

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**February 25, 2020, Meeting Minutes**

On Tuesday, February 25, 2020, a meeting of the Board of Madison County Commissioners came to order at 9:40 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Dan Allhands, Chairman, Ron Nye, and Jim Hart present. Laurie Buyan, Executive Assistant to the Board of Commissioners, was present to take minutes.

Those people in attendance at the meeting were Tommy Luksha, Kathleen Mumme, Don Collins, Kathy Barnes, Craig Schroder, Alison Elser, Britani Allhands, Bonnie O'Neill, Lisa Roberts, Alan Rohrback, Allison Treloar, Jani Flinn, Tyler Holland, Margie Edsall, Ryan Elliott, Tammy Mahlstede, Vicki Tilstra, Debi Davidson, Audrey Combo, Courtney Loeffler, Blake Leavitt, Ryan Elliot, Steve McNeece, Bob Bates, Ellis Thompson, Justin Ekwall, Hannah Kears, Allison Veland, Christine Deprese, Kacey Smart, and Chris Christensen.

**Approval of Minutes:** Jim Hart moved to approve the January 28, 2020, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the February 4, 2020, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried.

**Census Legal Boundary Verification Program:** Tommy Luksha, GIS, met with the Board to discuss a boundary verification request from the Census department. Kathleen Mumme, Clerk and Recorder, was present for this portion of the meeting. Tommy stated that he has reviewed the boundaries that were provided by the Census and that they are very close but not a true match. Kathleen discussed discrepancies in some of the maps in her office, but agreed that the Census maps are close enough. Tommy recommended that the County approve boundaries as they are but that he will continue to work reconciliation. Based on the recommendation of GIS and the Clerk and Recorder, Jim Hart moved to approve the 2020 Initial Boundary Validation Program and Boundary and Annexation Survey as delivered from the Census Bureau. Ron Nye seconded the motion. All voted aye and the motion carried.

**Insurance Committee's Recommendation for Health Insurance/Benefit Package Bid Proposals:** Insurance Committee Members Kathy Barnes, Sheriff's Assistant, Craig Schroder, Under-Sheriff, Alison Elser, Deputy Clerk and Recorder, and Britani Allhands, Finance Office Clerk, met with the Board to discuss health insurance bids. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Britani provided packets with proposed information to be sent to bidders. After review of the bid packets, Ron Nye moved to approve the Insurance Committee's recommendation to advertise for Health Insurance bids with the Benefits Package as provided. Jim Hart seconded the motion. All voted aye and the motion carried.

**Virginia City Ranches RID:** Don Collins, Madison County resident, met with the Board to discuss being charged a double RID assessment for one lot on in the Virginia City Ranches RID. He stated that he has talked to Shelly Burke, Treasurer, Brandy Hilton, Department of Revenue, and Michelle France, Virginia City Ranches Home Owners Association, and none of them know why this extra assessment has been added. He explained that he has two pieces of property, an upper piece and a lower piece and stated that boundary changes have been made to the lower piece but no changes were made to the upper piece where the additional assessment has been added. The upper piece is a solid 160 acres. The lower piece is 3 lots within 106 acres. He stated the lower piece has 3 assessments, which is correct, but the upper piece now has two assessment. He feels this is an error and needs to be fixed. He added that although he is not actually in Virginia City Ranches and therefore, has no say in the process, he has no objections to paying his fair share but doesn't want to pay more than his fair share. Following discussion, Jim Hart moved to adjust the maintenance assessment of Donald and Renee Collins, Tax Payer 27035700, C.O.S. 7/2466, Section 22, Township 6 South, Range 2 West, in the Virginia City Ranches area from 2 assessments to 1

on the upper parcel, leaving 3 on the lower parcel, and to refund the extra assessment that was paid for 2019. Ron Nye seconded the motion. All voted aye and the motion carried.

**Claims:** The Board approved claims.

**Elected Board Appointments:** After review of a declaration for nominations and Oath of Candidacy, Ron Nye moved to appoint Duke Gilman to the Alder Fire District Board, for a three year term that will expire in May of 2023. Jim Hart seconded the motion. All voted aye and the motion carried. Having received a request from the Clerk and Recorder, Ron Nye moved to declare the following candidates elected by acclamation: Toni James and Jennifer McGuire, for three year terms that will expire in 2023, and Mark Jacobs to fill an unexpired term that will expire in 2021, to the Virginia City Rural Fire District Board; Lacy Holbrook and Luke Novich to the Twin Bridges Fire District Board for three year terms that will expire in May of 2023; M. David Maichel to the Harrison Fire District Board for a three year term that will expire in May of 2023; Dorothy Fossel and Jeff Montag, for four year terms that will expire in 2024, and Bryant Harp, to fill an unexpired term that will expire in 2021 to the Madison Valley Hospital District Board; Laurie Buyan and Tom Pruitt to the Alder Sewer and Water Board; and Arthur Kehler and Judd McBurney to the Harrison Sewer and Water Board. Jim Hart seconded the motion. All voted aye and the motion carried.

