

**October 3, 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 Commissioner McLure and Commissioner Hinkle attending. Chairperson Adler attended via phone for a portion of agenda items. 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.**

**Commissioner Hinkle acted as Chairperson for the session.**

**Also, in attendance were *Philipsburg Mail* Editor, Amelia Wood; MSU Extension Office Agent, Ben Hauptman; Granite County Road & Bridge Superintendent, Paul Alt; Granite County Solid Waste Clerk, Scott Rettig; Georgetown Lake Resident, Vladimir Babich; Granite County Treasurer, Vicki Harding; Granite County Airport Board Chairperson, Ernie Fulk; Granite County Airport Board Member, Donovan Jones; Powell County Planning Director, Amanda Cooley; Granite County Courthouse Custodian, Janeen Bonney; Granite County Clerk & Recorder, Sarah Graham; Flint Creek Trails Association Members, Stephen Immenschuh, Livia Shoutis, and Ed Brunsvold; and members of the general public including Elena Gagliano.**

**BOARD MINUTES; Commissioner McLure moved to accept the board minutes for September 26, 2023. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.**

#### **CORRESPONDENCE;**

**Electronic mail was received from MACO; RE; MonTax Executive Director, providing facts regarding school funding. Attached was information concerning a state lawsuit against Missoula County for levying 77.8 mills for school equalization.**

**A letter was received from MACO clarifying misinformation in MTSBA's Update regarding the 95 Mills Montax Newsletter (September 2023).**

**The "95 Mills" informational packet and sample resolution was received from MACO.**

**Granite County Treasurer, Vicki Harding joined the Commission to discuss this matter further. It was determined that the Commission will need to be on an upcoming agenda for a decision with the Commission.**

**The County Countdown update from NACo was received that reviews top federal policy.**

**An end of period disbursement report was received from Granite County Justice Court for the month of September; total \$6482.00**

Electronic mail was received from Steve Engebrecht, the Manager for the Helena Airport District Office of the FAA, following up on grant closeouts for FY24.

Electronic mail was received from Jim Powell, a sales professional with RDO Equipment wanting to discuss Wirtgen WR Reclaimer for 2024.

**PUBLIC COMMENT:**

Public comment was received from Elena Gagliano referencing the correspondence from MACo regarding the “95 Mills”, she explained that there are several Counties that have filed and that there is a sample resolution in the informational packet. Elena Gagliano stated that this is a very big deal and when MACO first sent out information she had told the Commissioners it would be a big deal, and that they should do something about it. She added that there is another lawsuit presented by two legislators concerning the matter, and recommended that the Commissioners reach out to other Counties involved to get more information. Elena Gagliano added that something needs to be done because the taxes are ridiculous and people are speaking out about it.

**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 including finishing work on the Middle Fork and then working on Rock Creek (Gillies Bridge to Bohrsen Bridge). Paul Alt explained that next Tuesday Blackfoot Communications will be working on East Fork Road as part of their Fiber Optic Project, and will go four feet from inside the bank and trench the road. Paul Alt added that the Road Department will blade this area, because they are uncertain what Blackfoot will find. Commissioner Hinkle asked about notifications to homeowners in the area. Paul Alt responded that Blackfoot has been communicated with residents. Commissioner Hinkle added that he will send a notification to the HOA. Paul Alt is still working on locating and purchasing a pneumatic post pounder and will have an update on this in the coming weeks. The delineators have been ordered and are in Great Falls. Paul Alt added that the Road Crew will start working on mowing projects next week.

The group started discussing the transition to five, eight-hour shifts as opposed to four, ten-hour shifts. Paul Alt noted that both Philipsburg and Drummond schools do not hold classes on Fridays. Commissioner Hinkle stated that the Crew could stay on four tens until the snow falls.

Commissioner Hinkle asked about a discussion from the week prior when local resident, Daniel Anderson stated he was plowing Black Pine Road. Paul Alt responded that Daniel Anderson is not correct, and that the Road Crew has been plowing the additional section of Black Pine Road as directed. He added that the Crew is not plowing it every time there is a skiff of snow, but is plowing it as needed.

