



Meeting Minutes June 19th, 2019

Supervisors Present

Kent Wilby
Terry Hightower
Mindy Ferrell
Sean Moran
Bill Neageli

Employees Present

Leona Gollen

Advisors Present

Travis Lemke
Ryan Kreiner
Brita Olson
Katherine Maudrone

Associate Supervisors Present

Jean Dunn
Jackie Nichols

Visitors Present

Scott Pardee
Gale Albert
Sady Babcock
Tom Walker

Meeting called to order at 7:00 p.m.

Meeting Agenda items not always taken in order that they appear

Introductions

Minutes 2019

- A motion to approve May 15th, 2019 meeting minutes as submitted was made by Sean 2nd by Mindy, motion carried.

Financial Report

- Leona reviewed the financial report with the board for the last period.
- A motion to approve the financial report for last period was made by Bill, 2nd by Sean, motion carried.

Administrator's Report:

- Update on sign on Lincoln side of County
 - We did not get the 223 grant to help pay for the sign so we are looking into other avenues.
 - It was brought out that having the signs be consistent and look the same throughout the State would be nice.
- NWE & GMCD Float trip
 - Dates that NWE are available are July 16th, 18th, and August 20th.
 - NWE will supply the boat
- Simms Meander Grant Sponsorship

- A motion to sponsor the Simms Meander grant from “Bring Back The Natives” was made by Mindy, 2nd by Bill, motion carried.

GMCD Website: (greenmountaincd.org)

- See attached

LCFWG COORDINATOR “WATERSHED REPORT”

- See attached

MT FWP Report

- Thompson River Sampling - Just finished 2 sites.
- Pathogen Sampling on streams which is done every 5 years to see what diseases, Bactria, that may be in the streams.
- Fish Ladders are operating and is catching some suckers, rainbows etc.

NRCS Report:

General

- Maxwell Buckner (Tennessee) began his employment with NRCS as a Pathways Intern on Monday, June 10th. He is assigned to the Plains Field Office until mid-August.
- Grand fir health issues are believed to be caused root disease, and fir engraver.

Programs

- Preapprovals for EQIP 2019-2 applications are occurring statewide. Western Sanders County (Green Mountain District) has one application for EQIP 2019-2 that has been pre-approved for funding thus far. Troy is continuing to conduct inventory and evaluation of properties along the Bull River in anticipation/preparation for the 2020 Targeted Implementation Plan (TIP) proposal for Sanders County. To-date we have worked on properties owned/operated by three different landowners along the Bull River Corridor, all of whom have expressed interest in addressing forest health issues. Hopefully we can get more interest in the next few months. The main focus is forest health. Trying to change the compenence of some area for the better. We will work with landowners to complete a forest management plan.

Outreach

- Travis spoke to the MSU-Extension Forest Stewardship class in Trout Creek on May 24th regarding forest health issues and possible future TIP (Targeted Implementation Plans – MT Focus Conservation) proposals on private forested acres in Sanders County.
- One project has been funded through EQUIP in Sander County so far.
- Travis will be going to mile City for 2 months to work with them on conservation because the vacancies are not filling like they should so there is a shortage.
- The thought is that NRCS will be doing more partnerships to accomplish the projects.

(SWCDM) Soil & Water Conservation District of Montana

- No Report Submitted

Education

- Leadership Training Workshop Update – See attached Report
- WF Update
 - We had a Water Festival meeting in June and everything is on track. We will meet again probably in August.
- Pollinator training
 - ESCD and GMCD are discussing the possibility of sponsoring a pollinator training session hopefully next spring.
-

Old Business:

- Nothing to Report

Building Repair Project:

- Nothing to Report

No-Till Drill/Gopher-Getter:

- Nothing to report

New Business:

- Spring Board Meeting Update (Bill)
 - We want to strengthen the SWCDM as a group. There are finances available through them that we may be able to utilize.
 - They are looking for a part time Coordinator and a Director.
 - Most of the smaller districts are paying their dues but the larger CD's feel that they are paying to much.
 - The standing sub-committees have fallen in to no-existence and MACD is trying to bring those back.
 - Trying to set up at least a quarterly meeting with all sub committees.
 - The Dues will be a percentage of the mill
 - Overall it was a good meeting and hopefully things will progress.

