

**COMMISSIONERS PROCEEDINGS AS AMENDED  
REGULAR SESSION  
July 7, 2014**

**BOARD MEMBERS PRESENT:**

CHAIRMAN: Robert P. Cosgriff  
VICE-CHAIRMAN: Teddy R. Robertson  
MEMBER: Jerry L. Coldwell

MINUTES TAKEN BY: Carla McWilliams

**CALL TO ORDER – ROLL CALL**

Chairman Cosgriff called the meeting to order at 9:00 a.m.

**AGENDA**

Motion by Coldwell and seconded by Robertson to approve the agenda as posted 48 hours ago. Motion carried unanimously.

**DAVE KAPPEL**

Kappel met with Commissioners to ask if he needed to reapply for the spraying job. Commissioners said he should reapply. Robertson said she had spoken with Chad O'Connor and was told that he may not want to continue mowing the parks and asked Kappel if he would be interested. Kappel said he would not be interested this year.

**EARLINE LAWRENCE AND REID RYAN – SWIMMING POOL**

Lawrence said the new filters have been installed. Lawrence said they have submitted their budget and it is for more than last year. Cosgriff said it would be good if they could cut it back because it didn't look like they have any reserve. Lawrence said she will furnish the Commissioners with copies of monies they have received from Central Montana Foundation. Lawrence requested \$25,000 and will only receive \$5,000. Cosgriff asked if they were getting many donations. Lawrence said the Luau brought in about \$1,000. Lawrence said the swimming lessons are full. Robertson asked what the temperature of the water needs to be. Ryan said the water needs to be between 70° and 75°. The blankets cost about \$5,000 and do help but the 5-year warranty does not include wind damage. The lifeguards went to Glasgow to get certified. Lawrence asked the Commissioners to send any extra money their way.

**MIKE STEVENSON**

Mike Stevenson with Stevenson Design called concerning the sidewalk project at the old grade school. Stevenson said the payment for the project is to run through the County and then be reimbursed with CTEP funds. Cosgriff said the County does not have any budget set up to handle the anticipated funds and expenses.

**BRANDON GAROUTTE – TAX ISSUES**

Present were Commissioners Cosgriff, Robertson and Coldwell. Also present were Jen Crawford, Treasurer, Brandon Garoutte and Cindy Garoutte. Jodi McWilliams with the Department of Revenue was present via telephone. Brandon Garoutte voiced his concerns about the delinquent tax notice he received from the Treasurer's office. After further discussion

between Garoutte, the three Commissioners, Crawford and McWilliams it was determined the County should not get involved as the taxes are still owing and it is Garoutte's responsibility as to who should pay them. However the Commissioners will contact the County Attorney for further instructions.

#### CATHY MCKEEVER – EMERGENCY PREPAREDNESS

McKeever presented the yearly checklist for review and approval of communicable disease reporting protocol. Motion by Robertson, seconded by Coldwell to authorize Cosgriff to sign. Motion carried unanimously.

#### KEVIN AND JASON BREWER – ROAD PETITIONS

Kevin and Jason Brewer met with the Commissioners to discuss the road Petitions. Kevin Brewer said he was under the assumption that if he granted the County easement for the road they would not be able to blade the road. Cosgriff said the reason for the petition is to put the road of record at the Clerk & Recorder's Office for title insurance purposes. Cosgriff said Brewer would only need to contact the road supervisor. Brewer said he would like it in writing that he can continue to blade the road. Cosgriff said all he would have to do is contact the road supervisor. Jason Brewer asked if the road would be bladed more if the easement was signed. Kevin Brewer asked what the benefit would be to them. Jason asked if they could give Glasscock's an easement to take care of his problem. Kevin Brewer said it hasn't been bladed for 20 years. Jason Brewer said it had been getting bladed once a year but not for the last few years. Cosgriff said the road is on the gas tax map and is considered a public road by the public. Jason Brewer said he could post a sign that says it is a private road. Cosgriff said after the public meeting the Commissioners can designate the roads as county roads if they consider it beneficial to the landowners. Jason said he researched this and if there is one landowner that does not agree it cannot be done. Kevin said there are several pipes that need to be installed in the road. He was told to contact the road supervisor for culverts.

