



Meeting Minutes March 15th, 2023 6pm

Supervisors Present	Employees Present
Bill Naegeli	Sarah Busmire
Terry Hightower	Advisors Present
Kristen Wing	Arthur Potts (Zoom)
Mary Reed	Jason Blakney
Nancy Mehaffie	Dillon Martini
Associate Supervisors Present	Brita Olson (Zoom)
Sean Moran	
Mindy Ferrell	
Visitors Present	Visitors Present Cont.
Mark Nelson	Grant Aumiller
Hal Brintzenhofe	Peggy Bates
Rusti Leivestad	Lionel Bates
Stephanie Criswell	Larry Hoffland
Gunner Junge	Dean Johnson
Beth Junge	Nancy Johnson
Greg Hinkle	Monte Nesbitt
Gail Hinkle	Jason Helvey
Chuck Harrington	Michael Feiger
Bruce Hunn	James Hill
Tony Ferguson	Kristen Albee
Cindy Ferguson	Fred Fagan
Kody Poiesz	Jon Hanson
Karen Brown	Mike Wagner
Dave Brown	Margaret Wagner
Barb Wooden	

Meeting called to order at 6:00 p.m.

Meeting Agenda items not always taken in order that they appear.

Introduction

This meeting will be recorded.

- Bill explained that he contacted the Fire Marshall and there are too many people for the building size. (Chair's Note -This issue was not discussed beforehand with the Chair.)

- Karen Brown said usually there is a sign up for the limitations of the property. Bill said we do not have a formal one but that he gave the information on the size of the building to an unidentified fire marshal this morning. A few people were asked to voluntarily leave the meeting and did.

310 Permits were Reviewed – See Transcription or audio file for full discussion of each permit.

SW-06-23 Aumiller Grant Aumiller said that they are going to add rock to reduce erosion and a safer walkway for anyone who decides to use it. Work was last done in 2015. A motion that we accept this as a completed application and approve the application as submitted and with the addition of before and after photos was made by Bill, 2nd by Kristen. Motion carried, Unanimously. Mindy would like to bring a point of order to include the permit to Avista along with the final photos so that we have a completed application.

SW-05-23 Wooden Barb Wooden said they are replacing the dock with a better one that is easier to get in and out of the water and need permit for a 4x4 dock at the water's edge to anchor the dock. Won't end up in the water but a permit is needed. Mary asked how many permits does someone need? Bill said it depends where; either 3 or 2. Mindy said that GMCD jurisdiction is the shoreline, the dock itself is reservoir Avista or NWE and floodplain is different as well. A motion to accept SW-05-23 Wooden as a completed application was made by Kristen, 2nd by Mary. Motion carried.

SW-02-23 Page Jason Helvey said this is steps to the river and must tie a rope and go down the rope over the rocks since it is steep. The platform, the staircases and the platform will be tucked up tight and 5 steps straight down. A motion to approve SW-02-23 Page as a complete application was made by Bill, 2nd by Kristen. Motion carried.

SW-04-23 Harrington Harrington said the original access was done maybe 35 years ago. The shore is caving in and improvement workplan was approved at Avista TRTAC meeting. A rock toe, remove old timbers, move stairs with a rail system on the stairs. A motion that SW-04-23 Harrington is a complete application was made by Terry, 2nd by Bill. Motion carried. Mindy asked if the laws have changed so that the floodplain has to be involved with 310s more than they used to be? Katherine said no.

SW-03-23 Wagner Bill said it looked like they just wanted to do a platform/gangway down. Jason said 4x4 platform up top and a gangway to existing dock system said that the length is long enough to reach the water without being steep. A motion to accept SW-03-23 as a completed application was made by Bill, 2nd by Kristen. Motion carried.

SW-01-23 LaPierre A motion was made to close SW-01-23 LaPierre was made by Bill, 2nd by Nancy. Motion carried.

Business Meeting

Fred Fagan Complaint Nancy read original complaint, which started as a consumer complaint in September of 2022 and took a long time to get to GMCD. The complaint is a form where he filled in sections of and she read what is on the form. Sean said that he knows the area and there has been small scale digging around the area, like the size of a table. There is a natural little bypass seep channel that beavers use and it is a dynamic area. It is farther from the road. Sean said he saw no equipment and the digging was done by hand he assumes. Bill said that the county has been notified.

