

January 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 Granite County Road & Bridge Superintendent, Paul Alt; Flint Creek Hydrodynamics Operator, Paul Tallon; Granite County Deputy Clerk & Recorder, Becky Mickey; Granite County PHEP Coordinator, Jennifer Robinson; Big Sky Herbals & Edibles Owner / Operator, Loretta Wisse; as well as other members of the general public including Elena Gagliano.

BOARD MINUTES; Commissioner McLure moved to accept the board minutes for January 3, 2023. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

CORRESPONDENCE; Electronic mail was received from Missoula Field Manager with the BLM, Erin Carey regarding the Clark Fork Face Project. The email included attachments as the comment period for the project closes on January 15, 2023. Erin Carey will be attending the upcoming Commissioners Meeting to share more about this project (January 17, 2023).

A flyer was received from Montana Liquid & Gas Pipeline Association (MLGPA) inviting the Commission to an emergency response exercise being hosted in Butte, MT on February 9, 2023. This information has been shared with Granite County DES Coordinator, Jackie Bolster.

Electronic mail was received from MACo announcing the 2023 Midwinter Conference, February 20-23, 2023. Attached was the proposed agenda for the conference. The Commissioners are considering going to the conference, and will know more next week.

Electronic mail was received from the Granite County Conservation District announcing two local work group meetings focused on identifying the top conservation priorities / projects for future NRCS and USDA Projects. The Granite County Local Work Group Meetings are scheduled for January 10, 2023 and January 12, 2023 in Philipsburg.

The Beaverhead-Deer Lodge National Forest Timber Sale Activity Report for January 3, 2023 was received.

Public comment was received from Elena Gagliano stating that all 44 pages of the correspondence was posted to the Granite County Website the day prior and that it should be read during the Correspondence period. She added that after reading correspondence the Commission should decide if they want to take action on said correspondence through a

response or placing the matter on a future agenda. Elena Gagliano added that she would like to see all three of the Commissioners attend the MACo 2023 Midwinter Conference.

PUBLIC COMMENT; There was no public comment.

CLOSED SESSION; PERSONNEL MATTER; The Commission went into closed session to discuss a personnel matter.

ROAD & BRIDGE WEEKLY REPORT WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Road & Bridge Superintendent Paul Alt joined the Commission to provide a brief update of projects the Department has been working on including ensuring roads are sanded and plowed. Commissioner Adler commented that he and Paul Alt went to look at the Middle Fork Gravel Pit in recent days. Paul Alt added that preparing the pit for F&R LLC to begin crushing gravel but it would ruin the County grader to do much ripping of the ground at the site so Paul Alt recommended bringing in a D7 CAT. The Commission are still currently advertising for bids for equipment for the 2023 calendar year, so the 2022 lowest public bidder (awarded) will remain in place until January 31, 2023, which is Bob Weaver Construction. Paul Alt will coordinate with Bob Weaver Construction to utilize the D7 CAT to complete the necessary work at the Middle Fork Gravel Pit. Paul Alt also got in contact with DEQ concerning the quarterly reports for the gravel pit and the operation plan for the upcoming project.

Solid Waste: Paul Alt has been working with Barry Damschen from Powell County concerning the potential partnership between the two Counties. Currently Powell County is working with an engineer to figure out how many yards would be needed. Paul Alt has been coordinating with Granite County Treasurer, Vicki Harding to figure out the necessary yardage. Barry Damschen will be meeting with Paul Alt to look at the Solid Waste Sites and see what Granite County currently has. Commissioner McLure inquired as to why the Commission has not heard directly from Powell County. Currently, Powell County has Barry Damschen working with Paul Alt to figure out the details between the two Counties and then both Superintendents will bring the information to their respective Commissions. The parts have been in for the Backhoe for the Drummond Solid Waste Site and the piece of equipment is being repaired. It should be back up and running shortly.

