

**May 10, 2022**

**The Board of County Commissioners met at 9:00 a.m. in a regular session in the Commission Office of the Granite County Courthouse with Chairperson Scott Adler, Commissioner Blanche McLure, and Commissioner Hinkle attending. Also attending were Commission Assistant, Billie Ann Kulaski and Granite County Attorney Blaine Bradshaw, who attended a portion of the agenda items set for the day. The session was livestreamed through the Zoom internet-based program available for the public to view the session and comment. The public was also allowed to attend in person and provide comment. The session convened with the pledge of allegiance.**

**Also, in attendance were U.S. Forest Service District Ranger (Pintler District), Cameron Razor; U.S. Forest Service Soil Conservationist (Pintler District), Sara Rouse; U.S. Forest Service Road & Bridge Civil Engineer, Mark Libby; Granite County Planning Director, Linda Bouck; Granite County Clerk & Recorder, Sarah Graham; Flint Creek Hydro LLC, Plant Operator, Paul Tallon; Fish, Wildlife & Parks, Fisheries Biologists, Brad Liermann; Fish Wildlife & Parks, Fisheries Manager, Pat Saffel; Local Ranchers and Land Owners, Betty Munis, Scott McDonald, Jim Waldbillig, and Pat Verlanic; Local Residents Jim and Carol Lynn Bacquet; and other members of the general public including Elena Gagliano.**

**BOARD MINUTES; Commissioner Hinkle moved to accept the Board minutes for May 3, 2022. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.**

#### **CORRESPONDENCE;**

**The Flint Creek Dam Advisory Board Meeting Minutes for their May 3, 2022 meeting were received by the Commission. There were no specific recommendations for the Commission at this time.**

**Georgetown Lake Updated Projections were received from DNRC Water Hydrologist, Todd Blythe. The projection was completed on May 3, 2022.**

**Granite County Justice Court End of Period Justice Disbursement for the Month of April was received.**

**MSU Extension Office holding Community Assessment Survey meeting on at Drummond Library on May 19, 2022 at 5:30 pm.**

**A DEQ Permit Notice was received, Public Notice No. MT-22-08. This is a general permit for domestic sewage treatment lagoons - batch and non-discharging facilities.**

**A Montana Opioid Settlement Funds Letter was received from a group of Montana County Attorneys and Commissioners who are upset with the Montana Attorney General's approach to handling the Class action funds. Commissioner Hinkle asked if the Commission already approved the Amended Memorandum of Understanding. Commissioner Adler stated that yes, they had during a previous meeting. Commissioner McLure added that this**

letter is regarding the settlement in a class action litigation. Commissioner Hinkle commented that he agrees with the Attorney General's stance on the matter.

A notice was received from Megan Redmond the Public Relations Specialist with the Montana Department of Transportation. The notice was regarding an announcement that roadwork would begin on MT 1 near Philipsburg.

A notice was received from Montana DPHHS concerning the re-designation of the Area V on Aging Program. Commissioner McLure commented that based on the letter the County has options and must make a designation, adding that she thinks this should be added to a future agenda and she would prefer Option 1. Commissioner Adler commented that he thinks the County should reach out to Joe Gilboy, who oversees the program for the State and works with the public health department before making a decision. Commissioner Adler then directed, Commission Assistant, Billie Ann Kulaski to reach out to Joe Gilboy, and then place the matter on the agenda in the coming weeks.

#### **PUBLIC COMMENT;**

Public comment was received from Elena Gagliano stating that she was having issues hearing, making it difficult to follow the meeting. Elena Gagliano then referenced two items from the Commissioners' correspondence including the letter regarding the Amended MOU for the Opioid Class Action, and the DPHHS notice concerning the Area V Program. She inquired if action would be taken on these items. Commissioner Adler responded that the DPHHS Notice would be on a future agenda after further discussions with Public Health, and Joe Gilboy, who heads the Area V Program for the State of Montana. Commissioner McLure asked if the Commission needed to discuss the MOU concerning the Opioid Class Action further, adding that Commissioner Hinkle agreed with the Attorney General's decision and she doesn't understand the item. Commissioner Adler commented that they can discuss the MOU with Granite County Attorney, Blaine Bradshaw when he comes into their office.