Public Comment on the agenda

- Associate Supervisor Mindy Ferrell questions the legality of the Special Meeting on 1 March and asked DNRC to advise. A document is going to be submitted for the record.
- Bruce said that the Supervisors never said that they couldn't have the meeting. You can post the comments and that is fine. They being witnesses to the meeting, not one word being spoken about the meeting being illegal and DNRC was very clear that we could take action and that the current elected supervisors could continue business as status quo.
- Past Senator Hinkle Discussion contemplates collective discussion and information among the constituents. Generally, notice of a meeting must be given sufficiently in advance so that people can attend.
- Nancy read the letter that Attorney Caitlin Overland wrote addressed to GMCD.
- A motion was made by Chair Nancy Mehaffie, 2nd by Supervisor Mary Reed, Majority approved to accept the DNRC finding as recommended in Attorney Caitlin Overland's letter. Namely that the board is a 5-member body of elected supervisors. Terry asked if a motion is necessary. We don't need a motion to accept a decision. We don't have a choice and doesn't feel a motion is appropriate. Mary, Kristen and Nancy voted for the motion. Terry is abstaining. Bill is no comment.
- Supervisor Mary Reed said she is making the motion that as the DNRC lawyer has stated and we are just accepting as they presented it.
- Kody Poiesz asked why you three are the new board members and in the first three months have taken chairman and added the treasurer? What makes you more qualified? Or what is your agenda with what you plan to do then?
- Chair Nancy Mehaffie said that they are going to manage the CD and do the agenda items and learn along the way. They plan on managing the natural resources, the information and 310 permits and follow the guidelines of DNRC of this job.
- Kody Poiesz said how long have you all been on the board?
- Chair Nancy Mehaffie said we have been in office for three months.
- Supervisor Mary Reed said there has been so much bickering with the board they haven't been able to do anything between us. And this has been contentious.
- Kody Poiesz said you had to have a special meeting to have to vote for the chairman?
- Supervisor Mary Reed asked who Kody is with?
- Kody Poiesz said he is a concerned member of the public.
- Chair Nancy Mehaffie asked what his name is?
Kody Poiesz said that he is not satisfied that he thinks that you all should resign on the public record.
- Supervisor Kristen Wing asked why?
- Kody Poiesz said he believes that at this point the district should be run as it has been.
- Past Senator Hinkle said that no tests shall be given for elected office no one has to have any qualifications whatsoever. You are given no test.
- Supervisor Kristen Wing said it was recommended in the Supervisor's Manual to have a treasurer.
- Supervisor Mary Reed said that Hailey [Graf] said that we should have a professional audit.
- Supervisor Bill Naegeli said just have a regular audit instead of a professional one.
- Bruce Hunn said that he was at the last meeting, many allegations were made about the conduct of the board in the past and now. The present board is getting comments. Their intent is for this board to continue business as usual and thinks this can be done indefinitely.

Administrators Report

- A motion to approve the minutes for February 15th was made by Supervisor Bill Naegeli, 2nd by Supervisor Terry Hightower. Motion carried.
- A motion to approve the minutes for March 1st special meeting was made by Supervisor Kristen Wing, 2nd by Supervisor Nancy Mehaffie. Nancy and Kristen are aye. Supervisor Mary Reed would like to have more time to look them over.
- Financial report and accounts payable was gone over. A motion to approve financial report as submitted was made by Supervisor Bill Naegeli, 2nd by Supervisor Kristen Wing. Motion carried.

2023 Annual Plan

- Annual plan tabled to April.

Vermillion and Bull River grant applications

- Nancy was concerned with the road washing out and whether the project would increase stream velocities. Also wanted to see if on a map how it would affect Fred Fagan.

Flag for inside and outside the office and a Montana flag

- A motion to purchase 3 flags and a pole for two American flags and one Montana flag was made by Supervisor Nancy Mehaffie, 2nd by Terry Hightower. Motion carried.

Website Report – Sarah Busmire Administrator said they got the website back working and have posted approved minutes and the agendas.

LCFWG Report – Britta Olson

- Everyone received it. Chair Nancy asked for questions. None were given.
- Supervisor Mary Reed said is she is working on the Landowner Grazing Management Plans?
- NRCS Dillon Martini said that they go to properties for grass clippings, livestock water and estimated stocking rate for the property so that they can get the most grass off the property without damaging the resources.

NRCS Report – Dillon Martini

- Said business as usual with the secretary position application deadline is March 17th.

Avista Report - Arthur Potts

- GMCD Office Administrator read the Avista updates from Arthur.
- Associate Supervisor Sean Moran said that those projects and what may be happening and that Flat Iron is silted in and to get the reservoir down and be able to get in there to do the project. Project plans are implemented annually. GMCD can be affected by Watershed Council's program.
- MC meeting group reviews the programs that Avista enacts annually and votes whether to approve them or not. These projects can have some bearing where GMCD may seek a permit or grant.

