

July 22, 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 Adler and Commissioner Kulaski. Commissioner McLure was excused from this meeting. Also attending were Commissioners' Assistant Maranda Williams and Granite County Attorney Blaine Bradshaw, who participated in a portion of the agenda items in person. The session was live-streamed 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 members of the general public, Elena Gagliano.

Commissioner Adler requested that microphones and videos be enabled for Zoom attendees who wish to make public comments during the meeting.

BOARD MINUTES: Commissioner Kulaski moved to accept the board minutes for July 15, 2025. Commissioner Adler seconded the motion. No public comment was received, and the motion passed unanimously.

CORRESPONDENCE;

Electronic Mail was received from Lolo Nation Forest with the Deer Fire update.

Electronic mail was received from Kendra McKlosky to coordinate notification procedures for HB648 and to determine who to notify from the county whenever a black or grizzly bear is relocated into the county.

Mail was received from the Department of Public Health and Human Services to notify the local board of health that House Bill 888 had been passed and enacted into law, prohibiting local boards of health from requiring persons to receive any type of vaccination, medication, supplement, or other form of drug treatment. Effective July 1, 2025.

PUBLIC COMMENT; Kristin Kuiken, the Western Montana Field Representative for Senator Daines, updated the Commissioners on several federal legislative developments. She reported that 2,000 Montana seniors will no longer be taxed on their Social Security benefits. Senator Daines strongly opposed the sale of public lands, a cause he fought hard for over the years. The Bull Mountain Mine will remain open, and timber sales through the Forest Service and Bureau of Land Management have increased to \$250 million. Onshore gas leasing continues in Montana. There is also a push to reduce the excise tax on short-barreled rifles and shotguns. Telehealth services are being expanded for Montanans. Additionally, Senator Daines emphasized maintaining and strengthening the nation's nuclear capabilities and the "golden globe of protection." Overall, several legislative and policy successes in Washington, D.C. were highlighted.

George Brooker, a resident along Rock Creek located approximately 22 miles up from the Clark Fork, raised concerns about construction activity occurring on the lot adjacent to his property. He stated that the property owners informed him they had received verbal

approval from Paul Alt to construct a road connecting to the Forest Service road, despite not yet securing the necessary easement permit. Commissioner Adler inquired about the identity of Mr. Brooker's neighbors. Mr. Brooker replied that a septic plan had been submitted and approved for the property through Tri-County Sanitarian, and initially, everything appeared to be in order. However, once construction began, the scope of activity expanded, and trailer pads were installed on the site. Mr. Brooker stated he had tried to give the benefit of the doubt to the owners. He also noted that Chad Lanes, the Tri-County Sanitarian, may have visited the site the previous day. Mr. Brooker reported that more than 11 loads of sand and gravel had been brought in. He stated the property owners had approached him expressing concern and appeared to be unfamiliar with proper procedures. Mr. Brooker suggested that the contractor may be pursuing his own agenda. Commissioner Adler asked if the work being done was limited to the owners' own property and if access was being made via the Forest Service road. Mr. Brooker confirmed that equipment and materials were being transported using the Forest Service road. He said he had spoken with the owners and explained the appropriate process for such developments. Commissioner Adler concluded that while the County can review the situation, if the work is occurring solely on the owners' property on a Forest Service road, the County may have limited authority. Mr. Brooker reiterated his concerns, noting that conditions in the area are becoming increasingly dry and fire-prone. Tri-County Sanitarian and County Attorney will look into the sanitation issues.

ROAD & BRIDGE WEEKLY REPORT WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Granite County Road & Bridge Superintendent Paul Alt reported current road work moving from Rock Creek to Willow Creek, with widespread application of magnesium chloride (mag chloride). There were problems with the Hall mag chloride tank valves, which need replumbed. A local resident, George Brooker, raised concerns about neighbors starting construction and road work on a Forest Service road before permit approval. Paul Alt clarified that work on private property is allowed before the permit, but not on Forest Service land. Commissioner Adler asked for clarification, and George Brooker seemed satisfied. Paul Alt noted if the Forest Service wants mag chloride applied, they must handle it themselves. Dave Disbrow from the Badger Bay subdivision requested an update on Piney Point Road resurfacing and dust suppression. He was asked to submit a letter in which the subdivision owners agreed to the County road (Piney Point Road) through their subdivision receiving mag chloride, which he agreed to provide. There was discussion about mag chloride application, with Paul Alt explaining they apply it in one way, and letters such as this one are requested to avoid complaints regarding the mag chloride that have been in the past.

