

January 15, 2019

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

Road and Bridge Superintendent Paul Alt was absent today. Commissioner Hinkle made a motion to increase salary \$5,000 immediately and re-advertise position. County Attorney Blaine Bradshaw stated that the job cannot be re-advertised. Commissioner Hinkle amended motion to increase Paul Alt's salary to \$4,000 starting immediately and depending on satisfactory performance increases of \$4,000 in July 2019, \$3,000 in 2020 and \$3,000 in 2021. No second was made, so the motion died. Commissioner Slaughter moved to remove Road and Bridge Superintendent, Paul Alt, from probationary pay and increase salary \$7,000 immediately and after a satisfactory performance increase salary another \$7,000 on July 1, 2019. No second, was made so the motion died. Commissioner Adler made a motion to increase salary \$5,000 immediately. Commissioner Adler rescinded his motion. Commissioner Slaughter moved to remove Road and Bridge Superintendent, Paul Alt, off of probationary pay and increase salary \$7,000 immediately and increase salary an additional \$7,000 on July 1, 2019 so long as he is given a satisfactory performance review at that time. Paul Alt's pay as Solid Waste Supervisor would remain the same. Commissioner Hinkle seconded the motion. Commissioner Hinkle stated this position would not be covered under the County matrix system.

Comment:

- Susie Browning had heard Commissioner Slaughter say Paul Alt is on probation, but that probation only lasts for 6 months. Mr. Slaughter then interjected that he meant that Mr. Alt is currently on probationary pay. Susie Browning also noted that in past Commission minutes there is no mention of probation salary, also there is no mention about going back to revisit salary. This year's 2.1% COLA gave Paul Alt a \$1,470 increase in salary. Susie supplied comparisons from counties across the state regarding road supervisor salaries. She would like commission to reconsider the salary increase. Susie thanked Commissioner Adler for getting this subject on the agenda.**
- Tim Allen questioned if motion trying to establish base salary for road supervisor generally or for Paul Alt. The stated motion is worded poorly.**
- Rodney Hobaugh questioned Paul Alt's glowing evaluation, when citizens are not seeing roads being properly maintained. Why is gravel being hauled from different pits? The Commission responded that different gravel pits have different quality gravel. Are road employees happy with Paul Alt as their supervisor? Commission Slaughter responded that they are happy with him. Rodney Hobaugh asked for a job description for the Road and Bridge Superintendent. He is disappointed the Commission is considering such a large salary increase at one time.**
- Dan Villa asked why was this Road & Bridge Superintendent position was created in the first place. Commission responded they needed person in charge to oversee things,**

order and get parts. Why wasn't this position offered to someone already on the crew? The savings in salary and a truck would have been huge for the county. Commission Adler stated the position was offered in house to road crew members and no one applied.

- John Spaeth believes the present base salary along with solid waste salary is sufficient for this county. The Commission should re-evaluate salary after 2 or 3 years.
- Dick Motta thought this was about Paul Alt receiving a salary increase, not setting the base salary for the Road and Bridge Superintendent. Why wasn't this set when Paul Alt's probationary period was over and then included in the current budget when it was set? What will happen when budget will be depleted? Commissioners stated this should have been done when the probationary period was over and that a line item in the fund may have to be done, however it will be within the road fund. Is Paul Alt still supervisor of county land fill and will he be asking for a raise there? What hours does Paul work? Commission stated no and he's on call 24/7. It was suggested that the Commission should combine road and bridge superintendent with solid waste manager.
- Elena Gagliano said on December 18, 2018 Paul Alt's salary was discussed, when was his performance evaluation? Commission stated at least 2 weeks before. Elena Gagliano said she heard no one comment that Paul Alt is doing a good job. Roads are in poor condition, doesn't return calls, etc. Between what the public sees and what commission says his performance is, there is a difference. Elena Gagliano does not agree with the salary raise.

After all the public comment was given, Commissioner Slaughter called for a vote. The motion carried and passed 2-1. Commissioner Slaughter and Commissioner Adler voted for the motion, Commissioner Hinkle voted against the motion. County Attorney Bradshaw was asked and agreed to draft the written employment contract.