Commissioner McLure asked if there is anything that needs to be put on the agenda from the Flint Creek Dam Advisory Committee meeting minutes and if there were any recommendations. Commissioner Hinkle responded that there were not any recommendations for the Commission in the meeting minutes provided to the Commission. Commissioner Adler commented that the Commission would discuss this further when they discuss the outflow of Georgetown Lake at 10:00 a.m.

Scott McDonald provided public comment, stating that it was difficult to hear via Zoom, then provided technical assistance to test the various microphones.

**ROAD & BRIDGE WEEKLY REPORT;** Road & Bridge Superintendent Paul Alt was not in attendance as he took some vacation time. Commissioner Adler did report that there was a complaint received on Bear Gulch road concerning an excavator that was being walked up Bear Gulch Road, hit a frost heave, but the limited damage was apparently repaired by the property owner. Paul Alt did go up to the area and look into the matter and the County is not aware of who completed work on the road without prior permission and left the

equipment. Granite County Attorney, Blaine Bradshaw commented that the County does not have a policy about equipment being walked up a County road and that it might be something to look into; however, currently under the default law, there is civil liability to the person who does any damage. Commissioner Adler responded that the County does have a policy about road work being completed on County roads or within County road rights of way. The Commission then discussed that on the upcoming agenda the bids will be opened for excavators and dozers. This is the second time this has gone out for bid. The first time this went out for bid, the County received a bid for a dozer from Weaver Construction, but has not received anything for excavators. Currently the County has not received any bids. Commissioner Adler mentioned that the County may want to look into renting an excavator and complete the work on FS Road 1589 themselves. Commissioner McLure responded that it would not be worthwhile since the County will not be making any money on the project, and that they will discuss it further when the Forest Service comes in.

**US FOREST SERVICE AGREEMENT WITH THE COUNTY CONCERNING ROAD 1589;** The Commission was joined by U.S. Forest Service District Ranger (Pintler District), Cameron Rasor; U.S. Forest Service Soil Conservationist (Pintler District), Sara Rouse; and U.S. Forest Service Road & Bridge Civil Engineer, Mark Libby to review the agreement for FS Road 1589. Commissioner McLure asked questions concerning the budget for the project. Sara Rouse explained that the numbers Commissioner McLure was referring to were Forest Service non-cash contributions and are not applicable to the County, but are what the Forest Service has budgeted in the grant funds to pay their people for work completed on the project. Sara Rouse referred Commissioner McLure to review the financials on the Cash Cooperative section which outlines what they have come up with for a budget for the project. Commissioner McLure asked about the scope of work for the project manager. Sara Rouse responded that it was in the packet and that in the previous sessions they had spoken about Road & Bridge Superintendent, Paul Alt acting in that role to provide daily oversight. Commissioner McLure referenced that the amount budgeted for a project manager daily would not cover a complete day of Paul Alt's salary, stating that the County won't make any money off of this project. Commissioner Hinkle commented that this project isn't costing the County any money either, and enables them to work together. Cameron Rasor interjected and explained that the County does not have to use Paul Alt as the project manager and can hire someone for the role and could be used out of the amount budgeted, further clarifying that the document is strictly a projection, and cost estimation for the project. Cameron Rasor further added that as the co-operator the County can decide where some of the administrative costs need to go, whether it is to Paul Alt for project management or to Commission Assistant Billie Ann Kulaski for administration; just that the amount cannot exceed the \$46,833.05. Commissioner Adler asked about matching funds for the RAC grant utilized for the project. Sara Rouse responded that at times they need in-kind matching funds, but that is not the case for this project. Commissioner McLure asked about the \$4500 listed under the Co-operator non-cash contribution cost analysis for \$4500. Sara Rouse explained that this is a non-cash contribution and was for the road design and has already been completed (and paid for) as part of the Forest Service non-cash contribution. Commissioner Hinkle motioned to approve the road project agreement between Granite

County and the USDA Forest Service for Road No. 1589. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.

