

May 3, 2022

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 Scott Adler, Commissioner Blanche McLure, and Commissioner Hinkle attending. Also attending were Commission Assistant, Billie Ann Kulaski and Granite County Attorney Blaine Bradshaw, who attended for a portion of the agenda items set for the day. 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 Road & Bridge Superintendent, Paul Alt (via phone); Drummond Mayor, Gail Leeper; Drummond City Councilmember Earl Clute; Granite County Treasurer, Vicki Harding; Granite County Clerk & Recorder, Sarah Graham; Public Health Assistant, Jackie Bolster; Granite County PHEP Coordinator, Jennifer Robinson; Granite County Dam Tender, Brandon Parret; Local Property Owners Jim & Carol Lynn Bacquet; Granite County Medical CEO, Maria Stoppler; and other members of the general public including Elena Gagliano.

BOARD MINUTES; Commissioner McLure moved to accept the Board minutes for April 26, 2022. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

CORRESPONDENCE;

An agenda for the Flint Creek Dam Advisory Committee meeting tonight at the Granite County Courthouse at 6:00 p.m. was received. Commissioner McLure asked if the Commissioners were going to go, Commissioner Adler commented that he would not be attending, and Commissioner Hinkle stated that he would not be able to attend.

An updated report on the economic value of the Farm Bill was received, focusing on conservation easements. Commissioner Adler stated that he had spoken with local rancher Clark Ward since this issue directly correlates to the NRCS grants that are on the agenda today. The reason the NRCS grants were able to go to the subdivision for fire proofing is because of the way the Farm Bill was written. Commission Assistant, Billie Ann Kulaski commented that she had spoken with Clark Ward the day previous and had a similar conversation.

An agenda was received for the Philipsburg Senior Community Center meeting taking place this Wednesday, May 11, 2022 at 6:00 p.m. at the current Senior Center location in Philipsburg.

PUBLIC COMMENT;

Commissioner McLure asked that Granite County Clerk & Recorder Sarah Graham join the Commission to explain the Visa bills that they had been reviewing. Commissioner

McLure asked which Visa cards went to which Departments and added that these should be used for emergencies only, and that County employees are to be submitting claims. Sarah Graham responded that there are various things that County Offices need to purchase that they don't have accounts for, so they need to use the Visa cards. Sarah Graham added that there is one Visa card that acts as a general card that all Departments can use. Commissioner McLure stated that the Departments are using the Visa card, but that the Commission doesn't have the opportunity to approve the purchases before they happen, and that there isn't an adequate paper trail, pointing to the Road Department and the charging of rooms at \$300 per room for a recent conference. Sarah Graham commented that the Commission had approved the trip. Commissioner McLure responded that she didn't know anything about the trip and voiced concern over the cost of the hotel rooms. Commissioner Adler asked if there is a price point that Commissioner McLure is wanting employees to get permission before spending. Commissioner McLure commented that she doesn't understand why we don't have accounts and just receive bills anymore, and asked if as a County if we aren't trustworthy, and why we have to use a credit card. Sarah Graham responded that a lot of times it because things are ordered online. Sarah Graham also added that they have receipts for all of the purchases made with the Visa cards. Granite County Attorney, Blaine Bradshaw pointed out that the County does have a credit card policy and that process should be followed. Commissioner McLure replied that she thinks they need to.

Public comment was received from Elena Gagliano pointing to the fact that this time is reserved for the public and not County business and this topic should have been on the agenda if the Commission wanted to discuss it. Elena Gagliano then asked if the Visa charges are charged to each Department and voiced support for a stronger paper trail, adding that the taxpayers should know where their money is going. Commissioner McLure responded that she brought this up because they needed to authorize payment on the Visa bills and that these are charged to individual departments budget. Commissioner Hinkle added that the County can look at things more closely but there are a lot of places where they are going to have to use a Visa rather than have an account.

ROAD & BRIDGE WEEKLY REPORT; Road & Bridge Superintendent Paul Alt was on his way to join the Commission this morning and a truck broke down, so he was not able to make it. He did contact Chairperson, Commissioner Adler and provide a quick report stating that the Road Department is working on balding projects across the County and invited the Commission to call him if need be.

