

November 28, 2017 continued...

Georgetown Lake level was reported at 6,428.52 feet today, according to the USGS gage and the dam tender's report. The lake is approximately 11.76 inches below full pool at an outflow of 30 cfs through the power plant and over the weir. Commissioner Slaughter moved, on the recommendation of Commissioner Bonney, not to change the outflow and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Commissioner Slaughter moved to appoint Colby Manley to the Granite County DUI Task Force for a term ending October 2, 2019, and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Justice of the Peace Deborah Fratzke met with the Board for general discussion regarding safety in the design of the current justice court courtroom in the courthouse. Judge Fratzke noted a concern that there is not a barrier between the court clerk and the public. Discussion was held on the possibility of moving the court into the former office of the Department of Revenue on the main floor of the courthouse. Further discussion was held on the accessibility for handicapped individuals, which is available in the court's current location on the lower level of the courthouse, and awareness of concerns brought up following the active shooter exercise. Emily Petrovski with the *Philipsburg Mail* attended.

A letter from Elena Gagliano dated 11-14-2017 regarding county policies was reviewed by the Board and a response was drafted. The Board requested that County Attorney Blaine Bradshaw respond to the letter.

The Board reviewed an application for an indigent cremation with Longfellow Finnegan Funeral Home. Commissioner Slaughter moved to approve the application and Commissioner Bonney seconded the motion. Commissioners Slaughter and Bonney voted in favor of the motion and Commissioner Adler voted against the motion.

The Board reviewed the draft October 2017 minutes. Approval of the minutes was deferred.

The Board considered the updated Indigent (General Assistance) Cremation Allowance Contract with Longfellow Finnegan Funeral Home as this new agreement would continue the current arrangement with the funeral home. Commissioner Slaughter moved for approval of the contract and Commissioner Bonney seconded the motion. There was no public comment. The motion carried with Commissioner Bonney and Slaughter voting in favor of the motion and Commissioner Adler voting against the motion.

There was no public comment during the specified time on the agenda.

The session adjourned at noon.

Barton C Bonney, Chairperson

ATTEST: _____

Blanche McLure, Clerk & Recorder

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THE BOARD OF COUNTY COMMISSIONERS MET ON THE 5TH, 12TH & 19TH OF DECEMBER 2017 IN THEIR OFFICE AT THE GRANITE COUNTY COURTHOUSE WITH ALL THREE COMMISSIONERS PRESENT.

THE FOLLOWING CLAIMS FOR THE MONTH OF NOVEMBER 2017 WERE APPROVED AS FOLLOWS:

<u>WARRANT</u>	<u>AMOUNT</u>
53848 RICK OLSEN	TRAINING \$641.95

53849	UPNSMOKIN	FCP TRAINING LUNCH	\$420.00
53850	FLINT CREEK VALLEY BANK	PAYROLL & NOD FEE	\$90,695.16
53851	BMI SERVICES	MICROFILM TONER & BLADE	\$400.25
53852	VISA #1	SUPPLIES	\$1,551.17
53853	VISA #2	ROAD SUPPLIES,TRAVEL&MAINT	\$588.13
53854	VISA #3	ANNUAL FEE	\$29.00
53855	360 OFFICE SOLUTIONS	SUPPLIES	\$2,919.96
53856	ACCESS INFORMATION PROTECTED	STORAGE - TERM	\$41.89
53857	ADAM MICHNEVICH	MILEAGE	\$72.22
53858	ADLER TOWING	AUTO TAKEN INTO EVIDENCE	\$469.50
53859	AFFCO	REPAIRS & SUPPLIES	\$422.43
53860	AMERICAN WELDING & GAS	SUPPLIES	\$21.45
53861	AMPHO	FY18 DUES	\$156.50
53862	ANNIE YOUNG	SUPPLIES & TRAVEL	\$606.78
53863	BARNEY CONRADS CUSTOM ST LLC	MAINTENANCE	\$617.50
53864	BART BONNEY	SUPPLIES & TRAVEL	\$141.28
53865	BECKY SMITH	ICS TRAINING - TRAVEL	\$116.44
53866	BLACKFOOT CFT	NOVEMBER BILLING	\$3,811.99
53867	BLAINE BRADSHAW	DESIGNATED DRIVER GIFT CARDS	\$180.00
53868	BLANCHE MCLURE	DISTRICT MEETING	\$91.25
53869	BOB BARKER CO INC	INMATE SUPPLIES	\$1,841.21
53870	BOB WEAVER CONSTRUCTION	SAND & GRAVEL	\$3,956.00
53871	BOB'S QUALITY AUTO	REPAIR & MAINTENANCE	\$869.00
53872	BUTTE PRODUCE	SUPPLIES	\$400.53
53873	CARQUEST AUTO PARTS	REPAIRS & MAINTENANCE	\$826.84
53874	CENTURYLINK	EMERGENCY BUNDLE SERVICE	\$415.80
53875	CENTURYLINK	FCP PHONE	\$57.08
53876	COLETTE ADELE FADNESS	MILEAGE	\$584.49
53877	COMDATA	NOVEMBER BILLING	\$3,919.36
53878	COMPLIANCE MONITORING SYSTEMS	SUPERVISION	\$75.00
53879	DAVID SWANSON	FOREST SERVICE MAP	\$10.00
53880	DIS TECHNOLOGIES	CONTRACTED SERVICE	\$3,141.88
53881	DNRC	PERMIT RENEWAL	\$25.00
53882	DPHHS	EMS LICENSE FEE	\$35.00
53883	DRUMMOND AMBULANCE ASSOC	SUPPLIES	\$24.16
53884	DRUMMOND COMMUNITY HALL	RENT	\$600.00
53885	DRUMMOND, TOWN OF	SEWER CONNECTIONS	\$811.80
53886	DUNNE COMMUNICATIONS	REPAIR	\$200.00
53887	EAGLE PRINT & BUSINESS SPPLS, LLC	ENVELOPES & POLL BOOKS	\$296.95
53888	FICKLER OIL CO. INC.	SUPPLIES	\$689.39
53889	FLINT CREEK LODGE #11	2ND HALF FY18 RENT	\$2,550.00
53890	GALLATIN COUNTY TREASURER	YOUTH DETAINEE	\$947.10
53891	GENERAL DISTRIBUTING CO.	CO2, HP, ACETYLENE	\$124.80
53892	GRANITE COUNTY	RUMSEY MTN SPECIAL USE	\$119.61
53893	GRANITE COUNTY HOSPITAL DISTRICTSERVICE		\$92.00
53894	GRANITE COUNTY TREASURER	POSTAGE	\$282.62
53895	GRANITE DISPOSAL	HAUL REFUSE	\$260.00
53896	GRANITE SPORTLAND	REPAIR	\$351.78
53897	GREAT WEST ENGINEERING	PROFESSIONAL SERVICES	\$13,018.05
53898	HALL GRAVEL WORKS	MAXVILLE RD	\$80.28
53899	HARLOW'S TRUCK CENTER	REPAIRS & MAINTENANCE	\$2,743.42
53900	HEALTHCARE BILLING, INC	PROFESSIONAL SERVICES	\$518.12
53901	HEARTSMART.COM	HEARTSINE ADULT PAD-PAK	\$157.50
53902	HIGH TECH LINEN	RUGS & TOWELS	\$190.46
53903	HOGAN'S RANCH & BUILDERS	SUPPLIES	\$465.13
53904	HUFFMAN GROCERY	INMATE MEALS & SUPPLIES	\$627.66
53905	HUFFMAN GROCERY	SUPPLIES	\$152.50
53906	I STATE TRUCK INC	REPAIRS & MAINTENANCE	\$287.72
53907	INTOXIMETERS, INC	24/7 SOBRIETY PROGRAM	\$210.50
53908	JANEEN BONNEY	TRAVEL	\$62.06
53909	JOHN DEERE FINANCIAL	HELMET & CLEANERS	\$108.26
53910	KAREN BYHRE HANSEN	HANGAR REFUND	\$480.00
53911	KENWORTH SALES	SUPPLIES	\$15.22
53912	LAW ENFORCEMENT SYSTEMS, INC	SUPPLIES	\$97.00
53913	LONGFELLOW FUNERAL HOME	BENEFIT & BURIAL	\$1,550.00
53914	MACO	INMATE MED BUDGET PROTECTOR	\$64.80
53915	MAPS INC	ONGONING MAPPING & SUPPORT	\$3,439.90
53916	MARGARET TALLON	TRAVEL	\$32.10
53917	MCGOWAN WATER COND, INC	RENTAL & SALT	\$38.90
53918	MICHAEL KAHOE	SUPPLIES	\$31.94
53919	MICHELE PUIGGARI	REFERENCE CHECK	\$60.00
53920	MONTANA 1 GLASS	ROCK CHIP REPAIR	\$50.00
53921	MONTANA BROOM & BRUSH	SUPPLIES	\$134.63
53922	MT CORRECTIONAL ENTERPRISES	DISPATCH UNIFORMS	\$281.50
53923	MONTANA RAIL LINK	GRAVEL & EQUIPMENT STORAGE	\$231.27
53924	MONTANA WOOLGROWERS ASSOC	MOU MONIES - SHEEP	\$329.00
53925	MOUNTAIN WEST COOPERATIVE	PROPANE	\$8.00
53926	MSU EXTENSION SERVICE	SALARY SHARE	\$2,793.28

