

**February 4, 2025**

**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 Kulaski attending. Also attending were Commissioners Assistant Maranda Williams 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 provide public 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 Luke Ulatowski from the Press and members of the general public, Elena Gagliano.**

**BOARD MINUTES; Commissioner McLure moved to accept the board minutes for January 28, 2025. Commissioner Kulaski seconded the motion. The motion passed unanimously.**

**CORRESPONDENCE;**

**Electronic mail was received from MT Human Resource Law 2025 offering training online on March 12, 2025.**

**Mail was received from Granite Justice Court fee for witness surcharge in the amount of \$6,063.66.**

**Electronic mail was received from MACo about legislative backup urgency from Elected Officials themselves.**

**PUBLIC COMMENT: No public comment was received.**

**ROAD & BRIDGE WEEKLY REPORT; & SOLID WASTE UPDATE WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Granite County Road & Bridge Superintendent Paul Alt joined the Commissioners for this portion of the meeting to update the Commissioners on roads. They have been plowing snow and a lot of it. Paul Alt brought up the Fire Service Station near Skalkaho Road and heard there was no running vehicles stored in it. Paul Alt said it's not a big deal to go plow it out, but if nothing is running, why require it or is that our obligation to take care of that? Paul Alt brought up calls to the commissioner office commissioner assistant, and Paul Alt asked to give anyone his number directly to field the office from playing the messenger. Paul Alt asked about the snow plow insurance and if we've heard back. We got the go-ahead via email, and the commissioner's assistant gave that email conversation to Paul Alt.**

**SOLID WASTE UPDATE; Burning both piles today at the Solid Waste Sites.**

**Commissioner Adler asked about Blackfoot and if the plow has had issues with their underground. Paul said not yet but it may be an issue when they really start throwing snow.**

**GRANITE COUNTY TREASURER'S OFFICE CARS IMPLEMENTATION; Ashley Todd was excused from this meeting. Commissioner Adler tabled the item for a future agenda.**

**The Commissioners went into a closed session for a personnel matter.**

**GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT; The lake level was reported at 6428.62 feet; 10.56" inches below full pool, according to the USGS lake level gage and the dam tender's report for the week. Commissioner Kulaski moved to go to 12 CFS, which matches the estimated inflows, in alignment with the current FERC Order in place. Commissioner McLure seconded the motion. There were no public comments, and the motion passed unanimously.**

**RESOLUTION 2025-4; GRANITE COUNTY RESOLUTION OF INTENT TO ESTABLISH A COUNTY C-PACE PROGRAM;**

**Granite County held a meeting to discuss Resolution 2025-4, a resolution of intent to establish a County C-PACE (Commercial Property Assessed Clean Energy) program. This program would allow for energy-efficient building projects to be financed through tax assessment loans, where private lenders fund the projects and repayment occurs via property tax assessments. The only change to the resolution was changing the time from 11:00 a.m. to 10:00 a.m. for the Public Hearing on the 25<sup>th</sup>. Commissioner McLure moved to adopt the Resolution 2025-4 to establish a county C-Pace program. Commissioner Kulaski seconded. The motion carried 2 to 1 with Commissioner Adler dissenting.**

**Public comment was received from Elena Gagliano that there was a problem with the mic muffled. The last resolution regarding C-Pace she asked if it passed and asked who the nae was. Commissioner Adler said he was the nae and she agreed with Commissioner Adler. Elena Gagliano said she didn't know if she had sent this information regarding CivicPlus (software platform) to Maranda. She stated it's essential for transparency. Commissioner Adler said she has to be patient with the new system (Owl) that the Commissioner's meeting is run off of now. She said she is giving the commission options to work with.**

**SWEET PEA SEWER & SEPTIC PORTABLE SANITATION SERVICE CONTRACT; Commissioner Kulaski moved to accept the Sweet Pea Sewer and Septic Portable Sanitation Service Contract for portable bathrooms at the solid waste sites. Commissioner McLure seconded. The motion passed unanimously.**

