

June 18, 2024

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 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; Granite County Road & Bridge Superintendent Paul Alt; Fish, Wildlife & Parks (FWP) Fisheries Biologist Brad Liermann and FWP Water Conservationist Stephen Begley; Grizzly Disposal General Manager, Billy Fisher; Republic Municipal & Government Affairs Manager, Ryan Coffman; Granite County Public Health & Safety Coordinator, Jackie Bolster; Granite County Courthouse Custodian, Janeen Bonney; State Fund Safety Management Consultant, Mark Rosenleaf; MT Department of Transportation (MDT) Road Engineer, Andy White; Granite County Clerk & Recorder and Elections Administrator, Sarah Graham; TCS Northwest Project Superintendent Ryon Covington; TCS Northwest Assistant Project Manager, Brooke Covington; Slate Principal Architect, Scott Cromwell; Granite Disposal Owner / Operator, Rick Robinson; and members of the general public including Elena Gagliano, Jackie Butler, and Jim & Carol Bacquet.

QUARTERLY SAFETY MEETING; The Commission was joined by Granite County Public Health & Safety Coordinator, Jackie Bolster; Granite County Courthouse Custodian, Janeen Bonney; Granite County Road & Bridge Superintendent Paul Alt; and State Fund Safety Management Consultant, Mark Rosenleaf. Marsh McLennan Agency Consultants Rody Holman and Brodie Loushin were not able to join the session. Commissioner Adler moved to approve the meeting minutes from March 12, 2024. Commissioner McLure seconded the motion. There were no public comments and the motion passed unanimously. Rody Holman provided the Loss Run Report for the Committee to review prior to the session. He had noted that if there were questions on the reports to reach out to him. The Committee reviewed the report. Mark Rosenleaf reviewed the new workers compensation renewal rates, stating that the new eMOD is at 1.03. He provided some information on factors that have an effect the eMOD and things the County can focus on improving safety across County operations. The group discussed the Near Miss Program, which the County has struggled to get employee participation in. Mark Rosenleaf recommended implementing Safety Stand Down Meeting. Concerns were raised over the ability to find the time to have these types of meetings when crews are spread out. Mark Rosenleaf explained that this could be modified to fit department needs. He will send out some materials and resources. Jackie Bolster explained that she will be partnering with Brodie Loushin to complete inspections in the coming weeks. She noted that her and Billie Ann Kulaski attended a training seminar put on by MT State Fund that focused on the importance of safety orientations being integrated into new hire orientations; and the continued path of job specific training required once they return to their Departments. The County Commission is looking for

another Courthouse employee to fill a role on the safety committee. Janeen Bonney and Paul Alt have nothing to report. Billie Ann Kulaski explained that the Montana Safety Culture Act power point and video presentations are now available and she will start rolling them out one Department at a time, and getting signatures from Department Heads on the completion of staff training. She also provided an update on the Drug & Alcohol Testing Program for DOT employees as well as the Fleet Vehicle Safety Program & Policy. She noted that these programs have been rolled out to the County and are working well. Jackie Bolster provided an update of the Near Miss Program that the County rolled out during the last Quarterly Safety Meeting. There have not been any Near Misses turned in and the program needs some tweaks to get more employee involvement. Jackie Bolster showed some examples of what other organizations do to make safety a focus of operations. The group will keep working on new ideas to enhance the Near Miss Program. Commissioner Adler moved to adjourn the Quarterly Safety Meeting. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously.

Public comment was received after the meeting adjourned from Elena Gagliano noting that the meeting is difficult to follow online. She requested copies of the documents associated with the meeting, which will be emailed to her.

BOARD MINUTES; Commissioner Adler moved to accept the board minutes for June 10, 2024; and June 11, 2024. Commissioner Hinkle seconded the motion. There were no public comments received. The motion passed unanimously.

CORRESPONDENCE;

Electronic mail was received from Jake Munn, a FMCSA Training Provider with SaferELDT. He explained that he is available to provide training to employees seeking to obtain their CDL and need to complete the required training.

