

December 15, 2020

The Board of County Commissioners met at 8:30 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 were 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 session convened with the pledge of allegiance.

The Board participated in the regular quarterly meeting of the Granite County Safety Committee meeting this morning. Minutes of that meeting are kept separately.

Scott Sylvester, reporter with the *Philipsburg Mail* newspaper, attended the majority of the session.

Road and Bridge Superintendent Paul Alt was not available today to give his report.

Repair of the county's damaged John Deere tractor/mower was discussed and Road and Bridge Superintendent Paul Alt noted that he had requested a second estimate from Frontline Ag Solutions of Dillon for \$26,846.08, compared to a previous estimate of \$35,576.39 from RDO Equipment Company of Missoula. The Board agreed to accept the lower estimate on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

Georgetown Lake level was reported at 6,428.65 feet according to the USGS lake level gage. The lake is approximately 10.20 inches below full pool. The outflow is estimated at approximately 30 cfs. 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 considered a policy for the transportation of clients under Area V Home Maker Services. Jackie Bolster attended and noted that it is up to the county to make a policy. County Attorney Blaine Bradshaw indicated that the home maker aides should have a valid driver's license and insurance on file if transportation is decided to be the policy. Jackie Bolster read a communication from Joe Gilboy, Executive Director of Area V, which advised that clients not be transported. The Board agreed that clients not be transported under the Area V Program. County Attorney Bradshaw indicated that there should be a policy on a future agenda, and that he would assist in drafting it. The Board discussed using the local hospital's van and agreed that transportation is a much needed program. Jackie Bolster noted that they are now required to have a four-year plan for Area V.

The Board reviewed county claims for November 2020. Commissioner Adler recused himself from voting on the Adler Towing claim. The Board denied a claim which will be revised.

The claims were approved and ordered paid on the motion of Commissioner Adler and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

As an administrative matter, the Board agreed to write a letter to the board of the Granite County Hospital District requesting them to meet with the Commissioners regarding the lack of ambulance personnel and ambulance service in Philipsburg. The action was taken on the motion of Commissioner Slaughter and second by Commissioner Hinkle. There was no public comment. The motion carried unanimously.

The Board considered a proposed agreement from DOWL Engineering of Billings to perform the Part 12-D Dam Safety Inspection on the Flint Creek Dam, as required by the FERC (Federal Energy Regulatory Commission), for \$34,000.00. This inspection is required every 5 years by federal regulation. Commissioner Adler reviewed the scope of the proposed agreement and commented that the FERC regulations are unreasonable and expensive. The Board noted that \$25,000.00 had been budgeted for the safety inspection, but it must be done to stay in compliance with the FERC regulations. Commissioner Hinkle moved to approve the Standard Agreement For Professional Services with DOWL and Commissioner Adler seconded the motion. A Zoom question by Elena Gagliano was whether this could be delayed. The Board responded that it can't be delayed because the Board does not want to get out of compliance with the FERC regulations, which could jeopardize the facilities license to produce power. There was no further public comment. The motion carried unanimously.

The Board reviewed the AIP (Airport Improvement Program) Grant Oversight Risk Assessment, which is sent to the FAA in Helena. Commissioner Adler moved to postpone a decision until further information is available and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously. Commissioner-Elect Blanche McLure attended.

The Board considered the proposal of Executive Assistant Mike Kahoe for a revised work schedule. Commissioner Slaughter stated that the Board is aware that the purpose of the proposal is to make a smooth transition for the new person in the position and that the Board appreciated the proposal. Commissioner-Elect Blanche McLure noted that the personnel manual does not allow vacation time to be used to extend the time for retirement. Commissioner Slaughter indicated that it would be a cleaner transition if Mike Kahoe retired and then a consulting agreement considered in January 2021. Commissioner Adler moved to reject the proposal and Commissioner Hinkle seconded the motion. There was a Zoom question on whether MACo would come in and train someone. The Board responded that to their knowledge MACo does not offer that service. The motion carried unanimously.