Recessed for lunch at 12:04 p.m.

Reconvened by Chairman Cosgriff at 1:00 p.m.

#### CLAY LAMMERS – COUNTY SHERIFF

Lammers said the new pickup is in Laurel and when it gets to Great Falls he can pick it up. Lammers also said a Resolution needs to be prepared to replace Mira Wood on the credit card with KariLynn Honadel and to get a new one for Amari Black, the new dispatcher.

#### MILLER and AHLGREN GRAVEL PITS

Motion by Coldwell, seconded by Robertson to authorize Cosgriff to sign open cut mining applications for the Ross Miller and Skip Ahlgren pits. Motion carried unanimously.

#### GAS TAX ROAD CLOSURE

Discussed closing of the John D. Murnion road. Motion by Coldwell, seconded by Robertson to remove John D. Murnion road from the gas tax road.

#### MINUTES

Motion by Coldwell, seconded by Robertson, to approve June 27, 2014 minutes with corrections. Motion carried unanimously.

## ROAD PETITIONS – West Little Dry, Glasscock, North Little Porcupine, Two Furrow and Hay Creek

Present were Jerry Collings, Kevin Brewer, Jason Brewer, Gus Glasscock, Karen Glasscock, and Scott Glasscock. Discussed the possible granting of an easement from Brewer's to Glasscock's rather than making the Glasscock Road a County road. County Attorney Gary Ryder was present via telephone. Cosgriff asked if Brewer's could give Glasscock's a permanent easement. Ryder said he would suggest a historical use easement that is used for agricultural purposes. Cosgriff asked Ryder if there has to be 100% agreement of the landowners in order to designate a road as a county road. Ryder said it is a decision that can be made by the Commissioners. Brewer asked if a landowner does not agree with it can the Commissioner go ahead and declare it a County Road. Ryder said one person cannot stop a road being declared as a county road. Cosgriff asked if the Commissioners have to make a decision today and Ryder said the Commissioners could close the public hearing and make the decision later. Robertson asked how many have to be in favor of the petition. Ryder said if 60% of the people are in favor of it, it should be approved. Gus Glasscock asked about access for exploratory drilling. Ryder said issues needs to be worked out between the parties prior to granting an easement. Gus Glasscock asked if an agreement cannot be reached what happens. Ryder said if an agreement can't be reached within 30 days the Commissioners can make a decision. Scott Glasscock said the only concern he has is that there is access to any future owners. Gus Glasscock said he is concerned about Brewer being able to continue to maintain the road. Cosgriff said this was already discussed with Brewer's. Glasscock said they also mow the shoulders and wanted to know if they could continue to do this. Gus Glasscock said he was very disappointed and wanted to know who was going to pay the attorney's fees. Jason Brewer said he would be willing to split the attorney's fees. Discussed Brewer's blading the road. Brewer would like a written agreement. Cosgriff said Garfield County can only continue to operate because those in the community volunteer their time and equipment.

## CLAIMS

Claim check nos. 31455 and 31457 in the amount of \$4,953.00 were approved and paid.

## HANZ ARNSTON – CONTRACT

Cosgriff asked Arnston if he would like to remain in open session or closed. Arnston said it could remain open. Cosgriff said the only complaint the Commissioners have received is in regards to his salary of \$84,000.00 per year. Cosgriff said when Arnston agreed to come here he had wanted to keep his "day job" in case this job did not work out. Cosgriff said the Commissioners are aware that Arnston is not receiving benefits and that he is available by phone and e-mail at all times. Robertson said she was pleased that Arnston was not asking for a raise. Nordlund said the most important thing to Arnston is the residents. Cosgriff said he is being asked if Arnston should be spending more time in our facility. Cosgriff said he has been looking into what other Administrators are making and he has found that Administrators in adjoining counties are getting around \$70,000-\$72,000 per year. Since Arnston is not getting benefits the salary is similar. Coldwell said the Commissioners will be working on preliminary budgets next week and his Contract should be put off until the Commissioners know what the Health Center's budget looks like. Robertson asked if since the special mill levy passed doesn't that show there is money in the budget. Cosgriff said there is no reserve built in the Health Center's budget.

