

**COMMISSIONER MEETING**  
**416 Broadway, Townsend, MT 59644**  
**November 1, 2021**

Commissioner Mike Delger called the meeting to order at 10:00 a.m., Commissioners Darrel Folkvord and Debi Randolph were also present.

Public comment: None.

Commissioner Folkvord moved to rescind Resolution 2020-17 re: stage one fire restrictions. Motion seconded by Commissioner Randolph and carried.

Commissioner Folkvord reported the MT Department of Agriculture Supplemental Agreement MDA 2020-052 North Elkhorns Cooperative Weed Grant was signed and submitted to meet the stated deadline.

Jania Hatfield, Deputy County Attorney, presented the Montana Petroleum Tank Release Compensation Board Application for Petroleum Release Eligibility Form 1-R for consideration. Commissioner Randolph moved to sign said application. Motion seconded by Commissioner Folkvord and carried.

Lindsey Babcock, BLM Butte Field Manager, gave an update on activities in Broadwater County, including noxious weed, vegetation and forest health management, grazing permits and other leases. BLM wants to improve access route to Copper City, and will work with the county on road maintenance issues.

Josh Obert, Public Works, reported the RFP committee recommended T&E be awarded the bid for a grader purchase, \$384,176.00 plus \$7,000.00 for extra equipment. Funds are in the road budget. Commissioner Folkvord moved to approve the purchase. Motion seconded by Commissioner Randolph and carried.

Teresa Monson, Public Health, presented Task Order Amendment Number Four for Public Health Emergency Preparedness Number 20-07-11-005-0 for approval. Commissioner Randolph moved to sign said document. Motion seconded by Commissioner Folkvord and carried.

Nichole Brown, Planning, stated the Planning Board has recommended denial of preliminary plat approval for Horse Creek Hills Subdivision, citing road access, safety reasons and significant impacts to adjacent land owners, with potential negative impact to adjacent agricultural operations. She then read the staff board report.

Josh Obert stated significant changes would be necessary for road maintenance and reconstruction costs.

Mark Fasting, Allied Engineering, stated it is a phased development, with 4 phases. The land has been idle for several years.

Public Comment was given by the following, with none in favor of the project: Bill Waldron, representative of the Confederate Gulch Homeowners Association, Vicki Sullivan, Phillip Fingar, J. B. Howick, Greg Field, Denise Thompson, Toby Dundas, Vince Thompson, Dawn Field and Holly Silkman. Virgil Henke asked the Commission to consider what do we want for Broadwater County.

Mark Fasting gave a rebuttal. Colleen Coyle, water rights attorney, gave an overview of water rights and terminology.

Commissioner Randolph, moved to approve minutes dated 10/25/2021. Motion seconded by Commissioner Folkvord and carried.

Commissioner Folkvord moved to pay approved claims dated 10/29/2021 in the amount of \$113,564.61. Motion seconded by Commissioner Randolph and carried.

Communications received: DNRC notice of general permit; storm water discharges associated with small municipal separate storm sewer systems statewide, FEMA acknowledgement of Emergency Action Plan (EAP) update for Broadwater Project, FERC No. 2853. Communications are on file in the commissioners' office as deemed necessary and are available for review.

Ed Shindoll, Al Christopherson, Tanya Dundas, Mr. and Mrs. Bill Cahill and Misty Masolo were also in attendance.

The meeting was adjourned at 12:45 p.m. The next regular meeting is scheduled for November 8, 2021, at 10:00 a.m.

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Mike Delger, Chair

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Attest:  
Ann Rauser, Deputy Clerk and Recorder