorney.

4:30 p.m. Discussion of the FY 2023 County Motor Vehicle Graveyard Budget/Accounting Request for Prairie County. Clerk & Recorder Robertson will forward paperwork to Brant Gordon, Sanitarian for assistance in filling out.

Commissioner Devlin noted he will be on Voices of Montana on October 18, 2022, at 9:08 a.m.

Commissioner Devlin made a motion to adjourn meeting at 4:50 p.m. Motion seconded by Commissioner Bockness. All in favor, meeting adjourned.

Signed this 19th day of October 2022.

Christine W. Keltner
acting chair
Todd Devlin, Commission Chair

ATTEST: Shari Robertson
Shari Robertson, Clerk & Recorder