

**SPECIAL
CASCADE COUNTY COMMISSION MEETING
June 22, 2017
DEARBORN FIRE STATION
56 DEARBORN RIVER ROAD, CASCADE MONTANA
11:00 a.m.**

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611 (2) (b). These minutes are in draft form until officially approved at the July 11, 2017 Commission meeting.

This special meeting/public meeting is a joint Commission meeting with Lewis and Clark County Commissioners in the matter concerning the action to approve/disapprove a resolution to increase the Dearborn Volunteer Fire Service Area.

PRESENT:

Lewis and Clark Commissioners: Madam Chair Susan Good Geise, Commissioner Andy Hunthausen, and Commissioner Jim McCormick

Lewis and Clark Staff seated with the Commission: Charles Lane-Deputy County Attorney, Roger Bultz-Chief Administrative Officer, and Matt Heimel-Special District Coordinator.

Cascade County Commissioners: Chairman Jim Larson, Commissioner Jane Weber, and Commissioner Joe Briggs.

Cascade County Staff seated with Commission – Carey Ann Haight-Deputy County Attorney and Chief Deputy Clerk and Recorder-Marie Johnson.

Public Present that signed the attendance sheet: Russ Graves, Linda Graves, Charles Lane. Karen K Stock, Roy E Stock, Barbara Phillips, Phil Drake, Nancy Traub, Jim Batley, Rich McKuen, Ned-Louise Jagers, Bob Canoy, Dan Ryan, Mark Stouffer, Vickie Stouffer, Donald L. Wheeler, Ed Hanta, Roger Baltz, Fred Shewman, Helen Shewman, Al Knauber, Louise Watson, Ron Turigliatto Sr., Vincent Pall Howartz, Cynthia Evens, Marsha Clark, Jeff Carr, James Beck, Ronda Tompers, Milt Smith, Susan Maclin, Donna Johnson, Lynn Sandbeck, Marci Bateman, Joe Seaunen, Patrick C Rambo, Dawn Yvonne Allee, Richard Blackburn, Dave Allen, Elizabeth Allen, Matt Heinel, Karmen Moore, Greg Moore, Jennifer Leslie, Kevin Leslie, Cary Stubbs, Deb Stubbs, Wade Crittenden, and Sarah J. Howanitz.

CALL TO ORDER: Cascade County Chairman Jim Larson called the special meeting to order. Lewis & Clark County Madam Chair Susan Good Geise called the special meeting to order.

PLEDGE OF ALLEGIANCE: Everyone participated in reciting the pledge of allegiance.

INTRODUCTION OF STAFF: Each Chairman introduced themselves and their staff. Madam Chair Good Geise expressed her thanks to Cascade County Commission and stated that they often work together cooperatively and she has the upmost respect for them.

PUBLIC HEARING: Cascade County Chairman Larson opened the Public Hearing at 11:04 a.m.

READING OF THE PUBLIC NOTICE: The reading of the public notice was waived without objections and made part of the record (see exhibit "A").

PRESENTATION:

Louise Watson-Chairman of the Board of Trustees for the Dearborn Fire Service Area introduced some of the Board of Trustees Members and Fire Fighters.

Board Members Included:

Adrienne Kernaghan-Treasurer, **Jill Parker**-Board Member, **Roy Stock**- Acting Fire Chief, and **Karen Stock**-Fire Fighter.

Adrienne Kernaghan presented the Commissioners with a hard copy of her presentation (see exhibit "B"). She stated that some of the problems impeding their effective emergency response are understaff of firefighters, facilities and vehicles are in need of repair, a need for a 4-wheel pumper and a garage to store it in, vehicle maintenance costs are increasing and communication costs consume a large part of their budget.

Adrienne Kernaghan also shared their fiscal year plan for 2018 to hire a part-time fire chief who will be responsible for responding to emergency calls, training and administration (\$36,000); to help with fire fighter retention & recruitment, pay fire fighters an hourly rate for responding to emergency incidents (\$15,000); purchase a 4-wheel drive pumper (\$35,000-\$90,000 range).

