

THE BOARD OF COUNTY COMMISSIONERS MET ON THE 3<sup>RD</sup>, 10<sup>TH</sup>, 17<sup>TH</sup>, 24<sup>TH</sup> & 31<sup>ST</sup> OF JULY 2018 IN THEIR OFFICE AT THE GRANITE COUNTY COURTHOUSE WITH ALL THREE COMMISSIONERS PRESENT.

THE FOLLOWING CLAIMS FOR THE MONTH OF JUNE 2018 WERE APPROVED AS FOLLOWS:

<u>WARRANT</u>		<u>AMOUNT</u>
54648 JOHN DEERE FINANCIAL	SUPPLIES	\$472.36
54649 FLINT CREEK VALLEY BANK	PAYROLL & NOD FEE	\$100,080.05
54650 VISA #1	COUNTY HEALTH	\$611.96
54651 VISA #2	ROAD - CONES	\$366.54
54652 VISA #3	FCP - CALIBRATION & POSTAGE	\$292.61
54653 MARCUM FIREARMS	FIREARMS	\$5,415.00
54654 360 OFFICE SOLUTIONS	SUPPLIES	\$421.67
54655 A & M FIRE AND SAFETY, INC	FIRST AID & EXTINGUISHERS	\$1,402.00
54656 ADLER TOWING	EXTRACT STUCK WEED TRUCK	\$337.00
54657 AFFCO	BLADES	\$79.72
54658 AMERICAN WELDING & GAS	ACETYLENE	\$23.10
54659 ANNIE YOUNG	TRAVEL	\$33.79
54660 AXMEN	MAINTENANCE	\$269.51
54661 BART BONNEY	TRAVEL	\$113.36

54662	BECKY SMITH	TRAVEL	\$279.07
54663	BIG SKY RESTAURANT SUPPLY, INC	DRMD SR CITIZEN SUPPLIES	\$419.00
54664	BILL SLAUGHTER	TRAVEL	\$223.45
54665	BLACKFOOT CFT	JUNE BILLING	\$3,761.06
54666	BLAINE BRADSHAW	TRAVEL	\$251.20
54667	BLANCHE MCLURE	POSTAGE	\$113.92
54668	BOB BARKER CO INC	SHIPPING CHARGES	\$5.78
54669	BOHRNSEN LAND & CATTLE	ROAD MATERIAL	\$600.00
54670	BUTTE PRODUCE	DRMD SR CITIZEN SUPPLIES	\$566.32
54671	CALLAGHAN LAW	PROFESSIONAL SERVICES	\$3,654.00
54672	CARQUEST AUTO PARTS	JUNE STATEMENTS	\$802.04
54673	CENTURYLINK	CONTRACTED SERVICE	\$415.80
54674	CENTURYLINK	FCP PHONE	\$57.03
54675	CLAUDETTE PARKE	CERTIFIED MAILINGS	\$60.51
54676	COLETTE ADELE FADNESS	AREA V MILEAGE	\$151.51
54677	COMDATA	JUNE BILLING	\$4,855.33
54678	COMPLIANCE MONITORING SYSTEMS	SUPERVISION	\$75.00
54679	CROWN CORRECTIONAL TELEPHONE	INMATE PHONE CARDS	\$280.00
54680	CULLIGAN	HOT-N-COLD RENTAL	\$33.00
54681	DEER LODGE CO MSU EXTENSION	TRAVEL	\$59.95
54682	DIANA YOUNG	ELECTION JUDGE	\$116.20
54683	DIS TECHNOLOGIES	CONTRACTED SERVICE	\$12,495.74
54684	DRUMMOND AMBULANCE ASSOC	DRMD VOL AMBULANCE	\$3,103.88
54685	DRUMMOND COMMUNITY HALL	RENT	\$300.00
54686	DRUMMOND SENIOR CITIZENS	SHAMPOOER	\$211.48
54687	DUNNE COMMUNICATIONS	CHECK REPEATER	\$400.00
54688	DUSTBUSTERS INC	DUSTGARD	\$9,996.59
54689	FACILITY REIMBURSEMENT	PROFESSIONAL SERVICE	\$2,097.31
54690	FICKLER OIL CO. INC.	FUEL	\$3,054.98
54691	FOLEY'S QUALITY SERVICE	PROPANE	\$48.00
54692	GALLATIN COUNTY TREASURER	INDIRECT COST - JUVENILE	\$37.14
54693	GEMPLERS INC	SPRAY GUN	\$111.99
54694	GENERAL DISTRIBUTING CO.	CO2,HP,ACETYLENE	\$176.40
54695	GRANITE AMMUNITION	AMMUNITION	\$800.00
54696	GRANITE CO MUSEUM	RENT - PRIMARY	\$200.00
54697	GRANITE COUNTY TREASURER	POSTAGE	\$451.78
54698	GRANITE DISPOSAL	SERVICE	\$365.00
54699	GRANITE PHARMACY	VACCINE	\$1,200.00
54700	GRANITE SPORTLAND	SUPPLIES & REPAIR	\$210.23
54701	GREAT WEST ENGINEERING	PROFESSIONAL SERVICES	\$1,714.05
54702	HEADWATERS RC&D	FY19 DUES	\$1,216.80
54703	HIGH TECH LINEN	RUGS	\$106.36
54704	HOGAN'S RANCH & BUILDERS	KEYS	\$117.13
54705	HUFFMAN GROCERY	INMATE MEALS & CLEANING	\$769.46
54706	HUFFMAN GROCERY	DRMD SR CITIZENS	\$333.32
54707	HUFFMAN GROCERY	SUPPLIES	\$161.10
54708	JAIME BANCROFT	EMT LICENSE	\$70.00
54709	JANEEN BONNEY	BOILER TEST	\$93.22
54710	KJELL MYRAAS	INSTALL WALL MOUNT	\$77.00
54711	KNIFE RIVER	ASPHALT	\$2,330.88
54712	LISACS TIRE OF ANACONDA	TIRES - WEED TRUCK	\$676.00
54713	LONGFELLOW FUNERAL HOME	VETERAN'S BENEFIT	\$300.00
54714	LSQ FUNDING GROUP, LC	CONTRACTED SERVICE	\$2,437.19
54715	LYCOX ENTERPRISES, INC	PACKER/ROLLER	\$20,000.00
54716	MACO	INMATE BUDGET PROTECTOR	\$97.20
54717	MAPS INC	CONTRACTED SERVICE	\$4,450.00
54718	MARGARET TALLON	TRAVEL	\$65.40
54719	MCGOWAN WATER COND, INC	WATER SOFTENER & SALT	\$40.90
54720	MSLA COUNTY DETENTION FACILITY	JUVENILE HOUSING	\$225.00
54721	MONIDA HEALTHCARE NETWORK	PROFESSIONAL SERVICE	\$123.50
54722	MONTANA BROOM & BRUSH	CUSTODIAL SUPPLIES	\$226.08
54723	MT CORRECTIONAL ENTERPRISES	DISPATCH UNIFORMS	\$91.50
54724	MONTANA RAIL LINK	GRAVEL STORAGE	\$500.00
54725	MSU EXTENSION PUBLICATIONS	4-H SUPPLIES	\$38.75
54726	MSU EXTENSION SERVICE	PROFESSIONAL SERVICES	\$2,275.00
54727	MYBINDING	HALF-SHEET PAPER	\$235.58
54728	NICO ELECTRONIC SYSTEMS INC	ANNUAL SECURITY MONITORING	\$240.00
54729	NORTHWESTERN ENERGY	JUNE STATEMENTS	\$2,681.86
54730	PACIFIC STEEL - MISSOULA	SQUARE & TELE TUBE	\$178.94
54731	PATRICIA BAUER	AREA V MILEAGE	\$214.73
54732	PHILIPSBURG MAIL, THE	JUNE BILLING	\$2,114.25
54733	PHILIPSBURG, TOWN OF	WATER/SEWER	\$884.50
54734	PINTLER PETROLEUM	FUEL	\$2,319.20
54735	QUILL CORPORATION	SUPPLIES - PHEP	\$123.12
54736	REPUBLIC SERVICES #889	CONTRACTED SERVICE	\$8,280.70
54737	REPUBLIC SERVICES OF MONTANA	CONTRACTED SERVICE	\$5,384.20
54738	ROCKY MOUNTAIN SCALE WORKS	ANNUAL SCALE MAINT FEE	\$4,668.00
54739	RTW ENTERPRISE	MAINTENANCE & REPAIR	\$1,458.45

54740	SCOTT ADLER	TRAVEL	\$194.02
54741	SOLE STONE REIMB SERVICES	SUPPLIES	\$2,254.10
54742	STAPLES CREDIT PLAN	SUPPLIES	\$429.27
54743	SWEET PEA SEWER & SEPTIC	CONTRACTED SERVICE	\$225.00
54744	TELCO TOWERS, INC	REPEATER MAINTENANCE-HARVEY PT	\$576.00
54745	TERRY JO VIETOR	CRIME VICTIMS	\$332.12
54746	TNT TRUCK PARTS	PARTS	\$866.50
54747	TRI-COUNTY SANITARIAN	FY18 4TH QUARTER	\$10,794.19
54748	VERIZON WIRELESS	JUNE BILLING	\$1,981.41
54749	WSTRN MT MENTAL HEALTH CNTR	COUNTY SHARE	\$1,274.00
54750	WSTRN MT TRI-CO ADDICT SERVICES	COUNTY SHARE	\$2,042.00
54751	WESTERN STATES EQUIPMENT	EDGE & PAINT	\$1,808.82
54752	WESTTEL INTERNATIONAL, LLC	CONTRACTED SERVICE	\$650.00
54753	WILLOWROCK INC	ABANDONMENT REPORT	\$675.00
54754	WOODLAND CREATIONS	SUPPLIES	\$459.03
		CLAIMS FUND TOTAL	\$253,840.19