SOLID WASTE DISTRICTS WEEKLY REPORT; Todd Bahsteter sent an email providing a solid waste update for Philipsburg. John Kendall joined the Commissioners during this portion of the meeting and handed out a Drummond site update to the two Commissioners present. John Kendall reported that he had received a call from Republic Services indicating that two containers had been shipped out, each containing a live skunk—one even came out of the compactor. Another live skunk was found at the Drummond site, which had to be struck with a shovel before it sprayed. Montana Fish and Game initially said it was legal to shoot skunks, as they are considered varmints, but later clarified that it was not allowed due

to proximity to the interstate. John Kendall mentioned he prefers using a bucket to handle them to avoid being sprayed. There is ongoing cleanup at the site, including removing plastic from the hill, but access is being restricted until there is more moisture to reduce fire risk. The Commissioners agreed that no one should be venturing off the main roads. Four bags of waste and several other items have already been removed. Commissioner Adler emphasized the importance of cleanup but expressed concern about fire hazards associated with side-by-sides and other equipment. He recommended focusing cleanup efforts within the fenced area where conditions can be better controlled. Blaine Bradshaw noted that Montana Code Annotated prohibits shooting firearms across or in a right-of-way so it would likely be legal if shooting in a safe direction, like into the hillside. John Kendall also mentioned that the metal debris below the site has been cleared, and the “up for grabs” section is also clean, with only a couch and four refrigerators left to be disposed of. Mothballs were suggested as a skunk deterrent. Approval is still needed for Freon recovery and related supplies. A new freon unit cannot be charged on the County’s account based solely on John Kendall’s signature, although his freon removal license is already on file there with Johnstone.

GEORGETOWN LAKE OUTFLOW; DAM TENDER’S REPORT: The lake level was reported at 6428.92 feet, which is 6.96 inches below full pool, according to the USGS gauge and the dam tender’s weekly report. Brad Radtke, local rancher in the lower valley, called into the meeting, requesting an increase in water outflows. He mentioned he had made a similar request the previous year, which resulted in a small increase to the hydro plant but was ultimately ineffective. Commissioner Adler responded by noting that the region is currently among the best in the state for water, but emphasized the need for support from other agencies. Blaine Bradshaw encouraged Brad Radtke to contact the governor’s office for assistance and Montana Fish, Wildlife & Parks has not been willing to grant such consent lately as required by the current FERC order. Brad Radtke expressed confusion as he was under the impression that the commissioners had full control, but Blaine Bradshaw clarified that under the FERC order, agency consent is required with a temporary modification request as the FERC order states outflows should be at 30 CFS during the irrigation season. Without that consent, the limit is 30 CFS. Monica Prince, local rancher, joined the discussion via Zoom and asked whether producers should be contacting the governor’s office. She explained that the water released from East Fork is conveyed into Flint Creek stream channel and is recorded as belonging to them due to deeded water rights, even though downstream producers are paying for water they don’t receive. She emphasized that this water could be critical for producers this year, who are facing tough decisions like selling cows or buying expensive hay. She warned that once sold, those cows likely won’t be replaced, and the loss of livestock could prompt the sale of agricultural land to non-agricultural interests. Monica Prince stressed that keeping fields green is not only an agricultural issue but a fire safety one, since green fields can help stop wildfires. Commissioner Adler agreed and expressed that more irrigator support (public comment to MT FWP and MT Governor) in order to likely get MT FWP to consent to the release of more water. Monica Prince asked how Fish and Game gained control, to which Adler replied that once the county began profiting from hydroelectric generation, FERC got involved and now imposes oversight. Monica Prince plans to also contact federal offices in

