

October 10, 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, 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; MSU Extension Office Agent, Ben Hauptman; Granite County Road & Bridge Superintendent, Paul Alt; Granite County Treasurer, Vicki Harding; Deputy Clerk & Recorder, Becky Mickey; Granite Road Resident, James Prusa; Georgetown Lake Resident, Michael Comba; TVFM; and members of the general public including Elena Gagliano.

BOARD MINUTES; Commissioner McLure moved to accept the board minutes for October 3, 2023. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

CORRESPONDENCE;

Electronic mail was received from Chuck Garrison, the Director with Northwest Mountain Airports Division concerning a letter from John Dermody (Director of Airport Safety and Standards) regarding creating awareness and guidance on maintaining airport owned approach lighting systems and visual aids.

A Press Release was received from MACO as well as a copy of their letter sent to Governor Gianforte highlighting several matters of concern in response to his perspective on recently-passed legislation that he provided via a missive to all Montana County Commissioners in September 2023.

PUBLIC COMMENT:

No public comment was received.

ROAD & BRIDGE WEEKLY REPORT; & SOLID WASTE UPDATE WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; CONTRACT HAULING FROM MIDDLE FORK GRAVEL PIT; Road & Bridge Superintendent Paul Alt joined the Commission to provide an update on Road & Bridge and Solid Waste operations across the County. The Road Department has been working on hauling and spreading gravel across the County and are finishing up on Rock Creek, Willow Creek and East Fork Road(s). Paul Alt noted that Blackfoot Communications is working on East Fork Road today. The Road Department knows that they will not be able to get everything done (as far as gravel projects), but they are going to work through next week and then call it for the season. Mowing operations will begin next week as well.

Paul Alt explained that he had just come from Georgetown Lake, where residents have placed 15 MPH speed signs over the top of the 25 MPH signs the County posted. Paul Alt has removed the 15 MPH signs and notified the Sheriff's Office. The group discussed the ongoing matter on Lakeshore Road, and that the Forest Service needs to respond to resident concerns. Commissioner Adler noted that the County can't do anything with the road anyway. Paul Alt added that he cannot go up to the Lake and deal with Lakeshore Drive every time his phone rings, because the matter won't ever stop. It was discussed further that the residents need to work with the Forest Service regarding Lakeshore Road.

The Commission discussed the crosswalk and speed signs going in up at the lake (Georgetown Lake Road) and Paul Alt showed the Commission on a map where the crosswalk and signage would be placed.

Commissioner McLure gave an update on the Joint Session's Meeting the week previous with the Towns. She explained that the Town of Philipsburg is going to redo their school parking lot and they inquired if the County would donate some gravel to support their project. There was discussion over where the gravel would come from and if it would make more sense for the County to purchase gravel from a local gravel pit and donate it, or if they should haul it from the Middle Fork Gravel Pit. Ed Roseboom was going to contact Paul Alt, but has not yet. Paul Alt will reach out to Ed Roseboom and report back to the Commission during their next session (October 24, 2023). Paul Alt later texted in, to state that this matter has been resolved, the project has been completed and no gravel is needed from the County.

Commissioner Hinkle inquired about the purchase of a pneumatic post pounder. Paul Alt stated he spoke with someone this morning and the price was \$5600.00, but that he thinks he can get one for half that price out of Colorado. He is planning to complete the purchase right away.

