

July 30, 2019 continued...

there is a general cleanup project currently underway in Drummond. Also, she indicated that the Town of Drummond may borrow money to resurface South Main Street.

Also as public comment, Planning Director Linda Bouck met with the Board regarding a matter about a subdivision road (Scenic Lane) at Georgetown Lake. The Board agreed that it is a civil matter and does not involve the county.

Correspondence: None.

The Board traveled from the courthouse to the Moose Lake area to participate in a special meeting of the Granite County Board of Health for a site visit to Lots 16 and 17, Moose Lake Acres No. 1, in Section 1, T3N, R16W. Minutes of that meeting are kept as a separate document.

The session adjourned at 12:00 p.m.

---

Chairperson

ATTEST:

---

Clerk

# #

THE BOARD OF COUNTY COMMISSIONERS MET ON THE 6<sup>TH</sup>, 13<sup>TH</sup>, 20<sup>TH</sup> & 27<sup>TH</sup> OF AUGUST 2019 IN THEIR OFFICE AT THE GRANITE COUNTY COURTHOUSE WITH ALL THREE COMMISSIONERS PRESENT.

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

<u>WARRANT</u>	<u>AMOUNT</u>
56131 NELSON CONSTRUCTION LLC	FS ROAD CONTRACT \$12,140.00
56132 PATRIOT EXCAVATION, LLC	FS ROAD CONTRACT \$22,960.00
56133 GEMPLERS INC	SUPPLIES-WEED DEPT \$191.65
56134 VISA #1	MONTHLY BILLING \$366.88
56135 VISA #2	REPAIR & MAINTENANCE \$755.00
56136 VISA #3	MONTHLY BILLING \$95.01
56137 FLINT CREEK VALLEY BANK	PAYROLL & NOD FEE \$104,445.53
56138 360 OFFICE SOLUTIONS	SUPPLIES \$1,881.81
56139 A & M FIRE AND SAFETY, INC	EXTINGUISHERS \$188.00
56140 A&E ARCHITECTS	ADA REVIEW-COURTHOUSE \$8,460.00
56141 ADLER TOWING	REMOVE JUNK VEHICLE \$150.00
56142 AG - WEST	SUPPLIES \$8.80
56143 ALL AMERICAN GARAGE DOORS LLC	DOOR REPAIR-DRMDAMB \$430.00
56144 BECKY SMITH	SUPPLIES- CLERK & RECORDER \$19.98
56145 BEN HAUPTMAN	TRAVEL-TRI COUNTY FAIR \$193.00
56146 BILL DIRKES	SUPPLIES- P-BURG AMBULANCE \$188.28
56147 BILL SLAUGHTER	TRAVEL-COMMISSIONERS \$204.16
56148 BLACKFOOT CFT	JULY BILLING \$3,619.30
56149 BLAINE BRADSHAW	TRAVEL-COUNTY ATTORNEY \$37.12
56150 BOB BARKER CO INC	INMATE UNIFORMS \$105.00
56151 BOB WEAVER CONSTRUCTION	GRAVEL \$2,940.00
56152 BUTTE PRODUCE	DRUMMOND SENIOR SUPPLIES \$575.26
56153 CARQUEST AUTO PARTS	REPAIRS/MAINTENANCE-ROAD \$123.42
56154 CATERPILLAR FINANCIAL SERVCORP	EXCAVATOR PRINCIPAL & INTEREST \$1,144.07
56155 CENTRAL SERVICES DIVISION	CJIN \$2,754.31
56156 CENTURYLINK	MONTHLY BILLING \$475.72
56157 CHUCK HINKLE	TRAVEL-ROAD INSPECTIONS \$63.80
56158 CMI, INC	SUPPLIES \$42.00
56159 COLJ CONFERENCE REGISTRATION	CONFRENCE - JUSTICE OF THE PEACE \$550.00
56160 COMDATA	JULY BILLING \$5,404.31
56161 CONNIE SCHIEDERMAYER	MILEAGE \$208.80
56162 CULLIGAN	HOT & COLD RENTAL \$10.00
56163 DIS TECHNOLOGIES	PROFESSIONAL SERVICES \$2,591.94
56164 DOWL	PROFESSIONAL SERVICES-FCP \$8,973.36
56165 DRUMMOND COMMUNITY HALL	AUGUST RENT \$300.00
56166 DUSTBUSTERS INC	DUSTGARD & FUEL \$5,029.22
56167 ENERGY PARTNERS LLC	PROPANE \$569.03
56168 F & R LLC	ROAD BASE \$26,375.78
56169 FICKLER OIL CO. INC.	FUEL & GAS \$1,105.65