53927	MT CO ATTORNEYS ASSOCIATION	FY18 DUES	\$699.00
53928	NASCO	SAMPLER	\$145.20
53929	NEAL'S PHOTO SERVICE	SD CARD	\$30.00
53930	NICK DIESEL KESLER	SERVICE	\$170.00
53931	NORTHWESTERN ENERGY	NOVEMBER STATEMENTS	\$4,633.81
53932	PATRICIA BAUER	MILEAGE	\$238.88
53933	PHILIPSBURG MAIL, THE	ADS	\$467.00
53934	PHILIPSBURG SR CITZ CENTER	INMATE MEALS	\$210.00
53935	PHILIPSBURG, TOWN OF	WATER/SEWER	\$437.00
53936	PINTLER PETROLEUM	FUEL	\$1,991.17
53937	PIONEER EQUIPMENT	SUPPLIES	\$55.07
53938	PROPANE SERVICES INC	TANK RENTAL	\$100.45
53939	REPUBLIC SERVICES #889	CONTRACTED SERVICE	\$5,203.10
53940	REPUBLIC SERVICES OF MONTANA	CONTRACTED SERVICE	\$2,358.49
53941	RIVERSIDE MARKET	SUPPLIES	\$390.06
53942	RTW ENTERPRISE	REPAIR	\$150.00
53943	SATELLITE PHONE STORE	DVA SATELLITE PHONE	\$93.02
53944	SIRCHIE	SUPPLIES	\$122.94
53945	SW MONTANA AGING SERVICES	FY18 PLEDGE	\$617.00
53946	STAPLES CREDIT PLAN	SUPPLIES	\$426.71
53947	TEC THE ELECTRICAL CONNECTIONS	NEW AMB SHED INSTALLMENT	\$57,485.00
53948	TERRACON CONSULTANTS, INC	COST ESTIMATE	\$850.00
53949	TERRY JO VIETOR	SUPPLIES & PHONE	\$254.48
53950	TIRE RAMA	TIRES	\$7,966.77
53951	TNT TRUCK PARTS	MAINTENANCE & SUPPLIES	\$631.00
53952	TYLER TECHNOLOGIES	CONTRACTED SERVICE	\$8,189.88
53953	US POSTAL SERVICE	ENVELOPES	\$1,965.50
53954	USDA FOREST SERVICE	RUMSEY MTN USE PERMIT	\$5,302.96
53955	VALLEY CEMETARY	FENCING	\$3,290.30
53956	VERIZON WIRELESS	CELL PHONES	\$711.78
53957	WEBGRAIN	ANNUAL WEBHOSTING	\$222.00
53958	WESTERN STATES EQUIPMENT	REPAIR & MAINTENANCE	\$5,723.28
53959	WESTTEL INTERNATIONAL, LLC	CONTRACTED SERVICE	\$650.00
53960	WILLOWROCK INC	SURVEY REVIEW	\$300.00
53961	WOODLAND CREATIONS	SUPPLIES	\$228.34
53962	TUFF COUNTRY AUTO BODY	SHERIFF VEHICLE DAMAGE	\$8,800.87
		CLAIMS FUND TOTAL	\$276,872.51

<u>WARRANT/NOD</u>	<u>JOB TITLE</u>	<u>AMOUNT</u>
ADLER, SCOTT C	COUNTY COMMISSIONER	\$2,170.49
ALT, PAUL	ROAD SUPERVISOR	\$5,833.33
ANDERSON, MELINDA K	SOLID WASTE SECRETARY	\$1,082.48
BAUER, PATRICIA L	AREA V	\$698.18
BOHRNSEN, CAROL P	CLERK OF DISTRICT COURT	\$3,932.65
BONNEY, BARTON C	COMMISSIONER	\$2,060.20
BONNEY, JANEEN	CUSTODIAN	\$2,393.60
BOUCK, LINDA	PLANNER	\$4,955.60
BRADSHAW, BLAINE C	COUNTY ATTORNEY	\$7,867.93
BUTLER, JODI L	SOLID WASTE	\$2,796.64
CARTWRIGHT, VALERIE N	DISPATCH	\$2,605.68
CAYKO, NICKIE N	ROAD MAINTENANCE	\$3,168.00
CONRADS, ORWOLL B	ROAD MAINTENANCE	\$698.04
CROSS, AUSTIN M	DISPATCHER	\$2,275.45
DAY, JAN P	DEPUTY CLERK	\$1,400.00
DAY, NELS R	DES COORDINATOR	\$1,509.60
DUNKERSON, WAYNE S	SHERIFF	\$4,406.90
FADNESS, COLETTE A	AREA V AIDE	\$355.04
FRATZKE, DEBBIE	JUSTICE OF THE PEACE	\$1,933.08
GRAHAM, SARAH E	DEPUTY CLERK & RECORDER	\$3,307.50
GREANY, KYLE L	ROAD MAINTENANCE	\$3,506.76
GROSVOLD, LACIE J	CLERK	\$1,121.45
HAMILTON, MARIANNE	RELIEF CLERK	\$95.52
HARDING, JEAN M	DISPATCHER	\$2,438.04
HARDING, VICKI B	TREASURER	\$4,331.67
HENNAGER, DEANNA L	DISPATCHER	\$2,619.47
HOEHNE, JOHN W	ROAD MAINTENANCE	\$3,658.74
HOLLAND, BRAD J	ROAD MAINTENANCE	\$3,303.00
HOUSE, ROBBI	TREASURER'S OFFICE	\$2,796.64
HULTMAN, TY R	DEPUTY	\$3,457.12
JACOBSON, STEVEN	ROAD MAINTENANCE	\$3,545.36
KAHOE, MICHAEL	EXECUTIVE ASSISTANT	\$4,556.64
KANE, KATHERINE	DISPATCHER	\$221.76
KENDALL, JOHN S	SOLID WASTE	\$3,078.80
KINGREY, ELWYN	JUNK VEHICLE	\$411.68
LATRAY, DANETTE L	TREASURER DEPUTY	\$3,307.50
LEHNEN, VICTORIA A	DISPATCHER	\$2,522.72

