

February 18, 2020

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 Chairperson Bill Slaughter, 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/Solid Waste Manager Paul Alt met with the Board and gave his report. The report included specifications for snow fence and a preliminary estimated cost for one-half mile of snow fence. Old culverts and scrap iron will be disposed of according to law. Commissioner Adler moved to plow an additional length of Lower Rock Creek Road as a special request and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board considered the proposed gravel permit renewal as required by the DNRC, Trust Land Management Division, for the Middle Fork Gravel Pit, Gravel Permit G-1506-15 in the NW1/4 NW1/4 Section 16, T5N, R15W. The permit term begins January 1, 2020 and expires on December 31, 2021. Commissioner Adler moved to approve the permit renewal and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Road and Bridge Superintendent/Solid Waste Manager Paul Alt attended.

Georgetown Lake level was reported at 6,429.14 feet, according to the USGS gage and the dam tender's report. The lake is approximately 4.32 inches below full pool. The outflow is estimated at approximately 25 cfs. Commissioner Hinkle moved to increase the outflow to 30 cfs to allow room for spring runoff. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. Paul Talon with Flint Creek Hydro LLC was requested to increase the outflow to 30 cfs. County Attorney Blaine Bradshaw attended.

Treasurer Vicki Harding met with the Board and presented financial reports from July 2019 to December 2019. July 2019 included a cash analysis, a checking account register, STIP investments of \$8,464,791.73, CD investments of \$529,775.45 and pledged securities held with Granite Mountain Bank of \$440,000. August 2019 included a cash analysis, checking account register, STIP investments of \$7,779,819.50 and CD investments of \$529,775.45. September 2019 included a cash analysis, checking account register, STIP investments of \$7,074,430.30, CD investments of \$529,775.45 and pledged securities held at Granite Mountain Bank of \$440,000.00. October 2019 included a cash analysis, checking account register, STIP investments of \$6,863,500.84 and pledged securities held with granite Mountain Bank of \$440,000.00. November 2019 included a cash analysis, checking account register, STIP investments of \$7,223,405.38, CD investments of \$529,775.45 and pledged securities held at Granite Mountain Bank of \$440,000.00. December 2019 included a cash analysis, checking account register, STIP investments of \$9,118,009.07, CD investments of \$579,775.45, pledged securities held at Glacier bank of \$525,000.00 and pledged securities held at Granite Mountain Bank of \$440,000.00. County Attorney Blaine Bradshaw attended.

The Board reviewed county claims for January 2020 which were not approved at the February 11, 2020 session. Commissioner Adler recused himself from voting on the Adler Towing claim. Commissioner Adler moved to approve the claims for January 2020 and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried.

The Board considered the Initial Boundary Validation Program for the 2020 Census. The program validates that the county's borders have not changed. Commissioner Adler moved to approve the initial boundary validation and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Blaine Bradshaw and Emily Petrovski with the *Philipsburg Mail* newspaper attended.

The Board held the second reading of Resolution 2020-4 "A Granite County Resolution Amending And Increasing The Encroachment Permit Application Fee Regarding Encroachments Within County Road Right-Of-Way." The Resolution proposes to raise the fee for an encroachment permit application from \$125.00 to \$200.00 due to the increased time it takes for the Road and Bridge Superintendent to make site visits to each encroachment site. Commissioner Adler moved to adopt Resolution 2020-4 and Commissioner Hinkle seconded the motion. Commissioners Adler and Hinkle voted in favor of the motion and Commissioner Slaughter voted to oppose the motion. The motion carried. County Attorney Blaine Bradshaw attended.

The Board held the second reading of Resolution 2020-5 "A Granite County Resolution Supporting The Second Amendment Of The United States Constitution And Article II, Section 12 Of The Montana Constitution." Commissioner Hinkle moved to adopt Resolution 2020-5 and Commissioner Adler seconded the motion. As discussion, Commissioner Hinkle thanked County Attorney Blaine Bradshaw for his work on the Resolution and he thanked the public for their interest. Commissioner Adler reiterated his appreciation to the county attorney. Scott Sylvester inquired whether any other Montana counties have passed a similar Resolution. The Board responded that there may have been a few. County Attorney Blaine Bradshaw indicated that he used the state of Virginia's resolution as a template for Resolution 2020-5. County Attorney Blaine Bradshaw, Scott Sylvester with the *Philipsburg Mail* newspaper, Elena Gagliano and Dick Motta attended. The motion carried unanimously.