DRUMMOND MAYOR GAIL LEEPER TO DISCUSS HAULING MILLINGS & A DRUMMOND CLEAN UP DAY; Drummond Mayor, Gail Leeper; Drummond City Councilmember Earl Clute joined the Commission to propose have a "free dump day" in Drummond. Commissioner Adler interjected to caution that the Republic's tipping fees charged to the County are going up immediately. Mayor Leeper provided some background, explaining that the Town of Drummond doesn't pay dump fees, dating back to when the County took over the Solid Waste site in Drummond. This is due to an agreement entered into with the County and Town of Drummond, because the Solid Waste site is located within the city limits. Mayor Leeper stated that in the past the County has partnered with the Town

of Drummond to do a “free dump day” or “clean up day” and that they will need to create criteria so they don’t incur a bunch of garbage and material that is debris that cannot be burned in the burn pile. She added that she will look into how many pounds were accumulated when this was done previously. Commissioner Adler echoed her sentiment that he doesn’t want to end up with a bunch of garbage if someone is cleaning up an area or doing a project. Commissioner McLure was surprised to learn that the Town of Drummond doesn’t pay a dump fee. Mayor Leeper added that, they are here to work with the County because they understand that this is something the County would be paying for, and that is why there would be criteria put in place for what would be accepted. Commissioner McLure responded that the Town of Drummond would pick up and dump the material but that the County would have to pay for it without know what it is. Mayor Leeper responded that it is not going to be a free for all, and that they are going to put criteria in place. Commissioner McLure replied that it will be a free for all. Commissioner Hinkle commented that he thinks the County could do this for branches and grasses, as long as it was materials that could be burned, and that the County should do it for the Philipsburg area as well. Commissioner McLure interjected, stating that it is not fair for Philipsburg since they have to pay a dump fee, and that it is something that needs to be looked at during budget time for solid waste, because it is not fair. Mayor Leeper clarified that the Town of Drummond is seeking to clean up leaves, grasses and branches, and understands that even this will require extra work. Commissioner McLure asked if the Drummond Solid Waste Site has a burn pile. Commissioner Adler responded that it does, however they need to ensure that the pile doesn’t get too large when they are burning. Granite County Attorney, Blaine Bradshaw commented that he thinks this is a great idea and that County should consider doing it (taking branches, leaves, etc. for annual clean-up) for the Philipsburg area, Drummond area, and Georgetown area, etc. Commissioner Adler recommended having this back on the agenda in a couple of weeks to enable Mayor Leeper to get some more information on the expected amount of material and to define the criteria. Commissioner Adler clarified that this is not for garbage, but for debris for the burn piles. Commissioner McLure commented that this is something the Towns can do and the County doesn’t need to address. Mayor Leeper responded that the County does need to address this, because the County owns the Solid Waste Sites. Mayor Leeper added that she will get with Philipsburg Mayor, Daniel Reddish and come up with criteria and they will get on the agenda together in the coming weeks.

Mayor Leeper moved onto the next matter she wanted to discuss which concerned the SW Main Street Bridge in Drummond. She voiced concern over the hauling of millings across the bridge since it needs maintenance and repair and wanted to discuss some questions with the Commission. She explained she was originally concerned over the load limit, and explained that after further research found that there is not an issue. Commissioner McLure asked if the County was getting millings this year and when that was decided. Commissioner Adler responded that they sat in the proceedings room and discussed and decided on this months ago. Mayor Leeper had several questions about the hauling of the millings and the Commission called Road & Bridge Superintendent, Paul Alt to respond. Mayor Leeper asked how many loads a day will be hauled. Paul Alt responded that he isn’t sure but he would think it would be between 30 and 40. Mayor Leeper asked how long the hauling period

