Prairie County Board of Commissioners Meeting

July 26th, 2023

Prairie County Court House Commissioners Room

217 West Park St Terry, MT 59349

Prairie County Board of Commissioners Todd Devlin, Christine Keltner and Dennis Teske met in regular session at 9 a.m. In attendance was Commissioner Secretary Harry McNall.

9:07 a.m. Pledge of allegiance performed. **Public comment on agenda matters.**

9:12 a.m. Commissioner Devlin spoke on the phone with County Attorney Dan Rice about a law enforcement issue closed session, he said "no closed session is needed, the information is public information".

9:20 a.m. Under Sheriff Jon Arnold came to inform commissioners about an incident at the legion with a county contractor. He suggested that we should trespass this person from county property. Commissioners will speak about how to do that with County Attorney Dan Rice.

9:25 a.m. Road Supervisor Todd Henry was into visit with commissioners on roads and bridges. Todd is currently locked out of his county email through "gmail" and cannot receive or respond to emails at this time.

Todd Henry provided updates about the culverts on Ismay road and red hills. Spoke about the progress and difficulties with the state about how to get Milwaukee bridge opened. Discussed possible solutions for the decking. Adding steel to the deck to get the repairs made and then re-open the bridge. Todd Henry will start the planning process for repairs. Todd Henry will look for a temp hire for road mowing. Short discussion on budget and investing in a "Rock and Roll" for the road department. Todd Henry also has an opportunity to get a used road grader with attachments for around $130,000.00.

10:40 a.m. Commissioner Keltner made a motion to accept the minutes from the July 19th, 2023 commissioner meeting, seconded by commissioner Teske, "all in favor" motion passed.

Journal Adjustments FY23 $23,890.37 from account 2821/820 to 2110/000

Journal Adjustments FY24 $7,330.13 From 2821/930 to 2821/000

10:55 p.m. Clerk & Recorder provided paychecks with the pre-approved $1.00 per hour increase for all county employees. Commissioners reviewed and signed Claims.

Prairie County Voucher # 1009 $29,157.71

Prairie County Voucher # 1 $7,107.33

Prairie County Voucher # 1005 $65,327.87

Prairie County Voucher # 1006 $19,514.17

Prairie County Voucher # 1007 $3,970.00

Prairie County Voucher # 1008 $17,814.60

11:10 a.m. Commissioner Teske made a motion to discard the claims listed on form RM88, seconded by Commissioner Keltner, "all in favor" motion passed.

11:35 a.m. Commissioners received a call from MACo Property and Casualty, to inform them they will not pay out any additional costs if it goes past the 3-year deadline for repairs to the courthouse roof. September of 2023 will be two years from the original date of claim. Commissioner Teske called Tom Pisk, JR Fisher, Brennan Houghian and Zane Solomon roofing for estimates on repairs for the courthouse roof.

12:00 p.m. Lunch Break

1:00 p.m. Commissioner Devlin made a motion to accept the resignation of Richard Peck as Public Administrator, Seconded by Commissioner Teske, "all in favor" motion passed. Appendix 1

1:30 p.m. Transportation meeting Bill Colter, Travis Choat, Todd Henry, and Noell Martinson came in to update the commissioners on the progress, unfortunately they must meet with the Transportation Committee before any decisions can be made on the bus route for 2023-2024 school year. Bill Colter went over the proposed bus routes, vehicles and drivers.

2:00 p.m. Commissioner read Resolution 24-1 Elected Official Salary Schedule FY24 and 24-2 Classified Employee Wage Schedule FY24.

2:05 p.m. Commissioner Keltner made a motion to accept Resolution 24-1 and set the Elected Official Salary rate for FY24, seconded by Commissioner Teske, "all in favor" open to discussion, motion passed. Appendix 2

2:12 p.m. Commissioner Teske made a motion to accept Resolution 24-2 and set the classified employee wage rate for FY24, Commissioner Keltner seconded, "all in favor" open to discussion, motion passed. Appendix 3

2:30 p.m. **Public Comment:** Larry Keltner with First Interstate Bank phoned into the meeting. He is reaching out to the county and see if they have any desires to explore investing and banking options with a different bank. County Treasurer Noell Martinson came into talk with Larry.

2:50 p.m. Discussion on EMT rates and charges for school events. Andria Bybee on discussion about fundraiser and/or CIH/CHW for funding options.

3:10 p.m. Commissioners reviewed claim journals.

Prairie County Vouchers FY23

Prairie County Voucher #1133 $1,234.61

Prairie County Vouchers FY 24

Prairie County Voucher # 1012 $1,441.77

3:15 p.m. Lizzy Robertson with EPEDC came to discuss grants and how the county could work on planning grants and county living documents, such as growth policy, land planning board etc. She briefly spoke about looking into funding for the Milwaukee bridge.

3:40 p.m. Commissioner Teske called Mark Jacobson at the Miles City BLM to follow up with the conversation about the gravel pit. He wanted to bring the field director Shane Findley onto the conversation. Who all needs to be present to do the test pits. There will need to be three people to get this done, who do we coordinate with? Shane said he is the person to coordinate this activity, we will try to get this coordinated on the week of August 14th -17th, 2023. Dennis Teske will coordinate with Road Supervisor Todd Henry on dates for the test pits.

