

PUBLIC HEARING ON PETITION TO WITHDRAW CERTAIN  
AREA OF LOWER ROCK CREEK FROM THE GRANITE COUNTY  
HOSPITAL DISTRICT

Taken at 52 East Broad Street  
Drummond, Montana  
Wednesday, October 3, 2018 - 6:30 p.m.

Reported by Melody Jeffries Peters, RDR, CRR, CRC,  
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A P P E A R A N C E S

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Blaine Bradshaw, Esq.  
Granite County Attorney  
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appearing on behalf of Granite County.

ALSO APPEARING:  
Commissioners: Bill Slaughter, Chairperson; Scott  
C. Adler, Commissioner; Barton C. Bonney,  
Commissioner; Mike Kahoe, Executive Assistant;  
Claudette Parke, Paralegal.

1 WEDNESDAY, OCTOBER 3, 2018

2 (Whereupon, the following proceedings  
3 were had and entered of record:)

4 COMMISSIONER SLAUGHTER: Good evening,  
5 everybody. Thank you for attending. We'll come  
6 to order. This is a public hearing on the  
7 Petition to Withdraw Certain Area of Lower Rock  
8 Creek from the Granite County Hospital District.  
9 Thanks for coming. And I'd just like to remind  
10 you to turn your cell phones off, if you would.

11 A couple things before we get started.  
12 Some of you have submitted written comments, or  
13 want to, and I wanted you to know that they will  
14 all become part of the record. We'll keep track  
15 of them. We've already received several.

16 So some introductions. My fellow  
17 commissioners Scott Adler, Bart Bonney, County  
18 Attorney Blaine Bradshaw -- thanks for coming,  
19 Blaine -- paralegal Claudette Parke. Actually  
20 does all of Lynn's work. Good thing.

21 (Laughter.) Executive assistant  
22 Mike Kahoe actually does all of our work, which is  
23 a good thing. Court reporter Melody Jeffries  
24 Peters. Thanks, Melody. And we are going to have  
25 a recorder, so there are going to be some rules.

1 We're going to have you come up and use the mic.

2 Hospital District board members, I see

3 Jim Waldbillig. Jim, where are you?

4 (Mr. Waldbillig raises his hand.)

5 COMMISSIONER SLAUGHTER: Hi, Jim. And  
6 Jim and Barbara. Good to see you, John.

7 MR. WALDBILLIG: We've got Vivian.

8 COMMISSIONER SLAUGHTER: Oh, I'm sorry.  
9 How are you? I didn't see you come in. And I may  
10 have missed --

11 MS. MAINWARRING: Kristy Mainwarring.

12 COMMISSIONER SLAUGHTER: Kristy, how are  
13 you? Come on in.

14 At this time I'd like to have County  
15 Attorney Bradshaw come up and explain section  
16 7-34-2156 of the Montana Code Annotated,  
17 withdrawal of land from hospital district. I  
18 think it's a good way to start. And Blaine has  
19 done some research for us. I think it's  
20 important. We will make this available to you.

21 MR. MICHNEVICH: Bill, how about we  
22 start with the pledge of allegiance?

23 COMMISSIONER SLAUGHTER: We can do that,  
24 if we have a flag.

25 MS. LEEPER: Yeah, I will get you one.

1 (Discussion held off the record.)

2 MR. MICHNEVICH: With this many people  
3 here, we gotta show our support for the U.S. of A.

4 COMMISSIONER SLAUGHTER: That's a great  
5 idea.

6 (Discussion held off the record.)

7 COMMISSIONER SLAUGHTER: Oh, Gail, good  
8 for you. Please rise for the pledge.

9 (Whereupon, the audience said the pledge  
10 of allegiance.)

11 MR. BRADSHAW: So Mr. Slaughter asked me  
12 to read and talk about here the Montana Code  
13 that's applicable here, which is 7-34-2156 M.C.A.  
14 Subsection 1 says, "Any portion of a public  
15 hospital district may be withdrawn therefrom as  
16 provided in 7-34-2156 through 7-34-2160 upon  
17 receipt of a petition signed by 51 percent or more  
18 of the taxpayers residing in and owning property  
19 within the area desired to be withdrawn from any  
20 public hospital district on the grounds that such  
21 area will not be benefited by remaining in said  
22 district."

23 And so here the petition has been  
24 submitted to the county. There were found to be  
25 more than 51 percent of the applicable tax- --

1 resident taxpayers who signed the petition, and so  
2 that's not an issue here, but I want to direct  
3 your attention to the language that says that such  
4 area will not be benefited by remaining in said  
5 district.

6 So that applies to the area being  
7 withdrawn does not benefit from remaining in the  
8 district, and so that's a finding that the  
9 commissioners will have to make in order to  
10 authorize the withdrawal.

11 And so tonight is the time for the  
12 public comment and statements for and against the  
13 petition, but keep that statute in mind and that  
14 language. That's the applicable language that the  
15 commissioners will be relying upon in making their  
16 decision. And the decision will not be made until  
17 after the new year, and that's set by statute as  
18 well. And I have copies of the statute, if anyone  
19 would like a copy of them.

20 COMMISSIONER SLAUGHTER: Thank you very  
21 much. Thanks, Blaine. Thank you very much. So  
22 at this time I'd like to ask the board, are there  
23 any conflict of interest among the board? Bart?

