

**November 7, 2023**

**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 Adler, Commissioner McLure and Commissioner Hinkle attending. Also attending were Commissioner's Assistant, Billie Ann Kulaski, Clerk, Brandi Galihier, and Granite County Attorney, Blaine Bradshaw, who attended a portion of the agenda items. 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 *Philipsburg Mail* Editor, Amelia Wood; Granite County Road & Bridge Superintendent, Paul Alt; Granite County Treasurer, Vicki Harding; Former Commissioner, Bill Slaughter, and members of the general public including Tom Rue, Elena Gagliano and MFGO (Montanans for Government Oversight).**

**BOARD MINUTES; Commissioner Hinkle moved to accept the board minutes for October 31, 2023. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously.**

#### **CORRESPONDENCE;**

**Electronic mail was received from Lon & Pam Dale voicing concern over the condition of Georgetown Lake Road from the East Fork Road toward Comers Point. They requested a report as to when the paving is planned for the section of road. The Commission will respond to this during their next session (November 14, 2023).**

**An invitation for the Great West Engineering Inc. Open House was received; December 1, 2023 from 4:00 p.m. to 8:00 p.m.**

**Electronic mail was received from MACo forwarding a message from Commissioner Strouf of Custer County asking that Commissioner come together to support the effort to bring revenue to Montana for housing and community facilities; and attend the USDA Listening Session on November 7, 2023 for updates to the Community Facilities Program.**

**An invitation to the Big Sky Passenger Rail Authority November Board Meeting was received; Wednesday, November 8, 2023 from 11:00 a.m. to 12:30 p.m. via Microsoft Teams.**

**The Granite County Justice Court end of disbursement report was received for the month of October; Total disbursements: \$8703.00**

**An invitation to the Granite County Conservation District Weed Clinic was received; November 14, 2023 at the Granite County Museum at 9:30 a.m.**

## **PUBLIC COMMENT:**

Public comment was received from former Commissioner Bill Slaughter and local resident Tom Rue concerning Kohlbeck Lane. Bill Slaughter explained that the first section of the roadway is heavily traveled but the second section is not heavily traveled and has not had much attention since 2006. He spoke with Road & Bridge Superintendent, Paul Alt earlier this spring about the roadway that is in need of gravel. Tom Rue noted that years ago when the County first began utilizing millings they used a section of the roadway as a test strip, but that it is in need of more attention. Commissioner McLure explained that the County is currently working to build a road maintenance index to enable them to better track which roads are getting attention and to improve the record keeping within the department. The Commission agreed that the roadway is in need of gravel and that this will have to wait until the spring. Tom Rue added that they understand that any maintenance will have to wait, but that he wanted to ensure that the road was on the Commissioners radar. Road & Bridge Superintendent, Paul Alt joined the session stating that the lower valley only received 2K yards of gravel and that there was not enough to give Kohlbeck Lane any. He added that if the Commission allow him to purchase gravel for the roadway that he will.

**ROAD & BRIDGE WEEKLY REPORT; & SOLID WASTE UPDATE WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT;** Granite County Road & Bridge Superintendent Paul Alt joined the Commission to provide an update on Road & Bridge and Solid Waste operations across the County. He explained that the Crew has been working on some cold patching projects and hopes to place delineators if the weather cooperators, as well as get some blading work done.

Commissioner McLure noted the necessity of a road indexing book based off of the public comment from Bill Slaughter and Tom Rue, since Kohlbeck Lane has not have gravel in several years. Paul Alt explained that since he has worked for the County only 1K yards of gravel has been purchased annually which is not enough to complete the necessary road maintenance. The group reviewed the gravel report that was submitted the week previous and discussed the placement of gravel and from which pits it comes from based on road location. Paul Alt recommended purchasing 5K yards of gravel for each side of the County to get caught up on road maintenance projects.

The group discussed RAC funding and that if it is received to complete work on Lakeshore Road at Georgetown Lake that gravel will need to go out for bid. The gravel at the Middle Fork Pit is already planned to complete projects on Rock Creek and Willow Creek Road(s). Paul Alt commented that they need to make sure there is enough money to haul and lay the gravel included in the funding.