Cameron Razor then discussed bridge jurisdiction for several bridges across the County including one on Wyman Road, two on Princeton Road, and one on the Combination Road (No. 678) that goes over Black Pine Road into Willow Creek. The bridges on these roads are showing as Forest Service Bridges, however are on County Roads and the Forest Service is working to rectify their database, which has notations that some of these bridges were taken over by the County. Cameron Razor explained that Wyman Road (No. 677) shows Forest Service jurisdiction for a few miles of the road, however on County maps it shows the whole road as County jurisdiction and it has always been managed as such, with the Forest Service having easements on it. The bridge on Wyman Road is in need of replacement and is a Forest Service owned bridge. Mark Libby explained that he has a design to replace that bridge and that if the County would like to take jurisdiction over that bridge he would share that with the County. Commissioner Hinkle asked how that would benefit the County. The Commission agreed that it would be necessary to have Granite County Planning Director, Linda Bouck research these areas to see if the County does in fact have any jurisdiction over them. There were two bridges discussed on Princeton Road, one was a Forest Service bridge, however the County tore it out and replaced it, so the Forest Service updated their records to reflect this as a County bridge since the County put it in. The second is a Forest Service owned bridge, but it is on a County jurisdiction road, and has not been inspected for several years. The notes in the Forest Service system state to not inspect this bridge because it is a County bridge without any further documentation. Commissioner McLure asked if what the Forest Service was saying is that it is a County bridge because it is on a County Road. Cameron Razor responded that they are trying to figure that out. Commissioner McLure asked if this bridge is definitely on a County Road. Cameron explained that yes, it is definitely on a County Road. Commissioner Hinkle pointed toward the Infrastructure Bill for the potential for funding bridge projects. Commissioner Adler asked about RAC Grants for some of the bridge projects. Cameron Razor responded that RAC may be a good option for the bridge on Wyman Road. Commissioner McLure asked if this would have to be on the agenda. Commissioner Adler stated that yes, they will need to do some research and have it on at a later date to discuss further. Mark Libby added that he was going to visit the sites of the bridges today and take some pictures that he would share with the County. Commissioner McLure commented that if these are Forest Service bridges the Forest Service is obligated to fix them. Cameron Razor responded that yes they are, unless there is something that was signed by the Commission years ago taking responsibility for these bridges. Sara Rouse commented that the bridge on the Combination Road (No. 678) was in disarray following the Superfund and that they aren't sure if there is even a bridge over there anymore. Commissioner Adler commented on the issues that arose during that time in that area, and the weight capacity for the bridge. Granite County Attorney, Blaine Bradshaw stated that during that time they moved the location of the County road to no longer include the bridge. Mark Libby added that he was going to look into this site as well. The Commission agreed that this would be on the agenda again in a couple of weeks.

Cameron Rasor then provided an update on a timber sale in the Upper Willow Creek area. He explained that the units are scattered along the County road and they are seeking authorization for the purchaser to skid across the road. Cameron Rasor added that there are two ways to handle the situation. The first is to have the purchaser fix the road when they are done logging (3-5-year contract with purchaser). If the County doesn't want the purchaser to fix the road, then the Forest Service needs written approval so that the purchaser can skid across the road. Commissioner Adler asked who would fix it if not the purchaser. Cameron Rasor responded that it would either be the Forest Service or the County. Commissioner Adler asked what happens if purchaser goes broke. Cameron Rasor explained that the units are small. Commissioner Hinkle stated that he would have the purchaser do it. Commissioner Adler asked when this would take place. Cameron Rasor responded that it would be this fall and that it would be a 3 to 5-year project. The Commission agreed to have the purchaser fix the road. Sarah Rouse explained that the County will see this reflected in the schedule A and the yearly maintenance plan.

**BACQUET VS GRANITE RETAINING OF INDEPENDENT SURVEYOR;** Commissioner McLure began the discussion, stating that the homeowners involved in this case could have petitioned the County to abandon Brown's Gulch Access Road, but they did not. She continued explaining that the County had documentation to back up their decision that the spur (Brown's Gulch Access Road) was in fact a County road, and that the road has not moved. Commissioner McLure then concluded that this does not make sense for the County to expend money to retain an independent surveyor in the matter. Commissioner McLure then asked Granite County Planning Director, Linda Bouck to compare the case of Bear Gulch Road and Brown's Gulch Road. Linda Bouck explained that the road had moved in the Bear Gulch case and in the Brown's Gulch Access Road case the road has not moved. Granite County Attorney, Blaine Bradshaw explained that the dispute is whether or not the road is a County road and having an independent surveyor complete research and provide his opinion on the matter, as well as testify in court would be beneficial. He added that he is in no way saying that Linda Bouck is not an expert or that Hans Bohrnsen is not an expert in their respective fields, just that having an independent surveyor's opinion would be beneficial if this goes to court. Commissioner McLure stated "so their expert is an expert over ours?" Blaine Bradshaw responded that ours, if the County would retain one, would be an independent expert. Commissioner McLure added that the documentation that the County has on hand already shows the spur off of Brown's Gulch as a County Road (Brown's Gulch Access Road), that Linda Bouck is an expert, and that the County has declared this as a County Road. Commissioner McLure went on to state that all the homeowners had to do was petition the County to abandon the County road, and all we were doing is our job. Blaine Bradshaw commented that retaining an independent surveyor would strengthen the County's case. Commissioner McLure responded the County shouldn't have to pay to add strength.

