

November 23, 2021

The Board of County Commissioners met at 9:00 a.m. in a regular session in the Commission Office of the Granite County Courthouse with Chairperson Charles Hinkle Commissioner Blanche McLure attending. Also attending were Commission Assistant, Billie Ann Kulaski and Granite County Attorney Blaine Bradshaw, who attended (in-person) for a portion of the agenda items set for the day. The session was livestreamed through the Zoom internet-based program available for the public to view the session and comment. The public was also allowed to attend in person and provide comment. The session convened with the pledge of allegiance.

Also in attendance were Granite County Road & Bridge Superintendent, Paul Alt; Local Resident, Kent Ellis; DES Coordinator, Jackie Bolster; Granite County Airport Board Chairperson, Ernie Fulk; Granite County Sheriff, Scott Dunkerson; and members of the general public including Charlene and Bus Piar; and Barbara Cahill.

ROAD & BRIDGE WEEKLY REPORT; The Commission was joined by Road & Bridge Superintendent Paul Alt to provide an update of current projects the department has been working on including cleaning culverts and putting up snow fence. Paul Alt explained that the Department could only get 300 feet of snow fence, but will get another 500 feet in the coming weeks. Commissioner Hinkle asked if they could re-use some of the older snow fence. Paul Alt responded that they will look at it and see if they can salvage any of it. Commissioner McLure asked what the Road Crew typically works on during this time of year. Paul Alt replied that in the morning everything is frozen so they focus on maintenance until the afternoon when things warm up. Commission McLure then explained that when the Road Crew transitions to five, eight-hour shifts in the coming weeks, that the Clerk & Recorder has requested that they do so on a Monday, so they don't incur overtime. Paul Alt responded that the week they transition (tentatively November 28th, 2021) they will work two tens, two eights, and a four hour shift. Then the following week begin their five, eight-hour shifts.

Commissioner Hinkle commented that the County needs to start thinking about improvements to bridges, such as Stoney Creek Bridge, and hopefully there will be funds in the Infrastructure Bill. Paul Alt added that the County would incur costs to crush gravel at the Middle Fork Gravel Pit that would be another priority, if they have the funding. Paul Alt then explained that the County has received their annual permit renewal for Middle Fork, that he has worked with Commission Assistant, Billie Ann Kulaski to complete and return the renewal form.

DRAFTED BID NOTICE FOR A STANDARD DUMP TRUCK, BELLY DUMP TRUCK, AND A SIDE DUMP TRUCK FOR PERIODIC WORK THROUGHOUT THE CALENDAR YEAR, 2022; Granite County Attorney, Blaine Bradshaw drafted a bid notice for Granite County to accept sealed, written bids for hourly rates for a standard dump truck, a belly dump truck, and a side dump truck for periodic work throughout the calendar year, 2022. The sealed, written bids must be received by the Granite County Clerk & Recorder's

Office, 220 North Sansome Street, P.O. Box 925, Philipsburg, Montana 59858 by 8:45 am local time on January 4, 2022. The sealed bids will be opened in a public meeting before the Board of Granite County Commissioners, at their Courthouse Office, on Tuesday, January 4, 2022 at 9:15 am local time. This notice will run in the *Philipsburg Mail* on December 2, 2021 and December 9, 2021. Commissioner Hinkle motioned to run this notice in the paper. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.

LOCAL RESIDENT KENT ELLIS TO DISCUSS PLOWING OF NON-MAINTAINED COUNTY ROADS & THE ROAD MAINTENANCE POLICY; The Commission was joined by local resident, Kent Ellis to discuss the County's current road maintenance policy, after two weeks of correspondence with the Commission. Kent Ellis explained that there are approximately 100 mine sites that have changed hands and people are turning them into residential sites, which puts a burden on both the County and the Forest Service, since these sites are located off of non-maintained roads. Kent Ellis went on to say that his problem is with the realtors selling these properties where access is an issue, noting the recent issues regarding Red Lion Road. Road & Bridge Superintendent, Paul Alt responded that Red Lion Road was a special issue where people knew the condition and the agreements in place prior to building in the area. Commissioner McLure clarified that the County Road Maintenance Agreement states that people can only plow or work on County roads with special written permission from the Commission, and added that the Commission is working in conjunction with the Forest Service to address these types of issues. Commissioner Hinkle commented that the County is aware this is a growing problem and that this has been an ongoing discussion. Kent Ellis responded that he is in support of the policy and model agreement the County has in place, but that the Forest Service has more stringent requirements, including bonds and an environmental impact statement. Granite County Attorney Blaine Bradshaw commented that providing permission to maintain County roads is something that the Commission will need to look at on a case by case basis, and can make appropriate requests at that time, in addition to the appropriate insurance coverage. Kent Ellis added that he has concerns over the spread of knapweed across the County. Commissioner McLure referred him to discuss these issues with the County Extension Office Agent, Ben Hauptman.