56170	GENERAL DISTRIBUTING CO.	CO2 & ACETYLENE	\$362.14
56171	GLOCK PROFESSIONAL, INC	TRAINING-DEPUTY SMITH	\$250.00
56172	GRANITE COUNTY TREASURER	PLATES & POSTAGE	\$484.42
56173	GRANITE DISPOSAL	DUMPSTER SERVICE-ROAD	\$330.00
56174	GRANITE PHARMACY	VACCINATIONS	\$267.00
56175	GRANITE PREPAREDNESS, LLC	PHEP CONTRACT	\$2,389.50
56176	GRANITE SPORTLAND	SUPPLIES	\$71.13
56177	GREAT WEST ENGINEERING	PROFESSIONAL SERVICES	\$3,082.48
56178	HIGH TECH LINEN	RUGS	\$130.38
56179	HOGAN'S RANCH & BUILDERS	LIGHT BULBS	\$17.95
56180	HUFFMAN GROCERY	INMATE MEALS	\$476.80
56181	HUFFMAN GROCERY	SUPPLIES-DRUMMOND SENIORS	\$347.36
56182	HUFFMAN GROCERY	RAKE & SUPPLIES	\$22.97
56183	INLAND TRUCK PARTS	PARTS	\$785.78
56184	INTOXIMETERS, INC	DRYGAS	\$205.25
56185	JOHN DEERE FINANCIAL	UNIVERSAL HYDRAULIC OIL	\$539.87
56186	JOHNSON CONTROLS	BOILER SERVICE AGREEMENT	\$4,102.00
56187	JOHNSTONE SUPPLY	RECLAIMED GAS-DUMP SITE	\$19.00
56188	KAREN PALMER	TRAVEL-TRI COUNTY FAIR	\$494.52
56189	L & L TRUCKING	HAUL GRAVEL	\$2,587.50
56190	LARRY'S AUTOMOTIVE & REPAIR	OIL CHANGE	\$67.00
56191	LONGFELLOW FUNERAL HOME	VETERAN DEATH BENEFIT	\$300.00
56192	MACO PCT	PROPERTY & CASUALTY INS	\$150,219.00
56193	MCGOWAN WATER COND, INC	SALT & RENTAL	\$40.90
56194	MICHELE PUIGGARI	REFERENCE CHECKS	\$120.00
56195	MIDWEST LABORATORIES, INC	PROFESSIONAL SERVICCES	\$84.00
56196	MONTANA AERONAUTICS	BULB FOR RUNWAY	\$67.92
56197	MONTANA ASSOCIATION OF COUNTIES	CONFERENCE REGISTRATION & DUES	\$5,628.96
56198	MONTANA BROOM & BRUSH	CUSTODIAL SUPPLIES	\$227.46
56199	MONTANA RAIL LINK	GRAVEL & EQUIPMENT STORAGE	\$3,067.00
56200	MONTANA WEED CONTROL ASSOC	CALENDARS & MEMBERSHIP FEE	\$130.00
56201	MOUNTAIN WEST COOPERATIVE	PROPANE	\$128.75
56202	MSU EXTENSION SERVICE	SALARY SHARE-HAUPTMAN	\$2,322.78
56203	NAPA AUTO PARTS	PARTS	\$137.72
56204	NELSON CONSTRUCTION LLC	EXCAVATOR OPERATION	\$11,900.00
56205	NORMONT EQUIPMENT CO	EMULSION	\$2,685.00
56206	NORTHWESTERN ENERGY	JULY STATEMENTS	\$2,601.78
56207	NUTRIEN AG SOLUTIONS, INC	WEED DEPARTMENT CHEMICALS	\$4,985.36
56208	PACIFIC STEEL - MISSOULA	SQUARE TUBING	\$220.00
56209	PATRIOT EXCAVATION, LLC	EXCAVATOR OPERATION	\$10,814.75
56210	PHILIPSBURG MAIL, THE	MONTHLY BILLING	\$1,705.50
56211	PHILIPSBURG SR CITZ CENTER	INMATE MEALS	\$56.00
56212	PHILIPSBURG, TOWN OF	MONTHLY BILLING	\$437.00
56213	PINTLER PETROLEUM	RED DYED DIESEL	\$2,263.36
56214	PIONEER TECHNICAL SERVICES	GRAVEL TESTING	\$1,535.50
56215	RANGE MAGAZINE	SUBSCRIPTION	\$19.95
56216	REPUBLIC SERVICES #889	PICK UP SERVICE	\$11,112.50
56217	REPUBLIC SERVICES OF MONTANA	CONTRACTED SERVICE	\$8,101.88
56218	RTW ENTERPRISE	REPAIRS	\$1,875.20
56219	SARAH E GRAHAM	TRAVEL- C&R CONVENTION	\$475.32
56220	SELBY'S	PRINTHEAD	\$96.77
56221	SMITH LAW FIRM P.C.	PROFESSIONAL SERVICES	\$677.00
56222	SOLE STONE REIMBURSEMENT SERV	JULY BILLING	\$76.84
56223	STEEL, ETC.	CULVERTS, RR TIES, CATTLE GUARD	\$22,571.80
56224	SWEET PEA SEWER & SEPTIC	CONTRACTED SERVICES	\$225.00
56225	TEC THE ELECTRICAL CONNECTIONS	REPAIR RUNWAY LIGHTS	\$1,120.00
56226	TERRY JO VIETOR	VICTIMS ADVOCATE	\$211.42
56227	TIRE RAMA	TIRE REPAIR	\$35.00
56228	TNT TRUCK PARTS	DRAWBAR	\$65.50
56229	TRANSUNION RISK SOLUTIONS	SEARCHES & REPORTS	\$175.90
56230	TUFF COUNTRY AUTO BODY	WINDSHIELD	\$433.30
56231	UNIFORM 2 GEAR	HOLSTER	\$99.25
56232	US GEOLOGICAL SURVEY	STREAMGAGE OPERATION	\$6,300.00
56233	US POSTAL SERVICE	POSTAGE-EXTENSION	\$500.00
56234	VERIZON WIRELESS	MONTHLY BILLING	\$993.37
56235	VICKI HARDING	TRAVEL-CONVENTION	\$714.28
56236	VINCE REECE	MOWER REPAIR-MILEAGE	\$444.67
56237	WESTERN STATES EQUIPMENT	LOCTITE	\$119.46
56238	WESTTEL INTERNATIONAL, LLC	MONTHLY SERVICE & MAINTENANCE	\$667.00
56239	WILLOWROCK INC	ANNUAL DAM SURVEY	\$675.00
		CLAIMS FUND TOTAL	\$492,174.39

<u>WARRANT/NOD</u>	<u>JOB TITLE</u>	<u>AMOUNT</u>
ADLER, SCOTT C	COMMISSIONER	\$2,384.63
ALT, PAUL	ROAD SUPERVISOR	\$7,122.50
ANDERSON, MELINDA K	SOLID WASTE SECRETARY	\$1,458.23

	BAUER, PATRICIA L	AREA V	\$855.62
	BOHRNSEN, CAROL P	CLERK OF DISTRICT COURT	\$4,256.47
	BOLSTER, JACKIE R	PH NURSE ASSISTANT	\$2,113.03
	BONNEY, JANEEN	CUSTODIAN	\$2,668.00
	BOUCK, LINDA	PLANNER	\$5,179.20
	BRADSHAW, BLAINE C	COUNTY ATTORNEY	\$8,379.68
	BRASHEAR, NATHAN	WEED SPRAYER	\$2,701.80
	BUTLER, JODI L	SOLID WASTE	\$2,923.36
	CARTWRIGHT, VALERIE N	DISPATCH	\$2,909.76
	CAYKO, NICKIE N	ROAD MAINTENANCE	\$3,798.10
19258	DAVIS, KATHRYN	DISPATCHER	\$930.92
	DUNKERSON, WAYNE S	SHERIFF	\$5,137.95
	FRATZKE, DEBBIE	JUSTICE OF THE PEACE	\$2,092.50
	GRAHAM, SARAH E	CLERK & RECORDER	\$4,085.74
	HARDING, JEAN M	DISPATCHER	\$2,624.08
	HARDING, VICKI B	TREASURER	\$4,716.26
	HENKE, PATRICIA	DEPUTY CLERK	\$1,492.98
	HENNAGER, DEANNA L	DISPATCHER	\$2,950.96
	HINKLE, CHARLES	COMMISSIONER	\$2,131.49
	HOEHNE, JOHNNY	ROAD MAINTENANCE	\$4,459.00
	HOLLAND, BRAD J	ROAD MAINTENANCE	\$3,963.02
	HULTMAN, TY R	DEPUTY	\$4,484.76
19260	HULTMAN, TY R	EQUIPMENT ALLOWANCE	\$1,000.00
	JACOBSON, STEVEN	ROAD MAINTENANCE	\$4,153.40
	KAHOE, MICHAEL	EXECUTIVE ASSISTANT	\$5,078.40
	KENDALL, JOHN S	SOLID WASTE	\$3,226.08
	KENDALL, JOY J	SOLID WASTE RELIEF	\$176.45
	KINGREY, ELWYN	JUNK VEHICLE	\$393.48
19261	KOLBECK, GLEN G	VACA/SICK PAYOUT	\$417.99
	LARDY, JAMES D	SITE RELIEF	\$104.46
	LATRAY, DANETTE L	TREASURER DEPUTY	\$3,527.16
	LOOBEY, THERESA R	TITLE CLERK	\$2,936.64
	LUCERO, DAVE	DEPUTY	\$635.45
	MCDONNELL, FRED N	SOLID WASTE RELIEF	\$785.70
	MORRISON, RUSSELL F	WEED SPRAYER	\$2,701.80
	MUHLY, KATIE	COUNTY HEALTH NURSE	\$2,871.27
19262	OLSEN, RICK C	DEPUTY	\$3,896.00
	OLSEN, RICK C	EQUIPMENT ALLOWANCE	\$950.00
19263	OSTLER, JASON K	DEPUTY	\$3,818.81
	OSTLER, JASON K	EQUIPMENT ALLOWANCE	\$950.00
	PALMER, KAREN P	COUNTY AGENT SEC	\$2,690.08
	PARKE, CLAUDETTE	CO ATTORNEY SECRETARY	\$3,398.48
	PETERS, STEVEN D	DEPUTY	\$3,738.45
19264	PETERS, STEVEN D	EQUIPMENT ALLOWANCE	\$1,150.00
	RETTIG, SUSANNE	RELIEF	\$104.46
	SCHIEDERMAYER, CONNIE	COUNTY SCHOOL SPECIALIST	\$375.00
	SCHMIDT, JERRI	DISPATCHER	\$2,799.00
	SHEPARD, RAYLENE O	DISPATCHER	\$517.17
	SLAUGHTER, BILL L	COMMISSIONER	\$2,231.96
	SMITH, REBECCA	DEPUTY CLERK AND RECORDER	\$3,135.26
	SMITH, THADDEUS M	DEPUTY	\$4,466.99
19265	SMITH, THADDEUS M	EQUIPMENT ALLOWANCE	\$950.00
	SWANSON, DAVID C	WEED FOREMAN	\$3,093.20
19275	TORRE JR, RICHARD R	CUSTODIAL RELIEF	\$1,044.45
	VICEDOMINI, KRISTEN	DISPATCHER	\$2,517.42
	VIETOR, TERRY J	CRIME CONTROL ADVOCATE	\$1,207.20
	WALDEN, JAMES L	ROAD MAINTENANCE	\$4,184.38
	WEST, WILLIAM H	DAM TENDER	\$743.96
	WILKINS, KENNETH D	ROAD MAINTENANCE	\$3,760.10
	WILKINSON, BARBARA A	JUSTICE CLERK	\$1,486.54
	58 EMPLOYEES	TOTAL GROSS PAYROLL	\$167,037.23

