

September 3, 2024

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 Commissioner McLure, Commissioner Adler, and Commissioner Hinkle attending. Also attending were Commissioner Assistant, Billie Ann Kulaski, and Granite County Attorney, Blaine Bradshaw, who attended a portion of the agenda items in-person. 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 *Philipsburg Mail* Editor, Amelia Wood; Granite County Road & Bridge Superintendent, Paul Alt; Granite County Clerk & Recorder, Sarah Graham; USFS Realty Specialist, Gina Fleming; USFS District Ranger (Pintler), Cameron Rasor; Joshua Sizemore and Kristin Kuiken with U.S. Senator Steve Daines Office; TCS Northwest Project Superintendent, Ryon Covington; Project Coordinator, Brook Covington; Slate Architecture Design Professional, Seth Varty; Granite County Custodian, Janeen Bonney; and members of the general public including Elena Gagliano and Chuck Stoke.

BOARD MINUTES; Commissioner Hinkle moved to accept the board minutes for August 27, 2024. Commissioner Adler seconded the motion. There were no public comments received. The motion passed unanimously.

CORRESPONDENCE;

Electronic mail was received from FERC concerning the updated Emergency Action Plan with comments. Great West is working on a response to the comments including a plan and schedule.

Electronic mail was received from the BCEGS Notification Team with an attached letter concerning the building code effectiveness grading schedules program.

The Granite County Justice Court Disbursement Report for the month of August was received; totaling \$9,832.00.

Electronic mail was received from the Beaverhead-Deer Lodge Working Group announcing their upcoming meeting on September 4th with an attached agenda.

Electronic mail was received from the BLM providing information on the Utility-Scale Solar Energy Programmatic Environmental Impact Statement. Commissioner Hinkle noted that he is not in favor of solar panels being placed on public lands.

Electronic mail was received from Mr. David Strohmaier the Chairperson of the Big Sky Passenger Rail Authority following up from his correspondence from the previous week that had an attached letter outlining comments from the Authority following a session with the Granite County Commissioners where the County decided to withdraw from BSPRA.

PUBLIC COMMENT:

No public comment was received.

ROAD & BRIDGE WEEKLY REPORT; & SOLID WASTE UPDATE WITH ROAD & BRIDGE SUPERINTENDENT PAUL ALT; Granite County Road & Bridge Superintendent Paul Alt joined the session to provide an update on projects across the County, the Road Crew is working on dura patching projects and blading roads. They are working on East Fork and Middle Fork Roads, Paul Alt noted that there have been complaints on Middle Fork Road, but that they have already bladed that road once, and put material on it. Once Blackfoot Communications is done laying fiber on Travelers Home, the Road Crew will begin working in that area. Echo Lake and Willow Creek Roads are both done as far as blading and gravel projects. Commissioner Adler noted that he has received several complaints from residents around the Maxville area, stating that Blackfoot has not cleaned up following their fiber projects. He asked that a meeting be coordinated between the contractors doing the projects, the County, and the USFS who have jurisdiction over some of the roadways to understand what the plan is to get the roadways cleaned up before the winter months.

The Town of Drummond would like the County to help clean out some of their ditches with our excavator. Commissioner McLure noted that since the County is a good neighbor we should go down and clean it out. The Town of Philipsburg would like the County to do some blading work up on Red Lion Road (non-maintained section of County road). The Town got some money to put work into the roadway and they are prioritizing the worst sections. This will be an ongoing discussion.

