

February 26, 2019 continued...

decision. Roger Beyer stated that county residents should not be penalized, as Commissioner Hinkle is proposing, just because of the origin of the funds. Commissioner Slaughter stated that his responsibility is to the people of the county and that road maintenance may need to be extended as areas of the county develop with more taxpaying residents. Roger Beyer indicated that some area residents, if asked, would likely donate land for a proper turnaround for county snow plows at Viking Lane. Commissioner Hinkle again indicated that he has no problem with the Forest Service improving the road, but he feels that the improvement should be done by the Forest Service and not through the county since it is a Forest Service road. The Board indicated that Pintler District Ranger Cameron Rasor plans to meet with the Board with more details on potential Forest Service funding and to request a decision on future county maintenance of Viking Lane by the Board.

Correspondence: None.

The Board reviewed draft minutes for the February 19, 2019 session. The minutes were approved on the motion of Commissioner Hinkle and second by Commissioner Slaughter. There was no public comment. The motion carried unanimously.

The session adjourned at 3:00 p.m.

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Chairperson

ATTEST:

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Clerk

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THE BOARD OF COUNTY COMMISSIONERS MET ON THE 5<sup>th</sup>, 12<sup>TH</sup>, 19<sup>th</sup> & 26<sup>th</sup> OF MARCH 2019 IN THEIR OFFICE AT THE GRANITE COUNTY COURTHOUSE WITH ALL THREE COMMISSIONERS PRESENT.

THE FOLLOWING CLAIMS FOR THE MONTH OF FEBRUARY 2019 WERE APPROVED AS FOLLOWS:

<u>WARRANT</u>		<u>AMOUNT</u>	
55572	FLINT CREEK VALLEY BANK	PAYROLL & NOD	\$91,762.85
55573	VISA #1	COUNTY HEALTH - VISA	\$24.99
55574	VISA #2	COUNTY ROAD - VISA	\$741.11
55575	VISA #3	COUNTY - VISA	\$385.07
55576	360 OFFICE SOLUTIONS	FEBRUARY STATEMENT	\$734.83
55577	ADAM MICHNEVICH	PLANNING BOARD TRAVEL	\$78.30
55578	ADLER TOWING	TOW SERVICE	\$838.00
55579	ALL AMERICAN TROPHY INC	SPELLING BEE TROPHY	\$34.50
55580	AMERICAN WELDING & GAS	ACETYLENE	\$24.52
55581	AUTO ELECTRIC SERVICE COMPANY	ALTERNATOR	\$236.26
55582	BLACKFOOT CFT	FEBRUARY BILLING	\$3,509.36
55583	BOB BARKER CO INC	GLOVES & TISSUE	\$497.58
55584	BOB'S QUALITY AUTO	VEHICLE SERVICE	\$128.00
55585	CARQUEST AUTO PARTS	REPAIRS & MAINTENANCE	\$385.24
55586	CATERPILLAR FINANCIAL	EXCAVATOR P&I	\$1,144.07
55587	CENTURYLINK	E-911	\$415.80
55588	CENTURYLINK	FCP PHONE	\$59.36
55589	CLAUDETTE PARKE	POSTAGE	\$25.50
55590	COLJ CONFERENCE REGISTRATION	SPRING 2019 JP CONFERENCE	\$300.00
55591	COMDATA	FEBRUARY BILLING	\$3,172.27
55592	COMMUNITY SOLUTIONS, INC	SUPERVISION	\$100.00
55593	CULLIGAN	OUT OF TOWN WATER	\$21.50
55594	DIS TECHNOLOGIES	SERVICES & SUPPLIES	\$2,045.52
55595	DRIVELINES OF MISSOULA	REPAIRS & MAINTENANCE	\$635.00
55596	EAGLE PRINTING, LLC	ELECTION ENVELOPES	\$997.69
55597	ENERGY PARTNERS LLC	PROPANE - HALL SHOP	\$555.00
55598	FICKLER OIL CO. INC.	FUEL & SUPPLIES	\$4,144.56
55599	GRANITE AMMUNITION	SUPPLIES	\$982.00
55600	GRANITE COUNTY TREASURER	POSTAGE - TREASURER	\$382.27

55601	GRANITE DISPOSAL	HAUL REFUSE	\$54.00
55602	GRANITE PHARMACY	HEP B VACCINE	\$1,334.00
55603	GRANITE PREPAREDNESS, LLC	PHEP CONTRACT	\$2,957.19
55604	GRANITE SPORTLAND	4 WHEELER HAND/THUMB WARMER	\$198.98
55605	GREAT WEST ENGINEERING	PROFESSIONAL SERVICES	\$15,002.35
55606	HARLOW'S TRUCK CENTER	REPAIRS & MAINTENANCE	\$2,433.70
55607	HIGH TECH LINEN	RUGS	\$130.38
55608	HOGAN'S RANCH & BUILDERS	SUPPLIES	\$185.05
55609	HOOVER CREEK REPAIR, LLC	MAINTENANCE	\$210.52
55610	HUFFMAN GROCERY	CARE OF PRISONERS	\$1,110.57
55611	HUFFMAN GROCERY	DRMD SR CITIZENS	\$288.00
55612	HUFFMAN GROCERY	RD, SW, EXT SUPPLIES	\$39.49
55613	I STATE TRUCK INC	MAINTENANCE & SUPPLIES	\$1,098.76
55614	INLAND TRUCK PARTS	REPAIR & MAINTENANCE	\$8,325.12
55615	JOHN DEERE FINANCIAL	SUPPLIES	\$272.86
55616	K L S HYDRAULICS	BUILD VALVE	\$826.31
55617	KENDRA KANDUCH	SPELLING BEE COORDINATOR	\$150.00
55618	MACO	INMATE BUDGET PROTECTOR	\$90.72
55619	MAPS INC	ONGOING 911 MAPPING & SUPPORT	\$2,186.50
55620	MCGOWAN WATER COND, INC	SALT & WATER SOFTENER	\$43.94
55621	MICHELE PUIGGARI	REFERENCE CHECK	\$60.00
55622	MONTANA ASSOC OF COUNTIES	NAME BADGE	\$20.00
55623	MONTANA BOLT & HARDWARE	SUPPLIES	\$236.22
55624	MONTANA BROOM & BRUSH	SUPPLIES	\$100.03
55625	MT COALITION OF FOREST COUNTIES	FY19 DUES	\$1,459.68
55626	MT CORRECTIONAL ENTERPRISES	DISPATCH UNIFORMS	\$53.00
55627	MONTANA ELECTRONICS CO, INC	REPLACED FUSE	\$66.00
55628	MONTANA TRUCK PARTS	TOW VOLVO TO INLAND TRUCK	\$600.00
55629	MSU EXTENSION SERVICE	SALARY SHARE	\$2,322.78
55630	NAPA AUTO PARTS	REPAIRS & MAINTENANCE	\$149.36
55631	NORCO, INC	PLASMA CUTTING SYSTEM	\$3,390.56
55632	NORTHWESTERN ENERGY	FEBRUARY STATEMENTS	\$5,161.34
55633	PACIFIC STEEL - MISSOULA	UM PLATES & ANGLE, CHANNEL	\$460.20
55634	PATRICIA BAUER	AREAV MILEAGE	\$100.92
55635	PAUL ALT	MILEAGE	\$879.02
55636	PHILIPSBURG MAIL, THE	ADS	\$456.00
55637	PHILIPSBURG, TOWN OF	FEB WATER/SEWER	\$432.50
55638	PINTLER PETROLEUM	FUEL	\$4,396.06
55639	POSTMASTER	POSTAGE GCHD ELECTION	\$1,155.00
55640	PROFORCE LAW ENFORCEMENT	TASER	\$1,447.70
55641	REPUBLIC SERVICES #889	PICK-UP SERVICE	\$6,057.40
55642	REPUBLIC SERVICES OF MONTANA	COMPACT & LOOSE TONNAGE	\$3,427.59
55643	ROBERT CONNORS	PLOW AIRPORT	\$400.00
55644	ROCKY MOUNTAIN SCALE WORKS	SERVICE SCALE	\$275.00
55645	RODNEY OR BONNIE CONAT	FEE REFUND	\$125.00
55646	RTW ENTERPRISE	FAN CLUTCH, TIE ROD	\$2,140.95
55647	SCOTT ADLER	MILEAGE	\$127.60
55648	SHI	2019 WINDOWS	\$272.79
55649	SOLE STONE REIMB SERVICES	DVA JAN BILLING	\$388.22
55650	SWEET PEA SEWER & SEPTIC	CONTRACTED CLEANING	\$225.00
55651	TERRY JO VIETOR	CRIME VICTIMS ADVOCATE	\$620.77
55652	TNT TRUCK PARTS	TARP STRAPS	\$27.50
55653	UNT HEALTH SCIENCE CENTER	PROFESSIONAL SERVICES	\$250.00
55654	VERIZON WIRELESS	CELL PHONES	\$857.02
55655	WESTERN STATES EQUIPMENT	REPAIRS & MAINTENANCE	\$2,267.95
55656	WESTTEL INTERNATIONAL, LLC	E-911	\$667.00
55657	WOODLAND CREATIONS	SUPPLIES	\$36.81
55658	BUTTE PRODUCE	DRMD SR CITIZENS SUPPLIES	\$507.68
55659	DRUMMOND COMMUNITY HALL	RENT - FEBRUARY	\$300.00
		CLAIMS FUND TOTAL	\$193,220.24

