

**JANUARY 2<sup>nd</sup>, 2024 TUESDAY**

The Board of Liberty County Commissioners met in regular session on the above stated date at 8:00 AM in their office at the Courthouse. Those present were Larry Hendrickson (chair), Joette Woods, and Justin Wickum.

**ANNUAL RESOLUTIONS**

The Commissioners began the first meeting of 2024 with the required annual resolutions. Commissioner Wickum made a motion to assign a Larry Hendrickson as the presiding officer, or "chair". Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

Commissioner Wickum made a motion to approve resolution 24-01 for the Establishment of Regular meeting and notification of meeting dates. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

RESOLUTION 24-01

WHEREAS, pursuant to Section 7-5-2122, MCA, the board of County Commissioners shall establish by resolution a regular meeting date and notify the public of that date;

NOW THEREFORE, BE IT RESOLVED; by the Liberty County Commissioners that they shall meet every Tuesday of each month, and the Wednesdays following the first and second Tuesdays of each month.

FURTHERMORE, be it resolved, that the hours that they shall meet will be from 8:00 AM to 5:00 PM, excepting the hour from noon to 1:00 PM.

DATED THIS 2<sup>nd</sup> DAY OF JANUARY, 2024.



ATTEST:  
*Devin Padmus*  
Devin Padmus  
Liberty County Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS

*Larry Hendrickson*  
Chairman  
*Joette Woods*  
Commissioner  
*Justin Wickum*  
Commissioner

Commissioner Wickum made a motion to approve resolution 24-02 for establishing Regular Office Hours. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

RESOLUTION 24-02

WHEREAS, pursuant to Section 7-4-102, MCA, the board of County Commissioners shall establish by resolution regular office hours;

NOW THEREFORE, BE IT RESOLVED; by the Liberty County Commissioners that each office shall be open for the transaction of business during the office hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except on legal holidays, excepting the following offices, which are as follows:

County Superintendent of Schools: Tuesday & Wednesday, 9:00 AM to 3:00 PM, excepting the hour from noon to 1:00 PM.

Justice of the Peace Office: Tuesdays, 9:00 AM to 5:00 PM, excepting the hour from noon to 1:00 PM.

Treasurer: Monday - Friday, 8:00 AM to 5:00 PM, excepting the hour from noon to 1:00 PM.

DATED THIS 2<sup>nd</sup> DAY OF JANUARY, 2024.



ATTEST:  
*Devin Padmus*  
Devin Padmus  
Liberty County Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS

*Larry Hendrickson*  
Chairman  
*Joette Woods*  
Commissioner  
*Justin Wickum*  
Commissioner

Commissioner Wickum made a motion to approve resolution 24-03 for the mileage, lodging, and per diem rates for business travel. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

RESOLUTION 24-03

WHEREAS, the board of County Commissioners may, by resolution, establish mileage, lodging and per diem rates for business travel;

NOW THEREFORE, BE IT RESOLVED; by the Liberty County Commissioners, that Liberty County Employees, when traveling in the normal course of their duties to designated areas, shall be reimbursed for the cost of meals, lodging and per diem within the rates established pursuant to MCA 2-18-501, 2-18-502, and 2-18-503 and in accordance with the following provisions:

- 1) Lodging must be reimbursed at actual cost, not to exceed the prescribed standard state rate per day. All claims for lodging reimbursement allowed must be documented by an appropriate receipt.
- 2) In-state meal reimbursement may not exceed \$13.00 for morning meal, \$15.00 for mid-day meal, and \$26.00 for evening meal. All claims for meal reimbursement allowed must be documented by an appropriate receipt. If meals are included in your activity, but you can choose to eat elsewhere at your own expense.
- 3) Out-of-state meal reimbursement may not exceed \$18.00 for morning meal, \$20.00 for mid-day meal, and \$30.00 for evening meal. All claims for meal reimbursement allowed must be documented by an appropriate receipt. If meals are included in your activity, but you can choose to eat elsewhere at your own expense.
- 4) The mileage will be reimbursed at the prescribed standard state rate.
  - a. Except that if the county vehicle is available for use and the choice is made not to use it, the mileage reimbursement for use of your personal vehicle for county business, will be at 60% of the state rate.