MCDONNELL, FRED N	SOLID WASTE RELIEF	\$217.10
MCLURE, BLANCHE A	CLERK & RECORDER	\$4,331.67
O'DELL, SARAH L	AREA V AIDE	\$391.20
OLSEN, RICK C	DEPUTY	\$3,563.72
OSTLER, JASON K	DEPUTY	\$3,300.00
OWENS, NANCY	RELIEF	\$194.88
PALMER, KAREN P	COUNTY AGENT SEC	\$2,412.96
PARKE, CLAUDETTE	CO ATTORNEY SECRETARY	\$3,046.56
PAWLAK, KIMBERLY	FLOATING CLERK	\$2,109.90
PETERS, DEBORAH A	DISPATCHER RELIEF	\$744.70
PETERS, STEVEN D	DEPUTY	\$3,362.85
RUSSELL, JAMES R	DEPUTY	\$3,425.70
SLAUGHTER, BILL L	COMMISSIONER	\$2,044.08
SMITH, REBECCA	PHEP COORDINATOR	\$1,548.34
VIETOR, TERRY J	CRIME CONTROL ADVOCATE	\$1,154.40
WALDEN, JAMES L	ROAD MAINTENANCE	\$3,276.00
WEST, WILLIAM H	DAM TENDER	\$142.97
YOUNG, ANN D	COUNTY HEALTH NURSE	\$5,967.00
55 EMPLOYEES	TOTAL GROSS PAYROL	\$141,657.29

<u>WARRANT</u>	<u>AMOUNT</u>
19006 AFLAC INS	\$302.92
19007 CHRISTMAS CLUB	\$1,850.00
19008 COLONIAL	\$18.75
19009 FIT	\$11,214.21
19009 MEDICARE	\$3,939.42
19009 P.E.R.S.	\$18,284.09
19009 PERS RETIREE	\$338.28
19009 SHERIFF RETIRE	\$5,079.99
19009 SOCIAL SECURITY	\$16,844.44
19010 IUOE 400	\$589.00
19011 MACO DENTAL	\$2,350.00
19011 MACO VISION	\$499.00
19011 MACOHCT	\$47,533.00
19011 UNUMLIFE	\$831.25
19012 PEBSC	\$3,650.00
19013 SIT	\$5,823.00
19014 UNION - PENSION	\$561.03
TOTAL PAYROLL LIABILITIES	\$119,708.38

GRANITE COUNTY COMMISSIONERS MINUTES

December 1, 2017

The Board of Commissioners met at 1:30 p.m. in special session in the Commission Office of the Granite County Courthouse with Chairperson Barton Bonney and Commissioner and Bill Slaughter attending. Commissioner Scott Adler was absent this day. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

Public Comment: Neil Buckley met with the Board to request time on a future Board agenda to discuss a locked gate blocking his access in the Colter Gulch area.

The Board met with Kelcy Adamec and Kathleen "Katie" Clarkson, engineers with the Portland Regional Office of the Federal Energy Regulatory Commission (FERC), for general discussion on the Flint Creek Hydroelectric Project. Also attending were engineer Jeremiah Theys with Great West Engineering of Helena, DES/Safety Coordinator Rick Day and Emily Petrovski with the *Philipsburg Mail* newspaper.

Jeremiah Theys reported that a response is forthcoming as a refinement to an earlier response to the Part 12D inspection of the Flint Creek Dam. He reviewed that an inspection conducted by his firm on October 30, 2017, included the surface concrete at the spillway crest (Items 10 and 11 in FERC's letter); the county plans a construction project on the spillway and will pursue a grant program to be submitted in the spring of 2018 with construction after July of 2019 or in 2020. Kelcy Adamec indicated that the FERC would like engineering to be completed prior to spring of 2018 so the design is ready for construction using the grant

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funds. Jeremiah Theys continued that the gate valve and gabion baskets grant project is currently funded, design is underway and it will be detailed in the next response to the FERC. Jeremiah Theys will submit all design packages to the FERC and Kelcy Adamec noted that the FERC has a 60-day design submittal for review prior to construction. Discussion was held on which design will be proposed on the gabion basket repair and Jeremiah Theys agreed to submit different preliminary design concepts to the Commission and the FERC for review. Construction windows were discussed and Katie Clarkson indicated that a change in the water elevation may require a variance from the FERC and Jeremiah Theys indicated that it may be possible to sandbag and dewater the area immediately in front of the spillway without varying the water level in Georgetown Lake. Temporary measures for spillway repair were discussed and Jeremiah Theys suggested monitoring and documentation, especially if there is water flowing over the spillway. Also, he noted that there are measures that can be taken to prevent water from going over the spillway. Discussion was held on potential ways to continue water flow through the penstock during valve construction, including using the right side outlet pipe or a siphon. Katie Clarkson indicated that the FERC often sends a representative once a month during construction on a dam. Jeremiah Theys noted that different contractors will likely be used for different aspects of construction as the work methods are so specialized among the valve work, the spillway work and the gabion basket work. Kelcy Adamec indicated that the FERC is satisfied with the plan since progress is occurring on the project and she noted that the hydro plant and penstock, although operated by Flint Creek Hydroelectric, are still part of the FERC license for the project. She also noted that NorthWestern Energy is having a functional exercise in Great Falls in the spring and they are always looking for observers and evaluators.

The Emergency Action Plan (EAP), which was submitted to the FERC in July and included the updated notification charts, was discussed. Kelcy Adamec indicated that some revisions to the notification charts may be required following tomorrow's functional exercise. Rick Day explained the notification process and the thinking behind the drafting of the current notification charts. He reviewed the electronic notification system which eliminates the need for the sheriff's department dispatcher to make many individual telephone calls. He also reviewed that complaints had been received in the past that there were too many charts, which led to some indecision on which chart to use under which circumstance. Jeremiah Theys reviewed the non-failure flowchart and he said that he anticipates much discussion about it at tomorrow's functional exercise. Discussion was held on the current emergency flowcharts and the dissemination of information. Katie Clarkson indicated that there may be more definition required on how the emergency flowcharts function. Jeremiah Theys indicated that following tomorrow's exercise, that some revisions will likely be required to the EAP. Rick Day explained that the sheriff wants to be on top of the situation, but he is not too eager to order an evacuation without the proper information.

The session adjourned at 3:30 p.m.

Barton C Bonney, Chairperson

ATTEST: _____

Blanche McLure, Clerk & Recorder

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December 4, 2017

The Board of Commissioners met at 10:00 a.m. in special session in the Commission Office of the Granite County Courthouse with Chairperson Barton Bonney and Commissioners Scott Adler and Bill Slaughter attending. Also attending was Executive Assistant Mike Kahoe.

The Board met with Mike Kadas, Director of the Montana Department of Revenue (DOR), to discuss how department services will be provided without a DOR office in Granite