**Commissioner Hinkle inquired about the Mag Chloride that was put on the roadway up at Dentons Point that the County is seeking payment for. He told Paul Alt that he wanted to know why he wasn't informed of this transaction, especially since it was going on in his district. Commissioner Hinkle stated that he must be made aware of these types of exchanges that are done in his district so he can respond to his constituents. Paul Alt explained that this is being taken care of.**

**The group discussed providing sand and salt to the Town of Drummond. Paul Alt stated that the County has been providing 6-8 loads annually to the Town of Drummond since he started with the County. Commissioner Hinkle and Commissioner McLure agreed that this should continue.**

**Solid Waste Update: Paul Alt explained that he is going to meet with the Locate Guys after the meeting to figure out where the well will be placed and that they will start drilling the first part of next week. There will be an update on this project next week.**

**Cross Walk Project: Georgetown Lake Resident, Vladimir Babich joined the Commission and presented three quotes, recommending a company out of Post Falls, Idaho (Traffic Cam), where the products are made in the United States, serviced and supported through the Idaho Office. Vladimir Babich explained the pros and cons of each organization Traffic Cam, TAPCO, and Michael Todd. The total for two signs with Traffic Cam is \$7,832.88. The group discussed the placement of the signs on Georgetown Lake Road. Vladimir Babich explained that the crosswalks would be in the area of the Dentons Boat Docks and explained where the signage should be placed. Commissioner McLure motioned to accept the quote from Traffic Cam for two Road Radar Signs for \$7,832.88. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously.**

**Commissioner McLure asked when these would be placed. Paul Alt responded that the Road Department will place the signs as soon as they are received.**

**WRITTEN POLICY ON SAFETY EQUIPMENT / PPE FOR COUNTY EMPLOYEES; The Commission reviewed the drafted policy on PPE (Personal Protective Equipment) for County Employees. The Commission asked that this matter be tabled to allow for another week for Department Heads to review and make comments.**

**GRANITE COUNTY SOLID WASTE DISTRICT POLICY UPDATE; The Commission was joined by Solid Waste Clerk, Scott Rettig who explained that he has been working on analyzing the data to determine how many units Granite Disposal's (Private Entity) customer base makes up. He has been working to combine Granite Disposals customer list with Tax ID numbers of County residents, he noted that there are several renters in the County that he has identified as well as some residents that do not pay for units, but are paying for Granite Disposal to haul garbage. There was discussion around residents at the Lake as well as down in the Lower Rock Creek Area, and whether or not they are using the service even though they are not part of the District. Commissioner McLure noted that if Granite Disposal customers reside outside the district, they should not be dumping in Granite County Solid Waste Sites. Commissioner McLure also suggested that Scott Rettig**

work with the Clerk & Recorder's Office to utilize Matt Pearce's software to assist in his research process.

Commissioner Hinkle discussed how there needs to be payment from those going to the dump and utilizing Granite Disposal to stop the issue of double dipping. There was further discussion around weights and the total amount of units of Granite Disposal would be utilizing if their customers were to enter into a cooperative agreement. Scott Rettig is going to continue putting together a complete list of Granite Disposal Customers with the accurate amount of units and connect them with Tax ID numbers, merging data between the two entities. Decision was tabled on this matter. This matter will be on an upcoming agenda.

**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. Commissioner McLure 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. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

**FERC EXTENSION TIME REQUEST ON COMMENTS ON PGA ANALYSIS;** The Commission reviewed the drafted letter requesting an extension from FERC on comments concerning the PGA analysis. The Commission recently re-contracted with HDR Engineering to respond to FERC comments. Commissioner McLure motioned to sign and send the FERC extension time request for comments on the PGA Analysis. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously.

**INSPECTION OF BONDS IN ACCORDANCE WITH MCA 7-4-2213;**

The County does not currently have any bonds for the Commission to inspect.

**TRI-COUNTY FAIR BOARD / EXTENSION OFFICE UPDATE WITH BEN HAUPTMAN;** The Commission was joined by MSU Extension Office Agent, Ben Hauptman for an update on happenings in his office. He provided a brief update of issues in Powell County where their Commissioners Office was considering not renewing their contract with MSU Extension. He explained that during that discussion it was mentioned that kids in Powell County would have to go to neighboring Counties to enroll in 4-H Programs. MSU Extension Office Administration met with Powell County Commissioners and were able to resolve the issue and renew the agreement for MSU extension services. Ben Hauptman added that they are currently looking for a new MSU Extension Agent in Powell County as the previous one resigned. The Powell County Commission had noted that they are committed to the kids in their County as well as the Tri-County Fair. This means that there will not be an impact on our 4-H operation in Granite County. The Tri-County Fair Board is still looking for a new member to fill Stacey Meneses' position.

Granite County Attorney, Blaine Bradshaw explained that there have been some concerns over the transfer of \$35K from the Tri-County Fair Board account into the Powell County

General Fund with little information provided. It was recommended that the Tri-County Fair Board work with Powell County to find out more about this matter, and if they need assistance from the Granite County Commissioners to reach out for assistance.