The gravel work has been completed around the Flint Creek Dam. FERC and Great West Engineering will be notified that the work is completed as it was identified as needing to be done during the annual inspection in July 2023.

**Granite County Solid Waste Policy Amendments & Publishing Notice in *Philipsburg Mail*;** The Commission reviewed the drafted notice. Commissioner Adler noted that it is important

for Granite Disposal to explain this to their customers. Paul Alt stated Granite Disposal should give their customers time to ask questions and understand the details of the co-op, recommending 30 days prior to January 1, 2024. The Commission agreed to run the drafted notice in the *Philipsburg Mail* and on the Granite County website.

**DRAFT LETTER TO US LEGISLATORS CONCERNING LAKESHORE ROAD;** Commission Assistant, Billie Ann Kulaski explained that she sat down with Interim U.S. Forest Service Ranger (Pintler District), Sara Rouse the end of last week and that RAC is currently in state of flux at the national level and that there has not been a call for projects. The Forest Service is still working on building the RAC Committee and are hoping to call for projects in January and follow the same schedule for funding in May of 2024. The Forest Service would still like to work with the County on pursuing RAC monies to support maintenance projects on Lakeshore Road, and have voiced that there are other opportunities for RAC projects across the County. Sara Rouse is going to also look into when the next call will be for FLAP projects and communicate that with the County, as the Forest Service believes this will be the best option to redo that section of roadway. The Commission reviewed the letter that was drafted as requested at the previous session. Commissioner Hinkle motioned to send the drafted letter to U.S. Legislators concerning Lakeshore Road. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously.

**GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT;** The lake level was reported at 6428.95 feet; 6.6 inches below full pool, according to the USGS lake level gage and the dam tender's report for the week. The Commission discussed that the lake level is rising, but that they will take a wait and see approach over the next few months to see what needs to happen to assure the lake is at the appropriate level at the end of May 2024. Commissioner Hinkle moved to continue releasing 10 CFS; as this is required and consistent with the FERC order in place. Commissioner McLure seconded the motion. There were no public comments received, and the motion passed unanimously.

**MONTHLY CLAIMS:** Commissioner Hinkle motioned to accept the monthly claims for October. Commissioner Adler seconded the motion. There were no public comments received, and the motion passed unanimously.

**ADVERTISING THE APPOINTMENT OF INTERIM GRANITE COUNTY TREASURER;** The Commission was joined by Granite County Treasurer, Vicki Harding to further discuss her retirement this spring and advertising the appointment of an interim Treasurer. The Commission reviewed the notice drafted by Granite County Attorney, Blaine Bradshaw, which was proposed to run throughout the next six weeks. The Commission also received a resume and cover letter from an interested internal candidate. Commissioner McLure noted that the drafted advertisement is worded great, and motioned to advertise the notice for appointment of an Interim Granite County Treasurer in the *Philipsburg Mail* throughout the months of November, December, and January. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

**COUNTY EASEMENT GRANT TO NORTHWESTERN ENERGY (MCKENZIE COURT);** The Commission discussed the request by Matt Farrell for an easement from the County for access to a Northwestern Energy power pole near McKenzie Court in Philipsburg. The Commission agreed to the easement earlier this summer with conditions on what the property could be developed and utilized for. The Commission wanted to ensure that they would grant the easement conditional upon marijuana not being grown as part of the greenhouse operation (commercial operation) that is set to be developed on the site. Matt Farrell agreed to the verbiage earlier this year and has been trying to work with Northwestern Energy to draft the easement. Northwestern Energy would not accept an easement with the County's requested conditions included and suggested an additional document be developed between Matt Farrell and the County concerning the Conditions. Commissioner Adler noted that he is against moving forward with this agreement. Granite County Attorney, Blaine Bradshaw commented that the proposed conditional easement from the County is reasonable and that Northwestern Energy denying the request is really quite brazen. Commissioner McLure motioned to not accept the easement with Northwestern Energy unless they agree to accept the language from the County to outline their conditions. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

**SUSANNE HILL WITH SIM-MT TO DISCUSS EMS TRAININGS;** Susanne Hill contacted the Commissioner's Office prior to the session to reschedule for the following week (November 14, 2023).