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County. Director Mike Kadas indicated that he would be happy to respond to the county's issues. Commissioner Slaughter noted that DOR had two excellent employees here; the county offered to not charge rent for the office in the courthouse; discussions were held on what the county can do to continue to offer services; is there an opportunity to go back to the county assessor system and would there be access to the state system. Blanche McLure stated that she would like to continue to provide those services, possibly through a contract arrangement, with personnel who are well trained on the DOR processes. Mike Kadas noted that the department statutorily has the responsibility for appraisals and cadastral information is available to the public and most of the DOR system is open to the public online, except for confidential information. Director Kadas noted that DOR plans to have appraisers in Granite County regularly. Blanche McLure noted that in the past the county was moved from one DOR district to another and Granite County fell through the cracks. Director Kadas reviewed how the department is structured with four regions and this regional contains nine counties. He continued that as they work through these changes, due to the 10% budget cut mandated by the legislature, there will be further closures of county DOR offices around Montana. Director Kadas indicated that he is open to the counties' suggestions and can look for ways to help facilitate service to the citizens of the county, but DOR operations will be centered in the Butte DOR office. Blanche McLure indicated that many citizens are older, do not use the computer and likely will not travel to Butte, and it is important that new construction information be obtained for the county tax rolls. Director Kadas indicated that he will look at the suggestions, but he cannot make a commitment at this point. Andrew Hagen, DOR Area Manager, noted that certifications and that type of thing will go on as usual. The Board expressed concern that new construction information will not be picked up if there is not a local employee familiar with the county. Andrew Hagen stated that the necessary information will be obtained by the DOR, as legally required, in an accurate and timely basis. Planning Director Linda Bouck noted that a point person in the courthouse would be beneficial to the county and to the department for efficiency. Andrew Hagen noted that it is incumbent upon the department to pick up the information regarding new construction. Director Kadas said that he would appreciate the cooperation of the county during this process. Andrew Hagen stated that his vision is that a lead person for Granite County would be established in the Butte DOR office and that the county as a whole has an obligation to keep the department informed. He noted that building permits are not a perfect system and this transition should not be an adversarial situation between the county and the department. Commissioner Slaughter noted that the county has offered an office and potentially an employee, which he feels is a generous offer. Director Kadas stated that there is a mix of the way counties operate throughout the state and the department is trying to make the process uniform across the state. Treasurer Vicki Harding inquired about the department's long range plans. Commissioner Adler said that it does not appear, at this time, that the department is very cooperative. Commissioner Bonney stated that he does not understand why the department would be reluctant to accept the county's offer and he requested that the DOR seriously consider it. Director Kadas stated that he will certainly investigate the county's offer and he noted that two critical issues are new construction and realty transfer certificates (RTC's), which are crucial to the reappraisal system. Blanche McLure noted that the two employees who were in the DOR office were county residents who had the best interest of the county at heart. Director Kadas asked who should be the main point of contact and Treasurer Harding responded that it depends on which part of the process is involved. Director Kadas stated that he expects this to be an evolutionary process over the next two years and some additional local offices will be closed. Linda Bouck said that it may be that there is a hang-up with position titles and she inquired whether Granite County could hire an employee to be the local point person, although they would not be tied to or an employee of the DOR. Andrew Hagen noted that the realty transfer certificates would need to continue, as required. Director Kadas suggested that the DOR will need to have internal discussions about how this entire transition will proceed. Andrew Hagen noted that Granite County's records are now in the Butte DOR office. Linda Bouck stressed that it is in Granite County's best interest for the county to have possession of Granite County's records in Granite County and Blanche McLure agreed. Commissioner Slaughter noted that if a county employee is hired that it is in the interest of both the DOR and Granite County to have a good relationship. Director Kadas noted that a good relationship is essential to both

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the DOR and the county to make the system work. Andrew Hagen indicated that RTC's, which are confidential, are updated in the system every two weeks. Director Kadas stated that the county is controlled by the same law that controls the DOR. Director Kadas outlined the DOR organizational structure and chain of command: Mark Olson is Andrew Hagen's boss; Shawna Helfert is Mark Olson's boss and Mike Kadas is Shawna Helfert's boss. He said that he expects that there will be some bumps in the road in this process as the DOR has 300 employees, but a lot of it will be worked through in the next several months before the county's new budget year begins. Blanche McLure indicated that having a local contact is critical for the citizens of the county. Tom Rue, a local real estate agent, inquired if there is any special consideration given for small counties. Director Kadas responded that there is importance in how personnel are allocated to each county and it is done by the numbers for new construction, road mileage within the county and other factors; they are working with a budget that is 10% less than it was previously and the majority of the DOR budget is personnel. Tom Rue stated that Granite County is a smaller county with a more intricate network which relies on local people. Director Kadas indicated that consideration will be given to the amount of work necessary in each county. Julie Goebel, a DOR employee in Anaconda-Deer Lodge County and a Granite County taxpayer, suggested that Granite County is better aligned with Deer Lodge County or Silver Bow County, rather than Missoula County, because of Georgetown Lake. Director Kadas said that the department is working to have all local DOR information on every county available at all DOR offices throughout the state. Commissioner Slaughter noted that this transition is particularly difficult for Granite County because the two local DOR employees were excellent employees. Also attending were County Attorney Blaine Bradshaw and Emily Petrovski with the *Philipsburg Mail* newspaper.

Public Comment: There was no public comment during the time specified on the agenda.

The session adjourned at 11:15 a.m.

Barton C Bonney, Chairperson

ATTEST: _____

Blanche McLure, Clerk & Recorder

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December 5, 2017

The Board of Commissioners met at 9:00 a.m. in regular session in the Commission Office of the Granite County Courthouse with Chairperson Barton Bonney and Commissioner Scott Adler attending. Commissioner Bill Slaughter was absent this day. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his report. Items included that the wiring and lighting project on the recently purchased county shop building at Hall is scheduled to begin later this week. He reported that the large number of feral cats in that area continues to be a problem with the usability of that building. He also reported that a new part-time container site attendant has been hired for the Solid Waste Department.

Georgetown Lake level was reported at 6,428.54 feet today, according to the USGS gage and the dam tender's report. The lake is approximately 11.52 inches below full pool at an outflow of 30 cfs through the power plant and over the weir. Commissioner Adler moved to make no change in the outflow and Commissioner Bonney seconded the motion. There was no public comment. The motion carried unanimously.

December 5, 2017 continued...

The Board reviewed the draft minutes for October 2017. Commissioner Adler moved to approve the minutes and Commissioner Bonney seconded the motion. There was no public comment. The motion carried. Dick Motta commented that the people have a constitutional right to participate in the meeting and that the draft minutes should be available to the public upon demand. County Attorney Blaine Bradshaw reviewed that an attorney general's Letter of Advice issued in 2015 opining and holding stated that draft Commission minutes are not public records and he noted that he recently requested an updated letter from Patrick Risken with the Montana Attorney General's Office because legislation has been passed since the first letter was issued. Dick Motta stated that he feels that the draft minutes should be available to the public. Chairperson Bonney stated that the Board will await the attorney general's updated opinion. Dick Motta said that he had a letter from attorney Peter Molloy stating that the draft minutes should be available to the public. On another subject, Dick Motta said that he attended the functional exercise last week for the Flint Creek Project and he requested a copy of the estimate from Great West Engineering regarding the proposed work at the Flint Creek Dam. The Board responded that no written proposals have yet been received for work on the spillway. Dick Motta questioned who is responsible for paying for the repairs and Attorney Bradshaw responded that the repairs on the dam are the county's responsibility according to the written agreement with Flint Creek Hydroelectric. Chairperson Bonney requested that Dick Motta make an appointment to get on the Board's agenda to discuss the Flint Creek Project.

Deborah Frandsen, Regional Director for U.S. Senator Jon Tester, met with the Board for general discussion. Discussion items included the 2017 forest fire season and she gave an overview on legislation that Senator Tester is working on, including renewal the Secure Rural Schools Act for a two-year extension, which is critical funding for the county road department. Discussion was held on the lack of the county's reimbursement by the Forest Service for damage to and wear and tear on county roads during the 2017 forest fire season and Deborah Frandsen agreed to have Eric Nylund, the senator's natural resources specialist, investigate that issue. She noted that the senator is working to get firefighting funds pulled out of the Forest Service budget and have forest fires treated as any other national emergency. Also, the senator is working for a waiver with the FAA to allow aerial work during forest fires as a safer method to analyze fire behavior. The Board requested that more timber be allowed to be harvested, which improves habitat and reduces fire danger. Senator Tester is working on the federal budget which expires later this week, according to Frandsen. While in Philipsburg, she is planning to do some small business outreach. Dick Motta and Emily Petrovski with the *Philipsburg Mail* newspaper attended.

The Board was scheduled to hold the first reading of Resolution 2017-20 "A Granite County Resolution Establishing A Good Neighbor Policy." County Attorney Blaine Bradshaw attended. Chairperson Bonney moved that the first reading of the resolution be postponed due to Commissioner Slaughter's absence today. Commissioner Adler seconded the motion. There was no public comment. The motion carried. Dick Motta attended and a copy of the draft resolution was given to him.

Public Comment: There was no public comment during the time scheduled on the agenda.

The Board noted that Commissioners Bonney and Slaughter and Executive Assistant Mike Kahoe attended the functional exercise for the Flint Creek Project held on December 2, 2017, at Granite High School in Philipsburg. DES/Safety Coordinator Rick Day organized the exercise which was attended by local emergency response personnel. Kathleen "Katie" Clarkson and Kelcy Adamec, engineers with the Portland Regional Office of the Federal Energy Regulatory Commission, also attended. Engineer Jeremiah Theys with Great West Engineering of Helena was the controller for the exercise. Sheriff Scott Dunkerson attended.