Georgetown Lake level was reported at 6,428.59 feet, according to the USGS gage and the dam tender's report. The lake is approximately 10.92 inches below full pool with an estimated 20 cfs through the power plant and an estimated 20 cfs over the weir. Commissioner Hinkle moved to make no change in the outflow and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board reviewed county claims for December 2018. The claims were approved on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

Sheriff/Coroner Scott Dunkerson met with the Board to present his written wage increase proposal dated 12-13-2018 for dispatchers in order to keep dispatchers. The increase would be approximately \$23,000 per year. Sheriff Dunkerson stated that part of his dispatch salary would come from 911 funds. A resolution to increase the Sheriff's budget for wages, to adjust the matrix for dispatchers, and to authorize transfer funds from Sheriff's 911 Fund to pay for the wage increase needs to be drafted. The County Attorney

said he would draft the Resolution consistent action of the Board. Commissioner Adler moved to increase the dispatchers salary by \$1.00 per hour for all dispatchers (entry level with corresponding two percent increases for each step across the pay matrix) in addition to the and graveyard shift increase of \$1.00 per hour and \$.60 per hour for the swing shift as of January 1, 2019, and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

Mr. Bruce Wiederspiel's Family Transfer Hardship Request matter was discussed. Please refer to the Planning Board's Memorandum, with recommendations dated January 7, 2018 (actually 2019 as that was a typo) for background on this matter, and this Memorandum is copied below this current paragraph. County Attorney Blaine Bradshaw, County Planner Linda Bouck, Edwin and Michele Churchill were present. Ed and Michelle Churchill, realtors for Mr. Wiederspiel, attended on behalf of Mr. Wiederspiel since he was not able to be present. Mr. Wiederspiel was on his way back from the Galapagos Islands. Mr. Churchill indicated he was not able to meet with the Planning Board at their January 3, 2019 public meeting as he had been in an accident so he sent in a letter with attached medical records. It should be noted that these medical records are confidential, are not public records, and will not be disclosed to the public. Mr. Bruce Wiederspiel had purchased land 10 years ago, and the land backs up to forest service land. There is no intent to further subdivide the land in question. Commissioner Slaughter closed the meeting to the public due to the hardship request being requested for medical reasons and this medical information is private information, and that Mr. Wiederspiel's privacy rights outweighs the public's right to know. Regarding Mr. Wiederspiel's medical records, these are held confidentially by the County. However, there is no financial distress due to the cancer. Bruce Wiederspiel doesn't want to wait until October 2019 to sell as he has a buyer now. The sale needs to take place this month as there is a 1031 exchange planned by the Buyer. The Commission finds no credible hardship in this case from them to recommend to the Granite County Clerk & Recorder to allow Mr. Wiederspiel's wife to record the deed at this point—this deed would be regarding this land at question which is a parcel of land recently created via the family transfer exception to the subdivision laws. The Commission agreed with the Planning Board's Memorandum, with recommendations, discussed above. The meeting was opened back to public. Commissioner Hinkle moved to go with recommendation of the planning board to deny the hardship to Mr. Bruce Wiederspiel. County Attorney Bradshaw stated if there is no hardship there would be evasion of the subdivision regulations and laws in this matter. Commission Adler seconded the motion. There was no public comment. The motion carried unanimously to deny the hardship request.

The Granite County Planning Board's Memorandum dated January 7th is copied below:

MEMORANDUM

To: Board of Commissioners

From: Planning Board
Date: January 7, 2018 [corrected year is 2019]
Re: Wiederspiel Family Transfer

Per your request, the Planning Board reviewed the Wiederspiel Family Transfer for subdivision evasion at their meeting on January 3, 2019. The Wiederspiel Family Transfer was completed in October of 2017. As has always been the policy for Granite County, should a deed on a family transfer be submitted for filing within 2 years of the date of the family transfer filing, a review for evasion is completed. Although no deed has been submitted, Mr. Wiederspiel requested a determination with consideration for a personal hardship. Unfortunately no one representing Mr. Wiederspiel was able to attend the meeting and no information for consideration of a hardship was presented.

The Board considered the information and evidence on hand.