Subdivision Review:

- Nothing to Report

Time Allowed for comments from the Public not already on the agenda:

- None

310 Activities**SW-08-19 Crone**

- As of 05/15/2019 there has been no re-submission of Mr. Crones application from April's incomplete application motion.

SW-10-19 Walker/Pardee

- A motion to accept as a completed application was made last month
- There was a site visit on June 10th and Kent, Sean & Ryan will attend.
 - The vegetation by the reservoir at the bottom of the cut-out slope will not be disturbed.
 - There will not be rock to the water's edge, vegetation will be by the reservoir.
 - There will be curving of the trail. Both embankments will have 4-5 alders or equivalents.
 - There will be fiber under the rock. 500 X Fiber
 - There will be softening of the trail with vegetation on both sides.
- A motion was made to accept the application with the modification from Mr. Pardee which is referred to as attachment "A" in the file was made by Sean, 2nd Bill. Motion carried.
- *Due to prior permitted excavation that would not be permitted now, it was difficult to establish native vegetation in the area in question. GMCD knows that the rock and fabric that will be used and the few vegetative plantings will not be the bank's natural state that we would as a rule want to see, but it is the compromise that was agreed upon with the landowner to allow access to the water.*
- 1 Supervisor abstained.

SW-11C-19 FWP

- A motion to send a letter to complainant outlining decision and remedies was made by Kent, 2nd by Bill, motion carried.

- Keep this on agenda until October to complete the investigation.

SW-12-19 Gingerich

- This project was fully approved in 2016, extended in 2017 but never completed. Mr. Gingerich is resubmitting his application in hopes of completing the project this summer.
- A motion that the application was complete was made by Sean, 2nd by Bill, motion carried.
- A motion to approve the project with the following modification: ***The bank will be stabilized 290'Ft. instead of the requested 500'Ft. Tree Bundles will be placed on stream bottom with the tops kept below the existing stream bank. The project will start after July 15th 2016 and the Landowner will establish woody re-vegetation.*** Was made by Bill, 2nd by Terry, motion carried.
- FWP waved site visit

SW-13-19 Albert

- New dock, anchor system, and ramp on the Clark Fork River. Near Thompson Falls. Minimal impact to the bank. Avista has approved this project.
- A motion to approve the application as complete was made by Sean, 2nd by Bill motion carried.
- A motion to approve the project with the following modification: ***The dock will be hauled up river to flat iron to be removed and installed*** was made by Bill, 2nd by Terry, motion carried.
- FWP waved site visit

SW-14-19 Petrie

- Ramp and Dock installation on the Clark Fork River. Dock will extend 24 Ft. from shore. Dock will be removed from water every fall. NWE is not involved in this project.
- A motion to approve the application as complete was made by Sean, 2nd by Bill, motion carried.
- There is not much current where the dock will be. Why does he want it extended so far out and extend anchors and cables into reservoir? It may be that if it tucked back and more is on shore the dock would still be in the water and sufficient depth to dock a boat without require anchors and cables that were proposed to remain in the reservoir.
- A site visit is schedule for Kent, Katherine, Ryan. Leona will send out e-mail for schedule.

SW-15-19 NWE

- NWE proposes to complete equipment crossing and water drafting on Prospect Creek and side channels. The crossings are needed to access structures that need to be replaced. The water that is drawn from Prospect Creek will be used as dust abatement and fire patrol.
- A motion to approve the application as complete was made by Mindy, 2nd by Terry, motion carried.
- Leona will e-mail Sean, Ryan & Sady to schedule site visit

SW-16C-19 Prospect Creek Fence possibly on bank

- An anonymous complaint came in concerning a landowner building a fence possible on the banks of prospect creek. It is in the area of where Prospect Creek meets Dry Creek on the Cherry Creek Rd.
- Bill will go look at this site and report back next month.

