

August 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 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 to view the session and comment, and the public was also allowed to attend in person and provide comment.

The Board referred to the advertisement for sand, which was published in the August 13 and 20, 2020 issues of the *Philipsburg Mail* newspaper. The two bids received were opened at 9:00 a.m. by Executive Assistant Mike Kahoe. The bids were:

**Bob Weaver Construction: 2,000 yards sand @ \$8.00 per yard - \$16,000.00
Option of 1,000 yards sand delivered to Hall - \$6,000.00**

**F&R LLC: 2,000 yards sand - \$19,540.00
Optional delivery by Truck - \$13,035 or Truck & Pup Trailer - \$9,800.00**

The Board discussed purchasing half of the sand from each bidder. County Attorney Blaine Bradshaw explained that purchasing half of the sand from each bidder would be acceptable under Montana law as the bids are well under \$80,000. Commissioner Adler moved to purchase 1,000 tons of sand from each bidder with the county doing all of the transporting. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

Purchase or rental of mower: Paul Alt said he is getting a price from John Deere. He has a price from Normont. The decision was postponed by the Board until the budget can be reviewed. This purchase will be through a Sourcewell vendor and would be exempt from any further public bidding as the pricing has already been publicly bid and there is a statute allowing for this exemption.

Upgrade of mini-excavator: The Board postponed the decision on a next-size-larger excavator and whether to purchase or rent the machine.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his report. The report included that work is continuing on hauling and placing asphalt millings donated by the Montana Department of Transportation.

Jeremiah Theys with Great West Engineering, met with the Board for a brief report on the Flint Creek Dam, Dam Face and Spillway Rehabilitation Project. He reported that Jacob Pierson, foreman with contractor Battle Ridge Builders, would not be attending today as he and his crew are working on getting the coffer dam operational. Jacob Pierson will meet

with the Board, as scheduled, next week. Jeremiah Theys reported that most of the effort has been on installing the coffer dam, which will push the piezometer work to the end of the project following the concrete pours. He presented a written construction progress report, which included one-lane road closure on the road across the top of the dam on Thursday afternoon for one to three hours and he noted that the spillway work is complete. Jeremiah Theys reported that the county needs to do the annual dam inspection because the FERC (Federal Energy Regulatory Commission) will not be doing the inspection due to the COVID-19 pandemic. He suggested that it may be possible to have a local person complete the report. Commissioner Adler suggested that it may be best to have a licensed engineer do the inspection in conjunction with a construction inspection. Commissioner Adler moved to have Great West Engineering complete the Owner's Dam Inspection Report to be paid at Great West's customary rates. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Jeremiah Theys indicated that he has reached out to Jason Thom of DOWL Engineering to do the Part 12-D independent inspection on the Flint Creek Dam due by 2021. Jason Thom is reviewing the new regulations that the FERC has adopted for Part 12-D inspections before he commits to doing the inspection.

Georgetown Lake level was reported at 6,429.02 feet, according to the USGS gage and the dam tender's report. The lake is approximately 5.76 inches below full pool. The outflow is estimated at approximately 76.3 cfs according to the USGS outflow gauge. Commissioner Hinkle moved to reduce the outflow to 30 cfs today as previously agreed and revisit the matter next week, and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously. The Board contacted Paul Tallon to reduce the outflow to 30 cfs today. Chuck Stokke attended.

Dustin Muhly, county PHEP (Public Health Emergency Planning) Coordinator, met with the Board and reported that there is one (1) active COVID-19 case in Granite County (and this one person will be removed from active COVID-19 list this afternoon). There are 6,489 total cases state-wide as of yesterday. Flu clinics are planned with the county health nurse in early August in Drummond and Philipsburg. He noted that hand sanitizer is in very good supply and it has been distributed to the schools. There is a good inventory of masks and gloves being kept at the courthouse. He is working through the truck and train wreck protocol and he will have it ready for approval at next week's meeting. Scott Sylvester with the *Philipsburg Mail* newspaper attended.

