Glacier County Commissioners
Tuesday, January 28, 2025
Regular Meeting
Browning, MT

The Glacier County Board of Commissioners met at a regularly scheduled meeting at 9:00 a.m., Tuesday, January 28, 2025. Commissioners Vernon "Napi" Billedeaux, Mary Jo Bremner and Sam Bird III were present. Mandi Bird Kennerly taking minutes.

Present at the Meeting: Judd Milender, Glacier County Study Commissioner Chair; Don Wilson, Glacier County Treasurer

Present via GoToMeeting: Chancy; GA; KIMMET

A. Roll Call
The meeting was called to order at 9:00 a.m.

B. Approval of Agenda
Commissioner Bird motions to approve the agenda with no changes; Commissioner Bremner seconds the motion; motion carried.

NEW BUSINESS:

C. Discussion/Approval: Resolution No. 2025-02 Adoption of Glacier County Comprehensive Emergency Operations Plan – Judd Milender, Glacier County Office of Emergency Management Director
Judd Milender, Glacier County Office of Emergency Management Director explains to the commissioners that the Emergency Operations Plan for Glacier County was last updated in 2011. So, his first priority when hired was to update all Disaster & Emergency Plans for Glacier County which is a tedious task. He explains that the plan is the same except there will be two new hazard specifications added to the plan (1) Active Shooter and (2) Active Cyberattack. The plan explains what everyone within the county will do if there were a major disaster within our county boundaries. The commissioners thank Judd for working so hard on the update and getting the Comprehensive Emergency Operations Plan updated and agree to approve/adopt the plan.

Public Comment
There was no public comment.

Commissioner Bremner motions to approve Resolution No. 2025-02 Adoption of Glacier County Comprehensive Emergency Operations Plan as presented; Commissioner Bird seconds the motion; motion carried.

GLACIER COUNTY RESOLUTION
ADOPTION OF GLACIER COUNTY COMPREHENSIVE EMERGENCY OPERATIONS PLAN
Resolution No. 2025-02

WHEREAS, all citizens and property within Glacier County are at risk from a wide range of

hazards such as, but not limited to, avalanches, civil unrest, communicable diseases, dam failures, droughts, earthquakes, floods, hazardous material releases, landslides, severe thunderstorms, strong winds, structure collapses, terrorism, transportation accidents, volcanoes, wildland fires, winter weather, and other major emergencies or incidents; and

WHEREAS, emergency response planning and coordinated response efforts may reduce the impacts of disaster, emergencies, and incidents; and

WHEREAS, Glacier County, pursuant to Montana Code Annotated 10-3-401, is required to have a local and interjurisdictional disaster and emergency plan; and

WHEREAS, an emergency operations plan establishes the concept of operations and primary functions for managing disasters and emergencies in Glacier County; and

WHEREAS, an emergency operations plan is the basis for many department and agency standard operating procedures during times of disaster or emergency; and

WHEREAS, the Glacier County Board of Commissioners supports the activities of the Glacier County Office of Emergency Management and other response organizations; and

WHEREAS, the official copy of the plan is kept in the Office of Emergency Management and can also be viewed on the Glacier County website at www.glaciercountymt.gov.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Glacier County, Montana, hereby adopts the Glacier County Comprehensive Emergency Operations Plan, Basic Plan, Functional Annexes, and Hazard Specific Annexes dated January 2025. All departments and agencies within the jurisdiction of the Glacier County Commission are given the authority to perform the responsibilities identified in the plan and are tasked with preparing and maintaining standard operating procedures, conducting training, and exercising their responsibilities as associated with the plan. The Glacier County Office of Emergency Management shall review and revise as needed for continuing continuity between Glacier County Departments and partners.

Adopted this 28th day of January, 2025 as moved by Commissioner Bremner, seconded by Commissioner Bird, and passed by a 3 / 0 vote of the Board. Effective on passage and approval.

BOARD OF GLACIER COUNTY COMMISSIONERS

\s\ Vernon "Napi" Billedeaux, Chair
\s\ Mary Jo Bremner, Vice-Chair
\s\ Sam Bird III, Member
ATTEST:
\s\Mandi Bird Kennerly, Glacier County Clerk & Recorder

D. Discussion/Approval: Resolution No. 2025-03 Adoption of Glacier County Debris Management Plan – Judd Milender, Glacier County Office of Emergency Management Director

Judd Milender, Glacier County Office of Emergency Management Director explains that the most important aspect to the counties Disaster & Emergency services is the Emergency Operations Plan, but also there will be supplemental sections to the plan and the Glacier County Debris Management Plan is one of a few that will be following the adoption and approval of the Glacier County Comprehensive Emergency Operations Plan. Judd explains that if there were to be a major disaster in Glacier County these plans will have a role for each individual/department and the steps to follow. The commissioners and Judd discuss examples of a major disaster: Tornado, Flood or when structures are destroyed. The commissioners agree to approve the plan.

Public Comment
There was no public comment.

Commissioner Bremner motions to approve Resolution No. 2025-03 Adoption of Glacier County Debris Management Plan; Commissioner Bird seconds the motion; motion carried.