<u>WARRANT/NOD</u>	<u>JOB TITLE</u>	<u>AMOUNT</u>
ADLER, SCOTT C	COMMISSIONER	\$2,179.88
ALT, PAUL	ROAD SUPERVISOR	\$6,539.17
ANDERSON, MELINDA K	SOLID WASTE SECRETARY	\$968.98
BAUER, PATRICIA L	AREA V	\$732.92
BECKER, KYLAH L	DISPATCHER	\$2,322.56
BOHRNSEN, CAROL P	CLERK OF DISTRICT COURT	\$4,097.52
BOLSTER, JACKIE R	PH NURSE ASSISTANT	\$813.97
BONNEY, JANEEN	CUSTODIAN	\$2,596.65
BOUCK, LINDA	PLANNER	\$5,057.77
BRADSHAW, BLAINE C	COUNTY ATTORNEY	\$8,190.67
BUTLER, JODI L	SOLID WASTE	\$2,595.20
CARTWRIGHT, VALERIE N	DISPATCH	\$2,705.60
CAYKO, NICKIE N	ROAD MAINTENANCE	\$3,060.80
DAY, JAN P	DEPUTY CLERK	\$1,548.58

DAY, NELS R	DES COORDINATOR	\$1,162.70
DUNKERSON, WAYNE S	SHERIFF	\$4,597.80
FADNESS, COLETTE A	AREA V AIDE	\$207.68
FRATZKE, DEBBIE	JUSTICE OF THE PEACE	\$2,013.02
GRAHAM, SARAH E	CLERK & RECORDER	\$3,918.85
HARDING, JEAN M	DISPATCHER	\$2,659.20
HARDING, VICKI B	TREASURER	\$4,488.20
HENNAGER, DEANNA L	DISPATCHER	\$2,409.32
HINKLE, CHARLES	COMMISSIONER	\$2,012.58
HOEHNE, JOHN W	ROAD MAINTENANCE	\$3,696.03
HOLLAND, BRAD J	ROAD MAINTENANCE	\$3,237.00
HULTMAN, TY R	DEPUTY	\$3,762.16
JACOBSON, STEVEN	ROAD MAINTENANCE	\$3,399.58
KAHOE, MICHAEL	EXECUTIVE ASSISTANT	\$4,228.80
KANE, KATHERINE	DISPATCHER	\$714.56
KENDALL, JOHN S	SOLID WASTE	\$2,865.60
KINGREY, ELWYN	JUNK VEHICLE	\$402.21
LARDY, JAMES D	SITE RELIEF	\$675.94
LATRAY, DANETTE L	TREASURER DEPUTY	\$3,376.96
LOOBEY, THERESA R	TITLE CLERK	\$2,494.40
MCDONNELL, FRED N	SOLID WASTE RELIEF	\$265.27
MUHLY, KATIE	COUNTY HEALTH NURSE	\$2,804.53
OLSEN, RICK C	DEPUTY	\$3,433.47
OSTLER, JASON K	DEPUTY	\$3,517.50
OWENS, NANCY	RELIEF	\$136.49
PALMER, KAREN P	COUNTY AGENT SEC	\$2,284.80
PARKE, CLAUDETTE	CO ATTORNEY SECRETARY	\$2,884.80
PAWLAK, KIMBERLY	FLOATING CLERK	\$1,833.96
PETERS, DEBORAH A	DISPATCHER RELIEF	\$1,083.93
PETERS, STEVEN D	DEPUTY	\$3,630.08
SCHIEDERMAYER, CONNIE	COUNTY SCHOOL SPECIALIST	\$25.00
SHEPARD, RAYLENE O	DISPATCHER	\$401.23
SLAUGHTER, BILL L	COMMISSIONER	\$2,101.45
SMITH, REBECCA	DEPUTY CLERK AND RECORDER	\$3,001.74
SMITH, THADDEUS M	DEPUTY	\$3,599.19
STEPHENSON, CHRIS D	SEASONAL ROAD MAINTENANCE	\$2,655.63
VICEDOMINI, KRISTEN	DISPATCHER	\$1,670.20
VIETOR, TERRY J	CRIME CONTROL ADVOCATE	\$1,179.20
WALDEN, JAMES L	ROAD MAINTENANCE	\$3,120.00
WEST, WILLIAM H	DAM TENDER	\$358.29
WILKINS, KENNETH D	ROAD MAINTENANCE	\$3,993.39
WILKINSON, BARBARA A	JUSTICE CLERK	\$1,132.73
<b>56 EMPLOYEES</b>	<b>TOTAL GROSS PAYROLL</b>	<b>\$140,845.74</b>

<b>WARRANT</b>	<b>AMOUNT</b>
19197 AFLAC INS	\$205.81
19198 CHRISTMAS CLUB	\$2,155.00
19199 COLONIAL	\$18.75
19200 FIT	\$8,674.13
19200 MEDICARE	\$3,926.40
19200 P.E.R.S.	\$18,154.03
19200 PERS RETIREE	\$334.41
19200 SHERIFF RETIRE	\$5,321.73
19200 SOCIAL SECURITY	\$16,788.60
19200 TRS	\$4.28
19201 IUOE 400	\$407.20
19202 MACO DENTAL	\$2,602.00
19202 MACO VISION	\$535.00
19202 MACOHCT	\$50,148.00
19202 UNUMLIFE	\$726.95
19203 PEBSC	\$5,075.00
19204 SIT	\$5,424.00
19205 UNION - PENSION	\$550.03
<b>TOTAL PAYROLL LIABILITIES</b>	<b>\$121,051.32</b>

## GRANITE COUNTY COMMISSIONERS MINUTES

March 5, 2019

The Board of County Commissioners met at 9:00 a.m. in regular session in the Commission Office of the Granite County Courthouse with Chairperson Bill Slaughter and

March 5, 2019 continued...