24 COMMISSIONER BONNEY: I have none.

25 COMMISSIONER ADLER: None.

1 COMMISSIONER SLAUGHTER: And I have  
2 none.

3 So far we've received several written  
4 comments, one letter in opposition, and I would  
5 like to read the letter from the county  
6 treasurer -- she couldn't be here tonight -- to  
7 the commission. September 1st, 2018, Board of  
8 County Commissioners, Granite County, Re: The  
9 Petition to Withdraw Certain Area of Lower Rock  
10 Creek from Granite County Hospital [sic] in  
11 Granite County, Montana.

12 I have received the above petition that  
13 was submitted to Granite County Board of  
14 Commissioners. Here are my findings: A total of  
15 56 signatures were submitted. 50 of those  
16 signatures were counted. One was not a registered  
17 voter. One was a power of attorney. Three had  
18 land trusts and one was not listed as an owner.

19 There were a total of 81 landowners that  
20 could have signed the petition, and those are  
21 situated between the mile markers, full-time  
22 residents.

23 That means that there were 51 percent  
24 counted for the position -- for the petition.

25 Facts for your information: That would

1 mean that 37 percent of the taxpayers in  
2 District 5419 would not pay hospital taxes.  
3 That's 16,928.75 times three -- 37 percent would  
4 be about \$6,263.63. A total of 220 taxpayers are  
5 in the District 5419. 81 people would be 37  
6 percent. Respectfully submitted, this 14th day of  
7 September 2018, Vicki Harding, Granite County  
8 Treasurer, Superintendent of Schools.

9           So this information will all be  
10 available to you. You know, there won't be a  
11 test; I'm not going to ask you to recite that.  
12 But if you have questions, and as we get more  
13 information, we'll certainly put it on the website  
14 and we'll put it in the papers.

15           So based on the number of people that  
16 wish to speak, we were thinking about limiting  
17 time. I think we'll just be reasonable, okay?  
18 Stick to the subject. I don't think there's any  
19 necessity for us to, you know, run the clock.

20           Please come to the podium to speak  
21 because we're having this recorded. We need your  
22 comments recorded because in the decision-making  
23 process after the first of the year, we're not  
24 going to remember exactly who said what, and we  
25 need it exactly what you said.

1           So state your name, spell your name for  
2 the recorder prior to making any verbal comments  
3 and submitting any comments.

4           If you want to hand us written comments,  
5 that's fine as well. So everything's going to be  
6 recorded from now on.

7           One personal request, please, please,  
8 respect your neighbors. We're here. They're  
9 gonna -- you're gonna disagree with each other.  
10 That's the nature of this hearing. That's fine.  
11 We respect all sides of everyone here.

12           I will tell you if you're out of order  
13 one time. Next time you're gone. We're going to  
14 do a respectful and, hopefully, a fruitful  
15 hearing. We're looking forward to hearing from  
16 each and every one of you.

17           So with that, we would like to hear from  
18 the proponents, the people that are in favor of  
19 the petition, first, and when they've completed,  
20 we'll hear from the opponents. So proponents,  
21 please come forward. Proponents.

22           MR. MICHNEVICH: Excuse me, Bill. Can  
23 we ask questions before we get started?

24           COMMISSIONER SLAUGHTER: Questions  
25 regarding the process?

1 MR. MICHNEVICH: About registered  
2 voters.

3 COMMISSIONER SLAUGHTER: Do you have  
4 questions for the county attorney?

5 MR. MICHNEVICH: My question is the  
6 election was 2016. If people voted somewhere else  
7 in the country and moved within the last two  
8 years, they wouldn't need to be a registered voter  
9 in Lower Rock Creek until this upcoming election,  
10 so I don't understand why that one person was  
11 eliminated.

12 MR. BRADSHAW: I agree with you, the  
13 voting would be evidence that they are a resident  
14 and so that should be counted. But we're up over  
15 51 percent so, to me -- I mean, it's an important  
16 issue that they should be counted, but it's not  
17 important in the sense that it's going to affect  
18 whether it's a valid petition or not. The  
19 petition has a valid number of signatures, so --

20 MR. MICHNEVICH: Okay. Thank you.

21 COMMISSIONER SLAUGHTER: We'll have you  
22 state your name, if you would.

23 MR. MICHNEVICH: A.J. M-I-C-H-N-E-V, as  
24 in Victor, I-C-H.

25 COMMISSIONER SLAUGHTER: Okay. From now

1 on, come to the mic. Proponents, proponents, any  
2 proponents? Anybody here that signed the petition  
3 that wants to come and speak?

4 Yes, no? Going once.

5 UNKNOWN SPEAKER: She's coming.

6 UNKNOWN SPEAKER: She's coming.

7 MS. PERSICO: Guess who.

8 COMMISSIONER SLAUGHTER: Good for you,  
9 Carolyn. State your name.

10 MS. PERSICO: Yes, I know. My name is  
11 Carolyn, C-A-R-O-L-Y-N, Persico, P-E-R-S-I-C-O.

12 And a lot of you might have seen my picture in the  
13 paper, but -- with the information that I really  
14 wanted people to know about the levy.

15 The only thing that I really worry about  
16 is the fact that right now we're paying Clinton  
17 Fire 8.79 percent levy because we are in Clinton  
18 area, and there's no way that Granite County  
19 Hospital or Drummond is going to come out to take  
20 care of us because it's too long a distance. By  
21 the time they'd come out, we would be probably  
22 dead. That's the way I feel.