Lisa Roberts, Town of Ennis, met with the Board to discuss the following topics. Alan Rohrback, Madison Valley Medical Center CEO, and Allison Treloar, Madison Valley Medical Center Chief Nursing Officer, were present for this portion of the meeting. Alan offered support for the Ennis master plan and the ambulance district, stating that he would like to be included in discussions related to an ambulance district.

- **Letter of Support for Big Sky Trust Fund Planning Grant Application for Town of Ennis Master Plan:** Lisa explained that the Town of Ennis is working toward a master plan that will include work force housing, parking, and other infrastructure needs in Ennis. She stated that Joe Willauer, Headwaters RC&D, is assisting with a grant application for a planning grant. She requested a letter of support for the project. Following discussion, Jim Hart moved to approve a letter of support for the Town of Ennis applying for a Big Sky Trust Fund Planning Grant to support the creation of a new community master plan. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Funding Request for the Town of Ennis Master Plan:** Lisa also requested that the County assist in funding for the proposed master plan, stating that Ennis has committed \$10,000 and Montana Main Street has committed \$10,000. She requested \$5,000 from the County. Following discussion, Jim Hart moved to approve the funding request from the Town of Ennis to support the Master Plan, in the amount of \$5,000 from the Commissioners' Contingency. Ron Nye seconded the motion. All voted aye and the motion carried.

Additional discussion included affordable/work force housing, the process of annexing property into the town, and creating an improvements district.

**Airports:** Jani Flinn, Airport Board Secretary, met with the Board to discuss the following airport topics. Lance Bowser, Robert Peccia and Associates, participated in this portion of the meeting by telephone.

- **Ennis Big Sky Airport Snow Removal Equipment Building:** Lance reviewed a proposed tender agreement and explained the status of the snow removal equipment building and the associated costs that have been paid and those that are remaining, including a list of charges and what the insurance company is willing to pay. He stated that the bottom line shortfall of \$146,769.82 is the amount that Philadelphia will pay to Madison County to cover the additional costs. He added that the new contractor, AV Construction, will be bonded and the remainder of the contract will remain with Philadelphia Indemnity Insurance Company. He stated he is comfortable with AV moving forward and that once the bonds and associated paperwork are in order, he will issue a notice to proceed. He estimated six weeks to finish the project. Following discussion, Jim Hart moved to approve the Tender and Substitution Agreement, dated February 24, 2020, between Madison County, Philadelphia Indemnity Insurance Company, and AV Construction for completion of Airport Improvements to Ennis Big Sky Airport, AIP 3-30-0090-020-2018. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Ennis Big Sky Airport Engineering Task Order #27:** Lance stated that because the bonding company agreed to cover the additional costs incurred by Robert Peccia and Associates for liquidated damages, the proposed task order is no longer necessary.

- **Amended Plat of Tracts 4A and 4B, Ennis Big Sky Airport:** Land acquisitions were discussed and Lance noted that Tract 4-A is on the Exemption Review Board agenda for tomorrow. He also discussed Tract 4-B stating that the Chairman has been authorized to sign documents when they are ready, but that the property owner still does not have the necessary releases in place. Following much discussion, Ron Nye moved to ask the Deputy County Attorney to write a letter to the landowners giving them until next Wednesday, March 4, 2020, to get the proper releases or the County will proceed with the Eminent Domain process. Jim Hart seconded the motion. All voted aye and the motion carried.
- **State of Montana, Longhorn Ranches Ennis Big Sky Airport:** Lance stated that the Longhorn Ranches property is in the process of being surveyed and that the State of Montana easement is on record and he is working on getting a work order in place.