**PHILIPSBURG AREA COMMUNITY LIBRARY INTERLOCAL AGREEMENT AMENDMENT (SECOND ADDENDUM);** Granite County Attorney, Blaine Bradshaw explained that the Interlocal Agreement with the Philipsburg Library needs to be updated after special districts had to find their own liability insurance. MACo is no longer offering liability insurance to special districts. The Library and the Town of Philipsburg have already signed off on the Second Addendum to the Agreement. Commissioner McLure moved to sign and approve the Philipsburg Area Community Library Interlocal Agreement Amendment. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously. The Second Addendum still needs signed by the Town Attorney so the Granite County Attorney will send it to the Town Attorney for his signature. The Second Addendum would then be filed with the Clerk & Recorder, and a copy sent to the Montana Secretary of State's Office, as required.

**GRANITE COUNTY AIRPORT BOARD UPDATE WITH CHAIRPERSON, ERNIE FULK;** The Commission was joined by Chairperson, Ernie Fulk and Airport Board Member, Donovan Jones, for an update on the Granite County Airport Board. Ernie Fulk provided an update of the issues with clearing approaches on 16 and 34 ends per part 77. The hillside of Rumsey Rd is an issue on the 34 end, Airport Rd on the 16 end. Part 77 surface is the regulation. Proposed solution is to add obstruction lights on the 34 end and a 200' displaced threshold on the 16 end. These options were approved by the board and recommended for approval by the Commissioners. Commissioner McLure moved to move ahead to develop a plan to install an obstruction light and develop the plan on the displaced threshold. There were no public comments and the motion passed unanimously. The existing access road encroaches on ALP area were discussed, the Board proposed moving the road east to clear the ALP area. This was approved by the board and Commissioners prior to submittal of ALP to the FAA. Ernie Fulk has contacted DNRC and awaiting response. KLJ will be providing engineering for road relocation. There have been previous discussions around extending existing softball field access road into airport area to not disturb existing walking trail. The group discussed the Tiny Home Real Estate Development that has been proposed. The developer is proposing building tiny homes along Airport Rd to the East of the existing airport access road. This violates the ALP agreement and restrictions. Ernie Fulk has contacted DNRC to negotiate agreement to annex (obtain an easement for the County) property to the county and remedy situation. The Board has been in contact with KLJ Engineer, the Master Plan is nearly complete, and once completed this will generate a signed ALP. The Board needs to see progress on project from KLJ; and is expecting to have construction start spring of 2024. This would mean that the plan needs to be approved, permits issued, and RFP's issued to contractors during winter 2023. Hangar 11 exemption will also need to be included in the approved master plan (may require obstruction lighting).

Donovan Jones explained that there was a wind event in September of 2022 where a beacon was destroyed and he has been working on a solution to replace and submit a plan for

approval to the Commissioners. The Airport needs a beacon within a year, and KLJ is providing guidance on funding opportunities, location, and engineering support. The group discussed turning this into the County insurance. Donovan will send the information into the County to start a claim.

Ernie Fulk provided an update on the summer fire fighting activities, as well as some actions taken after a deer was struck on runway (August 31, 2023). The Riddick Field Airport currently has two courtesy cars, a Honda Pilot and a Jeep Cherokee. One of the courtesy cars (Honda Pilot) has been having intermittent electrical issues, and the Board has recommended selling the vehicle. Vehicle was donated to airport by MT Aeronautics, and KLJ verified that the vehicle can be sold and that there are no regulations precluded to selling the vehicle. The vehicle (Honda Pilot) will be sold at an upcoming County surplus sale (public auction).

**RESOLUTION 2023-13; A GRANITE COUNTY RESOLUTION ABANDONING PORTIONS OF CEDAR STREET AND ALLEYWAY IN BLOCK 15 PLATTED, UNINCORPORATED TOWNSITE OF MAXVILLE; SECOND READING;** The Commission opened the floor for public comment on Resolution 2023-13. There were no public comments received. Commissioner Adler called in for this agenda item. Commissioner McLure motioned to adopt Resolution 2023-13; A Granite County Resolution Abandoning Portions of Cedar Street and Alleyway in Block 15 in Platted, Unincorporated Townsite of Maxville. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously. The Resolution will be sent by certified US Mail to all adjacent landowners and to the Montana Department of Revenue, by the Granite County Attorney.