23 We also pay Granite County Hospital 4.85  
24 percent.

25 That's a total of 13.64 percent for

1 medical and fighting fire and ambulance. So it's  
2 quite a bit to pay, and if --

3 Well, one thing is that, you know, we do  
4 pay for a lot of the items that Drummond and  
5 Philipsburg and Granite County -- We do support  
6 them. We're paying for Drummond ambulance, which  
7 I think is not enough that it -- It should be  
8 more. But I just looked at it, and it was at, I  
9 think, .36 on the levy.

10 We don't have big donors that are in the  
11 Drummond area, like the Montana Rail Link and  
12 Northwestern Energy and Yellowstone Pipeline and  
13 other people that have lots of money to pay an  
14 excessive amount to Granite County and Granite  
15 County Hospital.

16 I think it's very needed in Granite  
17 County, the hospital. I think they do a good job,  
18 but it's just, for us, it's kind of a burden  
19 because, as I said, we're paying 13.64. I know  
20 I'm paying over \$300 in hospital taxes, and I'm  
21 not too happy about that.

22 According to the count, I do wish to  
23 find out exactly where the 80 people came from --  
24 although it's not -- it's not -- it's something  
25 that we have to check on at this point -- because

1 I didn't know that until the article in the  
2 newspaper came out.

3 We have a lot of people that have  
4 changed their -- bought property, changed --  
5 changed their names associated with -- with the  
6 property, and they -- they haven't been on the  
7 record yet, so I know it's difficult.

8 The other thing -- Well, ambulance, we  
9 did have an ambulance in '94-'95 on Rock Creek and  
10 that was not funded by the commissioners. We were  
11 told that we would be getting \$1600 a year, and  
12 two of the commissioners decided not to sign  
13 the -- the check. So it's important that we be  
14 taken care of.

15 We have to fight for roads. We have to  
16 fight for police. It's kind of hard to be -- As I  
17 said, I think, on paper -- on the newspaper, it's  
18 hard to be out in the boondocks where we're right  
19 between Missoula County and Granite County, and  
20 everybody kind of doesn't really care for us.

21 Other than that, I would like some of  
22 you that have come here, we have a good  
23 representation from -- from Rock Creek. I'd like  
24 other -- other Rock Creekers to come up and state  
25 their case because I've stated mine enough.

1 COMMISSIONER SLAUGHTER: Other  
2 proponents. Proponents, please.

3 MS. PELTIER: I'm Debra Peltier,  
4 D-E-B-R-A, P-E-L-T-I-E-R. I think the bottom line  
5 is from 7-34-2156, it says, "On the grounds that  
6 such area will not be benefited by remaining in  
7 said district."

8 That's kind of the bottom line. We  
9 receive no benefit from being in the Granite  
10 County Hospital District because we're closer to  
11 Missoula. So we do, Carolyn -- Carolyn said it  
12 right: We pay to be in the Clinton Rural Fire  
13 District so that we can get emergency services up  
14 there. We're already paying extra to get the fire  
15 to come up, ambulance to come up.

16 And in addition to what you all pay to  
17 be in the hospital district, we pay that plus this  
18 other.

19 So again, on the grounds that such area  
20 will not be benefited by remaining in said  
21 district, I don't see how we are benefited. Thank  
22 you.

23 COMMISSIONER SLAUGHTER: Thanks, Debra.  
24 Other proponents, please.

25 MR. BARTLETT: My name is Henry

1 Bartlett, H-E-N-R-Y, B-A-R-T-L-E-T-T. I've lived  
2 on Rock Creek now for 40 years, and I've been --  
3 I've had a lot of health problems and a hundred  
4 percent of the time I've had to go to Missoula. I  
5 have never had any benefit from the Philipsburg  
6 Hospital, and I can't see in the future where  
7 there ever would be.

8 I've had air ambulance, I believe, four  
9 times to Missoula. And like Deb said, we have --  
10 in 40 years, I've had no benefit from it and I  
11 can't see there ever being any benefit in the  
12 future. Thank you.

13 COMMISSIONER SLAUGHTER: Thanks, Henry.  
14 Other proponents, please. Proponent?

15 MR. MICHNEVICH: A.J. Michnevich. I  
16 want to thank the commissioners and everybody from  
17 the board for having us come out here and talk to  
18 you about this issue. Thank you for that help.

19 What I'd like to say is a couple things.  
20 If this mill levy is put before ballot again  
21 before Granite County and the people of Lower Rock  
22 Creek, it will fail.

23 If we are taken out of the voting of the  
24 mill levy, the people that need and use this  
25 facility up in Philipsburg, up in Georgetown Lake,

1 Maxville, whatever, all those people that need and  
2 use the facility, this levy would pass every two  
3 or three years, whenever they want to try and pass  
4 this.

5 But when you take our 80 to a hundred  
6 votes out of that, and I would say that 80 or 90  
7 percent of those people in Lower Rock Creek vote  
8 against the mill levies, therefore, the mill levy  
9 would pass for the people that need and use the  
10 facility. Okay?

11 Another question is, does any of the  
12 part of Granite County pay for the Clinton Rural  
13 Fire and EMS service like we do? Why is that?  
14 Are they included in that? No, they probably  
15 aren't. We are the ones that pay for that because  
16 we use that facility. We have ambulances that  
17 come up. We have fire people that come up. We  
18 have issues that need to be done that Clinton  
19 Rural Fire has been outstanding in helping us.

20 We try to help them out by doing  
21 fund-raising and whatever else we can in our  
22 community because that's where we get our help  
23 from.

24 And I feel that it's very important that  
25 if we get out of this voting, the levy will pass

1 every time for the people that need it.