**LETTER TO MONTANA SENATORS; IMPACT OF GRANT CUTS; The Commissioners drafted letters to the Senators about the impact of the grant cuts that took place on Granite County's grants only at the state level. Commissioner Kulaski moved to send the letters to the US. Senators Commissioner McLure seconded.**

**Public comment was received from Elena Gagliano, who said there are two reasons for the dam as one is irrigation and one is hydroelectricity for the dam. As far as the project hydro flint creek project is concerned is no longer a project. The county owns the dam, but the equipment generating the hydroelectricity is not the county's, so it should be clear in this, and it's not. There is a big difference between FERC and dam Funding, and she thinks this is not a very good letter because it doesn't have very accurate information.**

**The motion passed unanimously.**

**PUBLIC MEETING FOR ZOOM PARTICIPANTS TECHNICAL AND ACCESSIBILITY CONSIDERATIONS:** Commissioner McLure said this agenda item refers to the new Owl video camera system for Commission meetings and anyone who wants to participate on Zoom to have mics and cameras on. Commissioner Kulaski said it would be nice to put a face to the name when the public joins via zoom. Blaine Bradshaw said the written policy could be drafted with the formal policy or the Commission Chair just require such. If they couldn't access Zoom, they could call in. Commissioner Kulaski moved if the Chair requires attendees to turn video/mic on for Commissioner meetings. Commissioner McLure seconded.

Public comment was received from Elena Gagliano as far as the hourglass goes; she hopes Chairperson do it for everyone who starts talking and notices the chair does it for her every time. She said Blanche was right about the Owl equipment was how it was supposed to work, and it turned to that person and whoever it was talking. It gets confused when they talk over each other. The chair should recognize the people, but not when people are there talking over each other, and that's when the Owl Cameras gets confused. The motion passed unanimously.

The Commissioners went into a closed session for a personnel matter.

**LETTER FROM Mr. JOHN FITZPATRICK MONTANA REPRESENTATIVE;** County Attorney Blaine Bradshaw regarding the letter to him doesn't want a public dispute as no one wins and advises for the County to try and resolve the issues with him directly. Regarding the newspaper letter that Mr. Fitzpatrick submitted this week to the Philipsburg Mail and Silver State Post, Commissioner McLure, individually and not on the Commission's behalf, made a response to that. Blaine Bradshaw encourages the Commission to try to have him come in and resolve the issues. Commissioner Assistant to get a hold of him.

Public comment was received from Elena Gagliano who asked about this agenda item. She couldn't hear. Blaine Bradshaw reiterated that the letter to the newspaper was Commission McLure's individual response as the newspaper had asked her to respond to Mr. Fitzpatrick's submitted letter. Blaine Bradshaw gave his legal opinion that Commissioner McLure acted in accordance with Montana's open meeting law. Concerning the issue, Commissioner McLure stated that's a response to his capital cloakroom letter that's going to be in the local newspaper. Commissioner McLure responded that her response letter was sent as an individual Granite County Commissioner (not from Commission.) Elena Gagliano responded that she believes a public meeting should have been held to respond to Mr. Fitzpatrick and there is a lack of transparency and the letter should have been on Granite County Commissioner letterhead.

Blaine Bradshaw responded that Commissioner McLure was asked to respond to Mr. Fitzpatrick by the newspaper editor of the Silver State Post, and she was not responding or acting for the commission as a whole, so there was no public meeting to discuss it. They are being transparent, as the letter is online.

Elena Gagliano responded again about the lack of transparency.

