

**SUBDIVISION MEETING**  
**February 28, 2002**

Chairman Mike Murray called the meeting to order at 9:00 a.m. Commissioner Loendorf was present. Commissioner Varone was absent attending a meeting in Livingston. Others attending all or a portion of the meeting included Ron Alles, Sharon Haugen, Nancy Everson, Cheryl Green, K. Paul Stahl, Jim Wilbur, Kathy Moore, Christina Otto, Kelly Blake, Rogers Little, Ed Grady, Joan Miles, and Carole Byrnes.

Pledge of Allegiance. Everyone recited the pledge.

Resolution Ordering a Refund of Taxes and Assessments Paid. Department of Revenue representative, Christina Otto, reported that John and Lillian Griffin have requested a refund of taxes paid in the amount of \$342.58 due to an erroneous assessment. DOR recommended approval of a refund. After further discussion by Mr. Stahl, Commissioner Loendorf moved to table this to March 21. Commissioner Murray seconded the motion and it carried 2-1.

Grady Ranch Company Exemption Request. Deputy County Attorney K. Paul Stahl stated this is not an appeal from a decision from the review committee. The Permit Office had knowledge that the Grady Ranch wanted to build a house on the ranch for their son.

Commissioner Murray asked Mr. Grady if he would like to proceed today with two Commissioners or wait until March 19 when a full Commission is present. Mr. Grady agreed to move forward today with two Commissioners seated.

Mr. Stahl stated this issue will be decided on how the facts and the law are interpreted. Mr. Grady wishes to build a house for Brian Grady on the ranch property. Mr. Stahl's conclusion is that the desire of the Grady Ranch Company, a Montana corporation, to provide a dwelling for Brian is subject to the MSPA because the corporation intends to transfer possession of the newly built home from the corporation to Brian. Corporations are not entitled to a family transfer.

Roger Little, representing the Grady family, stated that the facts do not fit the law and the only law that is applicable in this case is the need to get a septic permit. Eileen Grady's Affidavit states the Grady Ranch intends to construct a residential dwelling on Grady Ranch owned real estate and the Grady Ranch will continue to own the residential dwelling as an asset of the corporation. Brian Grady will have no ownership interest in the proposed dwelling and possession will not be transferred to Brian. The Gradys are not creating a division of land.

Ed Grady stated he is making some changes in the family and his youngest son will be moving in and running the ranch. The land will not be separated and will not have another access. The ranch will continue to pay the taxes.

After further discussion, Commissioner Loendorf moved that the Commission allow both counsels to present findings of fact, conclusions of law by March 15 and the Commission will render a final decision on Tuesday March 19 to allow Commissioner Varone an opportunity of listening to the tape. Commissioner Murray seconded the motion and it carried 2-0.

Two Resolutions Authorizing Changes in Budget Revenues and Transfer of Budget Authority Within and Among the Budget Categories of Personnel Services, Operations and Maintenance, and Capital Outlay. (cont. from 2/26/02). Nancy Everson reported that the resolutions show the transfers and amendments that have been requested throughout the year FY02 for changes to the adopted budget. Commissioner Loendorf moved to approve the two resolutions and authorized the chairman to sign. Commissioner Murray seconded the motion and it carried 2-0.

Department of Administration - Anderson ZurMuehlen Standard Audit Contract and Audit Letter. (cont. from 2/26/02). Nancy Everson reported that the contract is a standard audit extension for FY02 in the amount of \$34,125. This is a 5% increase from FY01. In addition, staff will implement GASBY 34 for FY02 and the cost of the audit is unknown at this time. AZ is proposing that the fees for this audit will be billed at \$80 per hour. Staff recommended approval of the contract and the letter. Commissioner Loendorf moved to approve the contract and the letter and authorized the chairman to sign. Commissioner Murray seconded the motion and it carried 2-0.

USGS Joint Funding Agreement and Request a Waiver of Encroachment Fee. Jim Wilbur reported that the agreement between the WQPD and US Geological Survey is for the Lower Tenmile Creek Watershed Project. This project provides monitoring of water quality and stream flow along four locations of the creek and the installation of a wire stream gauge at the Williams Street Bridge. This is a two-year project. Fifty percent of the funding is from USGS budget and 50% is funded through 319 grant funds. Commissioner Loendorf moved to approve the agreement and authorized the chairman to sign and that the county waive the \$75 encroachment fee. Commissioner Murray seconded the motion and it carried 2-0.

Grant Award-Montana Consensus Council. Joan Miles reported that the Council will conduct the first phase of interview on the food service licensing issue. If the county can come up with partial funding for the project, the Council can match those dollars. Phase one will be a \$7,000 project. The State Department of Health and Human Services and 7 counties have stepped forward to fund the first phase. Each county health department will contribute \$300 and \$1,500 from the State Health Department. The Council will match \$3,500. The county attorney's office has reviewed and approved the contract, as well as staff. Commissioner Loendorf moved to approve and authorized the chairman to sign. Commissioner Murray seconded the motion and it carried 2-0.

Resolution Declaring County Property Surplus Property. Ron Alles reported that the resolution is to surplus computer equipment in the ITS Department. Staff recommended approval. Commissioner Loendorf moved to approve and authorized the chairman to

sign. Commissioner Murray seconded the motion and it carried 2-0.

Office of Public Assistance Community Operating Plan. (cont. from 2/26/02).  
Commissioner Loendorf moved to approve and authorized the chair to sign.  
Commissioner Murray seconded the motion and it carried 2-0.

There being no other business, the meeting adjourned at 10:22 a.m.