The Board held the first reading of Resolution 2020-6 "A Granite County Resolution Authorizing Acquisition Of Federal Surplus Property From The State Of Montana, Property & Supply Bureau." There was no public comment.

The Board considered the draft Professional Services Agreement with Cynthia Ray to provide invoicing for the Granite County Public Health Department. County Attorney Blaine Bradshaw noted the changes from the original draft, including that she is a contracted to do the billing, not to be a consultant. The agreement's term would extend until the end of this current fiscal year, and the matter would be revisited at the start of the next fiscal year. Commissioner Adler moved to approve the agreement and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Public Health

Department Clerk/Assistant Jackie Bolster met with the Board to discuss the public health's billing system. The Board agreed to continue with the current billing system of ABILITY Network Inc. at the current charges. The action was taken on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

Clerk Sue Antonioli filled in for Executive Assistant Mike Kahoe for the afternoon session.

The agenda item of Clay McFarland's Building at Beavertail, Floodway Issues: Planning Director Linda Bouck gave the background on the matter and noted that it was turned over to the county attorney on January 16, 2020. County Attorney Blaine Bradshaw stated that the decision would be up to the Commissioners as to whether they want it turned into a civil matter. Commissioner Adler stated he has been to the site and said the residential structure is on the highest point on their land. Deidra McFarland spoke next and said she has a surveyor hired and that he had told her the FEMA map was a guideline. Tri-County Sanitarian Chad Lanes stated that a septic application has not been submitted yet, but the determination for whether a septic system was allowable would be based on: where they mapped out of the drain field and can the septic system meet sanitation regulations. The McFarland's are asking for more time as a surveyor has been retained by them and it will take a couple weeks to complete the survey and to petition with FEMA to amend the FEMA floodplain map could take some time. Commissioner Adler moved to allow the McFarland's six months to go through the FEMA amendment process and to revisit this issue at that time. Commissioner Hinkle seconded the motion. There were no further discussion and the motion carried unanimously. People signing in were Traci Sears and Larry Schock with DNRC Floodplain, Tri-County Sanitarian Chad Lanes, Gene McFarland, Donna Gamble, Steve Furst, Patty Furst, Deidra McFarland, Clay McFarland and Scott Sylvester with the *Philipsburg Mail* newspaper.

Public Comment: Scott Sylvester with the Philipsburg Mail newspaper asked a question on the county health nurse: Was she let go or was she fired? Commissioner Slaughter stated she did not successfully complete her probationary period.

Also under public comment, Elena Gagliano requested that a report be put on the agenda when a Commissioner or Commissioners attend a Montana Association of Counties (MACo) conference. The Board agreed to do so.

Also under public comment, Jackie Bolster met with the Board and noted that the OSHA 300 form has been posted in the lobby of the courthouse, as required.

Correspondence: None.

Commissioner moved Hinkle moved to approve the February 11, 2020 minutes as presented and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Judge Deborah Fratzke met with the Board to discuss the proposed courthouse office remodel plans to improve safety issues with her office. The Commissioners looked at the office again and reviewed contractor Doug Graybeal's plan. Commissioner Slaughter moved that before the plan will be put out to bid, the Commission will request Doug Graybeal to draw up written specifications based on today's sketch, that was drawn after looking at the office today. The Commission understand that Doug Graybeal would charge his customary hourly fee in drafting the written specifications. Upon obtaining the specifications, the project would be publicly and competitively bid. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried.

Agreement with Flint Creek Hydro LLC: Upon successful motion passed unanimously, the Board directed County Attorney Blaine Bradshaw to prepare a draft letter to be put on the next agenda for the Board's consideration.

The session adjourned at 3:25 p.m.