Commissioners Scott Adler and Charles Hinkle attending. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

Road and Bridge Superintendent Paul Alt did not meet with the Board today due to his attention to the unusual amount of recent heavy snowfall and subzero weather. The Board contacted the Powell County Commissioners about Granite County potentially taking general road maintenance services on the Powell County's three (3) section of the Dunkleberg Creek Road beginning at the Jens Interchange on Interstate 90. Approximately the first three miles are in Powell County and they were not slowed of snow recently. Discussion was held on a potential agreement with Powell County for Granite County to maintain that section of Dunkleberg Creek Road in Powell County and have Granite County send a bill to Powell County for the services. The Board requested that County Attorney Blaine Bradshaw draft an agreement for the Board's approval on a future agenda and also asked that Road Superintendent, Paul Alt, draft the fee schedule.

Carcass composting at the Drummond Solid Waste Container Site was discussed. County Attorney Blaine Bradshaw attended. Commissioner Slaughter reported that Paul Alt had rebuilt the carcass composting site last year and Commissioner Adler stated that it is a good service, but it may be in the wrong location too close to Drummond due to the smells emanating from the site that reach businesses in Drummond at certain times. Jason Vietor stated that carcass composting works well when there are not too many carcasses brought in and he suggested that the carcasses be limited to those brought in by the contract hauler in order for the site to operate properly. Discussion was held regarding the seepage from the site running down the gulch. Commissioner Hinkle discussed the possibility of chronic wasting disease being transmitted from the compost site and he also questioned the amount of antibiotics and other drugs used in cattle getting into the groundwater. Discussion was held on locating the carcass site on nearby state land as an alternative site. It was noted that wood chips and water are necessary to make a site work properly, plus someone and equipment to operate it. Jason Vietor indicated that the contract hauler takes the excess to Missoula when the site is full. Commissioner Adler noted that is often an odor that goes into Drummond. Commissioner Slaughter indicated that an expert had consulted on proper carcass operation and it has been improved. Commissioner Adler indicated that the wildlife and domestic animals are mixed when the composting process is finished because there is no room to keep them separate. Commissioner Hinkle noted that the wildlife and domestic animals must be kept separate. A suggestion was made to possibly move the site to where the junk vehicle site is located near the Philipsburg Solid Waste Container Site. It was agreed that there should be no odor if the site is operated properly. The Board agreed to send a letter to the project partners to discuss the future operation. Kerry Graybeal stated that the Granite Headwaters Watershed Group would send a letter that domestic animals should be brought to the site only by the contracted hauler. Also, whether the wild animal compost has ever been hauled away by the state was discussed. The Board agreed to continue to operate the site through this season and hold another meeting with the partners with the long range plan of relocating the carcass compost site. Jason Vietor stated that the service is very important to the livestock producers in the county and it should be kept cooperating even if in a new location.

As public comment, David Harris requested some assistance with snow plowing to the Stump Town/Tower area as there are about twelve residents and children living in the area.

Georgetown Lake level was reported at 6,428.64 feet, according to the USGS gage and the dam tender's report. The lake is approximately 10.32 inches below full pool with an estimated 25 cfs through the power plant and an estimated 25 cfs over the weir. County Attorney Blaine Bradshaw attended. Commissioner Hinkle moved to increase the outflow by 5 cfs to a total of 30 cfs in consideration of the substantial inflow expected this spring. Commissioner Adler seconded the motion. There was no public comment. The motion carried. Paul Tallon with Flint Creek Hydroelectric was notified to make the increase of 5 cfs to a total of 30 cfs through the power plant.

As an administrative matter, County Attorney Blaine Bradshaw said that he has formulated a response to Blackfoot Telephone requesting a copy of the permit to bury the cable in the county right-of-way. He noted that Blackfoot Telephone is billing Chuck Houtz

March 5, 2019 continued...

for cutting the cable near the East Fork Road and Chuck Houtz is declining to pay because other people, including county employees, were in the area at the time [Blaine's note: I suggest moving this to correspondence section].

Due to an apparent emergency as a local Drummond resident called the Board, the Board contacted Drummond Mayor Gail Leeper to report that sand bags and sand are available at the county shop in Hall due to potential flooding due to the ice jam in the ditch through Edwards Gulch which also runs by the Drummond Elementary School in Drummond. An offer to deliver the bags was made by the Board. Mayor Leeper indicated that she had everything under control, and worked out the sand issue with the state road department.

County DES/Safety Coordinator Rick Day met with the Board regarding three grant applications for funds from Homeland Security through the Montana Department of Disaster and Emergency Services. He explained that the grant applications, in the order of priority as recommended by the LEPC (Local Emergency Planning Committee), are: 1) Renovate and Update the Granite County Emergency Operations Center, grant request for total estimated cost of \$179,659. 2) Active Shooter Training and Exercise, grant request of \$18,000. 3) Emergency Generator and Compressor for Philipsburg Volunteer Fire Department Fire Hall, grant request of \$77,411. DES Coordinator Day explained details of the grant applications and he noted that there is a county match. The grant applications must be submitted by February 8, 2019. Commissioner Adler moved to write a letter of support for the grant application and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried. Commissioner Adler moved to approve the grant applications and their submittal, and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried. On another subject, the possibility of flooding from the unusually heavy snowfall was discussed and Rick Day responded that the important thing is to have sand, sand bags and county equipment available; and to have the Commissioners declare a flooding emergency if and when it is warranted. County Attorney Blaine Bradshaw attended and reminded everyone present that any project over \$80,000 must be let through the competitive, public bidding process set by law.

The Board reviewed the final draft of the proposed Granite County Procurement Policy with County Attorney Blaine Bradshaw, who noted that it is consistent with the law. Discussion was held on specific areas of the policy and some revisions were made to the draft. The revised policy was adopted on the motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried unanimously. The Board agreed to hold a training session on the policy for county elected officials, department heads and anyone in the county with purchasing authority.

The Board considered a proposal from Lewis Smith, Smith Law Firm of Deer Lodge and Helena, with County Attorney Blaine Bradshaw for special legal counsel/conflict legal counsel when County Attorney Bradshaw has a conflict of interest in taking on any criminal or civil case. The rate for Lewis Smith would be \$140.00/hour, with paralegal or other similar services at a rate of \$75/hour; and Lewis Smith has agreed to utilize Granite County Attorney's paralegal whenever possible to save on costs incurred by the county. The agreement may be terminated at any time by written notice. County Attorney Blaine Bradshaw explained that the attorney he had been using, who had been retained by the county in an agreement signed by the County Commission, is no longer available and that it is good to have an agreement ready when a conflict arises or special counsel is needed. Commissioner Adler moved to approve the proposal and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

Maria Stoppler, CEO/DON of Granite County Hospital District, met with the Board and submitted the district's monthly financial update which included projected cash available of negative \$(235,000), projected deposits of \$568,000, projected cash requirements of negative \$(150,000), for projected cash reserves of \$183,000 (16 days of operation). The update included an administrator's report dated February 26, 2019 and she noted that the board meeting scheduled for February 26<sup>th</sup> had been canceled due to extremely cold and snowy weather; that the facility's charges are now posted to the facility's website; she

March 5, 2019 continued...

anticipates at least two bidders on the CT scanner project; and there is one contested board member seat up for election. County Attorney Blaine Bradshaw attended.