DATED THIS 2<sup>nd</sup> DAY OF JANUARY, 2024.

BOARD OF COUNTY COMMISSIONERS



ATTEST:  
*Devin Padmos*  
Devin Padmos  
Liberty County Clerk and Recorder

*[Signature]*  
Chairman

*[Signature]*  
Commissioner

*[Signature]*  
Commissioner

Commissioner Wickum made a motion to approve resolution 24-04 for the locations on notice postings. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

RESOLUTION 24-04

WHEREAS, pursuant to 7-1-2123, MCA, the Board of County Commissioners must adopt a resolution designing locations where notice is provided by posting.

NOW THEREFORE. The governing body shall post on the posting board in front of Courthouse Clerk and Recorder office area, calendar in Commissioners office, on the official county website, and a copy of the document will be available per request.

DATED THIS 2<sup>nd</sup> DAY OF JANUARY, 2024.



ATTEST:  
*Devin Padmos*  
Devin Padmos  
Liberty County Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS

*[Signature]*  
Chairman

*[Signature]*  
Commissioner

*[Signature]*  
Commissioner

MACO IT

Eric from MACo IT was at the Courthouse to complete some onsite work started last week for the transition from DIS to MACO IT as the County tech support

**TREASURER**

Commissioner Woods made a motion to approve appointing Denise Wanken as interim Treasurer for the month of January. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.

**ARPA FUNDS**

Commissioner Woods made a motion to approve the passthrough ARPA grant monies for services in the amount of \$63,318.68. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.

**MSU EXTENSION**

Jesse Fulbright, MSU Extension Agent, was in to update the Commissioners on what his office will be doing in the coming weeks. Jesse also provided updates about the Cemetery Board.

**SHERIFF DEPARTMENT**

Sheriff Nick Erickson was in to visit with the Commissioners about a bill he received from Logan Health that is not his bill. The patient was not a prisoner at the time the person needed medical care.

**RIVERVIEW COLONY**

Paul Wipf from Riverview Colony and some of the members of Hi-line Colony, were in to ask why the CJI Schools will not send a teacher out to teach at the Colonies.

**RESIDENT VISIT**

Zelma Skinner, a Liberty County resident, was in to visit with the Commissioners about rocks on the Lothair Road. Zelma and her grandchildren rolled some large rocks off the road that they felt were a hazard. The Commissioners thanked them and sent the crew out that direction to make sure there were no more.

There being no further business, the regular meeting of the Board of Liberty County Commissioners was adjourned at 5:00 PM

ATTEST: \_\_\_\_\_

**JANUARY 3<sup>rd</sup>, 2024 TUESDAY**

The Board of Liberty County Commissioners met in regular session on the above stated date at 8:00 AM in their office at the Courthouse. Those present were Larry Hendrickson (chair), Joette Woods, and Justin Wickum.

**SHERIFF DEPARTMENT**

Sheriff Nick Erickson was in to update the Commissioners about staffing concerns in his department, as he has deputies that are sick and he is shorthanded. He will be looking for a way to cover shifts.

**WEED DEPARTMENT/911**

Jim Ghekerie, Weed Dept/911, was in to update the Commissioners on the radio grants that he has been working on. He is working on a few other grants for the County as well.

**SCHOOL DISTRICT 10**

The Commissioners received a call from Dave Hofer, District 10 School Chair, to ask why the District 10 School discussion remains on the County Commissioner Meeting Agenda. The Commissioners explained to him that until the County receives the budget and student information requested, it will remain on the agenda. The information sought is a public request to School District 10 for the County Superintendent's obligation to keep records of the school districts in the County.

**MSU EXTENSION**

Jesse Fulbright, MSU Extension Agent, was in to visit with the Commissioners about 4-H projects and to keep the Commissioners apprised of a fence and tree issue at Whitlash.

**SENATOR RUSS TEMPEL**

Senator Russ Tempel stopped in to see the Commissioners and visit with them about local issues.

There being no further business, the regular meeting of the Board of Liberty County Commissioners was adjourned at 5:00 PM

ATTEST: \_\_\_\_\_

**JANUARY 9<sup>th</sup>, 2024 TUESDAY**

The Board of Liberty County Commissioners met in regular session on the above stated date at 8:00 AM in their office at the Courthouse. Those present were Larry Hendrickson (chair), Joette Woods, and Justin Wickum.