Public Comment was received from Buss Piar explaining that he resides off of Moose Spring Trail which is located off of Black Pine Road. Buss Piar inquired if Wapiti was a County Road. Paul Alt responded that Wapiti is a subdivision road and that Moose Spring Trail, that Bus Piar lives on is a Forest Service road. Buss Piar will be seeking permission from the County to plow two miles of Black Pine road that are not maintained by the County to provide him access during the winter months. Bus Piar obtained a copy of the Road Maintenance Agreement and stated he would discuss this further with Paul Alt and the Commission. County Attorney Blaine Bradshaw concurred that Wapiti is not a County road, but is likely a public road open to the public's use. Commissioner Hinkle emphasized the importance of using the right equipment and plowing the road properly. Paul Alt agreed,

explaining that holes will need to be punched in correctly when plowing in that area so the water goes over the bank and not down Black Pine Road.

GEORGETOWN LAKE LEVEL OUTFLOW: The lake level was reported at 6427.39 feet; 24 inches below full pull, according to the USGS lake level gage and the dam tender's report. Granite County Attorney, Blaine Bradshaw summarized the two-foot rule, set by FERC Order, to the Commission. Commissioner Hinkle explained that the Commission has motioned that the outflow be set to 6 CFS in the past few weeks, but has been notified that it is sitting closer to 7 CFS. Commissioner McLure motioned to have the outflow adjusted to 6 CFS, as allowed by the FERC Order in place. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

TASK ORDER FROM GREAT WEST ENGINEERING TO FACILITATE FLINT CREEK DAM TABLE TOP EXERCISE; DES Coordinator, Jackie Bolster joined the Commission to discuss the upcoming Table Top Exercise (preparation for emergencies) at Flint Creek Dam the County is required to complete per FERC. Commissioner McLure asked when the last Table Top Exercise was completed. Jackie Bolster explained that it was done two years ago. Commissioner McLure asked if this seemed like an equitable price. Jackie Bolster responded that when she first inquired the price was estimated around \$8K, so the \$5,850 seemed to be more equitable. Commissioner McLure motioned to accept the Task Order from Great West Engineering to Facilitate Flint Creek Dam Table Top Exercise. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

RESOLUTION 2021-17 – GRANITE COUNTY HAZARD MITIGATION PLAN; Resolution 2021-17 states that Granite County, pursuant to Section 322, Mitigation Planning of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, enacted by Section 104 of the Disaster Mitigation Act of 2000 (P.L. 106-390) and the Interim Final Rule published in the Federal Register on February 26, 2002 at 44 CFR Part 201, is required to have an approved Hazard Mitigation Plan in order to receive future federal disaster mitigation funds; and, whereas Granite County adopted a Hazard Mitigation Plan by Resolution in 2006 and 2013, but an updated and amended Hazard Mitigation Plan will more effectively guide Granite County in making decisions for pre-disaster and post-disaster mitigation projects. Commissioner Hinkle motioned to adopt Resolution 2021-17 – Granite County Hazard Mitigation Plan. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.

RESPONSE TO COUNTER-OFFER FROM ROAD & BRIDGE DEPARTMENT & SOLID WASTE UNION; Granite County Attorney, Blaine Bradshaw explained that Operating Engineers Local 400 Business Agent Craig Davis had emailed him proposing that the Commission calculate the cost of arbitration and divide it among nine employees and issue

them a one-time payment rather than move into arbitration. Commissioner Hinkle voiced support for only offering the 1.2% COLA (cost of living recommended by MACo to be implemented in 2021 considering the increases that took place 2020). Commissioner McLure commented that this would not be fair to the other County employees and the County is trying to treat all employees fairly, and follow existing policies (practices). She went on to explain that the Road Department & Solid Waste Crew are asking for their COLA for 2021 in advance when the established pattern has been to review cost of living increases for the year after the year is over. Commissioner Hinkle motioned to reject the Union offer, and counter-offer the 1.2% COLA. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously. The County Attorney will respond to the Union's representative, Craig David.

LOCAL-OPTION EXCISE TAX ON THE SALE OF NON-MEDICAL AND MEDICAL MARIJUANA, POTENTIAL BALLOT ISSUES FOR PRIMARY ELECTION IN 2022; Granite County Attorney, Blaine Bradshaw explained that pursuant to Montana House Bill 701 (2021), the said Commission may resolve and approve certain ballot issues for the vote of the Granite County's qualified electors regarding a 3% Local-Option Excise Tax on the sale of all Medical Marijuana and also a separate ballot issue regarding 3% Local-Option Excise Tax Non-Medical Marijuana products in Granite County, Montana. This can be done either through signature or through resolution by the Commission. Commissioner McLure commented that the idea was if marijuana was legalized there was the hope that there would be revenue to gain from it, and that she is for putting this on the ballot. Commissioner Hinkle explained that he wants to take this home and review the draft before it is put on the agenda for a first reading. This matter will be back on the agenda for a first reading in two weeks.