JAMES PRUSA WITH GRANITE PROPERTY OWNERS REQUESTING A ROAD MAINTENANCE AGREEMENT; The Commission was joined by James Prusa with the Granite Property Owners to discuss a potential road maintenance agreement. He thanked the County for blading the road up to Granite Ghost Town, and complimented Johnnie Hoehne (Road Crew Employee), for his work on the road. James Prusa added that in the last year the residents have cleared out some culverts, and based on the fact that the County has made this great effort in blading the road, there is a group of residents who would like to support routine maintenance on the roadway. The maintenance the residents would like to be authorized to complete includes keeping ditch lines clear and culverts as well as snowplowing. James Prusa explained that they have a lot of different equipment and have utilized the model Road Maintenance Agreement the County uses, and customized it to the type of maintenance the residents would like to complete. He added that he thinks it would be best that the residents have primary communication with a key contact, and that be, Road & Bridge Superintendent, Paul Alt. The group would also come in and make annual reports on the road condition to the Commissioners. Paul Alt responded that the back side of Granite Ghost Town is a snowmobile route, and that there were complaints last year about this area being plowed, and that couldn't continue. James Prusa responded that their group has

discussed this with other locals including Bill Antonioli, who has asked them to make a turn-around at the mine. The group would like to make a turnaround at the Old Miners Union Hall to keep the Ghost Town Open. The entry into the National Forest is beyond the parking lot for the Ghost Town. Paul Alt stated the group cannot berm the road up. James Prusa responded that there is not going to be a berm over the downhill ditch line, and that the group wants to push the snow off the downhill side, and that they have a snowblower, so they will not have any berms. Commissioner Hinkle raised concern over multiple residents working on the roadway and asked how this will be tracked. James Prusa explained that those working on the roadway will mostly be him and his relatives as well as the owner of the rental cabins; and that they want permission to plow the road, keep culverts and ditch lines clear, and remove any trees or boulders that roll off onto the roadway. The group discussed concerns over liability. James Prusa explained that Ryan Law is the general contractor and his \$2M indemnity insurance policy covers anyone he would subcontract to (i.e. James Prusa, his relatives, and the owner of the rental cabins). James Prusa noted that the County only asks for a \$1.5M indemnity insurance policy and that they have provided a \$2M policy. Commissioner Adler asked if all the equipment operating on the roadway would be owned by the General Contractor. James Prusa responded, unless he subcontracts. The Commissioners agreed that they need to discuss this further with the County Attorney and this will be a future agenda (October 24, 2023).

MICHAEL COMBA TO DISCUSS HILLTOP LANE; The Commission was joined by Michael Comba who lives at the end of Hilltop Lane at Georgetown Lake. Michael Comba explained that the road is in bad shape and has become hazardous. He applied for a permit from the USFS to put in his own road, but was denied because the Forest Service states there is already access through a private or public road. Michael Comba stated that the residents on Hilltop Lane would like to run the road like an HOA and gate access, but that the Forest Service has told them they cannot because Hilltop Lane is a County Road and has to remain open so there is access to Forest Service lands. He looked into the matter and believes that a portion of the road (a new addition) is a County Road but not the stretch going up, which doesn't make sense. Michael Comba added that he understands the County is stretched for resources, but that the homeowners would like the Road Department to come and blade that section of road once per year. The residents already have contracted services in place to plow the road in the winter. Road & Bridge Superintendent, Paul Alt responded that no part of that road is County and that he has spoken with Granite County Planning Director, Linda Bouck, who has also spoken with Michael Comba. Paul Alt added that he spoke with Michael Comba and told him that if the Road Crew were in the area with the grader and were not busy they may be able to make a pass at the road under the Good Neighbor Policy, but that there are enough contractors up in the area, and that the Road Department needs to stay out of it. Michael Comba stated that when he purchased his property around six years ago that he had to have County sign a road agreement saying this section of road was a County Road as part of his homebuying loan. The Commissioners requested a copy of that record be sent into their office. Michael Comba added that he wants clarification from the County on whether this is a County Road. Commission McLure responded that the Commission need

to discuss this matter further with the County Planning Director and need copies of his records. This matter will be on an upcoming agenda (October 24, 2023).

