

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**March 10, 2020, Meeting Minutes**

On Tuesday, March 10, 2020, a meeting of the Board of Madison County Commissioners came to order at 9:30 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 Vicki Tilstra, Bonnie O'Neill, Joanne Galiger, Mary Ragsdale, Jennifer Doney, Randy Aurbor, Dave Reintsma, Bob Stump, Tammy Mahlstedde, Van Puckett, Jani Flinn, Jody Galika, Kathleen Mumme, Kacey Smart, Dale Olson, Jeremiah Theys, Joe Brummell, Melissa Brummell, Bob Bates, Britani Allhands, Justin Ekwall, Ellis Thompson, Tommy Luksha, Mikayla Hudson, Dana Escott, Chad Armstrong, Chief Croy, and Jake Barnosky.

**Approval of Minutes:** No minutes were available for approval.

**Nursing Home Administrator Recruitment:** Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss nursing home administrator recruitment. Vicki Tilstra, Finance Officer, Tammy Mahlstedde, Human Resource Generalist, Van Puckett, Sanitarian, Jani Flinn, Grant Administrator, Kathleen Mumme, Clerk and Recorder, Bob Stump, Sheridan Mayor, and Joanne Galiger, Mary Ragsdale, Jennifer Doney, Randy Aurbor, Dave Reintsma, and Jody Galika, nursing home employees, were present for this portion of the meeting. Bonnie stated that she was asked to reach out to a professional recruiter for a nursing home administrator. She discussed the time and expense involved in this type of recruiting. She noted that Steve McNeece, CAH Solutions Group, has agreed to stay until April 2, 2020, to work on an amendment for the current contract. She also discussed another possibility for interim services until a permanent administrator could be found. Discussion included advertising for an Administrator-in-Training; the probability of a home-grown administrator committing to a long-term position; communications between the Board of Commissioners and nursing homes leadership staff; improving moral if a long-term administrator is hired; and the importance of having an administrator in each facility. Bonnie stated that they are working to extend the contract with CAH Solutions Group with the option of re-negotiating a longer term contract, adding that John Semingson, former nursing homes administrator, has agreed to assist if needed. Many of the nursing home employees present expressed support for keeping Mr. McNeece and encouraged his idea of creating a home-grown administrator. After much discussion, Jim Hart moved to approve using Mr. McNeece's, CAH Solutions Group, current contract until April 2, 2020, and to use that time to re-negotiate a new, longer term contact and to include advertisement and recruitment for Administrators-in-Training. Ron Nye seconded the motion. All voted aye and the motion carried.

**U.S. Forest Service – Madison Ranger District:** Dale Olson, Madison District Ranger, met with the Board to give an update on Forest Service projects. Dale discussed the Schedule A Road Agreement and the need to set a date to get together to further discuss it. He also discussed litigation on the Bar K Ranch, noting that the Forest Service is involved because they own a piece of the road. He asked if the road going through the game range is a county road. Jim Hart confirmed that it is. There was discussion regarding signing the Forest Service portion of the road over to the County. Dale noted that Bar K wants permanent year around access and that the Forest Service has offered a 30 year easement that rolls over. Dale talked about the Greenhorn Project stating that there has been a lynx siting there which will change the process there for an environmental assessment. Other topics included Strawberry-Cascade Sheep EIS; Gravelly Collaborative in the Tobacco Roots, Bivens Creek, California Creek, that area; Powder Gulch NEPA; and permittees, allotments and the allotment management plan.

Kathleen Mumme, Clerk and Recorder, met with the Board to discuss the following topics. Tammy Mahlstedde, Human Resource Generalist, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting.

- **Request to Cancel Special District Elections:** Kathleen discussed special districts stating that Linda Hamilton, Public Administrator, has turned in her book and doesn't want to do it anymore. She also noted that there have been no filings for Conservation Districts. Following discussion, based on the recommendation of the Clerk and Recorder, Jim Hart moved to cancel special district elections. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Request to Determine County Offices Primary:** Kathleen noted that there have been four filings for Commission District 1 and therefore a primary election will be required. Following discussion, Ron Nye moved to hold a primary election for County offices, based on the recommendation of the Clerk and Recorder and on state law for Public Administrator and District 1 Commissioner. Jim Hart seconded the motion. All voted aye and the motion carried.