**LIBERTY EMERGENCY PLANNING COMMITTEE**

The Commissioners attended the LEPC meeting at the firehall today.

**FISH, WILDLIFE AND PARKS**

Game Warden Willie Miller was in to visit with the Commissioners about some issues he has going on in the hunting areas.

**JUSTICE COURT**

Justice of the Peace Chris Case was in to update the Commissioners about some upcoming hearings.

**LIBERTY COUNTY 4-H**

Ed Cole, Matt Fenger, Julie Gagnon, and Peyton Cole were in on behalf of the Liberty County 4-H organization to ask the Commissioners about a land lease for trap shooting, and a possible indoor shooting and event center. The Commissioners will look into the spots available next week.

**PAYROLL**

Payroll Specialist Jordan Miller presented payroll to the Commissioners for them to review and approve. Upon review, Commissioner Wickum made a motion to approve payroll. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

**COUNTY SUPERINTENDENT**

Kathy Armstrong was in to update the Commissioners on the issues she is dealing with in her office.

**LIBERTY COUNTY DISPATCH**

The Commissioners visited with dispatch about EMD (emergency medical dispatch). This would require the dispatchers to train on how to medically walk someone through a medical emergency. The state will come and train the dispatch department.

**DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION**

Erik Eneboe, DNRC, was in to have the Commissioners update signatures on the interlocal equipment agreement. Erik provided the Commissioners with information about DNRC updates for counties.

**COMMISSIONER MINUTES**

After review, Commissioner Wickum made a motion to approve the December minutes. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

**ROAD DEPARTMENT**

The Road Crew will be working on maintenance work inside the shop this week due to the anticipated below zero weather.

**AGRICULTURAL COVENANT**

The Commissioners reviewed the Agricultural Covenant submitted by Lee Law for Sage Creek Colony and reviewed and approved by our County Subdivision Administrator, Stahly Engineering. Commissioner Woods made a motion to approve and sign the Agricultural Covenant. Commissioner Hendrickson seconded the motion. Hearing no public comment, the motion carried with all in favor. This Agricultural Covenant is for is section 35: NW ¼ NE ¼. Township 37 North Range 6 East, MPM. It was notarized by Randi Violett.

There being no further business, the regular meeting of the Board of Liberty County Commissioners was adjourned at 5:00 PM

ATTEST: \_\_\_\_\_

**JANUARY 16<sup>th</sup>, 2024 TUESDAY**

The Board of Liberty County Commissioners met in regular session on the above stated date at 8:00 AM in their office at the Courthouse. Those present were Larry Hendrickson (chair), Joette Woods, and Justin Wickum.

**CEMETERY BOARD**

Cemetery Board Chair Jesse Fulbright facilitated a Zoom Meeting with the Cemetery Board legal representative and the Commissioners.

**SUBDIVISION REGULATION UPDATES**

The Commissioners held a public meeting in their office for reviewing new subdivision regulation updates. The meeting was called to order at 9 am. One person from the public attended, Town of Chester Council Member Garrett Graff. After reviewing, Commissioner Wickum made a motion to approve and adopt the new subdivision regulations as presented by the State. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

**OPERATIONAL RAPID ASSISTANCE PACKAGE**

The Commissioners attended the O-RAP committee meeting at the fire hall. This is a group that comes to counties and finds discrepancies in EMS and Public Safety communications and helps them find ways to fix any gaps.

**HI-LINE AND RIVERVIEW COLONIES**

Hi-Line and Riverview Colony Members stopped in to visit with the Commissioners about why the CJI school will not take on the Riverview School. The Commissioners explained that the decision is CJl's to make.

**LIBERTY ELEMENTARY/SCHOOL DISTRICT 10**

The Commissioners met with the Treasurer, Denise Wanken, and County Superintendent Kathy Armstrong about Liberty Elementary funding and the fact that they are overdrawn in their county account.