**Workers' Compensation Insurance:** Tyler Holland, Novich Insurance, met with the Board to discuss workers' compensation insurance. Margie Edsall, Weed Coordinator, Ryan Elliott, Payne West Insurance, Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, and Tammy Mahlstede, Human Resource Specialist, were present for this portion of the meeting. Tyler stated that they were notified at the MACo Conference that MACo would no longer be providing workers' compensation insurance to the counties and discussed the choices that MACo has identified. Advantages and disadvantages of the options were discussed at length. Tyler discussed other options that might be available to the County and offered to submit a request to other carriers. After much discussion, Ron Nye moved to direct Novich Insurance to research quotes for Workers' Compensation Insurance from Montana State Fund, Liberty Mutual Insurance Company, Travelers Insurance Company, Victory Insurance Company, and other possible companies on behalf of Madison County. Jim Hart seconded the motion. All voted aye and the motion carried.

**Process for Funding for Big Sky Trust Grant Award:** Debi Davidson, Montana Department of Commerce, and Audrey Combo and Courtney Loeffler, Headwaters RC&D, met with the Board to discuss the Big Sky Trust Fund Grant award for Canty Boots. Jani Flinn, Grant Administrator was present for this portion of the meeting. Debi discussed the project stating that it's huge to have this opportunity in a small community like Harrison. She stated that Madison County is the grantee of the project and reviewed the documents that will need to be completed for the project, adding that they will pay the County and the County will then pay Canty Boots. The project will run from January 14, 2020 through January 14, 2021, with the goal of providing a job that will remain indefinitely. She added that if the job goes away, the funds also go away. The project will be monitored and all documents will need to be kept in a file. She stated that Headwaters will create a file for the County and help with the monitoring process.

**Ambulance District:** Kathleen Mumme, met with the Board to discuss an ambulance district for the northern end of Madison County. Tommy Luksha, GIS, Blake Leavitt, Mayor of Ennis, Alan Rohrback, Madison Valley Medical Center CEO, and Steve McNeece, Nursing Homes Administrator, were present for this portion of the meeting. Kathleen discussed boundaries that could be used to include a portion of the County in the Jefferson County Ambulance District and stated that using the Cardwell School District boundary would be the quickest easiest way to get this accomplished. She added that a petition would need to be filed by the residents the district would serve and discussed getting it on the primary election ballot, noting that it would need to be completed in a week to get that accomplished. There was discussion about a county-wide ambulance district. Tommy Luksha discussed the Ruby Valley Ambulance and specifics related to finances of an ambulance district. Steve McNeece stated that critical access hospitals have access to funds for this type of thing and suggested that he and Alan Rohrback take the lead on this project. Alan added that he has done assessments but hasn't gotten all the stakeholders together. Blake stated that right now, the Ennis ambulance is sustaining itself but doesn't foresee that continuing. Following much discussion, it was determined that Kathleen would map out a boundary using School Districts 47 and 31 to annex into the Jefferson County Ambulance District; and Jim Hart suggested scheduling a meeting sometime in April with the Ruby Valley Hospital and Madison Valley Medical Center to further discuss an ambulance district for the remainder of the County.

**Request for Safety Intern Position:** Bob Bates, Safety Coordinator, met with the Board to request advertising for an intern to assist him with Safety duties through the summer. Bonnie O'Neill, Chief Administrative Officer, Steve McNeece, Nursing Homes Administrator, Alan Rohrback, Madison Valley

Medical Center CEO, Ellis Thompson, Virginia City Resident, Tammy Mahlstedt, Human Resources, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Bob stated that along with being valuable help, he could give the intern some hands-on training and get assistance with administrative duties that he has been unable to get to. He stated that he has contacted Montana Tech and that they will assist with advertising the position. He suggested 20 hours per week from the beginning of May to the end of July, adding that there is enough funding in the Safety budget to cover the position. After discussion, Jim Hart moved to approve the Safety Coordinator's request to hire a short-term interim position for the Safety Department starting at the beginning clerk wage of \$15.93. Ron Nye seconded the motion. All voted aye and the motion carried.