would last. Paul Alt responded that it set to tentatively start on May 15th, 2022 and should last 30 days. Mayor Leeper asked if they will be using a water truck to spray down the streets from the dust. Paul Alt responded he doesn't think there are plans for that, but that the County will go through and do that. Mayor Leeper asked who is hauling. Paul Alt responded that there are several subcontractors including locals, and that the contractor that won the bid through the state (LHC) is hiring the subcontractors. Drummond City Councilmember, Earl Clute asked if the County has notified MT Rail Link about going over their crossing, adding that they have been preparing for Amtrak to go through the area, and they may have additional requirements. Commissioner Hinkle responded that Amtrak won't be there this summer. Earl Clute replied that they won't, but that MT Rail Link has been tearing up their side track, and notifying them would be the neighborly thing to do. Commissioner McLure interjected to ask if the County is accepting millings this year, and if there is a project that they are getting millings from. She continued, asking who covers the cost of hauling the millings and if the Commission had given approval for this or signed a contract. Paul Alt responded yes, and that the State covers the cost of the hauling the millings to the County. Mayor Leeper asked if the County would provide the Town of Drummond with more information and notice when these are going to begin being used for projects. Paul Alt responded that he will provide them with notice. Commissioner McLure asked that if the County is not using the millings and the Towns have projects, if the County would let the Towns lay the millings at their own expense. Mayor Leeper explained that she had spoken with Paul Alt about laying millings on SW Main Street in Drummond. Paul Alt responded that he didn't see why the County couldn't do that. Mayor Leeper added that she has been concerned that the road isn't in good enough condition for millings, stating that it will cost the Town of Drummond \$1M to fix it properly. Commissioner McLure asked Paul Alt if he had said the County is going to fix the road in Drummond and if there is a budget to support it. Paul Alt replied that the millings are located on site and that the County Road Department would use their own equipment so it would just be a matter of manpower, and they would not chip seal it. Paul Alt added that they could potentially work together in the future though to chip seal when they have to chip seal other projects. Paul Alt also added that he will get ahead of MT Rail Link to notify them of the hauling.

BRANDON PARRET, DAM TENDER'S REPORT, GEORGETOWN LAKE OUTFLOW; The lake level was reported at 6428.75 feet; 9 inches below full pull, according to the USGS lake level gage and the dam tender's report for the week. Commissioner Adler stated he thinks the Commission needs to reach out to the federal agencies and the local ranchers to discuss a modification to the FERC order, requiring the outflow to increase to 30 CFS on May 15 in order to fill the lake. Commissioner Adler went on to state that at this time the weather has been so cold that the grass isn't growing and the water would likely flow directly into the Clark Fork and he would rather make the water available when the ranchers can use it. Commissioner Hinkle agreed, but asked what the likelihood would be of getting everyone to agree. Granite County Attorney, Blaine Bradshaw commented that would encourage unanimous consent on the matter with the landowners. Commissioner McLure asked if this means the County is trying to get an agreement to not let the 30 CFS out so they can fill the lake. Commission Adler confirmed. Blaine Bradshaw recommended getting

something in writing from the federal agencies and ranchers to show that everyone is in agreement. Commissioner Hinkle motioned to leave the outflow as is, at 6 CFS, as allowed by the FERC Order in place. Commissioner McLure seconded the motion. Granite County Dam Tender, Brandon Parret commented that he agreed with decision of the Commission. Public comment was received by Elena Gagliano recommending that the Commission go to the Flint Creek Dam Advisory Committee Meeting. She then pointed to the water coming out of the reservoir for use in the hydroelectric plant which is the reason FERC is involved. There was no further comment and the motion passed unanimously.

REVIEW OF ARPA GRANTS; The Commission reviewed the budget for their direct allocation from the United States Treasury for their ARPA Funds. The County has received half of their allocation (\$328,165.50) and are awaiting to receive the other half within the next month or two. Commissioner McLure commented that this is just the ARPA budget, and asked what grants the County has. Commission Assistant, Billie Ann Kulaski responded that the only grants would be the minimum allocation grants, which the County is acting as a pass through for and has given to the Town of Philipsburg and the Town of Drummond for water and sewer projects.

GRANITE COUNTY TREASURER VICKI HARDING TO PRESENT MONTHLY CASH REPORTS; The Commission was joined by Granite County Treasurer, Vicki Harding, who presented the cash reports and pledged securities from February 2022; March 2022; and April 2022. The Commission reviewed the reports and there were no public comments received.