Karen Veit Murphy, Partnership Specialist for western Montana, met with the Board regarding the 2020 Census and to request the formation of a Complete Count Committee in Granite County. She is also working with the state Department of Commerce on the 2020 Census and she noted that each person who is not counted results in \$2,000.00 per year in lost federal revenue which then goes to another state. She noted that the census form contains only ten to twelve questions, which have not yet been determined. She noted that the Census Bureau does conduct other surveys, like the economic census every five years and the Census of Governments every five years. Also, she noted that there will be three ways to respond for the first time; by phone, by email or by mail. She noted that the personal information is not released until 70 years following the census and that prior to that only aggregated information is released. She also noted that the "long form" is no longer utilized during the census. Montana is on the brink of another congressional seat and she indicated that some counties are budgeting some funds for outreach to assure an accurate census count. She reviewed that a Complete Count Committee is a volunteer committee made up of community members from various areas and backgrounds (for example; schools, medical community, senior citizen centers, churches) which could be formed at the discretion of the Commissioners. The purpose of the committee is to get the word out that the census will be occurring in 2020 and to encourage people to be counted. She indicated that the major push for an accurate count will be in the spring of 2020 prior to census day on April 1, 2020. Commissioner Adler expressed his opinion that he is not in favor of assisting the federal government in the census effort and that he is suspicious of how the information is used. Commissioners Slaughter and Hinkle agreed to run an advertisement in the local newspaper, the Philipsburg Mail, to determine if there is interest by local people in serving as volunteers on such a Complete Count Committee.

As an administrative matter, Sheriff Scott Dunkerson met with the Board to report that he is meeting this afternoon with county and state Disaster and Emergency Services officials at the site regarding the ice situation and prevention of flooding at Edwards Gulch in Drummond. Ways to prevent flooding of local creeks due to recent heavy snowfall, including Edwards Gulch, were discussed.

**Public Comment:** None.

**Correspondence:** As an administrative matter, County Attorney Blaine Bradshaw said that he has formulated an e-mail response to Blackfoot Telephone requesting a copy of their written permit to bury the cable in the county right-of-way. He noted that Blackfoot Telephone is billing a local area resident, Chuck Houtz, for damaging the cable near the East Fork Road and Chuck Houtz is declining to pay because other people, including county employees, were in the area at the time [Blaine's note: I suggest moving this paragraph to this location].

The Board reviewed draft minutes for the February 26, 2019 session. The minutes were approved on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

Public Health Nurse Katie Muhly RN met with the Board and presented a Monthly Summary Report on her activities. County Attorney Blaine Bradshaw attended. Katie Muhly noted that she is making good progress on billing old insurance claims now that the county health department is an official registered provider. She reviewed her budget to date, including current expenses and reimbursements. She also reviewed the Area V Agency on Aging budget and the number of calls she has had from families requesting assistance. The Board agreed to consider Katie Muhly's request for additional time (up to 8 hours per week for the current fiscal year for a total of 28 hours per week, but that she would remain a salaried employee at potentially approximately three-quarter times, specifically .70 time instead of half-time, for the current fiscal year) to devote to Area V clients on a future agenda. This issue of additional hours would be on a future agenda for discussion and decision. The Maternal and Child Health Block Grant was reviewed and Katie Muhly indicated that she intends to do a "Get Ready For Summer" campaign and distribute bike

March 5, 2019 continued...

helmets to children, along other activities. She reviewed that there have been nine confirmed influenza cases in the county and noted that she will participate in the county-wide HRSA (Health Resources Services Administration) grant through the Granite County Medical Center. The Board requested that she get a carbon monoxide detector for the Drummond office.

The Board discussed a speaker system for the County Commission Office in the Granite County Courthouse so the Commission and public can hear better during meetings, and it was noted that it is awaiting a quote, which has been requested, from DIS Technologies on a speaker system. The matter was tabled by the Commission until a further date and time to be determined, and would be placed again on the Commission's agenda.

The session adjourned at 3:15 p.m.

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Chairperson

ATTEST:

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Clerk

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March 12, 2019

The Board of County Commissioners met at 9:00 a.m. in regular session in the Commission Office of the Granite County Courthouse with Commissioners Scott Adler and Charles Hinkle attending. Chairperson Bill Slaughter was absent this day on a planned vacation. Also attending was Kim Pawlak in for Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance. The Board selected Commissioner Adler as temporary chairperson for the session.

Road and Bridge Superintendent Paul Alt met with the Board and gave his report. The report included taking grader down to Rock Creek where water is flowing down the road causing ice and slush to build up on the roadway. The Road Department will need to work on and clean out culverts this summer to help water runoff. Paul Alt is going to Kalispell this week to get sandbags (4-6 pallets) to have those available for the public prior to any flooding event. He will deliver a pallet to Drummond State shop, a pallet at Rock Creek and Philipsburg. Hall truck is at Karl Tyler Chevrolet getting safety things repaired (new windshield, air bags) cost will be approximately \$1,500. They reviewed the Road Maintenance Agreement with Powell County, and Paul Alt stated the few changes he thought should be revised in the draft agreement.

Georgetown Lake level was reported at 6,428.58 feet, according to the USGS gage and the dam tender's report. The lake is approximately 11.04 inches below full pool with an estimated 25 cfs through the power plant and an estimated 30 cfs over the weir. Commissioner Hinkle moved to make no change in outflow and second by Commission Adler. There was no public comment. The motion carried.

The Board reviewed county claims for February 2019. The claims were approved on the motion of Commissioner Hinkle except the claim for Jason Wingo for the new Ambulance Building and second by Commissioner Adler. Commissioner Adler recused himself from the claim from Adler Towing. The motion carried. The Commission called Doug Graybeal to inquire about the claim from Jason Wingo. Doug Graybeal stated that he knows nothing about this claim. The Commission stated they would contact Jason directly.

The Board held the bid opening for the new Skalkaho Fire Hall building for the Flint Creek Fire Service Area. The Request for Bids had been formally advertised in the February 21, 2019 and February 28, 2019 issues of the *Philipsburg Mail* newspaper. One bid was received:, and it was from Grosvold Construction. The bid was in the amount of \$125,446.00. Flint Creek Fire Service Area Board Chair Jason Vietor attended and indicated the bid was not within the Fire Service Area's budget. Commissioner Hinkle moved to not accept the

March 12, 2019 continued...

bid as it exceeds the Flint Creek Fire Service Area's budget and second by Commissioner Adler. There was no public comment. The motion carried. County Attorney Blaine Bradshaw and Jason Viotor, Chairperson of the Flint Creek Fire Service Area, were present.

The Board reviewed a draft revised letter to the Philipsburg Ice Association with County Attorney Blaine Bradshaw. The draft letter revises the original letter of January 23, 2019, and the length and width of the two storage trailers, increased to 65 feet long by 12 feet wide, which can be stored on county property. The letter was approved on the motion of Commissioner Hinkle and second by Commissioner Adler. By telephone, Commissioner Slaughter indicated his support for this revised letter. There was no public comment. The motion carried.

Granite County Extension Agent Ben Hauptman met with Commissioners with an update. He reported that he conducted a herdsmanship school in January and February of this year. Every Tuesday for a month he had different speakers come and talk to the class. Upcoming 4-H events: Quality Assurance, Demonstrations and Stir Ups (cooking) this month. Weed: Need to hire 1 weed person for the summer. Weed truck that is in Seattle is nearing completion. Ben Hauptman or a weed crew member will fly someone to Seattle to pick up the truck and drive back to Philipsburg, as this will be the cheapest method of getting the truck here.

The Board reviewed a draft, proposed Road Maintenance Agreement with Powell County regarding maintenance on the first three miles of Dunkleberg Creek Road in Powell County south of the Jens Interchange. Granite County would be paid reasonable fees and costs for completing such road maintenance. The agreement was approved on the motion of Commissioner Hinkle, with the changes made and Commission will contact Powell County in the summer with regards to the road, and second by Commissioner Adler. There was no public comment. The motion carried. County Attorney Bradshaw was requested, and he agreed, to send the proposed Road Maintenance Agreement to the Powell County Commission for their review and approval.

