

September 24, 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, Commissioner Adler, and Commissioner Hinkle attending. Also attending were Commissioner Assistant, Billie Ann Kulaski, and Granite County Attorney, Blaine Bradshaw, who attended a portion of the agenda items in-person. 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 *Silver State Post* Journalist, Luke Ulatowski; Public Health & Safety Coordinator, Jackie Bolster; Blackfoot Communications Contractor, Jason Robertson and Rody Anderson; Blackfoot Communications Network Infrastructure Manager, JB Ray and Erick Schwank; Granite County Planning Director, Linda Bouck; Deputy Clerk & Recorder, Becky Mickey; Local Residents, Ed and Nancy Linn; Town of Philipsburg Mayor, Daniel Reddish; Town of Philipsburg Councilperson Lorraine DelBishop; Town of Philipsburg Councilperson Scott Lyons; Town of Philipsburg Councilperson Carl Sundstrom; MDT Traffic Engineer, Aldo Videia; Public Health Nurse, Debbie Robinson; and members of the general public including Elena Gagliano, Jodi Butler, and, Cassandra Elwell.

BOARD MINUTES; Commissioner Hinkle moved to accept the board minutes for September 10, 2024. Commissioner Adler seconded the motion. There were no public comments received. The motion passed unanimously.

CORRESPONDENCE;

A memo was received from Granite County Justice Court explaining that Judge Fratzke will be attending fall conference from Monday, September 23, 2024 through Thursday, September 25, 2024. Jamie Barkell will be attending fall clerk conference at this same time and will not be available.

Electronic mail was received from MACo with an attached press release from Flathead County regarding Commissioner Randy Brodehl who has been invited to participate in the Intergovernmental Forum on Public Lands and Payments in Lieu of Taxes (PILT).

Electronic mail was received from Granite resident, James Prusa, who is part of the group that holds a Road Maintenance Agreement with the County to do routine maintenance and snowplowing on the road to Granite Ghost Town. James Prusa provided an update of the work that has been done with attached photos.

Electronic mail was received from FERC notating that two letters (one from May 20, 2024 and one from June 24, 2024) that had requested a response within 60 days, have not been responded to. The County has reached out to Great West Engineering to address the matter.

Electronic mail was received from DNRC Water Hydrologist, Todd Blythe providing various scenarios / projections following the Flint Creek Dam Advisory Committee meeting last Thursday.

Electronic mail was received from Flint Creek Hydro Engineer, Ben Singer commenting on the releases and projections for the lake level going into the fall and winter months.

PUBLIC COMMENT:

Commissioner Adler noted that he was contacted by a resident who is concerned over the slide near Bearmouth several years ago, and where Drummond Frontage West is still down to one lane. This matter would need to be discussed with the Montana Department of Transportation since it is regarding their roadways.

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 to provide an update on projects across the County. Commissioner Adler noted that everything has been going well and the Crew was working down Rock Creek and to clean out culverts impacted by beavers in that area. Commissioner Adler noted that the public is still calling him with concerns over the purchasing of a unit to offset overage fees at the Solid Waste Sites. Commissioner McLure added that Granite Disposal raised their prices and there has been discussion that it is because of the County. The raising of prices for Granite Disposal is not something the County has any control over.

ED LINN REQUESTING AN ENCROACHMENT PERMIT AND EASEMENT FOR WATER & SEWER CONNECTIONS; The Commission was joined by Ed and Nancy Linn as well as Granite County Planning Director, Linda Bouck. Ed Linn explained that they are asking for the ability to connect water and sewer for their property. The closest water and sewer (mainlines) they have identified would require them to cross County property which is why they are requesting the County grant an easement. Linda Bouck presented a map showing two lots that the County owns (one was received when a road went in and then another that came through on a tax deed). Ed Linn would need to cross these lots in order to connect to the water and sewer. The Town of Philipsburg will not put the water and sewer in until an easement is granted to the Town from the County. Linda Bouck explained that the County cannot grant the easement until we know where the lines are going to be. She suggested granting an encroachment permit for one year to Ed Linn and they will have to show where these utility lines will be specifically placed. The encroachment permit will allow the water and sewer lines to be placed before the easement is granted. Once these are in place, then the encroachment permit will be nullified and the County will grant an easement to the Town of Philipsburg. Linda Bouck added that the encroachment permit should outline that the lines cannot sit in the road right of way and that Ed Linn is responsible for ensuring he is on County property. Attorney Bradshaw and Linda Bouck reviewed the details in the encroachment permit. Commissioner Hinkle moved to approve the encroachment permit

allowing Ed Linn to connect to water and sewer with express written conditions. Commissioner Adler seconded the motion. There were no public comments received and the motion passed unanimously.