Northwestern Energy (NWE)

- NWE is continuing with relicensing. There will be opportunities for comments in 2023.
- Associate Supervisor Mindy Ferrell asked if GMCD can offer comments.

Water Festival Meeting/Education

- Associate Mindy Ferrell discussed the preparations for the Water Festival.
- Supervisor Mary Reed would like to oversee the planning of the Festival.
- Supervisor Bill Naegeli said that usually the admins from ESCCD and GMCD do it and supervisors are usually just be in a supervisory role

310 Training for April 11 or 12

- Area Director Hailey Graf is going to offer virtual training on 310 applications and a follow up training in spring.

Submittable for Bull River Grant and Vermilion Grant – Britta Olson

- Brita discussed the CD project grant and gave a history of this grant and the CD project grant. Drafted in September, discussed in December. Approved to apply, Sarah presented it at MACD ranked highly and awarded mid-November. Brita is providing a housing stipend and other costs such as materials and supplies cost and GMCD sponsored the MWCC grant and the CD project grant to support the host site fee for Daniel's position.
- A motion to accept this grant was made by Terry, 2nd by Bill. Motion carried.
- Supervisor Mary Reed asked about the budget whether there were matching funds. She asked if there are any with conservation easements?
- Brita there are some that have them and some that don't and many people who have easements, are interested in plantings.
- Brita, Dillon and Sean described Bull River Project, Vermillion River Re-alignment and the land conservation easement program.

- Past Senator Hinkle asked about the funding and the matching grant money. Are these private donors listed by name? How much is the match?
- Supervisor Mary Reed said \$18,000 for the Bull River grant and in-kind match for \$66,000 and totals \$100,331 for the project.
- Senator Hinkle asked where specifically the funds come from and what the entity is? And wants to remind the board about Article 2 Section 9 and the right to know and can examine documents and deliberations of all public bodies of and he listed off the article and that every penny can be tracked and he would like to see them.
- Supervisor Mary Reed would like the grant information because she takes her position very seriously and if she has anything to do with \$100,000 she needs to know more. She isn't trying to pause or stagnate anything and needs some answers and before we can move on this.
- Jon Hanson said it would be helpful if you could provide a specific list of questions for the LCFWG. Chair Nancy Mehaffie and Supervisor Mary Reed said they need to know by the 20th.
- Jorri said that if there are certain landowners, direct partnership or impacts on a party, we request a letter identifying that information.

Financial Audit

- Supervisor Kristen Wing said that she spoke to several CPAs and there are some that have backed out of doing government audits. She spoke to Denning, Downing and Associates, DDA from Kalispell and their firm couldn't do it until next year. She was advised that an internal audit could be done. Firms and quit doing audits for Federal and government entity. One firm quoted it would cost \$17,000. DDA advised us to do an internal review from when we took over.

New Business

- Chair Nancy Mehaffie would like GMCD to have bylaws.
- Tony Ferguson offered to make the donation last week, he asked if you are accepting the donation or not?
- Past Senator Hinkle said that the MCA says you should have an audit every year and at the special meeting you made a motion to do an audit.

Public Comment

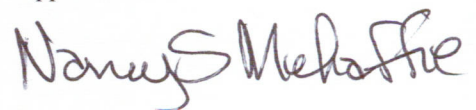
- Public asked if we are done with the fight of the 5 member or 7 member board?
- Supervisor Bill Naegeli said at the moment we are operating as a 5 member board. The interpretation that they have given us brought up other issues. Citizens of Thompson Falls vote on a supervisors but don't pay mill levy tax to a CD. If they are taxed, it is taxation without representation. If Thompson Falls is outside the CD, then they shouldn't be voting.
- Area Director Hailey Graf said that going back through the records of the CD to 1941, GMCD has been correctly operating as a 5 member board. In 1944, the townsite exclusion of TF area does not pay mill levy and does not vote for supervisors. There is a board member whose property straddles the line but she does pay the mill levy taxes for the district.
- Supervisor Bill Naegeli said that is not the question. If they are getting taxed or not, why do they get to vote on a supervisor?
- Area Director Hailey Graf said if they are out, they do not pay the mill levy. They do not have a right to vote for Supervisors to the board. They are outside of 310 jurisdictions as well.
- Supervisor Bill Naegeli said it looks like all Thompson Falls people voted for the supervisors.
- Area Director Hailey Graf said DNRC worked with the County Clerk and Recorder and without doing a census of the area, the correct residents are getting taxed and the residents in the exclusion area are not.
- Supervisor Bill Naegeli said the tax base is correct then what about the voting?
- Area Director Hailey Graf said she does not know that. It would be a question for the election department.
- Bruce Hunn said that Representative Fielder, Chief of DNRC, Chief of DNRC Legal Counsel and the read letter is part of the conclusion. The simple answer is a 5 member board.
- Public comment said to get their feet wet and when their term is up you can apply for the position and let's give them a chance.
- Public comment said the Vermillion project - are they reconstructing the river?
- Forest Service District Ranger Michael Feiger - The river segments targeted for work goes back to the diggings. This resulted in the channel configuration that is not desirable for fish or river function.
- Public comment asked if there are dozers to re-channel this?