The annual Water Quality Report was received from the Town of Philipsburg.

Certified mail was received from FEMA concerning proposed flood hazard determination affecting the Flood Insurance Rate Map and Flood Insurance Study Report for Granite County. FEMA did not receive any valid requests for changes to the modified flood hazard information, therefore making the information valid and in effect as of June 7, 2024.

Public comment was received from Jackie Butler requesting the County push the Town of Philipsburg to supplement the water supply with wells.

PUBLIC COMMENT:

Public comment was received from Jackie Butler raising concern over the Solid Waste Policy. She used an example of a resident that disposes of one small garbage bag weekly (who contract with Granite Disposal and is part of the co-op), but recently cleaned out her garage and had to purchase an additional unit of garbage for \$135.00, because she uses Granite

Disposal. She noted that there needs to be scales on the trucks to make this fair, and requested a refund for the resident. Attorney Bradshaw noted that Granite Disposal came up with the cooperative idea and the County agreed to that as an option that garbage haulers can choose to select among other options (customers of Granite Disposal agree with cooperative by being a customer of theirs); and that an option in the agreement is to implement scales as opposed to operating the cooperative. Commissioner Hinkle raised concern over Granite Disposal not hauling away the items from cleaning out the garage. Jackie Butler noted that those items included large hard wood doors and tires. Commissioner Adler noted that they cannot make an exception for one person and provide a refund, because then they will have to make another exception for someone else, but empathized with the resident. Attorney Bradshaw noted that the County should move towards gradually implementing and requiring scales on trucks in the future.

Public comment was received from Jim Bacquet referencing his correspondence from the previous week. He explained that as veteran, he took an oath to protect his Country and protect our freedoms, rights, and laws when he was in the military; and to defend all. After watching the video referenced in the correspondence he reviewed his concerns about opening meeting laws and the public's rights with many locals in the area, who shared his concern. He noted that if he feels like something is being done that needs to be addressed he will address it. He followed up with Commissioner McLure concerning the matter via email. Commissioner McLure apologized, noting that she did not receive the email. Jim Bacquet voiced his concern and reasoning for taking personal responsibility for protecting the freedoms, rights, and laws of the people and the importance of keeping these meetings open. He added that if he sees something that he feels is out of line, he will continue to question it but that everyone needs to respect each other's opinion and conduct themselves in a civil manner. Attorney Bradshaw noted that Mr. Bacquet made several good points and that previously there was a lawsuit but that both parties have moved past it. Commissioner Hinkle mentioned that the Commissioners are not required to video their sessions. Jim Bacquet referenced that there is forensic audio enhancements that can be used taking all of the sounds down to that of a buzzing fly.

Public comment was received from Elena Gagliano stating she would send in correspondence outlining her comments due to technical difficulties delaying the session.

MDT SECONDARY ROADS ENGINEER ANDY WHITE TO DISCUSS ROAD 348; Granite County Road & Bridge Superintendent Paul Alt and MDT Road Engineer Andy White joined the Commissioners to discuss projects planned on Road 348 (Marshall Creek). Andy White explained that Road 348 has been on the list since 2006 and MDT has been working their way to this project, however there have been large reconstruction projects in front of it. The proposed projects on Road 348 are rehabilitation projects and start at Mile 7 and go down the backside. MDT drove the roadway and realized that if monies were diverted to another project it could not wait another 10-15 years. He inquired if the County agreed that Road 348 is a project priority and if so they would recommend to move forward with the project that would include chip sealing and placing new overlay and chip seal. These improvements would keep the project within the realm of payment preservation and a quick

delivery (two-three years). Commissioner Adler moved to go forward with Road 348 as the Project Priority. Commissioner Hinkle seconded the motion, but inquired to future work to be done on the Skalkaho, noting that the roadway needs repairs as well. There were no public comments received and the motion passed unanimously.