<u>WARRANT</u>		<u>AMOUNT</u>
19258	KATHRYN DAVIS	SEE "GROSS TOTAL"
19260	TY HULTMAN	SEE "GROSS TOTAL"
19261	GLEN KOLBECK	SEE "GROSS TOTAL"
19262	RICK OLSEN	SEE "GROSS TOTAL"
19263	JASON OSTLER	SEE "GROSS TOTAL"
19264	STEVEN PETERS	SEE "GROSS TOTAL"
19265	THADDEUS SMITH	SEE "GROSS TOTAL"
19275	RICHARD TORRE	SEE "GROSS TOTAL"
19266	AFLAC INS	\$705.40
19267	CHRISTMAS CLUB	\$2,105.00
19268	COLONIAL	\$18.75
19269	FIT	\$10,743.99
19269	MEDICARE	\$4,636.42

19269 P.E.R.S.	\$19,369.58
19269 PERS RETIREE	\$445.43
19269 SHERIFF RETIRE	\$6,180.74
19269 SOCIAL SECURITY	\$19,824.76
19269 TRS	\$64.57
19270 IUOE 400	\$448.70
19271 MACO DENTAL	\$2,602.00
19271 MACO VISION	\$567.00
19271 MACOHCT	\$51,207.00
19271 UNUMLIFE	\$768.25
19272 PEBSC	\$4,225.00
19273 SIT	\$6,487.00
19274 UNION - PENSION	\$572.14
<b>TOTAL PAYROLL LIABILITIES</b>	<b>\$130,971.73</b>

## GRANITE COUNTY COMMISSIONERS MINUTES

August 6, 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 gave his report. The report included that Commissioner Adler had inspected an old damaged culvert on the Bear Gulch Road, which will be replaced by the county, and the BLM agreed to replace another culvert further up on the road. **Mower Rental Plan:** Paul Alt reported that the rental mower is not available for three more weeks, then he plans to rent it for 2 to 3 weeks; he plans to repair the county's mower for the time being and possibly buy a used mower if there is adequate funding in the 2019-2020 fiscal year budget.

Georgetown Lake level was reported at 6,429.28 feet, according to the USGS gage and the dam tender's report. The lake is approximately 2.64 inches below full pool with an estimated 30.5 cfs through the power plant and an estimated 30.5 cfs over the weir below the power plant. County Attorney Blaine Bradshaw and Jason Vietor attended. Jason Vietor, rancher in the upper Flint Creek Valley, requested additional water for irrigation. Commissioner Adler moved to increase the outflow to 45 cfs from August 9, 2019, to October 1, 2019, and monitor the lake level weekly and rebuild the lake level after October 1, 2019. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Jason Vietor suggested that the lake level be lowered more in the winter, as compared to this last year, to avoid large releases during the spring runoff. The Board contacted fisheries biologist Brad Liermann with FWP by speaker telephone regarding the proposed plan and he indicated that FWP was not in favor of that plan; he suggested that if 45 cfs is released for a month that the outflow would need to be reduced to 15 cfs for a month. He noted the fish kill of 2017. The Board responded that creating freeboard in the winter is preferable. Brad Liermann stated that if 40 cfs is released for a month then outflow would need to be reduced to 20 cfs for a month immediately thereafter. He indicated that he will do some calculations and inform the Board. Brad Liermann suggested a release of 45 cfs August 9 to September 11, cut down to 15 cfs until October 15<sup>th</sup>, then review lake levels. Commissioner Adler modified his motion to release 45 cfs beginning August 12, 2019, and monitor the lake level week to week up to October 1, 2019. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. The Board contacted Forest Service District Ranger Cameron Rasor to explain the Board's plan and Ranger Rasor agreed to the temporary modification. The Board contacted Dan Brewer with the U.S. Fish and Wildlife Service and he tacitly agreed to the temporary modification and to review it each week.

The Board reviewed changes to the county's insurance schedule for buildings. A draft of the schedule changes was provided by the county's insurance agent Rody Holman with PayneWest Insurance of Butte. The new schedule shows all buildings currently owned by the County, some of which are to be covered by liability only insurance. Commissioner

August 6, 2019 continued...

Hinkle moved to approve the changes to the insurance schedule for buildings. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

A telephone conference call with Scale It, the solid waste scales software provider, was not held as scheduled due to difficulty in connecting with Scale It by telephone. The conference call will be rescheduled and will be placed on future Board agenda.