<u>WARRANT/NOD</u>	<u>JOB TITLE</u>	<u>AMOUNT</u>	
	ADLER, SCOTT C	COMMISSIONER	\$2,196.13
	ALT, PAUL	ROAD SUPERVISOR	\$5,833.33
	ANDERSON, MELINDA K	SOLID WASTE SECRETARY	\$967.14
	BAUER, PATRICIA L	AREA V	\$697.41
	BOHRNSEN, CAROL P	CLERK OF DISTRICT COURT	\$3,981.67
	BONNEY, BARTON C	COMMISSIONER	\$2,082.65
	BONNEY, JANEEN	CUSTODIAN	\$2,325.60
	BOUCK, LINDA	PLANNER	\$4,955.60
	BRADSHAW, BLAINE C	COUNTY ATTORNEY	\$7,945.07
	BUTLER, JODI L	SOLID WASTE	\$2,796.64
	CARTWRIGHT, VALERIE N	DISPATCH	\$2,328.48
	CAYKO, NICKIE N	ROAD MAINTENANCE	\$2,880.00
	CROSS, AUSTIN M	DISPATCHER	\$2,050.24
	DAY, JAN P	DEPUTY CLERK	\$1,458.28
	DAY, NELS R	DES COORDINATOR	\$1,099.44
	DORSHORST, CARLY M	CLERK	\$202.74
	DUNKERSON, WAYNE S	SHERIFF	\$4,471.67
	FADNESS, COLETTE A	AREA V AIDE	\$260.75
	FRATZKE, DEBBIE	JUSTICE OF THE PEACE	\$1,955.83
	GRAHAM, SARAH E	DEPUTY CLERK & RECORDER	\$3,307.50
	GROSVOLD, LACIE J	CLERK	\$1,190.00
	HARDING, JEAN M	DISPATCHER	\$2,088.20
	HARDING, VICKI B	TREASURER	\$4,331.67
	HENNAGER, DEANNA L	DISPATCHER	\$2,316.22
	HOEHNE, JOHN W	ROAD MAINTENANCE	\$3,619.00
	HOLLAND, BRAD J	ROAD MAINTENANCE	\$3,096.00
	HULTMAN, TY R	UNDERSHERIFF	\$4,171.60
19092	HULTMAN, TY R	RETRO PAY	\$1,753.09
	JACOBSON, STEVEN	ROAD MAINTENANCE	\$3,179.20
	KAHOE, MICHAEL	EXECUTIVE ASSISTANT	\$4,349.52
	KANE, KATHERINE	DISPATCHER	\$454.72
	KENDALL, JOHN S	SOLID WASTE	\$3,027.20
	KENDALL, JOY J	SOLID WASTE RELIEF	\$131.80
	KINGREY, ELWYN	JUNK VEHICLE	\$376.92
19091	LARDY, JAMES D	SITE RELIEF	\$453.72
	LATRAY, DANETTE L	TREASURER DEPUTY	\$3,307.50
	LEPPALA, RYAN A	WEED SPRAYER	\$1,564.00
	LOOBEY, THERESA R	TITLE CLERK	\$2,565.36
	MCDONNELL, FRED N	SOLID WASTE RELIEF	\$894.24
	MCLURE, BLANCHE A	CLERK & RECORDER	\$4,331.67
	MORRISON, RUSSELL F	WEED SPRAYER	\$2,176.00
	OLSEN, RICK C	DEPUTY	\$4,025.19
	OSTLER, JASON K	DEPUTY	\$3,785.52
	OWENS, NANCY	RELIEF	\$286.23
	PALMER, KAREN P	COUNTY AGENT SEC	\$2,303.28
	PARKE, CLAUDETTE	CO ATTORNEY SECRETARY	\$2,769.60
	PAWLAK, KIMBERLY	FLOATING CLERK	\$1,920.89
	PETERS, DEBORAH A	DISPATCHER RELIEF	\$1,518.88
	PETERS, STEVEN D	DEPUTY	\$3,399.00
	RUSSELL, JAMES R	DEPUTY	\$4,304.71
	SHEPARD, RAYLENE O	DISPATCHER	\$2,040.10
	SLAUGHTER, BILL L	COMMISSIONER	\$2,065.09
	SMITH, REBECCA	PHEP COORDINATOR	\$1,532.96
	SMITH, THADDEUS M	RELIEF DEPUTY	\$3,046.40
	SWANSON, DAVID C	WEED FOREMAN	\$2,443.20
	TALLON, MARGARET	COUNTY SCHOOL SPECIALIST	\$494.00
	VIETOR, TERRY J	CRIME CONTROL ADVOCATE	\$1,154.40
	WALDEN, JAMES L	ROAD MAINTENANCE	\$3,240.54

WEST, WILLIAM H	DAM TENDER	\$420.94
WILKINS, KENNETH D	ROAD MAINTENANCE	\$3,150.00
YOUNG, ANN D	COUNTY HEALTH NURSE	\$5,967.00
60 EMPLOYEES	TOTAL GROSS PAYROLL	\$153,041.73

<u>WARRANT</u>		<u>AMOUNT</u>
19091 JAMES LARDY	SEE "GROSS PAYROLL"	
19092 TY HULTMAN	SEE "GROSS PAYROLL"	
19093 AFLAC INS		\$205.81
19094 CHRISTMAS CLUB		\$1,780.00
19095 COLONIAL		\$18.75
19096 FIT		\$9,648.14
19096 MEDICARE		\$4,273.46
19096 P.E.R.S.		\$17,949.45
19096 PERS RETIREE		\$581.10
19096 SHERIFF RETIRE		\$6,117.54
19096 SOCIAL SECURITY		\$18,272.46
19096 TRS		\$84.57
19096 UNEMPL. INSUR.		\$1,545.82
19097 IUOE 400		\$453.20
19098 MACO DENTAL		\$2,350.00
19098 MACO VISION		\$568.00
19098 MACOHCT		\$48,659.00
19098 UNUMLIFE		\$751.95
19099 PEBSC		\$4,375.00
19100 SIT		\$6,094.00
19101 UNION - PENSION		\$587.32
19102 WORKERS' COMP		\$17,593.83
	TOTAL PAYROLL LIABILITIES	\$141,909.40

## GRANITE COUNTY COMMISSIONERS MINUTES

July 3, 2018

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 Barton Bonney 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 weekly report:

**Walberg Bridge:** Paul Alt reported that he is investigating the cost to purchase materials to repair the bridge deck. Discussion was held having the county purchase the material and have Jon Bergerson do the labor.

Black Pine Road, Georgetown Lake Road and Maxville Road maintenance issues were discussed.

**Chip Sealing, Cost and Location:** The Board reviewed a proposal from Pavement Maintenance Solutions Inc. of Columbia Falls for chip sealing of seven miles of roads for \$116,066.50. Discussion was held on doing three miles at Black Pine, three miles at Maxville and one mile at Georgetown Lake. The Board agreed that the project would be carried out using public bidding process on the motion of Commissioner Adler and second by Commissioner Bonney. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw prepared a Notice To Bid to be published on the July 5 and 12, 2018, issues of the *Philipsburg Mail* newspaper.

A letter of appreciation from the Board and from Road and Bridge Superintendent Paul Alt was written to Tony Marletto for supplying many truckloads of riprap for an emergency road stabilization project on the Rock Creek Road.

The Board contacted the Montana Department of Transportation regarding a road closure in the Bearmouth area. The Department anticipates that the road will be open today following the clearance of a rock slide.

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Commissioner Adler moved to trade in a John Deere excavator and a used roller (both to be properly appraised first) on a new walking roller from Doug Miller Equipment. Commissioner Bonney seconded the motion. There was no public comment. The motion carried unanimously.

Georgetown Lake level was reported at 6,430.37 feet, according to the USGS gage and the dam tender's report. The lake is approximately 10.44 inches above full pool at an outflow of approximately 40 cfs through the power plant and 134 cfs over the weir. Water is going over the spillway. No change was made in the outflow on the motion of Commissioner Bonney and second by Commissioner Adler. There was no public comment. The motion carried unanimously.

Granite County Airport Board Chairman Vince Reece met with the Board with several airport board recommendations for Board action. The recommendations and Board actions follow:

- Appoint DuWayne Ulrich, Darcy Schindler and John Hunter to the Granite County Airport Board. The Board agreed to appoint Darcy Schindler and John Hunter to terms ending October 2, 2020, and to appoint DuWayne Ulrich to a term ending October 2, 2019. The action was taken on the motion of Commissioner Bonney and second by Commissioner Adler. There was no public comment. The motion carried unanimously.
- Airport Board be accepted as the "Architectural Committee" for existing hangars and building sites as specified in the hangar space rental agreement. Vince Reece stated that the Architectural Committee is important to establish a procedure for construction and safety of the airport. He noted that one current hangar is in poor condition and a certified letter has been sent to the owner. County Attorney Blaine Bradshaw advised that the airport board should have a policy governing all construction at the airport. Vince Reece indicated that some architectural guidelines are necessary at the airport. The Board agreed that the airport board write specific policy standards which would state that the airport board is the "Architectural Committee" on the motion of Commissioner Slaughter and second by Commissioner Bonney. There was no public comment. The motion carried unanimously.
- Airport Board was given authority to look into and research (no expenditure of funds yet) regarding underground power with individual hangar meters. Vince Reece reported that NorthWestern Energy engineers have been to Riddick Field and they have indicated that it would be preferable to have a meter to each hangar and get rid of all the overhead lines to facilitate future development. Vince Reece indicated that Northwestern Energy will engineer the plans and provide a cost. Commissioner Slaughter suggested that the airport board include Great West Engineering of Helena, as the county's on-call engineer, in the process.
- Appoint Darcy Schindler as the volunteer Assistant Airport Manager to oversee the Drummond Airport. The Board agreed to the request on the motion of Commissioner Adler and second by Commissioner Bonney. There was no public comment. The motion carried unanimously.
- The Board reviewed the hardship procedure concerning Sentinel Aviation Services hangar at Riddick Field as the owner had received permission to remove store property within a year, versus doing it immediately, and Vince Reece's request to rescind this said decision of the County Commission (Board) and follow the provisions of Resolution 2017-9. Vince Reece read a section of the resolution, which includes that hardships are to be submitted to the airport board, which had provided a one-year hardship in this case. County Attorney Blaine Bradshaw indicated that it would be difficult for the Board to rescind a previous decision as the representation was already made and the owner of the hangar is relying upon that in good faith. The Board agreed that the hangar owner should be contacted by Vince Reece to see if the

July 3, 2018 continued...

hangar owner would honor his original verbal commitment to Vince Reece to remove non-aviation items by July 1, 2018.

Elena Ingraham questioned Vince Reece regarding how much use there is of the airport. Vince Reece responded that he does not have an exact number of takeoffs and landings, but a recent story in a Montana Department of Transportation publication, *Montana and the Sky*, reviews recent improvements at Riddick Field Airport in Philipsburg. Dick Motta also attended.

The Board discussed scheduling a meeting with the Helena FAA and the county's on-call engineer, Great West Engineering of Helena, to discuss grant funding for improvements to Riddick Field Airport in Philipsburg. Commissioner Slaughter reported that attorney Peter Kirsh had been employed by The Ranch at Rock Creek to investigate funding for the improvement of Riddick Field. The Board has contacted engineer Bill Lloyd, county's on-call engineer, to represent the county at the meeting with William Garrison at his Helena FAA office. The cost for Peter Kirsh to attend the meeting would be \$2,000.00. Vince Reece stated that he feels this is exactly what is needed. He noted that many other airports in Montana currently receive FAA funding, which can accumulate for large projects and they have the ability to loan funds at low interest for projects at other airports. Vince Reece indicated that the attorney's cost is included in the airport's budget request for the 2018-2019 fiscal year. Commissioner Bonney moved to go ahead with the meeting with Peter Kirsch, Vince Reece, Bill Lloyd and Commissioner Slaughter. Commissioner Adler seconded the motion, with the amendment that an additional airport board member also attends the meeting. Commissioner Bonney agreed to the amendment of the motion. As public comment, Dick Motta requested that there should be information regarding expenses and revenues. Mark Hudgens questioned whether the funds would be utilized to improve the existing runway. County Attorney Blaine Bradshaw attended. Elena Gagliano stated that improvements so far have been piece meal and that engineer Bill Lloyd may be able to assist with a plan.