WYMAN GULCH, LITTLE GOLD, ROYAL GOLD ROADS; The Commission was joined by USFS Realty Specialist, Gina Fleming and USFS District Ranger (Pintler), Cameron Razor. Attorney Bradshaw explained that there is ambiguity concerning these roadways over who has jurisdiction. The USFS is working on a timber sale in the Maxville area, and the jurisdiction needs to be clarified going forward for both agencies. Gina Fleming noted that making a determination on the roadways' ownership prevents the agencies from having to do the research again in the future; and that easements can be issued as necessary. The group discussed Wyman Gulch Road which shows as a County Road on County Road maps except for portions on Forest Service ground. Attorney Bradshaw recommended doing a resolution establishing Wyman Gulch a County Road noting that the County has historically represented that Wyman Gulch Road is a County Road in its entirety. Furthermore, the Commission sets how much maintenance is done on County roads. Cameron Razor noted that the USFS plans to replace the bridge on the Maxville side of Wyman Gulch Road. The USFS would then work with the County to grant a FERTA Easement to the County on the portion of the Wyman Gulch Road going through the National Forest. The group discussed Royal Gold, which both agencies believe to be a County Road as well. Royal Gold will also be included in the Resolution regarding Wyman Gulch Road, and with a FERTA Easement to the County on Royal Gold Road as well. The Group discussed Little Gold Road, which is

still uncertain. The Commission would like more information and discuss Little Gold with Granite County Planning Director, Linda Bouck. This matter will be on an upcoming agenda for further discussion.

Ranger Razor provided a quick update on a fire in Upper Willow Creek to the right of Snowdrift Park. Crews will be checking in on the fire again today with the clearer air. The fire started about a week ago, and they had dumped a significant amount of water on it, but hadn't been able to access it again until today.

AWARDING OF SURPLUS PROPERTY BID (UNUSED AND INOPERABLE AMBULANCE); There were no bids received for the unused and inoperable ambulance.

POTENTIAL FIRE RESTRICTIONS IN GRANITE COUNTY; The Commission reviewed the current fire restrictions in place (Stage I Restrictions with no campfires being allowed). Commissioner Adler noted that the DNRC is staying at Stage I Restrictions. Commissioner Adler moved to remain at Stage I Fire Restrictions with no campfires allowed. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT; The lake level was reported at 6428.35 feet; 13.8 inches below full pool, according to the USGS lake level gage and the dam tender's report for the week. Commissioner Hinkle moved to continue releasing 30 CFS in alignment with the current FERC Order in place. Commissioner Adler seconded the motion. There were no public comments received and the motion passed unanimously.

RESOLUTION 2024-15; A GRANITE COUNTY RESOLUTION TO WITHDRAW FROM BIG SKY PASSENGER RAIL AUTHORITY; SECOND READING / ADOPTION; The Commission reviewed Resolution 2024-15 and opened the floor for public comment. Commissioner Hinkle noted that he is not against commuter and destination trains, but that after four years it is still unclear if BSPRA is a destination or commuter train. He added that the lack of information and cost are both contributing factors to him wanting to withdraw from BSPRA. Commissioner Adler stated he agreed. Commissioner Hinkle motioned to adopt Resolution 2024-15; A Granite County Resolution to withdraw from Big Sky Passenger Rail Authority. Commissioner Adler seconded the motion. Public comment was received from Elena Gagliano noting the correspondence received from BSPRA Chair, David Strohmaier and that the procedure outlined in BSPRA's rules needs to be followed. She added that after listening to previous sessions it was made clear that membership in BSPRA does not cost the County any money, but provides them a seat at the table. She provided the County a letter from Dan Olsen, a former Butte-Silver Bow County Commissioner, Granite County Property Owner, and a BSPRA Director that advocated for Granite County to remain part of BSPRA. She also provided a petition she drafted and obtained signatures of 22 residents who support the County remaining a part of BSPRA. Elena Gagliano added that if the County withdraws, she still plans to volunteer and support the project to provide a voice for the people of Granite County. Attorney Bradshaw noted that having a seat at the table is a good argument, but that the Commissioners are not making their decision based on the dues. He explained that after reviewing the correspondence from Mr. David Strohmaier that

BSPRA does have rules on withdrawing, and the resolution as written does not comply with their rules; however, BSPRA does not have statutory authority to make the rules in which they have set. Public comment was received from Elena Gagliano clarifying that boundaries of BSPRA, adding that Drummond and Philipsburg are still within the boundaries of BSPRA and that she will still work to represent these areas as a volunteer. There were no further public comments received and the motion passed two to one, with Commissioner McLure abstaining.