**GRANITE COUNTY BOARD RE-APPOINTMENTS; MARK RANSFORD TO VALLEY FIRE DISTRICT; LINDA SMITH TO VALLEY CEMETERY BOARD;** Commissioner Hinkle motioned to reappoint Mark Ransford to the Valley Fire District Board. Commissioner McLure seconded the motion. There were no public comments received, and the motion passed unanimously. Commissioner Hinkle motioned to Linda Smith to Valley Cemetery Board. Commissioner McLure seconded the motion. There were no public comments received, and the motion passed unanimously.

**GRANITE COUNTY AIRPORT BOARD APPOINTMENTS;** Commissioner McLure motioned to appoint Eric Anderson to the Granite County Airport Board. Commissioner Hinkle seconded the motion. There were no public comments received, and the motion passed unanimously. Commissioner McLure motioned to appoint Gary Snyder to the Granite County Airport Board. Commissioner Hinkle seconded the motion. There were no public comments received, and the motion passed unanimously.

**RESPONSE TO CORRESPONDENCE FROM SEPTEMBER 15, 2023 FROM ELENA GAGLIANO:** The Commission reviewed the correspondence received from Elena Gagliano on September 15, 2023. Commissioner McLure pointed out some discrepancies in the correspondence that she noted after she went back and reviewed the recordings of previous Commissioner Meetings. In the correspondence Elena Gagliano states that Commissioner McLure says an issue is not up for debate; Commissioner McLure explains that in the recording, she clearly says she will not debate Elena Gagliano. Granite County Attorney,

**Blaine Bradshaw noted the importance in the distinction in that Commissioner McLure was not prohibiting public comment but just said she didn't want an argument.**

**Commissioner McLure added that she believes it is important to put something in writing as to of why the Commission does not feel it necessary to provide draft minutes. In the future when Elena Gagliano brings this matter up, the Commission can then refer to the letter they have sent her. Attorney Bradshaw suggested the Commission reach out to their representatives to ask for a clarification on this matter during the next legislative session.**

**Commissioner McLure noted that the general correspondence outlines that in Elena Gagliano's opinion the Commission is doing everything wrong, but that the Commission and their attorney, feel as though they are doing things correctly as for as open meeting law compliance, etc.. The Commission discussed going into closed sessions for personnel matters. Attorney Bradshaw commented that if personnel matters arise that as an administrative body the Commission does need to address them and that due to privacy issues they need to close sessions. He added that in some instances there is not time to put these types of matters on the agenda, but that they need to be addressed in the moment by the Commissioners.**

**Commissioner Adler explained that during the meetings he is not always looking at the Zoom monitor and misses a raised hand on occasion, but apologizes for the missed hand and does allow for public comment after the fact. Regarding the incident with Elena Gagliano that she raises in her letter, he eventually said her raised hand on Zoom and allowed to give public comment. Commissioner McLure added that the Commissioners meetings are recorded and available for the public to go in and view whenever they want; and that in reviewing the meetings there are times when Elena Gagliano is demeaning the Commissioners and telling them everything they are doing wrong. Attorney Bradshaw noted that a lot of the behavior is nit-picking the Commissioners and recommended that the Commission draft a general response to be sent to Vicevich Law as requested by Elena Gagliano. Commissioner McLure moved to draft a letter to Vicevich Law in response to the September 15, 2023 correspondence received from Elena Gagliano. Commissioner Hinkle seconded the motion. There were no public comments received, and the motion passed unanimously**

**DOYLE & ASSOCIATES, ENGAGEMENT AGREEMENT FOR ANNUAL FINANCIAL REPORT; The Commission reviewed the annual engagement letter from Doyle & Associates. Commissioner McLure moved to accept the engagement letter from Doyle & Associates for the annual financial report due in December 2024. Commissioner Hinkle seconded the motion. There were no public comments received, and the motion passed unanimously.**

**CLOSED SESSION; The Commission went into closed session to discuss a personal matter.**

**The meeting adjourned at 11:45 a.m.**