Madam Chair Good Geise thanked Ms. Kernaghan for the presentation and questioned what the hourly rate would be for the fire fighters.

Ms. Kernaghan indicated it would be based on their experience and certifications, which estimated, could be \$15.00-\$20.00 an hour. She also stated that the fire chief's salary would be \$25.00-\$30.00 hour and he would work 15-20 hours a week.

Chairman Larson questioned if the current fire chief is trying to create a position for himself.

Ms. Kernaghan noted that the current fire chief does not want the position and that they will publicly advertise for the position.

Commissioner Briggs thanked Ms. Kernaghan for the presentation and shared his concerns about paying volunteers. He was unsure how you would draw the line between employee and volunteer.

Carey Ann Haight interjected by stating that an employee is not permitted to volunteer to perform duties, which are a part of the regular duties of the employee. Alternatively, a modified pay scale may be utilized so that an employee is paid at different levels for different work, such as a higher rate for the firefighting activities. **Commissioner Weber** agreed that the individuals working would need to be either volunteers or paid part time employees. She also questioned if the budgeted amount of \$146,000 included the purchase of the 4-wheel drive pumper.

Ms. Kernaghan stated that the budgeted amount includes payments towards the new pumper and garage that is being built. **Commissioner Weber** informed her of Cascade County's Weed and Mosquito Department and suggested she call them and they can assist with some of the weed issues.

Commissioner Hunthausen, questioned if they could phase in the increase over time.

Ms. Kernaghan emphasized that they are still in catch up mode.

Madam Chair Good Geise indicated that she is from Augusta, and has visited with several small volunteer fire fighters. She has found that all fire departments struggle with recruitment and retention. In addition, she noted that times have changed and we live in a different climate. When interviewing them she asked them why they chose to serve and none of them said they would stay if they had compensation. She also suggested that they do activities to create community such as a pancake breakfast and other fundraisers.

Ms. Kernaghan agreed and said it is difficult to build a community with little permanent residents, and residents coming and going. She added that none of the fire fighters are asking for money.

Commissioner Weber noted that this community is very scattered, and they have tried in the past to hold community events, which netted only six participants. She also stated that many residents of this community prefer a more isolated and private lifestyle to live in solitaire and be scattered.

Ms. Kernaghan agreed and mentioned that they are looking into creating a website and Facebook page.

CALL FOR PROPONENTS:

Chairman Larson called for Proponents.

Carey Ann Haight reminded the members of the public hearing to

direct their comments to the Commissioners and not respond to others comments. Also to keep your comments brief and not repeat another's comments.

Susan Maclin of 3260 & 3264 Old US HWY 91, supports the Boards plan stating that with the new properties coming on line there is a need for more firefighters and there is not enough equipment.

Marcie Bateman of 2726 Old US HWY 91 supports paying the volunteer fire fighters and mentioned that in Arizona the "Hot Shots" are paid for risking their lives. She supports the sliding scale instead of the flat fee increase.

James Beck 303 Dearborn River Road announced he is the President of the Dearborn land association and feels the rate increase is unjust. He was reminded that people in favor should be speaking at this time and was asked to speak when the call for opponents are welcomed.

Ron Turigliatto of 59 Cooper Drive emphasized that running a fire department is expensive with the need to repair and upgrade equipment even if we do not pay fire fighters.

Chairman Larson called for proponents three times in which no further comments were made.

CALL FOR OPPONENTS:

Chairman Larson called for opponents.