Engineer Jeremiah Theys, with Great West Engineering (the county's on-call engineering firm) of Helena, spoke with the Commission by speaker telephone regarding the DOWL Engineering proposal in the amount of \$75,000 to answer FERC comments on the Part 12D inspection conducted by DOWL on the Flint Creek Project. The proposed Scope of Work was reviewed by task. Task 1: Based on comparison, need to do new PMF analysis due to new FERC conditions. Being 1.14 inches brings below 2 feet. DOWL didn't do a full report first time. Per Jeremiah Theys, this needs to be done. Two ways to go; since deficiencies need to be done by 1/1/2020; respond back to FERC that item will be done as part of next 12D inspection in 2021, or go back to DOWL and ask for cost reduction on analysis as DOWL has done some analysis already. DOWL needs to give detailed cost estimate. Task 2: Creditable earthquake analysis also needs to be done, according to Jeremiah Theys. The County is justified to ask FERC for extension of time. Commissioner Adler inquired if County can ask Flint Creek Hydro LLC to help out with costs. Jeremiah Theys said that is a question for County Attorney Blaine Bradshaw because it would have to deal with their contract. Task 3: Jeremiah Theys stated this needs to be done at no charge by DOWL, according to their contract they are supposed to provide a fully complete Part 12D inspection. County Attorney Blaine Bradshaw needs to respond back to DOWL for clarification. Jeremiah Theys will be on March 19<sup>th</sup> Commission agenda to make decision and he agreed to contact County Attorney Blaine Bradshaw before then. Dick Motta attended and stated that Flint Creek Hydro LLC should be contributing to the costs. Dick Motta said that Commissioners should consider to renegotiate the Hydro Dynamics (Flint Creek Hydro LLC) contract and lease as such costs will eventually fall on taxpayers.

Public Comment: None

Correspondence: Vince Reece tendered his resignation to the County Commission from the Granite County Airport Board and as manager of Riddick Field effect March 7, 2019. Vince Reece then rescinded his resignation from the airport board and will stay on as chairperson until the next airport board meeting. The Commission did not accept his resignation and appreciated Mr. Reece's willingness to stay on to assist with the transition to a new airport manager and board chairperson.

March 12, 2019 continued...

The Board minutes for March 5, 2019 were approved with motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried.

Public Health Nurse Katie Muhly RN met with the Board to review the budgets for several programs which she administers, including Area V Agency on Aging and the Immunization Program. She noted that there is sufficient budget in those programs to increase her salary from 1/2 time (20) hours per week to 3/4 time (30 hours per week) until the end of the current fiscal year on June 30, 2019. Commissioner Adler does not feel we should use the money for wages. He would like to wait until new fiscal year then look at it again. Commissioner Hinkle doesn't see how they can adjust hours from 1/2 to 3/4 after just a month. It was suggested that Katie Muhly needs to give duties to her health clerk, so she can do the nursing. Also, she needs to document where she is spending her time. Commissioner Hinkle moved to keep the position at 1/2 time (20) hours per week and second by Commissioner Adler. There was no public comment. The motion carried. Newspaper reporter Scott Sylvester with the *Philipsburg Mail* attended.

The session adjourned at 3:00 p.m.

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Chairperson

ATTEST:

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Clerk

# #

**JOINT SESSION MINUTES  
TOWNS OF PHILIPSBURG AND DRUMMOND  
AND GRANITE COUNTY COMMISSIONERS**

**Wednesday, March 13, 2019, 6:00 p.m.  
Philipsburg Town Hall, Philipsburg**

In attendance:

**Town of Philipsburg:**

- Mayor Daniel Reddish,
- Nicole Nelch, Town Council
- Derek Kuhl, Town Council
- DuWayne Ulrich, Town Council
- Scott Lyons, Town Council
- Reed Speegle, Town Clerk
- Robert Medof, Town Attorney

**Town of Drummond:**

- Gail Leeper, Mayor
- Cary McLure, Town Council
- Ray Powell, Town Council
- Earl Clute, Town Council
- Jana McGill, Town Attorney

**Granite County:**

- Bill Slaughter, Commission Chairperson
- Scott Adler, Commissioner
- Charles Hinkle, Commissioner

**Public:**

- Christina Barbachano
- Elena Gagliano

**March 13, 2019 continued...**

## **Call to Order**

Mayor Daniel Reddish called the meeting to order.

## **Introductions**

The various representatives from the Town of Philipsburg, Town of Drummond, and Granite Country introduced themselves.

Mayor Gail Leeper asked to add the Limestone Quarry as an amendment to the Town of Drummond portion of the agenda. The various representatives were amenable.

## **Economic Development**

Mayor Gail Leeper suggested getting a county-wide economic development group together. In the past this had existed and she noted that Dennis Cox was involved. Commissioner Bill Slaughter talked about the economic situation as it pertained to ranching and agriculture within the County. He also mentioned that Granite County was coordinating with Powell County on the maintenance of Dunkleberg Road.

## **Granite County Update**

### **Flint Creek Dam Improvements**

Commissioner Bill Slaughter gave some background on construction, maintenance, and ownership of the Flint Creek Dam. He talked of an upcoming inspection of the dam as well as construction on the spillway that will be of significant cost. Commissioner Chuck Hinkle said that FERC had changed its standards on energy production that will affect how they manage the facility. Commissioner Slaughter stated that the County currently takes 10% of the profits which amounted to approximately \$8,600 the previous month. He said that the County was currently responsible for all of the costs. Councilman Scott Lyons was of the opinion that the power company that currently takes the rest of the profits should contribute towards the expense. Mayor Leeper suggested renegotiating the deal if possible.

### **Snow Cleanup In Front Of Courthouse**

Commissioner Slaughter asked if the Town could help with issues related snow and ice accumulation on the north side of the courthouse. Mayor Reddish said he would follow up with his Public Works Director.

### **Robert's Rules of Order to be Followed to Run a Tight Meeting**

Mayor Reddish said that the meetings currently weren't being run according to Robert's Rules. Mayor Leeper wanted the group to make a decision as to how to run meeting going forward. Mayor Reddish made the motion to have the minutes of the previous meeting approved at each meeting, Mayor Leeper seconded the motion, and it was approved unanimously. Mayor Leeper then brought up how public comment should fit within the meetings and said that members of the public who wanted to address specific issues should get on the agenda ahead of the meeting. Christina Barbachano said at School Board meetings that public comment at the end of the meeting should not be related to any topic already on the agenda. There was a brief discussion of how the public should address topics on the agenda. Mayor Leeper made the motion that public comment will be allowed for topics on the agenda after a motion has been made and seconded and at the end of meetings for topics not on the agenda, this was seconded by Commissioner Slaughter. Elena Gagliano did not agree that this is how public comment should be handled. The motion passed unanimously.

Commissioner Slaughter talked briefly of disposal of dead livestock. The site has been revamped and will continue with the current system for at least the rest of the year.

## **Town of Drummond Update**

### **Junk Vehicles**

Mayor Leeper stated that Drummond has an issue with junk vehicles. Commissioner Scott Adler said that Speed Kingrey is someone to follow up with for removing vehicles on private property. Commissioner Slaughter commented that the Sheriff has to initiate the process if the vehicle is on

March 13, 2019 continued...

public property. Jana McGill clarified the statutes related to removal. There was then a brief discussion of the difference between abandoned versus junk vehicles.

**Limestone Quarry**

Mayor Leeper informed the panel that the state application was complete for the project and was moving to the environmental assessment review stage. There would then an air quality application. Mayor Leeper estimated that the project would be going by 2022 if it all went to plan.

**Town of Philipsburg Update**

**Shared Responsibility between the County and Town for Installation of Ambulance**

Mayor Reddish said that the Town of Philipsburg has a new Director of Public Works and talked briefly of the upcoming infrastructure projects the Town was looking complete.

