

July 23, 2024

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 Commissioner McLure and Commissioner Hinkle attending. Also attending were Commissioner's Assistant, Billie Ann Kulaski, 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; Great West President, Bill Lloyd; Rumsey Road Resident, Kurt and Maryann Fagrelus; Granite County Planning Director, Linda Bouck; Granite County Treasurer, Ashley Todd; DES Coordinator, Jackie Bolster; Public Health Nurse, Deb Robinson; Philipsburg Mayor, Daniel Reddish; Granite County Custodian, Janeen Bonney; Granite County Clerk of District Court, Carol Bohrsen; and members of the general public including Elena Gagliano, Wade McLure, and Jack Curren.

BOARD MINUTES; Commissioner Hinkle moved to accept the board minutes for July 16, 2024. Commissioner McLure seconded the motion. There were no public comments received. The motion passed unanimously.

CORRESPONDENCE;

Electronic mail was received from the Montana Department of Administration concerning the Philipsburg Cemetery District with an attached final demand letter for a past-due balance on fees owed to the Local Government Services Bureau; the fees total \$440.00. The Commission will have the Cemetery Board on the agenda in the coming weeks to discuss this matter further.

A news release was received from the Montana Department of Transportation concerning the work wrapping up on the Racetrack Bridge Removal Project. They hope to have the work wrapped up the week of July 22, 2024, weather permitting.

PUBLIC COMMENT:

Public comment was received from Elena Gagliano commenting on the Zoom Updates including the icon "AI Companion" asking what enables for the meeting. The Commissioner's Office will continue to explore the Zoom Updates when the Commission is not in session to learn more about the updates.

ROAD & BRIDGE WEEKLY REPORT; & SOLID WASTE UPDATE WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Granite County Road & Bridge Superintendent Paul Alt was not able to join the session. There was no update for Road & Bridge and Solid Waste.

GREAT WEST PRESIDENT, BILL LLOYD TO DISCUSS BRIDGE PRIORITIES IN GRANITE COUNTY; The Commission was joined by Great West President, Bill Lloyd to

review the bridge priorities. Stahly Engineering reached out to Great West Engineering in regard to updating the Granite County's Off-System Bridge priorities. A review of the off-system bridges in Granite County doesn't reveal any structures in poor condition that would make a good candidate for replacement. Bill Lloyd was seeking some input from the County on how best to prioritize the County's top 3 off-system bridge needs for purposes of future MDOT funding. The funding is competitive across the State, but funding may come available through the recent federal Infrastructure Bill. Bill Lloyd provided an update on bridge funding across the State of Montana that is potentially available from MDOT under the Infrastructure Bill including Raise Grants and the Quick Fix Program. Granite County is in a position where the majority of their bridges are in good shape, putting the County pretty far down on MDT's list for project priorities. Great West ranked MDT bridge priorities, for these grants, based on structural condition, but asked the Commission what their priorities are if money were to come available for bridge projects. The Commission would like to have input from Road & Bridge Superintendent, Paul Alt before providing feedback. Great West would like to have three bridge priorities for MDT. The information will be sent to Paul Alt for review and then returned to Great West for submittal to MDOT.

Public comment from Elena Gagliano requesting clarification on the organization of the bridge list provided from Great West Engineering. Bill Lloyd explained that this is a projection from Great West Engineering based on structural needs of the bridges, but the County will need to decide what their priorities are. Elena Gagliano raised concerns over the condition of the bridge on Black Pine Road with the increase in traffic on the roadway. Attorney Bradshaw noted that according to the latest engineering report, the condition of the bridge on Black Pine Road Bridge (deck and substructure) is good. Commissioner McLure added that they will take Elena Gagliano's comment under consideration and will provide this information to the Road & Bridge Superintendent.

GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT; The lake level was reported at 6429.02 feet; 5.76 inches below full pool, according to the USGS lake level gage and the dam tender's report for the week. The group discussed using GTL as a water source during fire season. This matter will be on a future agenda for discussion. Commissioner Hinkle moved to continue releasing 30 CFS in alignment with the current FERC Order in place. Commissioner McLure seconded the motion. There were no comments and the motion passed unanimously.

MONTHLY CLAIMS; There were no monthly claims to be processed. The Commission then took a recess.

POTENTIAL FIRE RESTRICTIONS IN GRANITE COUNTY; The Commission reviewed the current fire restrictions in place after setting Stage I Restrictions during last week's session. The Commission reviewed a status report sent over by DES Coordinator, Jackie Bolster outlining current fires across the State. Commissioner Hinkle added that he thinks the Commission should stay at Stage I since Stage II would prohibit the operation of farming equipment. Commissioner Adler had spoken with Commissioner McLure concerning the matter, stating he would like to see the County go to Stage II restrictions.

Commissioner Hinkle moved to go to Stage II Restrictions with Agricultural Exemptions Commissioner McLure seconded the motion. Public comment was received from Elena Gagliano noting that the Beaverhead Deer Lodge National Forest has Stage I Restrictions. She noted that the Commission should look into neighboring Counties and that moving to Stage II Restrictions would impact the Black Foot Fiber Optic Projects. Commissioner Hinkle amended his motion to remain at Stage I Fire Restrictions. Commissioner McLure seconded the motion. Public comment was received from Elena Gagliano noting that this matter should be reviewed daily. There were no further comments and the motion passed unanimously.

