

March 9, 2021

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 Charles Hinkle, Commissioner Blanche McLure and Commissioner Scott Adler attending. Also attending were County Attorney Blaine Bradshaw and Clerk Sue Antonioli, Assistant Billie Kulaski. 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 internet-based program available for 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.

Thomas Mullen, reporter with the *Philipsburg Mail* joined the session in-person as well as Paul Tallon (powerhouse operator with Flint Creek Hydroelectric, LLC), Dustin Muhly (Public Health Emergency Preparedness), and Linda Bouck (County Planner). Also joining the session by Zoom were Elena Gagliano.

**ROAD AND BRIDGE SUPERINTENDENT/SOLID WASTE MANAGER WEEKLY REPORT:** Paul Alt joined the session by phone. A proposed Addendum to the current Collective Bargaining Agreement for the road crew to go to four days per week (10-hour days), on a temporary basis and subject to weather, before April was discussed. Commissioner McLure commented on this potentially being a made a permanent agreement down the line, and Paul responded informing the Commission that there needed to be some room for adjustment due to weather. Commissioner Hinkle moved to sign the said addendum and Commissioner Adler seconded the motion. There was no public comment, the motion passed unanimously and the addendum was signed.

The County's Hall Rental House estimates were provided by Paul Alt by e-mail to the Board just prior to the Commission's meeting (carpet \$1800; linoleum \$1500; bathroom improvements \$700, plus labor). Commissioner Adler moved to go forward with the recommended improvements to the rental house up to \$7,000 (including materials and labor), Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously. Commissioner Adler made an additional motion to take the funds from the County Building Fund and not the Road Fund, Commissioner McLure seconded it, the motioned passed unanimously. Public Comment; Elena Gagliano commented via Zoom asking for the itemized report; this report came over late and the details are included above.

**GEORGETOWN LAKE LEVEL AND OUTFLOWS:** The lake level was reported at 6,428.63 feet according to the USGS lake level gage and the dam tender's report. The lake is approximately 10.44 inches below full pool. The CFS reading was not available at the time of the meeting, but has been set at 25 CFS over the past weeks and it appears to still be at 25 CFS for outflow. The Commission reviewed Dave Amman's model forecast report. Paul Tallon from Hydrodynamics spoke to recommend increasing the outflow of the damn. County Attorney Bradshaw raised concerns about being capped at end-flows through FERC

Order, and went to retrieve the specific order (for temporary modifications to the stringent rules in the FERC Order, the County will need each agency to consent; agencies being MT Fish, Wildlife & Parks, Forest Service, and US Fish & Wildlife Services. Article 402a of FERC's Order on Rehearing was referenced. Commissioner Adler raised concerns about ice jams along Flint Creek in the valley and people working on ditches and bridges; and not wanting to go up to 42. Commissioner Hinkle did acknowledge there needs to be freeboard this spring for runoff, but that letter out too much currently would be an issue. During the session, the Board called Brad Liermann, fisheries biologist with the MT Fish, Wildlife & Parks and left a message concerning the issue to gain more insight. Commissioner Hinkle moved to increase the outflow to 30 CFS subject to the agencies consent. There was no public comment. Commissioner Adler seconded the motion, and the motion passed unanimously.

**PHEP (PUBLIC HEALTH EMERGENCY PREPAREDNESS) TASK ORDER NUMBER TWO:** The Commissioners discussed the County keeping the PHEP program in alignment with the State's original amount (\$28,674, slight adjustment upwards from past as it may account for inflationary costs) prior to the COVID pandemic; with the draft task order (agreement) in which the County would continue to provide certain services and be provided annual payments from the MT DPHHS through June 2024. Commissioner Hinkle made comment that he wasn't very impressed with PHEP Program run by the State. County Attorney Bradshaw commented that this would task order would need to be signed in order for the County to continue the PHEP Program in the County. Commissioner Hinkle asked Dustin Muhly for more information concerning what this is for and Dustin Muhly responded that this money is used for him to develop plans and protocols for Emergency Preparedness, and serve as liaison between County, State and Hospitals. Commissioner McLure stated that as long as Health and Human Services is funding this measure, she needs clarification on why other Commissioners are questioning receiving the money and using it for this purpose. Commissioner Hinkle requested more information as to of how the amount we receive is calculated and Dustin responded that it is determined by population. This item was tabled until next Tuesday.

**DUSTIN MUHLY'S REQUEST TO REMOVE RESTRICTIVE COVENANT AND ALLOW FOR BOUNDARY LINE RELOCATION:** Linda Bouck (County Planning Director) joined the Commissioners' Meeting to assist in explaining the issue between Whiskey Flats No. 2 (lot 6) and Whiskey Flats No. 3, and how it was determined to make the lots into one and determine the lot unbuildable. Dustin Muhly is requesting to remove the restrictive covenant (unbuildable status and relocate the boundary line), which is not typically done in subdivisions; however, since this is all Whiskey Flats subdivision (Nos 1, 2, 3 are phases of same subdivision) this should be acceptable, legally speaking, according to Linda Bouck. This needs to go through DEQ (to ensure this is a buildable lot) approval and be surveyed prior to the County agreeing to remove the restrict covenant. Dustin Muhly is currently seeking to create a building envelope. The Commissioners gave Dustin Muhly assurance that subject to the results of the DEQ and survey, that they would approve his request. This will go back on the Board's agenda once documentation is in order for a decision.