**Building Sewer and Water Hookup**

Mayor Reddish gave an update on the ambulance building that was built on Town property. The building would need to be hooked up to Town water and sewer services. The question was posed as to how this would be done. Robert Medof suggested a shared resource agreement should be looked at in the near future to address this.

**Discussion of Administrative Oversight of Cemetery and Town’s Historical Role**

Mayor Reddish asked the panel about administrative oversight of cemetery. He asked who the key personnel are, if the County was levying taxes to pay for the cemetery, whether or not it was within Town of Philipsburg limits, and what the Town of Philipsburg’s responsibility should be. The discussion continued but there was not much clarity provided to these questions. Councilwoman McLure talked about a personal experience she had had with the Philipsburg Cemetery. Commissioner Slaughter said this topic should be put on the next agenda for the County Commission. Mayor Leeper said that the Valley Cemetery could be a good resource.

**Feedback on Recent Amendment to Town’s Portion of County Growth Policy**

Mayor Reddish mentioned incorporate the Finn Addition in to the Growth Policy. Commissioner Hinkle noted that a FMAC resource portion should be added as well.

**Public Comment**

Elena Gagliano looked for clarification on public comment. She also inquired about public postings and agendas being advertised in the paper.

**Next Joint Meeting**

Mayor Leeper made the motion for the next meeting to be on June 12, 2019 at 6:00 p.m. at Georgetown Lake, it was seconded by Councilman Lyons, and approved unanimously. Mayor Reddish made the motion for the agenda to be prepared by Mike Kahoe and then posted in the paper, it was seconded by Councilman Lyons, and approved unanimously.

The meeting was adjourned at 7:30.

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Chairperson

ATTEST:

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Clerk

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March 19, 2019

The Board of County Commissioners met at 9:00 a.m. in regular session in the Commission Office of the Granite County Courthouse with Chairperson Bill Slaughter and

March 19, 2019 continued...

Commissioners Scott Adler and Charles Hinkle attending. Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

All Board members participated in the Granite County Safety Committee regular meeting. Minutes of that meeting are kept separately.

Road and Bridge Superintendent Paul Alt did not meet with the Board as he is traveling to get sandbags for potential flooding. Commissioner Adler reported that the road crew is removing rocks on the Lower Rock Creek Road.

Georgetown Lake level was reported at 6,428.53 feet, according to the USGS gage and the dam tender's report. The lake is approximately 11.64 inches below full pool with an estimated 31 cfs through the power plant and an estimated 31 cfs over the weir. The Board reviewed a message from FWP Fisheries Biologist Brad Liermann regarding oxygen levels in the lake during ice over. Commissioner Hinkle moved to make no change in the outflow and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried with Commissioners Slaughter and Hinkle voting in favor and Commissioner Adler voted against the motion as he felt the outflow should be increased. County Attorney Blaine Bradshaw attended.

Engineer Jeremiah Theys, with Great West Engineering (the county's on-call engineering firm) of Helena, spoke with the Commission by speaker telephone regarding the DOWL Engineering of Billings proposal dated 2-28-2019 in the amount of \$75,000 to answer FERC comments on the Part 12D inspection conducted by DOWL on the Flint Creek Project. DOWL's recent proposal and the original proposal to perform the Part 12D inspection were reviewed. Jeremiah Theys discussed his analysis of the DOWL proposal, including some options he feels the county should not be charged for, for a response to DOWL. County Attorney Blaine Bradshaw attended and presented a draft letter to DOWL to come from the Commission regarding the proposed costs being lowered to conform to the original contract between the County and DOWL. Commissioner Adler moved to send the letter to DOWL and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

Planning Director Linda Bouck met with the Board regarding a preliminary plat extension request for Fox Hill Major Subdivision from consultant engineer/surveyor Gordon Sorenson. County Attorney Bradshaw attended. Linda Bouck explained the details of the need for a six-month extension to complete required graveling on a subdivision road in a cul-de-sac and other minor issues. She recommended that the extension be granted. Commissioner Adler moved to grant the requested six-month preliminary plat extension for the Fox Hill Major Subdivision and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board reviewed maps from the Montana Department of Transportation for the Board to annually certify the rural road mileage in Granite County for fuel tax distribution. Commissioner Adler moved to remove three miles of the Harvey Creek Road in Sections 21, 22 and 23, T10N, R15W due to a gate. Commissioner Slaughter seconded the motion. There was no public comment. Commissioners Slaughter and Adler voted in favor of the motion and Commissioner Hinkle opposed the motion because he felt there was not enough time to review the maps. The motion carried. The Board certified the road mileage for open public travel to the Montana Department of Transportation at 731.392 miles. Copies of the maps will be made for Commissioner Hinkle to study prior to the next annual road mileage certification.

The Board discussed Resolution 2017-20 "A Granite County Resolution Establishing A Good Neighbor Policy." Commissioner Hinkle discussed the policy and some past decisions to assist people when it was not an emergency or an undue hardship. Commissioner Slaughter related some situations, like winging back snow on a private road at Georgetown Lake one time in an unusually heavy snow year, when it was requested. As public comment, Bill Kleinhans spoke in favor of the policy as a benefit to county taxpayers. Commissioner Hinkle stated that he feels public funds should not be used on private roads, except in emergencies which require medical or law enforcement response. Discussion was held on possibly advertising the policy to the public. As public comment, Barton Bonney indicated

March 19, 2019 continued...

that the county has performed emergency snow plowing at Georgetown Lake for many years without interfering with private contractors. County Attorney Blaine Bradshaw stated that the policy is a legal document as written, but it is possible that it could be applied illegally if people in like circumstances are treated differently (one given benefit and one is not). Discussion was held that specific events be noted in the Commission minutes by the road superintendent when they are done so that they could be tracked. Commissioner Hinkle moved to amend the policy (Resolution 2017-20) to include a paragraph about emergencies and long-term hardships which must be approved by the full Board at a public meeting. Discussion was held that since the Commission meets only once a week that it is impractical for all three Commissioners to vote on each emergency. County Attorney Blaine Bradshaw stated that he feels that the policy, as written, covers those situations. Commissioner Hinkle stated that if it is reasonably foreseeable, then it is not an emergency. Discussion was held on the definition of an emergency. County Attorney Bradshaw reviewed the proposed changes to the policy and he noted that there can also be an internal policy on how the Commission handles those requests. Commissioner Slaughter suggested leaving the policy as is and putting additional demands on the road superintendent to make those decisions. Commissioner Adler agreed that the suggestion would be a workable solution. Commissioner Hinkle again stated that a long-term hardship case should come before the full Board and he agreed to be more available through the use of his cell phone. Discussion was held on the adequacy of the existing policy and the possibility of road maintenance agreements with the county for regularly occurring requests. Commissioner Hinkle revised his motion to amend the policy to include a paragraph regarding long-term hardships, the same or similar hardships for the same person or entity that continue from year to year, that such long-term hardships must be approved by a majority of the full Board at a noticed public meeting. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Bradshaw agreed to draft a new resolution to make this first revision to the county's Good Neighbor Policy.

**Public Comment:** Sarah Graham met with the Board regarding her objection to snow plowing which had been done by the county on the Stewart Lake Road, which is a non-maintained county road that is noticed as such with a sign. She presented a written statement that the full-time residents who live there are aware of the sign that states that there is no regular county maintenance on the road and they were aware of that when they bought the property and built a home there. She stated that she feels that county funds should not be used to plow snow on a non-maintained county road when people chose to build a home there knowing that the road was not maintained. Commissioner Slaughter stated that it was done at the request of a resident with children who could not get out because this was an unusually heavy snow year and it will not be done on a regular basis. County Attorney Blaine Bradshaw noted that plowing snow on a one-time basis does not create a legal precedent to always provide such services and that it is an individual decision on each request.