GLACIER COUNTY RESOLUTION
ADOPTION OF GLACIER COUNTY DEBRIS MANAGEMENT PLAN
Resolution No. 2025-03

WHEREAS, Glacier County government could potentially be faced with the threat of natural and/or man-made disasters, major emergencies or incidents, and pandemic disease outbreaks; and,

WHEREAS, recognizing these threats, County government at all levels has a responsibility to promote recovery and assist in the facilitation of Debris removal services for its citizens; and,

WHEREAS, there is a need to establish a guide for Elected Officials, Departments and County Employees to follow, in the event of a natural disaster, man-made disaster, or major emergency that may require debris management and related recovery services; and,

WHEREAS, normal day-to-day procedures usually are not sufficient for effective disaster or response, as extraordinary emergency measures must be implemented quickly to return to normal, pre-disaster/event conditions.

WHEREAS, a debris management plan will serve as a guideline for Glacier County government only and the plan addresses only Glacier County government actions to provide certain debris removal services to cope with a disaster or incident affecting the citizens of the county as addressed in the Glacier County Comprehensive Operations Plan (EOP).

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Glacier County,Montana, hereby adopts the Glacier County Debris Management Plan dated January 2025. All departments and agencies within the jurisdiction of the Glacier County Commission are given the authority to perform the responsibilities identified in the plan and are tasked with preparing and maintaining standard operating procedures, conducting training, and exercising their responsibilities as associated with the plan. The Glacier County Office of Emergency Management shall review and revise as needed for continuing continuity between Glacier County Departments and partners.

Adopted this 28th day of January, 2025 as moved by Commissioner Bremner, seconded by Commissioner Bird, and passed by a 3 / 0 vote of the Board. Effective on passage and approval.

BOARD OF GLACIER COUNTY COMMISSIONERS

\s\ Vernon "Napi" Billedeaux, Chair
\s\ Mary Jo Bremner, Vice-Chair
\s\ Sam Bird III, Member
ATTEST:
\s\Mandi Bird Kennerly, Glacier County Clerk & Recorder

E. Discussion: Blackfeet Tax Agreement (1987) – Glacier County Commission Chair Vernon "Napi" Billedeaux/Glacier County Treasurer Don Wilson

Don Wilson, Glacier County Treasurer is present to talk with the commissioners about the 1987 Tax Agreement between the Blackfeet Tribe, State of Montana Department of Revenue, Glacier County and Pondera County. He states that the Blackfeet Tribe filed Civil Action No. CV-86-023-GF in the United States District Court January 26, 1986 in which the Blackfeet Tribe won, but at the time the amount due to the Blackfeet Tribe would've bankrupt both counties financially. So, there was a Settlement Agreement between the Blackfeet Tribe, Montana Department of Revenue, Pondera County and Glacier County. Pondera County owed in the sum of $16,450.00 in full discharge of all monetary and other claims made and Glacier County $105,934.08. Also, that Glacier County and Pondera County will promptly cancel in their records upon the Tribe's request any entries of property tax delinquencies or liens accrued during periods of time when the affected real property was owned by the tribe. Then on August 4, 1998 there was a letter sent out by the Montana Department of Revenue to the Blackfeet Tribe stating that they believe the settlement agreement was now null and void, and has been since the Yakima decision in 1992. There were two lawsuits brought to the U.S. Supreme Court: *County of Yakima vs. Confederated Tribes and Banks of Yakima Nation* (505 U.S. 251) and *Cass County, Minnesota, et al. vs. Leech Lake Bank of Chippewa Indians* (June 1998) in which the Montana Department of Revenue referenced. He explains that when he was an employee of the Blackfeet Tribe he sat in a few meetings with Earl Old Person, Marvin Weatherwax, Don Dubray, Mark Magee, Pondera County Commissioners and Glacier County Commissioners where it was discussed. Pondera County stated that they had entered the settlement agreement in good faith and that they would uphold the agreement and exited the meeting. Treasurer Wilson states that in theory it was stated in the original agreement that it would remain the same unless Congress made a change. He hands out

documents to the commissioners with a sample of Pondera Counties Resolution and he explains that the auditors have been questioning him about the large amount of yearly back taxes for the Blackfeet Tribe on fee land within the boundaries of the reservation within Glacier County. He would like to request the commissioners approve two resolutions reaffirming the 1987 tax agreement (reverse taxes & remove from the tax rolls). The commissioners and Treasurer Wilson have a lengthy conversation on whether this is what should be done. At 9:57 a.m. Commissioner Billedeaux calls Terryl Matt, Glacier County Attorney on his cell phone and Terryl states that she didn't phone into the meeting because late last night the tribe wanted this discussion off the agenda for now as the Blackfeet Tribe wants to talk with the Montana Department of Revenue first. There is further discussion with the understanding being that this is an item that will need to be resolved soon. Treasurer Wilson stated that if it is not resolved by August 1, 2025 he will need to have a huge auction of fee land owned by the Blackfeet Tribe. There were no decisions made.

Public Comment
Mandi Bird Kennerly, Glacier County Clerk & Recorder commented.

OTHER BUSINESS:

F. Public Comment

There was no public comment.

G. Next Meeting – Thursday, January 30, 2025 – Cut Bank

Commissioner Bird motions to adjourn the meeting at 10:15 a.m.; Commissioner Bremner seconds the motion; motion carried.