JUNK VEHICLE PROGRAM COORDINATOR JOB DESCRIPTION & WAGE REVISION; Commission Assistant, Billie Ann Kulaski explained that in order to draft a job description she reached out to multiple Counties, most of which roll this position into either their Road & Bridge Department or their Solid Waste Department. She was able to secure a job description from Missoula County that combines this role with an Environmental Health role, which is where the information for the drafted description came from. She added that the highlighted information on the draft illustrates roles that she is not certain are included in the role and were not included when going through the compensable factors to determine where this would land on the County Pay Matrix, which is currently at a level 5. Billie Ann Kulaski added that a level 5 on the County Pay Matrix is below Montana's minimum wage, but it is where the position remained when she went through the compensable factors. The Commission discussed the possibility of having these job duties included in the Road &

Bridge Superintendents duties, but that further thought and discussion would need to go into the matter. This agenda item was tabled.

GEORGETOWN LAKE OUTFLOW; BRANDON PARRET, DAM TENDER'S REPORT; The lake level was reported at 6428.03 feet; 17.64 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 for the discussion. Commissioner Hinkle began the discussion stating that he spoke with an irrigator who was upset that the County is releasing water now, when the lake is not at full pull. Commissioner Hinkle stated that currently only 88% of normal moisture content is in the snow and the weather forecast shows no signs of precipitation for the next week. He added that he thinks the County's main concern should be to get the lake to full pull. Granite County Attorney, Blaine Bradshaw explained that he spoke with Fish, Wildlife & Parks (FWP) Fisheries Biologist, Brad Liermann and that FWP would like the County to release 10 CFS outflows if the inflows into the lake exceed 10 CFS (unless a temporary modification to the FERC order is agreed upon by all the agencies); and to match the inflows if they are lesser than 10 CFS. Commissioner Adler voiced concerns over FWP and Brad Liermann contacting the County Attorney on a Monday to talk when they know the Commission meets on Tuesday to discuss the outflows; adding that there is a drastic need for improvement in communication and he needs to contact the Commission, not the County Attorney. Commissioner McLure explained that she tracked the outflows during the period the County was releasing 6 CFS and that there was a little to no change. The group discussed the current FERC order in place and how this translates to the inflows matching the outflows unless the inflows exceed 10 CFS. Commissioner Hinkle suggested the Commission write a letter to Governor Gianforte in regards to the FWP's poor communication with the Commission. Blaine Bradshaw informed the Commission that if they do decrease the outflows to 6 CFS that they will need to secure a temporary modification consent from the three agencies (MT FWP, US Forest Service, and US Fish & Wildlife Service). The Commission requested that if Brad Liermann or FWP have comments on the outflow that they send their comments prior to the Tuesday meeting or come to the Tuesday meeting to be part of the discussion (or attend by phone or Zoom). Commissioner Hinkle motioned to decrease the outflow to 6 CFS (reaching out to the agencies for consent); outflows will remain at 10 CFS if consent is not received / or until consent is received. Paul Tallon commented on the report received by MT DRNC Water Hydrologist, Todd Blythe showing the monthly projects for Georgetown Lake. He explained that Todd Blythe is likely the most educated person on this subject and that the Commission should utilize the forecast model. The Commission discussed the predictions within the model further. Commissioner McLure commented that she doesn't agree with decreasing the outflow to 6 CFS as the lake level is still rising. Commissioner Adler seconded Commissioner Hinkle's motion to decrease the outflow to 6 CFS pending consent from the agencies. Public comment was received from Elena Gagliano clarifying the report the Commission has been reviewing. The Commission confirmed they have been discussing the report from DNRC Water Hydrologist, Todd Blythe. Elena Gagliano added that they should have these agencies on the agenda to discuss these matters. The motion passed two to one with Commissioner McLure dissenting.

FAA YEAR-END FINANCIAL REPORTING – SF425; The Commission reviewed the year-end financial report for KLJ Engineering. Commissioner Adler asked that Granite County Airport Board Chairperson, Ernie Fulk receive a copy of the report. The Commission discussed the report wanting further clarification from KLJ. This matter was tabled and will be on a future agenda with someone from KLJ present to answer questions.

