

**January 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 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 Granite County Road & Bridge Superintendent, Paul Alt (via phone); Flint Creek Hydrodynamics Operator, Paul Tallon; Granite County Clerk & Recorder, Sarah Graham; Granite County Sheriff, Scott Dunkerson; Payne West Insurance Agent, Rody Holman; MACo Associate Claim Administrator, Debbie K. Messerli; MACo Claim Administrator David Payne AIC; as well as other members of the general public including Jennifer Robinson, Kim Whittemore, Scott McDonald, and Elena Gagliano.**

**ELECTION OF NEW CHAIRPERSON FOR CALENDAR YEAR 2023; Commissioner Hinkle elected Commissioner Adler to continue as Chairperson for the 2023 calendar year. Commissioner McLure commented that she would like to see the Commissioners take turns as Chairperson and switch out regularly. Commissioner Hinkle commented that he thinks that Commissioner Adler is the most accessible Commissioner. Commissioner Adler accepted the nomination. Commissioner Hinkle moved to have Commissioner Adler act as Commission Chairperson for the 2023 calendar year. Commissioner McLure seconded the motion. Public comment was received by Elena Gagliano stating that she agreed with Commissioner McLure that the Commissioners should rotate the role of Chairperson. She further stated the Commissioner McLure is very accessible and she criticized Commissioner Adler's performance as Chairperson during the 2022 calendar year. There was no further public comment and the motion passed unanimously.**

**BOARD MINUTES; Commissioner Hinkle moved to accept the board minutes for December 20, 2022. Commissioner McLure seconded the motion. Public comment was received from Elena Gagliano asking how the public is able to make comments on the minutes when they are not able to view a draft of the minutes prior to the Commission accepting them. She referred the Commissioners to connect with the Attorney General concerning the issue as she does not believe they are following proper procedures. There was no further public comment and the motion passed unanimously.**

**CORRESPONDENCE; Electronic mail was received from Delie Wilkens from the U.S. Endowment for Forestry & Communities inviting the Commissioners to an Industry Roundtable for U.S. Forest Service Northern Region 1 on Monday, January 23, at 1:00 p.m.**

**The quarterly Montana Department of Transportation Newsletter was received.**

**The End-of-Period Disbursement report for December 2022 was received for Granite County Justice Court.**

**Bright Magazine was received (Northwestern Energy's quarterly publication).**

**PUBLIC COMMENT; Commissioner Adler commented that he had spoken with local contractor Dave Kesler III who was going to be on the Commissioners' agenda for an update, but had stated that he is waiting on the plumber and electrician to continue the project on the padded cell at the Granite County Jail. He will provide an update to the Commission soon.**

**Public comment was received from Elena Gagliano voicing concern that the correspondence was not read, and that she does not think that any of the Commissioners other than Commissioner McLure read the correspondence beforehand. She criticized the way the Commission handles the public comment period as well as the way the meetings are conducted.**

**ROAD & BRIDGE WEEKLY REPORT WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Road & Bridge Superintendent Paul Alt was not able to join the Commission in person, but called in to the conference line. Commissioner Hinkle stated that a resident called in concerning the icy condition of Moose Lake Road. Paul Alt responded that the Department will be in that area and are working across the County wherever there are icy spots to remedy the issue. He added that the Department also delivered six loads of sand to Drummond to deal with icy road conditions. Additionally, gravel was put down on Buxbaum's road as part of "good neighbor policy"; Commissioner Hinkle asked that this go through the Commission in the future for approval. The Department will be preparing the Middle Fork Gravel Pit for F&R LLC to begin work, as publicly bid and awarded, in the coming weeks.**

**Solid Waste Update: The parts for the backhoe are in and the Road Department has begun repairing the piece of equipment for the Drummond Solid Waste site.**

**Hatcher Road Maintenance Agreement: The Commission discussed the application previously and have made adjustments to the application, which states snow removal and the removal of gravel; the removal of gravel was stricken from the document as the Hatchers are not removing gravel from Stuart Lake Road, but are periodically using a bucket of gravel to fill a pot hole or two. The primary reason for the application is to remove snow. The Commission approved the Road Maintenance Agreement with the Hatchers for the 2023 calendar year.**

**DUMP TRUCK BID DRAFT NOTICE; The Commission reviewed the drafted notice for the bid for dump trucks and other equipment to be used for the 2023 calendar year. Paul Alt requested that all of the equipment that the County would put out for bid be included on the notice; this would mean adding a dozer and excavator to the drafted notice. Commissioner McLure noted that the dates on the drafted notice need to be updated and requested that this notice not be listed in the Legal section of the newspaper. The Commission discussed the**

different dates available to open the bid and agreed to run the notice in the paper for two weeks and open the bids on January 31, 2023.

