

May 21, 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 Commissioner Scott Adler attending. Commissioner Charles Hinkle was absent this day. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

Road and Bridge Superintendent Paul Alt met with the Board and gave his report. The report included that dura-patching will begin next week, starting with the roads which were chip sealed. The Board contacted the Powell County Commissioners by speaker telephone regarding road maintenance on a section of Powell County road near Jens and the Board agreed to Powell County's proposed pricing for an agreement between Powell and Granite Counties, primarily for snow plowing.

- Purchase of a pickup truck for the Hall Road Department was discussed. Paul Alt presented prices from two Missoula dealers on pickup trucks with government cooperative pricing: Karl Tyler Chevrolet for a 2019, 3500 Chevrolet Crew Cab for \$35,261.30 and Lithia Chrysler Jeep Dodge for a 2018 Ram 2500 Tradesman Crew Cab 4x4 Long Box for \$35,984.00. It was noted that this pricing is very competitive. Commissioner Slaughter moved to purchase the Chevrolet through Road Department capital outlay and Commissioner Adler seconded the motion. There was no public comment. The motion carried.**
- County Attorney Blaine Bradshaw attended the pickup truck purchase discussion and confirmed that all the major truck manufacturers, and their dealers, are currently members of Sourcewell, a government purchasing cooperative, which assures government pricing and favored customer discounts. County Attorney Blaine Bradshaw verified the County's Procurement Policy was followed in this situation.**

Georgetown Lake level was reported at 6,429.04 feet, according to the USGS gage and the dam tender's report. The lake is approximately 5.52 inches below full pool with an estimated 44.7 cfs through the power plant and an estimated 44.7 cfs over the weir below the power plant. Commissioner Adler moved to make no adjustment in the outflow at 44.7 cfs. Commissioner Slaughter seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw attended.

Patrick Little with the Philipsburg Volunteer Ambulance and County Attorney Blaine Bradshaw met with the Board to consider the proposed amended bylaws for the ambulance group. Patrick Little indicated that a confidential volunteer personnel file will be maintained, including required hours of education and calls responded to. Commissioner Adler moved to approve the amended bylaws as presented. Commissioner Slaughter seconded the motion. There was no public comment. The motion carried. The cost of transporting the three used donated ambulances from California was again discussed and

Patrick Little noted that there is sufficient ambulance budget to cover the cost, and he also reported that there are eight new EMT's on the ambulance roster.

The Board reviewed the applications received for the county DES/Safety Coordinator position. The position was advertised in the May 9 and 16, 2019 issues of the *Philipsburg Mail* newspaper and on the county's website. Two applications were received; one from Jackie Bolster and one from Dustin Muhly. Both are currently working for the county, Jackie Bolster as an employee and Dustin Muhly as a contractor. The County Personnel Policy Handbook's was reviewed and interviews are not required, and the Board concluded they would choose not to do interviews necessary because both applicants currently perform work for the county. Extension Agent Ben Hauptman was asked to be a member of the hiring committee by the Board, and he did assist the Board with the evaluation of the applications. The hiring committee was comprised of Commissioner Bill Slaughter, Commissioner Scott Adler and Ben Hauptman, County Extension Agent. The applications, with qualifications, were diligently analyzed and discussed by the committee. Commissioner Adler moved to make an offer of employment to Jackie Bolster for the DES/Safety Coordinator position and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried unanimously.

Rick Robinson with Granite Disposal met with the Board to discuss his garbage collection operation. County Attorney Blaine Bradshaw and Drummond Mayor Gail Leeper attended. Discussion was held on the charges to the county for garbage pickup, approximately \$4,000 per year. Rick Robinson reported that he hauls Philipsburg area garbage, including Georgetown Lake, Upper Rock Creek and Maxville, to Drummond because the Philipsburg container site cannot handle the volume as it is very busy and the Drummond container site can handle the volume because it is less busy. Rick Robinson noted that the Philipsburg site is often congested and he is happy with the way it is working now. Commissioner Adler indicated that he has had complaints from certain Granite Disposal customers that their dumpsters are oftentimes not dumped completely and Rick Robinson suggested that those customers speak directly with him since he is a private entity; also, he noted that he sometimes has a truck out of operation. Discussion was held on Mr. Rick Robinson's property near the Clark Fork River where the river is encroaching on his property and debris is going into the river. Rick Robinson reported that he does not have scales on his trucks as they do not have air springs, which are required for scale accuracy; also, truck scales are \$3,000.00 each; and the scales on trucks do not measure small amounts accurately. He noted that he services The Ranch at Rock Creek three times a week in the summer and he does not know how many solid waste units they are charged. The Board requested a customer list from Rick Robinson, at least annually, for the Board to determine if the public is being charged fairly on solid waste as he is the major operator in the county. He reported that as of July 1st he is going to quit the recycling as the rates are low on recycling material and the recycling centers are getting very particular on what they accept (more newspapers than magazines in a bin); also, it is not profitable for his business. The Board requested that Rick Robinson communicate with the Board at least

twice a year to keep up with any changes. Rick Robinson inquired about out of county rates and who is charged, and the Board responded that out of county contractors and fire camps should definitely be charged the out of county rate. Mayor Gail Leeper commented that when she hauls garbage herself she goes over her personal solid waste unit so there is an unfair benefit to using Granite Disposal's garbage hauling services. Commissioner Slaughter indicated that it is a quirk of the system. Rick Robinson noted that he cannot weigh individual garbage cans because it is time consuming when he services 200 customers a day.