2 My final question is, has the board  
3 looked into trying to find grants throughout the  
4 country through other medical facilities to say we  
5 need help. Can you -- can you give us a grant for  
6 \$300,000 for three years to say we need help to go  
7 ahead and keep our facility open for the people of  
8 Granite County?

9 I think the problem is, is when you go  
10 to go for grants, you have to do your homework.  
11 You have to have your monies of people coming in,  
12 your costs, your employees, your outpatient  
13 therapy, all those other considerations have to be  
14 looked into and evaluated and then presented to an  
15 organization or a medical facility to say, hey,  
16 can we do this? It's homework; it's work. And I  
17 think that the school board -- excuse me, the  
18 hospital board needs to go ahead and look into  
19 that revenue that is out there because there are a  
20 lot of medical facilities that would love to come  
21 out here and put their name on top of the Granite  
22 County Hospital out here in Philipsburg. Thank  
23 you.

24 COMMISSIONER SLAUGHTER: Thank you, A.J.  
25 Proponents? Further proponents?

1 Speak now or send us a letter. Any  
2 further proponents?

3 Thank you to those that have spoken.  
4 So opponents.

5 UNKNOWN SPEAKER: Is there -- Excuse me,  
6 is there a deadline for the letters?

7 COMMISSIONER SLAUGHTER: Yeah. Before  
8 the decision process. And that would be after the  
9 first of the year, so you've got plenty of time.

10 Any other questions about that?

11 Any proponents? Don't see any.

12 Opponents, would the opponents please  
13 come and be heard.

14 MR. BARBARA: John Barbara,  
15 B-A-R-B-A-R-A. Thank you all for coming. Thank  
16 you gentlemen for calling the meeting.

17 While I am the chairman of the hospital  
18 board, I'm here as a private individual. So while  
19 all these fine folks certainly have a legal right  
20 to petition to be removed from the hospital  
21 district, I just think it would set a terrible  
22 precedent, because where would it end? I mean, I  
23 think county residents have the --

24 COMMISSIONER BONNEY: Speak up a little  
25 bit, John.

1 MR. BARBARA: County residents don't  
2 have the choice, if you will, to pick and choose  
3 what taxes they'd like to pay, what taxes they  
4 don't, so that's why I think it would be a  
5 terrible precedent to, you know, start. Where  
6 would it end? School taxes? You know, I don't  
7 think so. So --

8 And to answer this gentleman's question  
9 from earlier, yes, the board has looked into and  
10 received many grants, so -- And we continue,  
11 because that certainly helps.

12 We just received a grant from a private  
13 donation, \$400,000, for a CT scanner, so, you  
14 know --

15 And we continue to, you know, further --  
16 continue to look further for others as well.

17 The only other thing I would say is that  
18 hospital records -- recent hospital records did  
19 show that a certain number of the people that  
20 signed did, in fact, use the hospital services,  
21 so --

22 And of course I'm not at liberty to say  
23 who or for why or whatever and that's not  
24 important, but some have, you know, chosen to use  
25 the services. So the service is there. If you

1 choose to use it, that's fine. If you choose to  
2 go elsewhere, you know, once again, that's your  
3 decision, so -- Once again, thank you.

4 COMMISSIONER SLAUGHTER: Thank you,  
5 gentlemen. Thank you, John.

6 Opponents. Are you speaking as an  
7 opponent?

8 UNKNOWN SPEAKER: No. I thought I had a  
9 HIPAA question there. He's identifying people  
10 from the area. That's a personal healthcare issue  
11 which shouldn't be public knowledge.

12 MR. BARBARA: I did not identify anyone  
13 individually.

14 UNKNOWN SPEAKER: Just wondering.

15 COMMISSIONER SLAUGHTER: Okay, okay. So  
16 we're going to want to hear from more opponents,  
17 if there's others that would like to speak  
18 opposing the withdrawal. Opponents.

19 MR. JOHNSON: My name is Chuck Johnson.  
20 Our family owns and operates a ranch near Hall,  
21 Montana, and we have actually been on that ranch  
22 since 1876, our family came there.

23 One of the things that I would like to  
24 say, I didn't get to hear all of the proponents,  
25 but I'm sure that what was stated is it's a matter

1 of fairness and equity, and those people in Rock  
2 Creek who live so far away from Philipsburg -- And  
3 I know going on the Rock Creek Road into  
4 Philipsburg is a very difficult path, and also  
5 driving up to Drummond and driving up to  
6 Philipsburg is quite a bit of mileage. And it's  
7 just a matter of reasonableness, I would guess,  
8 that a lot of the people who live in Lower Rock  
9 Creek would go into Missoula for their healthcare.

10           One of the things I would like to say,  
11 though, is that when you're talking about equity  
12 and fairness, when you're talking about a  
13 reasonable system of taxation and providing public  
14 services for those people who need them, you know,  
15 we all find ourselves in the situation where we're  
16 paying taxes where we personally do not get  
17 benefit from those taxes.

18           For example, my wife, because of our  
19 ages, our kids are all grown up, we do not have  
20 any children in school, and yet our ranch and us  
21 personally, we pay fairly substantially into the  
22 public school system. That's the type of  
23 government we have.

24           If the ranching community in this valley  
25 were to say, well, we -- and the ranches in

1 Granite County pay a very large amount of the  
2 property taxes too -- that we don't benefit by it,  
3 so, therefore, we would like to withdraw as  
4 taxpayers into that system, that would be unfair.