**COUNTY SOCIAL MEDIA**

Due to the change in tech support to MACo IT, new permissions are required for posting to social media on the Liberty County Wi-Fi. Commissioner Wickum made a motion to approve Julie Erickson, Julie Gagnon, and Davin Padmos for putting notices on social media for Liberty County, Liberty County Elections, Liberty County Library, and Liberty County Extension Office. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

**COUNTY SUBDIVISION ADMINISTRATOR**

Commissioner Wickum made a motion to continue the Professional Service Agreement with Stahly Engineering to have them serve as the County Subdivision Administrator. Commissioner Woods second. Hearing no public comment, motion carried with all in favor.

**TREASURER**

Deputy Treasurer Taylor Marshall was in to inform the Commissioners on some issues with payroll checks and the printing alignment that is impacting the bank being able to read the amounts correctly. She also brought up the negative amount in the District 10 account.

There being no further business, the regular meeting of the Board of Liberty County Commissioners was adjourned at 5:00 PM

ATTEST: \_\_\_\_\_

**JANUARY 19<sup>th</sup>, 2024 FRIDAY**

The Board of Liberty County Commissioners met in a special session on the above stated date at 8:30 AM in their office at the Courthouse. Those present were Larry Hendrickson (chair), Joette Woods, and Justin Wickum.

**COUNTY BANK ACCOUNTS**

The Commissioners held a special public meeting in their office to discuss the reorganization of Liberty County bank accounts. The meeting was called to order by Chairman Hendrickson at 8:34 am. In attendance were: Taylor Marshal, Denise Wanken, Rob Stutz, Jay Phillips, Jesse Fulbright, Julie Gagnon, Kathy Armstrong, Robert Padmos, Ivan Van Dessel, Larry Hendrickson, Justin Wickum, Joette Woods, Kyle Heppner, Russ Tempel, Eric Bryson, Nancy Everson, Devon Grammar, Luke Haggarty, Lacey Lalum, and Barb Quinn. Commissioner Wickum made a motion to approve the options to reorganize special district warrant accounts. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor. The meeting was adjourned at 9:04 a.m.

There being no further business, the special session of the Board of Liberty County Commissioners was adjourned at 9:04 a.m.

ATTEST: \_\_\_\_\_

**JANUARY 23<sup>rd</sup>, 2024 TUESDAY**

The Board of Liberty County Commissioners met in regular session on the above stated date at 8:00 AM in their office at the Courthouse. Those present were Larry Hendrickson (chair), Joette Woods, and Justin Wickum.

**MINUTE APPROVAL**

Motion to approve the special meeting minutes from last Friday, made by Justin Wickum. Second by Joette Woods. Hearing no public comment, motion carries.

**BOARD MEETINGS**

Commissioner Woods attended the Board of Health meeting and Mental Health Board meeting yesterday.

**CLAIMS**

Claims Specialist Monica Serrato presented claims for the Commissioners to review and approve. Upon review, Commissioner Woods made a motion to approve claims. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.

### **DEPARTMENT HEAD MEETING**

The Commissioners held the monthly Department Head meeting in their office. In attendance were: Robert Padmos, Davin Padmos, Chris Case, Kayla Johnson, Anne Melton, Jesse Fulbright, Julie Gagnon, Kathy Armstrong, and Nick Erickson. The Commissioners discussed the reorganization of accounts that is happening with the pending security issues. Department heads provided reports on updates from their departments.

### **COUNTY ATTORNEY**

County Attorney Robert Padmos was in to update the Commissioners on what his schedule looks like on hearings and trials.

### **COUNTY SUPERINTENDENT**

Kathy Armstrong, County Superintendent, was in to review how Elementary & Secondary School Emergency Relief (ESSER) grants are put together and paid out. She does not see the local amount and would have to call the Office of Public Instruction to find out what was received for the two schools in the County.

### **BANK ACCOUNT REORGANIZATION**

The Commissioners met with the Treasurer, County Attorney, and Chris Mattson (First Bank of Montana), to decide on a new account reorganization by opening new special district accounts.