**Claims: The Board approved claims.**

**Madison County Golf Course Tax Exempt Status:** The Board discussed the tax exempt status of the Madison Meadows Golf Course. Jim stated that the deed is to Madison County and that right now there is a tax bill for \$3,000 that is due. He also noted that the buildings are insured by Madison County. An application for tax exempt status is in the process. Dan stated that more information is needed from the golf course secretary before making a determination.

**NRCS Lease Extension (Re-sign):** Following review, Ron Nye moved to approve Lease Amendment #5 to Lease #57-0325-06-005 between Madison County FBO - Ruby Valley Search and Rescue and the United States of America, for 1,493 rentable square feet at \$16.00 per square foot at the Sheridan USDA Service Center, from December 13, 2019 through December 12, 2022, for an annual amount of \$23,688 payable at \$1990.67 per month. Jim Hart seconded the motion. All voted aye and the motion carried.

**TSEP Planning Grant for Jack Creek Road Bridge, Silver Springs Road Bridge, and Seyler Lane Bridge:** Jeremiah Theys, Great West Engineering, met with the Board to discuss proposed bridge work and to make a determination on which bridge, or bridges, to submit to TSEP. Jani Flinn, Grant Administrator, Boonie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Jeremiah stated that at the direction of the Board, he has focused on three bridges, Jack Creek Road Bridge, Seyler Lane Bridge, and Silver Springs Road Bridge. He provided and reviewed site plans and probable costs for all three bridges. He stated that he just found out that the application deadline is May 1, 2020, and discussed items that need to be completed by then including an environmental assessment, a preliminary engineering report, and a public hearing. Jim Hart asked if they could submit for all three bridges. Jeremiah responded that they could, but discussed reasons why it might not be a good idea. He reviewed the status of each bridge and how they might rank in the TSEP process. Following much discussion, Ron Nye moved to prioritize Jack Creek Bridge and submit an application for Treasure State Endowment Program funds to replace it. Jim Hart seconded the motion. All voted aye and the motion carried. Jani discussed the schedule for the bridge replacement. Jeremiah stated that the County would need to commit to matching funds now, selections will be made in the Spring of 2021, and construction would start in the Fall of 2022. Jeremiah and the Board also discussed the sidewalk project at the Tobacco Root Mountains Care Center in Sheridan. After discussion, Jeremiah stated he will put together paperwork for that project and have it ready in a couple weeks.

**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. Lance stated that the weather station in Twin Bridges will happen this morning and that the well in Ennis is being done today.

- **Recommendation of Award for Ennis/Big Sky Airport Project:** Lance noted that the Airport Board has voted to award everything. He discussed funding and stated that things could not have worked out better. He stated that SK Construction/Riverside is well capable and good to work with. He will have the recommendation of award ready for next week's meeting.
- **Amended Plat of Tract 4A, Ennis Big Sky Airport:** This topic was continued to the next regular Commission meeting.
- **State of Montana Work Permit, Ennis Big Sky Airport:** Lance discussed a work permit from the State of Montana, noting that material will be embanked outside of where the airport fence-line will eventually

