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
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Reported by Melody Jeffries Peters, RDR, CRR, CRC,
Jeffries Court Reporting, Inc., 1015 Mount Avenue,
Suite B, Missoula, Montana 59801, (406) 721-1143,
Freelance Court Reporter for the State of Montana,
residing in Missoula, Montana, jcrcourt@montana.com

APPEARANCES

Blaine Bradshaw, Esq.
Granite County Attorney
P.O. Box 489
Drummond, Montana 59858
bbradshaw@co.granite.mt.us
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.

WEDNESDAY, OCTOBER 3, 2018

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

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

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

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

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

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

Hospital District board members, I see Jim Waldbillig. Jim, where are you?

(Mr. Waldbillig raises his hand.)

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

MR. WALDBILLIG: We've got Vivian.

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

MS. MAINWARRING: Kristy Mainwarring.

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

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

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

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

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

(Discussion held off the record.)

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

COMMISSIONER SLAUGHTER: That's a great idea.

(Discussion held off the record.)

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

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

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

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

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

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

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

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

COMMISSIONER BONNEY: I have none.

COMMISSIONER ADLER: None.

COMMISSIONER SLAUGHTER: And I have none.

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

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

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

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

Facts for your information: That would

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

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

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

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

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

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

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

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

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

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

COMMISSIONER SLAUGHTER: Questions regarding the process?

MR. MICHNEVICH: About registered voters.

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

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

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

MR. MICHNEVICH: Okay. Thank you.

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

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

COMMISSIONER SLAUGHTER: Okay. From now

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

Yes, no? Going once.

UNKNOWN SPEAKER: She's coming.

UNKNOWN SPEAKER: She's coming.

MS. PERSICO: Guess who.

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

MS. PERSICO: Yes, I know. My name is Carolyn, C-A-R-O-L-Y-N, Persico, P-E-R-S-I-C-O. And a lot of you might have seen my picture in the paper, but -- with the information that I really wanted people to know about the levy.

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

We also pay Granite County Hospital 4.85 percent.

That's a total of 13.64 percent for

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

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

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

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

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

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

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

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

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

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

COMMISSIONER SLAUGHTER: Other proponents. Proponents, please.

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

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

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

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

COMMISSIONER SLAUGHTER: Thanks, Debra.

Other proponents, please.

MR. BARTLETT: My name is Henry

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

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

COMMISSIONER SLAUGHTER: Thanks, Henry.

Other proponents, please. Proponent?

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

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

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

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

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

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

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

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

every time for the people that need it.

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

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

COMMISSIONER SLAUGHTER: Thank you, A.J.

Proponents? Further proponents?

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

Thank you to those that have spoken.

So opponents.

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

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

Any other questions about that?

Any proponents? Don't see any.

Opponents, would the opponents please come and be heard.

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

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

COMMISSIONER BONNEY: Speak up a little bit, John.

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

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

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

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

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

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

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

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

Opponents. Are you speaking as an opponent?

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

MR. BARBARA: I did not identify anyone individually.

UNKNOWN SPEAKER: Just wondering.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for listening to me.

COMMISSIONER SLAUGHTER: Thank you, Chuck.

Further opponents? Further opponents? Further opponents? Last chance. Further opponents.

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

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

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

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

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

Sir, go ahead.

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

COMMISSIONER SLAUGHTER: Please speak in the mic.

MR. BRADSHAW: It's on.

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

MR. BROWN: The comparison between --

COMMISSIONER SLAUGHTER: Hold it up a little closer.

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

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

MR. BROWN: We good now?

COMMISSIONER SLAUGHTER: Yep. We're good.

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

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

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

COMMISSIONER SLAUGHTER: Hold it up just a little closer.

MR. BROWN: So there's alternatives.

COMMISSIONER SLAUGHTER: A little

closer.

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

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

UNKNOWN SPEAKER: Yeah, right.

COMMISSIONER SLAUGHTER: Other public comment?

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

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

UNKNOWN SPEAKER: I think they turned the switch off.

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

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

UNKNOWN SPEAKER: '97 since we had chip seal.

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

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

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

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

COMMISSIONER SLAUGHTER: Thank you.

Okay. Further public comment?

Yeah, Dick.

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

(Laughter.)

MR. BRADSHAW: You gotta use the microphone.

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

So if they submit the petition this

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

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

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

Does that make sense or not?

UNKNOWN SPEAKER: It did.

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

COMMISSIONER SLAUGHTER: Yes.

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

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

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

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

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

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

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

MR. MOTTA: Yes.

MR. BRADSHAW: So if it passes in

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

MR. MOTTA: They would not pay any?

MR. BRADSHAW: Correct.

MR. MOTTA: Thank you.

COMMISSIONER SLAUGHTER: Further public comment?

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

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

COMMISSIONER SLAUGHTER: Thank you, Jim.

Other public comment?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

COMMISSIONER SLAUGHTER: Thank you, Karen.

MS. DesROSIER: You're welcome.

COMMISSIONER SLAUGHTER: Further public comment?

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

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

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

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

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

COMMISSIONER SLAUGHTER: Thanks, Deb.

Any further public comment?

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

COMMISSIONER SLAUGHTER: Thank you, Mayor.

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

(Laughter.)

COMMISSIONER SLAUGHTER: Thank you, Gail.

Any further public comment?

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

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

MR. ALLEN: Do you have those numbers?

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

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

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

MR. ALLEN: Okay.

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

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

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

MR. ALLEN: Just don't have that?

MR. BRADSHAW: Yeah.

MR. ALLEN: Okay.

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

Any further public comment? Last call.

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

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

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

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

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

COMMISSIONER SLAUGHTER: Sure, you bet.

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

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

And Mike actually sends out a lot of email.

How many do you send out, Mike?

MR. KAHOE: Probably eighty-some.

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

A.J.

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

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

MR. MICHNEVICH: Thank you.

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

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

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

stuff up.

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

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

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

UNKNOWN SPEAKER: I hope so.

COMMISSIONER SLAUGHTER: All right.

Anything for the good of the order?

Thanks, everyone, and thanks for your comments. We are adjourned.

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

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.