- Forest Service District Ranger Michael Feiger - said yes that using excavators is part of the technique of the project.
- Associate Supervisor Mindy Ferrell said it is wild, but there has already been reconstruction done in the area with dozers.
- Public comment asked if a forestry worker came by and moved rocks they would get in trouble, but they are allowing dozers and excavators in the creek?
- Forest Service District Ranger Michael Feiger - said that we have to get all of the permits for the projects.
- Supervisor Terry Hightower said they are selected and are not generally that long and they put root wads in to try to reduce erosion.
- Public comment asked about the whole project length?
- Forest Service District Ranger Michael Feiger said over 15 years there have been 3 reaches. One phase per year. Fifteen years of Vermillion River data has been collected.
- Supervisor Mary Reed said that when you first brought it up that this would bring \$100,000 in construction work to the county?
- Supervisor Bill Naegeli asked Brita how much we have spent so far?
- LCFWG Brita would say somewhere in the realm of about .5 mile at a time so total is about 1.5 miles and subject to the designs and planning in three phases of it. Last project it was around \$400,000 for a local excavation firm and personnel and others contributing on the project and each phase is about half a million dollars.
- Public asked if the purpose is for fish?
- Associate Supervisor Sean Moran said it is for fish, wildlife and recreation and is caused by the excess material from the mining history.
- Public asked do you go back to the original miners to get money from them? Free money from the taxpayers but not from the person who mined it. Forest Service District Ranger Michael Feiger said that federal funds are appropriations to the USFS, laws and legislations, RAC, Avista, and the state of Montana through organizations like DNRC to support the design.
- Forest Service District Ranger Michael Feiger - Intent is to increase the sinuosity, to slow the river down, narrow, deepen and place structure in the stream for more complex habitat. It helps with shade, water quality conditions, reforestation of cottonwood and conifers that was in the area.
- Supervisor Terry Hightower mentioned the 1860-1870s history of the Vermillion and what happened there.
- Forest Service District Ranger Michael Feiger said some are the Chinese diggings like pick and shovel and some going underground. Around the turn of the century is when the larger load moving operations were occurring.
- Bruce Hunn said most is historic mining and prior to the 1900s and has never been a large producing area, but a lot of small activity by individuals.
- Supervisor Bill Naegeli asked if it looks like over in Murray?
- Forest Service District Ranger Michael Feiger said yes and no and that there is a limited amount of work that was done. Reason that it wasn't done the entire length was because of a complex substrate.
- Bruce Hunn said that Murray was much different. There was a giant floating dredge and the Vermillion has been spotty, small scale operations.

A motion to adjourn the meeting at 9:21pm was made by Bill, 2nd by Terry. Motion carried.

Respectfully Submitted.

Approved.



Transcribed by Sarah Busmire
Administrator

Revised by Nancy Mehaffie
Chairman



Report to the Green Mountain Conservation District
March 15, 2023

Big Sky Watershed Corps (BSWC) Member

Requested to support:

- Bull River Revegetation (50%)
- Private land stewardship and project development (25%)
- Other conservation activities with partners in the LCF (25%) Matched by:
- LCFWG is providing housing stipend for Daniel.

History:

- Discussed opportunity to host a BSWC member at the August 2022 GMCD meeting, where it was moved and approved "to apply for the Americorps person and the cost-share application". - MOU with MCC for hosting BSWC member and providing \$12,250 host site fee was signed in September 2022.
- Sarah and Brita participated in hiring process. - Daniel started at the beginning of February.

MWCC Cost-share for BSWC Member

Requested to support:

- \$6,000 of \$12,250 BSWC host site fee.