Maria Stoppler, CEO/DON with Granite County Hospital District, met with the Board for the monthly financial update. She reported that electronic medical records company Athena has renegotiated the travel portion of the contract which saved about

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\$30,000.00. About \$300,000 to \$400,000 in claims have been sent out. She reviewed the financial report dated 12-5-2017 including a checking account balance of negative \$97,000, projected deposits of \$427,600, projected cash requirements through 12-20-2017 of \$125,000 for projected cash reserves of \$115,600 (10 days of operation). She noted that the Medicare cost report is expected to result in a payment of \$177,497 to the facility and the legislative special session reduced some payments by approximately 3%. She presented and reviewed an administrator's report dated November 28, 2017. She reported that the M. J. Murdock Charitable Foundation has declined the facility's grant request for a new CT scan, but fund raising for the equipment will continue.

The session adjourned at noon.

Barton C Bonney, Chairperson

ATTEST: _____

Blanche McLure, Clerk & Recorder

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December 12, 2017

The Board of Commissioners met at 9:00 a.m. in regular session in the Commission Office of the Granite County Courthouse with Chairperson Barton Bonney and Commissioners Scott Adler and Bill Slaughter attending. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

Chairperson Bonney recessed the regular session at 9:05 a.m. and the Board participated in the regular quarterly meeting of the Granite County Safety Committee. Minutes of that meeting are kept separately.

Chairperson Bonney reconvened the regular session at 10:00 a.m.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his report. Items included equipment maintenance and repair, ordering of new garage doors for the recently purchased shop building at Hall and requiring all road department employees to wear reflective vests.

Neil Buckley met with the Board regarding a locked gate on Colter Gulch Road access. County Attorney Blaine Bradshaw and Planning Director Linda Bouck attended. Neil Buckley said he is proposing to reopen the county road from Highway 1 to Echo Lake. He reviewed USGS maps from 1909, a written description from 1897, and other maps from 1967, which show the road following the same course. He noted that at the end of the road, where the Pitcher property meets the Munis' Ranch property, there is a locked gate. He has purchased a cabin and 10 acres which adjoins the Pitcher property and he plans to purchase additional property for a cabin community. He also noted a current legal action between Henke and Benson, which is ongoing. He wants to clear up this issue and he has gotten permission from Ciche Pitcher, who has agreed to grant access. Neil Buckley said that his research indicates that some county records are missing regarding the Colter Gulch Road and he indicated that a road owner's association would be established to maintain the road. Attorney Mike Milodragovich indicated that he is attending today to represent Munis' Ranch. Attorney Bradshaw indicated that there is vagueness about the road in the county records as to where Colter Gulch Road begins, and Mike Milodragovich indicated that there was no record of the county ever expending funds for maintenance of a section of the road near the charcoal pits. Neil Buckley indicated his understanding that there is potentially another county road from Fred Burr at Highway 1 to Echo Lake. Attorney Bradshaw stated he was not aware of a county road from Fred Burr along Highway 1 that connects to Colter Gulch Road. Maps and access were reviewed with the Board. Mike Milodragovich indicated that the Colter Gulch Road has been shut off since the 1960's. Previous Commission minutes

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were reviewed which indicated that a portion of the road was petitioned but not accepted by the Commission, which would be required to create a county road. Gary Sundstrom reviewed that Commission minutes from 2005 and 2006 which indicate that it is not a county road. Neil Buckley presented further information. Attorney Bradshaw noted that this item is on the agenda today for discussion only, as further research will need to be done. Linda Bouck indicated that she has not seen any documentation of a county road from Fred Burr to where it connects with Colter Gulch. Mike Miller indicated that many roads on maps are driveways or private roads. Linda Bouck read documentation indicating that the road begins two miles below the town of Rumsey and continues to Red Lion, which was petitioned and accepted by the Commission in 1897. Neil Buckley reviewed additional maps. Chairperson Bonney noted that he believes that Ciche Pitcher is putting in a road which will access the property. Neil Buckley indicated that his title insurance, on his 10 acres, states that there are two access points to the property. Neil Buckley agreed to do further research on the Colter Gulch Road and present further information to the Board at a later date. Also attending were Susan Sundstrom and Robert Medof.

Georgetown Lake level was reported at 6,428.49 feet today, according to the USGS gage and the dam tender's report. The lake is approximately 12.12 inches below full pool at an outflow of 30 cfs through the power plant and over the weir. Commissioner Adler moved to make no change in the outflow and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried unanimously.

The Board reviewed county claims for November 2017. Commissioner Adler recused himself from voting on all claims for Adler Towing. Commissioner Adler moved to pay the November 2017 claims and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried.

Engineer Bill Lloyd with Great West Engineering of Helena met with the Board to recap the year's activities and obtain feedback on the firm's performance. Projects reviewed included the South Main Street Bridge (Drummond) Project, the Flint Creek Project functional exercise, design and engineering in progress for the gate valve and gabion repair at Flint Creek Dam, the Federal Energy Regulatory Commission would like the design and engineering for the spillway and the dam wall by the summer of 2018 for construction in 2019, designation of Jeremiah Theys with Great West Engineering as the engineer of record for the Flint Creek Project, and bridge evaluations and assessments. Board members agreed that Great West's work for the county has been very good and that all the staff is excellent to deal with. The Board suggested that the Walberg Bridge over Rock Creek, the Black Pine Road Bridge over Flint Creek, the bridge over Slaughterhouse Creek, and the Moose Lake Bridge over Carpp Creek be reviewed. Bill Lloyd stated that due to work on many bridges in recent years that most bridges in Granite County are in good condition. He noted that TSEP planning funds, which include funds for preliminary engineering costs, are currently available. Discussion was held on the cost of bringing county roads up to standard following forest fires.

The Board held the first reading of Resolution 2017-20 "A Granite County Resolution Establishing A Good Neighbor Policy." Commissioner Adler discussed the purpose of the resolution and the Board discussed the formalization of some actions which have been the norm for a small county. Commissioner Slaughter gave an example of the county providing sand to a rancher having cattle loaded for transport and the truck not being able to get out because of icy roads. Commissioner Bonney gave an example of assisting an elderly resident with snow plowing to enable an ambulance to get to the residence. The Board reviewed the specific events itemized in the resolution. Commissioner Slaughter noted that the intent of the resolution is to formalize actions that have been taken in the past. Commissioner Bonney stated that he would prefer it in a resolution rather than a policy. Commissioner Adler indicated some concern that there may be a problem if something is missed in the resolution. Elena Gagliano stated that she feels that it is opening the county up to problems. Commissioner Slaughter noted that there needs to be some leeway for public service without obtaining specific permission from the Commission each time. Elena Gagliano indicated that

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the resolution does not benefit the county in general. Commissioner Slaughter responded that helping a citizen on one occasion may result in assisting a different citizen on another occasion and the law allows the Commission that authority. He gave an example of assisting people at Georgetown Lake when the snow gets too deep for private contractors to handle. Commissioner Slaughter noted that the point is that often there are not private enterprises available to provide some services. Commissioner Adler emphasized and read one paragraph from the resolution which he feels summarizes the intent of the resolution, "Whereas, the purpose of this current Resolution, is to define, formalize, and continue Granite County's existing and unwritten Good Neighbor Policy which has been in effect unofficially for many years." Dick Motta quoted a section of the constitution which indicates that the power of county government comes from the people; also, these actions are not provided for in the budget. Commissioner Slaughter noted that these services, and many services, would be made available in an emergency. Dick Motta said that he feels that it is a misappropriation of county services and the resolution is not definitive enough as to who receives the service. He also questioned who authorizes these services and how is an emergency defined. Commissioner Slaughter stated that the purpose of the resolution is to verbalize what has been going on for many years as the county tries to be a good neighbor. Commissioner Slaughter reviewed the last paragraph on page 1 in the proposed resolution and Dick Motta suggested that a portion be stricken regarding "undue hardship." Dick Motta also questioned whether or not the county's insurance provides coverage. Commissioner Slaughter asked whether it is better to have the resolution or to just continue doing these things. Dick Motta quoted the law on official misconduct.