Sheriff Scott Dunkerson met with the Board by speaker telephone to discuss a proposed contract with Zeurcher Technologies LLC for CAD (Computer Aided Dispatch) and Granite County for the CAD program with dispatch and case report software, and applicable hardware, in the amount of \$235,201.00. The Board noted that the cost of the software is to be fully covered through a grant received from the Montana Department of Administration's 9-1-1 Program for \$235,201.00. Sheriff Scott Dunkerson noted that the County's IT provider and technology support team, DIS, will be installing the hardware, and the Sheriff will be working closely with them on this project. County Attorney Blaine Bradshaw attended and noted that he had reviewed the Zeurcher contract and found it to be acceptable. The Commission made a finding that Zeurcher Technologies LLC's CAD program and software, being purchased here by the County, is a sole source product in that it is the only available program with software that will actually work for the Granite County Sheriff's Office per the extensive research completed by Sheriff Scott Dunkerson. Thus, the contract is exempt from the statutorily required competitive public bidding process per the County's Procurement Policy and Montana law. Commissioner Adler moved to approve the contract and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

A bid opening on the Courthouse Dome Investigation & Repair Project was scheduled to be held, but no bids were received. The project was advertised in the legal section of the July 25 and August 1, 2019 issues of the Philipsburg Mail newspaper and on the county's website. County Attorney Blaine Bradshaw reported that Jake Magalsky with Ace Roofing had looked at the project, but the company's bonding company was reluctant to bond the project without architect or engineered specifications. Custodian Janeen Bonney also attended. Ace Roofing was willing to do a temporary repair of the multiple places where water may be coming in through the dome area, but they could only warrant that the repair caulking would hold per manufacture's specifications, not that the repair would be permanent. The Board agreed to contact Ace Roofing soon and request they make a proposal to complete the said dome repairs on the motion of Commissioner Hinkle and second by Commissioner Adler. Such a proposal, if made, would be on the Board's agenda soon. There was no public comment. The motion carried unanimously. Scott Sylvester with the *Philipsburg Mail* attended.

Clerk and Recorder Sarah Graham informed the Board that she will be at the Clerk and Recorder's convention in Billings next week, and that she will be taking a county vehicle rather than charging mileage at the state rate, thus providing a financial savings to the county. The County Attorney said he would do the same for conventions (and other travel) if there was a vehicle available.

Maria Stoppler, CEO/DON with Granite County Hospital District, was unable to meet with the Board and will reschedule.

Commissioner Adler informed the Board that he will be absent from the state from August 8 to August 11, 2019.

Planning Director Linda Bouck met with the Board regarding the final plat request for Alt Flats, a first minor subdivision. She reported that all items have been completed according to her planning report dated August 1, 2019, and she recommended approval of the final plat request. Commissioner Adler moved to approve the final plat of Alt Flats, a first minor subdivision. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Attending were Fred Bjorklund and Jacquie Venard with the *Philipsburg Mail* newspaper.

County Attorney Blaine Bradshaw met with the Board and presented a proposed Mutual Release on the Houtz/Blackfoot Communications matter with the county paying \$4,371.46, which is half of the cost to repair Blackfoot Communications facilities which were

August 6, 2019 continued...

cut in an incident on or about May 17, 2018, but the settlement agreement would be conditional upon the County agreeing to honor Blackfoot’s encroachment of its utility line within a length of the right-of-way on East Fork Road. Board members discussed the incident and potential future ramifications of the Mutual Release. County Attorney Bradshaw stated that he feels that this is a fair conclusion to the matter, but that the County has no legal obligation to pay on the claim, but only a moral one if the Commission wanted to help protect Chuck Houtz, a local landowner, as the problem originated with the county road crew damaging a fence post belonging to Mr. Houtz. Commissioner Hinkle moved to approve the Mutual Release and Commissioner Slaughter seconded the motion. There was no public comment. Commissioners Slaughter and Hinkle voted in favor of the motion and Commissioner Adler opposed the motion.

County Attorney Blaine Bradshaw met with the Board regarding litigation between Granite County and Mr. Jack McLeod, Rising Sun Estates, LLC. County Attorney Bradshaw gave some history on the case: Mr. Jack McLeod is the owner/developer of the Rising Sun Estates subdivision at Georgetown Lake, the fire suppression system was not properly installed in breach of a written agreement with Granite County, the case was filed in district court, mediation was ordered and a settlement agreement reached that the fire suppression pond was to be filled by June 2019 and inspected by an engineer who was to give recommendations for improvements, and the said inspection was not arranged or completed by Mr. McLeod as expressly agreed in the written settlement agreement entered into at mediation. Further, the Georgetown Lake Volunteer Fire Department was not asked to view the fire suppression system in June of 2019, as also required by the settlement agreement entered into a mediation. Attorney Bradshaw advised the Board to proceed to trial on this matter to obtain a court order requiring Mr. McLeod to complete the fire suppression system per engineered specifications. Commissioner Hinkle moved to direct the county attorney to file a motion in the district court case (Granite County v. Rising Sun) requesting a scheduling conference in which a trial date would be set since Rising Sun has violated the settlement agreement; further, to direct the county attorney to also file a motion to compel Mr. Jack McLeod and his company, Rising Sun Estates, LLC, to abide by the settlement agreement, in which it was agreed that Mr. McLeod and Rising Sun Estates would have an engineer inspect the site and make recommendations that would then be followed by Rising Sun. Commissioner Adler seconded the motion. Fred Bjorklund, Fire Chief with the Georgetown Lake Volunteer Fire Department, commented that he agreed with the motion and believes that this is a good move to get the project completed. The motion carried unanimously. Also attending was Kurt Unger with the Georgetown Lake Volunteer Fire Department.

Public Comment: None.

Correspondence: None.

The Board reviewed draft minutes for July 30, 2019. The minutes were approved as presented on the motion of Commissioner Hinkle and second by Commissioner Adler. The motion carried unanimously.

The session adjourned at 2:45 p.m.

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Clerk

# #

August 13, 2019

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

August 13, 2019 continued...

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

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

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

Commissioner Adler moved to reject the bid on the grounds that it is too high and the county lacked the funds at this price, and Commissioner Hinkle seconded the motion. As discussion, Mark Salusso inquired about the cost to purchase  $\frac{3}{4}$ " road mix gravel in this vicinity and Paul Alt responded that gravel could be purchased from two suppliers at \$12/cubic yard and from one supplier at \$11.75/ton. Paul Alt noted that when the royalty of \$1.25/cubic yard is added to the gravel crushing, that it is less expensive to purchase gravel than to have it crushed. There was no further public comment. The motion carried unanimously.