KURT FAGRELIUS TO DISCUSS DEVELOPMENT ON RUMSEY ROAD; The Commission was joined by Granite County Planning Director, Linda Bouck and Rumsey Road resident Kurt and Maryann Fagrelus. Mr. Fagrelus explained his concerns over neighboring residents breaking apart their tract through a family transfer, providing some background on how three original tracts were created under an exemption allowing 20-acre tracts with a covenant that stated these tracts could not be divided into lots smaller than 9 acres. However, one of the tracts broke into three lots through a family transfer and these are less than the 9 acres. Linda Bouck explained that these were done through a family transfer and according to State Law, the County does not review family transfers in this regard. She added that the covenants that are associated with these three tracts are private covenants (like a private contract) and not part of a subdivision so that they are not reviewed by the County. She added that this was brought to her attention when the owner of one of the lots tried to sell it and an attorney noted the covenants on the deed. She suggested they either try to remove the covenants or try to make the lots 9 acres. She never heard anything again until she heard from Mr. Fagrelus because he was being sued. The other owners are trying to get the covenants removed, but Mr. Fagrelus does not want to settle and the legal costs are becoming quite expensive. The other owners are stating the covenants are ambiguous and are pushing the issue. Mr. Fagrelus is concerned about further development of the areas around him, and asked that the County create some sort of Planning and Zoning Commission to manage the development around Granite County. Linda Bouck explained that the County has a Planning Board, and the discussion around zoning comes up every time the Growth Policy is reviewed, but has consistently not been wanted by the people. Attorney Bradshaw recommended Mr. Fagrelus work with his attorney and the title company as his title insurance policy may provide some legal protections. Linda Bouck provided some additional information around family transfers and what the future of the lots could be. She noted that the County was not party to this covenant and did not approve this covenant because this was not a subdivision.

RESOLUTION 2024-10; A GRANITE COUNTY RESOLUTION REQUESTING A BALLOT ISSUE FOR THE GENERAL ELECTION ON NOVEMBER 5, 2024 REGARDING A PROPOSED LOCAL OPTION MOTOR VEHICLE TAX; FIRST READING; Commissioner McLure provided some background on the development of the Resolution following last week's session. This matter is in regards to whether the County Commission determines or not to call for a ballot issue being on the General Election ballot

for the voters to decide upon a local option motor vehicle tax on certain luxury vehicles. Commissioner McLure gained more information into the matter and regarding manufacturer's suggested retail price (MSRP) and asked that Attorney Bradshaw make an adjustment to the MSRP that would initiate the additional tax on lightweight vehicles with an MSRP over \$90K (not \$100K as was originally included in the draft Resolution) and on motor homes valued at \$200K and above (same as in original draft Resolution), so Resolution 2024-10 is on for a first reading again this week. Commissioner McLure opened the floor for public comment. Attorney Bradshaw explained that the local option tax continues for such vehicles (year 2 and beyond) and the tax would be a percent (0.5%) of the depreciated value following the depreciation table outlined under the Montana Code Annotated for depreciation. For subsequent years, this local option tax applies depending on the depreciated value of the vehicle. Ashely Todd explained that after a certain time frame (11th year per se as permanent plates can be paid for on the 11th year), you would likely be below the \$90K MSRP regarding lightweight vehicles. The group discussed how the moneys received from the local option tax would be disbursed between the County and the municipalities. Public comment was received from Elena Gagliano inquiring how the disbursement would affect the unincorporated towns (i.e. Maxville and Hall). Maxville and Hall could not receive any part of the disbursement since they are not incorporated Towns, and their populations would be counted towards the County's prorated share of the tax disbursements. Mayor Reddish commended the County for looking into this matter and getting it onto the ballot. The group discussed how the County could provide information to the voters. Attorney Bradshaw noted that the County cannot "sell" the ballot measure, but could provide a fact sheet to the public concerning the matter or hold a Town Hall in the meeting. This matter will be on the agenda next week for a second reading.

ROUNDTABLE WITH DEPARTMENT HEADS & UNION REPRESENTATIVE CONCERNING TIME CLOCK IMPLEMENTATION; Attorney Bradshaw explained that he reached out to the Union's Business Agent/Representative, Megan Yuhas, for the Road & Bridge and Solid Waste Departments and they are not in favor of the implementation of time clocks at this time. There were also written comments received including one from Public Health Nurse, Deb Robinson raising concerns over her department using a time clock since they are not always in the same spot at the beginning or end of the day. She requested that a mobile clock in / out approach be used if this go forward. Sheriff Dunkerson also provided written comments raising concerns over the efficiency of this process for his department, adding that even the implementation of an app on their mobile device adds a redundant process for his staff. Extension Agent, Ben Hauptman raised concern over the punching in / out process since many times in his office, his secretary will be working outside hours at 4-H events and he will have to be going in to add and adjust times since she would not be able to clock in / out. He also inquired how the Weed Crew will be clocking in and out since the Road Crew is not in favor of the implementation of time clocks. Ashley Todd commented that she and her staff have no issue with the implementation. She added that she has used similar systems and it has worked easily for her in the past. Linda Bouck commented that she doesn't necessarily see a need for this type of a system since there isn't a large number of employees at Granite County. Commissioner McLure echoed that same sentiment, adding that the

employee count hasn't changed that dramatically from when she processed payroll as the County's payroll clerk. The group discussed that employees would be more open to having electronic time cards or punching in and out on a mobile device, as opposed to punching in and out on a time clock. The County's Department Heads would like a universal decision to be made for all employees and not a decision made department to department. Concerns were raised over monitoring employee time. The Commission noted that only a Department Head should be commenting, monitoring, or approving an employee's time. The Commission admitted that the purchase of the equipment was a bit premature as recognized in the previous County Department Head roundtable concerning the same issue. Commissioner Hinkle moved to not go forward with the time clock program from Time Clocks Plus, and to see if we can sell the equipment back to Time Clocks Plus. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously. The issue of selling the equipment will be on a future agenda item.

The meeting adjourned at 11:45 a.m.