

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**March 14, 2016, Meeting Minutes**

On Monday, March 14, 2016, a meeting of the Board of Madison County Commissioners came to order at 10:25 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana, with Commissioners David Schulz, Jim Hart, and Ron Nye present. Jani Flinn, Relief Clerk, was present to take minutes.

Those people in attendance at the meeting were Dan Allhands, Patrick Webb, Bill Sinclair, Rick Hafenfeld, Robert Allhands, Nathan Korb, Shelly Burke, Jeremiah Theys, Vicki Tilstra, Lisa Brubaker, Patty Davis, Karen Brown, Charity Fechter, Billy Whitehurst, Lance Bowser, and those on the attached list.

**Approval of Minutes:** Jim Hart moved to approve the February 29, 2016, meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the March 2, 2016, TIF/TEDD meeting minutes as presented. Jim Hart seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the March 3, 2016, Road Crew meeting minutes as presented. Jim Hart seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the March 7, 2016, meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried.

**Public Discussion/Comments:** Patrick Webb, Field Representative for U.S. Senator Steve Daines, stopped by the meeting to update the Commissioners on Senator Daines' Energy Tour around the state and encourage their participation in a Montana Energy 2016 Summit to be held March 29, 30, and 31 in Billings. The Board discussed the Ruby Reservoir access issues, Twin Bridges Airport, Virginia City Post Office, and BLM issues.

**Claims:** The Board approved claims.

**Gas Tax Maps:** This item was continued to the next regularly scheduled meeting on March 21, 2016.

**Cell Phone Policy:** This item was tabled to the next regularly scheduled meeting on March 21, 2016.

**Mental Health Board Appointment:** Jim Hart moved to appoint Jane Yecny to the Madison County Mental Health Local Advisory Council for a four year term that will expire in December of 2019. Ron Nye seconded the motion. All voted aye and the motion carried.

**Courthouse RFQ and Advertisement:** The Board reviewed the Request for Qualifications / Proposals for Construction Manager at Risk (CM-AR) Services and will coordinate with Think One Architects to post and advertise for the proposed renovation project for the Courthouse. The RFQ will be advertised on March 16, 20, and 23, 2016, and submittal packages must be received by Friday, April 1, 2016, at 4:00 p.m. to be considered.

**Madison Valley Manor Renovation Project:** The following items were discussed.

- Ron Nye moved to approve a Proposal Request from Lutey Construction to provide and install new shower controls in the Tub Room at Madison Valley Manor in the amount of \$659.56. Jim Hart seconded the motion. All voted aye and the motion carried.
- After review, Jim Hart moved to approve Payment Request No. 4 for the Madison Valley Manor Renovation, in a total amount of \$142,437 less 1% Montana Gross Receipts tax of \$1,424, for a total due from Madison County in the amount of \$141,012. Ron Nye seconded the motion. All voted aye and the motion carried.

**Intergovernmental Transfers for Nursing Homes:** After discussion, Jim Hart moved to complete and sign the FY2016 Nursing Facility Intergovernmental Transfer Questionnaire for both Madison Valley Manor and Tobacco Root Mountains Care Center. Ron Nye seconded the motion. All voted aye and the motion carried.

**Upper Ruby Resource Management Plan Support Letter:** After discussion, Ron Nye moved to approve a letter of support for the Upper Ruby Resource Management Plan and encourage them to get input from producers. Jim Hart seconded the motion. All voted aye and the motion carried.

**TRMCC Fire Alarms:** Saza Lee, Tobacco Root Mountains Care Center Administrator, met with the Board to discuss bids he has received for the TRMCC fire alarms to be upgraded. He will wait to verify another bid before making a final decision. In other business, Saza updated the Board on his staffing and the Commissioners congratulated him on getting his Montana Nursing Home Administrator license.

**Ruby Valley Search and Rescue Building:** Bill Sinclair, Rick Hafefeld, Robert Allhands, and Vicki Tilstra were present for this portion of the meeting. Bill confirmed receipt of the appraisal and reviewed donations already received in the amount of \$110,000, and additional donations to be expected. The board discussed options for financing and current sub-lease in place that will remain from the Forest Service. The Sheriff will be able to set up a sub-station for communications, and Bill is working with the Town of Sheridan for storage of their equipment. After review, Jim Hart moved to support Madison County purchasing the building on behalf of Search & Rescue in the amount of \$325,000 with an inter-fund loan not to exceed ten years, and to sign the necessary documents to re-assign the Contract to Madison County. The County attorney will draft agreements between the existing tenants and Madison County, as well as an Agreement between the Madison County and Ruby Valley Search & Rescue for reimbursement of payments on the building. Ron Nye seconded the motion. All voted aye and the motion carried.

**Findings on Laurin and Giem Bridges:** Jeremiah Theys, Great West Engineering, met with the Board to review the findings on two Madison County bridges. Emergency repairs were done to the Laurin Bridge this year in order to keep it open. The bridge is rated as a "4", with "5" noted as a fail. This project is a priority for the County and could be funded through a TSEP grant with in-kind contributions from the county. Total cost to repair is estimated at \$451,672.00. Grant applications are due May 4, 2016, and will require completed environment assessments and public comment. The Giem Bridge that crosses the Beaverhead River is also recommended for replacement, but is not as bad as the Laurin Bridge. After discussion and review, Ron Nye moved to proceed with the Laurin Bridge replacement and continue with a Preliminary Engineering Report for TSEP Grant application in order to conclude the work in progress, as recommended by Great West Engineering. Jim Hart seconded the motion. All voted aye and the motion carried.