4:00 p.m. Commissioner Keltner sustained herself from this discussion and decision. Cheryl Morrison joined the meeting to discuss carpet cleaning in the courthouse. Carpet cleaning is the same price as it was last year and should be able to get it done in the next three weeks or so. The cost would be $1200.00.

Commissioner Teske made a motion to have J&C Contracting with Cheryl Morrison for cleaning the carpet at $1200.00, seconded by commissioner Devlin, "all in favor" motion passed.

4:10 p.m. Commissioner Devlin called County Attorney Dan Rice about appointing or consolidation of roles of Public Administrator, which would require a resolution.

4:30 p.m. Travis Lacqurement in to speak about the job applications for the temporary weed jobs. One of the temporary people are no longer there, and now they need someone, and after August 15th they will need another person. He also provided updates on spraying and other weed related updates. Commissioners told him that the decision to hire will need to be approved by the weed board.

5:00 p.m. Clerk & Recorder Shari Robertson provided information to the commissioners about the need to budget the Christmas funds in order to separate funds during FY24.

5:05 p.m. Commissioners are going to go to the Milwaukee Bridge to meet with Road Supervisor Todd Henry to review the plan for repair of the bridge.

5:20 p.m. Commissioners walked the bridge with Road Supervisor Todd Henry, and discussed in detail their observations, concerns and brainstormed ideas of how to fix the bridge, and what the next steps should be to resolve the closure of the bridge. After walking the full length of the bridge, it was determined that it may be a bigger job than previously thought, and that more follow-up calls are needed before work can be done on the bridge.

6:30 p.m. Commissioners returned to the courthouse.

6:30 p.m. Commissioner Teske made a motion to adjourn the meeting, seconded by Commissioner Keltner, "all in favor" motion passed.

Signed this 2nd day of August 2023.

Todd Devlin

Todd Devlin, Commissioner Chair

ATTEST: Shari Robertson

Shari Robertson, Clerk & Recorder

Appendix 1

To: Prairie County Commissioners
Date: 07/10/2023
RE: Resignation

If any of you had bothered to read the law that County Attorney Rice has quoted stating that elected officials are not permitted to file grievances you would also see that it stated parts 1 through 3, and 10 do not apply to elected officials.

Since he quotes state statute regarding my grievances lets take a look as how the statute defines elected official regarding benefits,

CHAPTER 18. STATE EMPLOYEE CLASSIFICATION, COMPENSATION, AND BENEFITS
Part 7. Group Insurance Generally

Definitions

2-18-701. Definitions. As used in this part, the following definitions apply:

(1) "Dependent" has the meaning provided in **33-22-140**.

(2) "Employee", as the term applies to a person employed in the executive, judicial, or legislative branches of state government, means:

(a) a permanent full-time employee, as provided in **2-18-601**;

(b) a permanent part-time employee, as provided in **2-18-601**, who is regularly scheduled to work 20 hours or more a week;

(c) a seasonal full-time employee, as provided in **2-18-601**, who is regularly scheduled to work 6 months or more a year or who works for a continuous period of more than 6 months a year although not regularly scheduled to do so;

(d) a seasonal part-time employee, as provided in **2-18-601**, who is regularly scheduled to work 20 hours or more a week for 6 months or more a year or who works 20 hours or more a week for a continuous period of more than 6 months a year although not regularly scheduled to do so;

(e) elected officials;

"Employee", as the term applies to a person employed in the executive, judicial, or legislative branches of state government, means:
(e) elected officials

So, I would contradict Mr. Rice's analogy of the law in this case. Clearly the State of Montana has defined "EMPLOYEE" as an elected official. In my position as Public Administrator I am a duly elected official. As an employee I am entitled to file a grievance, especially regarding group insurance. Since January 6th of this year, you have refused to provide me with group insurance as is provided to all elected officials. Your HR person Shari Robertson has consistently told me I am not entitled to the group insurance. Your Deputy HR person has also stated this as well. In checking with the EEOC clearly one must file a grievance in order to file a complaint regarding discrimination.

You as county commissioners have refused to provide the necessary equipment and supplies to perform my duties as the elected public administrator. This is hard to understand when one elected official gets everything she requests as far as equipment, raises for staff, and apparently unlimited training trips. When I mentioned training you as a group scoffed at the request. Yet when we look at the county budget there is considerable training for each department. You made the statement that there were no current cases for the public administrator and to make my request when I had a case. This is akin to let's wait until someone gets hurt, then we can employ safety protocols. Then another suggestion was to bill one estate for my equipment to service all estates. Think about how ridiculous that was, not to mention unethical and illegal.