Don Wheeler 524 Upper Sawmill Road voiced his support for the fire fee increase but stated that he cannot financially pay it due to his fixed income. He noted that he has volunteered as a fire fighter and police officer and knows that these are thankless jobs. He realizes that the fire dept. cannot provide him with fire suppression or medical care, since they will not be able to reach him in time. He continued by stating that he takes care of his weeds on his property and his neighbors do not. In presenting his highlighted tax bill of services he pays for and does not use he suggested the fee be spread out across Cascade County as other taxes are. He wondered why this fee was not done by ballot, and said he and many of his neighbors are on fixed incomes and cannot pay for it.

Barbara Phillips 40 Upper Sawmill Road indicated that she did not receive a postcard in the mail, and questioned what a habitable structure is as she is living in a fifth wheeler while building their cabin. She spoke about the community of her neighbors and how they rely on each other for fire suppression. She said she would be willing to consider a sliding scale and would support by making donations and attending fundraisers when she could afford it.

Cary Stubbs 316 Upper Sawmill Road announced that his property is twelve (12) miles from the fire station and they would not be able reach his property.

Jennifer Leslie 1 Upper Andy Creek Lane began by thanking them for the presentation, which is a difficult prospect. She believes that they would benefit from the upgrades and questioned paying a fire chief. She encouraged everyone to work together to come to a solution and suggested maybe a lower increase.

Wade Crittenden 3599 Bratton Loop announced he has been a fire fighter in Wolf Creek for twelve (12) years, and is honored to serve. He stated that his community is supportive and they have raised funds by having BBQ cook offs. He supports a sliding scale and suggested that they apply for grants to purchase the four (4)-wheel drive. He stated that this area would never be an ISO 7 due to not being able to meet the requirements. In closing, he stated he would consider moving the Lewis and Clark residents out of the Dearborn Fire Fee Service Area.

Madam Chair Good Geise questioned Mr. Crittenden by asking what ratio of services they provide for fire vs. medical.

Mr. Crittenden, responded by stating that medical is higher with almost a two (2) to one (1) ratio, during the summer months.

Madam Chair Good Geise questioned Mr. Stock on the ratio of services for the Dearborn.

Mr. Stock defined that they do not have a medical component but do respond to traffic accidents, public safety issues then structure fires.

Marsha Clark 60 Cooper Drive voiced that she owns several properties and has a hard time selling them. She is in favor of the sliding scale and would support fundraising and grant writing.

Mr. Howanitz 285 Hideaway Lane announced he is a retiree from military special services and suggested that they look into the military surplus to purchase a fire truck. He questioned the purchase of the two (2)-wheel truck due to the terrain of the area. He noted that he believes that there could be a compromise, and does not want to see this disappear due to lack of finances or grants. He stated that he has a vested interest a loves living here. He commented that they do have a community and on the Second Chance Ranch they have a worship service that an estimated (40) forty people attend. He requested that at the next meeting they provide hard-core facts, possible resources, and grant information.

Dawn Allee 80 Dearborn River Road stated that her barn is now a habitable structure. She noted that she was a former fire department volunteer, and with the loss of two (2) members; the perceptions of the new members has changed. She indicated that she

has requested a copy of the Bylaws that should be available. She also shared her concerns about fire fighters living outside the district, since they are not available. She stated she is against the tax increase and believe that they need to do the footwork before asking for a raise. She also noted that Roy and Karen Stock are the backbone of the operation.

Ed Martin 48 Dearborn River Road shared his concerns about the additional cost to his budget with this fee he cannot afford it and hoped the Commissioners would consider this.

Ronda Tompers 70 Shotgun Park Lane informed them that she lives across the river and owns two (2) parcels and two (2) structures, which do not receive services from anybody due to the access of the properties. She shared here appreciation for the fire department and encouraged everyone to get along to come to a resolution.

Dan Ryan 1 Eagle Rock Circle announced that the fire station would not be able to save his house although he lives across the street; it takes too long for the fire fighters to come out of the mountains to reach the fire station. He also commented that a four (4)-wheel drive pump truck would not make it any faster up the hill than the two (2) wheel drive pump truck does, and that the roads need to be improved. In closing, he questioned when the election was held to elect the current Fire Board members.