5 I think all of you would agree, just  
6 simply because we don't have children in the  
7 school system doesn't mean that we ought to be  
8 able to petition not to pay into that.

9 Our ranch, because of its geographical  
10 location, also we don't need the benefit of county  
11 roads except maybe to go visit neighbors. But on  
12 our ranch itself, we happen to have the state  
13 highway that goes by us and we use the state  
14 highway. And, of course, we pay taxes for  
15 maintenance of the state highways, but we probably  
16 don't use county roads that much, yet should our  
17 ranch somehow be able to withdraw our support for  
18 the maintenance of county roads throughout the  
19 county even though we don't use those roads?

20 You know, I just think that, as was said  
21 earlier, it's going to set a precedent that I  
22 think will be very bad for this county if --  
23 because we happen to live in a geographical area  
24 where we don't use one service or the other  
25 service, where we don't use the Granite County

1 Hospital -- Granite County medical district  
2 facilities; we withdraw from that -- You know, I  
3 guess everybody's thought about this, people at  
4 Georgetown Lake who are in Granite County probably  
5 tend to use Anaconda medical services because of  
6 their geographical location and closeness to that  
7 facility. People probably in Jens up here, the  
8 highway, probably tend to go with maybe Deer Lodge  
9 and use those medical facilities.

10           And there's no question in my mind that  
11 the people in Lower Rock Creek, you know, if you  
12 were looking for medical service, would naturally  
13 go into Missoula because of the close proximity  
14 and the good medical services that are there.

15           I just -- I would just ask the people  
16 who are proponents of withdrawing up there to stop  
17 and think about the fact that I guess because of  
18 the way our county boundaries are drawn, why, all  
19 of us are going to be probably disproportionately  
20 benefited or disproportionately not receiving  
21 benefits from certain services just because we  
22 happen to live in certain geographical areas.

23           So I would just like to ask all the  
24 people that live in Lower Rock Creek -- and that's  
25 a beautiful area -- to understand that we -- a

1 county like ours, if people start withdrawing from  
2 paying taxes for certain benefits, a county like  
3 ours will become just poverty-stricken, and those  
4 people who rely on the Granite County Medical  
5 District, which -- will no longer have those  
6 services.

7           And some of those people are people who  
8 can't afford to drive into Missoula, maybe can't  
9 afford to drive anyplace else, so we're all  
10 supporting the medical district because it  
11 benefits the entire county.

12           But I think disproportionately I can see  
13 where Lower Rock Creek does not benefit from that  
14 medical facility up there.

15           Thank you for listening to me.

16           COMMISSIONER SLAUGHTER: Thank you,  
17 Chuck.

18           Further opponents? Further opponents?  
19 Further opponents? Last chance. Further  
20 opponents.

21           MR. BROWN: I'd like to say a few words  
22 in rebuttal as an opponent -- or as a proponent.  
23 Is that --

24           COMMISSIONER SLAUGHTER: You want to  
25 hang on one second? Because I tell you what,

1 we're going to have a couple minutes for public  
2 comment, and that's an appropriate place to do  
3 that.

4 I want to make clear that opponents are  
5 up. Anybody?

6 All right. So we're in public comment.  
7 This is open public comment for those of you --  
8 Come on up, sir. For those of you who don't know,  
9 every Tuesday around 2:00, our agenda, we have  
10 public comment. We invite you to come up and chat  
11 with us about issues or questions you have with  
12 the commission. Probably an area that's not used  
13 enough, so come and visit.

14 Sir, go ahead.

15 MR. BROWN: Yes. Jim Brown, B-R-O-W-N.

16 COMMISSIONER SLAUGHTER: Please speak in  
17 the mic.

18 MR. BRADSHAW: It's on.

19 COMMISSIONER SLAUGHTER: It's on. Just  
20 hold it up to your -- There you go.

21 MR. BROWN: The comparison between --

22 COMMISSIONER SLAUGHTER: Hold it up a  
23 little closer.

24 MR. BROWN: The comparison between the  
25 medical center and --

1 COMMISSIONER SLAUGHTER: Flip the switch  
2 on it, sir. There you go.

3 MR. BROWN: We good now?

4 COMMISSIONER SLAUGHTER: Yep. We're  
5 good.

6 MR. BROWN: Okay. The comparison  
7 between the medical center -- the medical  
8 facilities and schools to me is not a fair  
9 comparison because there's no alternative to  
10 schools. We need to support our school system.

11 I'm sure when this gentleman, if he  
12 hires help, he wants educated help and so forth.  
13 So the education in the United -- of the children  
14 makes us a better society.

15 So in comparison to a medical facility  
16 that the people in Rock Creek don't use, I can't  
17 say where it carries water, because we in Rock  
18 Creek, as has been stated before, pay for our own  
19 fire protection. No one else does. There's  
20 alternatives, and not that far away, for the  
21 people that have this medical center.

22 COMMISSIONER SLAUGHTER: Hold it up just  
23 a little closer.

24 MR. BROWN: So there's alternatives.

25 COMMISSIONER SLAUGHTER: A little

1 closer.

2 MR. BROWN: There is no alternative to a  
3 school system. None. That's for the greater good  
4 of the public. Thank you.

