

August 6, 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's 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; FERC P.E., Kareem Bynoe; Great West Engineering, P.E. & Business Unit Manager, Jeremiah Theys; DES Coordinator, Jackie Bolster; Granite County Medical Center CEO, Brian Huso; Rumsey Road Resident, Luke Welborn; Granite County Planning Director, Linda Bouck; Granite Headwaters / Watershed Group Coordinator, Ahnna Reid; Northwestern Energy Representatives Kyle Caldwell, Paul Babb, and Kristie Armstrong; Philipsburg Mayor, Daniel Reddish; Blackfoot Communications Contractors Dan Coffey and Randy Anderson; and members of the general public including Elena Gagliano and Vladimir Babich.

BOARD MINUTES; Commissioner Hinkle moved to accept the board minutes for July 30, 2024. Commissioner Adler seconded the motion. There were no public comments received. The motion passed unanimously.

CORRESPONDENCE;

Electronic mail was received from Jean Starr with Starr Counseling & Addiction Services requesting the Commission to reconsider their Alcohol Tax Dollar Designation. This matter will be on a future agenda.

The end-of-period disbursement report was received from Granite County Justice Court for the month of July 2024; the total disbursement is \$6,068.00.

PUBLIC COMMENT:

Public comment was received from Vladimir Babich concerning the County installed crosswalk on Georgetown Lake Road. He inquired if the speed signs (solar powered radar signs that digitally show speed) that were approved last fall were going to be implemented as well. The Commission raised concern over the vandalism in the area, which is why they have delayed implementation of the signage. Vladimir Babich stated that there are issues with vehicles traveling over the speed limit in the area, and the cross walk is not deterring speed. Vladimir Babich raised concern over the area in which the County wants to place the signage, stating they designated where the signs would be placed in their motion last fall.

Paul Alt noted that the signs haven't been installed yet except the posts, but the County has discussed moving the location of the signage. The Commission agreed that the signage should be implemented, noting that they were waiting to see if the cross-walk signs could be placed without any vandalism. Paul Alt explained that they are wanting to post the signs a mile away from the crosswalk, enabling them to serve more residents along Georgetown Lake Road. It was stated the matter would be put on upcoming agenda.

Public comment was received from Elena Gagliano noting that this is the public comment period and not a time for discussion. She added that Vladimir Babich's concern should be placed on a future agenda. The Commission noted that this matter will be on an upcoming agenda. Attorney Bradshaw added that in his opinion not responding to a concern during public comment would be rude, but that any decision being made would have to be a future agenda item. Elena Gagliano clarified that she is a member of the public and that the Commissioners are Elected Officials who work for the public. She raised concerns over how the meetings are conducted. Attorney Bradshaw clarified the process, noting that this item will be a future agenda item.

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. Currently the Road Crew is working on blading roads and spreading gravel on Upper Willow Creek Road. Paul Alt's County truck is back in the shop, the oil coolers went out of the truck and it could be around \$8K to replace it. The truck has over 200K miles on it. Commissioner Adler noted that the County should not keep pouring money into the truck if it has high miles on it. This matter will be on the agenda next week. Paul Alt provided an update on the snowplowing request on Algonquin Road made the previous week by Clay Kinser. Paul Alt is still looking into this matter and it will be on a future agenda.

GEORGETOWN LAKE OUTFLOW; DAM TENDER'S REPORT; The lake level was reported at 6428.83 feet; 8.04 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 comments and the motion passed unanimously.

Public comment was received from Elena Gagliano raising concern over technical issues with the sound over the Zoom Platform. Commissioner Adler noted that he spoke with Senator Steve Daines Office concerning the requirements from FERC. The Commission will discuss this in more detail next week.

POTENTIAL FIRE RESTRICTIONS IN GRANITE COUNTY; The Commission reviewed the current fire restrictions in place (Stage II Restrictions). Commissioner Hinkle noted that he does not think the County should be at Stage II Restrictions. He noted if we do stay at Stage II Fire Restrictions, that the County should look into doing exemptions for Northwestern Energy and Blackfoot Communications. Commissioner Adler stated he is not in favor of removing the Stage II Restrictions, noting the dry areas of the County. He added

that he is also not in favor of giving exemptions. DES Coordinator Jackie Bolster provided an update of her DNRC conference call from the day prior, and stated that most Counties that are in Stage II Fire Restrictions are planning to stay in Stage II Fire Restrictions. She added that some Counties do provide exemptions, but not all Counties received requests for exemptions. Jackie Bolster noted that Fire Warden, Sean O'Conner had stated that he would like to stay at Stage II Restrictions; noting the dry conditions outside of the timber areas.