2023-1; A GRANITE COUNTY RESOLUTION SETTING REGULAR COMMISSIONER BOARD MEETING DATES & COURTHOUSE OFFICE HOURS FOR CALENDAR YEAR 2023; SECOND READING; The Commission reviewed the resolution and provided a period for public comment. The Commission discussed the options for remaining open during the lunch hour or closing. Commissioner Adler stated that he spoke with an employee and multiple members of the public, that would like the Courthouse to remain open during the lunch hour. He continued by stating that he would also like to see the Courthouse remain open during the lunch hour to enable the public to utilize the services. Commissioner McLure added that during the Christmas party and special events that the Offices would be able to close for the hour with advanced notice to the public. Commissioner Hinkle motioned to accept Resolution 2023-1; A Granite County Resolution Setting Regular Commissioner Board Meeting Dates & Courthouse Office Hours for Calendar Year 2023. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.

2023-2; A GRANITE COUNTY RESOLUTION ESTABLISHING MILEAGE, LODGING & PER DIEM RATES FOR BUSINESS TRAVEL FOR CALENDAR YEAR 2023; SECOND READING; The Commission reviewed the resolution and provided a period for public comment. The week previous 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, which were made to the resolution. Commissioner McLure had also 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.* Granite County Attorney Blaine Bradshaw confirmed that the requested updates including citing MCA 2-18-503 (2-a) have been added to the Resolution. Commissioner McLure discussed that statute and added that the Commission should set policy concerning MCA 2-18-503 (2-a) and that a vehicle that is in better working condition should be available for the employees. She added that in speaking with the Granite County Financial Auditor, Don Davies that there could be an ample cost savings to the County annually. Commissioner McLure motioned to accept Resolution 2023-2; A Granite County Resolution Establishing Mileage, Lodging & Per Diem Rates for Business Travel for Calendar Year 2023. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

LORETTA WISSE OF BIG SKY BUDS REQUESTS A LETTER FROM COMMISSION TO EXPLAIN COUNTY'S BUSINESS LICENSE RULES FOR OPERATING OUT OF TOWN LIMITS; Local business owner, Loretta Wisse joined the Commission correcting the name of her business, which is Big Sky Herbals & Edibles. Currently her marijuana grow license is up for renewal and she needs to produce proof of a business license for the State of Montana. Granite County does not require a business license to operate a business in the County, and Loretta Wisse is requesting a letter from the Commission that explains this. Commissioner McLure motioned to provide a letter to Big Sky Herbals & Edibles explaining Granite County's business license rules and operating procedures. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously. Commissioner Adler asked that Loretta Wisse send her other renewal information into the Commission once she has completed the process.

2023-3; A GRANITE COUNTY RESOLUTION FOR ESTABLISHING THE DAILY RATE AND DAILY RATE OF CREDIT FOR INCARCERATION FOR CALENDAR YEAR 2023; SECOND READING: The Commission reviewed the resolution (daily incarceration rate proposed being established at \$69 per day) and provided a period for public comment. There was no public comment on the resolution. Commissioner McLure motioned to accept Resolution 2023-3; A Granite County Resolution for Establishing the Daily Rate and Daily Rate of Credit for Incarceration for Calendar Year 2023. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

GRANITE COUNTY AIRPORT BOARD APPOINTMENT OF MICHAEL THOMPSON; The Commission reviewed the application from Michael Thompson for appointment to the Granite County Airport Board. Commissioner Hinkle motioned to appoint Michael Thompson to the Granite County Airport Board. Commissioner McLure seconded the motion. Public comment was received from Elena Gagliano asking about the process used to select members for volunteer Boards. It was explained that the Commission does not interview potential candidates unless there are multiple candidates for the same position. Michael Thompson had met with and discussed the position with the Granite County Airport Chairperson, Ernie Fulk to learn more about the Board prior to applying for a position on the Board. Chairperson Fulk recommended Mr. Thompson for the position. There was no further public comment and the motion passed unanimously.

The Commission had a brief discussion prior to adjourning about the LATCF funds (federal) the County received. Commissioner McLure suggested that the Commission have a roundtable discussion in a few weeks to consider what they want to do with the funds. The Commission agreed on the suggestion which will be scheduled in the coming weeks. Commissioner McLure added that these funds are for the County and for County purposes and that the Commission will look at prioritizing what uses the County has for these funds prior to looking at distributing any funds to any other entities.

The meeting adjourned at 11:30 a.m.