**UPDATE ON COURTHOUSE ROOFING WARRANTY ISSUES- ACE ROOFING;** Granite County Attorney, Blaine Bradshaw provided an update on the Ace Roofing matter that has been ongoing. He explained that the County had agreed for Ace Roofing place the new vinyl; roof over the top of the old roof and suggested having the sub-roof (structure) inspected underneath to see if there are damages from the pooling water or if there is any other damage from a different causal source. He added that mediation will be necessary if the Commission would like to move forward. Commissioner Hinkle recommended having a third party look at the roof, inspect it and provide an opinion on the matter prior to moving into mediation. Attorney Bradshaw agreed that this be a good idea, especially if the matter moves into litigation. Granite County Custodian, Janeen Bonney noted that she remembered when the previous Commission agreed to place the new roof over the old roof because of the condition it was in. Attorney Bradshaw recommended working with Slate Architecture to find a third-party expert to look at the roofing matter. Commissioner McLure motioned to have Granite County Attorney, Blaine Bradshaw speak with Slate Architecture to find a third-party expert to look into the issues with roof prior to going into mediation. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously.

**GRANITE COUNTY BOARD REAPPOINTMENTS;** The Commission reviewed Granite County Board Reappointments for the Granite County Planning Board and the Philipsburg Cemetery District. Commissioner McLure moved to re-appoint Danette LaTray to the Philipsburg Cemetery District Board. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously. Commissioner McLure moved to re-appoint Kevin Kanduch to the Granite County Planning Board. Commissioner Hinkle seconded the motion. There were no public comments and the motion passed unanimously.

Commissioner Hinkle recused himself from the proceedings and vote to re-appoint Heidi Hinkle to the Granite County Planning Board; Commissioner Adler called in and moved to re-appoint Heidi Hinkle to the Granite County Planning Board. Commissioner McLure seconded the motion. There were no public comments and the motion passed unanimously.

**AMANDA COOLEY WITH AN UPDATE ON THE TRAILS COALITION;** The Commission was joined by Powell County Planning Director, Amanda Cooley and Flint Creek Trails Association Members, Stephen Immenschuh, Livia Shoutis, and Ed Brunsvold. Amanda Cooley explained that the County Trail Coalition did not receive the RAISE Grant, but that in the debrief with Department of Transportation they scored in the top 400 out of 1000 applications (only 100 applicants were funded). She explained that the Coalition has applied for some other funding to for grant writing services, and that the goal of the Coalition is to keep this free for rural communities. Amanda Cooley explained that through the process of applying for the RAISE grant, they keyed into community needs (i.e. who would be using the trail systems and how can these systems help with safety?). She explained that the Coalition started looking out how to improve sidewalks and assist with safety as well as how improving outdoor spaces improves the physical and mental health of the community. Currently the Coalition is preparing for the next grant cycle and consists of Missoula, Butte Silver bow, Mineral, Powell, and Granite Counties. They are pursuing a Rural Tribal Pilot Program Grant to assist with grant writing fees in the application for another RAISE grant, and are working within their respective communities to improve data collection for the next grant cycle. Commissioner Hinkle asked if this is for a specific type of trail. Amanda Cooley responded that this can be for any type of trail that will work for our County, and that might be an ATV trail or snowmobile trail. She added that RAISE funds can be used to improve sidewalks, and the Coalition is focusing on keying into community benefits for the next grant cycle. The group discussed the desire to connect Powell County trails to Drummond. Stephen Immenschuh explained that the northern end of the County could use an economic boost and that connecting these trails could do that. Granite County Attorney, Blaine Bradshaw asked if there have been talks over connecting Drummond to Philipsburg. Amanda Cooley responded that there is a community desire for that. Ed Brunsvold stated he began looking into this last year, and when looking specifically at Drummond, there is no safe way to get around town without a car, referencing the railroad going through town. He added that Philipsburg has similar issues with no sidewalk systems, and the grant is something that can be utilized to see what is needed and what can get done. Livia Shoutis commented that it would be beneficial if there could be research on connecting existing trail systems in the Philipsburg area, and noted issues with ability of kids or those with disabilities navigating

**Philipsburg on their bikes with no sidewalks or paths. Amanda Cooley explained that the RAISE grant will look at connectivity and there are lots of opportunities; the RAISE Grant is part of the Bi-Partisan Infrastructure Bill. Amanda Cooley added that there has been a huge benefit of partnering with larger Counties like Missoula, and that she will keep the Commissioners updated as they work toward the next grant submission.**

**Public comment was received from Elena Gagliano asking if the recent survey that circulated the County was from the Trail Coalition. Ed Brunsvold stated it was not. Elena Gagliano commented that this is something the Trail Coalition should do to see what the people of the County want, because as the County Director of Big Sky Passenger Rail Authority she has spoken to a lot of members of the community who are more interested in having the passenger rail line restored. Amanda Cooley responded that this is something they have talked about and would like to do before the next grant cycle. It is something they will definitely do at some point down the line if and when the grant is funded.**

**The meeting adjourned at 11:20 a.m.**