The Granite County Board of Health met with Dr. Mark Ransford, Commissioners Bill Slaughter, Scott Adler and Charles Hinkle present. Dr. William Reiter was absent. A quorum of the Board of Health was present. Dr. Ransford reported that the last quarantined person in the county is going off quarantine today which means that there will be no active COVID cases in the county. He has reviewed the plans (back to school plans and sports plans) for COVID-19 with all the schools and he agrees that the school plans should be tried. In response to a public question, he noted that once a person is out of quarantine, they are no longer contagious and can go about their normal business. Scott Sylvester with the *Philipsburg Mail* newspaper attended.

Treasurer/County Superintendent of Schools Vicki Harding met with the Board and presented the budgets and financial summaries for county schools. Commissioner Adler moved to accept the budgets and Commissioner Hinkle seconded the motion. Scott Sylvester with the *Philipsburg Mail* newspaper inquired if there was any obvious increase in any of the budgets due to the COVID-19 pandemic. Treasurer Harding replied that the budgets are very comparable to the previous year. The motion carried unanimously.

The Board considered an application for appointment to the Flint Creek Fire Service Area Board from Doug Benson. Commissioner Hinkle moved to appoint Doug Benson to the position with a term expiration of October 2, 2022. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

County Attorney Blaine Bradshaw gave a report on the Bear Gulch Road Case with Mr. Richard Komberec. He reported that he is working on the discovery responses and he feels that Planning Director Linda Bouck would be an expert witness and he is looking for an additional independent expert witness and potentially a knowledgeable witness from the BLM. He would come back to the Commission to approve the independent expert witness and his/her fees. He expects that it would not be a lengthy trial.

Patrick Little, president of the Philipsburg Volunteer Ambulance, met with the Board to discuss Sheriff Dunkerson's concern that many calls for the Philipsburg Ambulance go unanswered. Commissioner Slaughter inquired if there is any way the Board can be of assistance. Patrick Little noted that there are many people in Philipsburg on the weekends and they are getting calls that are not emergencies, like people needing assistance getting into a wheelchair, which is not an appropriate ambulance call. He feels that it is time to determine what the EMS program in the county is going to look like in the future. He feels that a call-out schedule is important and more EMT's are needed. Also, legislatively there could be a pension plan similar to volunteer fire fighters. Many EMT's are at the age where they are vulnerable to COVID so they do not go on runs. He is working on getting a couple of grants and a possible donation to help with the group's budget. Commissioner Slaughter noted that in Drummond there are a few anchor people on that ambulance. Frank Prince, Drummond Ambulance, estimated that annually the cost of a year of on-call is estimated for that group at \$55,000.00 per year. Patrick Little said that an on-call schedule could include some times which are paid and some which are volunteer. He doesn't feel that getting additional EMT's is the answer if they are not available to answer calls. Commissioner Slaughter suggested that a group with the right people in the room could suggest some answers and get a plan together to present to the Board. Patrick Little said that would be a good start. Frank Prince said that getting a group together is a good idea as needs in each end of the county are different. Commissioner Slaughter suggested that the sheriff's department, fire fighters and both towns should be included. Monica Prince stated that she is a volunteer EMT and does it to lift the community up; also, she indicated that there may be liability issues if some EMT's are paid and some are not. Patrick Little said that he is willing to get together with some other people to come up with a plan. County Attorney Blaine Bradshaw indicated that an informal committee does not need any formal action by the Board (no resolution or bylaws required), but that meetings should be open to the public and noticed accordingly. Commissioner Slaughter requested that names be submitted that could be part of a working

group. Commissioner Adler said that it is difficult to get volunteers to attend several meetings and that it should be the choice of the group on how often to meet. Commissioner Slaughter moved to request both ambulance services have a meeting to come up with a plan to present to the Commission. Commissioner Hinkle seconded the motion. Patrick Little and Frank Prince expressed their agreement with the motion, and there was no additional public comment. The motion carried unanimously. On another subject, the Philipsburg Ambulance budget was discussed. Scott Sylvester with the *Philipsburg Mail* newspaper attended. He agreed to bring up the subject of lack of ambulance responses at the hospital board meeting tonight.