**Correspondence:** None.

The draft Board minutes for March 12, 2019 were reviewed and approved on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

At 2:30 pm, Cary McLure met with the Board regarding the Philipsburg Cemetery District. Cary McLure had questions on the operation of the Cemetery District. The Commission noted that it was inadvertently listed on the agenda as the Valley Cemetery. Also attending were Philipsburg Mayor Daniel Reddish, Philipsburg Town Attorney Robert Medof, and Town Councilperson John Johnson. Deeds to the cemetery property and road into the cemetery from 1965 were reviewed. County Attorney Blaine Bradshaw stated that the cemetery district is an autonomous district with limited supervisory power by the Commission, and the Commission does not have day-to-day control of the cemetery board or the cemetery district. County Attorney Bradshaw did note that the county Commission does appoint and replace cemetery board members. John Johnson, who was appointed by the county Commission to the Cemetery District Board in October 2018, indicated that there has not been a cemetery board meeting since he was appointed. Mayor Reddish stated that he would request a copy of the board's by-laws. The cemetery board's budget was reviewed, which is approved by the Commission annually. John Johnson indicated that he has attempted to get a meeting of the cemetery board, but he has not been successful. County

March 19, 2019 continued...

Attorney Bradshaw suggested that an informational meeting be held with the cemetery board members and former board member Matt LaTray, and request them to bring a copy of board minutes, financial reports and by-laws. The county Commission agreed with the suggestion and a meeting will be scheduled with the cemetery board on the Commission's agenda next week.

The session adjourned at 2:40 p.m.

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Chairperson

ATTEST:

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Clerk

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March 26, 2019

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

Road and Bridge Superintendent Paul Alt met with the Board and reported that the crew is rebuilding the asphalt patching machine in anticipation of the extensive road deterioration over the winter. Sandbags are available at several sites in the county and many sandbags have been filled by volunteer organizations in Drummond. The Job Corps is expected to fill sandbags this week. Consideration is being given to replacing the backhoe at the Drummond solid waste container site. The Board agreed to review solid waste overages before they are mailed out.

Georgetown Lake level was reported at 6,428.44 feet, according to the USGS gage and the dam tender's report. The lake is approximately 12.72 inches below full pool with an estimated 31 cfs through the power plant and an estimated 31 cfs over the weir. Commissioner Hinkle moved to reduce the outflow to 25 cfs and Commissioner Adler seconded the motion. There was no public comment. The motion carried. Chairperson Slaughter then called and left a voicemail for Paul Tallon, notifying him of this change. County Attorney Blaine Bradshaw attended.

The Board reviewed a proposal from DIS Technologies of Billings for a sound system for the Commission Office in the amount of \$6,770.00 for a MiPro MA-808 with replacement batteries, 4 wireless microphones with stands, installation and training. Commissioner Hinkle moved to deny the proposal and to look for a less expensive and more portable sound system for the Commission Office. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw attended.

The Board reviewed the revised by-laws for the Forest Management Advisory Committee (F-MAC). The Committee is requesting approval of the revision, which would set the membership at seven voting members with no alternate. Commissioner Hinkle moved to accept the revised by-laws subject to approval by the county attorney. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. Granite County Attorney Blaine Bradshaw attended.

The Board held the first reading of Resolution 2019-12 "A Granite County Resolution Revising Its Established Good Neighbor Policy, First Revision." County Attorney Blaine Bradshaw attended. There was no public comment.

BLM Field Manager Joe Ashor met with the Board and presented a written update. The update included the Resource Management Plan revision, Discovery Ski Area Road right-of-way, proposed Philipsburg trails south of town, Silver King abandoned mine

March 26, 2019 continued...

cleanup, and cleanup of the old Rumsey Mill contaminants in conjunction with Trout Unlimited. He gave verbal comments on each of the items. Joe Ashor also presented a written report on the Little Hogback Post Fire Re-vegetation. Commissioner Hinkle commented that a Forest Service back burn in that area was largely not necessary. Joe Ashor presented a map on the Town of Philipsburg proposed R&PP (Recreational and Public Purposes) MTM-98396. He reviewed the BLM letter to Garnet Range LLC (Philip Boettcher) regarding a privately owned cabin (personal property) on public lands (an abandoned mining claim) which lays out that a mining claim can be staked or the cabin can be moved. He noted that the federal 2018 Farm Bill gives the BLM the same authority to conduct timber sales as the Forest Service in cooperation with the state. Discussion was held on the condition of the Garnet Road and Joe Ashor agreed to go look at the condition of the road. Joe Ashor reviewed personnel changes in the BLM. Joe Ashor indicated that the BLM can bid out work to local, private contractors as he responded to a question by to Commissioner Hinkle. Joe Ashor noted that the BLM is attempting to have more small timber sales. Commissioner Hinkle inquired if smoke from fires is affecting the health of people and whether it is a concern, and Joe Ashor responded that it is definitely a concern and he noted that DNRC is the BLM's fire suppression agency. County Attorney Blaine Bradshaw attended.

Members of the Philipsburg Cemetery District Board Julie Goebel, Karen Palmer and John Johnson met with the Board for an informational meeting. Also attending were Clerk of the District Matthew LaTray and Sexton Nate Harmon and Philipsburg Mayor Daniel Reddish, Town Attorney Robert Medof and Cary McLure. County Attorney Blaine Bradshaw also attended. Cemetery District's Board Clerk, Matthew LaTray, reported that he had spoken at length to Cary McLure regarding her concerns. Mayor Reddish inquired why the cemetery plat is housed at the town hall and Matthew LaTray responded that it is there for public access and the Cemetery District has no public place for the plats. Discussion was held regarding compensation for the town if the town continues to house the plat and for work the town performs for the cemetery district, and the need for a formal, written agreement regarding these matters. County Attorney Bradshaw noted that the Cemetery Board has autonomy as a district and he suggested that possibly more meetings should be held in the winter. County Attorney Bradshaw also suggested revisions to the Cemetery District Board's Bylaws, but he would meet with the Board. Clerk Matthew LaTray explained the duties of the clerk and the sexton. Commissioner Slaughter suggested that a link to the District's cemetery plat could be put on the county and town's website to relieve the pressure on town hall employees to answer questions. Clerk LaTray noted that he maintains an updated spreadsheet of the graves at the cemetery. Mayor Reddish suggested that Matthew LaTray get on the town council's agenda to provide cemetery information and to answer questions. Mayor Reddish inquired if an April meeting will be scheduled, according to the cemetery by-laws, and Clerk LaTray responded that an April meeting will be scheduled. Mayor Reddish reviewed which payments had been made to the town by the Cemetery District for several years. County Attorney Bradshaw reviewed that there is a deed for the cemetery land to the Cemetery District. Cary McLure indicated that there should be someone available by telephone when the clerk is not available. It was discussed that the clerk and sexton's name and contact information would be added to the county's website. Mayor Reddish reviewed the funds listed in the cemetery by-laws and Clerk LaTray answered his questions. A cemetery district budget is submitted by the Cemetery Board to the county annually.

Clerk of District Court Carol Bohrsen met with the Board to request additional time for the Deputy Clerk of Court position, which is currently at one-half time (20 hours per week). County Attorney Blaine Bradshaw attended. Carol Bohrsen explained that case filings have increased about 25%, e-filing is coming in the near future, as is a new court computer program. She estimated that the additional deputy would be an increase of about \$17,000 annually to the district court budget. She noted that 200 hours for extra help is allotted in the current budget, which could be decreased to about 50 hours. The Board noted receipt of a letter from District Judge Ray Dayton advocating for a full-time deputy clerk and a written note from former deputy clerk Jan Day, as a taxpayer, who does not feel that there is sufficient work in that office for a full-time deputy position. The Board requested that Carol Bohrsen request a full-time deputy in her 2019-2020 budget request and she

March 26, 2019 continued...

agreed to do that, and that the Board would consider the request during upcoming budget work sessions that would be open to the public.

