

October 6, 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.

Road and Bridge Superintendent/Solid Waste Manager Paul Alt was unable to meet with the Board as he was loading asphalt millings to be spread on county roads, time is of the essence as this can only be done while the weather allows. The Board had a discussion with representatives of RDO Equipment regarding the poor performance of a new John Deere mower/tractor which the county recently purchased. The unit arrived without the rear mower deck and suffered a mechanical breakdown within the first few days of use. Commissioner Adler informed the Board that about one-fourth of the millings are left in the stockpile and the crew is continuing to spread millings on county roads while the weather is warm.

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 31.5 cfs according to the USGS outflow gauge and the dam tender's report. 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, PHEP (Public Health Emergency Program) Coordinator met with the Board and gave the COVID-19 update. There are currently 13 active confirmed cases of COVID-19 in Granite County and many are in quarantine. There are over 5,000 cases in the state, many tied to schools. Anaconda is in a major outbreak with schools shut down and some businesses shut down voluntarily. Flu immunization clinic in Drummond was held yesterday and one in Philipsburg will be held tomorrow. He is doing contact tracing because the health nurse is so busy. Maria Stoppler, DEO/DON of the Granite County Hospital District, noted that one staff member has tested positive and is now in quarantine. One hospital admission has tested positive for COVID-19 and all employees are being hyper vigilant about the proper COVID-19 protocol.

Granite County Board of Health met with Dr. Mark Ransford and Commissioners Slaughter, Adler and Hinkle present, constituting a quorum of the Board of Health. Dr. William Reiter was absent this day. Dr. Ransford said that he has observed that many people are not wearing masks and we are in the middle of an outbreak. We are in community spread at this time. Dr. Ransford believes we are in this position because masks are being strongly recommended, and there is not strict enforcement of mandate. Commissioner Slaughter

asked what the Board of Health could do and his question was not really answered. The County Health Facebook page has the number of cases posted and is done in a timely manner. Dr. Ransford noted that masks help reduce the spread, but it is not a black and white situation. It is up to people's personal responsibility on whether to wear a mask or not. He noted that people are supposed to communicate with the Board of Health when planning a large event.

The Board accepted the resignation of Dr. Mark Ransford from the Board of Health effective December 31, 2020. He recommended that his replacement have a medical background. County Attorney Blaine Bradshaw agreed that a medical background of two members (the two members other than the Commissioners) is critical to a well-functioning Board of Health, and that such a medical background should be required was his legal opinion.

The Board held the second reading of Resolution 2020-18 "A Granite County Resolution Authorizing The Transfer Of PILT Funds To The Town of Drummond For Emergency Needs." Commissioner Adler moved to adopt Resolution 2020-18 and Commissioner Slaughter seconded the motion. As comment, Commissioner Hinkle commented that the county should have been contacted before the work was completed, not after. There was no public comment. The motion carried with Commissioners Adler and Slaughter voting in favor and Commissioner Hinkle voting to oppose the motion.

The Board reviewed a draft of the proposed Joint Resolution creating a regional rail authority which would be known as the Big Sky Passenger Rail Authority. Discussion was held that the future is unknown and it was questioned how it will be funded. County Attorney Blaine Bradshaw noted that the full Joint Resolution must be published twice in the newspaper and then a public hearing held if the Board is in favor of going forward. The Board discussed doing a letter of support rather than adopting the Joint Resolution; however, that would not give the county membership and a vote on the Rail Authority entity. Commissioner Slaughter moved to go ahead and move forward with establishing the authority. Commissioner Hinkle seconded the motion. A public question was asked if a hearing must be held and the response was yes. Commissioner Adler expressed concern that there is not much known about this and he questioned where the funding is coming from, but he thinks the county should be involved to get more answers. The motion carried unanimously.

The Board made the following board appointments on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously. Thomas A. Rue was reappointed to the Granite County Planning Board for a term ending on October 2, 2022. Ann Veis was reappointed to the Philipsburg TV District Board for a term ending on October 2, 2022.

The Board reviewed the court ordered split of property into two separate parcels in the estate of Norman V. Bohrsen as proposed to be ordered by District Judge Ray Dayton. Planning Director Linda Bouck reviewed the proposal which would include the split of property into two parcels, each with a family member's home on it, and she had no problem with it. Sanitarian Chad Lanes also reviewed the proposed order and had no issues but noted that

any further development would be required to have approval for new septic systems. County Attorney Blaine Bradshaw commented that he had no issues with the proposed division or split of land being ordered by the District Court. Attorney Blaine Bradshaw further noted that any new septic systems on the properties will need to undergo DEQ review per the law. Commissioner Adler moved to approve the court-ordered split and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. County Attorney Bradshaw said that he would file the appropriate document with the District Court that will notify Judge Dayton that the county has no objection to this proposal.

Sheriff Scott Dunkerson met with the Board to request a Nuisance Dog Ordinance because of several recent cases involving nuisance dogs out in the county outside town limits. He noted that both the Towns of Drummond and Philipsburg currently have Nuisance Dog Ordinances, but the county does not. County Attorney Blaine Bradshaw has written a draft ordinance which the sheriff liked. Commissioner Hinkle noted that private subdivisions have their own regulations and Sheriff Dunkerson responded that his office still gets those calls, and covenants are enforced by homeowners' associations, not law enforcement. Commissioner Adler inquired if there was an exclusion for hunting and Sheriff Dunkerson responded that it could be added to the draft ordinance. Sheriff Dunkerson noted that there are some people who do not control their dogs and the sheriff's department has little authority in that case, and the number of calls is increasing. Scott Sylvester inquired of County Attorney Bradshaw if he drafted the ordinance along the lines of Philipsburg's and Drummond's ordinances and County Attorney Bradshaw responded that he drafted the ordinance for Philipsburg. Commissioner Adler noted that it will make additional duties die the sheriff's office and Sheriff Dunkerson responded that there are currently no tools for the officers to use in these cases. The Board agreed that the ordinance should be on the agenda for review before it is on the agenda for the first reading. Commissioner Slaughter moved that the Board ask the county attorney to draft the ordinance so that it can be reviewed by the Board. Commissioner Hinkle seconded the motion. Carl Sundstrom commented that these matters could be handled by the homeowners' association in subdivisions. Commissioner Slaughter responded that the sheriff's office is routinely called, not the subdivision officials. The motion carried unanimously.