- Commissioner Woods made a motion to freeze all activity on the current warrants account due to a county fund security breach. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.
- Commissioner Wickum made a motion to authorize the County Treasurer to open eight (8) new accounts. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.
- As January 23<sup>rd</sup>, 2024, all activity on the special district accounts/warrants is frozen until the process is complete.
- Commissioner Wickum made a motion to approve the County Treasurer to add on POS Pay to our current ACH/Warrants checking account. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.
- Commissioner Wickum made a motion to correct a clerical error by approving the removal of the following individuals from the signer list for all general accounts: Dallas Denter, Jason Wanken, Jim Ghekiere. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.
- Commissioner Wickum made a motion to approve moving all payroll initiations to dual control. Special districts are able to upload their payroll file, but this will give the Treasurer's Office the authority to initial all payroll files. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

A copy of these minutes was given to Chris Mattson of First Bank of Montana to go forward with the process of account reorganization.

### **SNOW REMOVAL**

The Commissioners received the ok from resident Jeremiah Johnson to put extra snow from the town of Joplin on the Joplin football field, which he owns.

### **PAYROLL**

Payroll Specialist Jordan Miller presented payroll to the Commissioners for them to review and approve. Upon review, Commissioner Woods made a motion to approve payroll. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.

### **WEED/911**

Jim Ghekerie, 911/Weed Department, was in to update the Commissioners on a weed conference that is coming up. He will be out of the office for a couple days.

### **DEPARTMENT OF TRANSPORTATION**

Commissioner Woods made a motion to approve the MT DOT signatures for the applicability of federal requirements and guidance, nondiscrimination and disability accommodation, and labor warranty. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.

### **RESOLUTION 24-05**

Commissioner Woods made a motion to approve Resolution 24-05 for Liberty County Review Fee Schedule for Subdivision Review. Commissioner Wickum seconded the motion. Hearing no public comment the motion carried with all in favor.

24-05  
**Liberty County Review Fee Schedule**  
 (Exhibit A) Effective: 1/1/2024

**\*\*ADDITIONAL SUBDIVISION ADMINISTRATOR CONSULTING FEES MAY APPLY**

Pursuant to 76-3-201 and 602 MCA, the applicant shall pay the following non-refundable fees:

1. Subdivision Review: Applicable to all new subdivisions and amended plats going through the subdivision process. Fees are based on Subdivision type and number of lots.			
First Minor Subdivision Expedited Review (1-2 lots)	First Minor Subdivision	Subsequent Minor Subdivision	Major Subdivision Planned Unit Developments
Pre-application	\$400	\$400	\$400
Preliminary Plat or Plan	\$2850	\$2000 + \$100 for each lot over 3	\$4000 + \$100 for each lot over 6
Final Plat or Plan	\$1000	\$1000	\$1000
<b>Amended Conditions of Preliminary Plat Approval Review:</b> <i>Applicable to requests made after the governing body has conditionally approved a preliminary plat.</i>	Subdivision Administrator Time & Expense	Subdivision Administrator Time & Expense	Subdivision Administrator Time & Expense

2. Exemption Criteria Review fee: \$400
3. Examining Land Surveyor (all survey documents): \$400 + Shipping & Handling if wet signatures are required by the County.
4. Recording Fees: Set by Clerk and Recorder's Office
5. Noxious Weed Management Plan: Set by County Weed Department
6. General Consulting: Subdivision Administrator's Time & Expense\*\*

\*\*From time to time, application reviews may exceed fee structure costs. For example, if the application is incomplete and in need of County consultation on what information is missing, or if a survey document has a complex and lengthy legal description with missing information

or disclosure that takes extra time and iterations to fix. In these cases, the County's sub-consultant may exceed the fees listed above, in which case the applicant will be notified.

DATED THIS \_\_\_\_ day of January, 2024



ATTEST:  
  
 Davin Padmos  
 Liberty County Clerk & Recorder

BOARD OF COUNTY COMMISSIONERS

Chairman  
  
 Commissioner  
  
 Commissioner

There being no further business, the regular meeting of the Board of Liberty County Commissioners was adjourned at 5:00 PM

ATTEST: \_\_\_\_\_

**JANUARY 30<sup>th</sup>, 2024 TUESDAY**

The Board of Liberty County Commissioners met in regular session on the above stated date at 8:00 AM in their office at the Courthouse. Those present were Larry Hendrickson (chair), Joette Woods, and Justin Wickum.