Matched by:

- DNRC CD Project Grant
- LCFWG project funds
- LCFWG housing stipend

History:

- Discussed opportunity to host a BSWC member at the August 2022 GMCD meeting, where it was moved and approved "to apply for the Americorps person and the cost-share application".
- Submitted application August 29, 2022.
- Funding was awarded.
- GMCD signed cost-share MOU December 2022.
- Funding was received and paid to MCC in early winter of 2023 for first payment BSWC host-site fee.

DNRC CD Project Grant - Restoring Riparian Health and Function in the Bull River Requested to support:

- Remaining GMCD obligation for Big Sky Watershed Corps (BSWC) Host Site fee (\$6,250).

- Project ASCENT high school internship
- GMCD staff time supervising BSWC member and completing Bull River project work - GMCD travel Matched by:
- LCFWG Bull River Project funds History:
- Drafted in September
- Discussed at September 2022 GMCD Meeting, where it was moved and approved “to apply for the DNRC Project Grant to support the BSWC member and ongoing revegetation efforts in the Bull River”.
- Sarah presented the project to the review board at the MACD convention in the fall. It was the top rated presentation and application.
- Was awarded to GMCD on November 15, 2022.
- From November to present, DNRC has been working on environmental compliance and contracting for the project.
- DRAFT contract is now ready for GMCD review and execution.

Next steps

- Execute contract with DNRC for Project Grant funds
- GMCD/LCFWG would develop a MOU between the GMCD and LCFWG to reflect our mutual commitments in hosting a Big Sky Watershed Corps member and contributing to ongoing Bull River Revegetation efforts over the next year
- GMCD/Project ASCENT would develop an agreement for the Project ASCENT “Junior Conservationist “ high school internship program.
- Implement project

DNRC CD Planning Grant – Vermilion River Restoration and Project Effectiveness Monitoring

Requested to support:

- GMCD and LCFWG staff time for project planning and development work contributing to the next three phases of collaborative restoration on the Vermilion River, in partnership with the Kootenai National Forest, United States Geological Survey, Montana Fish, Wildlife & Parks, Montana Department of Environmental Quality, Montana Department of Natural Resources and Conservation, United States Fish and Wildlife Service, Avista, and others.
- Materials and contract costs associated with project design and effectiveness monitoring Matched by:
- LCFWG-sponsored project funds
- USFS / Kootenai National Forest
- USGS

History:

- Drafted in September
- Discussed at September 2022 GMCD Meeting, where it was moved and approved “to apply for the DNRC Reclamation and Development Planning Grant to support Vermilion River Restoration and Project Effectiveness Monitoring”.
- Application was submitted to DNRC on September 29, 2022.

- In response to requests from DNRC, to narrow the scope and budget presented in the original application; revisions to the scope and budget were developed by GMCD staff, LCFWG staff, and project partners.
- Grant was awarded on November 15, 2022 based on the revised scope and budget.

Next steps

- In order to move forward in sponsoring planning grant as awarded, GMCD would need to (by March 20th):
 - Move to sponsor DNRC planning grant and move forward with contracting for the project as awarded.
 - DNRC would complete MEPA prior to contracting.
 - Enter into agreements for funding and to outline partnership roles:
 - Contract with DNRC, including grant management plan that clearly defines who has what roles and how funding will be allocated to eliminate any potential overlap.
 - MOU with LCFWG
 - Participating agreement with the Kootenai National Forest

OR

- Request that Sanders County sponsor the application. This alternative was proposed in January/February as a solution to reduce complexity of contracting / financial management, following Brita's resignation and Sarah's decision to work part-time for the LCFWG, filling the role of primary staff person for both organizations.

OR

- Withdraw application.

Green Mountain Conservation District Meeting
NRCS Report
March 13, 2023

- Secretary position was flown. Waiting for cert list.
- March 17th deadline for a second batching date for both CSP and EQIP
- Working on redoing our long range plan based on our discussions from the Local Working Group Meeting
- Continued work on applications we have received for next year. So far, we have funded all of our Roots for Rivers and our White Pine applications for the first signup. Waiting to hear which CSP applications were funded.
- Ventenata TIP was presented to the Area Office. New edits were completed. Eventually I will have to present it to our State Leadership Team.
- Dave Wroblewski, District Ranger for the Lolo NF, and myself are working on a Joint Chief's application for funding for forest management in the Thompson Falls area.
- Administering a number of active forestry contracts, high tunnel contracts, CSP contracts, and a few active irrigation contracts

Thank you,
Dillon

Dillon Martini
District Conservationist
Plains Field Office