Public comment was received from Elena Gagliano stating she is a landowner up at Georgetown Lake, and that there seems to be confusion over what is, and is not a County Road. She asked if the County had completed an update in recent years to County road maps. Commissioner McLure responded that the County Planner maintains the County maps and keeps them current. She added that there is also a map of County roads hanging in the Commissioners Office. Elena Gagliano commented that the map in the Commissioners Office is old, and noted the Good Neighbor Policy, stating she lives on a private road and was once stuck at the residence because they were snowed in and couldn't find anyone to plow. She added that she couldn't find a copy of the Good Neighbor Policy in the meeting packet, and that Mr. Comba brings up a good idea, and that the residents may need a petition or to create a home owners association (HOA). She added that there needs to be a lot of clarification on the County roads. Commissioner Hinkle added that there are some roads people think are County that are not, and there is much confusion. Commissioner Adler added that the realtors also state that roads are County Roads that are not. Commissioner McLure clarified that the reason the map in the Commissioners Office has not been updated is because no new roads have been declared County Roads in the last few years. She added that Granite County Planning Director, Linda Bouck has kept good track and has highlighted which roads are County Roads.

REVIEW OF GRANITE COUNTY'S GOOD NEIGHBOR POLICY; The Commission discussed the Good Neighbor Policy. Commissioner Hinkle referenced the need for defining what qualifies as an emergency, stating some may feel that the need to get a propane truck to their property would qualify; but that he doesn't agree, because a resident should have planned and ordered propane prior to bad weather conditions. An emergency would be something requiring EMS, Fire, or the Sheriff's Department. He added that the way the Good Neighbor Policy is currently utilized opens the County up to taking on a large variety of instances where people have decided to not be diligent in plowing their lanes or private roadways in preparation of weather conditions. Commissioner Adler noted he understood, what Commissioner Hinkle was saying. He added that the County has always thrown sand out for ranchers when they are hauling or shipping; but that the County can't go in with a blade every time someone can't manage their snow. This matter will be on an upcoming agenda to discuss further (October 24, 2023).

GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT; The lake level was reported at 6428.84 feet; 7.92 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 has not changed in the past week. Commissioner Hinkle moved to stay at 20 CFS until October 15, 2023, in alignment with the temporary modification order that was entered into in August of 2023; and as allowed by the FERC order in place. Then to continue releasing 20 CFS (with the approval of a temporary modification order). Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously.

Public comment was received from Elena Gagliano referring to the previous agenda item, stating the Good Neighbor Policy is Resolution 2017-20.

MONTHLY CLAIMS: During the claims process the Commission discussed the contract hauling being utilized by the Granite County Road Department. The Commission agreed that at the end of this week they would end all contract hauling for the season and complete any outstanding projects using County equipment.

Commissioner Hinkle moved to accept the monthly claims for September 2023. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously.

FY2024 EXTENSION SERVICES AGREEMENT BETWEEN MSU EXTENSION & GRANITE COUNTY; The Commission reviewed the annual agreement between the two agencies. Commissioner McLure moved to approve of and sign the FY2024 Extension Services Agreement between MSU Extension and Granite County. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

GRANITE COUNTY BOARD REAPPOINTMENTS; The Commission reviewed Granite County Board Reappointments for the Granite County Planning Board, the Georgetown Lake Fire Service Area Board, and the Drummond Community Library Board. Commissioner McLure moved to re-appoint Teresa Kielley to the Drummond Community Library Board. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously. Commissioner Hinkle moved to re-appoint Lucinda Fitz-Christensen to the Granite County Planning Board. Commissioner McLure seconded the motion. There were no public comments and the motion passed unanimously. Commissioner McLure moved to re-appoint Mike Hayes to the Georgetown Lake Fire Service Area Board. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously.

Public comment was received from Elena Gagliano stating that the notice in the paper states that applications would be taken for County Boards until October 9, 2023. There were two Board Applications received for County Boards that would be new appointments. One for the Granite County Airport Board (Gary L. Snyder); and one for the Granite County Planning Board, Georgetown Lake Area (John Probst). The Commission reviewed the application from John Probst and decided to maintain with their original decision (by motion) to reappoint Lucinda Fitz-Christensen to the Granite County Planning Board (Georgetown Lake Area).