The Board held the first reading of Resolution 2017-21 "Revised Granite County Resolution Providing For Public Participation." The Board noted that the wording of the resolution is to update changes in public participation, generally through the availability of the internet. Elena Gagliano noted that there have been legislative changes which affect public participation and that the county attorney is awaiting an attorney general's answer on whether draft minutes are public documents. Dick Motta said that there is a requirement that the agendas be posted in the newspaper. Emily Petrovski with the *Philipsburg Mail* noted that there are exceptions to having notices published in the newspaper. Dick Motta stated that actions that don't comply with the open meeting law are null and void. The Board agreed to continue the readings of Resolution 2017-20 and 2017-21 at the next regular meeting.

Public Comment: Clerk and Recorder Blanche McLure met with the Board regarding the required off site storage of microfilmed documents from her office and she inquired about the use of the ambulance building just east of the courthouse. The Board noted that the sheriff has requested use of two of the three bays in that building for storage of vehicles held for evidence when the Philipsburg Ambulance vacates the building. Blanche McLure noted that storage of the microfilm back east is expensive and this option would be much less cost. The Board agreed to make a decision on the use of the building when it is vacated by the Philipsburg Ambulance when the new ambulance building is completed.

The Board made appointments, for the terms indicated, to boards as follow:

<u>Name</u>	<u>Board</u>	<u>Term Expiration</u>
Dr. William Reiter	Board of Health	12-31-2020
Kyle Comings	Flint Creek Fire Service Area	10-2-2020
Donna Volberding	Board of Adjustments	10-2-2020

The action was taken on the motion of Commissioner Slaughter and second by Commissioner Adler. There was no public comment. The motion carried. No applications were received for the Granite County Airport Board.

The Board considered a letter of support for Headwaters RC&D Micro-Business Loan Program recertification. Executive Assistant Mike Kahoe, who has been a member of the loan committee since its inception, reviewed that dozens of loans have been made over the years to assist with new or expanding businesses to create jobs in the RC&D area, including many in Granite County. Commissioner Adler moved to send a letter of support

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and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried.

Correspondence: The Board sent a letter dated December 7, 2017, to Douglas L. Johnson, Regional Engineer of the Federal Energy Regulatory Commission (FERC) Portland Regional Office in response to FERC's letter of October 25, 2017, regarding the 2017 Dam Safety Inspection Follow-Up.

The Board agreed not to hold a regular session on Tuesday, December 26, 2017, on the motion of Commissioner Slaughter and second by Commissioner Adler. The motion carried unanimously.

The session adjourned at 2:30 p.m.

Barton C Bonney, Chairperson

ATTEST: _____

Blanche McLure, Clerk & Recorder

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December 19, 2017

The Board of Commissioners met at 9:00 a.m. in regular session in the Commission Office of the Granite County Courthouse with Chairperson Barton Bonney and Commissioners Scott Adler and Bill Slaughter attending. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his report. Items included people plowing snow into the county road right-of-way and Lower Rock Creek resident's appreciation for having Barney Conrads plowing snow on the Lower Rock Creek Road.

Pintler District Ranger Cameron Rasor and Sara Rouse, who will be handling roads now for the district, met with the Board to discuss reimbursement to the county for repair of county roads resulting from the Little Hog Back Fire and the Meyers Fire. Ranger Rasor said that he has taken the county's proposal to the Forest Supervisor and he came back with an offer of \$1,000 per mile or the Forest Service could perform the maintenance. Commissioner Adler commented that contractors are paid big money during the fires for doing little work, so he feels that county's original request of \$2,700 per mile is reasonable. Commissioner Slaughter reviewed specifications for roads in the Forest Service Road Handbook and he noted that it was agreed at a previous meeting on the mileage of roads involved of 65 miles of road. Discussion was held on the amount of compensation from the Forest Service to the county. Road work after timber sales was also discussed. The Board agreed that the people of Granite County have contributed to the firefighting efforts and Commissioner Slaughter suggested that the county accept the \$1,000 per mile, although it is less than what the county originally requested. Sara Rouse indicated that they will try to do better on future fires and she noted that the district was between rangers at the time of the fires. County Attorney Blaine Bradshaw noted that if the Board declines the offer that the county would have to exhaust all of the administrative review procedures required by federal regulations, including mediation, prior to filing formal litigation in court. Road and Bridge Superintendent Paul Alt indicated that he is not in favor of the Forest Service doing the work, due to the past experience with the Forest Service's limited equipment. Ranger Rasor indicated that the roads are also used by campers and for other forest activities. Commissioner Bonney commented that he knows what it takes to repair a road and the Forest Service offer is below what it will cost to do the work. He noted that the county had made a concession and had offered to come down from \$2,700 per mile to \$1,500 per mile. After further discussion, Commissioner Slaughter moved that the county accept the \$1,000

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per mile for 65 miles of road and that the county do the work. Commissioner Bonney seconded the motion. As discussion, Emily Petrovski with the *Philipsburg Mail* newspaper, inquired about the cost of a county crew per hour. The motion carried with Commissioners Bonney and Slaughter voting in favor of the motion and Commissioner Adler voting against the motion. Discussion was held on having written agreements in place in the future before any work is done by the county related to forest fires. On another subject, Ranger Rasor indicated that some salvage timber sales are in progress.

Georgetown Lake level was reported at 6,428.48 feet today, according to the USGS gage and the dam tender's report. The lake is approximately 12.24 inches below full pool at an outflow of 30 cfs through the power plant and over the weir. Commissioner Bonney recommended no change in the outflow. Commissioner Slaughter moved to make no change in the outflow and Commissioner Alder seconded the motion. There was no public comment. The motion carried unanimously.

Jack McLeod, as public comment, met with the Board regarding the county plowing snow on roads in the Badger Bay Subdivision at Georgetown Lake, which he does not feel are county roads. He indicated that if the county is plowing snow in that subdivision, that other subdivisions at Georgetown Lake should receive the same consideration. The Board agreed to do some research on which roads are being plowed and put the matter on a future agenda.

Spenser Merwin with U.S. Senator Steve Daines' Office and Stan Spencer met with the Board to request a letter of support from the Board for repeal of the Sapphire Wilderness Study Area (WSA). Spenser Merwin introduced himself and Stan Spencer, a volunteer, explained the process of WSA's and that Sapphire WSA is unusual in that it is in two forests, the Beaverhead-Deerlodge and the Bitterroot. Stan Spencer continued that in the 80's and 90's wilderness was trendy; also, not all WSA's are in the repeal bill; the uses of WSA's moved from the intent of the WSA Act into de facto wilderness; and that land should be available for multiple uses. A citizen inquired whether livestock grazing is allowed and whether mining claims are valid. Also, snowmobilers will chase mountain goats and elk, according to Sue Peterson. Stan Spencer noted that snowmobiles need at least 4 feet of snow to get over deadfall and the biggest enemy of the moose is the wolf. He noted that this discussion would be excellent for a forest planning session. One citizen inquired why are we at this point without more public input. Both Commissioners Adler and Bonney indicated that they are not making a decision today because they need further information. Chris Marchion said that he went through the 1980's and wilderness bills (Pat Williams' bill); 52,000 acres in the Sapphires were designated as wilderness but never acted upon; none of that area is in timber base; little chance that motorized vehicles would be allowed because the trail system does not support it; Forest Service does not have budget to maintain; outdoor people testified in the state legislature when the bill was heard. Commissioner Adler questioned what is allowed in a WSA. Chris Marchion responded that the wilderness character of the land in the study act areas must be maintained, but it varies widely by the characteristics of that land. Commissioner Adler noted that it can take years for timber base timber to be harvested. Chris Marchion noted that he is a member of an organization which promotes timber sales and he feels that a decision on this will drive people apart. Elena Gagliano inquired how many WSA's are in Montana and the response was that there are seven. Stan Spencer replied that the intent was to have a recommendation back within 5 years and congress did not act on it. Judy Paige read a letter from several Granite County residents, including that any management should be a balanced approach involving local people close to the study areas.. Sally Cathey with Montana Wilderness Association noted that several solutions have come before the congress over the years and many people are here today to have a voice; she encourages the public a true opportunity to participate. Ken Brown, vice-president of Missoula Back County Horsemen, stated that there is a place for wilderness and he would like to be a member of the discussion, and he noted that the largest industry in Montana is outdoor recreation. Sue Peterson said that there is no money for trails in the Forest Service budget and she questioned whether people stay on trails when they are there. Sally Cathey indicated that a compromise can be reached with all voices.

