

**October 31, 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 Clerk, Brandi Galiher. 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; Granite County Road & Bridge Superintendent, Paul Alt; Granite County Treasurer, Vicki Harding; Granite County Airport Chairperson, Donovan Jones; Granite County Clerk & Recorder, Sarah Graham; and members of the general public including TVFM and Mike Zugg.**

**BOARD MINUTES; Commissioner Hinkle moved to accept the board minutes for October 24, 2023. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously.**

**CORRESPONDENCE;**

**A press release was received from MACo announcing MACo taking legal action in the Montana Supreme Court Regarding Mill Levies.**

**Electronic mail was received from Brian Robbins asking to discuss the State of Montana DNRC School Trust Lands between the airport and city park in Philipsburg. This matter will be an upcoming agenda. (November 7, 2023),**

**A letter was received from Doyle & Associates, P.C. confirming the terms and objectives of engagement and the nature of limitations of services.**

**A notice was received from McKinsey Opiate Consultant Litigation Services concerning an Opioid Class Action Settlement Notice. This will be a future agenda item.**

**PUBLIC COMMENT:**

**No public comment was received**

**Commissioner Adler stated that Janeen Bonney gave him a quick update on the sidewalk drainage project on the Northside of the Courthouse. The electrician is waiting on the contractor to get back to him with some information to move forward.**

**ROAD & BRIDGE WEEKLY REPORT; & SOLID WASTE UPDATE WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Granite County Road & Bridge Superintendent Paul Alt joined the Commission to provide an update on Road & Bridge and Solid Waste operations across the County. He explained that the Crew has been working on various mechanic projects and have put sanders on the trucks. The Crew has been plowing**

and sanding roads where necessary. Commissioner Hinkle raised concerns over the slick conditions on Middle Fork and East Fork Roads.

The Commission reviewed the submitted gravel report. Paul Alt explained that the pneumatic post pounder has been received and that the County got a good deal on it, saving money for the Department. The total cost for everything except the air compressor was around \$3700.00. The Department will rent an air compressor to get projects completed (i.e. putting in delineators) once the weather warms up.

The group discussed the bridge project on South Main in Drummond. The bridge report that the Commission reviewed in hand stated the last time the bridge was inspected by MDT, it was reported in poor condition. Paul Alt noted that the bridge was not recently inspected by MDT according to the report, and that he had someone look at the bridge and they stated it was in good condition but needed some additional decking and maintenance work. Paul Alt does not think that the cost of these repairs and maintenance would take up the \$190K that was granted to the Town of Drummond for the bridge repair. The group discussed the difficulties that the Town of Drummond is having to secure the funds and pass them through to the County. In the previous session Mayor Leeper explained that they have been contacting the Department of Commerce regularly without getting anywhere and asked for help from the County. Commissioner Hinkle suggested having Granite County Attorney, Blaine Bradshaw get ahold of Representative Fitzpatrick to assist in getting these funds transferred to the County, as he lobbied for the Town of Drummond to receive the funds to support infrastructure projects. This matter will be on an upcoming agenda for an update.

Paul Alt added that he received a call from Shane Stack from Missoula Public Works, as they are needing to complete some repair work on the bridge at the Rock Creek interchange off of I-90 and want to know if the County would like to partner. The majority of residents that live off of the interchange are Granite County residents. The Commission declined to partner as the County does not currently have the funding to support this project.

**Solid Waste Update:** Paul Alt gave a brief update on the well drilling which is complete at the Philipsburg Site, so now there is water at both Solid Waste Sites. They are hoping to get started on building the bathrooms soon, and will be working with local contractor Doug Benson to do the digging work. Paul Alt recommended placing three hydrants at each site; one near the well, one near the dumpster (in case of a fire), and one for the bathroom.

Paul Alt called back later in the meeting to update the Commission, stating that he has updated the work shifts of the employees and that there will now be five day per week coverage from the Department. The Road Crew is still working four, ten-hour shifts, but the crew is split so half are working Monday through Thursday and the other half are working Tuesday through Friday.

**RAC GRANT FOR MAINTENANCE ON LAKESHORE ROAD;** Commission Assistant, Billie Ann Kulaski explained that she was not able to speak with the Forest Service last week, but that through email correspondence it looks as though the Forest Service was thinking that RAC monies could be used to support some maintenance efforts on the roadway and

that a FLAP Grant would need to be looked into if a project were to be completed on the roadway. The Commission agreed, but raised concerns over not receiving more information from the Forest Service concerning a RAC grant to support maintenance on a road that is not the County's. There was further discussion over the road condition on Lakeshore Road and how the condition deteriorates in the springtime with pot holes. There is an agreement in place where the County maintains Lakeshore Road, but it is still a Forest Service Road. In recent years there was a plan to apply for a FLAP grant to improve the road condition and get it up to standards, so the County would take it over. The County discussed the FLAP grant with the Forest Service in 2022 and withdrew the application after the match increased in excess of \$400K. The County would like to look into RAC funding in partnership with the Forest Service to purchase gravel in order to maintain Lakeshore Road. Commissioner Hinkle commented that the County has to maintain the road, but are not able to maintain it properly due to the condition it is in.