Elena Gagliano had a public comment concerning a previous agenda item, the ARPA Grants, asking what the balance of the fund is right now. Commissioner McLure responded, walking Elena Gagliano through what has been deposited and expended from the fund. There has been one deposit of \$325,165.50; and two expenditures, one to Kesler Kustom Shops for a partial payment on the padded cell project at the Granite County Jail for \$93,259.00; and one for Big Sky Passenger Rail Authority in the amount of \$1,480.00. Granite County Attorney, Blaine Bradshaw added that other monies in the fund have been delegated to other capital projects, including the elevator and ADA bathroom projects in the courthouse.

FINAL COMMENTS ON THE MONTANA DEPARTMENT OF TRANSPORTATION SPEED STUDY (BLACK PINE INTERSECTION WITH HIGHWAY 1); Montana Department of Transportation completed a speed study on Highway 1 near the intersection of Black Pine Road, as requested by the Commission. The County has been soliciting public comment for the past few weeks and has only received one comment from Elena Gagliano, a resident on Black Pine Road. Commissioner Adler voiced concern over the ability to lower the speed limit based on the small amount of support. Commissioner Hinkle commented that in Anaconda the speed zone was reduced in order to protect the sheep. Commissioner Adler added that he believed there was a wreck in that area between a vehicle and sheep where someone was killed leading to a decrease in the speed. Commissioner McLure asked if the County should send in their letter with the public comment letter. Granite County Attorney, Blaine Bradshaw responded that he would recommend sending in the letters to the State.

Commissioner Hinkle motioned to send the letter from the Commission and public comments to the Montana Department of Transportation concerning the speed study on MT-1. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.

PUBLIC HEALTH TRAVEL BUDGET REVIEW; Commissioner Adler explained that he had put this on the agenda following last weeks Board of Health meeting as he was confused as to something Public Health Director, Leigh Ann Holmes had mentioned about invoicing Granite County for travel expenses. Commissioner Adler went on to state that there are a lot of conferences and trainings that Granite County PHEP Coordinator, Jennifer Robinson has been attending and that it would be nice if Granite County was made aware of the cost of the trainings and if they were available via Zoom prior to her attending. Commissioner McLure explained that these monies would be coming out of the PHEP budget and not the Public Health travel budget and that both funds are healthy enough to support the training ventures. She added that the trainings are more beneficial in person, and that attending over Zoom isn't always preferable, pointing to some of her own experiences using the platform for Commissioner meetings with MACo. Jennifer Robinson joined the Commission to notify them that half of the cost of one of the trainings she attended in Atlanta, GA (that Anaconda-Deerlodge County is planning to invoice Granite County for) is approximately \$900. Public comment was received from Elena Gagliano asking for clarification of why the public health budget is posted and not the PHEP budget. Commissioner McLure responded that this was on the agenda, but it has nothing to do with the Public Health Fund, only the PHEP fund, but that it was assumed the monies would be coming out of the Public Health Fund. Public Health Assistant Jackie Bolster joined the Commission stating that Leigh Ann Holmes was in the Drummond Office the day prior and stated that the invoices have not been prepared yet, and that when they are the County can sort it out. Jackie Bolster added that there will likely be an invoice for Public Health Nurse, Debbie Robinson, and then one for PHEP Coordinator Jennifer Robinson. Commissioner McLure stated both funds have plenty in them to pay for the travel.

NRCS GRANT UPDATES; In a previous session (April 12, 2022) local rancher, Clark Ward had called in during public comment to discuss the NRCS grant program allowing for homeowners of Black Pine Meadows to utilize funds to fire mitigation. He explained to the Commission that funds under the NRCS are intended by law for agricultural producers and not for people with million-dollar homes. Commissioner Adler explained that the Commission discussed this agenda item a bit during correspondence and that as this was part of the farm bill, they don't really have a leg to stand on at this point. Commissioner McLure added that if this is looked at from a neutral position it is in the grant to enable homeowners to have access to the money, so they can apply for it; and if it is in the grant that ranchers and farmers can apply for money, then they can apply for it.