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

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

Georgetown Lake level was reported at 6,429.28 feet, according to the USGS gage and the dam tender's report. The lake is approximately 2.64 inches below full pool with an estimated 44.1 cfs through the power plant and an estimated 44.1 cfs over the weir below the power plant. County Attorney Blaine Bradshaw, Jason Viotor, Brad Liermann and Randy Arnold with FWP, Gary Carlson, Chuck Stokke and Andrew McFarland attended. Commissioner Hinkle moved to make no change in the outflow today to 45 CFS and reduce the outflow on September 17, 2019, to 15 cfs, with weekly monitoring and recognizing that the reduction to 15 CFS may be changed upon agreement of the relevant government agencies involved. Commissioner Adler seconded the motion. Brad Liermann commented that the FERC license indicates an outflow of 30 cfs and he does not recommend that the outflow remain at 45 cfs during the irrigation season. Commissioner Slaughter noted that there was no change in the lake level since last week and the lake level is reviewed every week by the Commission. He reviewed that there is a rule that the lake level not go below two feet of full pool. Commissioner Slaughter noted that the owner of the dam, Granite County, through the local taxpayers, pays for the maintenance and the State of Montana, FWP, pays for nothing. Randy Arnold commented that the FWP looks at the lake level regularly and he agrees that water can be released when it is available, but they would like to see an end date for the release. A letter dated August 8, 2019, from Dave Amman with DNRC was reviewed. Bill Slaughter noted that the FERC order allows for temporary modifications. Brad Liermann noted that the FERC license is for producing power. Jason Viotor commented that ranchers below the reservoir are making a living with the water and the Commissioners are generous about releasing water when it is available. Randy Arnold

August 13, 2019 continued...

suggested an end date of September 12, 2019. Jason Viotor noted that the target water level in the FERC license is not more than two feet below full pool. Brad Liermann indicated that he does not agree that two feet below full pool is acceptable due to the recent fish kill in 2017 which he believes is from low lake levels depleting oxygen levels in the lake. Commissioner Slaughter noted that there are many parties involved here and there is no reason that they cannot get along. Chuck Stokke, a Georgetown Lake homeowner and member of Trout Unlimited, commented that in the past that he would rather have the irrigators take the water rather than dump it in October. Jason Viotor agreed that irrigators are done by the end of September and the ag community carries a lot of risk. Chuck Stokke suggested asking Dave Amman from MT DNRC to run the models again at the end of the month to give guidance on management of outflows. He noted that oxygen levels in the lake are important in the winter. Jason Viotor suggested that the outflow be reviewed on September 17, 2019. The motion carried unanimously. Chuck Stokke noted that there is a possibility that someone could file a state district court case to enforce the 30 cfs provision which is a part decreed rights through the State of Montana. On another subject, Brad Liermann noted that he sometimes files a complaint with the Granite Conservation District when someone is operating outside their 310 permit.

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

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

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

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

The Board reviewed the Construction Agreement with Battle Ridge Builders LLC for the Flint Creek Dam Improvement Project for repairs on the spillway and dam face. The

August 13, 2019 continued...

county’s engineer, Great West Engineering of Helena, recommended that the agreement be executed by the county as all necessary documents have been submitted by the contractor. Commissioner Adler moved to approve the Construction Agreement with Battle Ridge Builders LLC and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Four copies of the agreement were executed by Chairperson Bill Slaughter and one copy will be retained by Granite County, one copy sent to the contractor and two copies returned to the engineer.

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

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

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

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

Correspondence: None.

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

The session adjourned at 2:40 p.m.

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Clerk

# #

August 20, 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

August 20, 2019 continued...

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

Residents of Viking Lane met with the Board to request that the county maintain and plow snow on seven tenths of a mile of Forest Service road. County Attorney Blaine Bradshaw, and Pintler District Ranger District Ranger Rasor and Sara Rouse with the Forest Service attended. Jerry Bailey presented handouts from the Viking Lane Briefing Group (not a home owners' association) representing only the south half of the area. He enumerated that 26 parcels use Viking Lane, 30 full-time residents, 5 school age children; this is not a convenience issue, but a safety issue; taxes paid since 1993; have made \$50,000 to \$60,000 in contributions to the project. District Ranger Rasor noted that when a road gets to a point where the residential use exceeds the forest use, the Forest Service would prefer to transfer it to a road agency. Commissioner Slaughter explained that the road is listed in the existing agreement (Schedule A) between the county and the Forest Service. District Ranger Rasor mentioned that the road is not covered in the yearly maintenance plan but it easily could be added. Paul Alt noted that the county is extended to the point that it cannot take on any additional maintenance and routine snow plowing. Commissioner Adler indicated that the county cannot reasonably do it based upon current labor force and limited available equipment, and it is not a county road, but a Forest Service road; also the county is behind in current maintenance on routinely maintained roads. Paul Alt further explained that granting their request would open the floodgates with additional requests by other landowners in similar positions around the county. The Commissioners generally expressed that their intention in such matters will be to always listen to and consider the expert recommendations of the county's road and bridge superintendent. Roger Beyer inquired about a snow removal permit and District Ranger Rasor noted that the permits are free and only the vehicle used to plow snow must have liability insurance. Bobbie Beyer indicated that there could be liability if the snow was not properly plowed and that the Forest Service permit is extensive (four pages). Commissioner Slaughter noted that the county's focus has been upgrading the road department equipment and he noted that the people chose to build there knowing that it is a Forest Service road. Jerry Bailey inquired how much time and fuel it would take to do the seven tenths of a mile. Paul Alt indicated that Stewart Ridge is a county road and it is not maintained. District Ranger Rasor explained where the Forest Service road is located in that area. County Attorney Bradshaw informed the group that the petition process would be needed to make Viking Lane a county road. District Ranger Rasor noted that the Forest Service agreement usually does not include snow plowing, only maintenance. County Attorney Bradshaw noted that if the statutory petition process to create a county road is used that a formal resolution of intent would need passed first by the Board and also an easement would need to be conveyed from the Forest Service to the county prior to the petition being submitted to the county. Commissioner Slaughter suggested that the group be prepared to plow the snow this winter. He also suggested that the group attend the meeting when the yearly road maintenance agreement with the Forest Service is discussed on the agenda early next year with the Commission. Commissioner Adler moved that snow plowing not be routinely done on Viking Lane, and discuss the maintenance with the Forest Service in the spring. Commissioner Slaughter seconded the motion. There was no further discussion or public comment. Commissioners Slaughter and Adler voted in favor of the motion and Commissioner Hinkle opposed the motion. One public participant commented that there is still a question of liability being taken on as private citizens plowing snow on a public road. District Ranger Rasor noted that the Forest Service mission does not include maintaining roads for residences; and he pointed out that there may be more liability if people do not have a permit; also, he noted that a road association could obtain the permit. Attending were Jerry Bailey, Jan Burke, Jim Burke, R. Kip Turley, Bobbie Beyer, Roger Beyer and Sherman Ball. On another subject, District Ranger Rasor requested four dump trucks to haul Forest Service material on the Upper Willow Creek Road to get it finished, and that this expense would be on the county as the Forest Service, per the existing contract, will have paid out all agreed upon funds and will be depleted almost immediately. Paul Alt stated that it makes sense to do it now when the equipment is at the site. Also, an excavator may be needed for two days to finish the project, which was also agreeable with Paul Alt. The Board agreed to both requests. District Ranger Rasor reviewed a list of the cooperative

August 20, 2019 continued...

work that has been accomplished between the county and the Forest Service over the past several years. The Board expressed appreciation to the Forest Service for its cooperation on the many projects.

Road and Bridge Superintendent Paul Alt met with the Board and gave his report. The report included discussion on continuing to mow grass using the county's existing equipment. Upper Willow Creek Road will be bladed soon.