The Board held the first reading of Resolution 2018-12 "A Granite County Resolution – A Declaration Of Opposition To I-186." County Attorney Blaine Bradshaw attended and reported that the Resolution is modeled after the adopted Lincoln County resolution. Commissioner Slaughter stated that I-186 is so stringent that it would preclude future mining in Montana. Commissioner Bonney reviewed that mining contributes \$42 million annually in state and local tax revenues that support schools and repair roads. There was no public comment.

Elena Gagliano met with the board regarding the release of draft Board minutes. She noted that she had given the Board a letter at last week's meeting and is awaiting a response. Commissioner Slaughter stated that draft minutes have not been accepted by the body. There was discussion between an audio recording and minutes taken on a computer. Elena Gagliano read a section of law stating "regardless of form" and she inquired why the Board is making it so difficult. County Attorney Blaine Bradshaw stated that the Board relies on his opinion and his opinion is that minutes are not released until they are approved. Elena Gagliano indicated that she had gotten draft minutes in the past, but now she is not able to get them. Attorney Bradshaw noted that it may have occurred prior to him being county attorney. Elena Gagliano indicated that the constitution requires public participation. Attorney Bradshaw indicated that approved Commission minutes and the Commission's agenda are posted on the county's website. Elena Gagliano indicated that everyone should be aware of what is going on. Commissioner Slaughter indicated that in the future a different way of doing minutes, possibly electronically recording meetings, may be considered. Elena Gagliano stated that she is aware of what the meaning of "draft" is. Dick Motta stated that the draft minutes can be available immediately electronically following the meeting.

Philipsburg Mayor Daniel Reddish met with the Board to discuss the county's PILT (Payments in Lieu of Taxes) fund. He inquired what the amount of PILT funds is today and the Board indicated that there is a cash balance in the PILT Fund today of \$1,727,836. He

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presented an official written request of \$100,000.00 for the repair of a section, 2,000 feet, of the Fred Burr water line.

P.O. Box 339  
104 S. Sansome Street  
Philipsburg, MT 59838  
PHONE: 406-859-3821  
FAX: 406-859-3821

Town of Philipsburg

June 3, 2018  
Granite County Commissioners

Gentlemen:

Acting in my capacity as the Mayor of Philipsburg, I come before the Granite County Commissioners to respectfully make an official request for the sum of One Hundred Thousand Dollars (\$100,000) from the County's Payment in Lieu of Taxes (PILT) fund. This money shall be used for the emergency repair of 2,000 feet of the Fred Burr waterline.

This line is a seven mile long main artery that delivers approximately eighty-five percent (85%) of the Town's municipal water supply. This waterline is arguably one of the single most important pieces of infrastructure in all of Granite County. Upwards of twenty million gallons of water per month flows through this pipeline to service the Town's needs, and eventually enters Flint Creek to work its way down the valley.

There is approximately 2,000 feet of this line that is seriously compromised and needs replacement as soon as is practicable. The pressure of the water running through this line under certain conditions can approach close to 300 pounds per square inch. The integrity of this section of the pipe is seriously in question. It is of great concern as to how much longer it will safely function. A rupture in this line would be a potential catastrophe to our community.

One of the numerous unique qualities of our gravity-fed water system is that the town has two hydro-electric power plants built in to our main line. Each plant produces electricity; some used to power various public buildings, as well as a portion of this electricity that is sold to the school at a discount rate which translates to a savings in taxes to citizens of the County. There was a recent event that happened on this section of pipe wherein it was a necessity to turn off the upper power plant. When this issue was addressed it was determined that the condition of the section of pipe we are referring to was so defective that we dared not turn the plant back on. It has been sitting idle now for several months.



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The loss of revenue that is the result of this plant being put on standby is an important matter, but this pales in comparison to the potentially monumental loss of this entire section of pipe. It would change the very nature of our community by severely impacting our quality of life and presenting a very serious challenge to public health.

The first rung on the ladder of governmental responsibility for me has always been health and public safety. No matter how much the role of government grows and entangles itself around common social discourse, thus setting up unreal expectations among its citizens, the fact remains that providing public health and safety is the single most essential service that we undertake as elected representatives.

This a textbook case. We often hear about money being spent by government requested by, and for the benefit of, special interest groups. Clean, available water, and the proper disposal of waste water, are the most common of common interests. Everyone needs it, everyone participates in it, and everyone benefits from it. Business, commerce, art, leisure, all the cultural amenities that we define as civilization are made possible only if we attend vigorously to the maintenance of our most basic needs, of which water is at the top of the list.

I hope that the Honorable members of the Granite County Commission will give sincere consideration to this request. It would affect the people of both the Town of Philipsburg and the citizens of Granite County in a very positive manner. By doing this we will be fulfilling our primary obligation of health and safety to our constituents. I look forward to your timely response to this urgent matter.

Respectfully,

Daniel Reddish, Mayor  
Town of Philipsburg

PROGRESS IS ALL CITIZENS  
WORKING TOGETHER

Commissioner Adler questioned whether there is a plan to repair the remainder of the line. County Attorney Blaine Bradshaw noted that he had done some previous research and he and the MACo attorney had not yet found any statutory authority for the use of the funds and there is also an agreement between the county and the federal government for the use of PILT funds which must be followed. He will promptly continue to research the legal aspects of the request and will work with the town's attorney in this regard as well. Commissioner Adler noted that there may be a different approach in the event of an emergency. Commissioner Slaughter indicated that there is an obligation to the residents of the county to have arrangements made for repayment of the funds. He noted that previous Commissioners had been financially astute to save PILT funds as a "rainy day fund" and he further noted that the county also has a list of important needs for the PILT funds. Mayor Reddish indicated that there will be further discussion to determine if it would be a loan or a grant. Commissioner Slaughter indicted that it could be used to leverage other funds to complete the entire project. Councilman Carl Sundstrom stated that this is an immediate emergency which could result in the town and the hospital being without water and a large amount of water flooding into the town. Mayor Reddish indicated that he is available for continued discussion. Commissioner Slaughter noted that a loan from PILT funds may be necessary for repair of the Flint Creek Dam. Elena Gagliano noted that the Flint Creek Dam is in Deer Lodge County. Dick Motta referred to the recent audit report and inquired whether the PILT funds have been committed. The Board responded that the PILT funds have not been committed at this time. Also attending were John Johnson, Nicole Nelch and Tom Mullen with the *Philipsburg Mail* newspaper.

Maria Stoppler, CEO/DON of Granite County Hospital District, met with the Board and presented the monthly financial update. She presented new plans for the CT scan building, which has been down scaled for only the CT scan with x-ray staying where it is currently located in the medical center. She reviewed that the funds for the building and the CT scan have been obtained through foundation grants and publicly raised donated funds. Commissioner Adler had several questions regarding the staffing and utilization of the CT scan, which he had received from the public. Maria Stoppler responded that it is a new top of the line scanner and that if the patient is transferred to a different facility, another scan will not be necessary unless a different view is necessary. She noted that it saves time in that the scan is transmitted immediately which saves time. She also noted that it is expected to easily pay for itself and that some patients may not need to be transferred. The Board noted

July 3, 2018 continued...

that there is a lot of misinformation being circulated among the public which must be corrected. She presented a financial report dated 7-3-2018 with projected cash available of minus \$43,000.00, projected deposits of \$317,500, projected cash requirement of \$125,000.00, with projected cash reserves of \$149,500.00 (13 days of operation). She also provided an income statement – prior year comparison as of May 31, 2018, an administrator’s report dated June 26, 2018. Maria Stoppler noted that the hospital district has worked with Sue Huffman and the Philipsburg Area Educational Foundation to receive a \$20,000.00 grant for education. She also noted that a focus group is being formed for a \$100,000 grant to determine the health needs in the county that would result in an actionable plan which may qualify for further grant funds. Discussion was held regarding the hospital district levy which recently failed and what could be done differently, if and when it is run again. Maria Stoppler noted that a hospital district board meeting is scheduled for later this week. Dick Motta requested a copy of the report detailing the expenses and revenue for the CT scan. Maria Stoppler indicated that 10 scans per month will break even. Elena Gagliano inquired what a CT scan technician would be paid. Maria Stoppler estimated that a technician’s salary would be about \$25.00/hour and that it could be a valuable revenue stream for the facility. Elena Gagliano commented that people in the Drummond and Georgetown Lake area are not in favor of the hospital district and do not use the facility. Commissioner Adler inquired whether the nursing home and clinic could be free standing and Maria Stoppler responded that the nursing home could not support itself due to low reimbursement. She reported that John Barbara is the new chairperson of the hospital district board.

Chairperson Slaughter excused himself from the session at 12:30 p.m. Commissioner Bonney was selected as temporary chairperson for the remainder of the session.

The Board held the bid opening for the Flint Creek Dam - Gate Replacement Project (DNRC Project No. RRG-18-1671). Bids had been solicited from firms specializing in this type of work by the project’s engineering firm Great West Engineering of Helena. Executive Assistant Mike Kahoe opened and read aloud the following bids:

<u>Bidder</u>	<u>Total Bid</u>
Battle Ridge Builders LLC, Belgrade, Montana	\$78,900.00
MC2 Engineering and Construction PC, Sheridan, Wyoming	\$296,862.98

The Board took both bids under advisement. The bids will be sent to the engineering firm’s Helena office for review, tabulation and a recommendation. The bid award is scheduled on the Board’s upcoming agenda on July 10, 2018.

Commissioner Adler and County Attorney Blaine Bradshaw presented the most recent counteroffer on negotiations from IUOE (International Union of Operating Engineers) Local 400, Granite County Road Unit. The Board reviewed the counteroffer. As Chairperson Bill Slaughter was absent, Commissioner Adler and Commissioner Bonney agreed to table the issue until the following week when a full Commission is present. County Attorney Bradshaw will notify Craig Davis, the union’s representative, that this matter is tabled for a week.

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

**Correspondence:** None.

The session adjourned at 2:30 p.m.

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Bill Slaughter, Chairperson

ATTEST: \_\_\_\_\_

Blanche McLure, Clerk & Recorder

July 10, 2018

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 Barton Bonney 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 was unavailable to meet with the Board today.