SW-17C-19 Salish Shores lot 28

- An anonymous complaint came in concerning a landowner cutting down trees and placing a dock in the water without a 310 permit.
- Bill had a discussion with the new landowner and he said he was not cutting down trees. He stated he was trimming branches from a Hawthorne and no root wads were disturbed. The anchor points and blocks were already there and approved by us in 2008.
- The owner has invited Bill to look at it when he returns to town.
- After review of the 2008 310 permit that was issued to the previous owners Mr. & Mrs. Wolf, it appears that they did not request to put a dock in at that time, they only requested to put the trail

and access down to the water. So with that being said, the new owner needs to submit a 310 application outlining the dock that he wants to install.

- Bill will contact him and inform him of the 310-application requirement for the dock configuration.

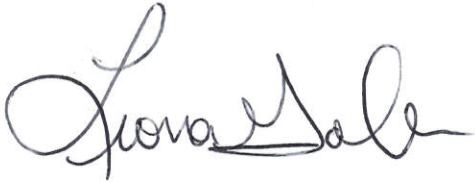
MSU Extension State Government Boards and Committee Training: Recap/ discussion:

- See attached

A motion to adjourn at 10:00 pm was made by Sean, 2nd by Kent, Motion carried.

Respectfully Submitted.

Approved.

A handwritten signature in black ink, appearing to read "Leona Gollen".

Leona Gollen
Administrator

A handwritten signature in blue ink, appearing to read "Terry P. Hightower".

Terry Hightower
Supervisor

To: Green Mtn Conservation Dist Board
Re: **Report from Boards and Committees Training** held in TF
Present: Mindy, Sean, Terry
Training date: May 22, 2019
Submitted by Mindy Ferrell

This training is sponsored by the County bi-annually to present Montana statutes to those who are on various Public Boards and Committees. Private Boards and Committees were in attendance. Public notice had been given.

Presenter: Dan Clark, MSU Extension Agency, Local Govt Center
msulocalgov@montana.edu 406.994.6694

Notes from his presentation (not necessarily in the order presented):

Overall arching principles:

- Government is not meant to be efficient. Sometimes things move more slowly than desired. Checks and balances are built in. This is intentional in order to provide sufficient and adequate public participation.
- It's not about 'me' or 'you' on the Board or Committee, but about the people we're serving (and in the case of GMCD, it's also about the resource we're representing)
- Ideally, Boards should be made up of individuals with a broad spectrum of interests, skills, and opinions.
- Boards need to be accountable, transparent, equitable and fair when following the Rule of Law.

Board rules: Most of these we follow, but it seems like we could improve a few things (*discussion items in bold italics*).

- Public participation shall not only be permitted but encouraged.
- Adequate notice must be given. Dan said that 4 days is standard for physical notices
- Minimum of 48 hrs for public notification.
- Anytime there is a quorum of a Board (i.e., >50%) there should be a public notice given. Board members are not to discuss, or act upon a matter over which the agency has supervision, control, jurisdiction, or advisory power without public notice and opportunity for public participation.
(*Could we do a better job to post trainings? How would that best be done?*)
 - **We post Supervisor's scheduled training in minutes.**
- Public notice and agendas of all meetings need to be posted in at least 2 physical places, should be on the County On-line Calendar, and it is encouraged to be listed on the agency's web site if one exists. (*I now know that we post our monthly agendas at the door of GMCD and at the County Courthouse. Could we expand that to the TC PO as well as on the County Commission's calendar page?*)
 - **We post our agenda in the TC post office, our website, our door, and the Court House**
 - **Mindy would like to post on the commissioner's website.**
 - **Leona will ask Jennifer to post our agenda in the appropriate places that she sees fit.**
- Agendas' items need to reflect sufficient explanation to express the nature of the entire topic (e.g. "fire truck" is not sufficient for a fire district agenda because the public doesn't know if the agency is considering buying, repairing, mothballing, or other action concerning the fire truck) (*seems we could improve here*)
 - **Getting to detailed in our agenda would restrict and limit our discussion.**
- Discussion should not occur by the Board unless it is on the Board agenda. By delaying an item's discussion, due diligence is provided for public notice and input by delaying discussion and decision to the next agenda.