**GEORGETOWN LAKE OUTFLOW; BRANDON PARRET, DAM TENDER'S REPORT;** The lake level was reported at 6427.99 feet; 18.12 inches below full pool, according to the USGS lake level gage and the dam tender's report for the week. Flint Creek Hydrodynamics Operator, Paul Tallon joined the Commission to discuss the outflows. The Commission adjusted the outflows to 6 CFS on December 25, 2022. The Commission discussed the previous year's outflow and compared the lake elevations. Paul Tallon stated that the elevation is steadily climbing and that the snowpack is in good condition. Commissioner Hinkle disagreed, summarizing the elevation over the past month and discussing the previous years precipitation. Paul Tallon explained that in the past the outflows have stayed between 10 and 15 CFS until the Flint Creek Dam Advisory Committee began making recommendations to decrease the outflow so severely. Commissioner McLure inquired as to why we cannot stay at 10 CFS if we are not losing anything when releasing that amount. Commissioner Hinkle raised concerns over not receiving the precipitation in the spring months to ensure that the lake fills, and would recommend the County continue releasing 6 CFS. Commissioner McLure moved to increase the outflow to 10 CFS and to watch the lake level; if it decreases a quarter of an inch they will make adjustments. Commissioner Adler seconded the motion. The group further discussed the outflows and the pending weather. Commissioner Adler requested the difference in energy prices that the County makes if the outflow is at 6 CFS versus 10 CFS. Commissioner Hinkle raised additional concerns over not receiving the necessary precipitation to gain the elevation and fill the lake. The motion passed two to one with Commissioner Hinkle dissenting.

**2023-1; A GRANITE COUNTY RESOLUTION SETTING REGULAR COMMISSIONER BOARD MEETING DATES & COURTHOUSE OFFICE HOURS FOR CALENDAR YEAR 2023; FIRST READING:** The Commission reviewed the resolution and provided a period for public comment. There was no public comment on the resolution, however the Commission discussed the future of Courthouse operating hours. Commissioner Adler inquired that if there was advanced notice given to the public that during special events like the County Christmas Party, that County Offices could close from 12:00 p.m. to 1:00 p.m. to enjoy the Christmas Party luncheon together. Granite County Attorney, Blaine Bradshaw explained that this would be up to the elected official of said office, but that the County Commission could give their blessing. Commissioner Adler added that it should be noticed to the public in advance through the local newspaper and on the County website. Commissioner McLure mentioned the idea of closing of the Courthouse from 12:00 p.m. to 1:00 p.m. as it used to be closed daily for the lunch hour. She added that she would like to get some feedback from members of the Courthouse to see if they would like to go back to closing the Courthouse from 12:00 p.m. to 1:00 p.m. Commissioner Hinkle commented that he thinks the Courthouse should remain open during the lunch hour as it is a convenient time for the public to access the offices in the building. Blaine Bradshaw added that if the Commission is going to make that adjustment that they need to have two more readings of the updated resolution.

**2023-2; A GRANITE COUNTY RESOLUTION ESTABLISHING MILEAGE, LODGING & PER DIEM RATES FOR BUSINESS TRAVEL FOR CALENDAR YEAR 2023; FIRST READING;** The Commission reviewed the resolution and provided a period for public comment. Commissioner McLure reviewed the rates for per diem and recommended increasing breakfast to \$8.00 and lunch to \$12.00 because of the inflation rates. These changes will be made prior to the second reading. Commissioner McLure provided comments on the mileage reimbursement, citing MCA 2-18-503 (2-a) *When a state officer or employee is authorized to travel by motor vehicle and chooses to use a privately owned motor vehicle even though a government-owned or government-leased motor vehicle is available, the officer or employee may be reimbursed only at the rate of 48.15% of the mileage rate allowed by the United States internal revenue service for the current year.* She added that this is not referenced in the County Resolution. Commissioner Adler commented that some employees feel more comfortable traveling in their own vehicle as opposed to using the County vehicle. Granite County Attorney, Blaine Bradshaw added that this would be at the discretion of the Commission. Commissioner Hinkle inquired to how often this was an issue at the County. Commissioner McLure stated she understood that this would just be a few dollars but that it would add up, and to the tax payer it could be a big deal. This will be on the agenda again for the following week. January 10, 2023.

**2023-3; A GRANITE COUNTY RESOLUTION FOR ESTABLISHING THE DAILY RATE AND DAILY RATE OF CREDIT FOR INCARCERATION FOR CALENDAR YEAR 2023; FIRST READING:** The Commission reviewed the resolution and provided a period for public comment. There was no public comment on the resolution.