5 COMMISSIONER SLAUGHTER: Thank you,  
6 Bill. I'm going to put you down as a proponent,  
7 fair?

8 UNKNOWN SPEAKER: Yeah, right.

9 COMMISSIONER SLAUGHTER: Other public  
10 comment?

11 MR. MICHNIVECH: A.J. Michnivech. I  
12 don't want to spell it again. (Laughter.)

13 My basic comment is the taxes in Lower  
14 Rock Creek have gone anywhere from 50 to  
15 100 percent in the last mill levy and the last tax  
16 cycle that came through, and we basically -- like  
17 we say, we're part of the county, we agree with  
18 that, but for what we're paying taxes for, we  
19 hardly get any benefits. The sheriff has got to  
20 be called to come out -- Is this microphone on?

21 UNKNOWN SPEAKER: I think they turned  
22 the switch off.

23 MR. MICHNEVICH: Okay, there you go.  
24 Yeah. The county sheriff has to be called to say  
25 if there's a problem with speeders or things going

1 on with Lower Rock Creek, and the floaters and the  
2 rafters. And we all talk about the road and the  
3 condition of the road. We don't get any, hardly,  
4 good maintenance. It's been since 2007 since we  
5 had the road repaired and chip-sealed.

6 UNKNOWN SPEAKER: '97 since we had chip  
7 seal.

8 MR. MICHNEVICH: Yeah. So it's been a  
9 while. And we're still getting tax increases and  
10 we're still paying, and what do we do next? Do we  
11 go ahead and say, oh, we're going to pay our taxes  
12 in protest because we're not getting these  
13 services? No, we're paying our taxes. We're  
14 doing what we need to do to help the county.

15 But this issue with the medical center,  
16 ask anybody here from Lower Rock Creek, where's  
17 your dentist, where's your pharmacist, where's  
18 your doctor, which hospital do you go to? What  
19 facility do you use? They're all in Missoula.  
20 There's no substantial advantage for us to be  
21 paying for this mill levy when, again, if we are  
22 taken out of it, the people will vote for it and  
23 it will pass.

24 It lost by 20 votes in 2016: 528 to  
25 508. Again, I would say 70 or 80 of those votes

1 came from Lower Rock Creek against it, and I think  
2 that if we get out of it, it will pass; it'll be  
3 used by the people that need it. Thank you.

4 COMMISSIONER SLAUGHTER: Thank you.

5 Okay. Further public comment?

6 Yeah, Dick.

7 MR. MOTTA: Hi. I'm Dick Motta,  
8 M-O-T-T-A. I'd like to ask a question of County  
9 Attorney Blaine Bradshaw concerning the timeline  
10 for approval of the petition. I'd like to have  
11 you clarify that. As I understand and read the  
12 law here, you're talking about the petition having  
13 to be available this fiscal year. So the petition  
14 will be available -- When will it be available?

15 (Laughter.)

16 MR. BRADSHAW: You gotta use the  
17 microphone.

18 MR. MOTTA: I'm talking. Is it working?  
19 So effectively the people of Rock Creek are  
20 submitting a petition here in fiscal 2018 and '19.  
21 They have to submit it by December 31st. It says  
22 here that they will not -- the board will not  
23 entertain or consider the petition until the  
24 following fiscal year.

25 So if they submit the petition this

1 year, I assume on January 1st the county  
2 commissioners would schedule an agenda to approve  
3 or disapprove the petition.

4 Based on that, would they have 30 days,  
5 or what's the time limit for them to approve or  
6 approve the petition?

7 If they approve the petition, what's the  
8 determination of the fiscal mill levies? Is that  
9 for fiscal year 2019 and '20? And then is it at  
10 that point in time they're no longer taxed for the  
11 medical center, medical district?

12 Does that make sense or not?

13 UNKNOWN SPEAKER: It did.

14 MR. BRADSHAW: Yeah. I understand the  
15 question there. The first one is by the statute:  
16 The commissioners cannot make their decision until  
17 after the new year. So, yeah, in January they'll  
18 set a decision meeting, just as happened when the  
19 previous petition was filed. And so there's no  
20 time deadline, but I'm sure the commissioners will  
21 do that in a timely manner, so -- Is that --

22 COMMISSIONER SLAUGHTER: Yes.

23 MR. BRADSHAW: So it's get to have a  
24 decision meeting. And so written public comment  
25 can be submitted through that time period. Even

1 at that decision meeting we'll take public comment  
2 as well.

3 So the next question is regarding mill  
4 levies. The current mill levy for the hospital  
5 district goes through June 2019, and so the last  
6 payment for that would be -- by the taxpayers  
7 would be May of 2019.

8 And so if the mill levy passes in  
9 November and then the petition is granted the  
10 first part of 2019, that full tax burden will go  
11 on the remaining portion of the district, so those  
12 in Lower Rock Creek would not have to pay any more  
13 of the mill levies.

14 MR. MOTTA: Well, the mill levy for the  
15 school -- for the medical district is for two  
16 years, as I understand it.

17 Does that mean that the people in Rock  
18 Creek would still be required to pay the taxes for  
19 that two-year period or just for the one-year  
20 period?

21 MR. BRADSHAW: The question is if the  
22 mill levy this November passes? Is that your  
23 question?

24 MR. MOTTA: Yes.

25 MR. BRADSHAW: So if it passes in

1 November and the commissioners grant the petition  
2 the first part of 2019, then those in Lower Rock  
3 Creek would not pay any on that new levy.