Georgetown Lake level was reported at 6,429.12 feet, according to the USGS gage and the dam tender's report. The lake is approximately 4.56 inches below full pool with an estimated 44.7 cfs through the power plant and an estimated 44.7 cfs over the weir below the power plant. County Attorney Blaine Bradshaw attended. Commissioner Hinkle moved to make no change in the outflow today at approximately 45 cfs, as such is authorized per the current temporary modification plan in place. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board held a telephone conference call with Colby Tibbs with Scale-It, the solid waste scales software provider. Discussion included that the system periodically locks up and the site operator must do a hand-written slip; also, can the contract hauler be tracked. Colby Tibbs noted that container tracking has been a recent update to the software, and he was not aware of the system locking up and he agreed to investigate it. County Attorney Blaine Bradshaw, Treasurer Vicki Harding and Road and Solid Waste Program Manager Paul Alt attended.

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

Dustin Muhly, PHEP (Public Health Emergency Planning) Coordinator met with the Board and gave his report. The report included that each county's individual capabilities are now being considered, risk assessments being completed, updating the truck and train protocol, and a state-wide exercise is planned for October 8, 2019 for the strategic medical stockpile. He indicated that he has been submitting the required deliverables on time to the state. He attended the summer institute where he attended three specific sections. He reviewed the disaster preparedness calendar which he intends to distribute locally. County Attorney Blaine Bradshaw attended.

Maria Stoppler, CEO/DON of Granite County Hospital District, met with the Board and presented the monthly financial update. The report included a financial report dated 8-6-2019 showing projected cash available of negative \$(52,893), projected deposits of \$609,000, accounts payable of \$150,000, and projected cash reserves of \$406,107. It also included a utilization report, a revenue analysis, a balance sheet, and an administrator's report dated July 30, 2019. She reviewed topics of interest at the recent district board meeting, including discussion on the potential sale of property that the district owns across Sansome Street from the medical center in Philipsburg. County Attorney Blaine Bradshaw attended.

The Board reviewed the Forest Service proposal to revise the National Environmental Policy Act (NEPA) regulations. Commissioner Hinkle reviewed the proposed revisions and noted that comments are due by August 26, 2019 regarding making the categorical exclusion process less cumbersome to improve forest management on national forests. The Board agreed to write a letter of support on the motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried unanimously.

The Board reviewed the proposed Amended Task Order No. 9 with Great West Engineering of Helena to include construction management and grant administration for the Flint Creek Dam Improvements Project. The total amount of compensation for services included in this amendment is estimated to be \$61,900.00. The amendment included project design, bidding and contracting, construction administration, FERC Project completion

August 20, 2019 continued...

report and post construction, but the only substantive change from Task Order No. 9 was that construction administration was added. The Board contacted engineer Jeremiah Theys by speaker telephone to discuss the amended task order. He explained that the county will owe \$65,400.00, considering that the majority of the project design and the bidding and contracting are nearly complete. Commissioner Adler moved to approve Amended Task Order No. 9. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried. County Attorney Blaine Bradshaw and Scott Sylvester with the *Philipsburg Mail* newspaper attended.

Junk Vehicle Director Elwyn "Speed" Kingrey was unable to meet with the Board. The preliminary junk vehicle budget was discussed, including the purchase of a fork lift through the Junk Vehicle Capital Improvement Fund. Commissioner Hinkle moved to purchase a fork lift up to \$9,000.00 from the Junk Vehicle Capital Improvement Fund. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Public Comment: None.

Correspondence: None.

The Board reviewed draft minutes for August 13, 2019. The minutes were approved as presented on the motion of Commissioner Hinkle and second by Commissioner Slaughter. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw attended.

Public Health Nurse Katie Muhly met with the Board by speaker telephone to request assistance and instruction for medical coding and billing to insurance companies. Katie Muhly reviewed the problems that the office is having getting insurance payments approved for services provided, including immunizations; compensation is not being received for services provided; she has investigated billing services at a cost of about \$500.00/month or hire a local independent contractor to assist and give expert consultation regarding filing insurance claims and provide education to the staff at a lower and reasonable cost. She noted that a base billing system is in place. County Attorney Blaine Bradshaw suggested that it could be done utilizing a consulting agreement with an independent contractor. Katie Muhly agreed to do further investigation and return to the Board with a plan.

The session adjourned at 3:10 p.m.

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Clerk

# #

August 21, 2019

The Board met at 9:00 a.m. in special session at the Flint Creek Dam with the contractor and engineer for a pre-construction conference on the Flint Creek Dam Improvements Project. Attending were Chairperson Bill Slaughter, Commissioners Scott Adler and Charles Hinkle, Great West Engineering engineers Jeremiah Theys and Jonathan Weaver, Jake Pierson and Gabe Murtorff with contractor Battle Ridge Builders LLC, Executive Assistant Mike Kahoe and dam tender Bill West.

Subjects covered during the on-site conference included responsibilities of the contractor, responsibilities of the engineer, responsibilities of the owner, general discussion of the project, contract provisions, procedures for making partial payment, bonds and insurance, contractor's schedule, construction staking, testing responsibilities, traffic control, material disposal and cleanup, staging areas, permits, coordination with utility companies, change orders, payrolls, required postings, and easements. Jeremiah Theys informed the group that he anticipates the Notice to Proceed on the project to be issued on

August 21, 2019 continued...

August 26, 2019, and that a change order in the amount of \$700.00 will be forthcoming to meet FERC (Federal Energy Regulatory Commission) concrete specifications. Also, he noted that FERC representatives may be on site during the construction and that the county's engineers will be on site every day during concrete pours.

Commissioner Slaughter recessed the session at 10:30 a.m. to be reconvened at 2:00 p.m. at the courthouse.

The Board reconvened at 2:00 p.m. in special session in the Commission Office of the Granite County Courthouse with Chairperson Bill Slaughter and Commissioners Scott Adler and Charles Hinkle attending for a meeting with U.S. Congressman Greg Gianforte for general discussion. Also attending were County Attorney Blaine Bradshaw, Sheriff Scott Dunkerson and Executive Assistant Mike Kahoe; and Sonny Capece and Chris Heggem, Chief of Staff, with Congressman Gianforte also attended.