JOSHUA SIZEMORE WITH SENATOR DAINES OFFICE TO DISCUSS FLINT CREEK PROJECT; The Commission was joined by Joshua Sizemore and Kristin Kuiken with Senator Steve Daines Office to discuss their concerns over raising costs of maintaining Flint Creek Dam to keep up with the regulations of FERC. The group discussed that they do not receive a lot of the royalties from the electric sales and that they cannot cover the costs of the maintenance. Kristin Kuiken explained they can offer support on future grant applications, including letters of support. Joshua Sizemore noted that he can engage with FERC, but that he doesn't see a lot changing in regard to a lot of the requirements, but that they are happy to try and support the County to locate grants and funding streams to assist in supporting financial obligations. Public comment was received from Elena Gagliano noting that federal grant funding is similar to taking money and throwing it into a hole. She noted the complexity of the dam due to the number of stakeholders, and how this project is a losing battle that keeps costing the County money. Elena Gagliano recommended that the County rescind the FERC license. Attorney Bradshaw explained that he would not recommend the County rescind the agreement with Flint Creek Hydro LLC or the FERC license.

INSPECTION OF BONDS IN ACCORDANCE WITH MCA 7-4-2213; The Commission reviewed the bond for the Granite County Courthouse and ADA Project from TCS Northwest in accordance with MCA 7-4-2213.

UPDATE ON THE GRANITE COUNTY COURTHOUSE AND ADA PROJECT WITH TCS NORTHWEST AND SLATE ARCHITECTURE; The Commission was joined by TCS Northwest Project Superintendent, Ryon Covington; Project Coordinator, Brook Covington; Slate Architecture Design Professional, Seth Varty. Ryon Covington explained that tile and grout work has been getting done quickly. Commissioner Adler noted that the windows are going away on the level along the roof. TCS can have the tilers continue on and tile the area where the window will be removed in the bathroom on the upper level right now, rather than have them come back later. The Commission agreed. The boiler has been checked out and the County's boiler company will be here next week to check things out, but the boilers should be up and operable for the winter months. The group discussed salvaging the marble. Ryon Covington stated that he is having a difficult time finding someone to cut and polish that marble to reuse them for the stalls in the men's bathroom. TCS Northwest can try and cut them, but there is a high probability that it will break and that the stains will not be removable. It will take a few weeks to get the cuts in, Seth Varty acknowledges that it might not be worth the time to salvage the marble; but would like to see it saved. Ryon Covington will try to cut some for the base, but the Commission agreed that new partitions will need to be purchased. The Commission acknowledged that TCS can try to cut the marble

but that it will likely break or shatter. The group walked through some details of the project; some of the main items discussed included the heater relocation and shaft wall elevator fitment.

The regular session adjourned at 11:30 a.m.

COUNTY'S FISCAL YEAR 2024-2025 BUDGET HEARING: Commissioner Hinkle was excused from the Budget Hearings, and he expressly gave Commissioner McLure his proxy vote. Granite County Clerk & Recorder, Sarah Graham joined the Commission to review the budgets for FY 2025. The Commission opened the floor for public comment and reviewed the revenue for the General Fund as well as each levied and non-levied fund.

Commissioner Adler moved to set the mills for fiscal year 2024-2025. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously. Commissioner Adler voted in favor the motion. Commissioner McLure voted in favor the motion and also voted on behalf of Commissioner Hinkle with his proxy.

RESOLUTION 2024-16 A GRANITE COUNTY RESOLUTION ADOPTING THE 2024-2025 FISCAL YEAR BUDGET WITH SALARIES AND COST OF LIVING INCREASE FOR COUNTY EMPLOYEES; SECOND READING: The Commission reviewed the Resolution and opened the floor for public comment. Commissioner Adler moved to approve and adopt Resolution 2024-16; A Granite County Resolution adoption the 2024-2025 Fiscal year Budget with Salaries and Cost of Living Increase for County Employees. Commissioner McLure seconded the motion. There were no public comments received and the motion passed unanimously as Commissioner Adler voted for the motion, Commissioner McLure voted in favor of the motion to approve the said Resolution on her own behalf and also with Commissioner Hinkle's proxy.

The hearing adjourned at 3:00 p.m.