Georgetown Lake level was reported at 6,430.21 feet, according to the USGS gage and the dam tender's report. The lake is approximately 8.52 inches above full pool at an outflow of approximately 42 cfs through the power plant and 119 cfs over the weir. Water is going over the spillway. Commissioner Bonney moved that no change be made in the outflow and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Treasurer Vicki Harding met with the Board and presented a Limited Substitute Superintendent Services Agreement with Connie Schiedermayer for the Board's consideration. County Attorney Blaine Bradshaw attended. Commissioner Bonney moved for approval of the agreement and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Treasurer Vicki Harding Met with the Board and presented county financial reports for the months of December 2017 through May 2018. County Attorney Blaine Bradshaw attended. Treasurer Harding noted that the Granite County Hospital District's PERS issues have been taken care of. The December 2017 report contained a cash analysis, a checking account register, STIP investments of \$9,120,885.02, CD investments of \$529,775.45, pledged securities held at Granite Mountain Bank of \$440,000.00 and pledged securities held at Glacier Bank of \$500,000.00; January 2018 cash analysis report, checking account register, CD investments of \$529,775.45, pledged securities held at Granite Mountain Bank of \$440,000.00, and pledged securities held at Glacier Bank of \$500,000.00; February 2018 cash analysis report, checking account register, STIP investments of \$7,789,990.61, CD investments of \$529,775.45, pledged securities held at Glacier Bank of \$500,000.00, and pledged securities held at Granite Mountain Bank of \$440,000.00; March 2018 cash analysis report, checking account register, STIP investments of \$7,325,339.99, CD investments of \$529,775.45, pledged securities held at Glacier Bank of \$500,000.00, and pledged securities held at Granite Mountain Bank of \$440,000.00; April 2018 cash analysis report, checking account register, CD investments of \$529,775.45, STIP investments of \$7,511,456.17 and pledged securities held at Granite Mountain Bank of \$440,000.00; may 2018 cash analysis report, checking account register, STIP investments of \$8,384,319.57, CD investments of \$529,775.45, and pledged securities held at Granite Mountain Bank of \$440,000.00. Dick Motta attended.

The Board reviewed the bid tabulation and written letter of recommendation dated July 9, 2018 from engineer Jeremiah Theys with Great West Engineering of Helena for the Flint Creek Dam – Gate Valve Replacements Project (DNRC Project No. RRG-18-1671). The engineer recommended that the bid of Battle Ridge Builders LLC of Belgrade, Montana be accepted as the lowest responsive and responsible bid at a total bid of \$78,900.00. The recommendation letter noted that the bid amount is less than \$80,000.00, therefore it is outside the scope of the statutorily required public bidding rules even though the project was in fact publicly bid. The engineers estimate for the project was \$80,000.00. The Board accepted the bid of Battle Ridge Builders LLC on the motion of Commissioner Adler and second by Commissioner Bonney. There was no public comment. The motion carried unanimously. Commissioner Slaughter signed the Notice of Award. County Attorney Blaine Bradshaw attended. Dick Motta attended and requested and received a copy of the Notice of Award. Elena Gagliano attended.

Commissioner Adler moved to accept the agreement with Battle Ridge Builders LLC of Belgrade in the amount of \$78,900.00 for the Flint Creek Dam – Gate Valve Replacements

July 10, 2018 continued...

Project (DNRC Project No. RRG-18-1671). Commissioner Bonney seconded the motion. There was no public comment. The motion carried unanimously.

The Board held the second reading of Resolution 2018-12 “A Granite County Resolution – A Declaration Of Opposition To I-186.” The Board noted receipt of a written objection to the Resolution from David Brooks, Executive Director of Trout Unlimited. Commissioner Bonney moved to adopt Resolution 2018-12 and Commissioner Adler seconded the motion. During discussion, Ted Antonioli and Bruce Cox, geologists, presented a letter in favor of the Resolution. Ted Antonioli stated that I-186 essentially prevents new mining by setting extremely high standards, including permanent water treatment, which must be proven in advance; all of the mining operators in the state are contributing to oppose the initiative because it takes away any initiative to expand or start a new mine. Bruce Cox, a geologist for over 40 years, stated that companies from out of state are not looking at Montana for exploration until this is settled. Bill Antonioli commented in favor of the Resolution and noted that current mining exploration is looking at ore deposits that would be deep and not conducive to open pit mining. He noted that Nevada has common sense mining laws that allow for mining exploration and development. Bill Antonioli stated that the initiative is really not about pollution, it is about stopping mining. Elena Gagliano stated that she agrees with the three experts’ comments (referring to Mr. Ted Antonioli, Mr. Bill Antonioli, and Mr. Bruce Cox) and she stated that she is in favor of the Resolution. Speaking a member of the general public and not as County Attorney, Blaine Bradshaw concurred with the Antonioli/Cox letter; and as County Attorney, he noted that the “clear and convincing” statement in the initiative is a very high bar, just lesser than the beyond a reasonable doubt standard. Bill Antonioli indicated that mining laws have been tweaked over the decades, but this initiative is a clear shot against the mining industry. He also commented that Georgetown Lake is the result of early mining in Granite County. Ted Antonioli noted that mercury does not naturally occur in this area, but was brought in to treat ore over 100 years ago. Commissioner Slaughter commented that this initiative may stop the proposed operation of the Golden Jubilee Mine. Ted Antonioli noted that a diverse economy, which includes mining, is better for the people of the county. There was no further public comment. The motion carried unanimously.

**Public Comment:** Elena Gagliano met with the Board to discuss the FLAP (Federal Lands Access Program) project planned for Lakeshore Drive at Georgetown Lake and public notice to the affected property owners. The Board indicated that the project has not been designed at this time and that property owners will be notified when the project is design is completed. Elena Gagliano commented about the PILT (Payments In Lieu of Taxes) payments and noted that when federal land is traded for private land that it reduces the county’s PILT payment.

Also during public comment, engineer Bill Lloyd with Great West Engineering of Helena, met with the Board to discuss potential future plans for Riddick Field Airport at Philipsburg and to advise the Board that he has a meeting scheduled with the Helena FAA later this week to gather some information on potential funding.

**Correspondence:** None.

Commissioner Adler and County Attorney Blaine Bradshaw reported on Granite County Road Unit union negotiations and the counteroffer from IUOE (International Union of Operating Engineers) Local 400. The Board agreed to reject the union’s counteroffer and the county will maintain its counteroffer of June 21, 2018, to the union.

Pintler District Ranger Cameron Rasor and Sara Rouse, both with the U.S. Forest Service, met with the Board regarding a proposed agreement for road work. County Attorney Blaine Bradshaw and Road and Bridge Superintendent Paul Alt attended. Cameron Rasor explained that due to the forest fires last season, the district is planning on salvage timber sales this winter and the district needs to have road work done to avoid

July 10, 2018 continued...

holding up the salvage sales within the fire area. The district has received approximately \$300,000 in fire disaster funds to facilitate the road work and to compensate the county for the work and overhead of up to 10%, the Forest Service has own road crew for six weeks to assist and it will stake the sites; it will provide oversight of the work and track daily use of equipment. Cameron Rasor would like the work done this summer through the existing Cooperative Forest Agreement. Cameron Rasor presented documents with preliminary specifications for the road work on Upper Willow Creek and the Middle Fork of Rock Creek. There is a master plan for the projects and the Forest Service will provide two civil engineers for oversight. The Board directed Paul Alt to look into the project on the motion of Commissioner Adler and second by Commissioner Bonney. There was no public comment. The motion carried unanimously. The Board agreed to schedule an agenda item the following week for an amended "Schedule A" with the current Cooperative Forest Road Agreement and for a new Project Road Agreement with the Forest Service, with District Ranger Rasor to attend on behalf of the Forest Service.

The session adjourned at 4:00 p.m.

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Bill Slaughter, Chairperson

ATTEST: \_\_\_\_\_

Blanche McLure, Clerk & Recorder

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July 17, 2018

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 Barton Bonney attending. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

Commissioner Bonney informed the Board that he would be absent from the state from July 18 to July 29, 2018.

The Board held the bid opening meeting for chip sealing project to chip seal on seven miles of county roads as advertised in the July 5 and 12, 2018, issues of the *Philipsburg Mail* newspaper. No bids were received by the advertised deadline of July 16, 2017, at 5:00 p.m. Commissioner Adler moved to postpone the matter until next week and Commissioner Bonney seconded the motion. There was no public comment. The motion carried. County Attorney Blaine Bradshaw met with the Board and advised that since no bids were received that the county could negotiate an agreement with a contractor. Commissioner Adler then rescinded his motion and Commissioner Bonney rescinded his second.

The Board then discussed entering into an agreement with Pavement Maintenance Solutions Inc. of Columbia Falls in the amount of \$116,066.50 for chip sealing on seven miles of county roads. At this point, Commissioner Bonney moved with a second by Commissioner Adler to approve this agreement and send it on to Pavement Maintenance Solutions for their approval and signature. There was no public comment. The motion carried. County Attorney Blaine Bradshaw attended and agreed to finalize an agreement between the county and Pavement Maintenance Solutions Inc. Commissioner Slaughter signed the agreement for the county.

Pintler District Ranger Cameron Rasor, Sara Rouse, and Natural Resources Specialist Wade Gerome, all with the U.S. Forest Service, met with the Board and provided an amended "Schedule A" to the currently operative Cooperative Forest Road Agreement. County Attorney Blaine Bradshaw and Road and Bridge Superintendent Paul Alt attended. The Board reviewed the amended "Schedule A" and it was approved on the motion of

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Commissioner Bonney with Part A removed. Commissioner Adler seconded the motion. Dick Motta inquired whether the agreement will cost the county any money. Cameron Rasor explained that there is no cost and that the road is an easement through private ground. The motion carried.

Pintler District Ranger Cameron Rasor, Sara Rouse and Natural Resources Specialist Wade Gerome, all with the U.S. Forest Service, met with the Board and presented a draft Project Road Agreement for the county to provide certain road work related to last season's forest fires for the Forest Service. County Attorney Blaine Bradshaw and Road and Bridge Superintendent Paul Alt attended. The Board reviewed details of the document with the Forest Service representatives and make proposed changes to the draft agreement. Wade Gerome explained that the Forest Service does not want to close an entire road, but to have work performed in sections; and that the Forest Service will provide appropriate signing. Cameron Rasor indicated that the Forest Service is purchasing all the necessary culverts. The provision of coordination and assistance, and the purchase of gravel were discussed. Cameron Rasor noted that the agreement could be amended as necessary during the project and that the Forest Service would like the project completed by the end of September. County Attorney Blaine Bradshaw advised the Board that the agreement could be approved today and that public bidding laws do not apply in this case because the project is made necessary by forest fire per MCA Section 7-5-2304(2) applies. The Board requested that Paul Alt submit a list of contractors which were contacted to perform portions of the work. Attorney Bradshaw indicated that the county has a basic, model contract which could be modified in parts and be used for subcontractors; and the agreements with the subcontractors could be put on the following week's Board agenda. Commissioner Adler moved that the agreement be approved when finalized and Commissioner Bonney seconded the motion. Commissioner Adler discussed that contract provisions must be strictly followed to have the project completed on time. Dick Motta commented that he would like to know if the Forest Service would provide copies of the documents which could be posted on the internet. Commissioner Slaughter indicated that the agreement will be posted on the county's website when it is finalized and he noted that this matter was also discussed on the Board's agenda last week. The motion carried unanimously.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his weekly report. He reported that the crew is finished on Upper Rock Creek Road for this year and will be moving to the Georgetown Lake and Willow Creek areas. He indicated that road work due to damage from irrigation will be scheduled for this fall. Discussion was held on hiring a part-time county Road Department operator/mechanic and the Board agreed to advertise for the position.