Washington, D.C., to advocate for change. She reported that stock ponds are dry, cows are being brought home early, and she's received many calls from concerned local cattle producers. Meanwhile, fish are dying in Flint Creek, and while recreational homeowners at Georgetown Lake aren't at risk of losing their homes, ranchers stand to lose their livelihoods. She added that once the creek banks get dry, it takes a lot of water to wet the banks so the stream once again will carry water instead of just soaking in the water. Commissioner Kulaski made a motion to increase the outflow to 40 CFS (from 30 CFS) subject to a temporary modification request being granted by the three agencies, which was seconded by Commissioner Adler and passed unanimously. Adler noted they might need to hold a public meeting next week and could use support from the agricultural community. Monica Prince concluded by warning that without late-season grass, they may have to resort to shooting elk out of haystacks. Blaine Bradshaw, Granite County Attorney, will email the three agencies and ask about their consent for the temporary modification request.

CLOSED EMPLOYEE PERSONNEL MEETING; John Kendall met with the Commissioners and expressly waived his right to privacy on the record during the meeting. The Commissioners—primarily expressed concern about the ongoing mess at the Drummond Solid Waste Transfer Site, including garbage, scrap metal, and as well as loose garbage and clutter around fences, low spots, and the hill (neighboring property). Commissioner Kulaski emphasized that the site isn't a second-hand store and needs to be thoroughly cleaned up. John Kendall defended the site's condition, citing wind and timing of visits, but admitted that cleanup is a large task on the 5-acre property. He suggested hiring help for about 10 hours per month, but there are budget concerns. Commissioner Adler expressed the budgetary concerns. Community service as a cleanup option was discussed, but those participants can't run equipment, and many prefer paying fines instead of community service. John Kendall has made efforts, including shipping bikes and metal bins, but there's still a backlog. Safety concerns were raised due to the clutter and risks of injury. Commissioners emphasized the need for more metal bins (2 at all times, possibly 4), and agreed some extra cost would be acceptable. Commissioner Kulaski proposed and moved to write John Kendall up due to lack of adequate progress within the two-week timeframe. The issue was tabled until the next Tuesday's Commission meeting. John Kendall stated that he would prefer future discussions about him to be in closed session.

COLLECTIVE BARGAINING AGREEMENTS WITH ROAD CREW AND SOLID WASTE UNIONS; One solid waste employee wants to hold off on agreeing with the job description. Blaine Bradshaw reviewed the two agreements that were offered, but the proposed language was not correct as the County agreed to pay \$.50 per employee per hour into the union central pension, but one agreement was \$1.00 and the other .88 cents. Blaine Bradshaw emailed Megan Yuhas, Union business representative and hasn't received a response. Blaine Bradshaw talked to Sarah about it, and the county was paying \$.38 per road crew employee previously. Commissioner Adler tabled this until next week for more negotiations or decision.

GRANITE COUNTY RESOLUTION NO 2025-9, ADOPTING AMENDED GRANITE COUNTY'S FLOODPLAIN REGULATIONS; Commissioner Kulaski moved to accept the

Granite County Resolution 2025-9, adopting amended Granite County's floodplain regulations. Commissioner Adler seconded. No public comments were received, and the motion passed unanimously.

GRANITE COUNTY COMMUNICATIONS OPERATION PLAN; Jackie Bolster, County DES Coordinator, joined the Commissioners for this portion of the meeting regarding the County's Updated Communications Operation Plan. She said that fireman, Joe Brabender and retired Sheriff, Scott Dunkerson, had previously went through the radio frequencies to update them. Other needed changes were made. Jackie Bolster wanted this new communications plans to be approved and out there prior to fire season. Commissioner Kulaski moved to accept the Granite County Communications Operation Plan. Commissioner Adler seconded. No public comment was received and the motion passed unanimously.