BUILDING ENVELOPE CHANGE AT BADGER BAY; The Commission was joined by Granite County Planning Director, Linda Bouck. She provided a map and showed the old building envelope, noting that their building lot goes down onto the roadway, and they would like to adjust it and move it up, proposing a new location to have the building envelope off of the roadway. The Planning Office and Board have no issues with the request. Commissioner Adler moved to approve the building envelope change at Badger Bay for John and Karen Enloe. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

MONTANA DEPARTMENT OF TRANSPORTATION WITH SPEED STUDY RESULTS; The Commission was joined by Town of Philipsburg Mayor, Daniel Reddish; Town of Philipsburg Councilperson Lorraine DelBishop; Town of Philipsburg Councilperson Scott Lyons; Town of Philipsburg Councilperson Carl Sundstrom; as well as by MDT Traffic Engineer, Aldo Videa. The Commission reviewed the results of the speed study that was requested in March of 2023. MDT performed the study and recommended a 35 MPH Southbound speed limit beginning at the intersection with Montana 1 and continuing south to approximately 25-feet south of McDonald Street, an approximate distance of 2,700 feet; a 25 MPH northbound speed limit beginning at the intersection with Montana 1 and continuing south to a point approximately 25-feet south of McDonald Street, and an approximate distance of 2,700 feet; A 25 MPH speed limit beginning 25-feet south of McDonald Street and continuing south to a point approximately 300 feet south of Hickey Street, an approximate distance of 3,400 feet; a 35 MPH speed limit beginning 300 feet south of Hickey Street and continuing south to a point approximately 200 feet north of Airport Road, an approximate distance of 1,200 feet; a 45 MPH speed limit beginning 200-feet north of Airport Road and continuing south to the intersection of Montana 1, an approximate distance of 1.34 miles. Aldo Videa explained that the County Commission or Town of Philipsburg can provide comments within 60 days of the letter.

Public comment was received from Councilperson Sundstrom inquiring if MDT sets a limit less than 25 MPH, raising concerns over pedestrians jaywalking, noting that the Town of Philipsburg would like to see a speed limit of 15 MPH. Aldo Videa explained that this is a request that the Town of Philipsburg could put into their comments, but that jaywalking comes down to the responsibility of the people to abide by the law. Councilperson Lyons raised concerns over the Town of Philipsburg and the County not having jurisdiction over the speed limit within the Town. He raised safety concerns over people jaywalking, pointing to the need for the speed limit to be reduced. He added that the Town of Philipsburg will be pushing to get on the agenda for the Department of Transportation Commission Meeting to discuss this matter further. Attorney Bradshaw noted that the regulation of the speed limit on a state highway would be a matter that needs to be addressed with the State Legislature. Commissioner Adler highlighted the importance of attending the Montana Transportation

Commission meetings to push for changes to speed limits. Councilperson Lyons explained that the Town Council changed the speed limit on roadways within their jurisdiction to 15 MPH a few years ago. Attorney Bradshaw noted that the speed limits within Town jurisdiction needs to be posted, such as on East Broadway Street in the Town of Philipsburg, so those traveling on the roadways are given proper notice of the speed limits.

Public comment was received from Elena Gagliano stating that on the website (Legislative website), people can sign up for the interim committees and will be notified when there is a meeting, and be enabled to attend virtually and give comment. She added that there is concerns over semi-trucks and delivery trucks that stop in the middle of the roadways, raising additional safety concerns. Attorney Bradshaw added that this is a good justification for the lower speed limit. The Town of Philipsburg and the County will provide comment in support of changing the speed limit to 15 MPH through the Town of Philipsburg.

GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT; The lake level was reported at 6428.14 feet; 16.32 inches below full pool, according to the USGS lake level gage and the dam tender's report for the week. Commissioner Hinkle noted that the Commission is aware of the concerns over the lake level and the County will reduce the outflows after the irrigation season. The Commission reviewed the correspondence from Todd Blythe and Ben Singer concerning the lake level. Attorney Bradshaw noted there was an email from Lee Tangendahl also raising concern over the outflows and the ability to fill the lake next summer, and also requesting that releases be reduced immediately. Attorney Blaine Bradshaw noted that releases must be at least 30 CFS during the irrigation season (through October 15) unless the irrigators with rights consent to such a reduction. Commissioner Hinkle moved to continue releasing 30 CFS in alignment with the current FERC Order in place. Commissioner Adler seconded the motion. There were no public comments received and the motion passed unanimously.

MONTHLY CLAIMS; The Commission reviewed the monthly claims. Commissioner Hinkle moved to approve the monthly claims for the month of August 2024. Commissioner Adler seconded the motion. There were no public comments received and the motion passed unanimously.

The Commission went into a closed session to discuss the upcoming personnel matter with the County Attorney.

POTENTIAL FIRE RESTRICTIONS IN GRANITE COUNTY; The Commission discussed that fire restrictions in the County were rescinded last week after the National Forest rescinded restrictions. Commissioner Hinkle moved to continue with rescinded. Commissioner Adler seconded the motion. There were no public comments received and the motion passed unanimously.

PERSONNEL MATTER- CLOSED SESSION; The Commission went into a closed session to discuss a personnel matter.

REVIEW OF COMMISSIONER ASSISTANT APPLICATIONS; SCHEDULING INTERVIEWS; The Commission reviewed the applications received (13). The Commission

discussed potential candidates to move into the interview process. The Commissioners will interview the top 3 candidates. The interviews will be held next Tuesday, October 1, 2024 during their regular session.

BLACKFOOT COMMUNICATIONS FIBER OPTIC PROJECT UPDATE; The Commission was joined by Blackfoot Communications Contractor, Jason Robertson; as well as Blackfoot Communications Network Infrastructure Manager, JB Ray and Erick Schwank. JB Ray provided an update on the Philipsburg Rock Creek Project Phase and the Philipsburg Valley Phase.

Philipsburg Rock Creek (from Marshall Creek Ranch to Gillies Bridge) – This project should be completed within the next month, the fiber is supposed to be blown into lines (in conduit) to local residences and other customers within the next month. Currently the drops into people’s homes are being worked on.

Philipsburg Valley (Town to Marshall Creek / Rumsey / Georgetown Estates) – This project is moving along slowly, and they are currently working in the Georgetown Estates area. They haven’t started in Rumsey yet and will likely still be doing construction in the spring of 2025. JB Ray has noted that they have struggled with labor shortages, adding to the delays for this part of the project. They will have new crews coming in the next couple of weeks to do the drops (lines to residences and other customers) at Black Pine area and then moving into the Town.

Commissioner Hinkle noted some concerns in the East Fork area, these are being addressed and should be remedied in the coming weeks. Commissioner Adler discussed meeting with drop crews concerning his own residence. Eric Schwank provided a summary of how the drop crews work and the process of connecting to the fiber optic service. JB Ray explained that they need to get everyone switched over to fiber as they will be disconnecting the copper lines. He added that orders can be placed on the Blackfoot website, enabling crews to know which service is requested before they get to the area, hopefully speeding up the process.

PUBLIC HEALTH MOU(S) WITH DRUMMOND PUBLIC SCHOOLS; PHILIPSBURG SCHOOL DISTRICT; HALL ELEMENTARY SCHOOL; AND GRANITE COUNTY MEDICAL CENTER; The Commission reviewed the attached MOUs for the County schools. The proposed MOUs are general in nature, but discuss working together in cooperation regarding public health issues that arise. The MOU with Granite County Medical Center was not ready and will be on a future agenda. Commissioner Adler moved to approve and sign the MOU(s) with Drummond Public Schools, Philipsburg School District, and Hall School; and Granite County Medical Center (this MOU will be signed at a later date). Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

MATERNAL AND CHILD HEALTH BLOCK GRANT PROGRAM TASK ORDER; The Commission reviewed the Maternal and Child Health Block Grant Program Task Order. This is a very similar agreement as that contract in place the previous fiscal year, but the amount to be paid by the State to the County was reduced by \$500. Commissioner Adler

moved to approve and sign the Maternal and Child Health Block Grant Program Task Order. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

The public meeting adjourned at 12:00 p.m.