The Board reviewed written comments from the county's on-call engineer Jeremiah Theys with Great West Engineering of Helena on the previously submitted estimate from Jon Bergerson for the repair of the Walberg Bridge. Road and Bridge Superintendent Paul Alt indicated that he will order the required materials, which will take 5 to 6 weeks for delivery, and he agreed to contact local contractors to have the material installed. He said that he plans to repurpose the existing decking materials, which will be removed. The Board discussed that they may very well put the labor only for the bridge repairs out to bid and advertise such in the *Philipsburg Mail*, even though the total project would be well under \$80,000, but this will be a future agenda item. Note: While Walberg Bridge is not a County bridge, the County Commission, well over 50 years ago, agreed in writing to reasonably maintain and repair the bridge.

Georgetown Lake level was reported at 6,430.01 feet, according to the USGS gage and the dam tender's report. The lake is approximately 6.12 inches above full pool at an outflow of approximately 42 cfs through the power plant and 105 cfs over the weir. Water is going over the spillway. Commissioner Bonney noted that the lake level decreased 3 inches in the past week. Commissioner Bonney moved that no change be made in the outflow and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw noted that before letting more than

July 17, 2018 continued...

30 CFS out of the lake during the irrigation season, with lake levels dropping or being below full pool, would require the County to have prior consents of the MT FWP, Forest Service, and U.S. Fish & Wildlife Service.

The Board reviewed county claims for June 2018. Commissioner Adler recused himself from voting on any claims for Adler Towing. The claims were approved and ordered paid on the motion of Commissioner Bonney with a second by Commissioner Adler. There was no public comment. The motion carried unanimously.

The Board held a telephone conference call with Tana Doyle CPA with Doyle and Associates of Lolo regarding her letter dated July 16, 2018 on the financial audit on the new Philipsburg Ambulance building. Tana Doyle verbally reviewed the letter and noted that several invoices were dated after December 11, 2017, which was the date of The Electrical Connection's (TEC) invoice to the county; she reviewed the limited labor information provided for billing rates and rates of pay for employees of TEC The Electrical Connection, which may not meet the Montana Prevailing Wage Laws; and she reviewed that much of the requested payroll reports were not received and consequently there was very little information to verify the labor information. Also, she noted that information for subcontractors requested was not supplied; also, no documentation for equipment use was provided. Tana Doyle reviewed specific copies of invoices which could not be verified that they were for this specific project. Also, she stated that she could not verify that the materials charged to the county were actually used in the building. Commissioner Slaughter noted there are trusses stored in the building and there is no evidence of insulation in the walls or stored in the building. Tana Doyle noted that attorney Robert Medof had indicated that some invoices will not match what was billed to the county. Discussion was held on how to move forward and Tana Doyle suggested that any further work on the building be very closely documented. The Board agreed that getting the building finished is not a priority at this time and that the audit findings will be referred to the county attorney. The Board requested that Tana Doyle protect the paper copies of invoices in her possession until further notice. Dick Motta reviewed the warrant numbers in the letter and inquired if the project was advertised for bid. Commissioner Slaughter stated that the project was not advertised for bid because the Board had been informed by ambulance personnel that the project would be under \$80,000.00.

The Board conducted an employee evaluation with courthouse custodian Janeen Bonney, who invoked her right to privacy. Chairperson Slaughter closed the meeting to the public. Following the evaluation, Chairperson Slaughter opened the meeting to the public. The Board unanimously agreed that Janeen Bonney should receive her step increase on the county's pay matrix. The action was taken on the motion of Commissioner Bonney with a second by Commissioner Adler. There was no public comment. The motion carried unanimously.

Planning Director Linda Bouck met with the Board to discuss a proposed amendment to the Granite County Subdivision Regulations, Section VI-R and the addition of Administrative Material S. Fred Bjorklund and Kurt Unger attended and reviewed the proposed amendments which had been approved by the Granite County Planning Board. Linda Bouck noted that some fire service areas do have their own separate regulations. Kurt Unger noted that two members of the Georgetown Lake Fire Service Area Board attended the meeting with the county planning board. Fred Bjorklund noted that there was rapid growth in the 2000's and that the members of the fire service area are volunteers. Commissioner Slaughter inquired who will determine whether the developers are meeting the regulations. Kurt Unger responded that the approval is provided for in the proposed regulations. Fred Bjorklund stated that these regulations provide for the availability of water and that these determinations need to be made prior to the subdivision being approved. Kurt Unger noted that these proposed regulations comply with the state guidelines and put the responsibility on the developer. Linda Bouck reviewed that there will be a public hearing prior to any adoption of the proposed regulations by the Board. Fred Bjorklund indicated that they tried to provide for less stringent regulations for small family divisions of land. Linda Bouck noted that these regulations apply only to the Georgetown Lake Fire Service Area, that other fire service areas in the county have their own regulations and that these regulations apply only to new subdivisions, not to existing developments. Kurt Unger indicated that it is better for developers to be aware of the regulations prior to starting a development. Fred Bjorklund stated that it is the hope of the fire service area that

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these regulations will also be adopted for the Deer Lodge County portion of the Georgetown Lake Fire Service Area.

The Board discussed the poor condition of the main courthouse roof with custodian Janeen Bonney. The Board agreed that a new courthouse roof project be advertised for public bid on the motion of Commissioner Adler and second by Commissioner Bonney. There was no public comment. The motion carried unanimously.

The Board discussed the status of a board member on the Granite County Forest Management Advisory Committee. Commissioner Adler reported that a County Commission appointee to a local county advisory board is being rude and disruptive during the advisory board's public meetings and members of the advisory board are recommending that she be removed from the committee. Commissioner Adler requested that she be given one more meeting of the advisory board to see if the disruption continues and the Board agreed.

The Board reviewed draft minutes for June 19, 20, 21, 26 and 27, 2018. The minutes were approved on the motion of Commissioner Bonney with a second by Commissioner Adler. There was no public comment. The motion carried unanimously. Dick Motta requested that a copy of the approved minutes be emailed to him and the Board agreed to have that done.

Commissioner Adler and County Attorney Blaine Bradshaw reviewed information provided by the IUOE (International Union of Operating Engineers) Local 400 related to ongoing negotiations with the Granite County Road Unit. Commissioner Adler reported that a Union counteroffer to the Board's counteroffer has not been received by the County from the IUOE. Dick Motta requested a copy of the Board's counteroffer and Commissioner Slaughter informed him that union negotiations are likely confidential until a settlement is reached and the information is under the control of the county attorney.

The Board considered the nomination of the county bridge at Bearmouth (Structure # 03110 1M NE Bearmouth – Clark Fork River 002) as an Off-System Bridge Project for deck rehabilitation through the Montana Department of Transportation (MDT). The Board noted that MDT would cover all the costs, but that it may take several years to go to construction due to funding limitations. Commissioner Bonney moved to nominate the bridge as an Off-System Bridge Project for Bridge Deck Rehabilitation. Commissioner Adler seconded the motion. During Board discussion, Commissioner Bonney noted that the bridge deck is rated at a 4, with serious deck deterioration on bulb tee fascia flanges and at joint lines, according to the most recent bridge inspection report. The motion carried unanimously.

**Public Comment:** Matt Young contacted the Board by speaker telephone regarding work he would hire out to be done on a county road, which certain hunters have torn up, as he would like to make it drivable. The Board indicated that work cannot be done on a county road without the Board's approval. The Board informed him that Road and Bridge Superintendent Paul Alt meets with the Board at 9:00 a.m. during each regular Tuesday session and he is welcome to come and discuss a county road at that time. Matt Young indicated that he would like to make the road passable if his family should need to use the road. Commissioner Adler informed Matt Young that the work he had hired to be done was done without authorization, that the road superintendent halted the work this morning and that the work done was well below standards with the road left in a dangerous condition with large berms and a cattle guard filled with dirt. Commissioner Adler also questioned whether the contractor had the necessary licenses and insurance required to do work on a public road. Matt Young indicated that he has touched base with Road and Bridge Superintendent Paul Alt on several occasions and he agreed to meet with the Board in the near future. Matt Young stated that he thought he was doing a good thing by hiring a private contractor to improve the road and that he had been informed in error by his real estate agent that it was a maintained county road when he bought the property.

Dick Motta stated that on April 10, 2018, he was removed from the Commission meeting by the sheriff and the sheriff was going to do an investigation, the results of which he has not been provided. Commissioner Slaughter stated that he had signed a complaint at that time and the county attorney recused himself and referred the matter to attorney Susan

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Callaghan. Commissioner Slaughter indicated that he believed that Susan Callaghan was to send Dick Motta a letter stating that if such an incident occurred again that he would be prosecuted on both counts. Dick Motta stated that he had not received a letter. Commissioner Slaughter stated that the matter is not going to be tried here, as he is the complainant and he requested that Dick Motta not continue to speak about that matter to the Board. Dick Motta asked which law the Board was going to abide by regarding the open meeting laws and Commissioner Slaughter stated that the Board's legal adviser is the county attorney and the Board abides by his advice. Dick Motta stated that he feels that the Board is violating the open meeting laws and that he intends to file a complaint regarding the Board's violation of the open meeting laws.

Correspondence: The Board reviewed information sent to the Board from Chuck Houtz, 79 East Fork Road, Philipsburg, from the Montana Department of Labor (Incident Report Number 2018-UFPP-000186) regarding damage done to Blackfoot underground utilities. It is the Board's understanding from reviewing the information that the damage was not caused by a county employee and County Attorney Blaine Bradshaw reported that he has requested, from the County Road & Bridge Superintendent, statements from the county road crew employees with knowledge of the incident. The Board requested that Attorney Bradshaw write a letter to Chuck Houtz stating the Board's position when all the facts are obtained from county employees.

The session adjourned at 2:30 p.m.