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Commissioner Slaughter noted that not all WSA's are the same, so a "one size fits all" solution will not work; the WSA's in Beaverhead County are a totally different landscape than those in Granite County. He suggested that Senator Daines hold public hearings on individual WSA's and that Granite County will facilitate the discussion. A citizen noted that Senator Daines is asking for a repeal of the Wilderness Study Act. David Pugh asked what do we want this world to be like for our grandchildren and once a WSA is gone, in whatever form, it will never be replaced. Scott Spencer indicated that this is an opportunity to have a determination made, rather than continue as a study area; the goal is to get away from a study area to something more absolute, possibly a National Protection Act. Michael Chandler of Lower Rock Creek is surrounded by the Quigg Peak WSA and he likes that the land is protected and that Montana has a large percentage of open lands. Commissioner Slaughter moved that the Board not write a letter in support of the repeal, but write to and request that Senator Daines obtain more public discussion on WSA's in general, and especially on the Sapphire WSA, which has unique characteristics. Commissioner Adler seconded the motion. There was no further public comment. The motion carried unanimously. Those signing in were Ken Brown, Michael Chandler, Sally Cathey, Robert Rakse, Jack McLeod, Emily Petrovski with the *Philipsburg Mail* newspaper, David A. Pugh, Dennis Cox, Sherry Bechtold, Judy Paige, Ron Paige, Liz Willett, Chris Marchion, Ed Brunsvold, Elena Gagliano, Dick Motta, Stan Spencer, Spenser Merwin, Sue Peterson, Tom Rue, and Rick White.

The Board held the second reading of Resolution 2017-20 "A Granite County Resolution Establishing A Good Neighbor Policy." Elena Gagliano, who had requested time on the agenda, withheld her comment until the resolution was read. Granite County Attorney Blaine Bradshaw read the draft resolution aloud. Susie Browning inquired why the Board is establishing a "Good Neighbor Policy" at this time. Commissioner Slaughter responded that with a new road superintendent and new employees it is important to have a policy spelling things out which have been done over many years. Susie Browning said that she was glad that it will be documented in the minutes if a good neighbor act has occurred or is going to occur. Dick Motta asked if County Attorney Blaine Bradshaw has received an updated response from the attorney general regarding draft minutes being available to the public and Attorney Bradshaw responded that he had not. Dick Motta said that he feels that this resolution is to cover the misappropriation of county property. Attorney Bradshaw noted that it is the county's responsibility to provide services to the people of the county and that this resolution does not violate any constitutional equal protection requirements as this Resolution is a rational basis for providing service as outlined in the emergency or undue hardship provisions in the resolution. Attorney Bradshaw noted that the Resolution could be applied illegally if some are helped while others are not under the same circumstances. Attorney Bradshaw further noted the County will have to be careful in its application of the Resolution. He also noted that if a Commissioner were to personally benefit from any such county assistance under this Resolution, they would have to recuse themselves from making the decision. Commissioner Adler gave an example of when the Town of Drummond's snow plow broke down and the county was requested to assist with sand in front of the school. Elena Gagliano questioned if county equipment is loaned out and it breaks, how is that covered; if it is a private road and personal property is destroyed, how is that covered. Attorney Bradshaw noted that it would be an unwise practice, due to liability concerns, to allow someone who is not a county employee to operate county equipment. Insurance coverage was discussed regarding county employees and equipment being used as allowed by this resolution and Attorney Bradshaw said that he has confirmed insurance coverage with MACo attorney Brian Hopkins. Commissioner Slaughter noted that good neighbor acts will be documented in the minutes. Commissioner Slaughter moved to adopt Resolution 2017-20. Commissioner Adler seconded the motion. There was no further discussion. The motion carried unanimously.

The Board held the second reading of Resolution 2017-21 "Revised Granite County Resolution Providing For Public Participation." Elena Gagliano, who had requested time on the agenda, requested to withhold her comments until after action on the resolution has been taken by the Board. County Attorney Blaine Bradshaw read the draft resolution aloud.

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Attorney Bradshaw noted that he has not heard back from the attorney general regarding the release of draft minutes. Elena Gagliano noted that the county's website is not user friendly and she noted that Fallon County's website is user friendly and contains a lot of information. She questioned whether sending the agenda by email guarantees that it will be posted. Also, she noted that many documents are electronically filed; does that mean there is no charge to get a copy? Dick Motta inquired whether at the MACo meetings the open meeting law was discussed. Dick Motta indicated that draft minutes should be released to the public; and according to MCA Section 7-1-2121, publication of all of the Commission's agendas is required in a qualified newspaper. Attorney Bradshaw noted that MCA Section 7-1-2121 requires that notice of certain public hearings, not public meetings, is required to be published in a qualified newspaper. Dick Motta stated that he does not feel that the Board does enough to give public notice. Also, he said that having Board minutes available after they are approved does not constitute public participation and that a notice in the newspaper could be made in an adjacent county. Attorney Bradshaw noted that there is a scheduling difficulty with the *Philipsburg Mail* newspaper and the schedule of Commission meetings. Tom Rue questioned whether the Board has been called on a lack of public notice by the attorney general's office or other state agencies? The Board responded no, it has not. Commissioner Slaughter indicated that the county website will be improved if it can be. Tom Rue stated that he disagrees with Mr. Motta's comments regarding the draft minutes and noted that the public has opportunity to comment on the approved minutes. Attorney Bradshaw indicated that there is some ambiguity in the Montana Code pertaining to draft Board minutes, but the issue would be cleared up by the Montana Attorney General Opinion as updated opinion was requested in October because certain relevant statutes had been repealed and modified. Susie Browning inquired why the revised resolution is now on the agenda. Attorney Bradshaw indicated that it needed to be updated and Montana law at MCA Section 2-3-103 is about public participation and it has not been changed since 2003. Also, he noted that anyone can request to receive the agenda by email, upon request. Also, if a regular meeting is not going to be held it is voted on. Also, if the resolution states that information is available in the Clerk and Recorder's Office, it should be available. If during public comment an issue is of significant public interest comes up, the Board requests that it be put specifically on a future agenda. Elena Gagliano reviewed a copy of the MACo newsletter which outlines the resolutions that are needed at the beginning of the year and the general counsel's update. She noted that the J.P.'s Office currently has handicapped access and she inquired where the advisory boards minutes are posted on the website. The Board agreed to consider Elena Gagliano's requests. Dick Motta again maintained that the agenda should be published in a qualified newspaper. Attorney Bradshaw stated that he disagrees that the agenda must be published. Tom Rue stated that most of the discussion today is not relevant to the resolutions on the agenda. Dick Motta requested a copy of today's draft minutes and the Board responded that they will be available when approved. Commissioner Adler moved for adoption of Resolution 2017-21 and Commissioner Slaughter seconded the motion. There was no further public comment. The motion carried unanimously.

Correspondence: Commissioner Adler noted the receipt of letters from three Ronan Middle School students requesting information on Granite County. He agreed to respond to the letters.

