

September 15, 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 participated in the regular quarterly meeting of the Granite County Safety Committee at 8:30 a.m. this morning. Minutes of that meeting are kept separately.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt met with the Board and gave his report. The report included that there is a new International snow plow truck in stock now and it can be financed; it would be used for the Lower Rock Creek Road area. The Board noted that one financed truck will be paid for this year. Commissioner Adler moved to purchase (lease to purchase) a new International snow plow truck for \$171,349.87 from Woodpecker Truck and Equipment (a Sourcewell vendor) of Pendleton, Oregon and finance it over five years with annual payments and one final balloon payment at the end of the five years, if the County chooses to purchase it instead of turning it back in. The County already is not purchasing any accessories as the county owns a plow for the truck. As Woodpecker Truck is a Sourcewell vendor and Granite County is contractually a member of Sourcewell, then the purchase is exempt from any additional public bidding requirements as the pricing has already been publicly noticed and bid out. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Commissioner Adler moved to accept the rental agreement with Gary M. Lumberg of Clinton in the amount of \$2,000 for the full term of the lease until September 13, 2023 for the storage of two pieces of heavy equipment, sand and gravel. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. The Board agreed to sign the Cat Lease/Purchase for a 2020 Cat 308 track excavator. Paul Alt noted that the Snow Fence Project on the East Fork Road is completed. The Board agreed to write a letter of appreciation to the Mungas Family for allowing the county to place the fence on their land without charge.

Georgetown Lake level was reported at 6,428.96 feet, according to the USGS lake level gage. The lake is approximately 6.48 inches below full pool. The outflow is estimated at approximately 32.6 cfs according to the USGS outflow gauge. Dave Amman with DNRC sent, at the Board's request, to run forecasted models or scenarios for lake levels if the outflow was increased to 38 cfs (Board had requested for model to look at 45 cfs) for two weeks in October. Both scenarios show an ample water supply for the autumn and winter. Commissioner Hinkle moved to make no change in the outflow. Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

Dustin Muhly, county PHEP (Public Health Emergency Planning) Coordinator, was unable to attend, but he sent a written report that there is one (1) active COVID-19 case in Granite County. Several active cases were removed this week and most of those in quarantine will be off this week. One test is pending in Granite County. Anaconda-Deer Lodge County continues to be a hot spot in the state with 54 active cases. Yellowstone County is leading the numbers with 818 active cases. He has begun advertising the Flu Clinics scheduled for October 5th in Drummond at Senior Center and October 7th in Philipsburg at the new fire hall. Both Flu Clinics are from 2:00 p.m. to 6:30 p.m.

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 there have been no fatalities in the county due to COVID-19. Things are going on as usual, which is good. He recommends that everyone get an annual flu shot this fall and even if people do get the flu, they won't get as sick. Dr. Ransford noted that Public Health Nurse Debbie Robinson and Clerk/Assistant Jackie Bolster are doing a great job. An IMT (Incident Management Team) meeting on COVID-19 is scheduled for tomorrow at 9:00 a.m.

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

The Board held the second reading of Resolution 2020-15 "A Resolution Setting Granite County's 2020-2021 Fiscal Year Budget, Including Salaries Of All Granite County's Elected Officials And Deputies, And A Cost Of Living Increase For County Employees." County Attorney Blaine Bradshaw said that he would prefer not to take the cost of living wage increase, but a MACo (Montana Association of Counties) legal counsel's opinion stated that he must take it, so he will take it, although he does not necessarily agree with MACo's counsel in this matter. Commissioner Hinkle moved to adopt Resolution 2020-15 and Commissioner Adler seconded the motion. There was no public comment. The motion carried unanimously.

The Board discussed the letter dated September 7, 2020 from Matthew Williams, attorney for Flint Creek Hydro LLC, rejecting Granite County's counteroffer to renegotiate the Amended and Restated Hydroelectric Development, Operations and Maintenance Agreement. County Attorney Blaine Bradshaw noted that Flint Creek Hydro is willing to participate in mediation by a retired district judge who is agreeable to both parties. Commissioner Hinkle moved to go to mediation with a retired district judge and pay half of the costs. Commissioner Adler seconded the motion. A public comment indicated that the county should rescind the FERC (Federal Energy Regulatory Commission) license. The motion carried unanimously. The Board discussed having a public meeting and lay out the options for the future of the Flint Creek Project. The Board also discussed upcoming expenses for the project. Commissioner Hinkle moved to have a public meeting on October 7, 2020 at 7:00 p.m. at the museum in Philipsburg and Commissioner Adler seconded the motion. A public comment inquired if that meeting will be on Zoom. The Board agreed to have the meeting on Zoom, if possible, as well as allowing attendance in person practicing

social distancing. Scott Sylvester with the *Philipsburg Mail* noted that he would be running a story on this meeting soon. The motion carried unanimously.

Public Comment: None.

Correspondence: 1) Letter from attorney Katelyn J. Hepburn with Garlington, Lohn and Robinson law firm of Missoula representing the Georgetown Lake Homeowners Association dated September 9, 2020 regarding the county's internal policy relating to Georgetown Lake reservoir levels and outflow decisions in August 2020. The Board agreed to have County Attorney Blaine Bradshaw draft a response to the letter. 2) Letter from Matthew Williams, attorney for Flint Creek Hydro LLC, dated September 7, 2020 rejecting Granite County's counteroffer to renegotiate the Amended and Restated Hydroelectric Development, Operations and Maintenance Agreement. The County and Flint Creek Hydro have agreed to mediate all disputed matters. 3) An undated copy of the Written Historical and Descriptive Data regarding the wood stave pipeline at the Flint Creek Project. 4) Report from MCA Asset Management dated July 17, 2020 on the current valuation and replacement costs for county owned buildings. The report was requested by the Montana Association of Counties Property & Casualty Trust, which insures the county's buildings. The report will be reviewed by the Board with the county's insurance agent during a regular meeting. 5) Letter from the Federal Energy Regulatory Commission, Washington, D.C., dated September 14, 2020 requesting additional information regarding reservoir elevation and property rights related to Georgetown Lake and the Flint Creek Project. The Board conferred with County Attorney Blaine Bradshaw and agreed to write a response which will be on next week's Commission agenda. Also, the Board agreed to post the letters on the county's website.

Commissioner Adler moved to approve the September 8, 2020 meeting minutes as presented and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board, County Attorney Blaine Bradshaw and Executive Assistant Mike Kahoe joined engineers Jonathan Weaver and Brent Pilon with Great West Engineering of Helena for the final walk through on the Dam Face and Spillway Rehabilitation Project at the Flint Creek Dam. The engineers also performed the annual Flint Creek Dam Inspection for the FERC (Federal Energy Regulatory Commission). Also participating were Dam Tender Brandon Parret, and with Flint Creek Hydro, Ben Singer and Paul Tallon. No significant findings were made, but some very minor alterations will be recommended in the written inspection report.

The session adjourned at 4:00 p.m.