**INSPECTION OF ALL OFFICIAL SURETY BONDS SUBMITTED TO COUNTY:** There are no currently active surety bonds submitted to Granite County.

**ZOOM RULES & STANDARDS FOR COMMISSION MEETINGS:** The Board reviewed proposed Zoom Policy and Standards that would govern meeting protocol while using the Zoom platform for future Board meetings. This document was drafted by Billie Ann Kulaski which had been reviewed by the County Attorney. Commissioner Hinkle referred to the draft policy that was posted with the all the meeting documentation on the County's website. Commissioner Hinkle indicated his approval with the proposed Zoom policy and standards.

Elena Gagliano made public comment voicing concerns about the host doing minutes as well as administering Zoom, and provided recommendations for the Board. She recommended the meeting be audio recording using the Zoom recording feature so the Board's assistant could be the Zoom host (administrator) during Board meetings. She also had concerns about seeing each Commissioners face. County Attorney Bradshaw responded to Elena Gagliano's comment concerning minutes and administering Zoom. Commissioner McLure moved to accept the Zoom Policies and Standards. There was no further public comment. Commissioner Adler seconded the motion. The motion passed unanimously.

**GREAT WEST ENGINEERING, JEREMIAH THEYS; DAM SAFETY SURVEILLANCE MONITORING PLAN AND REPORT (DSSMR) FOR 2020** Jeremiah Theys called in via phone to provide an explanation of the Dam Safety Surveillance Monitoring Plan & Report (DSSMR) for 2020; FERC requires annual update to the DSSMR and Great West provides them with an update. Commissioner McLure motioned to go forward with Great West Engineering completing the DSSMR at a cost of \$3,600 this fiscal year. Commissioner Adler seconded the motion. There was no public comment, and the motion passes unanimously.

**YEARLY FUEL TAX CERTIFICATION OF ROADWAY MILEAGE:** The Commissioners reviewed the maps prepared and provided by Montana Department of Transportation that depicts all of the qualifying roads in Granite County subject to the yearly fuel tax mileage. Commissioner Adler moved to approve and go forward with the Yearly Fuel Tax Certification of Roadway Mileage as presented in the maps provided and date stamped by the Board as received March 9, 2021. There was no public comment. Commissioner McLure seconded the motion. There was no public comment, and the motion passed unanimously.

**COUNTY SHOP IN PHILIPSBURG, ENCROACHMENT PROPOSAL; FINAL AGREEMENT:** This session was tabled by the Board until next week as the final agreement is not completed by Jo Durgin's attorney.

**COUNTY HEALTH INSURANCE PLAN OPTIONS RENEWAL; MAXIMUM PREMIUM PAYMENT FOR COUNTY EMPLOYEES ANNUALLY:** The Commissioners discussed dropping the 90/10 plan offering, Commissioner McLure began the discussion by explaining the permissive levy and that County is currently using 30 mills for county health insurance. (Permissive Levy; State allows us to tax the tax payer anything over the premium in 2000 (\$262)/ without going to the voters.) Commissioner McLure went on to explain that we will need to cap it somewhere and under the 80/20 that MACo is offering we wouldn't need to

cap it this year. Internal employee comments were then passed around for the Commissioners to review. Elena Gagliano made a comment via Zoom that the employee comment should be read allowed as public knowledge. She was responded to letting her know that employee comments are internal information, and if employees wished to make public comment they were allowed to come to the meeting. Elena Gagliano made additional comments asking who pays for the insurance, Commissioner Adler responded that the County does. She then asked where the County gets the money, and he responded the Mill Levy. Commissioner McLure moved to drop the 90/10 plan and go with the 80/20 plan and discuss with Pam Walling to add three to four additional offerings. There were no further public comments. Commissioner Adler seconded the motion. The motion passed unanimously.

**PUBIC COMMENT:** Amber Sherrill with Montana Kids vs Big Tobacco called in to discuss House Bill 137 and is hoping to get the Board of Health to sign-on to letters with them. She is going to send more information via email and be on the agenda at a later date.

**CORRESPONDENCE:** A letter from a resident at the nursing home at the GCMC was received and forwarded to County Attorney Bradshaw who has already followed up with the Granite County Medical Center to ensure the matter was resolved satisfactorily. The matter has been resolved.

**BOARD MINUTES FOR FEBRUARY 23, 2021:** Commissioner Adler moved to approve the March, 2, 2021 minutes. Commissioner McLure seconded the motion. There was no public comment. The motion passed unanimously.

**ADJOURNMENT:** The session adjourned at 2:20 PM