

**August 13, 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 Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.**

**The Board held the bid opening for the crushing of 10,000 cubic yards of gravel at the county's gravel pit on state leased land on Moose Lake Road. The project was advertised in the August 1 and 8, 2019 issues of the *Philipsburg Mail* newspaper and on the county's website. Executive Assistant Mike Kahoe read the one bid received aloud as follows:**

<u>Contractor</u>	<u>Bid</u>
Centennial Concrete, Butte	\$11.25/cubic yard

**Mark Salusso with Centennial Concrete attended. Road and Bridge Superintendent Paul Alt Commented that gravel could be purchased at less cost than having it crushed. Mark Salusso indicated that the DEQ permit is restrictive and the county could request that it be revised. The Board took the bid under advisement.**

**Commissioner Adler moved to reject the bid on the grounds that it is too high and the county lacked the funds at this price, and Commissioner Hinkle seconded the motion. As discussion, Mark Salusso inquired about the cost to purchase ¾" road mix gravel in this vicinity and Paul Alt responded that gravel could be purchased from two suppliers at \$12/cubic yard and from one supplier at \$11.75/ton. Paul Alt noted that when the royalty of \$1.25/cubic yard is added to the gravel crushing, that it is less expensive to purchase gravel than to have it crushed. There was no further public comment. The motion carried unanimously.**

**Road and Bridge/Solid Waste Superintendent Paul Alt met with the Board and gave his report. The report included planned improvement on the West Mullan Road and also a patch on the Upper Georgetown Lake Road. Also, dura-patching continues. Commissioner Hinkle moved to retain on-call engineer Great West Engineering to review the West Mullan Road design. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. Cave Gulch Road has been graded and is in good condition. County Attorney Blaine Bradshaw attended.**

**The Board reviewed a draft template Road Maintenance Agreement for use when specific services are provided by Granite County. County Attorney Blaine Bradshaw attended and noted that he had drafted the agreement. He indicated that it is broad enough to be utilized for many situations. Commissioner Hinkle moved to approve the Road Maintenance Agreement template and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.**

Georgetown Lake level was reported at 6,429.28 feet, according to the USGS gage and the dam tender's report. The lake is approximately 2.64 inches below full pool with an estimated 44.1 cfs through the power plant and an estimated 44.1 cfs over the weir below the power plant. County Attorney Blaine Bradshaw, Jason Vietor, Brad Liermann and Randy Arnold with FWP, Gary Carlson, Chuck Stokke and Andrew McFarland attended. Commissioner Hinkle moved to make no change in the outflow today to 45 CFS and reduce the outflow on September 17, 2019, to 15 cfs, with weekly monitoring and recognizing that the reduction to 15 CFS may be changed upon agreement of the relevant government agencies involved. Commissioner Adler seconded the motion. Brad Liermann commented that the FERC license indicates an outflow of 30 cfs and he does not recommend that the outflow remain at 45 cfs during the irrigation season. Commissioner Slaughter noted that there was no change in the lake level since last week and the lake level is reviewed every week by the Commission. He reviewed that there is a rule that the lake level not go below two feet of full pool. Commissioner Slaughter noted that the owner of the dam, Granite County, through the local taxpayers, pays for the maintenance and the State of Montana, FWP, pays for nothing. Randy Arnold commented that the FWP looks at the lake level regularly and he agrees that water can be released when it is available, but they would like to see an end date for the release. A letter dated August 8, 2019, from Dave Amman with DNRC was reviewed. Bill Slaughter noted that the FERC order allows for temporary modifications. Brad Liermann noted that the FERC license is for producing power. Jason Vietor commented that ranchers below the reservoir are making a living with the water and the Commissioners are generous about releasing water when it is available. Randy Arnold suggested an end date of September 12, 2019. Jason Vietor noted that the target water level in the FERC license is not more than two feet below full pool. Brad Liermann indicated that he does not agree that two feet below full pool is acceptable due to the recent fish kill in 2017 which he believes is from low lake levels depleting oxygen levels in the lake. Commissioner Slaughter noted that there are many parties involved here and there is no reason that they cannot get along. Chuck Stokke, a Georgetown Lake homeowner and member of Trout Unlimited, commented that in the past that he would rather have the irrigators take the water rather than dump it in October. Jason Vietor agreed that irrigators are done by the end of September and the ag community carries a lot of risk. Chuck Stokke suggested asking Dave Amman from MT DNRC to run the models again at the end of the month to give guidance on management of outflows. He noted that oxygen levels in the lake are important in the winter. Jason Vietor suggested that the outflow be reviewed on September 17, 2019. The motion carried unanimously. Chuck Stokke noted that there is a possibility that someone could file a state district court case to enforce the 30 cfs provision which is a part decreed rights through the State of Montana. On another subject, Brad Liermann noted that he sometimes files a complaint with the Granite Conservation District when someone is operating outside their 310 permit.