Congressman Gianforte gave a short preamble and noted that county commissioners can, as of January 1, 2019, enter into contract for maintenance of national forests through the Good Neighbor Authority under the new Farm Bill; he is working on increasing PILT (Payments In Lieu of Taxes) payments for smaller Montana counties; and the effect of the drug epidemic in Granite County. The congressman then opened the meeting to questions and answers. Commissioner Hinkle voiced his concern with the Forest Service and the way the agency ineffectively fights forest fires, which destroy valuable timber and force citizens to breathe unhealthy air due to smoke. The FMAC (Granite County Forest Management Advisory Committee) committee has done a resolution for more aggressive initial attack on forest fires. Congressman Gianforte agreed with those comments and noted that the U.S. Department of Interior is coming to Montana in two weeks to discuss fire management and to try to get grizzly bears delisted as an endangered species. Commissioner Adler requested more common-sense control changes to Montana Fish, Wildlife & Parks if he should become governor, as that state agency has vast authority and contributes nothing financially to counties to repair county roads damaged by hunters and people fishing. Sheriff Dunkerson noted the effects of heroin or methamphetamines which his department deals with routinely and agrees with U.S. attorney's stance of prosecuting more aggressively; drug offenders continue to be released and continue to be a problem for local law enforcement. Congressman Gianforte said it will take several agencies to cooperate; there has been good success with treatment courts as an alternative to incarceration with the focus on getting people healthy; it pays for itself by keeping people out of jail; starting to come to smaller communities like Libby; and spend funds on treatment court rather than on jails. Sheriff Dunkerson noted participation in the West Central Drug Task Force and the highway patrol for drug interdiction, and that this has been productive. Commissioner Slaughter indicated that community mental health produces the best results. Sheriff Dunkerson said that budget reductions have limited local mental health services for people in crisis and he deals with the problem at least once a week. Congressman Gianforte said that he is working on a bill to remove friction from telemedicine for mental health services in small communities. Commissioner Slaughter stated that mental health also affects the high suicide rate in Montana. Also, red flag laws are unconstitutional as they do not allow for due process rights of citizens. Congressman Gianforte stated that he voted against it in the house, but it did pass the U.S. house; he said that there are rules currently on the books which should be enforced. Commissioner Slaughter noted that the county owns a dam which needs maintenance and the Commission has not problem paying for issues and repairs regarding dam safety, but expensive studies required by the Federal Energy Regulatory Commission (FERC) are breaking the Flint Creek Dam fund; FERC regulations dictate onerous demands and studies for a small power production facility; FERC response is very slow following inspections, sometimes more than a year. The Congressman requested that the Commission reach out to his staff after the FERC inspection next week, and that they provide all assistance possible. The CSKT (Confederated Salish and Kootenai Tribes) water compact and its possible unconstitutional taking of off-reservation water rights were discussed. The Congressman said that he is encouraged by the conversations taking place between members of Congress with tribes and water right holders; the challenge with the current compact is

August 21, 2019 continued...

the off-reservation water rights; need a compact, but not the present one. Commissioner Slaughter noted that the county Public Health Department is unable to successfully set up an account to bill Medicare and Medicaid for services the department provides, like immunizations. The congressman requested that his aide Sonny Capece contact the county health nurse directly to offer his assistance. Commissioner Slaughter requested public comment. Patti Kanduch noted that she comes from a four-generation logging family; she is the head of the FMAC; she feels that U.S. Forest Service is overloaded with environmentalists; private companies like Weyerhaeuser and Potlatch, have excellent foresters and management practices that can successfully sustain forests and these private sector operations are good models for the Forest Service to emulate, but the Forest Service is not. Congressman Gianforte said that the endangered species act has been weaponized; a tool is now available to county commissioners to do projects on U.S. Forest Service lands under the congressional Good Neighbor Authority; and when decisions are made locally they are better decisions. Patti Kanduch commented that litigation has tied the Forest Service into knots and she is concerned that a 1910 catastrophic forest fire will occur again. Elena Gagliano, an FMAC member, inquired about a recent proposal regarding NEPA (National Environmental Policy Act) regulations. Congressman Gianforte said that he has been encouraged by the reduction in federal regulations and current proposed legislation by President Trump to streamline the permitting system; we can and should protect the environment but speed up the permitting process. Elena Gagliano discussed illegal aliens and noted that the Montana Highway Patrol will no longer stop them. The congressman noted that gangs and cartels are running the drug trade and he is in favor of securing the southern U.S. border. Elena Gagliano noted that there are also concerns at the northern border, and the Congressman expressed his thoughts that these matters were also a priority for him. Sheriff Dunkerson indicated that gang members have infiltrated neighboring counties and immigration control does not respond. Dick Motta commented that the national debt is not being addressed by Congress. Congressman Gianforte stated that he does town halls every month in Montana; he has voted for three bills recently to curb appropriations; the house has passed a bill to balance the budget, but it was defeated in the senate; the political reality is that it is hard to cut existing programs; and must stop the growth in spending. Dick Motta said that there are grants to non-federal entities and states have given up their sovereignty to the federal government. Congressman Gianforte responded that he has spent a lot of time on K through 12 education because it is so important, but that the states, not the federal government, should control such issues; he recognizes that state sovereignty is an issue; his experience in Washington is that the system is functioning as designed, with the exception of spending; he has worked across the aisle on many issues; you must play the hand you are dealt. Congressman Gianforte said that Congress needs to get trade deals done with Canada as the deal with Mexico is done; the U.S. does more trade with Canada than with China; he spends every weekend in Montana meeting with people. Dick Motta indicated that a trade agreement with Mexico is unrealistic when illegal aliens are pouring into this country; the country is at a serious turning point with the ever-increasing government deficit and out of control spending; paying too much in interest on the national debt; hoping that some business common sense can prevail. Scott Sylvester, with the *Philipsburg Mail* newspaper, asked the Congressman why he has chosen not to stay in Congress, but to run for governor. Congressman Gianforte noted that it was a big decision for him and his family; he wants to have business leadership in Helena which he believes has been lacking for many years; he has been encouraged by many Montanans to run for governor because business leadership is lacking in Helena; he noted that today the primary exports from Montana are grain, beef and kids. Attendees, who signed the sign-in sheet, were Heidi Hinkle, Scott Sylvester with the *Philipsburg Mail* newspaper, Patti Kanduch, E. Gagliano and Bill Antonioli.

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

The session adjourned at 3:00 p.m.

---

Chairperson

August 21, 2019 continued...

ATTEST:

\_\_\_\_\_  
Clerk

# #

August 27, 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 gave his report. The report included that sand is being hauled to the Hall Road Department from Bob Weaver's and the purchase of sand for the Philipsburg Road Department will be advertised for bid. It is noted that Bob Weaver was the successful bidder on that sand purchase in which bids were required in the local newspaper. Commissioner Hinkle moved to advertise in the local newspaper for an additional for 500 cubic yards of road sand delivered to the Philipsburg Road Department Shop. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. The Board also agreed to advertise in the local newspaper for an additional 3,500 cubic yards of ¾" minus road mix gravel delivered to Philipsburg on the motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried unanimously. Paul Alt noted that the road department is short a plow truck and a plow.

The Board reviewed the list of solid waste overages with Solid Waste Superintendent Paul Alt presented by Treasurer Vicki Harding. The Board considered a strategy that those with consistent overages may have additional solid waste units added to their tax notices. Treasurer Harding presented a list from Granite Disposal which included mostly businesses and the number of times garbage is picked up each week, which may not match to number of solid waste units assessed. The Board requested further information before any decision is made. Discussion was held on upgrading the computers at both solid waste container sites at Drummond and Philipsburg. County Attorney Blaine Bradshaw and Scott Sylvester with the *Philipsburg Mail* newspaper attended.