Tammy Mahlstedt, Human Resource Specialist, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, Steve McNeece, Nursing Homes Administrator, Alan Rohrback, Madison Valley Medical Center CEO, Ellis Thompson, Virginia City Resident, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **New Safety Intern Job Description:** Following review and discussion, Ron Nye moved to approve the Safety Intern Job Description as presented. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Authorization to Fill Safety Intern 90 Day, Short Term Position:** Following review and discussion, Ron Nye moved to approve the Authorization to Fill for the Safety Intern Position with correction. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Revised Weed Program Field Crew Personnel Job Description:** Following review and discussion, Ron Nye moved to approve the Revised Weed Program Field Crew Personnel Job Description as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

**CAH Contract:** Justin Ekwall, Deputy County Attorney, and Steve McNeece, Nursing Homes Administrator, met with the Board to discuss the contract for nursing home administrator services. Bonnie O'Neill, Chief Administrative Officer, Alan Rohrback, Madison Valley Medical Center CEO, Ellis Thompson, Virginia City Resident, Tammy Mahlstedt, Human Resources, Vicki Tilstra, Finance Officer, Kathleen Mumme, Clerk and Recorder, and Hannah Kearse, The Madsonian, were present for this portion of the meeting. Dan Allhands discussed and reviewed the proposed contract for nursing homes administrative services noting that there are two parts to the contract, the first being through the end of April 2020 for personnel management, resident care, long term administration planning and recommendation. The second phase would be for a period through January 2022, or sooner for full time administration at both sites. He stated that the goal is create long term management so administrators aren't switched every other month. Discussion included clarification of the vacation time clause, the termination without cause clause, hiring a second administrator, the cost of one or two administrators versus what has previously been paid and what is currently budgeted for, the number of administrators that have come and gone in the past twelve years, splitting the contract into two separate contracts, or cleaning up the existing contract. Steve McNeece stated that the first three months of the contract is to do an assessment and that his primary concerns are 1.) Resident Care, 2.) Working with Employees, and 3.) Determining if one or two administrators are needed. After much discussion, Jim Hart moved to accept the contract as written with some cooperative review from Steve and Justin on a recommendation for a second administrator. This motion died for lack of a second. After further discussion, Jim Hart moved to continue with the contract that is currently in place until a new one is approved and signed, assuming it is prior to the termination date of March 10, 2020. Ron Nye seconded the motion. All voted aye and the motion carried.

**Beaverhead County Cooperative Agreement:** There was no discussion on this topic.

**Amended Great West Task Order #27 – Jack Creek Road:** Jim Hart discussed a task order from Great West Engineering regarding safety improvements on Jack Creek Road. Following discussion, Jim Hart moved to approve Great West Task Order #27 with Exhibit B, Scope of Services for Jack Creek Road Safety Improvements Design and Bidding Services. Ron Nye seconded the motion. All voted aye and the motion carried.

**Resolution to Authorize Submission of MDT Grant Application:** Jani Flinn, Grant Administrator, presented and reviewed a proposed resolution related to submission of a transportation grant. Following

review, Ron Nye moved to approve Resolution 7-2020, a resolution to authorize submission of a Montana Department of Transportation grant to purchase a new vehicle for the Senior Citizens' Advisory Board and possible funding for operating expenses. Jim Hart seconded the motion. All voted aye and the motion carried.

**Closed Legal Strategy Telephonic Meeting:** Chairman Allhands read a statement regarding the purpose of the closed meeting. At 4:08 p.m., the Board moved the meeting to the jury room of the new courtroom in the Administrative Office Building and went into a closed session to discuss legal strategy pertaining to a grievance from an employee.

The Board resumed the regular meeting in the Commissioners' Conference Room of the Administrative Office Building at 5:15 p.m.

**Items not Listed on the Agenda but Within the Board's Jurisdiction:** As a result of the closed legal strategy telephonic meeting, Jim Hart moved to hire an investigator related to an on-going employee grievance. Ron Nye seconded the motion. All voted aye and the motion carried.

**MOU with Big Hole Watershed Committee – Dump Truck:** Following review and discussion, Ron Nye moved to approve a Memorandum of Understanding between Madison County and the Big Hole Watershed Committee for the use of the County-owned 1973 International Harvester Truck to remove dead livestock. Jim Hart seconded the motion. All voted aye and the motion carried.

**MOU – Madison Valley Hospital District and Madison Valley Medical Center:** Jim Hart notified the Board that he was asked to witness a memorandum of agreement between the Madison Valley Hospital District and the Madison Valley Medical Center. He stated that he signed the MOU as a County Commissioner.

**Calendars:** The Board reviewed calendars.

With no further business, the meeting was adjourned at 6:00 p.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, March 3, 2020, beginning at 9:30 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana.

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Dan W. Allhands, Chairman  
Board of Madison County Commissioners

Date Approved: March 24, 2020

Minutes prepared by:

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Laurie Buyan, Executive Assistant to the  
Board of Commissioners

Attest: \_\_\_\_\_  
Kathleen Mumme, Clerk and Recorder, Madison County