- Public comment on agenda items (per Carol) is normally listed at the beginning of the meeting, but the Chair may also provide comment at each agenda item prior to action.
- Action items must be listed as such
- Parliamentary Procedure shall be followed with the understanding that there is a 'short-format' that allows presentation/discussion before a motion and 2nd are made. Further discussion then needs to be allowed after the 2nd before voting.
- Sufficient representation of both Board and public discussion should be reflected in the Minutes and the voting record of a decision needs to be clear.
- As long as Board members are within their defined scope and role, the County will indemnify (see state rules for Agency formation for role and scope)

Take-away questions / comments:

- Terry brought up a question about *whether or not GMCD is actually a public board*. Good question. I called and asked Jennifer Ekbert, the SC Commissioners Executive Assistant. She honestly couldn't answer it. We receive Mill levies, our Board must either be approved by the Commissioners or is eligible for public election, but she could find no By-Laws on file which are supposed to be required by all Public Boards.
 - Jennifer responded as follows:
 - Green Mtn Conservation District Is a Public Body created in 1941
 - It's a Govt Subdivision of the State w/ Public Right to Know
 - There are no Bylaws on record at the Courthouse because the statewide Conservation Law (w/ By-laws) suffice as public record: MCA Title 76 Chapter 15
 - Information re Administration of Conservation Districts found in: MCA 76 -15-3.
 - Bill responded as follows:
 - We are one of those Bad stepchildren and don't quite fit under Private or public.
 - We fit more under a state board because of the federal mandate for conservation districts.
 - We collect the levy money but County govt does really have any authority over us.
 - The agenda is posted each month at the courthouse but not on their calendar.
 - I will try to get a better answer for us at the Spring board meeting.
 - Carol Brooker responded as follows:
 - At the top of your agenda you should have a line item for public comments, they can speak to your agenda items, if they bring anything else up NO decision can be made it would be forwarded to the next months agenda. Some chairs let the public make comments after each agenda item after board discussion.
 - You are a public agent, you receive public funds. State not federal. You may receive additional funds from the feds, that doesn't change your form of government. You are not a bad stepchild you are public. What I found is you are mandated by state not federal. If you have something that states something different please provide for our file.
 - We don't have authority over you but you are a sub-division of the county.
 - If you want your agenda posted on our web-site we can do that. Posting at the post office in Trout Creek and the courthouse.