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Bill Slaughter, Chairperson

ATTEST: \_\_\_\_\_

Blanche McLure, Clerk & Recorder

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July 24, 2018

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 Barton Bonney 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 the crew will be done at Georgetown Lake today, will continue blading and get Mullan Road project out to bid next week. Commissioner Slaughter noted that he had contacted Missoula County about the dangerous potholes in the first three miles of the Lower Rock Creek Road and Missoula County responded that they will be working on the road this week. Forest Service personnel District Ranger Cameron Rasor, Sara Rouse and Wade Jerome met and discussed the Forest Service Road Project resulting from last summer's forest fires. Elena Gagliano inquired about the status of this project and who is working on it. Chairperson Slaughter explained the history of the collaboration between the county and the Forest Service in order to get the project moving. County Attorney Blaine Bradshaw attended.

Matt Young met with the Board, Road and Bridge Superintendent Paul Alt and County Attorney Blaine Bradshaw to discuss the Bert Weaver Road and he inquired about what can be done to have the road maintained. He noted that there is a lot of traffic on the road. Commissioner Slaughter noted that the private contractor that Matt Young hired had left the road in very poor condition and that both Matt Young and the contractor may get a bill for the county going in to repair the damage. Attorney Bradshaw asked if the Board would allow a licensed contractor to do work on the road, and the Board said they have done this in the past with express permission being given and with a credible, licensed contractor being used. Discussion was held on potential solutions, but the Board continued its position

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that the road is a non-maintained county road. Jim Riemersna noted that his family has lived up there for 40 years and the road has been what it has been for many years, and now many more people have moved into the area. The Board agreed that it will continue to do what it can, when it can on the road.

Ciche Pitcher, with Discovery Ski Area, met with the Board and Road and Bridge Superintendent Paul Alt to report plans to blast some rocks on the junction of the Rumsey Road and the new ski area road. He anticipates that the road would be closed for about twenty minutes at a time to be properly noticed to the public and that the project may begin next week. He agreed to provide all signing and personnel to conduct the project safely. Commissioner Adler moved that Ciche Pitcher be allowed to temporarily close Rumsey Road as proposed and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried.

The Board reviewed a report from Great West Engineering indicating that deck maintenance is needed on the bridge on the Rock Creek Road over Stony Creek. The Board requested that Road and Bridge Superintendent Paul Alt look at the bridge and come up with a cost. The Board agreed to patch the bridge temporarily until a complete repair can be accomplished.

Georgetown Lake level was reported at 6,429.80 feet, according to the USGS gage and the dam tender's report. The lake is approximately 3.6 inches above full pool at an outflow of approximately 42 cfs through the power plant and 93.9 cfs over the weir. Commissioner Adler moved to have the outflow reduced to the amount of the inflow. Commissioner Slaughter seconded the motion. There was no public comment. The motion carried unanimously. The Board noted that John Grosvold has not begun the tree removal project near the Flint Creek Dam and he will be contacted for a start time.

County Attorney Blaine Bradshaw met with the Board regarding the Philipsburg Area Community Library. Attorney Bradshaw reviewed the history of the Philipsburg Area Community Library District and noted that he has been cooperating with town attorney Robert Medof throughout the process.

**Interlocal Agreement:** Commissioner Adler moved to approve the preliminary Interlocal Library Agreement between the Town of Philipsburg, the Philipsburg Area Community Library District and Granite County. Commissioner Slaughter seconded the motion. Discussion was held on how the district would function. Attorney Bradshaw noted that the agreement is modeled after the one used for the Drummond School and Community Library District and that previously there was no library district in Philipsburg, and library services were provided through the Town of Philipsburg. The motion carried.

**Draft Bylaws:** Attorney Bradshaw noted that when the library district board meets there may be future changes to these bylaws. Commissioner Adler moved to approve the preliminary draft bylaws and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried.

**Two Appointments to Library Board:** The Board received two applications, one from Barbara Cahill and one from Kristen Vicedomini, for the two positions for county appointment to the Philipsburg Area Community Library District Board. Commissioner Adler moved to appoint Barbara Cahill to a four-year term ending on October 2, 2022, and to appoint Kristen Vicedomini to a one-year term ending on October 2, 2019. There was no public comment. The motion carried. Letters of appointment will be drafted and sent from the Commission. Attorney Bradshaw noted that the terms are staggered in the beginning and all terms for future appointments will be for five years.

The Board conducted the quarterly inspection of the Granite County Jail with Sheriff Scott Dunkerson. The Board agreed to the sheriff's request to publicly advertise in the local newspaper three used Ford Crown Victoria surplus patrol vehicles for sale to the public and to publicly advertise for bids to have the wood shingle roof at the jail oiled and to advertise separately for bids for new gutters and downspouts at the jail.

The Board reviewed a proposal from Donald Nolan Davies CPA of Clinton to perform the county audits for fiscal years ending June 30, 2018, 2019 and 2020. The proposed estimated audit fee is \$19,900 for the year ending June 30, 2018, \$20,300 for the year ending

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June 30, 2019 and \$20,600 for the year ending June 30, 2020. The Board agreed to accept the proposal on the motion of Commissioner Adler and second by Commissioner Slaughter. There was no public comment. The motion carried.

The Board considered a revision to the Lease Agreement with Lawrence Mansfield for a county-owned house at 110 South Broadway Avenue in Hall for \$350.00 per month. Commissioner Slaughter related that Lawrence Mansfield has had a severe reduction in his income since his wife passed away and he has had some health issues. County Attorney Blaine Bradshaw inquired whether Lawrence Mansfield had mentioned an amount he is able to pay. Commissioner Adler inquired whether he is carrying the required renter's insurance. The Board discussed that it is their desire not to throw an 80-some year old man out in the street. Attorney Bradshaw suggested that the Board have Lawrence Mansfield come to the Board's regular meeting next week, on the agenda, and the Board agreed. As public comment, Susie Browning noted that Lawrence Mansfield has a butchering business during hunting season. Susie Browning inquired what the rent was prior to the county obtaining the property and the Board responded that it was \$350.00. Commissioner Slaughter noted that assistance through the veterans and social security has been investigated and is not available. Attorney Bradshaw noted that an addendum could be made to the existing lease or a new lease could be drawn up if the Board changes the amount of rent.

The requests from the Towns of Drummond and Philipsburg for county PILT (Payments In Lieu of Taxes) Funds for emergency repairs were discussed with County Attorney Blaine Bradshaw. Attorney Bradshaw reported that Town Attorney Robert Medof had found some state and federal statutes which allow for the towns and the county to apply for additional PILT funds and the federal statutes allow the use of county PILT funds for "any governmental purpose." Drummond Mayor Gail Leeper presented a letter dated July 18, 2018 which estimated the cost for the fire suppression tower repair project at \$95,000.00. The letter noted that the town is working with county Disaster and Emergency Services Coordinator Rick Day to file an application with FEMA (Federal Emergency Management Agency) for a grant to assist with this project. Discussion was held on the condition of the fire suppression tower. Commissioner Slaughter stated that the county funds may be more effectively used as a match for a grant or loan project. Mayor Leeper noted that spring is the ideal time to have the tower drained, according to the town's engineer. She noted that the tower does currently work, but there is sediment in the tank. She indicated that she will bring in a copy of the engineer's inspection report. Attorney Bradshaw indicated that any action should be done by a Resolution which would include specifics regarding the use of the county funds. Commissioner Slaughter stated that the Town of Drummond should have a decision from the Board on whether the funds would be made available rather than keeping the town hanging. Mayor Leeper stated that the needs of the towns of Drummond and Philipsburg are individual and that this is not a competition between the towns, it is about getting the projects done. Commissioner Slaughter stated that he believes that helping the towns is good public policy. Commissioner Adler noted that it is difficult to get a contractor if the funding for a project is not secure. Mayor Leeper noted that the tower is on a year to year lease with Montana Rail Link. A potential motion was discussed. Commissioner Adler moved that it be the Commission's intent to and will convey up to \$95,000 from PILT funds to the Town of Drummond for their current fire suppression tower repair project; a formal resolution will be adopted prior to the funds being transferred, the Town of Drummond will make a good faith effort to obtain grant funding and the county's plan is that a formal resolution will be adopted. Commissioner Slaughter seconded the motion. As discussion on the motion, Dick Motta inquired which codes pertain to the distribution of PILT funds and Attorney Bradshaw responded citing federal code, 31 U.S.C. Section 6901, -2 et. Seq. and also, Montana Code Annotated Section 7-6-101 et seq. pertain to the distribution of PILT funds. Dick Motta inquired how much the Town of Philipsburg will request and Attorney Bradshaw reported that the Town of Philipsburg requested that the agenda item for Philipsburg be deferred until the August 7, 2018 Commission meeting. Dick Motta inquired how much PILT funds the county has available and Commissioner Slaughter indicated that it is approximately \$1,300,000. Dick Motta inquired whether the Granite County taxpayers are being overtaxed because the PILT funds have not been distributed. Commissioner Slaughter responded that previous Commissions have been thrifty and saved the PILT funds over the years as a "rainy day fund." Dick Motta inquired about the Forest Service project and Attorney Bradshaw noted that the Forest Service is paying the county for that work and it does not involve PILT funds. Susie Browning asked if the towns would be asked to pay the

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funds back and Commissioner Slaughter responded that they would not. Susie Browning stated that she is in favor of the motion and that it is an appropriate use of PILT funds for emergency purposes. There was no further public comment. The motion carried. Mayor Leeper volunteered to meet with the Commission on at least a monthly basis during this process. Dick Motta requested a copy of the Resolution and Attorney Bradshaw responded that no Resolution was adopted today.

Commissioner Adler and County Attorney Blaine Bradshaw had no report on union negotiations with the Granite County Road Unit of the IUOE (International Union of Operating Engineers) Local 400 because no counterproposal had been received from the union.

**Public Comment:** Rocky Sehnert met with the Board regarding his request for possible secession of eastern Missoula County to join Granite County. He stated that there is no consideration by Missoula County of rural residents and that the large urban center of the City of Missoula can influence every action in Missoula County. He noted that he was a city planner in Missoula and he is tired of Missoula having this club over all the residents, the most recent example being a \$15-million-dollar open space bond which does not specify any specific land for the open space. He specified that it would be a specifically designated piece of land if the proposal goes further and whether there is enough revenues to cover the expenses. He indicated that there are many disgruntled people in the area he is proposing. Commissioner Adler stated that it is difficult for Granite County to take care of what it has now. Commissioner Slaughter indicated that public safety is a major concern if the county would become larger to logistically provide emergency services like law enforcement, ambulance and fire protection. County Attorney Blaine Bradshaw attended and indicated that it may be a question to be referred to the county planning board for a recommendation to the Commission.

Also during public comment, Elena Gagliano suggested that a joint meeting with the towns of Drummond and Philipsburg be held in Philipsburg. The Board agreed that the suggestion would be brought up at the next joint meeting.