Treasurer/County Superintendent of Schools Vicki Harding met with the Board to present school budgets and to request approval of the budgets and setting of school mill levies for School District No. 8 Hall, School District No. 1 Philipsburg K-13, School District No. 11 Drummond Elementary, and School District No. 2 Drummond High School. County Attorney Blaine Bradshaw attended. Commissioner Hinkle moved to approve the school budgets and mill levies and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. Chairperson Slaughter signed approving the budgets for the schools.

Georgetown Lake level was reported at 6,429.00 feet, according to the USGS gage and the dam tender's report. The lake is approximately 6 inches below full pool with an estimated 43.5 cfs through the power plant and an estimated 43.5 cfs over the weir below the power plant. County Attorney Blaine Bradshaw attended. Commissioner Adler moved to make no change in the outflow today which remains at approximately 45 cfs, as such is authorized per the current temporary modification plan in place. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

As public comment, former Clerk and Recorder Blanche McLure met with the Board to advise that digitized county records need to be stored off site as a backup if something should happen to the records in the courthouse. The Board agreed to research off site storage with Clerk and Recorder Sarah Graham.

The Board held a budget work session for the 2019-2020 fiscal year preliminary budgets with Clerk and Recorder Sarah Graham.

August 27, 2019 continued...

**Flint Creek Dam Improvements Project, Progress Report:** The Board signed the Notice To Proceed dated August 26, 2019, for the project on the motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried unanimously.

The budget work session for the 2019-2020 fiscal year preliminary budgets continued.

The Board considered the proposed Agreement for Services between Granite County and Allied Waste Services of North America LLC d/b/a Republic Services of Montana. County Attorney Blaine Bradshaw attended and advised the Board of changes he would recommend. The agreement, with the recommended changes, was approved on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

The Board considered the proposed Independent Contractor Consultant Agreement for Medical Billing, Medical Coding, Insurance Claims Submission and Education of Staff for the Granite County Public Health Office. County Attorney Blaine Bradshaw attended and reviewed details of the agreement, which he had drafted, with the Board. Commissioner Adler moved to table this agenda item until the meeting next week to discuss it with Public Health Nurse Katie Muhly. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board reviewed three applications for the Granite County Planning Board to fill two existing vacancies. The vacancies were advertised in four separate issues of the *Philipsburg Mail* newspaper and on the county's website. The Board considered an appointment to represent the Georgetown Lake Area. Commissioner Hinkle moved to appoint Bill West to represent the Georgetown Lake Area on the Granite County Planning Board and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. The Board considered an appointment of Heidi Hinkle to represent the Upper Flint Creek Valley. Commissioner Hinkle recused himself from consideration of that appointment as Heidi Hinkle is his wife. Commissioner Adler moved to appoint Heidi Hinkle to represent the Upper Flint Creek Valley on the Granite County Planning Board. Commissioner Slaughter seconded the motion. There was no public comment. The motion carried, but with Commissioner Hinkle abstaining from the vote regarding the appointment of his wife, Heidi Hinkle. County Attorney Blaine Bradshaw attended.

The Board considered the Grant Agreement through the DNRC Renewable Resource Grant and Loan (RRGL) Program for Flint Creek Dam Improvement to the spillway and dam face. The amount of the grant is \$125,000.00. Commissioner Hinkle moved to accept the grant agreement and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw had reviewed and approved the agreement.

The Board reviewed the proposed Memorandum of Understanding (MOU) with the Montana Wool Growers Association for the Predator Control Fund. The MOU states that there are 461 stock sheep on the tax rolls in Granite County and that \$461 will be allocated for the protection of sheep from destructive animals. Commissioner Hinkle moved to approve the MOU and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

**Public Comment:** None.

**Correspondence:** The Board noted receipt of a letter from Elena Gagliano requesting information on the county's contribution of \$25,000.00 to Broadwater County to assist in the prosecution of Lloyd Barrus for the deliberate homicide of Broadwater County Deputy Sheriff Mason Moore, accountability for attempted homicide against two Butte-Silver Bow police officers, attempted homicide against five different officers including Granite County Sheriff Scott Dunkerson, assault upon a peace officer against ten different officers, and for illegally possessing firearms as a convicted felon. The Board agreed to consult with County Attorney Blaine Bradshaw for a response.

The Board reviewed draft minutes for August 20 and 21, 2019. The minutes were approved as presented on the motion of Commissioner Adler and second by Commissioner

August 27, 2019 continued...

Hinkle. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw attended.

The session adjourned at 2:35 p.m.

---

Chairperson

ATTEST:

---

Clerk

# #

August 28, 2019

The Board of County Commissioners met at 9:00 a.m. in special session in the District Courtroom of the Granite County Courthouse with Chairperson Bill Slaughter and Commissioners Scott Adler and Charles Hinkle attending. The purpose of the session was the annual inspection of the Flint Creek Dam by the Federal Energy Regulatory Commission (FERC). Also attending was Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance.

The Board met with Kelcy Adamec, engineer with the FERC Portland Regional Office, Granite County on-call engineers Jeremiah Theys and Jonathan Weaver with Great West Engineering of Helena, Granite County Attorney Blaine Bradshaw, dam tender Bill West DES/Safety Coordinator Jackie Bolster, Ben Singer and Paul Tallon with Hydrodynamics of Bozeman, Danielle Tribble with U.S. Senator Steve Daines' Office and Sonny Capece with U.S. Congressman Greg Gianforte's office. Also attending were Jacquie Venard with the *Philipsburg Mail* newspaper, Elena Gagliano and Dick Motta. The group reviewed the 2019 Revision of the Owners Inspection Preparation Form as completed by Great West Engineering. During the review Commissioners Slaughter and Adler impressed upon the group, and Kelcy Adamec with FERC in particular, that the Flint Creek Project Fund, which is used only for maintenance and repairs on the dam, is in a precarious position financially due to over-regulation by FERC. He stated that the Commission is willing to do the safety related repairs and maintenance on the dam, but that expensive studies may need to be put on hold. Commissioner Slaughter specifically asked Kelcy Adamec to take the message back to the FERC Portland Regional Office regarding over-regulation by requiring such things as extensive scientific studies and she said she would pass the message on her to her supervisors. Further, FERC engineer Kelcy Adamec indicated that the county should be in contact with her office regarding the schedule of when required items, such as studies, need to be completed and there is a possibility that those things that are not of eminent importance for safety could be pushed back on the schedule.

The group traveled to the Flint Creek Power Plant and then to the Flint Creek Dam. At the dam they met with Project Superintendent Jake Pierson with Battle Ridge Builders, the company which is just starting the work on the spillway and dam face repairs. The engineers and project superintendent, who had the required safety vests and hard hats (Kelcy Adamec, Jeremiah Theys, Jonathan Weaver and Jake Pierson), made a detailed inspection of the dam. At the conclusion of the inspection, Kelcy Adamec gave a brief verbal report and noted that there are no serious safety issues with the dam at this time. She said that she will be submitting her complete written report to the county at a later date.

The session adjourned at the dam at 2:30 p.m.

---

Chairperson

August 28, 2019 continued...

ATTEST:

---

Clerk

# #