WRITTEN POLICY ON SAFETY EQUIPMENT / PPE FOR COUNTY EMPLOYEES; The Commission reviewed the drafted policy on PPE (Personal Protective Equipment) for County Employees. Commissioner Adler explained that this is a matter that came up during the Safety Meeting. He mentioned that he foresees hardhats becoming a mandatory item to be worn and that the County could align with the State policy. The Commission discussed reviewing this matter with their insurance carrier during the next safety meeting. The group

also discussed other safety equipment including the use of safety goggles, and having PPE equipment available in the County Car for employee use.

Commissioner McLure moved to accept the written policy on safety equipment / PPE for County employees. Commissioner Hinkle seconded it. There were no public comments received and the motion passed unanimously.

GRANITE COUNTY TIME CLOCK / TIME KEEPING POLICY UPDATE; Granite County Attorney, Blaine Bradshaw explained that this is a matter that the Road & Bridge / Solid Waste Union would like to negotiate on. Per what Craig Davis said to him, he doesn't necessarily believe that the Union is against this, but that the Union would like to ensure that the policy will align with their current practices and have questions responded to. Commissioner McLure asked if the Road Crew should be able to have access to the Time Clocks via their phones and that this should be looked into, to see if it is an option. The Commission discussed having a discussion with all Department Heads in the coming weeks, enabling them to ask questions and discuss the policy in a more open forum. Following the session, the Commission plans to meet with the Union concerning the matter.

Public comment was received from Elena Gagliano asking if other government entities utilize a similar software, and recommended a signature line (for employees to acknowledge receipt) be added to the previous (Safety / PPE Policy) as there is with this policy. Commission Assistant, Billie Ann Kulaski responded that the Clerk & Recorder's Office did identify other Counties in Montana utilizing the same software program, so there are other entities using electronic methods. The Commission agreed to include a signature line on the Safety / PPE Policy where employees would acknowledge receipt of the Policy.

RESOLUTION 2023-14; A GRANITE COUNTY RESOLUTION FIXING THE MILL LEVY FOR THE STATE EQUALIZATION, COUNTY HIGH SCHOOL EQUALIZATION AND COUNTY ELEMENTARY EQUALIZATION MILL LEVY AUTHORITY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024; FIRST READING & DECISION FOR COUNTY TREASURER FOR PROPERTY TAX STATEMENT PURPOSES; The Commission reviewed the resolution and opened the floor for public comment. Granite County Attorney, Blaine Bradshaw explained the matter of the 95 Mills Vs. 77.9 Mills, adding that he recommends the County proceed with 77.9 Mills. He noted that this should not affect local schools as these funds go the State General Fund, and MACo forecasts this will be fully funded using the 77.9 Mills across the State. The resolution will be on the Commissioner's Agenda for a second reading, but the Treasurer's Office has asked for a motion (as allowed for on the agenda) on the mills in order to send out tax statements. Commissioner Hinkle motioned to accept the 77.9 Mills for tax statements. Commissioner McLure seconded the motion. There were no public comments and the motion passed unanimously.

County Attorney Blaine Bradshaw discussed with the Commission that the Montana Department of Revenue has recently brought litigation against Missoula County as Missoula

County set it at 77.9 Mills, and the Department of Revenue wants clarification from the court. He believes Missoula County Commissioner McLure asked if there needs to be reference in the resolution as to what will happen if the Missoula County case is decided against Missoula County by the Montana Supreme Court. Attorney Bradshaw responded that this would come out in the court decision on how Counties to make things right in light of the particular decision that is made by the High Court, and the resolution drafted is based off of the sample resolution from MACo. Attorney Bradshaw believes the resolution is sufficient as is.

The meeting adjourned at 11:50 a.m.