**RELEASE OF MCFARLAND FLOODPLAIN VIOLATION;** Commissioner Adler explained that he had spoken with Granite County Planning Director, Linda Bouck concerning the issue and this began when the State DNRC Office was requesting the County to require the McFarland's to remove their home from the floodplain; however, with the latest update of the floodplain this location is no longer in the floodplain and needs to be released by the Commission. Commissioner Hinkle motioned to release the McFarland Floodplain Violation. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.

**EMPLOYEE BREAKROOM;** Commissioner Adler began the discussion, explaining that he has had various employees coming to him because they are wanting their breakroom back. He asked if the Elections Office needs the two separate spaces it is utilizing or if it can be consolidated into one space so the County employees can have a breakroom again. Granite County Clerk & Recorder and Elections Administrator, Sarah Graham joined the Commission stating that there used to be a breakroom off of the Clerk & Recorder's Office and that since she has been working for the County it hasn't been used except for once in a while for a birthday. Commissioner McLure asked County Attorney, Blaine Bradshaw if the employees should have a breakroom. Blaine Bradshaw reviewed the employee policy & procedure manual and stated that providing an actual breakroom is not required, but that

it would be up to the Commissioners. He added that County employees are not required by law to receive two 15 minutes breaks, but that Granite County's personnel policy manual does state that they will be given these breaks by the County. Commissioner McLure commented that there should be a place where people can get away from their office for some quite time. Commissioner Adler advocated for the old Assessor's Office to be utilized for the employee breakroom. Sarah Graham raised concerns over voting equipment that needs to be secured and shouldn't be moved. Commissioner McLure added that if the employees want a breakroom that the Commission should give them their old break room off of the Clerk & Recorder's Office back. Commissioner Hinkle agreed. Commissioner McLure motioned to have the old breakroom off of the Clerk & Recorder's Office return to a breakroom for Courthouse Employees. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

**CLAIMS FROM RUN LOSS REPORT WITH PAYNE WEST INSURANCE AGENT RODY HOLMAN;** The Commission went into closed Session (Litigation Strategy) to discuss claims against the County.

**MULTI-COUNTY LETTER OF SUPPORT FOR TRAILS PROJECT WITH POWELL COUNTY;** The Commission reviewed the drafted letter of support for the trails project as well as the Interlocal Agreement that was discussed in their previous session (December 20, 2022). Commissioner McLure explained that the County has a Park Fund that could be utilized to provide the requested funds (up to \$2500) as opposed to using the funds available in the Planning Budget. Commissioner Adler commented that he spoke with people who worked on the Powell County trail project and that local residents were able to make good money working on that project. Commissioner Hinkle added that he thinks the trail system is good, but that he does not think the Federal Government should be spending money on the trail system. Commissioner Adler added that he does have some concerns over the private property access that the trail system will face. Commissioner McLure motioned to accept and sign the drafted letter of support. Commissioner Adler seconded the motion. There was no public comment and the motion passed two to one with Commissioner Hinkle dissenting. Commissioner McLure motioned to approve the interlocal agreement and have the funds come out of the Parks Fund and not the Planning Fund. Commissioner Adler seconded the motion. Public comment was received from Elena Gagliano who confirmed that the County has a Parks Budget / Fund and that \$2500 is going to come out of this fund. She added that she has spoken with community members and that the people don't want this project. She voiced support for starting a food co-op in the Drummond area and stated that she is against this project. Elena Gagliano went on to ask how much this project would cost the County and drew parallels between this project and the Riddick Field Airport Project. She concluded by stating that she is the Granite County Director of Big Sky Passenger Rail Authority (BSPRA) and that is completely different than this trail's matter. Granite County Attorney, Blaine Bradshaw clarified that this agreement only commits the County to contribute up to \$2500 for a grant application for planning funds, but there was no guarantee this grant would be awarded and the County has currently not committed any other funding.

**MUNGAS RANCH DRIVE ADDRESS CHANGE REQUEST; The Commission reviewed the request by Joe Mungas to name the private lane to his residence “Mungas Ranch Dr.” In an email from Matt Pearce of Mapping & Planning Specialists, Inc. he explained that he would like direction from the Commission if they would allow this as a historical road name. He further requested that the Commission establish the timeframe for something to be considered historical. The Commission discussed the timeframe agreeing upon 75 years. Commissioner Hinkle motioned to approve Joe Mungas’ request to name his private lane “Mungas Ranch Dr.” as a historical reference; and that the time frame required for a historical reference be 75 years. Commissioner McLure seconded the motion. Public comment was received from Elena Gagliano asking if the information received from Matt Pearce was included in the correspondence. Commission Assistant Billie Ann Kulaski stated they were not, but there had only recently been a request for a Commission decision and the matter was promptly put on the Commission’s agenda; and that the email would be posted to the Granite County Website. With no further comments the motion passed unanimously.**

**The meeting adjourned at 11:34 a.m.**