Public comment was received from Jim Bacquet stating that he would like to comment on the fact that during the meeting that occurred a few months ago the Commission stated the

Brown's Gulch Access Road was "likely" a County road; and at that time, they felt as though it was never a County road to begin with, making there no reason to petition to abandon something that wasn't a County road in the first place. He added, that there was not a free and clear path as Commissioner McLure had stated, and that their attorney doesn't believe there was either.

Commissioner McLure responded that the Commission didn't state that it was "likely" a County Road, that they stated it was a County road. Commissioner Hinkle added that the Commission had to take a stance on the issue. Blaine Bradshaw responded that the County believes strongly that there is evidence, he doesn't recall that the Commission said likely, but that he doesn't think there is a distinction. Carol Lynn Bacquet commented that in the session that the Commission motion on the matter, that Blaine Bradshaw made a point to say that it is most likely and that it is recorded as so in the minutes, clarifying that the County made a point to not clearly state one way or the other and that she is curious as to what has changed. Blaine Bradshaw responded that he is not a judge and cannot guarantee anything, but that he believes there is strong evidence to support the County's decision. Commissioner McLure added that the agenda item being discussed is whether to retain an independent surveyor and that she doesn't think the County needs to. Blaine Bradshaw responded that he thinks there is strong evidence in the case and the County could utilize Linda Bouck and Hans Bohrsen, but that it would be helpful to have an independent surveyor complete research and provide their opinion in court, to add weight to the County's argument. Commissioner Hinkle agreed, stating he thinks the County should have all the opinions they can if this goes to Court. Commissioner McLure motioned to not retain an independent surveyor at this time, but to reserve the right to retain one at a later date. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

**BRANDON PARRET, DAM TENDER'S REPORT, GEORGETOWN LAKE OUTFLOW;** The lake level was reported at 6428.90 feet; 7.2 inches below full pull, according to the USGS lake level gage and the dam tender's report for the week. The Commission was joined by Flint Creek Hydro LLC, Plant Operator, Paul Tallon; Fish, Wildlife & Parks, Fisheries Biologists, Brad Liermann; and Fish Wildlife & Parks, Fisheries Manager, Pat Saffel; as well as Local Ranchers and Land Owners, Betty Munis, Scott McDonald, Jim Waldbillig, and Pat Verlanic. The group joined together following last weeks session where the Commission was seeking a consensus concerning holding off on releasing the 30 CFS on May 15<sup>th</sup> in accordance with the FERC license, and allowing more water to be released later in the year when the irrigators need more water. This would allow for the reservoir to gain more inches, hopefully benefiting all parties. Commissioner Hinkle began the discussion, explaining that in his area there isn't any grass growing because the temperatures are still too cold, but that he will support whatever the group decides on as a whole. Commissioner McLure clarified that on the 15<sup>th</sup> of May the Commission will need to increase the outflows from the reservoir. Commissioner Hinkle confirmed, stating that unless everyone agrees they will have to follow the FERC order. Pat Verlanic commented that he is against holding the water back any longer, citing water rights and the necessity for letting out the natural flow. Commissioner Hinkle responded that he understands, but that if the reservoir is allowed to fill, everyone