Also during public comment, Dick Motta discussed attorney Susan Callaghan and the charges against him. County Attorney Blaine Bradshaw indicated that Dick Motta should have received a letter from Susan Callaghan and he will obtain a copy of the letter and get it to Dick Motta. Dick Motta commented that the Board's agenda is not being distributed widely enough and Attorney Bradshaw referred to Montana Code Annotated as Section 7-1-2121 as only requiring publication in the newspaper for public hearings and he noted that the agenda is posted on the county's website and posted in several places; and this is legally sufficient. Attorney Bradshaw noted the difference between the notice required for public hearings and public meetings. He noted that every county attorney in Montana agrees that public meetings do not have to be noticed in the newspaper and that county attorneys are divided as to whether draft, unapproved minutes are not to be distributed to the public. Further, Attorney Bradshaw noted that he is firm on his opinion that draft, unapproved minutes are not to be distributed to the public until the state legislature changes the codes that draft minutes are public documents.

Also during public comment, Susie Browning inquired whether the road superintendent has submitted a list of road equipment and Commissioner Slaughter responded that he has not submitted the list. She also inquired whether there is still a capital projects fund and Commissioner Slaughter responded that there is. She also inquired about the revenue sharing funds and she was informed that the federal revenue sharing program no longer exists.

**Correspondence:** None.

The Board reviewed the executed Road Project Agreement with the U.S. Forest Service to have the county and subcontractors perform certain road work related to last summer's Meyers and Little Hogback Forest Fires. The project title in the agreement is "Meyers-Little Hogback Road Maintenance and Sediment Reduction."

The Board approved agreements with subcontractors on the Road Project Agreement with the U.S. Forest Service related to last summer's forest fires. County Attorney Blaine

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Bradshaw reported that two agreements from subcontractors, McDonald Excavation and Patriot Excavation, have been submitted in which they will agree to set hourly fees for operating certain equipment. Dick Motta inquired whether the subcontracts are above the \$80,000.00 required for public bidding and Attorney Bradshaw responded that there is an exception in Montana law for work done relating to forest fires according to MCA Section 7-5-2304. Commissioner Slaughter noted that the total maximum amount of the contract between the County and the Forest Service is \$281,743.07. The Board explained that Forest Service personnel met earlier in the day when Road and Bridge Superintendent Paul Alt was meeting with the Board, which was on the Board's agenda. Commissioner Adler moved to approve the agreement with subcontractors McDonald Excavation and Patriot Excavation. Commissioner Slaughter seconded the motion. Discussion was held that proof of workers' compensation and liability insurance must be provided before the subcontractor's begin work. The motion carried.

Public Health Nurse Annie Young met with the Board for discussion of her department's proposed budget and general discussion regarding public health. Clerk and Recorder Blanche McLure presented a copy of the public health budget, which is \$5,664.14 in the negative at the end of the 2017-2018 fiscal year. Discussion was held that reimbursement for vaccines is delayed and Blanche McLure indicated that an accounts receivable must be set up for funds which are anticipated to be received during the fiscal year. Annie Young indicated that she submits the billing for vaccines within a week of being administered and that she has increased the cost for her administering the vaccines. Blanche McLure suggested the Board consider passing a Resolution to balance the 2017-2018 fiscal year budget for Public Health. The WIC program was discussed and it is being provided through Missoula County, which only provides WIC services in Drummond. Annie Young agreed to investigate having the WIC program, provided through Anaconda-Deer Lodge County, also provide WIC services to Philipsburg; and this would need to be a future agenda item. Discussion was held on Annie Young's request to hire a half-time employee to assist her and to put it in the 2018-2019 fiscal year budget.

The regular quarterly meeting of the Granite County Board of Health was postponed until the next regular quarterly meeting due to the lack of a quorum.

The session adjourned at 4:20 p.m.

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Bill Slaughter, Chairperson

ATTEST: \_\_\_\_\_

Blanche McLure, Clerk & Recorder

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July 31, 2018

The Board of County Commissioners met at 8:30 a.m. in regular session in the Commission Office of the Granite County Courthouse with Chairperson Bill Slaughter and Commissioners Scott Adler and Barton Bonney attending. Also attending was Becky Smith in for 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 crew should finish down by the reservoir today, he will contact Kyle with NW Energy, advertising for part-time help for mowing, and the chip seal project is planned for the week of August 13<sup>th</sup>. Paul Alt would like to add another 1.4 miles to that contract and County Attorney Blaine Bradshaw recommended an addendum to the current agreement and that this issue be on the next week's Board agenda. Drummond Mayor Gail Leeper made a preliminary request for the use of county trucks to haul riprap from the runoff at the Bearmouth Chalet for use at the sewer lagoons in Drummond. Rick Skaggs said it would be a fall project. Mayor Leeper will request specific agenda time in the future.

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**Current Road Project Agreement with Forest Service:** Paul Alt will keep a file for the receipts related to the project.

**Agreements with subcontractors on current Road Project Agreement with the Forest Service:** No new contracts were presented.

Commissioner Slaughter reported on site visit to the Carcass Compost Site at the Drummond Solid Waste Transfer Site on July 27, 2018 with Barrie Lewis of the Montana Department of Transportation, Road and Bridge/Solid Waste Superintendent Paul Alt and Site Manager John Kendall. Barrie Lewis suggested applying more water, watering from the top, and to also water the compost pile. Need to figure out how to control the intake. Try these changes and see how this works. Get hoses and timers for the site. Paul Alt suggested getting the compost pile screened as soon as possible.

Discussion was held on obtaining new replacement road signs for non-maintained county roads to replace the current signs which have been damaged or demolished. Paul Alt estimated 30 new signs and he will contact Prison Industries to order the new signs. Commissioner Adler moved to purchase the new signs and Commissioner Bonny seconded the motion. There was no public comment. The motion carried.

Georgetown Lake level was reported at 6,429.66 feet, according to the USGS gage and the dam tender's report. The lake is approximately 1.92 inches above full pool at an outflow of approximately 42 cfs through the power plant and 63.4 cfs over the weir. Commissioner Bonney moved to have the outflow reduced to the amount of the inflow to 42 cfs. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. The Board noted that Grosvold Excavating has completed the tree removal project work at the Flint Creek Dam; it should be noted he was the lowest bidder via public bidding and was awarded the contract. When the dam work scheduled for late summer and fall gets started, Flint Creek Hydro LLC requested a schedule, scope of work, and job prints.

The Board participated in a special meeting of the Granite County Safety Coordinator with county DES/Safety Coordinator Rick Day and MACo Senior Loss Control Specialist Emelia McEwen for the annual county safety program evaluation. Discussion was held on the evaluation of goals set last year. The Board requested examples of road crew pre-trip logs from other counties. Discussion was held on Sheriff's Office training records and the Board recommended that Emelia McEwen meet directly with Sheriff Dunkerson. Discussion was held on the MACo On Track Safety Program Evaluation Profile, including a county wide document for reporting possible hazards of which documentation is needed. The Board indicated that reports of hazards are documented in the Board minutes. New goals set for the upcoming year: 1) Pre-Trip Form; 2) Chemical List from individual departments (Copy of Table of Contents of the MSDS book); 3) Complete courthouse evacuation training; 4) Identify county-wide possible hazard forms. Brodie Loushin, PayneWest Loss Control, provided a handout outlining Risk Control Services provided to Granite County. Also attending was PayneWest agent Rody Holman.

The Granite County Compensation Board met with Commissioners Slaughter, Adler and Bonney, Cathy Smith, Treasurer Vicki Harding, Hal Seward, Terry Wilson, Carl Sundstrom, County Attorney Blaine Bradshaw and Clerk and Recorder Blanche McLure attending. Commissioner Bonney moved to have the regular Compensation Board meeting in June of each year. Commissioner Adler seconded the motion. The motion carried. The board would like to meet again after the November election pertaining to the incoming Clerk and Recorder salary. Carl Sundstrom moved to approve annual compensation of elected officials, including longevity, with the added \$2,000 to Clerk and Recorder, Clerk of District Court, Treasurer, as allowed per statute and the added \$1,000 to Justice of the Peace as allowed by statute. Cathy Smith seconded the motion. The motion carried. Carl Sundstrom moved for the Compensation Board to reconvene after the November election to discuss Clerk and Recorder compensation. Hal Seward seconded the motion. The motion carried. Commissioner Bonney moved to adopt a COLA at 2.1% for elected officials. The motion was second by Commissioner Adler. The motion carried unanimously.

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The Board considered setting salaries for county employees other than elected officials. Commissioner Adler moved for a 2.1% COLA increase for employees other than elected officials. Commissioner Bonney seconded the motion. The motion carried unanimously.

The Board conducted at 11:00 a.m. public hearings on each of three petitions to abandon portions of streets in the Townsite of Maxville. Notice of the hearings was published in the legal notices section of the *Philipsburg Mail* newspaper on July 19 and 26, 2018.

The Board noted that it received the three petitions, the County Surveyor's report, and the Planning Board's recommendation (memorandum).

Planning Director Linda Bouck gave a summary of Planning Board recommendation which includes that a complete survey to aggregate 1-6 of Block 20 and all of Block 15 to create two separate lots at owner's expense with the main goal of aggregating the parcels back together. An alternative idea would be to place covenants on property (lots owned by Paul Alt) that the county would be a party to and which state that nothing more than a single family dwelling could be placed on the property with one septic system and one well. It was noted that the surveyor's report referred to an existing 40' easement and the property owner corrected that it is a 30' easement. Resolution needs to be very clear as to who gets what, with 50% to each property owner of said abandoned properties.

The Board noted that all adjacent landowners signed the petitions in support and that there is no cost to the abandonment, except any recorded covenants (see below) which shall be paid by landowner Paul Alt.

Commission Chair Bill Slaughter reviewed the process for the Public Hearing on the petitions to abandon portions of First Avenue South, Oak Street and Division Avenue. Granite County Attorney Blaine Bradshaw responded to Commissioner Slaughter's question regarding the Resolution for Abandonment, that the Resolution would be completed following the Board's decision. Granite County Planning Director Linda Bouck made certain that each Commissioner had a copy of Surveyor Hans Bohrnson's road viewer's report and recommendation. Chairperson Slaughter requested that Linda Bouck give a summary of the Planning Board's recommendations. She noted that the Planning Board's primary concern was that the undeveloped lots (Lots 1-12 in Block 15 and Lots 1-6 in Block 20 in Maxville) are currently a field. The recommendation was that a survey be completed to aggregate all the lots in Block 15 into one tract and all the lots in Block 20 into one tract, so there would be two tracts, each for single family residential use. A correction to the record was made stating that the road was a 30-foot private easement and not a 40-foot private easement. No extra easement would be granted, but a private easement for access to those lots which would show up on the survey. The cost of the survey would be covered by the property owners of both Lots 15 and 20. Clarification was made on who owns certain lots, specifically Larry DeMott doesn't own the lots in COS 973, but they are owned by Rae McKay, as a correction to the surveyors report. The Resolution should be specific and clear on who owns the abandoned road splitting it 50/50 and clear regarding what sections are abandoned. Linda Bouck related a suggestions from the Planning Board, specifically that covenant could be made, with County involvement, stating that the two aggregated lots would only be used for one single family residence and not for a subdivision. Chairperson Slaughter initiated a discussion on whether the County would be setting a precedent here that was good or not considering such conditions have never been required before in road abandonment proceedings in the county. County Attorney Bradshaw, with concurrence by Linda Bouck, responded that each case should be considered on its own merits.