4 MR. MOTTA: They would not pay any?

5 MR. BRADSHAW: Correct.

6 MR. MOTTA: Thank you.

7 COMMISSIONER SLAUGHTER: Further public  
8 comment?

9 MR. HUTCHISON: I'm Jim Hutchison and I  
10 live in Missoula, so I'll speak for some of the  
11 voiceless. We've had property in that area since  
12 '78, and we do live in Missoula, but I want to  
13 bring to your attention that in the summertime and  
14 into the fall, the population in that area grows  
15 greatly. And most of us have families and friends  
16 who visit, and of course we have no medical help  
17 from the county.

18 So I just want to say that if you end up  
19 denying this, would the hospital consider putting  
20 a full-time medical representative available for  
21 at least the season when the population is double  
22 or triple what it is in the winter months? That's  
23 all.

24 COMMISSIONER SLAUGHTER: Thank you, Jim.  
25 Other public comment?

1 MS. BROWNING: Susie Browning,  
2 S-U-S-I-E, B-R-O-W-N-I-N-G. And I guess I have a  
3 question for the county attorney. I'm having some  
4 confusion. I thought that the Department of  
5 Revenue used January 1 as a "for assessment" for  
6 your taxes.

7 MR. BRADSHAW: No. Very good question  
8 there, and I talked to Ed Caplis with the  
9 Department of Revenue, and he said as long as they  
10 had notice before August 1st, they could remove  
11 it. And so he is the head of their tax policy,  
12 yeah. So they would -- That's straight out of his  
13 mouth, so, yes.

14 MS. BROWNING: They're giving some  
15 leniency there?

16 MR. BRADSHAW: Yeah, the statute does  
17 talk about notice before January 31st, you're  
18 correct, and so I was asking him about that, and,  
19 yep, he confirmed they would remove it, yeah. If,  
20 granted, before August 1st, they're notified.

21 MS. BROWNING: Thank you. Also for the  
22 commissioners, I would hope this statute,  
23 7-34-2156, which Deb Peltier brought up, is on the  
24 grounds that such area will not be benefited by  
25 remaining in said district. And this has been in

1 the codes of Montana since 1947 and there has been  
2 very many amendments to it.

3 If it wasn't needed, why hasn't the  
4 legislature completely taken it out, repealed it?

5 Chuck Johnson brought up about the roads  
6 and the schools. Well, there aren't statutes for  
7 opting out of road districts or opting -- unless  
8 you create a new school district and such. So I  
9 think this statute is here for a reason, and I  
10 think you should take that into consideration.  
11 Thank you.

12 COMMISSIONER SLAUGHTER: Thanks, Susie.  
13 Thank you, Susie.

14 Further public comment? Any further  
15 public comment? You're letting us off easy. Any  
16 further public comment?

17 MS. DesROSIER: I guess I'll say  
18 something. Karen DesRosier, K-A-R-E-N, D-e-s,  
19 capital R, -O-S-I-E-R, and I live in Drummond.  
20 There are people here from Hall, from Maxville,  
21 from the Jens area, from Lower Rock Creek, and I  
22 think we all go to whatever doctor, whatever  
23 dentist, whatever medical facility we want to.

24 I use Granite County medical facility  
25 for some things and not for others, and I think we

1 all -- So, you know, I probably don't get full  
2 benefit out of the taxes I pay for Granite County  
3 Medical District, but I'm more than happy to pay  
4 for them because I think it's a facility that is  
5 very, very beneficial, very -- We should be proud  
6 to have it, and we should try to keep it up as  
7 well as we can.

8           You know, the emergency room up there is  
9 in constant use, and what if you're from, you  
10 know, Lower Rock Creek and you just happen to be  
11 visiting in Philipsburg and you have an accident,  
12 you have an illness? You're not going to go to  
13 Missoula probably; you'll go to the nearest  
14 medical facility, which would be in Philipsburg.  
15 So we should all give this a good thought. Thank  
16 you.

17           COMMISSIONER SLAUGHTER: Thank you,  
18 Karen.

19           MS. DesROSIER: You're welcome.

20           COMMISSIONER SLAUGHTER: Further public  
21 comment?

22           MS. PELTIER: Deb Peltier once again.  
23 Just one more thing. Just to reiterate, we pay to  
24 be in the Clinton Rural Fire District, which is  
25 where we get emergency medical services. So we're

1 already paying extra that the rest of the county  
2 is not paying. We're paying for ambulance to come  
3 out from there; we're paying for all of that.

4 So we're paying as much to be in Clinton  
5 Rural Fire District, which includes our emergency  
6 medical, as we are to be in the Granite County  
7 Hospital District. So really we're being taxed  
8 twice. That's all.

9 I mean, everybody's point is valid, but  
10 you gotta remember, we're paying extra because we  
11 don't benefit from being in the Philipsburg  
12 Hospital District, and we don't benefit because of  
13 logistics. It's unfortunate, but that's the way  
14 that it is.

15 So we petitioned to be in the Clinton  
16 Rural Fire District. We were accepted. We see  
17 that on our taxes every year that the rest of you  
18 don't, and we pay it. And that means that  
19 whenever we have any type of emergency situation,  
20 Clinton Rural Fire District sends someone as well  
21 as Missoula County, but not one single emergency  
22 medical service from Granite County comes to Lower  
23 Rock Creek.

24 COMMISSIONER SLAUGHTER: Thanks, Deb.  
25 Any further public comment?

1 MS. LEEPER: Gail Leeper, L-E-E-P-E-R.  
2 I just want to make a statement that I don't know  
3 what date it was, what year it was, but Rock Creek  
4 petitioned to get out of the solid waste district  
5 and was granted that. So I would just hope that  
6 the commissioners keep that in mind. Thank you.

