

April 14, 2020

The Board of County Commissioners met at 9:00 a.m. in regular session in the District Courtroom of the Granite County Courthouse with Chairperson Bill Slaughter and Commissioners Scott Adler and Charles Hinkle attending. Also attending was Executive Assistant Mike Kahoe. County Attorney Blaine Bradshaw attended through Zoom. The session convened with the pledge of allegiance. The Board noted that this regular meeting is being held in the District Courtroom to allow for social distancing. The session is being live streamed in order to provide for remote public participation (via telephone or Zoom, and questions and comments can be emailed to the Board), as the Governor's directives regarding COVID-19 do not allow for the gathering of groups of people. Also, the Board is practicing the recommended social distancing (keeping people at least 6-feet apart) in order to slow or stop the spread of the novel coronavirus (COVID-19). People meeting with the Board did so by telephone, email or the Zoom computer program.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt was unable to meet with the Board today for personal reasons.

Georgetown Lake level was reported at 6,428.40 feet, according to the USGS gage and the dam tender's report. The lake is approximately 1.20 inches below full pool. The outflow is estimated at approximately 43.5 cfs according to the USGS outflow gauge, which became activated for the summer on April 1, 2020. Commissioner Hinkle moved to make no change in the outflow and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Discussion was held that Brad Liermann had telephoned Commissioner Slaughter at home and stated that the county is operating the dam outside of its license. County Attorney Blaine Bradshaw stated that he does not agree with Mr. Liermann's statement.

Board of Health Chairman Dr. Mark Ransford DVM and Public Health Emergency Planning (PHEP) Coordinator Dustin Muhly met with the Board and gave an update on the novel coronavirus 2019 (COVID-19) pandemic. Dr. Mark Ransford presented a written county update on the COVID-19 pandemic dated 4-14-2020 and noted that there are no confirmed cases of COVID-19 in Granite County at this time. Dustin Muhly reported that there are no confirmed cases in the county; the number of cases per day state wide is going down; masks should be arriving by March 23 or 24. DES Coordinator Jackie Bolster noted that some supplies have arrived and have been distributed to the Granite County Medical Center and local fire departments. Dr. Mark Ransford reported that there have been five COVID-19 tests conducted in Granite County and all have been negative. Twenty-six 4' by 4' quarantine signs have been posted along our state and county roadways by the county road crew stating that people coming into Granite County from out of state must quarantine for 14 days. Commissioner Adler suggested that signs be posted at rest areas and fishing access sites also. Dr. Mark Ransford reported that 100 letter size quarantine signs have been posted in Drummond and Philipsburg. Discussion was held that Drummond School is making some N95 masks with their 3-D printer, but are awaiting elastic to hold them on. Dr. Mark Ransford has been investigating complaints and noted that recreating is an essential activity as long as social distancing guidelines are observed. He again emphasized that people

coming from out of state must quarantine for 14 days. Commissioner Adler noted that he observed out of state fishermen (out of state license plates) in the Bearmouth area which he feels should be investigated by FWP to be sure they have quarantined for 14 days if they came in from out of state. Dr. Mark Ransford noted that people from other counties who have tested positive are allowed into Granite County because people moving from county to county cannot be controlled. Dr. Mark Ransford indicated that the county is doing well, but must continue to be vigilant. Acting as the Granite County Board of Health, Dr. Mark Ransford moved that the County's Board of Health COVID-19 orders currently in effect be extended for one more week through April 21, 2020. Commissioner Adler seconded the motion. Commissioner Hinkle stated that he will support the motion for this week, but he will consider letting some businesses open in the near future. Commissioner Slaughter suggested that everyone should thoughtfully consider how to unwind this situation safely. Dr. Mark Ransford noted that if some businesses are open that they will attract people from outside the county. Commissioner Hinkle noted that local business owners have been very supportive, but as the weather gets better it is going to be harder to enforce. Dr. Mark Ransford noted that if the restrictions are lifted too early that it could start all over again. Dustin Muhly noted that increased testing should be done prior to loosening restrictions. Dr. Mark Ransford noted that it is virtually impossible to follow all the contacts if a person becomes positive with COVID-19. Maria Stoppler, CEO/DON of Granite County Hospital District, noted that anyone with symptoms is tested; there have been six negative tests; and three tests are awaiting results. Public question: Regarding antibody testing. Dr. Mark Ransford responded that there is not a good antibody test at this time. Also, Maria Stoppler noted that any positive tested person would be transferred to another facility if hospitalization is required. The motion carried unanimously. Public question: What is the difference between isolation and quarantine. Response: Dr. Mark Ransford indicated that basically they are the same thing and people should follow the CDC guidance.

