

June 16, 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 Chairperson Bill Slaughter and Commissioners Scott Adler and Charles Hinkle attending. Also attending was County Attorney Blaine Bradshaw and Executive Assistant Mike Kahoe. The session convened with the pledge of allegiance. 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).

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

The Board discussed the Property and Casualty Insurance Renewal for the 2020-2021 fiscal year through the Montana Association of Counties (MACo). The Board discussed the possibility of having a different insurance carrier, other than MACo. PayneWest Insurance Agent Rody Holman informed the Board that there is not enough time this year to research other insurance possibilities for the county, but that he will have that information well before the MACo insurance renewal next year. Commissioner Hinkle moved to continue with the MACo insurance for the 2020-2021 fiscal year and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his weekly report. The report included that Missoula County wanted to get some of the asphalt millings and the Board declined the request. A real estate agent from Missoula has a client looking at a ranch in the Elk Creek area and the client may be agreeable to widening the road and he will wait until the real estate offer is actually made before bringing a proposed plan to the Board. Also, he may be able to trade several old vehicles to Doug Miller for partial payment for a water tank. He will bring a proposal to the Board.

Concrete barriers donated to the county by the Montana Department of Transportation were discussed. Commissioner Hinkle moved to give 20 barriers away and Commissioner Slaughter seconded the motion. There was no public comment. The motion carried unanimously. An advertisement will be run in the *Philipsburg Mail* newspaper on June 25, 2020 stating that the free barriers would be given away to the local public on a first come, first served basis.

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 6.00 inches above full pool. The outflow is estimated at approximately 41.7 cfs according to the USGS outflow gauge. Commissioner Hinkle moved to increase the outflow to 80 cfs. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. The Board contacted Paul Talon with Flint Creek Hydro to make the increase. The Board noted that once again Brad Liermann with FWP (Montana Fish, Wildlife and Parks) did not participate in this agenda item or contact the Board regarding the lake level.

Granite County Board of Health met with Dr. Mark Ransford, Commissioners Slaughter, Adler and Hinkle present, constituting a quorum of the Board of Health. Dr. William Reiter did not attend. Dustin Muhly, county PHEP (Public Health Emergency Planning) Coordinator, reported that there are more cases in Montana, likely due to increased testing. Still no confirmed cases in Granite County. He is taking stock of the mobile unit and stocking things it needs. He is looking at Granite County Museum and Drummond Community Hall as vaccine sites. He is reviewing the Quarantine Policy and he is also reviewing the Influenza Plan. He will bring both policies in next week to be adopted the following week. He is getting PPE (Personal Protective Equipment) equipment to have on hand and getting three personal oxygen sensors. Dustin Muhly said that he will coordinate with the sheriff, hospital and county health when ordering materials and supplies. Regarding Board of Health matters, Dr. Mark Ransford has forwarded the Board's comments to Joe Brabender at the Forest Service regarding their proposed COVID-19 fire plan, but he has not had any response. There was discussion regarding whether people can be made to stay at the Incident Management Team site and not use local motels. Commissioner Hinkle stated that it is only for this summer due to COVID-19 that the Board request that the people stay at the fire camp. County Attorney Blaine Bradshaw noted he did not have an issue with Commissioner Hinkle's proposed revisions to the United States' Forest Service COVID-10 fire plan, but it was his legal opinion that the Board of Health cannot selectively prohibit the Forest Service's incident team management leaders from staying in local motels (and other lodging) when the Board allows such with local tourists in similar circumstances. The legal opinion was that this type prohibition would be an unconstitutional equal protection violation. Commissioners Hinkle and Slaughter disagreed with the County Attorney's legal opinion as they believed that incident management team leaders will likely be in a different situation than ordinary tourists since they may be fighting fires in other states in close quarters in which social distancing would not be observed. Dr. Mark Ransford noted that tourists coming from all over are in all the local businesses and motels. Emily Petrovski, with the *Philipsburg Mail* newspaper, commented and said that Camp Mak-A-Dream kids couldn't come to town under these type restrictions. It was agreed that it can be strongly recommended, but that the Board of Health would not prohibit firefighter leaders from staying in local motels and other lodging. The Board suggested that a meeting be held with the Board prior to the fire camp being set up. It may be able to be set up where services and supplies can be offered to firefighters at the camp. Dr. Ransford noted that the Forest Service guidelines keep the people at the fire camp. The Board noted that people using fire camps have been constantly in close quarters in other fire camps. Testing could be required on arrival for all firefighting personnel. Dustin Muhly will bring it up during the next conference call regarding the state's policies about fire camps and how they are handled. Dr. Ransford has spoken with Mr. Martell regarding the mud bogging and what would be required to make it safe. It may be held over Labor Day. Discussion was held on the signs stating "STOP the Coronavirus" and it was agreed that the STOP should be covered up on the sign near Drummond where people are stopping at the sign. Dr. Ransford reported that the Silver Mill will not reopen and word is that the Up 'N Smokin' barbecue café is moving to Missoula.

The Board reviewed county claims for May 2020. The claims were approved and ordered paid on the motion of Commissioner Adler and second by Commissioner Slaughter. There was no public comment. The motion carried unanimously.