will benefit. Pat Verlanic replied that the ranchers don't care if the lake is full, they care if they have water to irrigate. Commissioner Hinkle discussed the issues that the community could be facing if there is another drought this year. Commissioner McLure asked Pat Verlanic if the amount of water the County lets out of the reservoir directly affects their irrigation. Pat Verlanic responded that it does and starting next week, that the water released from East Fork will also impact the creek. Commissioner Adler commented that he had reached out to Scott Struna in the morning, and currently East Fork is at 60% and on June 1st they are planning to turn the water on and that Willow Creek is flooding out in spots. Paul Tallon provided comments from Flint Creek Hydro LLC's engineers requesting additional water be released from dam over the 30 CFS to avoid uncontrolled releases throughout the irrigation season. Paul Tallon cited that the FERC license requires that the lake level be at one foot below the crest on May 31<sup>st</sup>, and the current projections have the lake level at much higher than that, requiring more water to be released. Commissioner Hinkle commented that the soil surrounding the lake is dry. Betty Munis explained that it sounds like the County doesn't have a consensus, and will need to turn out the 30 CFS on May 15<sup>th</sup>. She added that it is important for the ranchers to get water, and that she appreciates what the Commission is saying in regards to the weather being cold and dry. She added that she also thinks the Commissions hands are tied, and that they can only do what they can do.

Brad Liermann joined the discussion and explained that he understood what point Paul Tallon was trying to make on behalf of Flint Creek Hydro LLC, however he wanted to clarify the FERC requirement for the Commission. The FERC requirement stating the reservoir must be within 12 inches of the crest on May 31<sup>st</sup> was meant to protect the fish populations and is something that must be at least one foot below, but can be in excess of. He added that based on the recent projections from the DNRC, Georgetown lake will fill. Betty Munis interjected to ask Brad Liermann some questions concerning the fish populations in the streams below the reservoir and how Fish, Wildlife and Parks takes those populations into consideration when looking at outflows. Brad Liermann responded that in the case of Georgetown Lake the water mainly impacts Flint Creek and the Clark Fork. The outflows of 6 to 16 CFS don't have a negative impact at this point because it is mostly Brown Trout and those levels have not impacted their spawning at this time.

Scott McDonald referenced the lake level of Silver Lake commenting on the selling of water from Silver Lake and the impact on the natural level, which in-turn impacts the lake level in Georgetown Lake. He added that Georgetown lake gets flows through natural seepage from Silver Lake and the selling of the water has a dramatic impact to Georgetown Lake levels. Granite County Attorney, Blaine Bradshaw explained his understanding was that the County has no control regarding the draining down of Silver Lake. He added that he does agree with Betty Munis that the County does not have a consensus amongst the irrigators, and need to release 30 CFS on May 15<sup>th</sup>. Scott McDonald asked if Silver Lake could drop below the natural lake level or if it was in violation of Montana State Laws. Blaine Bradshaw responded that he would look into the issue and get back with Scott McDonald. Commissioner Adler explained that it would be beneficial if the irrigators could hold off on the water, but get additional water later on, and if there could be an agreement in place. He

went on to state that the issue is that the County can never promise that they will be able to get more water released later on. Commissioner McLure asked if the Commission should leave the outflow at 6 CFS until the 15<sup>th</sup> of May, or how they should proceed. Commissioner Hinkle motioned to leave the outflow at 6 CFS until May 15<sup>th</sup>, and then increase the outflow to 30 CFS; in accordance with the FERC order in place. He added that he hopes the rains come in June, or it will be a tough summer. Commissioner Adler agreed. Commissioner McLure seconded the motion. Public comment was received from Pat Verlanic asking if the County has any obligation to Flint Creek Hydro LLC. Commissioner Adler responded that they do not. Paul Tallon commented that it is his understanding that the County can not let the outflow drop below 10 CFS. Blaine Bradshaw responded that they can look into that matter, however the FERC order is the overriding document. Commissioner McLure commented that releasing 6 CFS impacts the County as well as Flint Creek Hydro LLC, because the County depends on the royalties. Public comment was received from Elena Gagliano stating that the County has an obligation to the FERC license. There were no further comments the motion passed unanimously.

Betty Munis commented that currently everyone is in a gambling state, and that it would be beneficial if they could all get the DNRC predictions sooner. Commissioner Adler responded that, Todd Blythe can generate the reports as requested and she can be included on the email list. Betty Munis added that it would additionally be helpful if there were a workshop on how to calculate some of these numbers for the outflows. Commissioner McLure referred her to join the Flint Creek Dam Advisory Committee, as they have been seeking input from area ranchers and irrigators and discuss these matters on a regular basis. Commission Assistant, Billie Ann Kulaski stated she would connect the ranchers and irrigators with the contact information for the Flint Creek Dam Advisory Committee.