ROAD & BRIDGE WEEKLY REPORT; & SOLID WASTE UPDATE WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Granite County Road & Bridge Superintendent Paul Alt joined the session to provide an update of projects across the County including dura patching on Rock Creek Road. He explained that they are still working on getting the water truck working, there are issues with the computer system and the computer was sent off to be fixed, if possible. Commissioner Adler raised concern over spending money continually to try and fix this computer system to no avail. Commissioner McLure recommended looking at a new water truck as opposed to looking into a buyback program on the grader. Paul Alt is hoping that the computer can be fixed, it has been sent off to be looked at. The transmission is being replaced on the mag-truck and should be done this week. Commissioner Adler raised concern over the theft of cones at Georgetown Lake, noting that he is opposed to placing crosswalks and signs. The Commission want to move forward with the placement of the crosswalks with signage (and also the posts for electronic speed signs). Paul Alt inquired to how many applicants there are for the Solid Waste Site Supervisor Position. Currently there are three with, the potential of another internal candidate applying. He inquired about internal employee preferences. Any internal candidate that applies for the role will be guaranteed an interview.

SOLID WASTE HAULING CONTRACT (FROM TRANSFER SITES) PROPOSALS FROM GRIZZLY DISPOSAL/ CONTRACT RENEWAL WITH REPUBLIC; The Commission was joined by Grizzly Disposal General Manager, Billy Fisher and Rick Robinson of Granite Disposal; and Republic Municipal & Government Affairs Manager, Ryan Coffman. Granite Disposal provided a competing bid to Republic to haul garbage from the transfer sites to the final place of disposal (landfill). Commissioner McLure reviewed the information included in the proposal coming from Granite Disposal and the contract extension from Republic Services. Rick Robinson explained that his permitting doesn't include some aspects of hauling from the Drummond Transfer Site (could use smaller dumpsters that are hauled to disposal site each day), and that he can get the full licensure, but it will take some time. He added that anything he picks up in the Drummond area would haul directly to the landfill in Powell County, and no longer use the transfer station. Commissioner McLure requested an acceptance from Powell County that they would accommodate Granite County's solid waste. Attorney Bradshaw just noted that any contract, to be acceptable, would need to guarantee a proper disposal location. The group discussed the roll-off containers and the compactor. Billy Fisher explained that the approach in the proposal is more efficient and cost effective than what is currently being done.

Ryan Coffman inquired how Granite Disposal who would be teaming up with Grizzly Disposal plan to move forward without the necessary permits to haul within Granite County. He noted that the Montana Public Service Commission would have to grant permits to enable them to fully operate in Granite County to transport like Republic currently does. He raised

concern over why organizations are bidding services they cannot legally provide. The group reviewed the Public Service Commission (PSC) permitting requirements. Rick Robinson explained that he has permits in place and if he were to apply for permitting in the Drummond area he would have to go through a hearing process with PSC. Ryan Coffman explained that Republic Services has had to obtain all of the permits in alignment with the legal requirements to provide services in Granite County and are not looking to close a transfer site and put people out of jobs. He noted that hauling to Missoula is best course of action at this point. Attorney Bradshaw raised concern over Republic Services not wanting competition. Ryan Coffman responded that it is not about competition, but that all organization need to abide by the PSC regulation to operate, and that if Granite Disposal had an interest in this, they could have gotten the request for permits in front of the PSC a year ago. He explained that if Granite County wants services and they do not want to look at a contract extension, that they need to put out an RFP and ensure everyone submitting proposals can legally provide services in the County. Ryan Coffman added that if he were able to work outside the bounds of a contract extension and create a new proposal he would; and that he wants to be clear on what the intent is of the County. Attorney Bradshaw noted that the County appreciates the information from Republic, and that they were just wanting to see the other offer to decide based on the best interest of the County taxpayers. Ryan Coffman responded that he understood, but is wanting to know the intent of the County, if they would like to put this out for RFP and not extend the contract, Republic will put together a proposal. The Commission agreed that they need clarification on whether or not the permitting is valid for Granite Disposal, and if it is that they will put the out an RFP and review the proposals that come in, as opposed to a proposal and a contract extension. Rick Robinson explained that he believes his license is valid to provide the services he proposes and thought he had clarification, but it has been years so he will verify the information with the Montana Public Service Commission.