The Board reviewed the draft position description, from the MACo model position descriptions, for the Executive Assistant to the Board of Commissioners. Commissioner Slaughter noted that there are many duties in the draft position description and that it might need to be split into two positions. Commissioner-Elect Blanche McLure stated that the position description should be written by the Commission and put on the county's pay matrix

before it is advertised. She also noted that she has the knowledge of that office and has 28 years' experience. Commissioner Adler moved to postpone the finalization of the position description and Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

The Board deferred the decision to post the position of the Executive Assistant both internally and/or externally. Commissioner Adler moved to table the matter until the position description is finalized. Commissioner Hinkle seconded the motion. There was no public comment. The motion carried unanimously.

Jack McLeod, developer of the Rising Sun Subdivision at Georgetown Lake, met with the Board regarding reported deficiencies in the fire suppression pond and system. Jack McLeod stated that this situation has been going on for four years. He gave some background that in 2003 he purchased the property and he engaged a surveyor to do the preliminary plat and he proceeded to have some pits dug for drain field testing, and Casne Engineering did the subdivision plat. The Georgetown Lake Volunteer Fire Department (GTLVFD) had no written regulations and he gave \$30,000.00 to the fire department, which he considered an unlawful act. He received a letter from the planning director at that time that the subdivision had been denied. He met with the fire department and 11 months after the fact the fire department had written regulations. He said that the GTLVFD had adopted the Lewis and Clark County regulations word for word and those were zoning regulations, not subdivision regulations. Commissioner Slaughter asked Jack McLeod what his offer was going to be today as the county disagrees with his legal opinion and that is why litigation was brought by the county. Jack McLeod said that the pond was in place then and is in place today. He also said that the county could use the \$10,000 he gave for parks and playgrounds for the pond. Jack McLeod offered that if the county would drop their lawsuit that he would drop his lawsuit. Commissioner Slaughter said that if Jack McLeod does not have any offer to fix the fire suppression pond that the matter will be taken to trial in January 2021 as the matter has gone on for years. Jack McLeod thanked the Board for their time.

The Board reviewed the amendment for Special COVID-19 Response for the Work Plan Community Services Block Grant for Action Inc. Connie Ternes-Daniels, with Action Inc., participated by Zoom and explained that the document is an addition to the organizations work plan and is related to the COVID-19 pandemic to help people find housing or pay their rent. The Board had received and had the opportunity to review the amendment. Commissioner Slaughter inquired how the organization finds housing for people. Connie Ternes-Daniels noted that these funds are from the CARES Act and that Action Inc. has staff members devoted to finding housing or helping people keep their housing by assisting with their rent. She noted that people are using these services for the first time because of the virus. Commissioner Slaughter moved to approve and consent to the work plan letter (no county funds to be used but CARES Act funding for rent payment assistance as stated above, etc. in the county) and second by Commissioner Adler. There was no public comment. The motion carried with Commissioners Slaughter and Adler voted in favor of the motion and Commissioner Hinkle voted to oppose the motion.

The Board considered the Continuation of Operations Plan (COOP) for county government in the courthouse as presented by Deputy Clerk and Recorder Becky Mickey. She presented a quote from DIS on laptops and there was discussion about how many laptops would be needed for Courthouse offices. There was discussion about having a laptop, an i-Pad and a Bluetooth speaker for the Commissioner's Office. Commissioner Adler moved to purchase six laptops, an i-Pad and a speaker. Commissioner Slaughter seconded the motion. There was no public comment. The motion carried with Commissioners Slaughter and Adler voting in favor of the motion and Commissioner Hinkle abstaining.

Public Comment: Philipsburg Mayor Daniel Reddish delivered a letter of support for the county's RAC (Tri-County Resource Advisory Committee) grant application. He noted that the Town of Philipsburg is applying for a RAC grant also, but he was happy to support the county's application to repair the Stony Creek Bridge.

Correspondence: The Board noted receipt of two letters from the Federal Energy Regulatory Commission (FERC) dated December 8, 2020. The subject of the first letter was the 2019 Dam Safety Surveillance and Monitoring Report (DSSMR) for the Flint Creek Project. The second letter concerned the 2020 Emergency Action Plan Status Report and Update for the Flint Creek Project. Both letters were forwarded to Project Engineer Jeremiah Theys with Great West Engineering.

The Board reviewed the draft minutes for the December 7, 2020 special session and the December 8, 2020 regular session. Both sets of minutes were approved as presented on the motion of Commissioner Hinkle and second by Commissioner Adler. There was no public comment. The motion carried unanimously.

The session adjourned at 2:15 p.m.