Your discrimination hinges on these things as well as others. First the county attorney is upset that he was wrong regarding the appointment of the substitute JP. The county commissioners were wrong when they extended filing dates for a county election. You harbor bad feelings towards my wife as the former clerk, we've all heard these feelings and lies expressed by each of you. You may be discriminating because of my national origin, and my political beliefs in supporting our governor and senator in their endeavors to better things within our state. It's clear that you have violated state law, Prairie County policy, and EEOC regulations in my case.

Appendix I

I had looked forward to serving the citizens of Prairie County in an honest, trustworthy and ethical manner. This resignation is not meant to include all the dastardly deeds, but be advised I have saved everything including contacts, emails, and meetings.

It is under extreme duress and harassment that I am forced to tender my resignation as Prairie County Public Administrator effective immediately. The duress is caused by your continued refusal to cooperate regarding equipment and benefits. Much of the harassment and threats have come from Commissioner Teske as stated in the grievance.

Richard Peck

Appendix 2

RESOLUTION #2024-1
PRAIRIE COUNTY ELECTED OFFICIALS' SALARY SCHEDULE
FISCAL YEAR 2023-24

WHEREAS Section 7-4-2504, Laws of the State of Montana, states the county governing body shall by resolution on or before August 1 of each year adjust and uniformly fix the salaries of certain county officers by adding to the annual salary a cost-of-living increment based upon the schedule developed and approved by the county compensation board as provided for in 7-4-2503(4) M.C.A.; and,

WHEREAS the County Compensation Board made the following recommendation: consider across the board raises to all elected officials and classified employees to receive a $1.00 an hour raise based upon the FTE status.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Prairie County, Montana, approved the recommendation made by the county compensation board of $1.00 an hour increase based upon the FTE status for fiscal year 2023-2024, the salary of the elected officials named herein shall be as follows:

BASE WAGE	$49,418.75
CLERK AND RECORDER/CLERK OF COURT	$53,418.75 - $4,451.56 Mo.
TREASURER/SUPT OF SCHOOLS	$51,418.75 - $4,284.89 Mo.
SHERIFF	$61,643.00 - $ 5,136.92 Mo.
ATTORNEY (3/4 TIME)	$92,798.28- $7,773.19 Mo.
JUSTICE OF THE PEACE (1/2 TIME)	$24,709.40- $2,059.12 Mo.
CORONER	$ 9,720.00 - $810.00 Mo.
COMMISSIONER	$18,938.38/YEAR-$1,578.20 Mo. (9 DAYS A MONTH)

Dated this 26th Day of July 2023.
BOARD OF COUNTY COMMISSIONERS

Todd Devlin
TODD DEVLIN, CHAIRMAN

DENNIS TESKE, MEMBER

Christine W. Keltner
CHRISTINE KELTNER, MEMBER

ATTEST: Shari Robertson
SHARI ROBERTSON, CLERK

RESOLUTION #2024-2 AMENDED

PRAIRIE COUNTY CLASSIFIED EMPLOYEES SALARY SCHEDULE FY23-24

POSITION/EMPLOYEE:	HOURLY WAGE:
DEPUTY CLERK & RECORDER/CLERK OF DISTRICT	$19.25
CLERK ASSISTANT	$16.00
ELECTION JUDGES	$10.50
DEPUTY TREASURER	$19.36
COMMISSIONERS SECRETARY	$16.00
EXTENSION SECRETARY	$17.85
HEALTH NURSE	$29.63
HOME HEALTH AID-HOMEMAKER	$14.22
HOME HEALTH AID-PERSONAL CARE	$14.22
JANITOR	$16.21
JP SUBSTITUTE	$22.75
MANOR GROUNDSKEEPER	$16.21
ATTY PARALEGAL/PS PROGRAM ASSISTANT	$18.40
MUSEUM GROUNDSKEEPER	$16.21
FAIR GROUNDSKEEPER/MAINTENANCE	$16.21
SENIOR CENTER COOK/MANAGER	$17.16
SENIOR CENTER COOK/SUBSTITUTE	$14.00
UNDERSHERIFF	$25.79
DEPUTY SHERIFF	$21.51
WEED SUPERVISOR	$19.65
DES COORDINATOR	$19.78
ROAD FOREMAN	$24.80
ROAD CREW 1	$20.01
ROAD CREW 2	$19.51
ROAD CREW 3	$19.04
ROAD CREW 4	$19.04
CEMETERY CARETAKER	$19.24
CEMETERY GRAVE TECH:	$ 500.00/PER CASKET GRAVE OPENING AND CLOSING (TERRY) $ 300.00/PER CREMAINS OPENING AND CLOSING (TERRY) $ 600.00/PER CASKET OPENING AND CLOSING - OUT OF TOWN $ 400.00/PER CREMAINS OPENING AND CLOSING - OUT OF TOWN
HEALTH OFFICER	$1500 Year $125 monthly

DATED THIS 26th Day of July, 2023
BOARD OF COUNTY COMMISSIONERS

Todd A Devlin
TODD DEVLIN, CHAIRMAN

Christine W. Keltner
CHRISTINE KELTNER, MEMBER

DENNIS TESKE, MEMBER

ATTEST:
Shari R Robertson
SHARI ROBERTSON