Commissioner Adler commented that the Commissioners just want to try and help the tax payers to find a better deal. Billy Fisher commented that he is here to help Granite Disposal in regard to permitting and to assist them in securing a contract. He raised concern over Republic Services having their information if it is to go out for bid and then lowballing the proposal. Ryan Coffman added that the current offers are not comparable since he is not able to work outside the confines of a contract extension, and if he were able to bid something different he would. The Commission will wait to hear if Granite Disposal has the necessary permits in place, and if they do, this matter will go out for RFP (request for proposals). If not, the Commission will review the contract extension with Republic Services. This matter will be on an upcoming agenda.

GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT; The lake level was reported at 6429.31 feet; 2.28 inches below full pool, according to the USGS lake level gage and the dam tender's report for the week. The Commission was joined by Fish, Wildlife & Parks (FWP) Fisheries Biologist Brad Liermann for the session. The group discussed the raising water and upcoming weather for the Georgetown Lake area, raising concern over reaching the spillway. Commissioner Hinkle noted he thinks water is coming in from Silver

Lake. The group discussed potentially raising the outflow to 35 CFS. Commissioner Hinkle moved to seek a temporary modification order and increase the outflow to 35 CFS; in alignment with the current FERC order in place. Commissioner Adler seconded the motion. Brad Liermann commented that he doesn't understand the desire to increase the outflow to 35 CFS, noting that he is nervous that the lake won't fill this year. Commissioner Hinkle then modified his motion to continue releasing 30 CFS in accordance with the FERC Order in place. Commissioner McLure seconded the motion. There were no further comments and the motion passed two to one with Commissioner Adler dissenting.

FEDERAL, STATE, & COUNTY PRIMARY ELECTION VOTE CANVASS; The Commission was joined by Granite County Clerk & Recorder and Elections Administrator, Sarah Graham who provided the Commission with a packet showing the results from each precinct as part of the canvass. Commissioner McLure read the results for each race, from each precinct while Commissioner Adler and Commissioner Hinkle confirmed the results as they worked through the packets provided.

UPDATE ON GRANITE COUNTY COURTHOUSE & ADA PROJECTS WITH TCS NORTHWEST AND SLATE ARCHITECTURE; The Commissioners were joined by TCS Northwest Project Superintendent, Ryon Covington; TCS Northwest Assistant Project Manager, Brooke Covington; and Slate Principal Architect, Scott Cromwell. Ryon Covington walked the Commission through the demolition on the second and third floors which is 90% complete. The plumbers and electricians have also begun working on the bathrooms on the second and third floors of the Courthouse. He noted that at the current moment in time the boiler system is drained since heat registers needed to be temporarily removed, but if heat is needed in the coming months they can charge the system back up, but it will take some time, so let them know. The Commission said this will not need to be done, but you never know with Philipsburg weather. TCS is hoping to get the electrical and plumbing completed and inspected within the next 2-3 weeks which will enable them to get a good schedule in place. They have been cautious in scheduling up to this point, since they were unsure what they would find. The group discussed potential change orders that may come later including cabinets in the jury room. Overall the project is moving forward and things are working out well. Scott Cromwell walked the Commissioners through a few different finish options for the interior of the elevator, enabling them to decide on the different options available. The custom elevator is still months out from being completed onsite in Washington, but it is moving forward. There will be progress meetings on a monthly basis going forward.

DUI TASK FORCE ANNUAL OPERATING PLAN; The Commission reviewed the DUI Task Force Annual Operating Plan, which is reviewed on an annual basis. Commissioner Adler moved to accept the DUI Task Force Operating Plan for FY 2025. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

The meeting adjourned at 12:15 p.m.