MEDICARE REVALIDATION FOR COUNTY PUBLIC HEALTH; Jackie Bolster did this 5 years ago, and it's time to be revalidated, and she had to fill out a bunch of paperwork. Removed Slaughter, Hinkle, and Vicki Harding. She needs to call and see who signs if it's the chair. Then they discovered Commissioner Adler, Commissioner Kulaski, Sarah Graham, and Ashley Todd. Commissioner Kulaski moved to accept and sign the Medicare revalidation for County Public Health. Commissioner Adler seconded. No public comment was received and the motion passed unanimously.

PUBLIC HEALTH NURSE JOB DESCRIPTION: Commissioner Adler tabled this for next week. Commissioner Adler said they all need to be looked at and improved for any changes.

FIRE RESTRICTION UPDATE; Commissioner Adler looked at a few burns, and said people are abusing it already. Might have to go to stage 2. Commissioner Kulaski asked if Powell went to 2. Jackie said Powell, Madison, Granite are at 1. Some on the fence about moving into it next week. A fire broke out in a residential area, burning pallets. Commissioner Adler said there has been a lot of wind lately. Blaine talked to the sheriff's office about this. Jefferson County discussed it being in a metal ring, not rocks, and it's got to be a bare area. Forest Service pits smolders under the rocks. 6 in Beaverhead county that left fires and never put them out and people are burning still. Jackie has banners from Missoula DNRC to potentially hang. The Sheriff's office has put on Facebook and MTWildfire.org. Drummond side doesn't have a forest service fire danger level sign. Ficlars could maybe put something on their board. Commissioner Kulaski said he is good at staying at stage 1 and taking it on a week-to-week basis, Commissioner Adler agreed. Forest Service is at High level. Jackie reiterated the commissioners are trying to prevent fires and stay ahead of it. Commissioner Kulaski asked if the sheriff's department has a message board. Hall fire station was discussed to maybe hang a sign, or a solar message board was discussed to get the word out easier next year and constantly change it.

COUNTY CLAIMS; The Cmmissioners reviewed county claims.

During this time and as an administrative matter, County Courthouse custodian, Don Smith came in to ask about the no parking zone and to paint it red instead of yellow. Commissioner Adler said that's acceptable.

Commissioner Kulaski then moved to accept the claims. Commissioner Adler seconded. No public comment was received. Motion passed unanimously.

MIDDLE FORK RANCH FINAL PLAT; Linda Bouck joined the Commissioners and is ready for decision on the final plat. They needed the weed plan signed, and they did that. Linda Bouck said it is ready for final plat approval as everything is in order. Ready to be signed right now. The Commission can approve, and then when Sarah gets it, they can sign. Commissioner Kulaski moved to approve the Final Plat of Middle Fork Ranch. Commissioner Adler seconded. No public comment was received. The motion passed unanimously.

The Commission went into a closed session for a private personnel matter.

STUDY COMMISSION MEETING SUPPORT WITH NEW MEMBERS; Local Government Study Commission members, Bryan Senn, Luke Ulatowski, and Elena Gagliano (via Zoom) joined the Commissioners for this portion of the meeting. Bryan Senn introduced himself as the newest member of the Study Commission. Commissioner Adler asked about them voting upon a chairperson. Blaine Bradshaw, representing the County Commission only and not the Study Commission, advised that the Study Commission members vote upon a chairperson today so they can organize the next Study Commission meeting. Bryan Senn moved to have Luke Ulatowski serve as chairperson and then moved to amend his motion to appoint Luke Ulatowski as temporary acting chairperson. There was a discussion that Elena Gagliano seconded that motion via email on July 22, 2025. Elena Gagliano has raised her hand seconding the motion made by Bryan Senn in a public meeting. The motion passed unanimously. Luke Ulatowski discussed and moved to officially set the first meeting date for July 24th at 6:00 p.m. in the Courtroom. Bryan Senn seconded. The motion passed unanimously.

RIDDICK FIELD AIRPORT BOARD APPLICATIONS; Donovan Jones joined the commissioners for this portion of the meeting. The Granite County Airport Board is endorsing Andrew Cadwell for the Airport Board. Commissioner Kulaski moved to accept Andrew Cadwell for the airport board. Commissioner Adler seconded. No public comment was received and the motion passed unanimously. A letter of appointment will be mailed to Andrew Cadwell by the Commission.