Carey Ann Haight requested that Mr. Ryan direct his comments to the Board of Commissioners.

Commissioner Briggs informed everyone that the Commission has no jurisdiction over this body and cannot instruct them.

Mr. Ryan responded by voicing his concerns about the election of the Fire Board, changed Bylaws and not receiving information. He also stated that poor shape of the road.

James Beck 303 Dearborn River Road-President of the Dearborn Homeowners Association commented on how the fire department asked them to help with the maintenance on the road. He requested the help from the Commissioner to maintain and repair the roads to accommodate the fire trucks.

Madam Chair Good Geise reminded everyone to keep their comments brief and not repeat others statements due to the length of the public hearing.

Jim Batley 30 Eagle Rock Circle a former Fire Chief for seven (7) years stated he agreed with many of the earlier comments made and requested they consider a lower increase and supports a sliding scale, he also disagreed with the payment to a volunteer.

Barbara Phillips 40 Upper Sawmill Creek Lane commented on the poor shape of the roads and said if she was guaranteed her home would be saved she would pay the \$200 fee.

Chairman Larson called for more opponents three times in which no further comments were made.

CALL FOR INFORMATIONAL WITNESSES:

Chairman Larson called for informational witnesses.

Rich McKuen (address unknown) reminded the Commission that they are elected by the public to make decisions and requested that they look at the facts.

Nancy Traub 30 Eagle Rock Circle suggested pursuing the 15-cent acre increase stating the bone dry land is a risk to the improved properties.

Chairman Larson called for informational witnesses three more times which no further comments were made.

CLOSE OF PUBLIC HEARING:

Chairman Larson closed the Public Hearing at 1:20 p.m.

Commissioner Briggs announced the he would like to take time to look over the information and not make a motion or decision at this time.

Madam Chair Good Geise suggested with the information gained and the consideration of the testimonies she would like to meet again.

Commissioner Weber inquired of counsel regarding the need for a new hearing and new legal notice if the fee increase imposed exceeded the \$200 proposed.

Carey Ann Haight advised that a new public notice and conducting a new public hearing would be required if the Boards were inclined to imposed a fee in excess of the \$200 contemplated for purposes of today's hearing.

Madam Chair Good Geise requested direction from her counsel Charles Lane.

Charles Lane concurred with Carey Ann Haight.

Madam Chair Good Geise stated that she personally had no appetite for an increase that would exceed the already proposed fee.

There was discussion amongst the Commissioners about having the Dearborn Fire Service Area provide a breakdown of the salary, equipment, and alternatives with narratives for each item and other needed information. The additional information was requested. To be provided to the Commissioners as soon as possible prior to the next planned meeting. The consensus following discussion was that an additional public hearing following a new public notice of a fee increase in excess of the \$200 proposed was not necessary.

NEXT PUBLIC MEETING:

After discussion, the Commissioners decided on holding the next public meeting on **July 12, 2017 @ 6:00 p.m. that will be held at the Dearborn Fire Station.**

Commissioner Hunthausen made a **MOTION** to table Lewis and Clarks Resolution 2017-59 to increase the fire service area fee for the Dearborn Volunteer Fire Service Fee Area. Commissioner McCormick **seconded the motion. Motion carries 3-0**

Commissioner Weber made a **MOTION** to table the Cascade County Resolution 17-63 to increase the fire service area fee for the Dearborn Volunteer Fire Service Fee Area. Commissioner Briggs **seconded the motion. Motion carries 3-0**

Commissioner Larson invited public comment on the matters the Commission has jurisdiction; on items not covered by todays agenda.

Milt Smith 17 Chokecherry Lane stated that he was late and missed the meeting and wanted the Commission to know he was clearly against any rate increase.

ADJOURNMENT: Madam Chair Good Geise and Chairman Larson adjourned the special meeting at 1:51 p.m.