The Board discussed the proposed "Addendum to Agreement With Independent Contractor For Public Health Emergency Preparedness ("PHEP") Services." PHEP Coordinator Dustin Muhly noted that there are additional required tasks, deliverables and an "After Action Report" required regarding COVID-19 issues. Dustin Muhly indicated that it will become more of a full-time job with these additional duties. Commissioner Adler emphasized that if the deliverables are not in on time that the funding to the county will stop and without funding the job will end. County Attorney Blaine Bradshaw noted that this, proposed revised COVID-19 Addendum with Dustin Muhly will terminate on June 30, 2020. Commissioner Adler moved to adopt the revised COVID-19 Addendum and Commissioner Hinkle seconded the motion. Becky Smith, former PHEP coordinator, noted that some funds will come from the state in this fiscal year and some next fiscal year. The motion carried unanimously.

The Board reviewed county claims for March 2020. The claims were ordered paid on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously. The Board agreed to keep close track of the expenditures from the Disaster Fund, including expenditures for the on-call volunteer ambulance personnel.

The Board discussed paid county employee leave due to COVID-19 under new federal law. County Attorney Blaine Bradshaw reviewed that Families First Coronavirus Response Act (FFCRA, H.R. 6201) is a federal law and it covers different situations related to employees and COVID-19, and it is required under the federal act. He noted that there are currently some employees who would qualify for paid leave under the act, and such paid leave is the responsibility of the county if the employee qualifies. He also noted that he believes that current budgets and budgetary reserves sufficient to cover the requirements of the act in this current fiscal year, but a budget amendment may be needed if increased funding is necessary. The federal law (FFCRA) expires December 31, 2020. Commissioner Hinkle inquired what would happen if the county did not follow this. County Attorney Bradshaw indicated that the county would have to pay for the legal proceedings, including attorney fees. Commissioner Hinkle moved to support the Families First Coronavirus Response Act in Granite County and to consider resolutions regarding the budgets for wages, if necessary. Commissioner Adler seconded the motion. Public Question: Is this the CARES Act? Response: County Attorney Blaine Bradshaw responded that this is a different act, this one is the FFCRA. There was no further public comment. The motion carried unanimously.

Sheriff's Office dispatcher DeAnna Hennager met with the Board to request that the Board supports legislation which would designate 9-1-1 dispatchers at the Granite County Sheriff's Office as First Responders. She reviewed the written material given to each Board member which stated that the step had been taken in several other jurisdictions. The Board noted the receipt of two letters of support; one from Philipsburg Fire Chief David Ray and one from Patrick Little, President of the Philipsburg Volunteer Ambulance Association. Commissioner Slaughter reviewed some of the benefits and responsibilities of the first responder designation. DeAnna Hennager requested that the Board do a symbolic proclamation in support of 911 Dispatchers being reclassified under the law as first responders. County Attorney Blaine Bradshaw agreed to review the information and draft a resolution supporting 911 dispatchers being defined as first responders under state and federal law. DeAnna Hennager said that she believes this is the first county in Montana to do this and that she appreciates the Board's support. Commissioner Hinkle moved to request the county attorney to draft a resolution in support of the legislation and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board held the first reading of Resolution 2020-7 "A Granite County Resolution To Lease The Granite County Medical Center Building in Philipsburg, Montana And The Drummond Outpatient Primary Care Clinic Building In Drummond, Montana." County Attorney Blaine Bradshaw noted that the newspaper notice has been published as required and he recommended that the Resolution be tabled until the second week in May. Commissioner Adler noted that when changes are made at those facilities that the Board should be notified about the changes in advance. Citizen question: What is the rent? Response: Currently it is \$1.00 per year per building and the lessee is required to do the maintenance. Commissioner Slaughter inquired if an inspection is ever done to be sure that the buildings are properly maintained. County Attorney Bradshaw responded that he was not aware of any inspections. Commissioner Adler moved to table the matter until the second week in May after proposals are opened on May 5, 2020. Commissioner Hinkle seconded the motion. Citizen comment: The Town of Philipsburg has regulations

(permitting system) regarding additions to buildings in town. The motion carried unanimously.