As an administrative matter, Executive Assistant Mike Kahoe requested a new printer for about \$799.00 as the current printer in his office is broken and not repairable. Commissioner Hinkle moved to grant the request and Commissioner Adler seconded the motion. The motion carried unanimously.

The Board discussed proposed revisions to the Road Maintenance Agreement with Powell County. Powell County requested revisions for lower equipment rates. Commissioner Adler moved to counteroffer a rate of \$110 for a truck and \$150 for a grader. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw attended and agreed to send the Commissions' counter offer to Powell County.

Discussion was held on the proposed federal legislation on the Confederated Salish and Kootenai Tribes (CSKT)-Montana Water Compact. Commissioner Hinkle moved that the County Commissioners make a resolution to oppose the currently proposed federal legislation on the CSKT Water Compact and to support the People's Compact. Commissioner Adler seconded the motion. As discussion, Commissioner Hinkle stated that the CSKT Water Compact could be attached to some other federal bill, such as a budget bill, and make it through congress. Commissioner Slaughter invited members of the public to speak. Kate Vandemoer with Concerned Citizens of Western Montana and the Montana Land and Water Alliance from Kalispell spoke; they have been working on the People's Compact; she handed out a map which outlines where the CSKT has filed on water rights; their task was to identify the federal reserved water rights of the CSKT; every other tribe has done that, except CSKT has gone off reservation; only a certain amount of water for use on reservation; Article 3 grants access only to the tribe in area outlined in red, but CSKT has turned that into a water right; Indian Claims Commission in 1970's settled those water rights at that time; aboriginal territory of CSKT expanded to other site of the mountains; she referred to Nels Swandal's letter and her response to it; a chart that shows CSKT Compact is different than any other tribe in the nation regarding water rights; the group was ready to file suit, but were approached by a land owner to come up with their own idea; calling it the People's Compact because CSKT water belongs to the United States; People's Compact is fair and equitable compact; developed a chart showing the difference in cost between Tester's bill, CSKT Compact and People's Compact; Senator Steve Daines wanted to see the People's Compact; People's Compact dismisses all off reservation water rights; land values diminished because water rights are unsettled; they are soon to take the People's Compact directly to Washington, D.C.; website has a video for the public to see. Discussion was held on whether the CSKT Compact expires and it is believed that it does not. The water court has a deadline of final adjudication by 2022; CSKT claims an exorbitant amount of water; FARM (Farmers and Ranchers for Montana) is a front for the tribe; other groups also support. Commissioner Slaughter noted that the legislative committee did hard work and voted the CSKT Compact down, but it then went before the entire legislature and passed. Discussion was held on 1908 water right at Bonner; CSKT has no right to off reservation water; could be challenged in water right process. Dick Motta asked, does CSKT Compact have a conflict between water court and federal reserve rights? Kate Vandemoer said her group's attorneys believe that the CSKT water rights can be dismissed by one summary judgment motion. Kate Vandemoer stated that the People's Compact must be taken directly to congress because it has not been done correctly in the state; environmental groups support the CSKT Compact; a letter from the County Commissioners is important, but individual letters are critical to the process; some claims are dismissed without prejudice, which clouds the title on real property; this is an honest, straight forward effort to avoid future problems with the CSKT water compact. Elena Gagliano inquired whether the cities and towns would be affected and the response was that they would be affected. The FERC (Federal Energy Regulatory Commission) inquired of the CSKT before granting a storage right to Granite County for power generation, according to Elena Gagliano. Discussion was held on storage rights and Kate Vandemoer responded that the CSKT should not be effective off reservation. Jerry Laskody indicated that the state has created divisiveness across the state among water users; some irrigators support the CSKT Compact for fear of losing their leases on the

March 26, 2019 continued...

reservation. Jay Hendrix inquired about DNRC reservoirs across the state and Katie Vandemoer responded that those reservoirs are claimed by the tribe; the tribe is pushing the state into a corner; state DNRC is not your friend and they are not working for you. Kate Vandemoer said that her groups will continue the public education process and submit the People's Compact to a Montana congressman within a month or two; possibly followed by a first amendment petition; state did not quantify water for CSKT, the tribe just claimed it all. Question asked who will enforce if CSKT if passed; it will be a regional water commissioner which is not able to be sued. Kate Vandemoer said that the state was not trying to solve the problem, but trying to set a precedent through the CSKT Compact. Jerry Laskody said that Montana is not the only state involved in this situation, but the tribes are in contact with each other and may try this. Discussion held on water rights on Skagit River in Washington, which prohibits new wells. Commissioner Hinkle inquired what the Commission should do. Jerry Laskody said to keep doing what you're doing and contact Senator Daines, who is the only congressman interested at this point. Commissioner Slaughter noted that Montana's Attorney General Tim Fox has supported the CSKT Compact from the beginning. Kate Vandemoer indicated that they are available to attend public meetings when invited. Bradley Radtke, rancher from Lower Valley and president of two local water organizations, said that concerns are more for Western Montana and claims to private wells and municipal water; the CSKT Compact is in complete contrast to the way Montana water rights have been adjudicated; CSKT Compact did away with adjudicated water rights and the tribe could now charge for all water in the state; eastern legislators were fooled when they voted for the compact; state dams hold water for Fish and Game, which could make a call on the water; each basin was previously adjudicated individually, but now include all water west of the continental divide; he supports Commissioner Hinkle's motion. Barbara Clark, Clark Ranch, a small family ranch on Rock Creek; CSKT Compact would impact ranch to make it not a productive working ranch; she agrees with Commissioner Hinkle. Elena Gagliano supports Commissioner Hinkle's motion; it is our water; copies of the resolution should be sent to the governor, attorney general and congressional delegation. Patti Kanduch supports motion and suggested Kate Vandemoer write a letter to the editor to local newspaper; Commissioner Slaughter indicated that the Commissioners would sign on to the letter. Commissioner Hinkle thanked everyone for coming and stated that he has learned a lot. Commissioner Slaughter thanked Commissioner Hinkle for bringing the matter to the Commissions' attention. The motion carried unanimously. Attending from the public were Kate Vandemoer, Jerry Laskody, J. B. Hendrix, William Kleinhans, Bradley T. Radtke, Barbara Clark, Danielle Tribble, Dick Motta and Elena Gagliano.

**Public Comment:** There was no additional public comment.

**Correspondence:** None.

The Board reviewed draft minutes for the March 19, 2019 regular session. The revised minutes were approved on the motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried unanimously.

The Board reviewed revised by-laws for the Montana Association of Counties (MACo) Property and Casualty Trust and Workers' Compensation Trust which had been approved by the membership of MACo at the membership meeting held Wednesday, February 13, 2019, at the MACo Midwinter Conference in Helena. The revised by-laws for the Property and Casualty Trust and the Workers' Compensation Trust were reviewed by the Board and were approved on the motion of Commissioner Adler and second by Commissioner Hinkle.

As an administrative matter, Commissioner Slaughter moved to remind all elected officials and department heads by letter to do the employee evaluations, including on deputy officials, as outlined in the Granite County Personnel Manual. Commissioner Hinkle seconded the motion. The motion carried unanimously.

**Personnel Matter:** At the request of an employee, who did not waive their right to privacy, the Board went into executive session, which was closed to the public to discuss aspects of the employee's resignation. The Board's minutes on this matter were typed and will be maintained in a confidential manner.

March 26, 2019 continued...

The session adjourned at 3:50 p.m.

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Chairperson

ATTEST:

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Clerk

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