There was some discussion on how it would affect the other land owners. Linda Bouck again gave a summary of the Planning Board's recommendation for the public.

#### Public Comments during Public Hearings on Maxville Streets:

Larry DeMott expressed concerned that there will be a subdivision put on the lots (parcels sold to separate owners) with too much traffic. He is concerned about the 30-foot easement, as it was originally discussed that the easement would be 20-feet. He is building a shop that could be affected. He expressed concerns regarding the amount of traffic that

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would happen if there was a subdivision on the lots discussed. He discussed that there was another possible access to the property.

Louis Polinsky discussed the easement at location, length and whether he would have access as he has had to turn around. Larry DeMott stated that he was providing an easement to Mr. Polinsky as long he was living and to let them know ahead of time so that they could move their vehicles that could possibly be in the way.

Rae McKay specifically stated that Paul Alt had stated to her when she bought the property that the roads would be abandoned. She stated that she would support the abandonment of the roads discussed as they run through her property that she recently purchased. County Attorney Bradshaw noted that this was not a representation made by the County and so the County would not be bound by that. That is a private matter between the Mr. DeMott, Mrs. McKay, and Paul Alt

Tom Mullan inquired how much land was being abandoned, guessing maybe more than one acre. He stated that he paid \$125,000 for more than one acre and his question was why would the county just abandon the land and he suggested that it be sold. County Attorney Bradshaw stated that the county could only abandon it or have a street, that it could not be sold per Montana law. Commissioner Adler noted that the abandonment enhanced the property owner's rights as the roads were abandoned to the property owners who pay taxes to the county.

Louis Polinsky spoke of when he went through the legal process and that Judge Dayton stated that Granite County had never accepted Maxville as a part of the county, so the county doesn't have the authority to abandon the roads. County Attorney Bradshaw stated that he did not believe that was consistent with what he knew of the law. Linda Bouck also stated that since the Commission has already abandoned several County roads in the Maxville area it shows that they do have the authority.

David King questioned about the surveys and stated that there have been several done, but never has been a distinction as to which one is correct. Several land owners have lost property due to the surveys. He wondered if it was possible to get the court to give a point of origin so that the surveys would be accurate. County Attorney Bradshaw advised that is more of a private civil issue that should be addressed separately, but the County Commission could decide to initiate the civil litigation, but this could lead to extensive legal and court battles.

Louis Polinsky stated that the he had to have several surveys done on his property and he agreed that the surveys are confusing. County Attorney Bradshaw suggested a private property owner agreement to fix the situation (any errors) with the surveys.

David King stated that he was concerned that there was talk about a trailer park being put in the property and had some concerns about the wells and septic and traffic. He had concerns if there was enough water for all the current property owners if they indeed put in a trailer park. Linda Bouck and County Attorney Bradshaw both stated that it would be specifically addressed in the Resolution what is allowed and that the lots in question, specifically one well and one septic system required by covenants, or the streets should not be abandoned by the County.

Pat St. Tourangeau requested clarification about the request for review if the landowner of the lots wanted to have a subdivision. She expressed some concern about the water levels that seem to drop every year. She wanted to make sure that the wording in the resolution was stated as to provide clarification for just how many lots they could have in Block 15 and Block 20.

Chairperson Slaughter expressed his concern about just addressing the issue with one landowner and not with everyone else. Linda Bouck stated that the petition came from one landowner and has asked the Commission to make a decision. Commissioner Slaughter noted his concerned about landowners' rights and whether we are infringing on them. County Attorney Bradshaw stated that he believed that it was a reasonable and lawful requirement that did not violate any equal protection laws as it would not be an arbitrary

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decision. Commissioner Slaughter continued to question whether or not past abandonments should have also been looked at as the Commission has not been involved.

Rae McKay stated that her lots will be the first to aggregate and not Mr. Alt. She continued to state that Mr. Alt had stated to her that she was getting acreage and not lots. She understood that she was purchasing 3.7 acres which included all the road abandonments. Her lots had to be aggregated.

Commissioner Adler asked what Paul Alt stated regarding the abandonment. County Attorney Bradshaw stated that he and Linda Bouck met with Paul Alt and they had discussed with him the covenant idea in lieu of the survey; he was in favor of it as he would sell it as one single family lot and that he just didn't want to have a survey completed due to the expense, as the cost of the survey would be about \$7,000. County Attorney Bradshaw stated that the covenant would take care of the issue and a survey would not be necessary.

Elena Gagliano asked about the survey issue and if something can be done to help the survey questions or a starting point. She also expressed concern about having a public meeting in the evening to accommodate more public participation.

Pat St. Tourangeau expressed additional concern about multiple use of the land by the land owner using the state law if there is another review.

Commissioner Bonney moved, in considering all the comments made during the hearing, to direct the county attorney to draft a resolution accepting the Petitions to Abandon Portions of First Avenue South, Oak Street, and Division Avenue (except portion of Division Street from Oak Street to Maple Street as this was previously abandoned by Resolution), all as stated in the Petitions, expressly conditional upon certain covenants with the land being recorded as executed by Paul Alt with the Granite County Clerk & Recorder, with Granite County as a party to the covenants and the covenants applying to lots (Lots 1-12 in Block 15 and Lots 1-6 in Block 20, except the state highway easement right-of-way). The covenants shall state these said lots shall be for a single family residence only (and outbuildings for single family) and no multifamily subdivision dwelling without commission approval; and that the lots may only have one well and septic system. Also, conditional upon a 30' easement shall exist at all times to access these lots stated above owned by Paul Alt. Paul Alt, landowner and Petitioner, will pay the cost to record said covenants. The county shall be a party to the covenants. Motion was seconded by Scott Adler. Public comment of those attending was in favor of the motion, as clarified. The motion carried unanimously. There will be a noticed public meeting next week, possibly in the evening, to review the draft Resolution and make changes; and then there will be two more public meetings for the readings of the Resolution prior to a decision.

The public hearings on each of three petitions to abandon portions of streets in the Townsite of Maxville concluded at 12:05 p.m. Attending were Elena Gagliano, Dick Motta, Gail Leeper, Louis Polinsky, Carl Sundstrom, Larry DeMott, Rae McKay, Tom Mullen, Gail McIntyre, David King, Nancy Moore, Bob Moore, Pat St. Tourangeau, Darren Tourangeau, Jennifer Fox, Patrick Fox, Mick Zemliska, Nancy Michalski and Lawrence Michalski.

The Board reviewed Board minutes for July 3, 10 and 17, 2018. The minutes were approved on the motion of Commissioner Bonney with a second by Commissioner Adler. There was no public comment. The motion carried unanimously.

The Board considered a response to the audit by Doyle & Associates of Lolo on the new Philipsburg ambulance garage. Bills were submitted for gravel from Jason Wingo and the Board agreed to request a copy of a cancelled check from Jason Wingo showing that he paid the gravel bill out of pocket. The Board agreed to reschedule this discussion to allow more time to review the audit.

The Board held the first reading of Resolution 2018-14 "A Granite County Resolution Increasing The County Health Department's 2018 Fiscal Year Budget And Authorizing A Transfer Of PILT Funds To County Health Department Fund No. 2270." The Board agreed to ask Clerk and Recorder Blanche McLure to review the resolution to ensure that it does what is needed.

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Commissioner Adler and County Attorney Blaine Bradshaw did not report on union negotiations with the Granite County Road Unit of the IUOE (International Union of Operating Engineers Local 400 as no counteroffer had been received from the union. A negotiation session is scheduled to be held on the afternoon of August 14, 2018. Commissioner Slaughter presented a list of current wages for the current county road crew and wages for county road crew's state wide. He suggested landing somewhere in the middle of those numbers.

The Board considered the proposed Letter of Engagement with Doyle & Associates CPA's of Lolo to complete the Annual Financial Report for the fiscal year ended June 30, 2018. The Letter of Engagement was accepted on the motion of Commissioner Adler and second by Commissioner Bonney. There was no public comment. The motion carried unanimously.

Public Comment: Jim Dinsmore and Karen Petersen, with the Granite County Conservation District, met with the Board with information that there may be grant money available through the Livestock Loss Board which needs to be used by December 31<sup>st</sup>. They asked if there is a physical need at the carcass compost site at Drummond. They noted that the National Fish and Wildlife Foundation has available a two-year grant, part of which is for composting; some of which was utilized for trucking to the compost site. Chairperson Slaughter commented about the recent site visit and indicated there is a need for additional water on the compost pile. The costs would be larger hose, sprinklers, timers, screening cost, equipment cost, and dirt work needed at the site. The possibility of the site being overloaded was discussed. Overall totals from the Blackfoot Challenge from Feb 16 to May 17 are 507 calves, 134 cows, and 56 other with 93 calves and 24 cows from out of county. There is no room to expand at current site. Roadkill is not compostable and is kept separate. He noted that the Commission could provide an itemized list of costs for supplies that are needed. Elena Gagliano, who was attending, asked why this matter was not on the agenda. Chairperson Slaughter and County Attorney Bradshaw both stated that this was a discussion only and any action items would be on an upcoming agenda.

Correspondence: None.

The Board considered advertising for bids for improvements to the Granite County Jail in the form of oiling of the roof and new rain gutters. County Attorney Blaine Bradshaw drafted a Notice for Bid (public bid) for the newspaper, requesting that separate bids be submitted for the roof oiling and for the gutters. The notice will run in the newspaper on two separate weeks and the bid opening is scheduled for August 28, 2018, at 10:00 a.m. Commissioner Bonney moved to advertise for bids for the Granite County Jail for new gutters and for oiling the roof. Second by Commissioner Adler seconded the motion. There was no public comment. The motion carried.

The Board met with County Attorney Blaine Bradshaw and Lawrence Mansfield regarding the Lease Agreement the county has with him for a county owned house at Hall. The Board agreed to reduce the rent from \$350.00/month to \$100/month with the stipulation that Lawrence Mansfield provide renters' insurance and general property upkeep and maintenance. Commissioners discussed with Mr. Mansfield that they would like to speak with Melody Saxe about helping with the renters' insurance and veteran's benefits, and Lawrence Mansfield agreed to that suggestion. Attorney Bradshaw drew up new lease addendum, with which the Board agreed and that was consistent with the verbal discussion. The lease addendum was signed by Lawrence Mansfield, Chairperson Slaughter, County Attorney Bradshaw and Clerk and Recorder Blanche McLure.

The session adjourned at 3:10 p.m.

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Bill Slaughter, Chairperson

ATTEST: \_\_\_\_\_

Blanche McLure, Clerk & Recorder

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