

August 11, 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). Masks were worn by many people in attendance. The session was livestreamed through the Zoom computer program available to the public, and the public was also allowed to attend in person.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his report. The report included that the lease with Linda Smith for the storage of asphalt millings is in progress. The entire crew is applying asphalt millings on various county roads utilizing additional contracted trucks to haul millings. The proposed county road budget for fiscal year 2020-2021 was discussed and Paul Alt is getting prices on a mower.

Jacob Pierson, Foreman with Battle Ridge Builders and engineer Jonathan Weaver with Great West Engineering met with the Board for the first weekly coordination meeting on the continuation of the Flint Creek Dam Rehabilitation (Dam Face and Spillway) Project which began last year. Jonathan Weaver presented a written update report. Jacob Pierson reported that the warranty work began yesterday with sand blasting of the joints in the spillway; also, preliminary work is being done on the coffer dam. Commissioner Adler suggested that a part of the gabion mat should be looked at below the outlet pipe. It was noted that the FERC (Federal Energy Regulatory Commission) had responded to the dewatering plan and had stated they would require an engineer's stamp; however, engineer Bill Lloyd did speak with Regional Engineer Douglas Johnson of the FERC Portland Regional Office after they received the plan and it was worked out that FERC would not require an engineer's stamp. Jonathan Weaver noted that the FERC did not even respond to the plan sent to them last year. Jacob Pierson reported that there will be two concrete pours, so they will likely need the road closed (just one lane) across the dam at limited times in August 2020 and there will likely be no complete road closures needed. There will public notice given prior to any road closures. A submittal was presented by Jonathan Weaver for Rubberizeit Dura-Rubber to replace the caulking which came loose on the spillway joints this spring. The Board selected a dark blue color to contrast with the concrete of the spillway. The tightening of the boat barrier cable will be done at the end of construction. The plan is to have construction completed by the end of August.

Georgetown Lake level was reported at 6,429.36 feet, according to the USGS gage and the dam tender's report. The lake is approximately 1.68 inches below full pool. The outflow is estimated at approximately 48.4 cfs according to the USGS outflow gauge and the dam tender's report. Commissioner Slaughter reported that on August 9, 2020 the Board agreed to terminate the flow down the creek and set the outflow through the power plant at approximately 45 cfs. He noted that the lake was approximately one inch below full pool at that time. Today, Commissioner Hinkle moved to make no change in the outflow and

Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board reviewed the draft First Amended Internal Policy regarding Georgetown Lake (adding spillway usage policy). County Attorney Blaine Bradshaw noted that public comment from John Groomes was that the policy should be simplified and state the Commission will operate the dam and spillway as it has been historically operated. The Board discussed potential changes in the document that would allow some latitude for the Commission. Commissioner Slaughter moved to strike the last paragraph to give the Board flexibility. Commissioner Adler seconded the motion. Commissioner Hinkle commented that the last paragraph should be simplified. Commissioner Slaughter modified his motion to state that the last paragraph should be simplified and Commissioner Adler agreed to second the modified motion. Chuck Stokke said that he concurred that the Commission should have the flexibility to make the more user friendly. The policy was tabled and a work session will be scheduled soon to include some people from Georgetown Lake, ranchers and FWP. Chuck Stokke noted that there is turnover in the Commission and a reworded statement would make is easier during those transitions.

Dustin Muhly, county PHEP (Public Health Emergency Planning) Coordinator, met with the Board and reported that there are twelve (12) active COVID-19 cases in Granite County and contact tracing is being done. Ninety-seven new active cases state-wide yesterday.

The Granite County Board of Health met with Commissioners Bill Slaughter, Scott Adler and Charles Hinkle present. Dr. William Reiter and Dr. Mark Ransford were absent. A quorum of the Board of Health was present. The sanitarian and the assistant sanitarian are planning to go around the county and educate local food service businesses on proper face coverings and other safety procedures in light of COVID-19. Commissioner Slaughter noted that he has observed that the use of masks has declined since they were mandated. Commissioner Adler noted that people are tired of being told what to do by the government and he feels that everyone needs to take a step back and reassess the situation. Dustin Muhly noted that the governor's mandate is in effect now because there are more than four active COVID cases in the county. The IMT (Incident Management Team) will meet tomorrow morning to discuss face covering use. Dustin Muhly has made a flyer that hand sanitizer is available at no cost. Scott Sylvester commented on the importance of working through this together. Dustin Muhly suggested that the HAN (Health Alert Network) messages could be linked to the county website and he will rewrite some of the HAN language so that it is not so medical. John Spaeth commented that everyone is concentrating on one thing, the masks, at this time, and he questions the efficacy of using them to protect against COVID-19. The Board will wait for any suggestions from the IMT. Scott Sylvester with the *Philipsburg Mail* newspaper attended.

The Board held a budget work session on preliminary budgets with Clerk and Recorder Sarah Graham, who reported that a county mill this fiscal year is \$13,224. Dustin Muhly presented a budget for the Philipsburg Library. Elena Gagliano commented that the Board should have received the budget information before now. Commissioner Slaughter

responded that the valuation was only recently received from the Montana Department of Revenue.