Granite County litigation regarding the Bear Gulch Road was discussed with County Attorney Blaine Bradshaw. He reported that he has contacted Richard Komberec's attorney, has had no response, and the draft Civil Complaint "Granite County v. Hellgate Equipment LLC, Charles Richard Komberec, and John Does 1-5" is ready. The Board gave County Attorney Bradshaw one more week to get Komberec's attorney to respond and the matter will be put on next week's Board agenda.

County Election Administrator Sarah Graham met with the Board to canvas the results of the June 2, 2020 Primary Election. The results were declared official on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously. Election results are as follow:

(Insert scanned election results here.)

County Extension Agent Ben Hauptman and Tri-County Fair Board member Katie Burden met with the Board to give a Tri-County Fair update and to discuss the requested \$3,000.00 payment to support the fair. Katie Burden reported that the Tri-County Fair will proceed as normal with adjustments for what stage the COVID-19 is in, but at a minimum the 4-H part of the fair will proceed. Also, the animal sale may be held online, which has been very successful in the past, and meat processing facilities have been lined up. Commissioner Adler moved to pay \$3,000.00 to support the fair and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board reviewed the Georgetown Lake Dam (Flint Creek Project) Emergency Action Plan prepared by Great West Engineering and Safety/DES Coordinator Jackie Bolster dated December 2019. Commissioner Adler moved to approve the Emergency Action Plan and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. The Board's signatures on the document were notarized. Scott Sylvester with the *Philipsburg Mail* newspaper attended.

The Board reviewed the revised form for an Application for Encroachment Permit for County Roads. County Attorney Blaine Bradshaw noted that there some small changes made to have the form follow the way the form is actually used. The one-time application fee would remain at \$200. Commissioner Adler moved to approve the revised form and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board reviewed a new form for Application for Encroachment Permit for Georgetown Lake (Walk Pathways Across County Property). The application was designed specifically for use at Georgetown Lake because the encroachment permit application for county roads did not fit the Georgetown Lake circumstances. The proposed permit, drawn up by County Attorney Blaine Bradshaw, had been reviewed and approved by Planning Director Linda

Bouck. Commissioner Hinkle moved to approve the new form and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. An Encroachment Permit was previously granted to a Georgetown Lake resident which called for a fee to be paid annually. The Board agreed to stop the annual fee in view of the new Encroachment Permit Application, which does not require an annual fee, just a one-time application fee of \$200.00. Commissioner Hinkle moved to stop the annual fee on a previously issued Encroachment Permit and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Public Comment: Philipsburg Mayor Daniel Reddish met with the Board to correct a mutual mistake in the Interlocal Agreement for General Law Enforcement Services for the Town of Philipsburg, which is a four-year agreement from July 1, 2019 to June 30, 2023. The actual dates of the contract term are correct in the Agreement, but a reference to the term of years needed to be changed from “three” to “four” years. Under heading (1) Statement of Agreement, paragraph 1.1, the word “three” was changed to “four” and initialed by Mayor Reddish and Commission Chairperson Bill Slaughter. Discussion was held on the Forest Service’s Wildland Fire Response for COVID-19, including ways to continue business operations while keeping people safe.

Correspondence: The Board considered an email from Joe Nye with the FAA (Federal Aviation Agency) regarding the Board’s decision not to accept the \$1,000 CARES (Coronavirus Aid, Relief, and Economic Security Act) grant for the airport. The Board agreed to send a letter, as requested, to the FAA regarding the Board’s decision. The Board also received notification from independent auditor Donald Davies stating that he will not be able to complete the 2018-2019 audit by the scheduled deadline of June 30, 2020 due to the COVID-19 situation. He has notified the state Department of Administration. The Board also received notice from the U.S. Forest Service that the county’s application for RAC (Resource Advisory Committee) funds for improvements to the Stony Creek Bridge was not funded..

Commissioner Hinkle moved to approve the June 9, 2020 minutes as presented and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Victim-Witness Advocate TJ Viotor met with the Board regarding program funding for fiscal year 2020-2021. She reported that the Board of Crime Control had denied the grant application for 2020-2021, although \$2 million remained unallocated. She proposed a budget for the new fiscal year which the county would have to cover without grant support. County Attorney Blaine Bradshaw noted that the Professional Witnesses line item in his budget has routinely been minimally spent and this customary budget amount of \$10,000 could potentially be shared with the Victim-Witness Advocate budget for the 2020-2021 fiscal year. Commissioner Slaughter suggested that the grant application should be reviewed by County Attorney Blaine Bradshaw in the future before it is submitted. The proposed budget submitted by TJ Viotor was approximately \$19,000.00 for the 2020-2021 fiscal year. She noted that she has run the program for over 20 years. The Board indicated that the program

is essential to the county and there is a possibility that it could be budgeted annually as a line item in the County Attorney's budget while still applying for grant funds in the future. TJ Vietor agreed to present a budget for the Board's consideration at budget time. Also, TJ Vietor noted that surcharges from court fines go to support the Victim-Witness Advocate Program, although the surcharges have been dwindling in recent years. The possibility of a fund raiser was discussed.

The Board reviewed the Local Government Entity Certification Form for Reimbursement for Local Governments by the Governor's Coronavirus Relief Fund. The reimbursement is for additional expenses incurred by the county due to the novel Coronavirus (COVID-19). Commissioner Adler moved to approve and sign the form. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The session adjourned at 3:00 p.m.