- A family transfer was completed in October 2017.
- As part of this family transfer, a 195 acre parcel was created under the family transfer exemption. It was made known to the property representative that this parcel would be subject to evasion review should they try to sell it within 2 years of the filing date.
- The 40 acre parent parcel that was remaining, once the 195 acre family transfer parcel was removed, retained the right for immediate sale.
- The 40 acre parent parcel was sold in late 2017, early 2018.
- In 2018 a formal family transfer policy was put into place by Granite County. This now requires no sale of any parcel before 2 years. Mr. Wiederspiel is not subject to this requirement. He is subject to the previous requirement of review for evasion within 2 years.
- Mr. Wiederspiel requested to allow for a hardship to sell the parcel to the Granite County Board of Commissioners on December 11, 2019. The Board of Commissioners sent the request to the Granite County Planning Board for consideration of an evasion and as to whether a hardship was present.
- The Planning Board reviewed the request on January 3rd at their meeting.
- One of the Planning Board members noted this property has been on the market for the past 3 years. Additionally the parcel was not taken off of the market following the family transfer.
- No representative for Mr. Wiederspiel attended the meeting and no information on a hardship was submitted for review.
- Given the evidence before them, the Planning Board determined the attempted sale of the parcel to be an evasion of the subdivision and platting act. They believe the parcel was created for sale purposes only and to evade subdivision and subdivision requirements. Their recommendation is to deny the hardship and inform the owner that any attempt to

sell the property prior to October of 2019 will result in legal action by Granite County for evasion.

- Following the meeting, a voice mail was received by the Granite County planning office. The voice mail had been left in the middle of the meeting and not received by staff until after the meeting. This voice mail was from Ed Churchill, representative for Mr. Wiederspiel, stating he had been in an automobile accident and was unable to attend the meeting.
- On Monday, January 7, 2019, planning staff received an email from Mr. Churchill, sent on Friday, January 4, 2019, with the hardship evidence and a letter of explanation. This information is all attached for your review. As the Planning Board did not receive it, they did not consider it.

Given the evidence before them, the Planning Board recommends denial of the hardship and inform the owner that any attempt to sell the property prior to October of 2019 will result in legal action by Granite County for evasion.

End of Memorandum

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The Board held the second reading of Resolution 2019-1 “A Granite County Resolution Establishing Regular Commission Meeting Dates, And Regular Courthouse Office Hours For Calendar Year 2019.” Commissioner Adler moved for adoption of Resolution 2019-1 and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board held the second reading of Resolution 2019-2 “A Granite County Resolution Establishing Mileage, Lodging And Per Diem Rates For Business Travel And Providing For An Effective Date.” Commissioner Adler moved for adoption of Resolution 2019-2 and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board held the second reading of Resolution 2019-3 “A Granite County Resolution Establishing The Daily Rate And Daily Rate Of Credit For Incarceration And Providing For An Effective Date.” Commissioner Adler moved for adoption of Resolution 2019-3 and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board held the second reading of Resolution 2019-4 “A Granite County Resolution Denying The Petitions To Establish Portions Of Lucky And Hilltop Lanes Within Granite County As County Roads.” Commissioner Hinkle moved for adoption of Resolution 2019-4 and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board held the second reading of Resolution 2019-6 “A Granite County Resolution Authorizing An Increase To The County’s Philipsburg Ambulance Association 2019 Fiscal Year Budget With A Loan Transfer From PILT Funds And Loan Repayment Schedule.” Commissioner Hinkle moved for adoption of Resolution 2019-6 and Commissioner Slaughter seconded the motion. Commissioner Adler is against taking the money out of PILT. The motion carried 2-1. Commissioner Slaughter and Commissioner Hinkle voted for the motion and Commissioner Adler voted against the motion.

The Board held the first reading of Resolution 2019-7 “A Granite County Resolution Granting The Petition, Received By The County On September 4, 2018, To Withdraw Certain Area of Lower Rock Creek From The Granite County Hospital District.” Matt Pierce with MAPs has drafted the maps depicting the area to be withdrawn to be attachments of the Resolution. These maps will be posted on the County’s website, under Notices. The maps will be posted this week so the public may review them prior to passage of this Resolution next week. It should be noted the intent of petition was to include all of Idle Ranches Subdivision on Lower Rock Creek, and so all of the land in the subdivision will be included in the area to be withdrawn. There was no public comment.

The Board reviewed the minutes from the January 8, 2019, meeting. The minutes were approved as revised on the motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried unanimously.

Public Comment: None

Correspondence: None

The session adjourned at 2:30 p.m.