Commissioner McLure recommended reaching out to our Congressmen and explaining the issues the County is having with Lakeshore Road. Commissioner Hinkle added that the County has been trying to make things work on the roadway, and it was recommended to look into RAC but that they are not hearing anything back. Commissioner Adler noted that the residents of Lakeshore Road need to reach out to the Forest Service with their concerns on the roadway in the spring and summer months; as well as their Congressmen as the County is not able to do anything on the roadway. The County discussed different ways they have tried to support the residents on Lakeshore Road with concerns including signage and speedbumps; and how these are items that need to go through the Forest Service.

The Commission agreed that they should reach out to their Congressman concerning the issues on Lakeshore Road. This matter will be on an upcoming agenda (November 7, 2023).

**GRANITE COUNTY SOLID WASTE POLICY UPDATE;** The Commission reviewed the updated Solid Waste Policy that they have been working on over the past several months. Granite Disposal Owner / Operator, Rick Robinson was reached out to throughout the processes of developing the solid waste policy and prior to the adoption of the policy. Commissioner McLure clarified whether or not Granite Disposal understands the agreement they would need to enter into with their customers and if the customers have agreed to it. Commissioner Hinkle suggested the policy going into effect on January 1, 2024 to enable time for customer of Granite Disposal to be notified, understand the policy update, and agree to it in order to continue service with Granite Disposal. The Commission decided that this matter should also be noticed in the local newspaper (*The Philipsburg Mail*) beginning as soon as possible and run until the end of December to ensure the public is properly notified. This will also be posted on the Granite County Website. Commissioner McLure motioned to approve and adopt the updated Granite County Solid Waste Policy. Commissioner Hinkle seconded the motion. There were no further public comments and the motion passed unanimously.

There was further discussion after the motion over it being Granite Disposal's obligation to explain this policy to their customers, which it is. The county, as service to the public, will still run a notice in the newspaper concerning this matter.

**GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT;** The lake level was reported at 6428.86 feet; 7.68 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 is rising, but that they will continue releasing 10 since the irrigation season is over. Commissioner Hinkle moved to continue releasing 10 CFS; as this is required and consistent with the FERC order in place. Commissioner McLure seconded the motion. There were no public comments received, and the motion passed unanimously.

**ADVERTISING THE APPOINTMENT OF INTERIM GRANITE COUNTY TREASURER;** The Commission was joined by Granite County Treasurer, Vicki Harding to further discuss her retirement this spring and advertising the appointment of an interim Treasurer. The Commission will need to appoint someone to this role once Vicki Harding retires. During a previous session, the Commission decided to open the appointment up not only internally, but to the public, and accept resumes for the interim Treasurer position to be appointed from the date of Vicki Harding's retirement until the general election results for the Treasurer's position are certified in 2024. Vicki Harding had some questions for the Commission regarding the appointment including the appointment date and if training would be involved. Commissioner McLure explained that appointment would be on March 1, 2024 and that there would not be any training time available to the appointee. The group discussed requiring those submitting resumes to file for the office in order to be considered for appointment. The Commission would like to start advertising the upcoming appointment soon and get the information out to the public that they will be seeking to appoint an Interim Treasurer. They asked that Granite County Attorney, Blaine Bradshaw draft a notice for them to review at an upcoming session (November 7, 2023) and then they will begin advertising and accepting resumes.

**DONOVAN JONES (AIRPORT BOARD) TO REVIEW THE GRANITE COUNTY AIRPORT AIP GRANT OVERSIGHT RISK ASSESSMENT (SPONSOR CERTIFICATION CHECKLIST):** New Airport Chairperson, Donovan Jones joined the Commission to review the Granite County Airport AIP (Airport Improvement Plan) Grant Oversight Risk Assessment (Sponsor Certification Checklist). He explained that this was filled out by the County three years ago, and they are seeking to continue with the Airport Improvement Plan and need to resubmit the document. Donovan Jones added that nothing has changed on the document from the three years previous and asked the Commission if any of the County processes have changed in the last three years that should be reflected. Commissioner Hinkle asked where the County is at in the AIP process. Donovan Jones responded that they had a meeting earlier in October where mitigations for the AIP were discussed and these have now been incorporated into the new design which has been submitted to the FAA. The next step is to communicate with the DNRC to relocate the roadway and then they would like to move forward with the grant process. Donovan Jones explained that the grant process will be covered 90% and require a 10% match. The total

cost of the project will be around \$4M so the match will be around \$400K. There will be some state funding available to support the match, but that this will be something everyone will want to sit down and discuss once they enter into this stage of the project. Commissioner McLure noted that they will discuss further once this grant is approved.

Donovan Jones provided a brief update on the damaged beacon at Riddick Field, stating that the engineering team put together a grant to replace the beacon and between that and the County insurance claim that was submitted the beacon should be paid for in full. The grant will pay for a portion of the beacon and what is not paid for will be covered through the insurance claim.

Commissioner McLure motioned to accept the Granite County Airport AIP Grant Oversight Risk Assessment (Sponsor Certification Checklist). Commissioner Hinkle seconded the motion. There were no public comments received, and the motion passed unanimously.