**Luke Ulatowski with the Philipsburg Mail said someone slammed the door in his face when he was about to walk in. He stated, you could announce you're about to have a closed session and also have it on the agenda. Blaine Bradshaw said the closed session was regarding a personnel matter. Commissioner Adler said he didn't slam the door. Luke was getting a drink, and Commissioner Adler happened to be closing the door at the same time.**

**PETITION FOR ABANDONMENT OF PORTION OF NORTH FORK OF LOWER WILLOW CREEK; EASEMENT TO IRRIGATION DISTRICT; Commissioner Adler stated this matter has caused a lot of excitement with the public and people are upset, including local irrigators. As previously determined and decided upon by the County Commission, a valid and proper easement was required to be recorded (between the Lower Willow Creek Irrigation District and Mr. Dave Peitz) in order for the abandonment of the portion of the North Fork of Lower Willow Creek Road to go through and be authorized, but there were questions on whether or not the irrigation board members (directors) actually met to approve the easement that was recorded.**

**Mike Shaylor and Chris Johnson, representatives of Dave Peitz, joined the meeting via Zoom along with Dave Peitz. Dave Peitz, Chris Johnson, and Rex Radtke talked about this a bit before this meeting today; and they are hoping to get the discussion tabled until next week as they have not been able to talk with all of the irrigation board members (directors) as a few of them are ill. Chris Johnson (Dave Peitz's Attorney) rewrote from the board that the easement has already been recorded and has the irrigation district board members (Lower Willow Creek Irrigation District) sign that acknowledgment. Commissioner Adler asked how did they record it without the meeting. Blaine Bradshaw said that the acknowledgment is the agreement with them.**

**Commissioner Kulaski has been getting texts saying petitioners signed without knowing all the facts as they believed they were misled. Mike Shaylor said the only signatures they have right now are for circulating letters of acknowledgment from the irrigation board members, which they should have a unanimous vote on to agree to the easement they have drafted up and in place. Blaine Bradshaw said the matter could be put back on the County Commission's agenda next week or as soon as the irrigation board has time to meet and is ready for this to be back on the County Commission's agenda. Mike Shaylor said the reason they don't have all the signatures on the acknowledgement is that their all irrigation board members who are ill.**

**Patti Bignell, an irrigation board member/director joined via zoom and said the easement hasn't been given to the members yet to review, and she hasn't reviewed the final version of the easement that was recorded. The irrigation district board needs to meet with all the shareholders of the irrigation district as the proposed easement hasn't been reviewed all parties with rights. She said everyone needs notice and shareholders need to meet. There's a lot going on, and it could cost a lot of money; if there's stuff going on with development like they are talking, what if there's an emergency? You can't have locked gates to get to the spillway. Blaine Bradshaw said if they need more than 2 weeks, to let the Commission know when they are ready to meet again with the Commission. Patti Bignell said they need to make**

sure people can get to the irrigation board and shareholder's meeting; it could take longer than 2 weeks. No one attending had any issues with that need for reasonable time. Patti Bignell said she would get together with Dan Hauptman (irrigation board member/director) and Rex Radtke (president of irrigation district board) and get a meeting date with the shareholders as they're not comfortable doing this just as directors, as it affects a lot of people. She did sign the petition to abandon it and would like to revoke her signature. Trying to be good neighbors; there are the same feelings down the valley and others feel the same way. Commissioner Adler said to wait to hear back from the irrigation district board and give them time and will put the matter on a future agenda.

Monica Prince, local irrigator, called Commissioner Adler's cell phone and said she took it they don't have stored water in the dam but do have high water rights and still water rights in the dam. Concern with the road is overall dam safety and equipment will be needed to access and make repairs to the dam. No permission needs asked; look at maintenance of the dam and the need to access it for maintenance and repairs. For people who want to monitor the dam, no one has to ask permission; it would be detrimental to the safety of the community not to be able to get to the dam if the road was abandoned. She will email the commissioner's assistant a letter for the future agenda item.

Tim and Kim Skinner, Rhett Rigby, and Travis Kolbeck all provided public comment opposing the said Petition to Abandon.

**GRANITE COUNTY SHERIFF'S VEHICLE PLATE NUMBER 46-0063B, A 2017 FORD EXPLORER VIN # 1FM5K8AT0146A794342017 FORD EXPLORER SURPLUS BID OPENING; No bids were received for this vehicle which is inoperable. There was a discussion about possibly trading it in. The Commissioner concluded by deciding to see what Sheriff Scott Dunkerson wants to do with it. The Commission will reach out to the Sheriff.**

The Session Adjourned at 11:03 a.m.