Attorney Bradshaw explained that he clarified some details of the restrictions with Blackfoot, as the County's Resolution establishing fire restrictions does not apply to state land and rights-of-way, and municipalities. He added that Blackfoot may obtain approval from the State to work within the rights-of-way making the current County restrictions non-applicable within the State right-of-way. The Commission discussed the need for fire suppression equipment to be in place on vehicles wishing to get an exemption. Commissioner Adler moved to remain in Stage II Fire Restrictions with the Agriculture Exemption. Commissioner McLure seconded the motion. Public comment was received from Paul Babb of Northwestern Energy (NWE) explaining that fire mitigation is a top priority for their organization and that all of the crew are trained on how to use fire suppression equipment. He raised concern over the restriction limiting their ability to improve their infrastructure in the County. Kyle Caldwell with NWE stated that the projects NWE is working on will get residents connected to power and improve the company infrastructure preventing future fire hazards. They stated that their crews all have proper fire suppression equipment with them at all times.

Blackfoot Communications' fiber installation Contractors Dan Coffey raised concern over the restrictions and the impacts to their Fiber Optic Project. He added that they also have fire suppression equipment on their trucks and are in contact with the Philipsburg Fire Chief, David Ray. His sentiment was echoed by Randy Anderson, who is also contracting with Blackfoot Communications for the Fiber Optic Project.

Kristie Armstrong with NWE highlighted the company's goals to operate safely, especially during fire season. She noted that they have fire suppression equipment available on their trucks regardless of the fire restrictions set by the County. Commissioner McLure stated that if the companies have fire suppression equipment on their vehicles and are working with the Fire Chief, the County should potentially provide exemptions. Attorney Bradshaw explained that this is something the County can do. The Commission discussed whether to provide an exemption for trucks with fire suppression equipment. Commissioner Hinkle moved to remain in Stage II Fire Restrictions with exemptions for Agricultural and Utility Purposes. Commissioner McLure seconded the motion. There were no public comments received and the motion passed two to one with Commissioner Adler dissenting.

Commissioner Hinkle moved to stage II with exemptions for utility companies (in addition to current agriculture exception) that have fire suppression on site. Commissioner McLure seconded the motion. The signed Resolution adopting Stage II Fire Restrictions with Exemptions will be emailed out immediately to all relevant government agencies and local news outlets.

GRANITE COUNTY MEDICAL CENTER CEO BRIAN HUSO WITH A HOSPITAL UPDATE; CONTINUANCE OF THE AREA V PROGRAM; PIPED OXYGEN INTO NEEDED AREAS OF GCMC HOSPITAL—PUBLIC BIDDING BY THE GRANITE COUNTY HOSPITAL DISTRICT; The Commission was joined by GCMC CEO Brian Huso to discuss the continuance of the Area V Program. The Commission agreed to pass the funding to GCMC to continue the program for FY 2024. Brian Huso requested the Commission to continue passing the funding on to the Medical Center to continue the program for FY 2025. Brian Huso stated the program is working well at GCMC. The Commission will update the contract for FY 2025 and have this matter on a future agenda for signature. Brian Huso provided a financial update, noting that GCMC ended the fiscal year in the black. He updated the Commission on projects to improve the hospital and grounds. He explained that they currently working on putting a public bid out to implement piped oxygen in the medical center.

Commissioner Adler moved to continue passing Area V Funding to GCMC (limited to that which was done previous fiscal year) to continue the Home Health Program for FY 2025. Commissioner Hinkle seconded the motion. Public comment was received from Elena Gagliano asking about the improvement projects the hospital is working on. The Commission asked that she hold her comment until they are finished with their motion. There were no public comments on the motion to continue passing Area V funding through to GCMC, and the motion passed unanimously.

Commissioner Adler motioned to approve bidding by Granite County Hospital District for piped oxygen. Commissioner Hinkle seconded the motion. Public comment was received from Elena Gagliano asking about the capital projects, noting that the County doesn't own GCMC. Brian Huso explained that the Commission does not have oversight of GCMC operations, however they do own the building, which is why the approval is necessary. Elena Gagliano raised concern over digging on the premises and asked if approval has been granted. Brian Huso explained that when digging has been necessary for projects they have gotten all of the necessary approvals.