NORTHWESTERN ENERGY CUSTOMER AGREEMENT, RIDDICK FIELD; Approval from Northwestern, failed with DNRC for the overhead, and then went with underground. The original was 11k and the new one is 9k. Taking over the head and moving the easement underground now. Commissioner Kulaski moved to accept the Northwestern Energy customer agreement. Commissioner Adler seconded. No public comment was received and the motion passed unanimously. Commissioner Adler asked them to go talk to the Weed Department to have them spray at the airport.

HDR'S SCOPE OF WORK AND HOURLY BREAKDOWN FOR THE FLINT CREEK DAM ASSESSMENT; Jess Run from HDR joined the commissioners to provide an overview of the inspection (comprehensive assessment) process required by FERC. She explained that the process begins with submitting an inspection plan to FERC, which includes team members, their qualifications, and then moves through FERC's review and comment period. After approval, the process proceeds to a pre-inspection report and a field inspection, which is expected to take place in May. There are a limited number of teams allowed to participate. A risk analysis will be conducted, including a brainstorming session on potential failure modes and their associated risks. After the field inspection, the process continues virtually and concludes with the final report. Jess Run noted that if FERC requests changes, such as additional team members, it depends on the nature of the request. Some changes are easier to accommodate than others, especially if it involves new personnel. To manage costs, HDR is using local resources from Kalispell, Helena, and Billings, with only one out-of-state member serving in an independent role. Costs were described as being on the lower end, but the work can become expensive. HDR has tried to keep staffing efficient by using people who can fulfill multiple roles. Commissioner Kulaski asked about the PFMA, which Jess described as a comprehensive analysis of ways dams could fail. While the PFMA can be referenced, the intent is not to repeat the full analysis. The screening process will focus on identifying the most likely and concerning failure modes, estimating their risk, and assessing their consequences. Recommendations and future planning will be based on this risk-based approach. A workshop component may also be included to help reduce the need for follow-up visits and additional costs. There was discussion about who would participate in the walkthrough, with Jackie Bolster and Jarred Kruger mentioned as potential participants. Jeremiah Theys also joined the Commissioners and emphasized that this effort meets expanded FERC requirements, referring to it as a more in-depth version of the Part 12D inspection process. He noted that the county requested a proposal from HDR, which was reviewed and submitted. Jeremiah Theys affirmed that while the process is a significant undertaking, it is necessary, and he supports the team HDR assembled. Commissioner Adler asked about potential grants. Jeremiah Theys mentioned a \$75,000 DNRC reclamation grant, which applies since this is an assessment rather than direct reclamation work. He also mentioned a planning grant through the RG program that could provide up to \$40,000. However, available funding is limited. Commissioner Adler also inquired about previous infrastructure funding. Blaine Bradshaw and Jeremiah Theys explained that most of that money has already been allocated, and there are no remaining funds at the state level. Some county funds might be available, but there are no guarantees. Since the project's costs will span from April 26 through the following year, Commissioner Adler raised concerns about funding and suggested that spreading the cost over two fiscal years might help. The total cost would be \$341,000 for HDR to complete the full comprehensive assessment which includes some contingencies but an amended contract would be needed if FERC follows up with requirements outside the scope of work. The decision was tabled for the following week so Commissioner McLure could be present. Jeremiah Theys agreed but recommended moving forward with decision on the contract (to be provided by HDR to the County) the following week on the Commission's noticed meeting agenda and signing at the same time. He also

offered to work with Jess Run to determine which expenses would fall into this fiscal year and which would be in the next to assist with county budgeting.

R RHODES CONSTRUCTION PAY APPLICATION; Payment will come out of comprehensive fund per discussion. Commissioner Kulaski moved to pay R Rhodes Construction the \$21, 234.56. Commissioner Adler seconded. No public comments were received, and the motion passed unanimously.

A public meeting was discussed for the water level at GTL.

FY 25-26 BUDGET WORK SESSION; Commissioner Adler tabled this until next week.

Commissioner Adler adjourned the meeting at 11:47 a.m.