ONGOING NEGOTIATIONS WITH FLINT CREEK HYDRO LLC WITH JUDGE MCLEAN; Commissioner Adler explained that this Agenda item has been tabled, since mediator, Judge McLean (former district judge in Missoula), did not call in and the County has not received a written offer from Flint Creek Hydro LLC. The matter of the on-going

negotiations will be an on-going agenda item. The County does acknowledge it may be a few weeks before the formal, written offer comes from Flint Creek Hydro LLC, but there are no guarantees. Granite County Attorney, Blaine Bradshaw mentioned that he has been working to find an expert who may be qualified and willing to assist the County. This will be on the agenda for further discussion next week. Still working on this and it will be on the agenda again next week. The name of the expert will not be released until there is an agreement due to litigation strategy. Commissioner Adler commented that we are moving forward to try and remedy this. Commissioner McLure added that we are just between a rock and a hard place. Public comment was received from Elena Gagliano asking for what kind of expert the County is looking for. Blaine Bradshaw responded that the County is seeking an expert in maintenance costs associated with dams, particularly an engineering expert would be a good option. Elena Gagliano asked if FERC could provide one. Blaine Bradshaw responded that they could not, as the County needs an advocate that is an independent source. Commissioner McLure then provided a brief summary of the ongoing negotiations that have been taking place with Flint Creek Hydro LLC.

BACQUET VS GRANITE COUNTY; Granite County Attorney, Blaine Bradshaw explained that a first amended complaint was filed against the County in the matter of the spur off of Brown's Gulch Road. Blaine Bradshaw signed an acknowledgement and the County has 21 days to file an answer, and he will be representing the County in this matter. Commissioner McLure asked if the County's answer will be on the agenda. Blaine Bradshaw responded that he will just be filing it, but that he can provide periodic updates. Commissioner McLure asked if the County will need expert witnesses. Blaine Bradshaw encouraged the Commission to hire an independent surveyor, as they have done in the past, recommending Barney Hallin. He added that hiring an independent surveyor is something that will be a future agenda item. Local landowners Carol Lynn Bacquet and Jim Bacquet joined the Commission asking for the name of the independent surveyor being discussed. Blaine Bradshaw explained that the surveyor is Barney Hallin and that the County has not hired him, but has worked with him in a recent, previous case involving a County road.

GRANITE COUNTY MEDICAL CENTER (GCMC) CEO, MARIA STOPPLER WITH A FINANCIAL UPDATE; Maria Stoppler, CEO of Granite County Medical Center joined the Commission to provide the monthly financial update. The financial report included the following: Month-to-date revenue is at \$340,138 which is up 51.1% over last month and year-to-date revenue is at \$4,182,885 which is up 2.2% to target. Maria Stoppler explained that the BA.2 subvariant has been identified as the dominant variant. The Sotrovimab Therapeutic treatment currently on-hand at GCMC has been found unlikely to be effective against this variant, and is no longer authorized for use in the US. The oral antivirals Paxlovid and Molnupiravir therapeutics are available by prescription. There are several open positions at GCMC including Director of Nursing, Charge Nurse, CT Tech, Housekeeping, and Maintenance Positions. GCMC is working to replace their walk-in refrigerator / freezer and are in the process of obtaining bids. The current estimate is at \$48K. Commissioner Adler asked if any COVID monies could be used for that. Maria Stoppler responded that unfortunately they could not.

2005-00886 REQUEST FOR REIMBURSEMENT #10 - RIDDICK FIELD; Following the acceptance of the FAA Grant for the Master Plan at Riddick Field, the contracted engineering company, KLJ, who is assisting the County under contract, has submitted a request for reimbursement. Commissioner McLure motioned to approve 2005-00886 request for reimbursement. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously. Commissioner McLure asked if this will be done within this fiscal year. Commissioner Adler responded that Airport Board Chairperson, Ernie Fulk had said the week previous they hoped to have the current project done this month. Granite County Attorney, Blaine Bradshaw commented that he would follow up with Ernie Fulk to see he would confirm the timeline.

The meeting adjourned at 11:45 a.m.