**HR Position Discussion:** Lisa Brubaker, Patty Davis, Karen Brown, and Vicki Tilstra were present for this portion of the meeting. Lisa informed the Board that it is becoming increasingly difficult to split her time between her two commitments -- Human Resources and Victim/Witness Advocate for District Court. She has decided to resign from the Human Resources Specialist position effective Wednesday, April 3, 2016. Lisa encouraged the Board to consider hiring a full time Human Resources person and assured them that she will be available to support the County until a position is filled. After discussion, Jim Hart moved to accept Lisa's resignation, with appreciation and reluctance, and to advertise for a replacement HR Specialist. Ron Nye seconded the motion. All voted aye and the motion carried. Other items discussed included hours required, additional outside sources, office space, and salary.

**Planning Board Report:** Charity Fechter, Planning Director, presented and reviewed a summary from the February 29, 2016, Planning Board meeting. Topics of discussion included President's comments, Current status of Spanish Peaks development, road and bridge standards, floodplain regulations update, proposed goals and objectives, and Planning Board member reports. Charity confirmed that the Commissioners will have a joint meeting with the Planning Board on April 25, 2016, at 5:00 p.m.

**Billy Whitehurst, Extension Agent,** met with the Board to discuss the following:

- **Pig Panels:** Billy discussed the need for additional space at the fair. The pig barn is over capacity again this year, the steer barn is at capacity, and so is the sheep barn. This year they are planning for 140 pig entries. He has made arrangements for the Livestock Sales group to buy the pig panels if 4-H can own them – not the fair board. He would prefer them to be portable like last year, so they can be used for other training events, etc.

- **General:** Billy would like to purchase a few items for the extension office – a safe, a video camera - and replace the muffler and possibly the windshield on the truck. All should be covered by the current budget. After discussion, Jim Hart moved to approve purchase requests for a safe, a video camera, and repairs to the truck provided by Madison County. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Long Range Planning Items:** Billy reviewed his duties assisting with the fair and 4-H, as well as the training and resources for ag producers. More time is being spend on 4-H and they may need to consider ½ time secretary and ½ time fair person for support staff. The fair numbers are increasing each year and they will need to consider adding additional facilities soon. Jefferson County has approximately 145 4-H kids, Madison County has over 175, and Lewis & Clark County brings 33. The fair buildings will see increased activity instead of just one week each year. The Board will continue discussions with the Fair Board.

**Follow Up on Road Issues and Proposed Road Review Committee:** The meeting was moved to the Public Meeting Room at the Administrative Office Building in Virginia City for this portion of the meeting. Those people on the attached list were in attendance for this portion of the meeting.

Dave Albert, Registered Land Surveyor, presented and answered questions on the letter he prepared regarding his opinion on the disputed road referenced as Bertha-Kennett. Discussion included historical observations, additional maps presented by Mr. Albert, and the on-going question about access. A Road Petition from 2009 was brought up again, and questions were directed to Justin Ekwall, Assistant County Attorney. Justin explained that the burden of proof is on Madison County in order to prove that the road cannot be locked, because there are several roads and trails that get to the same place. Any road easement must be clearly described and there are none of record that have been found. He cautioned against using County resources and money for a case that cannot be substantiated and suggested that Dave Albert could meet with Roger, Eli, and him, if necessary, to provide some clarification on the maps and research he sent to the Commissioners. Eli has additional letters which he has given to the Sheriff and suggested that Commissioner Schulz get a copy from that office.

Discussion was then moved to the proposed Resolution 15-2016, a Resolution Creating a Madison County Road Review Committee. The suggested number of members was increased to seven, and the topic was opened for further discussion. Eli feels that if the Road Review Committee reports to the Commissioners then it won't do any good. There were no further comments.

This portion of the meeting was closed at 5:20 p.m., and the meeting was moved to the Commissioners' Conference Room for the remainder of topics.

**Lance Bowser, Robert Peccia and Associates,** met with the Board to give an update on the status of Ennis Big Sky Airport project. The plans have been sent out and a postcard mailer was sent notifying all owners/users of the airport hangars of limited access and closures. The project will require an independent fee estimate from another engineering firm and the Master Plan must be reviewed. There is a public meeting scheduled for April 11 at 5:30 p.m. at Choice Aviation for questions and clarification for potential bidders. The following additional topics were discussed:

- **Ennis Big Sky Airport – Land & Future Development / Runway Protection Acquisitions:** Requirements for the Class C runway include widening which will affect the east side pieces of the runway. Additional lots must be acquired to meet these requirements. Lance reviewed potential engineering and other costs and the steps that will be required to be FAA eligible. After review, Jim Hart moved to proceed with potential land acquisition, and the steps required as outlined by Robert Peccia & Associates, for a cost not to exceed \$200,000. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Sponsor Certifications – AIP 3-30-0090-016-2016:** The FAA has revised the sponsor certification documents for this project. New documents must be signed and returned for the file. After review, Jim Hart moved to sign the updated Airport Improvement Program Sponsor Certifications, including Drug-Free Workplace, Certification and Disclosure Regarding Potential Conflicts of Interest, Selection of Consultants, Project Plans and Specifications, Equipment and Construction Contracts,

Construction Project Final Acceptance, and Real Property Acquisition, as presented. Ron Nye seconded the motion. All voted aye and the motion carried.

**Calendars:** The Board reviewed calendars.

With no further business, the meeting was adjourned at 5:55 p.m.

**Next meeting:** The next regular Commission meeting will be held on Monday, March 21, 2016, beginning at 9:30 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana.

\_\_\_\_\_  
David Schulz, Chairman  
Board of Madison County Commissioners

Date Approved: March 21, 2016

Minutes prepared by:

\_\_\_\_\_  
Jani Flinn, Relief Clerk

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