The Board did not consider the proposed agreement with the Philipsburg Marketing Group for redesign and maintenance of the county's website. County Attorney Blaine Bradshaw indicated that he is meeting with the group tomorrow to discuss the proposed agreement draft and some potential minor changes. The Board tabled the item until next week.

The Board reviewed the application of Mike Cutler for the Flint Creek Fire Service Area Board. Commissioner Adler moved to appoint Mike Cutler to the board with a term ending on October 2, 2023. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. The Board noted that one vacancy remains on that Flint Creek Fire Service Area Board.

The Board discussed the location of the Public Health Nurse Office in the courthouse. Judge Deborah Fratzke participated by speaker telephone and explained that the public health nurse's office is next to the Justice Court in the courthouse and sometimes there are noisy children when vaccinations are given; also, when it returns to normal times there will be prisoners passing by the Public Health Office. The Board agreed to investigate having the nurse change to a different day of the week that does not conflict with Justice Court days of Monday, Wednesday and Friday. Commissioner Slaughter moved to have the Public Health Nurse Office and the Solid Waste Department Office on the lower level of the courthouse swap offices to avoid any conflict with the Justice Court. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board discussed the publication of county notices in a newspaper. The Board discussed putting those publications out for bid. Commissioner Adler moved to put those publications out for bid to any legal newspaper in Granite County. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. The Board requested that County Attorney Blaine Bradshaw draw up the bid notice.

The Board reviewed proposed USGS Agreements with Granite County for two Georgetown Lake gages, one for measuring lake level and one for measuring water outflow from the lake. Agreement # 20RAJFA033 is for streamgaging to measure water outflow from April 1, 2020 to October 31, 2020 with Granite County's cost of \$6,780 and USGS cost of \$4,950. Granite County's cost is to be split with the Georgetown Lake Homeowners' Association, by agreement. Agreement # 20RSJFA034 is for lake level measurement from October 1, 2019 to September 30, 2020 with Granite County's cost of \$2,860 and USGS cost of \$1,900. The Board discussed that the gages provide valuable information for the management of the lake. Commissioner Hinkle moved to approve the two agreements and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

County Attorney Blaine Bradshaw updated the Board on the litigation regarding the Bear Gulch Road and Mr. Richard Komberec. He reported that Mr. Komberec's attorney has sent some discovery requests (including interrogatory questions and requests for production) that need to be answered and some documents produced. He plans to get together later this

week with Road and Bridge Superintendent Paul Alt and Commissioner Adler, both of whom were directly involved in the road matter, to respond to the questions.

Public Comment: Suzy Browning discussed putting notices in the local newspaper and if it needs to be bid every year. County Attorney Blaine Bradshaw indicated that it is not required to be bid every year, but it is a good idea to be done now. Commissioner Slaughter explained that the local newspaper had recently refused a publication due to its strict publication deadlines so a required notice to bid was published in the *Missoulian* newspaper because of time constraints in getting the project done this fall. On another subject, Suzy Browning noticed that there is a bid notice going out for sand, but there was not one for gravel purchases. It was noted that the gravel will be under \$80,000 (publicly bidding not required), and the county wants to select the local gravel that is purchased due to quality issues. On another subject, she inquired if the county equipment to be traded in on a water truck was appraised, to which the Board responded that it was, and whether any of the items were valued over \$2,500.00. County Attorney Blaine Bradshaw noted that there is a trade-in exception to the public auction rule for county property under Montana law at MCA 7-8-2211. John Spaeth commented that S&N Concrete has the best price on sand. The Board noted that anyone can bid as it is a public bid. Elena Gagliano commented that the meetings should be recorded, the minutes should be approved in the morning, and the Road Superintendent should present a written report. There was no further public comment.

Correspondence: The Board noted receipt of a letter date August 7, 2020 from Granite County Clerk and Recorder/Election Administrator Sarah Graham stating that she has determined that a mail ballot election is the most economical, administratively feasible and safest method of conducting the 2020 November general election. A written plan for the election was attached to the letter and she noted that the Commission has the right to object, if done by formal resolution. Sarah Graham met with the Board and noted that there are two ways to do the election, but a mail ballot is the way she would prefer. She plans on having a ballot drop-off place in Drummond on election day. Also, people can vote in person at the courthouse any time from October 2, 2020 to, and including, November 3, 2020. She noted that the primary mail ballot election worked very well with a great turnout for a primary election. Also, she voiced concern about getting enough election judges to staff every precinct. She noted that 52% of the county's registered voters are on the permanent absentee ballot list, which means that they automatically get a ballot for each election by mail. She explained that there is a system to avoid counting more than one ballot if someone would send in more than one ballot. There was limited discussion about what is good for this state and other states; the cost of elections; the difference between an absentee ballot election and a mail ballot election with all such discussion being made to clarify Sarah Graham's position and plan. Sarah Graham noted that she has heard comments from the public that their biggest concern is mail delivery. The Board agreed to put the matter on next week's agenda. Suzy Browning commented that she is in favor of a mail ballot election.

Commissioner Adler moved to approve the August 4, 2020 minutes and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board postponed the budget work session with Clerk and Recorder Sarah Graham until further information is available.

The session adjourned at 2:40 p.m.