The Board held a budget work session on preliminary budgets for the 2020-2021 fiscal year. There was no public comment.

Planning Director Linda Bouck met with the Board to review the documentation for the completion of the Subdivision Improvement Agreement (SIA) for Henderson Mountain Holdings. She noted that all items in the SIA have been completed but the Subdivision Completion Form has not yet been submitted. Commissioner Adler moved that when the Subdivision Completion Form has been submitted with an engineer's stamp that the deposit be returned to Henderson Mountain Holdings. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. The Subdivision Completion Form was submitted shortly after the motion was approved. On another subject and as an administrative matter, Linda Bouck reported on the status of the McFarland floodplain issue and her ongoing discussions with DNRC and FEMA, who are requesting core sampling be completed by the McFarland's to prove fill was not added to the floodplain prior to any map revisions.

Zach Brown, Director of Rural Census Organizing met with the Board about increasing the census response in Granite County. His purpose is increasing the 2020 Census response rates in rural counties, including the seven lowest response counties in Montana, which includes Granite County. He noted that he has a postcard design and mailing that is eligible for reimbursement through the CARES Act. He noted that 28% of Granite County households have responded to the census to date. He reviewed the information on the postcard, which includes the importance of the census and how to respond to the census. The printing cost is less than \$500 and "every household" postage is less than regular postage. He noted that the postcard would come from the County Commission and it would include the Commissioners names. He reviewed that he works for the Montana Non-Profit Association, not for the Census Bureau. Jason Rittal, Assistant Director of the Montana Association of Counties, sent a written recommendation for the organizations method for improving census response. Commissioner Hinkle moved to go ahead with the program (county to pay for postcard mailing at \$500 and submit for reimbursement under CARES Act) and Commissioner Adler seconded the motion. Emily Petrovski with the *Philipsburg Mail* newspaper suggested that through the schools is a good way to get a message to homes. Zach Brown responded that he has material ready for that very purpose. The motion carried unanimously.

The Board held a budget work session on the preliminary budgets for the 2020-2021 fiscal year. The Board discussed the Sheriff's Department budget with Sheriff Scott Dunkerson

regarding expenses to put necessary equipment into new vehicles which have been ordered. He estimated \$10,000 for that expense. The Flint Creek Project Fund budget was discussed, including the likelihood of a public meeting about how to move forward with the project. There was no public comment.

Public Comment: Deborah Frandsen with Senator Jon Tester's Office met with the Board. The Flint Creek Project Fund shortfall was discussed and the orders from the FERC, which are adding major expenses to the project. She said that she will let Senator Tester know about the FERC's effect on the project. Discussion was held on the governor's mandate which puts the responsibility for COVID-19 response on each county, which is confusing to local citizens. Deborah Frandsen anticipates that the U.S. Senate will fund the next federal budget with a continuing resolution before the final budget is adopted because this is an election year and many senators will be campaigning. Deborah Frandsen agreed to return the Tuesday after Labor Day when she will be on the Commission agenda.

Correspondence: The Board noted an email from Jeremiah Theys with Great West Engineering noting that bi-annual surveys are recommended for the Flint Creek Dam due to the lateral movement of a control point which dropped below the threshold level. The Board acknowledged a letter from the Federal Emergency Regulatory Commission dated 8-17-2020 authorizing the county to resume construction on the Spillway and Dam Face Rehabilitation Project on the Flint Creek Dam.

Commissioner Hinkle moved to approve the August 18, 2020 minutes, as amended, and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The session adjourned at 2:25 p.m.