

June 9, 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).

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his weekly report. The report included that there is no point in putting asphalt millings on Bear Gulch Road if equipment with tracks is going to be walked on it. County Attorney Blaine Bradshaw said that signs could be posted now that do not allow vehicles with tracks on the Bear Gulch Road, which is a county road. On another subject, Paul Alt said that existing concrete barriers on Rumsey Road will be opened up to allow the water to run off.

Georgetown Lake level was reported at 6,429.71 feet, according to the USGS gage and the dam tender's report. The lake is approximately 2.52 inches above full pool. The outflow is estimated at approximately 41.7 cfs according to the USGS outflow gauge. The Board reviewed the email from Dave Amman dated 6-8-2020. Commissioner Adler moved to increase the outflow to 45 cfs. Commissioner Hinkle 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 (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, sent a written report that general population testing should start this week or next at the Granite County Medical Center. Dr. Ransford noted that the "Stop COVID-19 Coronavirus, If you are ill Stay at home" signs are up in several places around the county. He noted that there are no confirmed COVID-19 cases in Granite County and no one is under quarantine at this time. Dr. Ransford noted that the Senior Center in Drummond can open provided that social distancing is observed. He has not yet spoken with the Senior Center people in Philipsburg. The Forest Service Wildland Fire Response for COVID-19 was discussed. Commissioner Hinkle suggested that more distancing could be utilized. It was agreed that the document would be marked up with suggestions and reconsidered at the next meeting. Dr. William Reiter sent a written comment that the plan emphasizes aggressive testing of personnel. He had no other comment on the document on the physician level.

The Board reviewed a report from Tri-County Sanitarian Chad Lanes, including a list of septic disposal options for Granite County residents, including septic pumper names and telephone numbers. The businesses on the list are able to come into Granite County, pump

a septic tank and return to their home county to dump it. The report also contained the Certified Installer Report from Doug Benson for a septic system for property owner Dan Semmens at Moose Lake Acres #1. Chad Lanes also reported that he is continuing to research the feasibility of setting up a common land application site somewhere within Granite County for septic pumpers to dispose of septic waste for the benefit of Granite County residents. The Board agreed to put the list of available septic pumpers on the county's website and reference it in an advertisement in the *Philipsburg Mail* newspaper. The action was taken on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

The Board considered the CARES (Coronavirus Aid, Relief, and Economic Security) Act Grant Offer and Grant Agreement for Riddick Field for a \$1,000.00 grant. The Board held discussion that Riddick Field had not suffered any damage due to the Coronavirus pandemic and that by not accepting the CARES Act grant that another airport which did suffer damage due to the Coronavirus could better use the funds. Also, it was felt that these grants add to the federal deficit. Commissioner Hinkle moved to not accept the grant. Commissioner Adler seconded the motion. 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 they have one more week to respond or the Civil Complaint "Granite County v. Hellgate Equipment LLC, Charles Richard Komberec, and John Does 1-5" will be filed with the District Court.

The Board held the second reading of Resolution 2020-14 "A Granite County Resolution Abandoning The Portion Of Princeton Road From Montana Highway 1 To Maxville Road." Louis Polinsky attended and the space for a vehicle turnaround on his property adjoining the road to be abandoned was discussed. Commissioner Slaughter noted that the decision is based on whether the road is useful to Granite County now or in the future, just as stated in the County Surveyor's Report that "the public has no benefit to keeping this road open and it should be formally abandoned per the submitted petition." Commissioner Slaughter moved to abandon that portion of Princeton Road and adopt Resolution 2020-14. Louis Polinsky stated that he has been using a portion of that road for twenty years. Commissioner Hinkle seconded the motion. The motion carried. Commissioner Adler recused himself from voting or signing the Resolution because he had signed the petition to abandon the road as he owns property in the area.

A meeting of the Granite County Compensation Board was held to set the salaries of Granite County elected officials. Members attending, including the three Commissioners, were County Attorney Blaine Bradshaw, Treasurer Vicki Harding, Clerk and Recorder Sarah Graham, Clerk of District Court Carol Bohrsen and citizen members Cathy Smith and Terrie Wilson. A quorum of the Compensation Board was present. Sheriff Scott Dunkerson did not attend and citizen member Hal Seward notified the Board that he was unable to attend due to a family emergency. Each member had received a history of the Consumer

Price Index (CPI) from 1975 to 2019 which stated that the CPI for 2019 is 1.8%. Discussion was held on what was done last year. County Attorney Bradshaw noted that he had drafted some legislation that county sheriffs are due hazard pay and it seems to be gaining support. Cathy Smith noted that many businesses lost revenue due to closures because of the Coronavirus pandemic. Commissioner Slaughter noted that many county employees worked hard, even when the courthouse was in lock-down, and county business continued uninterrupted. Terrie Wilson moved to give elected officials a 1.8% COLA (Cost of Living Allowance) effective July 1, 2020 and Treasurer Vicki Harding seconded the motion. There was no further comment. The motion carried with County Attorney Blaine Bradshaw and Clerk and Recorder Sarah Graham voting to oppose the motion.