The Board reviewed county claims for July 2019. Commissioner Adler recused himself from voting on the claim for Adler Towing. The claims were approved on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

The Board noted the receipt of the Drummond School and Community Library District budget for the 2019-2020 fiscal year. Anticipated total revenues are \$48,122.91 and anticipated total expenses are \$48,122.91.

The Board reviewed a proposal for dome repair at the courthouse from Ace Roofing LLC of Wilsall in the amount of \$28,000.00. County Attorney Blaine Bradshaw and courthouse custodian Janeen Bonney attended. Jake Magalsky with Ace Roofing LLC reviewed the proposal by speaker telephone and said that he felt 90% confident that it would solve the water intrusion into the building as there are no engineered specifications for this project, but he brought his team to Philipsburg to inspect the dome. He noted that the proposal includes mobilization and safety equipment for his employees. He also noted that this repair would include the bottom two-thirds of the dome area, as work on the upper one-third of the dome would require additional safety equipment, like a crane and a man basket. Also, he could provide a proposal for an annual maintenance contract for the courthouse roof, if requested. A proposed was requested by the Commission to review at a future date at an opening meeting. He recommended that three things be completed by separate contractors and are expressly not included in this proposal; tuck pointing exposed masonry below the dome, exterior painting of dome, and all interior repairs of stucco and painting. Jake Magalsky noted that this work would not be guaranteed to stop the water intrusion, but that the craftsmanship and materials would have a limited two-year warranty. The Board noted that no bids were received when the project was advertised in the local newspaper for bid. Commissioner Adler moved to accept the proposal and the professional services agreement, and Commissioner Hinkle seconded the motion. Janeen Bonney commented that she is in favor of the proposal. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw and Scott Sylvester with the *Philipsburg Mail* newspaper attended.

The Board reviewed the new law regarding junk vehicles, which allows up to 20% of the junk vehicle funds received by a county for the disposal of non-motorized vehicles, such as campers and camper trailers. The Board agreed not to handle non-motorized vehicles (and motor homes) at this time because they are difficult to dispose of. The Board also reviewed the draft preliminary budget for the 2019-2020 fiscal year and the position description for the county Junk Vehicle Program Director. The Board agreed to have the Junk Vehicle Program Director Elwyn Kingrey come in soon and discuss the provisions of the job and the preliminary budget. County Attorney Blaine Bradshaw and Jacquie Venard with the *Philipsburg Mail* newspaper attended.

The Board reviewed the Construction Agreement with Battle Ridge Builders LLC for the Flint Creek Dam Improvement Project for repairs on the spillway and dam face. The county's engineer, Great West Engineering of Helena, recommended that the agreement be executed by the county as all necessary documents have been submitted by the contractor. Commissioner Adler moved to approve the Construction Agreement with Battle Ridge Builders LLC and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Four copies of the agreement were executed

by Chairperson Bill Slaughter and one copy will be retained by Granite County, one copy sent to the contractor and two copies returned to the engineer.

The Board considered the draft one-year written agreement with Dustin Muhly as an independent contractor as coordinator for the Granite County Public Health Emergency Preparedness (PHEP) Program. It was noted that an agreement between Granite County and the Montana Department of Public Health and Human Services (DPHHS) covers all the costs of the independent contractor services. The Board noted that the agreement with Dustin Muhly, as written, would terminate immediately if full DPHHS funding for this program was discontinued for any reason, which is stated in the agreement. The agreement was approved on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

The Board held the first reading of Resolution 2019-18 “A Granite County Resolution Requesting Distribution Of Bridge And Road Safety And Accountability Program Funds.” The purpose of the Resolution is to state that the \$43,853.53 in fuel tax allocated to the county through the Bridge and Road Safety and Accountability Program (BaRSAA)/HB 473 Fuel Tax Allocation will be utilized for the purchase of road mix gravel for use on county roads. There was no public comment. County Attorney Blaine Bradshaw attended.

**Public Comment:** Ashley Westphal commented by speaker telephone that she objects to the design of the intersection with Rumsey Road and the road to Discovery Ski Area. County Attorney Blaine Bradshaw responded that according to Planning Director Linda Bouck that the intersection was designed following several public meetings and concurrence with the BLM (Bureau of Land Management) to prevent people from going into the residential area at the end of Rumsey Road and having to turn around.

Also, during public comment, Bobbie Beyer met with the Board and thanked Board members for the partnership between the county and the Forest Service that improved Viking Lane. She requested, now that the road is improved, that the Board consider plowing snow and performing ongoing maintenance on 7/10's of a mile further up Viking Lane than the county now maintains. Commissioner Slaughter noted that it is a Forest Service road, not a county road, and that the Forest Service should be present when the request is on a future Board agenda for further discussion. James Burke commented that if the county does not maintain the road that it will deteriorate to the point that it was a couple of months ago. County Attorney Blaine Bradshaw, Roger Beyer and Jan Burke also attended.

**Correspondence:** None.

The Board reviewed draft minutes for August 6, 2019. The minutes were approved as presented on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw attended.

The session adjourned at 2:40 p.m.