7 COMMISSIONER SLAUGHTER: Thank you,  
8 Mayor.

9 MS. LEEPER: I was speaking for myself,  
10 not anybody else.

11 (Laughter.)

12 COMMISSIONER SLAUGHTER: Thank you,  
13 Gail.

14 Any further public comment?

15 MR. ALLEN: My name is Tim Allen,  
16 A-L-L-E-N. I was just curious, if the people in  
17 Rock Creek pull out, then what does that do to the  
18 taxes of everybody else in the county? Has that  
19 been calculated?

20 COMMISSIONER SLAUGHTER: Yes. That's  
21 part of the letter.

22 MR. ALLEN: Do you have those numbers?

23 COMMISSIONER SLAUGHTER: Yeah, I just --  
24 I gave them to you, and I'm sure they need to be  
25 refined, but according to the county treasurer --

1 MR. ALLEN: Do you need the mic for that  
2 or -- I don't want to --

3 COMMISSIONER SLAUGHTER: We'll give you  
4 a copy of this letter, okay?

5 MR. ALLEN: Okay.

6 COMMISSIONER SLAUGHTER: But according  
7 to the county treasurer, 37 percent would be about  
8 \$16,928 and change, okay? And that will be  
9 further refined as we get more information.

10 MR. ALLEN: But we don't know what that  
11 calculates out to per resident in the county that  
12 would then be responsible for that additional  
13 burden?

14 COMMISSIONER SLAUGHTER: We did contact  
15 the Department of Revenue and that's in the  
16 process.

17 MR. ALLEN: Just don't have that?

18 MR. BRADSHAW: Yeah.

19 MR. ALLEN: Okay.

20 COMMISSIONER SLAUGHTER: Before the  
21 decision-making meeting we will have that, Tim.

22 Any further public comment? Last call.

23 Okay. Before we adjourn, I want to  
24 remind you that we will take written comment and  
25 we invite each and every one of you to come and

1 visit us on Tuesdays and there's public comment on  
2 the agenda. It's around 2:00 usually, and you're  
3 welcome to come up, and that would be taken into  
4 consideration.

5 So we'll set a meeting in January as  
6 quickly as we can for decision and we'll move  
7 ahead.

8 Any further public comment? You're  
9 going to have to come up here so everyone can  
10 hear.

11 UNKNOWN SPEAKER: I just want to know  
12 whether or not you will let us know by newspaper  
13 or somehow your decision?

14 COMMISSIONER SLAUGHTER: Sure, you bet.

15 UNKNOWN SPEAKER: And you will let us  
16 know when your meeting will be?

17 COMMISSIONER SLAUGHTER: Yes, ma'am. We  
18 will have it posted in all the post offices and it  
19 will be in our agenda. It will be on our website.  
20 It will be in the newspapers, as we have before,  
21 and anything else we can do, we'll do it, you bet.

22 And Mike actually sends out a lot of  
23 email.

24 How many do you send out, Mike?

25 MR. KAHOE: Probably eighty-some.

1 COMMISSIONER SLAUGHTER: About 80 people  
2 get direct email with the agenda.

3 A.J.

4 MR. MICHNEVICH: Just a quick question:  
5 We have a lot of renters in Lower Rock Creek. Can  
6 they submit letters of concern about the petition  
7 and whatnot even though, per se, they're not a  
8 taxpayer, but they're renters and they're  
9 definitely part of the community, and there are  
10 several of them throughout the area.

11 THE COURT: Absolutely. We'll listen to  
12 anybody and everybody in Granite County, yes.

13 MR. MICHNEVICH: Thank you.

14 UNKNOWN SPEAKER: I have a question.  
15 When are the minutes going to be out for this  
16 online?

17 COMMISSIONER SLAUGHTER: We'll most as  
18 fast as we can to -- first of all, we have to  
19 approve the minutes as soon as they're printed,  
20 and we do that on regular Tuesday meeting, and  
21 then we'll get them out as quickly as we can.

22 UNKNOWN SPEAKER: And will all the  
23 letters and everything else be with it that we can  
24 see who opposed it, or for it, because you got a  
25 problem with your website. You don't put that

1 stuff up.

2           COMMISSIONER SLAUGHTER: Yeah, they can,  
3 and, you know, it's public information, so if you  
4 want to come and view them, we'll make those  
5 available as well.

6           UNKNOWN SPEAKER: That should be -- As a  
7 public hearing, it should be there where we can  
8 access it online.

9           COMMISSIONER SLAUGHTER: We'll do the  
10 best we can to do that, absolutely.

11           UNKNOWN SPEAKER: I hope so.

12           COMMISSIONER SLAUGHTER: All right.  
13 Anything for the good of the order?  
14 Thanks, everyone, and thanks for your  
15 comments. We are adjourned.

16           (End of proceedings at 7:23 p.m.)

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C E R T I F I C A T E .

STATE OF MONTANA )  
: SS.  
County of Missoula )

I, Melody Jeffries Peters, RDR, CRR,  
CRC, Freelance Court Reporter for the State of  
Montana, residing in Missoula, Montana, do hereby  
certify:

That I was duly authorized to and did  
report the testimony and evidence in this cause.

I further certify that the foregoing  
pages of this transcript represent a true and  
accurate transcription of my stenotype notes.

IN WITNESS WHEREOF, I have hereunto set  
my hand on this the 8th day of October, 2018.



Melody Jeffries Peters, RDR, CRR, CRC  
Freelance Court Reporter  
State of Montana,  
Residing in Missoula, Montana.