County Attorney Blaine Bradshaw reported on the ongoing litigation by Granite County regarding Bear Gulch Road and Mr. Richard Komberec. He reported that he had spoken to Barney Hallin, a professional land surveyor out of Livingston as an expert witness in the case. His fee during court time is \$150.00/hour, plus there will be mileage and meals. His hourly fees would be lesser (approximately \$100 per hour) when just doing research or site visits. The Board agreed that he should be retained on the motion of Commissioner Adler and second by Commissioner Hinkle, There was no public comment. The motion carried unanimously. County Attorney Bradshaw said that the county should not defer maintenance on the road in question.

Maria Stoppler, CEO/DON of Granite County Hospital District, met with the Board and submitted the monthly financial update. The update contained a financial report showing cash available of \$237,000, projected deposits of \$302,000, accounts payable of \$(175,000) for

projected cash reserves of \$364,000 (31 days of operation). She noted that the facility is in a holding pattern regarding the use of federal COVID replacement funds. Also, there is a new requirement that all person protective equipment must be inventoried and reported daily or the facility will lose its ability to participate in Medicare and Medicaid. The CT scan is active and being used. She reported that visits at the Drummond Clinic are up substantially. She also presented an Administrator's Report dated September 28, 2020; a utilization report and a revenue analysis. The Board expressed appreciation to Maria Stoppler and her staff for the great service they perform for the county's citizens.

Maria Stoppler, CEODON of Granite County Hospital District, met with the Board and presented specific engineered/architectural designs and plans for the renovation of the X-ray Department at the Granite County Medical Center. The architectural firm used is Slate Architecture out of Helena, Montana. Maria Stoppler reviewed the plans in detail and noted that it would result in one large room for the x-ray machine to be mounted on the ceiling. All work will occur in the interior of the building and would be at the sole expense of the Granite County Hospital District. She requested the Board's approval of the renovation as required by the lease documents. Commissioner Hinkle moved to approve the request for approval of the renovation, as presented in the written designs and plans, and Commissioner Adler seconded the motion. Scott Sylvester, with the *Philipsburg Mail* newspaper, inquired how this equipment is an improvement over the existing equipment and Maria Stoppler responded that the new machine is digital, there is less radiation exposure for the patient, and digital x-rays are better to send to the radiologist. The entire funding is coming from COVID relief funds. A citizen questioned about how many CT scans have been done and Maria Stoppler responded that the number done meets the projected target for that department. The motion carried unanimously. County Attorney Blaine Bradshaw noted that the contractors on the project are required to have proper amounts of professional liability insurance in place.

The meeting with Matt Smith regarding PILT (Payments In Lieu of Taxes) issues was unexpectedly canceled by Matt Smith due to unforeseen circumstances. It will be rescheduled on a future agenda.

As an administrative matter, the Board agreed to have 12 (twelve) signs made; six (6) that state "Danger Keep Out" and six that state "No Swimming" on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

A new roof on the original power house building at the Flint Creek Project was discussed. The Board reviewed some of the HAER (Historic American Engineering Record) reports for the Flint Creek Project and the buildings that are a part of the project, including the original power house and two residential houses. Commissioner Slaughter noted that the roof on the original power house is going to need to be replaced. The Board discussed that an estimate would be good at this time in order to budget for it in the future. Commissioner Adler moved to have George Blowers make an estimate and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

Public Comment: Kimberly Richardson, 101 Center Street, Philipsburg, stated that the Commission should be aware that a Code Blue on Friday evening was unprofessional in the way it was handled at the Granite County Medical Center; no stretcher available to transfer patient into the building; no masks available to the general public; over 15 minutes for doctor to arrive; nursing staff not wearing masks; the community deserves better; and the spouse of the patient was asked to get other help in the building. Maria Stoppler, CEO/DON of Granite County Hospital District, commented that what the woman witnessed was not what the facility would like to portray to the community. She requested that Kimberly Richardson send a list of what she witnessed and what occurred that evening. She stated that they do training over and over, but when an event happens it is different and there may be areas they need to improve on; they want to deliver the best possible care. She noted that the hospital board meetings are the last Tuesday of every month at 5:30 p.m. and open to the public. County Attorney Blaine Bradshaw indicated that 15 minutes for a doctor to arrive is very reasonable and timely for a rural hospital. Commissioner Slaughter noted that the county built a new ambulance facility in Philipsburg and people have been trained, but they don't come back to volunteer on the ambulance. Kimberly Richardson offered to assist in getting volunteers for the ambulance service at this end of the county.

Correspondence: The Board received two letters from the Montana Board of Investments regarding two accounts the county has with that board. Treasurer Vicki Harding has responded to both letters changing the authorized alternate delegate to Deputy Treasurer, Theresa Loobey replacing former Deputy Treasurer Danette LaTray, as she retired.

Commissioner Adler moved to approve the September 29, 2020 meeting minutes as presented and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The session adjourned at 2:30 p.m.