Following a closed session where the employee did not waive the right to privacy, Chairperson Slaughter opened the session. The Board reviewed the evaluations completed on a county employee with the employee. All three Board members had done an evaluation and all were satisfactory. The Board agreed that any change in pay would be considered at a future session.

Tri-County Sanitarian Chad Lanes met with the Board to discuss having a part-time office for him in the Granite County Courthouse, similar to the arrangements he has with Powell County and Anaconda-Deer Lodge County. He proposes to bring his own equipment and supplies, and it would provide better service to the citizens of the county. The hours could be posted on the county's website and noted on the agenda for several weeks. Chad Lanes proposes Monday from 9:00 a.m. to 1:00 p.m. each week. Commissioner Adler moved to provide office space in the courthouse for the tri-county sanitarian and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Commissioner Slaughter noted that the sanitarian will be an integral part of the reopening of restaurants and other businesses regarding proper sanitation when the current directives allow for food serving businesses to reopen.

Planning Director Linda Bouck met with the Board and reviewed the First Revised Granite County Family Transfer Policy as recommended by the Granite County Planning Board. Linda Bouck noted that family transfers are allowed under state law and the current policy puts a moratorium on the sale of the parent parcel and the created parcel for two years. The planning board felt that the restriction should not apply to the parent parcel, only to the created parcel, since the parent parcel should retain its original rights, including the right to be sold. Commissioner Hinkle inquired if subdivision covenants would still apply and Linda Bouck stated that all subdivision covenants would still apply. Commissioner Hinkle moved to adopt the First Revised Granite County Family Transfer Policy and Commissioner Adler seconded the motion. County Attorney Blaine Bradshaw noted that the original policy and the revised policy are both legal, but the revised policy is reasonable and is more equitable to the owner of the parent parcel. There was no public comment. The motion carried unanimously.

Commissioner Hinkle moved to approve the April 7, 2020 minutes as presented and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board considered the request for the county burial of a county resident who was also a veteran. The Board noted that there may be a partial payment of funeral expenses because the deceased was a veteran. The names involved are not listed in these minutes because the right to privacy exceeds the public's right to know. Commissioner Hinkle moved to approve the request and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried unanimously.

Public Comment: David Klumpar, Granite County taxpayer, would like to comment on the FLAP agenda item. He agreed to withhold his comments until the time scheduled for the FLAP agenda item. Andrew McFarland, a board member of the Georgetown Lake Homeowners' Association, commented that at one time county in-kind work could be included in the FLAP match. He agreed to withhold additional comments until the time for the FLAP agenda item.

Correspondence: The Board noted receipt of a letter from Maria Stoppler, CEO/DON of the Granite County Hospital District, expressing interest in continuing to lease the Granite County Medical Center Building in Philipsburg and the Drummond Outpatient Primary Care Clinic Building in Drummond.

Officials with the Western Federal Lands Highway Division (FHWA) met with the Board by telephone conference call to discuss matching funds for the Georgetown Lake Road Project (Lakeshore Drive, Forest Service Road 8686) through the Federal Lands Access Program (FLAP). The estimated total project cost is \$1,356,250 and the required match is \$182,000 (13.42%). Officials participating were Program Manager Samantha Shields, Program Manager Sheryl Snyder and Design Manager Curtis Jorgenson. Also participating was Pintler District Ranger Cameron Rasor. Samantha Shields reported that Sheryl Snyder will be handling this project in the future. She reviewed that this project began with the 2015-2016 application; due to other projects in the pipeline ahead of this project, activity on this project is just now beginning; and the projected timeline is design completion in 2021 and construction in 2022. Samantha Shields continued that the budget is based on the original proposed scope; the budget will be used to prioritize items within the scope based on budget; define budget and scope based on what is seen in the field; and no funds can be expended without agreement of all partners to get the project through the scoping process. She reviewed that the Forest Service has obligated \$90,000, RAC (Resource Advisory Committee) funds of which \$40,000 are committed, and the FHWA is waiting for a commitment of county funds of \$50,000 before the project can begin. Commissioner Slaughter stated that the county wants the project to meet the match so that there would not be any additional match funds required by the county. District Ranger Rasor noted that it is a public road and would be constructed to those standards. Commissioner Adler asked if the county road superintendent would be involved in the engineering and construction. Also, Commissioner Adler inquired about in-kind match on the project. Curtis Jorgenson said that they will work with the county road supervisor on the project. Commissioner Hinkle inquired whether the Board is committed to documents that were signed in 2016 and County Attorney Blaine Bradshaw stated that the Board is not legally required to enter into the agreement committing to providing certain matching funds as this is a political decision. Commissioner Slaughter read aloud a portion of the language from Granite County Resolution 2016-13 adopted on April 12, 2016 “. . . and that the local funding match (182,008.00) to the FLAP grant is financially obtainable, as determined in the sole discretion of the Board of Granite County Commissioners.” Commissioner Slaughter indicated that the language in Resolution 2016-13 would allow the county to not go ahead with the project if the funds were unavailable in the discretion of the Commission. Commissioner Hinkle noted that he did not have a chance to look at the road last week. He continued that he feels that no county funds should be put into a federal road. Commissioner Adler stated that the