Any digging should be discussed with the Town. Any digging has to go through multiple agencies for approval. There were no public comments received and the motion passed unanimously.

LUKE WELBORN TO DISCUSS THE DEVELOPMENT ON RUMSEY ROAD; Rumsey Road Resident, Luke Welborn joined the Commission to discuss concerns from a previous session, where his neighbor, Kurt Fagrelus had discussed a civil matter that is working its way through the court system between the two parties. Luke Welborn explained, in his opinion, that when Mr. Fagrelus came in to speak with the Commission there were a lot of mischaracterizations of him and his family. He explained that they are not developers from out-of-state and they are wanting to preserve the area just as Mr. Fagrelus does. Luke Welborn provided some background on the matter and how his father completed a family

transfer to provide parcels to him and his sister. He discussed the covenant that the real estate agent and title company did not notate when the land was purchased. They only became aware when they tried to sell one of parcels. Currently their title insurance company is working through the legal system to try and remedy the matter for them which would include a Quiet Title Action. Luke Welborn stated that he and his family have tried to reach out to Mr. Fagrelus to explain that matter and how all neighboring parcels are listed as defendants including Mr. Welborn and his sister. He explained that Mr. Fagrelus is the only neighbor having an issue with Quite Title Action. He noted that he and his family have not hurt Mr. Fagrelus's dog or told Mr. Fagrelus that if he doesn't sign the waiver that he will be responsible for their attorney's fees. Luke Welborn thanked the Commission for allowing him to make a statement, and asked that if they do communicate with Mr. Fagrelus that they try to explain that the Welborn's are not wanting to further divide the property. Attorney Bradshaw noted that historically speaking it has not been in the purview of the Commission to get involved in private, civil disputes and they have historically stayed out of such disagreements. Granite County Planner, Linda Bouck explained that the County is not party to the covenants in this matter and that this is a private and separate, civil matter.

SETTLEMENT WITH ACE ROOFING; Attorney Bradshaw explained that following a meeting Commissioner Adler had had with Ace Roofing recently where Ace Roofing would cash the County out for the drains \$6K (along with remediation costs already agreed to), paying in lieu of product and time. The Settlement Agreement is ready for signatures from the Commission. Attorney Bradshaw clarified that this settlement agreement proposed is a final settlement of all claims with Ace Roofing. Commissioner Adler moved to approve and sign the settlement with Ace Roofing. Commissioner Hinkle seconded the motion. There were no further public comments received and the motion passed unanimously.

APPOINTMENT OF MIKE LEE TO THE PHILIPSBURG FIRE SERVICE AREA BOAD; The Commission reviewed the request form Mike Lee to join the Philipsburg Fire Service Area Board. There has been a vacancy on the Board since October of 2023. Commissioner Adler moved to appoint Mike Lee to the Philipsburg Fire Service Area Board. Commissioner Hinkle seconded the motion. There were no public comments received and the motion passed unanimously.

QUARTERLY FERC CALL; The Commission was joined by FERC P.E., Kareem Bynoe; Great West Engineering, P.E. & Business Unit Manager, Jeremiah Theys; and DES Coordinator, Jackie Bolster to review quarterly submittals to FERC. Kareem Bynoe noted that the Dam Safety Inspection that was completed on June 10, 2024 was a good opportunity to look at the project and that a follow up letter was sent on June 24, 2024. He noted that the County has 60 days to respond to correspondence from FERC. The group discussed the Outlet Structures and how there is vegetation around the dam that needs to be removed. The Commission discussed how to remove the vegetation, including utilizing the Weed Crew; as well as inquiring if the Dam Tender can complete some routine maintenance. The group discussed getting a power washer to clean out the vegetation. Kareem Bynoe recommended the County be cautious when trying to remove vegetation with the power washer so they don't compromise the concrete on the structure. Kareem Bynoe inquired about a response

that is overdue to a letter regarding the surveillance monitoring report (May 2024). He asked that an update be provided to him by the end of next week. The County Commission agreed to get this done. The Part 12D Inspection (in-depth engineering inspection) will need completed, as required, in two (2) years. The group also discussed some of the details for upcoming Comprehensive Audit that is due in 2027.

The meeting adjourned at 11:15 a.m.