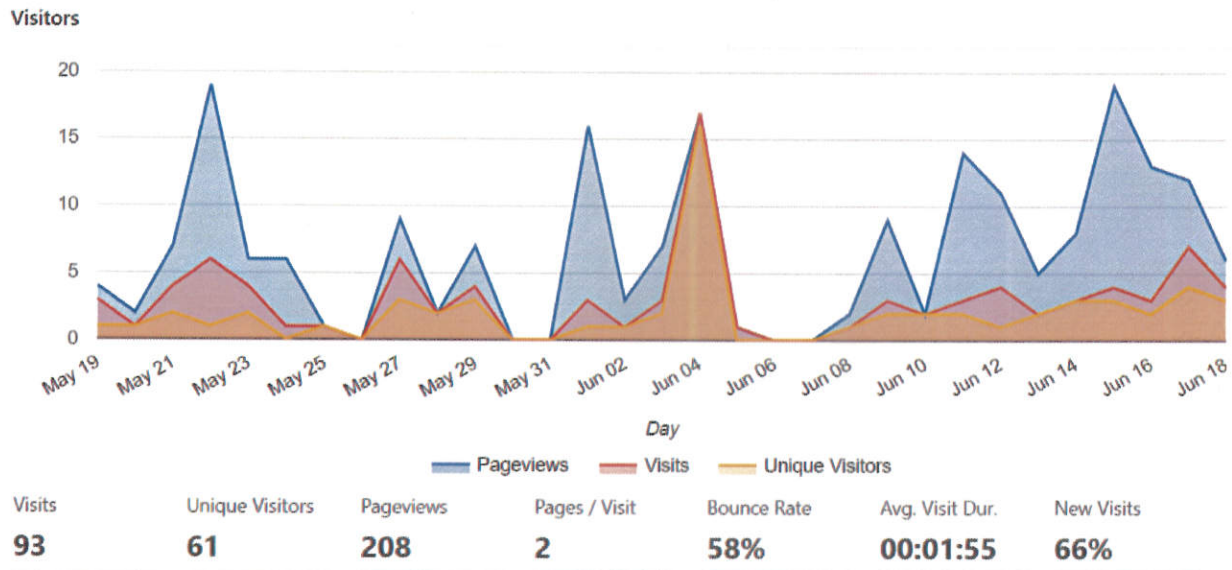
- Do we have By-Laws in place? (Note: if we do not, the Local Govt Center has a template on-line that could be adapted. It is for a Water/Sewer District, but ... www.msulocalgov.org (answered with Jennifer's response)
 - **No CD has their own bylaws. We follow State law which governs everything conservation districts do, from elections, voting, financial management, operations, and more.**
- If the GMCD is deemed a Public Board, all business is public. *The start of the meeting is publicized and it doesn't seem that we should start earlier (i.e. "Business Meeting Starts with a Quorum") since all business is public.*
 - **If we post it at 7:00 pm then we should start at 7:00 pm**
- *Could we please include the Financial Report in the Board packet in order to provide sufficient review prior to the meeting?*
 - **The financial report is not complete until the day of the meeting due to the fact that we get invoices up to and including the day of the meeting which need to be paid.**
- *It might be helpful if a session for all new Supervisors be available each year at either the Area V Meeting or the annual MACD meeting? In that way, there would be uniformity throughout the state to provide an overview of the purpose and operation of all CDs and it could also be used as a general training to be a Board member.*
- *Question: Sometimes we distribute emails that present, discuss and sometimes even decide on various matters under our public jurisdiction. If we are indeed a Public Board, are we in violation of Open Meeting laws? From the training it seemed that presentation and email discussion is okay as long as it is publically repeated (or recorded) in the next meeting's meeting and that sufficient opportunity for public input is given. Is that correct?*
 - **Making a formal decision through the e-mail process is never allowed. All formal decision and motions are made at our monthly meetings.**
- *I am unclear from this last training whether or not a Supervisor can call-in to a meeting in order to make a quorum. It might be worth asking Dan to get better clarification. I know that we could Skype into a meeting.*
 - **Yes we can call and or skype as long as there is a place that the public can gather and participate.**



Report to the Green Mountain Conservation District
June 19, 2019
Brita Olson, Lower Clark Fork Watershed Group (LCFWG) Coordinator

Website

- Final April meeting minutes were posted.
- DRAFT May meeting minutes need to be posted
- June agenda posted.
- No additional content was posted because there was not additional information provided to update the website with an education page.
- Plan to add information about the Lower Clark Fork Watershed Story Maps.
- Last month's stats:



Meetings

Lower Clark Fork Watershed Group Meeting will be tomorrow morning (June 20) in Thompson Falls at the State Building Conference Room.

Story Map Project

The Lower Clark Fork Watershed Story Map and Outreach Project fliers, postcards, and stickers are all still available for distribution. Check out the "story maps" on the front page of the LCFWG website (links in the slider take you to the different story maps). Also plan to add links to this project on the GMCD website sometime soon (amidst a busy field season).

Project Updates

Bull River Revegetation: Had a Montana Conservation Corp crew out in the Bull River at the beginning of June. Completed maintenance at Warrington, Rowe, and over half of the Edwards property where there was need. Plan to complete further maintenance as there are resources throughout the year. This also expended all remaining GMCD sponsored grant funds for Bull River revegetation

Sims Meander Project: We've started another round of grant planning and funding proposals, based on a preliminary budget provided by Craig Neesvig (Kootenai National Forest) who continues to work on the design for this project. Green Mountain Conservation District has already sponsored a 319 grant through Montana Department of Environmental Quality, and I'd like to have GMCD sponsor all of the funding proposals so that they go to the one place. The next is a \$50,000 proposal to the Bring Back the Natives program of the National Fish and Wildlife Foundation. The pre-proposal is due on June 27, and I'd like your permission to submit a proposal on GMCD's behalf as well as to develop a full proposal if selected.