## HEALTH CENTER ISSUES

Commissioners went to look at the Red Button that is now up and running. Hanz Arnston and Sarah Nordlund met with Commissioners for weekly meeting. There are currently 18 residents and there will be one more coming later this week. Elsie Helm has received a disaster grant in the amount of \$4200 which is going towards the cost of the Red Button. Submitted foundation report from Central Montana Foundation. Discussed generator for the Health Center. Cosgriff said Lori Ryan is working on getting a new generator. Robertson asked why it took two people to install the air conditioner in the pantry. Robertson asked why Pat Murnion wasn't the one who installed it rather than hiring two people to install it. Arnston said the pantry has to stay 70°. Robertson said she understands that but wanted to know why two installers were hired to install it. Nordlund presented QAPI meeting minutes. Nordlund said the major problem is from falls and this is done to monitor which residents are falling and on whose shift the falling is occurring. Arnston presented document showing what the governing body's responsibilities are. Nordlund said she could provide the Commissioners with a copy of the CMS Rules and Regulations manual if they want one. Nordlund said she has done all she can do. Nell Phipps is working on the dietary policies and she has been trying to get Dan Muniak to work on the x-ray policies. Robertson asked if any more training needs to be done before the Red Button can be used. Nordlund said it can be used now. Robertson asked if the clinic has regular hours. Nordlund said the P.A. works Monday's, Tuesday's and Friday's. Robertson said when she asked Muniak he said he does not have regular hours as he works 24/7. Discussed the fact that the ambulance had gone to the Clinic rather than the ER. Arnston said there is an issue with insurance paying when the ambulance goes to the clinic. Cosgriff said he thought Muniak has said he makes more money if the patient goes to the clinic rather than the ER. Arnston said he does not feel housekeeping for the Health Center should clean the clinic. Housekeeping personnel is getting frustrated. Robertson said Muniak should hire his own. Cosgriff said maybe the position should be re-advertised. Arnston said the situation has been addressed and it appears the clinic thinks the health center has to take care of it. Discussed resignation letters submitted by the past Medical Director. Arnston said the past Medical Director should be a non-voting member of the medical staff. Cosgriff asked what the advantage of this would be. Arnston said she votes with our provider on every issue and it would be nice to have someone that is more impartial. Cosgriff said Dr. Drivdahl worked the Holy Rosary ER for many years and did a very good job. Robertson said she had never met Dr. Drivdahl. Arnston said Drivdahl was never reappointed to the medical staff. Cosgriff said Muniak had said none of the medical staff has been reappointed including himself. Nordlund asked if Muniak can appoint himself. Arnston said the governing body should be the ones that should appoint who is on the medical staff.

## ROCKY NELSON – PUBLIC SAFETY COMMITTEE

Nelson said he does not feel the Sheriff's office should be doing brand inspections and permits. Lammers said he feels the full-time brand inspector should be doing this. Nelson said he feels the brand inspector could be available at the stockyards at least two days a week. Keith Lockie will be contacted to meet with the Commissioners, Public Safety Committee and Clay Lammers. Lammers said the new dispatcher has been to the academy and could be used as a deputy. Cosgriff said this cannot be done as there is nothing in the budget to pay for it. Discussed the special mill levy for law enforcement. Lammers will need to present a request to the Commissioners for what he thinks he needs in his budget to supplement an additional position. Reviewed the Sheriff's remaining budget.

Meeting adjourned at 5:25 p.m. The next regular meeting is scheduled for July 14, 2014, at 9:00 a.m.

GARFIELD COUNTY COMMISSIONERS:

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Robert P. Cosgriff – Chairman

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Teddy R. Robertson – Vice-Chairman

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Jerry L. Coldwell – Member

ATTEST:

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Janet Sherer, Clerk & Recorder