road, when construction is complete, is what the county wants. Curtis Jorgenson said that the road standards will be met and the county will be involved in the project. Commissioner Slaughter inquired whether construction details will be known once the scoping is complete. Curtis Jorgenson indicated that the road would be constrained by the funding, including the match. Also, engineering judgment will be exercised throughout the scoping process. Sheryl Snyder reviewed the project budget and the proposed match. District Ranger Rasor noted that the Forest Service's \$90,000 is committed and the \$40,000 in RAC funds are committed and the county needs to vote on the \$50,000 of county funds. Sheryl Snyder indicated that the county is getting a good deal with a project of \$1.3 million for \$50,000 and she noted that the sooner they get the match document, the sooner the project can get started. Commissioner Slaughter called for public comment and there were none additionally to what was already given. All members of the FHWA then signed off the call. Commissioner Hinkle said that he objects to this meeting because he tabled the matter and he has not had a chance to look at the road. Commissioner Slaughter commented that the Forest Service has not improved the road in the five years that this project has been in the works. Commissioner Hinkle proposed that the Forest Service could join with the FHWA to rebuild the road and it would still be a Forest Service road; the Forest Service could contract with the county to maintain the road. District Ranger Rasor noted that the process started in 2015 and the Forest Service partnered with the county because the Forest Service does not have funds for a residential road, and there is a reason to move ahead at this time to get the project started. Commissioner Slaughter noted that there are 187 structures, all county taxpayers, directly served by the road. As public comment, Dan Villa, a Georgetown Lake resident, commented that Chuck Hinkle is putting up snow fence on the East Fork Road and he is fighting the use of \$50,000 for this road. Lisa Villa commented that residents of that area should have an improved road. Commissioner Hinkle said that he still feels that the Forest Service should improve the road. District Ranger Rasor said that there has been cooperation between the Forest Service and the county on many projects which could not have been accomplished individually. As public comment, David Klumpar said that the proposed road accesses the entire west side of Georgetown lake; a \$1.3 million project for \$50,000 is a great deal; all of Georgetown Lake contributes to the economic base of the county; property tax income at Georgetown Lake is proportionately larger than other areas of the county; the county maintains hundreds of miles of roads and 3.1 additional miles is not consequential; and the entire county benefits by the improved road. Also as public comment, Andrew McFarland, a board member of the Georgetown Lake Homeowners' Association, commented that if the road is brought up to the county standards, does that mean that eventually it would be paved? Commissioner Slaughter responded that future paving is not being discussed at this time, but the rebuilt road would provide for critical drainage, which the road does not have now. District Ranger Rasor reviewed that a master plan for Georgetown Lake would be nice and there are programs available in the future for additional upgrades of roads at Georgetown Lake. Commissioner Hinkle questioned where does this stop as the floodgates will be opened for future requests for the county to take over non-county roads. Commissioner Slaughter responded that it depends on the situation, location and population, and as a Commissioner you are faced with this situation continually with such being decided on a case by case basis. Commissioner Slaughter moved to commit the \$50,000 of match funds to move ahead through the scoping process on the Georgetown Lake Road FLAP Project. Commissioner Slaughter reiterated that the project financing would be re-visited

by the Commission after the scoping is completed. Commissioner Adler seconded the motion. There was no further public comment. Commissioners Slaughter and Adler voted in favor of the motion and Commissioner Hinkle voted to oppose the motion. The motion carried.

The session adjourned at 2:55 p.m.