**COURTHOUSE SECURITY REVIEW- CLOSED SESSION;** The Commission went into a closed session to discuss details of Courthouse security. The closed meeting minutes are securely held in the Granite County Attorney's Office.

**COUNTY EASEMENT GRANT TO NORTHWESTERN ENERGY (MCKENZIE COURT);** The Commission discussed the request by Matt Farrell for an easement from the County for access to a Northwestern Energy power pole near McKenzie Court in Philipsburg. The Commission agreed to the easement earlier this summer with conditions on what the property could be developed and utilized for. The Commission wanted to ensure that they would grant the easement conditional upon marijuana not being grown as part of the greenhouse operation (commercial operation) that is set to be developed on the site. Matt Farrell agreed to the verbiage earlier this year and has been trying to work with Northwestern Energy to draft the easement. Northwestern Energy would not accept an easement with the County's requested conditions included and suggested an additional document be developed between Matt Farrell and the County concerning the Conditions. Commissioner McLure raised concerns over the document containing the conditions not being located once someone searches for the easement, because it wouldn't be attached or referenced. Commissioner Hinkle and Commissioner Adler raised concerns over the process and how complicated it has become. The Commission agreed that they need to discuss this matter further with the Granite County Attorney and tabled the matter for another week.

**H.E.R.E AGREEMENT FOR G.I.S. DATA;** The Commission reviewed the H.E.R.E. agreement that was prepared by Matt Pearce of Maps Inc., to share the County's G.I.S. data. Commissioner McLure motioned to accept and sign the agreement with H.E.R.E. to share the County's G.I.S. data. Commissioner Hinkle seconded the motion. There were no public comments received, and the motion passed unanimously.

**RESOLUTION 2023-15; A GRANITE COUNTY RESOLUTION AUTHORIZING MACO TO REPRESENT THE COUNTY REGARDING WRIT PETITION BEFORE THE MONTANA SUPREME COURT REGARDING STATEWIDE MILLS; SECOND READING / ADOPTION;** The Commission opened the floor for public comment regarding

**the Resolution 2023-15. Witten in public comment was received by former Granite County Commissioner, Maureen Conner. *Commissioners, I support Granite County joining the MACo and other counties in the legal action on the property tax mills and caps. Maureen Connor.* Commissioner Hinkle motioned to adopt Resolution 2023-15; A Granite County Resolution Authorizing MACo to Represent the County Regarding Writ Petition Before the Montana Supreme Court Regarding Statewide Mills. Commissioner McLure seconded the motion. There were no public comments received and the motion.**

**POSSIBLE TRANSFER OF REMAINING FUNDS FROM AREA V ON AGING FUNDS TO GRANITE COUNTY MEDICAL CENTER; Commissioner Adler discussed providing Granite County Medical Center with all but \$10K of the \$26K Area V funds, adding that there are some expenses that still need to be paid, including the phone bills from the Aids. The Commission had discussed transferring left-over funds in the Area V account to Granite County Medical Center in their September 12, 2023 meeting and recently Granite County Medical Center, CEO Brian Huso had emailed Commission Assistant, Billie Ann Kulaski to ask about the funding. Commissioner McLure noted that if the County is still using the funds, that they shouldn't transfer funding to the medical center. Upon further review of the documentation provided by the Clerk & Recorder's Office, the Commission was not reviewing the cash-on-hand balance, but was looking at a projected budget if the County were to keep the funding from the new contract for FY24. Commissioner McLure pulled up the cash-on-hand balance which was only around \$2K with expenditures still coming out. Therefore, there is nothing for the Commission to transfer to Granite County Medical Center.**

**GRANITE COUNTY PUBLIC HEALTH CONTRACT (A524-003-C SFY) WITH AREA V ON AGING; The Commission reviewed the annual public health contract with Area V on Aging. The Commission agreed earlier this year to act as a pass through and provide the funding for the Home Companionship Program for FY24 to Granite County Medical Center. Commissioner McLure motioned to accept and sign the Granite County Public Health Contract (A524-003-C-SFY) with Area V on Aging. Commissioner Hinkle seconded the motion. There were no public comments received and the motion.**

**The Commission went into closed session for a personnel matter. Closed meeting minutes held securely in Granite County Attorney's Office.**

**UPDATE TO GRANITE COUNTY SICK FUND POLICY; The Commission reviewed updated language to the current Sick Fund Policy noting that all employees must exhaust all sick leave and vacation leave prior to accepting a direct donation of sick leave from other employees. Commissioner McLure noted that this was noticed in the template language provided by MACo and researched by Clerk & Recorder, Sarah Graham, who had contacted MACo for clarification. MACo responded that this was an oversight that they would correct in their next policy update. Commissioner McLure motioned to adopt the updated Granite County Sick Fund Policy. Commissioner Hinkle seconded the motion. There were no public comments received and the motion**

**RESPONSE TO CORRESPONDENCE FROM SEPTEMBER 15, 2023 FROM ELENA GAGLIANO** The Commission decided to table this matter since their Attorney was not present, and they wanted his advice in responding to the correspondence.

The meeting adjourned at 11:45 a.m.