The Board considered the request to reconsider the denial of the request by Chris and Kim Kahle regarding access across county property near Flint Creek Dam at Georgetown Lake. County Attorney Blaine Bradshaw and attorney Dylan McFarland, representing the Kahle's, attended. Commissioner Bonney reviewed the map which outlined potential access and he noted that equipment and sand and rip-rap material will be stored on county property at the dam in case of an emergency. Dylan McFarland outlined his argument that there has been a prescriptive easement for the west side driveway to the Kahle property established prior to the County owning the property, and alternatively, this driveway access is a county road (Anaconda-Deer Lodge County road). Attorney Bradshaw noted that one cannot obtain a prescriptive right against a county and one has not been established here by the courts. It was noted that all the property under discussion is in Deer Lodge County and Granite County's property is described as the Montana Power Tract and the Kahle's

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property is described a Lot 1, both as depicted on the Final Plat for the Yellow Jacket Minor Subdivision in Deer Lodge County, Montana as record number 151319 of the official records of the Clerk and Recorder of Deer Lodge County, Montana. Commissioner Bonney noted that there is a locked gate to prevent theft. Dylan McFarland indicated that it would not be in anyone's best interest to have the access designated a county road. Discussion was held on ways that all property owners could have access. The Board requested that a draft easement be written up by Dylan McFarland to see if his clients accept it, and then present it to the county attorney and the Board for consideration. Also, the Board agreed that the Kahle's will be responsible to pay for the gate which the county installed for the Kahle's as the Kahle's had agreed to install the gate and failed to do so.

The Board reviewed draft Board minutes for November 2017. Commissioner Adler moved to approve the November 2017 Board minutes. Commissioner Slaughter seconded the motion. There was no public comment. The motion carried.

Public Comment: Rick White met with the Board and he noted that some expenditures, like a purchase of tires in Missoula, are made out of the county. He feels that as many expenditures as possible should be made from the county to businesses within the county. The Board responded that every effort is made to do business within the county when the price is comparable and the Board will remind Road Superintendent Paul Alt to continue to do that. County Attorney Blaine Bradshaw attended.

Also during public comment, Chuck and Heidi Hinkle met with the Board and Chuck Hinkle reported that he has written letters to the Secretary of Agriculture, which were turned over to the Forest Service, regarding the firefighting efforts which this past summer were pathetic. He explained his frustration with federal agencies. The Board noted that they are routinely in touch with the local Forest Service both during forest fires and many other times. Chuck Hinkle asked what gives the government authority to require people to breathe smoke for two months. Also, Chuck Hinkle said he attempted to communicate with people who were fighting local forest fires last summer and he was ignored. Also, according to Chuck Hinkle, there is no incentive for the Forest Service to fight fires because it provides Forest Service employees extra employment and overtime. Commissioner Slaughter noted that the Board had trouble getting the Forest Service to pay for some road work which it had agreed to until U.S. Senator Steve Daines intervened on the Board's behalf. County Attorney Blaine Bradshaw joined the discussion. Chuck Hinkle suggested putting an initiative on the ballot in the county directing that any fires within the county be immediately suppressed and a Commissioner's representative be involved in firefighting planning and activity. Chuck Hinkle recognized that such a county initiative would have no legal effect on the Forest Service, but he thought it would send a strong political message. Attorney Bradshaw concurred. Chuck Hinkle read a portion of firefighting regulations effective in 1979 which give the Forest Service guidance and flexibility in firefighting. He also expressed his frustration in the limitation of timber sales. Chuck Hinkle reviewed the Little Hogback Fire contingency line which was put in after the fire was gone and burned the next year; the fire could have been stopped earlier very easily. County Attorney Blaine Bradshaw noted that any further discussion of an initiative being on the ballot should be on the Board's agenda and such process would have to be started by formal petition. Chuck Hinkle noted that it is an arrogant waste of natural resources to let the forest fires burn within the Forest Service's policy. He requested that the Board hold a public meeting with Senator Daines, not his representative, so the public can express its frustration with the Forest Service and its policies. Commissioner Bonney noted that the BLM held a meeting where five members of the public attended and 22 BLM people were there.

Also during public comment, Susie Browning met with the Board regarding the Board's minutes of June 13, 2017 regarding the motion to purchase the County's new Hall property, which was not on the agenda, and was priced at \$85,000.00, but the Commission noted the matter was on other Board agendas; the matters in the minutes of July 25th were not on the agenda, and the Board offered \$130,000.00; August 8th, not on the agenda, Hans Bohrsen had been requested to survey the property; on September 12th minutes, the Hall

December 19, 2017 continued...

property issue was not on the Commission's agenda; also Kim Johnson met with the Board when not on the agenda. The Board indicated that the matter was time sensitive. Susie Browning noted that Montana Code Section 7-8-2250 requires the county to get a disinterested party involved and she feels that the process was not followed. Also, it is not good that the realtor involved is closely associated with the county road superintendent, according to Susie Browning. She stated that it is a matter of public trust. She inquired about the rental of the home on the property at Hall and the personal property involved. Also, she inquired about Scott Adler's property (a truck) which is still in the shop on the property in Hall. Commissioner Adler said that he will move his pickup truck from the property. Susie Browning noted that there were five candidates for the Road and Bridge Superintendent and a waiver was made by the Board that a high school diploma not be required by two applicants. The Board noted that the waiver request articulated why their experience was equivalent to a high school diploma. Bill Slaughter recalled that he suggested that one applicant submit a letter to request the waiver of the high school diploma, due to equivalent experience, for the Board's consideration. Susie Browning indicated that she felt that combining the positions of road superintendent and solid waste manager created a new position which was not advertised. She also commented on the purchase of two new pickup trucks and that the trade-in should have been appraised according to law. Then, she noted, that an additional purchase was made at Blue Ribbon Auto for accessories for the two new pickups. She also commented that the purchase of chips from Bob Weaver should have been advertised. County Attorney Blaine Bradshaw noted that sand/gravel invoices cannot be separated out to get around the bidding requirement. Susie Browning commented that most purchases should be advertised to give the people and businesses notification that the county is purchasing vehicles or materials. She noted that it is great that the minutes are now put on the county's website. Susie Browning also commented on the used trailer that appeared in the minutes to be sold to a road department employee. She noted the public auction requirement. The Board responded that the trailer has not been sold. Susie Browning also commented on the October 3, 2017 minutes, where she did not see that her first question was not noted in the minutes as she had asked Scott Adler had ever previously used county equipment and he replied "yes." She also noted that the county mentioned in those minutes should be McCone County instead of Fallon County. She requested that, if possible, that a correction of those minutes be scheduled in January 2018, but asked that at a minimum the correction be noted in the current minutes. She noted that there may have been a conflict of interest when the road superintendent was hired because Scott Adler had previously been in a partnership with Paul Alt. County Attorney Blaine Bradshaw stated that a former partnership between a current employee and contractor does not by itself create a conflict of interest. Commissioner Slaughter explained that the County Commission made the decision at issue regarding Bob Weaver, not an county employee. Susie Browning commented on the leasing of equipment which was may have been owned by the county road superintendent. County Attorney Blaine Bradshaw noted that there is not a conflict if the decision is being made by the Commission and not the county employee. She also commented about Commissioner Adler's towing business, which were in the November claims. Commissioner Adler responded that his towing business is on a rotation list to be called out per established rotation lists maintained by law enforcement agencies, and that people are free to request their own particular towing company. County Attorney Blaine Bradshaw noted that an opinion had been received from attorney Susan Callaghan, at his request, that Commissioner Adler's business is not a conflict of interest if the Commission is not making the decision to call Adler Towing (just on rotation to be called out per the Sheriff's Office list and Montana Highway Patrol list).

The session adjourned at 3:40 p.m.

Barton C Bonney, Chairperson

ATTEST: _____

Blanche McLure, Clerk & Recorder

December 26, 2017

No regular Commission meeting was scheduled or held.

Barton C Bonney, Chairperson

ATTEST: _____

Blanche McLure, Clerk & Recorder

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