As public comment, Wayne Yack met with the Board regarding a washout on the Felan Gulch Road and the Board referred him to Road and Bridge Superintendent Paul Alt.

The Board considered a Cost of Living Allowance (COLA) for county employees and elected officials. Commissioner Adler moved to give county employees and elected officials a 1.8% COLA effective July 1, 2020 and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

Sheriff Scott Dunkerson met with the Board to discuss an abandoned backhoe that had been sold at sheriff's sale for \$3,800.00. Sometime after the sale, Robert L. Deschamps informed the sheriff that the backhoe was his and he requested that the proceeds from the sale be transferred to him. County Attorney Blaine Bradshaw noted that the sheriff followed the proper procedure in selling the backhoe as abandoned, including the required advertising and sale. The backhoe was sold by the sheriff as abandoned and then the owner, Robert L. Deschamps, came forward later. Discussion was held that the expenses of the sale, including the advertising, clerk expenses and other costs, should be withheld from any payment to the owner, if one is made. County Attorney Blaine Bradshaw noted that this is not a legal decision, but a moral decision. Commissioner Adler moved to give \$3,500 of the proceeds from the sheriff's sale as payment in full to Robert L. Deschamps with the county retaining \$300.00 for expenses related to the sheriff's sale. Commissioner Hinkle seconded the motion. There was no further comment. The motion carried unanimously.

The Board considered a counter-offer response to Flint Creek Hydro's financial proposal letter dated May 12, 2020. The counter-offer letter refutes statements made in Flint Creek Hydro's letter and proposes that Granite County receive 23% of the revenues to cover the cost of operating the dam under the FERC (Federal Energy Regulatory Commission) regulations. Commissioner Adler moved to send the counter-offer letter to Roger Kirk with Flint Creek Hydro and his attorney Matt Williams. Commissioner Hinkle seconded the motion. Blanche McLure commented on the motion and inquired about budgeting for routine maintenance costs. The Board responded that maintenance costs are unknown because it is not known what studies and repairs FERC will require in the future. There was no further public comment. The motion carried unanimously. Commissioner Slaughter commented that a public meeting should be scheduled to update the public on the situation that the Flint Creek Dam Fund is in a deficit position and that this Commission has no

appetite for putting public funds into this project. Discussion was held that a public meeting would be scheduled after a response to the county's counter-offer letter is received from Flint Creek Hydro. Attending were Scott Sylvester with the *Philipsburg Mail* newspaper, Ernie Fulk, Blanche McLure and Gail Leeper. County Attorney Blaine Bradshaw excused himself from the session at 1:15 p.m. due to a personal emergency.

An update of the Interlocal Agreement For General Law Enforcement Services with the Town of Drummond was discussed with Drummond Mayor Gail Leeper. The agreement includes a 2% increase each year, the same as the agreement that the Board previously made with the Town of Philipsburg. The term of the agreement is July 1, 2020 through June 30, 2024. Mayor Gail Leeper noted that the town gets more law enforcement than the agreement specifies and she is in favor of the agreement, but it will be brought before the Drummond Town Council for a vote. Commissioner Hinkle moved to adopt the agreement and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Courthouse custodian Janeen Bonney met with the Board to discuss masonry work that she recommends be done on the courthouse and jail buildings. Janeen Bonney reviewed that repointing on some of the brick on both buildings needs to be done. County Attorney Blaine Bradshaw has drawn up an advertisement for bids which will be due on July 10, 2020. Commissioner Adler moved that the project be advertised and that a pre-bid walkthrough for the Board and prospective bidders be held prior to the bid. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. On another subject, Janeen Bonney reported that the courthouse roof, which was installed last summer and a small repair completed this spring, is holding up well.

The Board reviewed an application for appointment to the Granite County Airport Board from Ernie Fulk of Philipsburg, an aircraft owner and operator. Commissioner Hinkle moved to appoint Ernie Fulk to the Granite County Airport Board for a term ending October 2, 2020. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. The Board noted that there are now no vacancies on the Airport Board. Attending were Ernie Fulk and Vince Reece. Scott Sylvester and Emily Petrovski with the *Philipsburg Mail* newspaper also attended.

Public Comment: Emily Petrovski with the *Philipsburg Mail* newspaper asked for a comment regarding the noose hanging in the tower of the jail. The Board responded that it is the County Attorney's opinion that the jail is the Sheriff's operation and it is the sheriff's decision whether to leave it there or remove it. There are rumors circulating about a petition to have the noose removed and also about a petition to keep the noose in place. Emily Petrovski noted that the noose has been there since 1983 when Marvin Dagal was Sheriff. The Board felt that the noose is a part of the history of frontier justice.

Correspondence: The Board noted receipt of the On-Going Progress Report dated May 29, 2020 from KLJ Engineering on the Riddick Field Master Plan Project.

Commissioner Hinkle moved to approve the June 2, 2020 minutes as presented and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The session adjourned at 2:45 p.m.