**PHILIPSBURG SENIOR CENTER REQUESTING A LETTER OF SUPPORT FOR SENIOR COMMUNITY CENTER BUILDING PROJECT;** Maureen Conner joined the Commission to discuss the request for letters of support for the Philipsburg Senior Center project. She explained that the preliminary architectural report has been prepared and as part of the report they are including letters of support to go on the record to show support for the concept. Maureen Conner added that the Seniors are paying \$15K in matching funds for the grant which pays \$15K for the development of this concept. Commissioner Adler asked how much the Seniors will be going after. Maureen Conner responded “As much as they can get.” She went on to explain that the building they are seeking to create will be approximately 7K square feet and has evolved from the Philipsburg Senior Center into the Philipsburg Senior Community Center. This enable the Seniors to focus o feeding people but also to expand so there are places for Seniors as well as community members to gather. This will also enable easier access to feed Seniors and provide drive-up meals for Seniors that can’t get out of their vehicles easily. Commissioner McLure clarified that the Seniors are asking for a letter of support for the concept for the grant. Maureen Conner reclarified that the Seniors already have the grant and that the County sponsored the grant last spring. She added that they are simply asking for letter of support as a way of endorsing the concept of the project. Commissioner McLure motioned to provide a letter of support for the Senior

Community Center Building Project. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

**REVIEW OF GRANITE COUNTY CREDIT CARD POLICY;** Following the prior week's discussion after reviewing the Visa card payments, the Commission reviewed the current County credit card policy. Commissioner McLure began the discussion explaining she is concerned over the paper trail the current process provides. She stated that for the Road Departments recent attendance to a convention, the Commission wasn't presented with the information ahead of time for the charges to approve them, but after the fact. Commissioner McLure went on to state that it is too easy for County employees to use and that they should be more responsible with the funds. Granite County Attorney, Blaine Bradshaw commented that the current policy states that the purchases are to be preapproved. Commissioner McLure responded that they have not been. Commissioner Adler interjected stating that he thought the Sheriff's Department had their own credit card and didn't have to use the general one, but they do not and maybe they should. Granite County Clerk & Recorder Sarah Graham joined the Commission to reiterate a conversation she had with Granite County Sheriff, Scott Dunkerson about credit card use and that it may be easier if his department had their own credit card. Commissioner McLure responded that she thinks the County has too many credit cards and that things are being done with credit cards that shouldn't. She added that there are things the County could be billed for but employees are using credit cards for instead. Commissioner Adler discussed having smaller things at the discretion of the department, but larger things go through the Commission, questioning how that would work and if an employee would call each Commissioner. Blaine Bradshaw commented that he would have smaller purchases go through the chair, and larger purchases be approved by the full County Commission. Commissioner Adler suggested this be on the agenda for more review and discussion next week. Commissioner McLure questioned why things can't just be paid through a claim and a check. She added that there is no reason to use a credit card, because people can bill the County. Blaine Bradshaw commented that he would look at the Sheriff's Department differently than the Road Department since the Sheriff's Departments budget is in good standing and they have never exceeded their budget. Commissioner McLure explained that her problem is that nothing is getting preapproved and that there is not a paper trail. Commissioner Adler stated that this will be on the agenda again next week for further review and discussion, adding that the County will need to amend the policy.

**ONGOING NEGOTIATIONS WITH FLINT CREEK HYDRO LLC WITH JUDGE MCLEAN;** Commissioner Adler explained that this Agenda item has been tabled, since mediator, Judge McLean (former district judge in Missoula), did not call in and the County has not received a written offer from Flint Creek Hydro LLC. Granite County Attorney, Blaine Bradshaw explained that he did hear from Judge McLean and that Flint Creek Hydro LLC is done negotiating with the County. Judge McLean will be attending the Commission's meeting next week (May 17, 2022) to discuss some things including measuring inflows. Blaine Bradshaw mentioned that he has continued to work on finding a possible expert witness and has several emails and calls out. He has also been working with John Fitzpatrick to follow

up with a contact that may be able to support the County's effort, so the County is making some headway. Commissioner McLure summarized that the County needs an expert to support their case if it comes to litigation. Blaine Bradshaw replied, that it will support their case, focusing on the ability to show that the current maintenance and repair expenses (high over past five years) were unforeseeable expenses when the contract between the parties was executed.

The meeting adjourned at 11:25 a.m.