TRI-COUNTY FAIR BOARD, UPDATE & FOLLOW-UP ON BUDGET & BYLAWS; Granite County Attorney Blaine Bradshaw sent correspondence to the Powell County Commission approximately one month ago, requesting a copy of the Fair Board budget and bylaws of the Tri-County Fair Board. There has not been a response from the Tri-County Fair Board to either Blaine Bradshaw, Commission Assistant, Billie Ann Kulaski, MSU Extension Agent, Ben Hauptman, or any of the Granite County Members of the Tri-County Fair Board. Blaine Bradshaw recommended having the Granite County Tri-County Fair Board Members as well as Extension Office Agent, Ben Hauptman join the Commission to discuss the ongoing issues further. The Commission agreed and this will be back on the agenda within the next two weeks.

PHEP TASK ORDER 20-07-6-11-017-0 WITH THE STATE OF MONTANA; This task order amendment is to amend the contract between Montana DPHHS and Granite County. The Department will pay the Contractor for Public Health Emergency Preparedness services a total of \$28,674 for the period of July 1, 2019 – June 30, 2020, \$28,674 for the period of July 1, 2020 – June 30, 2021, and \$28,674 for the period of July 1, 2021 – June 30, 2022, \$28,674 for the period of July 1, 2022 – June 30, 2023, and \$28,674 for the period of July 1, 2023 – June 30, 2024. Granite County Attorney, Blaine Bradshaw advised that the agreement is acceptable but does have additional duties that PHEP will be required to complete.

Commissioner McLure motioned to accept PHEP Task Order 20-07-6-11-017-0 with the State of Montana. Commissioner Hinkle seconded the motion. There was no public comment and the motion passed unanimously.

U.S. DEPARTMENT OF THE INTERIOR U.S. GEOLOGICAL SURVEY JOINT FUNDING AGREEMENT FOR WATER RESOURCES INVESTIGATIONS; This is the standard joint-funding agreement for the project (s) Wyoming-Montana Water Science Center Water Resources Investigations for analytical services during the period April 1, 2022 through October 31, 2022 in the amount of \$7,066 from Granite County. U.S. Geological Survey contributions for this agreement are \$5,084 for a combined total of \$12,150. Commissioner McLure stated she would speak with Granite County Clerk and Recorder, Sarah Graham to clarify which fund this payment comes of. Granite County Attorney Blaine Bradshaw explained that this an annual agreement that the County has in place and that the such services, regardless of who carries them out, are required of the County by FERC. Commissioner Hinkle motioned to sign the U.S. Department of Interior U.S. Geological Survey Joint Funding Agreement for Water Resources Investigations. Commissioner McLure seconded the motion. There was no public comment and the motion passed unanimously.

AIRPORT RESCUE GRANT PROGRAM (ARGP) APPLICATION FOR FEDERAL ASSISTANCE; (OMB SF-424); Riddick Field is eligible for funds under the American Rescue Plan Act 2021 (Public Law 117-2) (ARPA). The purpose of these funds is to provide economic relief to airports in response to the COVID-19 pandemic. These funds are to be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and debt service payments. Granite County Airport Board Chairperson Ernie Fulk joined the Commission to explain that this grant does not necessarily apply to Riddick Field, however he wanted to take the opportunity to provide an update to the Commission. Ernie Fulk discussed the layouts that KLJ Engineering has provided to the Airport Board to review as part of the FAA Master Planning Grant. He stated that they are narrowing down the options to one that meets the objectives of Riddick Field. The Airport Board wants to keep the runway the same length, and implement ILS (instrument landing services) or weather reporting services, which will support the ability of Life Flight to land. Ernie Fulk also commented that he will be working with the District Ranger, Cameron Rasor of the Forest Service to acquire additional land to utilize as it appears to him that the last row of hangars is on Forest Service property. Commissioner Hinkle asked when the design will be selected. Ernie Fulk responded that there will be an Airport Board meeting in December 2021 and then they will bring their recommendations regarding the Master Plan to the Commission and the design phase should be completed in the first quarter of 2022. Granite County Sheriff, Scott Dunkerson asked for clarification of Life Flight's use of the airport. Ernie Fulk replied that they need to check the weather before taking flight, and since there is no weather reporting service at Riddick Field they use the service in Butte, which can vary quite drastically from Philipsburg. Commissioner McLure motioned to no not apply for Airport Rescue Grant Program.

Commissioner Hinkle seconded the motion. There was no public comment. The motion passed unanimously.

CLOSED SESSION – INDIGENT BURIAL REQUEST; The Commission went into closed session to discuss an indigent burial request, after thorough discussion the Commission moved to deny the request as there appear to be other funds available to pay for the burial costs.

CORRESPONDENCE:

There was no correspondence received.

PUBLIC COMMENT:

Granite County Sheriff, Scott Dunkerson commented that the Sheriffs and Peace Officers are doing a segment on “Relations with Commissioners” through MACo that he is going to contribute to on December 7th, 2021.

BOARD MINUTES; Commissioner McLure moved to accept the minutes for November 16, 2021. Commissioner Hinkle seconded the motion. There was no public comment. The motion passed unanimously.

The Meeting Adjourned at 11:23 a.m.