**CEMETERY BOARD**

Jesse Fulbright, MSU Extension Agent and Cemetery Board President, updated the Commissioners on some Cemetery Board items and discussed some mapping issues. Rudy Cicon stopped in to drop off cemetery maps that he has been helping the Cemetery Board with. He also asked about the legislative subdivision adoption the County had a couple of weeks ago.

**JUSTICE COURT**

Justice of the Peace Chris Case was in to visit with the Commissioners and let them know the items he has lined up for the day.

## COUNTY ATTORNEY

County Attorney Robert Padmos was in to provide updates to the Commissioners on the Sheriff Department's on-call policy, which may need some updates.

## FIDUCIARY FUND POLICY

Fiduciary Fund Policy Meeting called to order by Chairman Hendrickson at 10:00 a.m. In attendance were: Larry Hendrickson (chair), Justin Wickum, Joette Woods, Robert Padmos, and Davin Padmos. The meeting was open for discussion. Clerk and Recorder Davin Padmos, asked that the policy be numbered P24-01. Commissioner Woods made a motion that the policy be named (P) policy (24) year created (01) first policy of the year. This way any future policies will be organized. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor. Commissioner Woods made a motion to approve the policy as presented. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.

P24-01

### LIBERTY COUNTY POLICY

<b>Subject:</b> Fiduciary Funds Policy
<b>Effective Date:</b> January 30, 2024
<b>Revised Date:</b>

#### I. POLICY STATEMENT

**Purpose:** This policy establishes guidelines, procedures, and internal controls for the oversight and management of Fiduciary Funds maintained within the financial framework of Liberty County.

#### II. APPLICABILITY

**Scope:** This policy is applicable to all governing bodies, not under the authority of the Liberty County Board of Commissioners, that are required to maintain their financial accounts with the Liberty County Treasurer.

**Authority:** The Board of County Commissioners has final authority over the protection of Fiduciary Funds.

#### Administration:

- A. Governing bodies are responsible for following the policy and accurately reporting financial transactions.
- B. The County Treasurer is responsible for the implementation of the policy, governing body compliance with the policy and approval of financial transactions.
- C. The County Attorney is responsible for interpreting the terms of this policy.

#### III. DEFINITIONS

**Board-** The Board of County Commissioners of Liberty County, Montana

**Treasurer-** The County Treasurer of Liberty County

**Attorney-** The County Attorney of Liberty County

**Governing Body-** The elected or appointed board of a special district within Liberty County that is required by statute (7-6-212(4)(a)(b)(c)) to conduct all financial transactions through a bank account and fund authorized by the Treasurer and Board.

**Fiduciary Fund- Custodial (Schools)-** funds used for cash collected for and disbursed to local schools.

**Fiduciary Fund- Custodial (Special Districts)-** Funds used for Special Districts not administered by the governmental entity.

**Banking Institution-** A financial institution that provides service as an intermediary for different types of financial monetary transactions

**Account Restrictions-** A bank account that has limitations or restrictions authorized by the Treasurer and applied by the banking institution.

**Positive Pay-** Automated fraud detection tool that matches account number, check number, payee and dollar amount of a check presented for payment against a list of checks approved by Liberty County. This process is authorized by the Treasurer and applied by the banking institution that holds the account.

**Non-Post -** Process for the banking institution to initiate approval authority of checks presented. This process is authorized by the Treasurer.

**Sweep-** process that automatically transfers amounts that exceed a certain level to a higher interest-earning investment option at the close of each business day. This process is authorized by the Treasurer and applied by the banking institution.

**Payroll Authentication -** process that allows Governing Bodies with payroll ACH abilities to upload a payroll ACH file. Individuals with access to upload payroll files must be authorized by the Treasurer.

**Overdraft Privilege-** policy agreement with the bank or financial institution to allow overdrafts on an account.

#### IV. DIRECTIVES:

##### A. Scope

It is the responsibility of the Treasurer to receive, disburse, and serve as the custodian of all public money, provide for the accountability of all local government cash receipts and for deposits and investments of all departments, offices and boards.

All local governments shall deposit all public money with the Treasurer within a month of receipt unless otherwise specifically authorized by law and may not maintain separate bank accounts unless specifically authorized by the Board.

MCA, 7-6-211(4) state that the Treasurer disburse the county money only on county warrants issued by the county clerk, based on orders of the Board.