The Board met with *Philipsburg Mail* newspaper owner Jesse Mullen and Tim Allen with the Flint Creek Courier, a free online news source, to discuss bidding for the publishing of county notices, informational ads and legal process. County Attorney Blaine Bradshaw noted that there is a bit of legal dispute on whether the Flint Creek Courier may publish valid legal notices and he agreed to do some additional research. Tim Allen presented a summary of information on his services and a copy of the filing he made with the Granite County Clerk and Recorder on January 2, 2019. He noted that his website has 9,000 unique visitors for free each month and that the MCA's over the years have not specifically included the internet. He informed the Board that the cost for each publication is \$40.00; he currently runs the meeting agendas for Philipsburg, Drummond and Granite County for free. Jesse Mullen stated that it is clear in the law what a newspaper is and the state has been shut down regularly for online publication; he feels that an online posting does not meet the legal definition of a newspaper; and he is required to publish his circulation records annually. He indicated that some states and counties have tried to utilize website posting in the past and it has failed. County Attorney Bradshaw noted that certain notices are required by law to be published. Jesse Mullen advised that county notices should be published in as many places as possible to reach more of the public. He noted that the *Philipsburg Mail's* rate is \$9.50 per column inch. County Attorney Bradshaw informed the Board that he will issue a firm legal opinion on the matter and if that is challenged it would be done in district court. Jesse Mullen indicated that there have been competing challenges in the past and that it is the legal opinion of the Montana Newspaper Association that online posting does not meet Montana's legal standards. After the County Attorney issues a legal opinion, the matter will be taken up again by the Board and a formal notice to bid may be issued at that time.

The Board considered an itemized estimate from the Town of Philipsburg, Director of Public Works Sam Dennis, for materials for new water and sewer lines connections to the new Philipsburg Ambulance garage in the amount of \$1,577.00. County Attorney Blaine Bradshaw attended. Granite County agreed to purchase the materials and the Town of Philipsburg agreed to do the installation as part of an existing and ongoing written agreement between the parties. Commissioner Adler moved to accept the itemized estimate up to \$1,577.00 for materials and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried.

The Board considered an application and agreement with Savvik Buying Group, a government purchasing cooperative. County Attorney Blaine Bradshaw informed the Board that there is an online application for the county to apply to become a member of that purchasing group. He would present the agreement, when he receives it, for the Board's consideration. The Board agreed that County Attorney Bradshaw complete and submit the application on the motion of Commissioner Adler and second by Commissioner Slaughter. There was no public comment. The motion carried.

The Board considered a Memorandum of Understanding between Granite County/County DUI Task Force and Dirk Sichveland for free designated driver services for major local events. County Attorney Blaine Bradshaw and Dirk Sichveland attended. County Attorney Bradshaw explained that Dirk Sichveland is a member of the DUI Task Force and he has volunteered to give free transportation, as a designated driver using his own vehicle, during events in the Philipsburg area when requested through the Sheriff's Office. Commissioner Adler moved to approve the MOU and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried.

Public Comment: Commissioner Slaughter reported that Public Health Nurse Katie Muhly intends to spend some Maternal and Child Health grant funds on suicide prevention training for students, parents and adults.

Correspondence: None.

The Board reviewed draft minutes for the May 14, 2019 regular session. The minutes were approved as presented on the motion of Commissioner Adler and second by Commissioner Slaughter. There was no public comment. The motion carried.

The session adjourned at 2:30 p.m.

May 22, 2019

The Board of County Commissioners met in special session at 10:00 a.m. at the Wagon Wheel Café, 316 East Front Street in Drummond with Chairperson Bill Slaughter and Commissioner Scott Adler attending. Commissioner Charles Hinkle was absent this day. Also attending were County Attorney Blaine Bradshaw, Executive Assistant Mike Kahoe, Road and Bridge Superintendent Paul Alt, Drummond Mayor Gail Leeper, Fred Collins with Montana Department of Environmental Quality (DEQ), and Rex Radtke. Copies of DEQ information were given to each person attending, including a checklist and license application form, a compost facility site operation and maintenance plan form, and Montana law regarding compost license and operation standards.

Chairperson Slaughter called the meeting to order to discuss a potential new carcass composting site on Radtke property and he reviewed the reasons the current site at the Drummond Solid Waste transfer site was unacceptable, including offensive odor going into Drummond, limited area for composting operation, water running through the compost

site and potential groundwater contamination. He noted that the Town of Drummond is working hard on economic development and it is the Commission's desire to move the composting away from town. Commissioner Slaughter reported that Tri-County Sanitarian Chad Lanes had made an inspection and report on the site, and a copy of that report will be forwarded to Fred Collins at DEQ.

Fred Collins reviewed the basic standards for a minor compost site of less than two acres, including a no-cost permit from DEQ, a semi-permeable base, berm, fence and setbacks.

Rex Radtke indicated that there are two potential sites, one near the Drummond Airport and one near Cow Creek at Four Corners. The Board responded that the site near the Drummond Airport would not be acceptable since the composting can draw birds which are not compatible with aircraft operations.

The group made a site visit to the area on Radtke property at Cow Creek and Four Corners. Brad Radtke and Grady Radtke joined the group at the site. Discussion was held on the appropriateness of the site for a private carcass composting operation and Fred Collins agreed to do further research when he returned to the DEQ office in Helena. Rex and Brad Radtke indicated they would likely apply for the DEQ permit for the composting site without need for the County to be a party to the permit application as it will be a non-governmental, private site.

The session adjourned at 11:20 a.m.