MCA, 7-6-612(3)(c) requires the Treasurer to pay out, in the order registered, all warrants presented for payment when there are funds in the treasury to pay the warrants.

With changes over time, warrants have become checks and are cleared through a bank account authorized at a banking institution by the Treasurer. This change is necessitated by the transition from manual records to electronic records, thus rendering the issuance and presentation of warrants cleared through the Treasurer to be obsolete.

##### B. Fiduciary Fund Program:

The Treasurer will establish bank accounts for each type of Fiduciary Funds (Schools and Special Districts) within the Liberty County Bank Account. These accounts shall be required to have a balance restriction of \$0 according to the Liberty County Treasurer's Cash Report. If at any time the balance of those accounts should reach below the balance restriction or have an outstanding check, warrant, or other obligation that would put the account below the balance restriction, the account shall be deemed to be in violation of this policy and be subject to section C of this policy. To ensure the security of these account the following account security functions will be placed on each bank account, at a minimum those restrictions will include:

- Positive Pay
- Payroll two-factor authentication



Non-Post  
Balance restrictions  
Sweep  
Overdraft Privilege

Activation of these functions shall be made in the discretion of the Treasurer, with concurrence by the Attorney and approval by the Board.

**C. Violations:**

Each governing body will be responsible for complying with the restrictions on the bank account. Violations of the terms of the account restrictions placed on each account will result in the Treasurer, with concurrence by the Attorney and approval by the Board, in initiating any combination of the following until the violations are corrected:

- Turn off the sweep function of the account, requiring Treasurer approval of the distribution of funds.
- Loss of investment privileges due to possible lack of funds.
- Rejection of any checks, ACH or electronic payments
- Activation of any account restrictions not currently active on an account.
- Authentication key fob suspension or deletion
- And other actions deemed necessary to protect Liberty County funds and fiduciary funds under the Liberty County financial framework.
- Removal of Overdraft Privilege

**V.CLOSING:**

Questions concerning this policy should be directed to the Board.

DATED THIS 30<sup>th</sup> day of January, 2024

ATTEST:

  
Davin Padmos  
Liberty County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS

  
Chairman  
  
Commissioner  
  
Commissioner

The Treasurer's Office was in to update the County Attorney and the Commissioners that there is a deficient fund in School District 10 that needs to have immediate action taken. It was recommended that due to this we enact the list of violations and account restrictions in Section 4 paragraph C. Commissioner Wickum made a motion concerning the negative balance in School District 10 special district of \$-55,629.21 per section 4 paragraph C, we are placing all available account restrictions pursuant, until there is a positive balance in District 10 cash report. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor. Commissioner Wickum made a motion to adjourn the special meeting. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor. A letter from the Commissioners for School District 10 has been sent to the Trustees of School District 10 letting them know that their fund has a negative balance. The new Liberty County Fiduciary Policy and a copy of the violations and new restrictions have been included as well.

**SHERIFF DEPARTMENT**

Undersheriff Kyle Heppner was in to update the Commissioners on the Sheriff Department.

**SENIOR CENTER**

Glenda Hanson, Senior Center Director, was in to update the Commissioners on the Senior Center, including the grant status for transit and the Council on Aging.

**WAIVER OF CONFLICT AND FEE CONSENT**

Commissioner Wickum made a motion to approve the Waiver of Conflict and Fee Consent form for the Liberty County Cemetery Board lawsuit. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor.

**TREASURER DEPARTMENT**

The Commissioners interviewed the candidates for Interim Treasurer; Pat Tyler, Rachell Ghekerie, and Kirstin Garrison (who declined the interview). The Commissioners will have a decision by next week. Commissioner Wickum made a motion to accept Denise Wanken's offer to be reappointed as Treasurer for the month of February. Commissioner Woods seconded the motion. Hearing no public comment, the motion carried with all in favor. Commissioner Woods made a motion to appoint Denise Wanken as the interim Treasurer for the month of February. Commissioner Wickum seconded the motion. Hearing no public comment, the motion carried with all in favor.

There being no further business, the regular meeting of the Board of Liberty County Commissioners was adjourned at 5:00 PM

ATTEST: \_\_\_\_\_

Clerk

\_\_\_\_\_

Chairman