be and that a \$25.00 fee will need to accompany the application. Following discussion, Jim Hart moved to approve the Montana Department of Natural Resources and Conservation Land Use License Application for work to be completed at the Ennis/Big Sky Airport. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Longhorn Ranches Avigational Easement, Ennis Big Sky Airport:** Lance discussed a proposed Avigational easement with Longhorn Ranches, noting that the easement would prevent them from putting up penetrations and would allow for gravel excavation. He stated that they would excavate approximately 67,000 yards of gravel on 9.5 acres at \$1,700 per acre plus an additional per cubic yard charge for the gravel, for a total of \$113,250. He added that the FAA has recommended moving forward with the lease and the gravel excavation. Based on the recommendation of Lance Bowser, Robert Peccia and Associates, and the Airport Board, Jim Hart moved to approve the Avigational Easement with Longhorn Ranches and Airspace grading in the amount of \$113,250 for the Ennis/Big Sky Airport Project. Ron Nye seconded the motion. All voted aye and the motion carried. Lance stated that the gravel will be going on State land and will be used on future airport projects. He also not that the snow removal equipment building project in Ennis is underway again and that they are re-using everything that was on-site.

**Madison County Golf Course Tax Exempt Status:** The Board readdressed the golf course tax exempt status with Kristi Lyons, Golf Course Secretary, participating by telephone. Kristi stated that she has filled out an application for tax exempt status on behalf of the County, noting that this does not affect past years, adding that it was due on March 1, 2020, for the current year. She stated that there are taxes amounting to around \$3,000 outstanding for 2019. These taxes have been assessed to the Golf Association and that the County needs to request the name change by providing deeds and the lease that says the golf association will pay no taxes. If the County is leasing for profit, they can still be assessed. She also stated that the Golf Association needs to be reimbursed for previous years and that she was told by the Treasurer that the County can go back five years for refunds on taxes. Kristi explained that the Golf Association is a 401-C4, non-profit, and that when she submitted it to the state it was kicked back. The only way it would be approved is if it is submitted by the County with the Golf Association as a management company. Ron Nye asked if they charge green fees. Kristi replied that they do but it is not profitable. Ron also discussed what equipment is owned by the County and which is owned by the Golf Association. After much discussion, Jim Hart stated that he will talk to Shelly Burke, Treasurer, and Brandy Hilton, Department of Revenue, to determine what needs to be done to get this issue resolved.

**Jack Creek Road – DEQ Compliance:** Van Puckett, Sanitarian, met with the Board to discuss a notice from the Montana Department of Environmental Quality regarding alleged stormwater discharge into state waters. Jani Flinn, Grant Administrator, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Van stated that there is an active complaint about conducting road work during a weather event and discussed how the issue could be resolved. He noted that he will send an email in response to the letter from the DEQ stating that road work will not be done during a weather event and that the long term goal will be to tilt the road in, away from the creek to convey the run-off from the hillside to an acceptable place where a catch basin or sediment pit could be created. Jim Hart stated that he initially responded with a letter and was asked for more information. He then sent information from Great West describing plans for the road. This was a third request for information. Van stated that he needs assurance that there will be no grading during run-off and asked Jim to make sure his road crew knows.

**Letter to Montana Department of Commerce – Modification of Scope of Work for Madison Valley Manor Phase 2, Renovation Project:** Following discussion and review, Ron Nye moved to approve a letter to Tash, Wisemiller, Montana Department of Commerce, requesting an amendment to the scope of work for the Madison Valley Manor Phase 2 renovation project. Jim Hart seconded the motion. All voted aye and the motion carried.

**Resolution to Commit Funds for Madison Valley Manor Phase 2, Renovation Project:** Following discussion and review, Jim Hart moved to approve Resolution 9-2020, a resolution of the Madison County Board of Commissioners to commit \$149,855 to the design and construction of the Madison Valley Manor Phase 2 Renovation Project. Ron Nye seconded the motion. All voted aye and the motion carried.

**Hospital Board Appointment:** The Board reviewed an application for an appointment to the Ruby Valley Hospital Board. After reviewing statute related to hospital districts, it was determined that a vacant trustee position is appointed by the remaining members of the Board.

**Sheridan Fire District Board Appointments:** Dan Allhands stated that he talked to two fire district board members who did not file for election. One of them will fill out the necessary paperwork for re-appointment. The other was fine with being replaced on the Board. Following discussion, Jim Hart moved to appoint Jeffrey Gerth to the Sheridan Fire District Board for a three-year term that will expire in May of 2023. Ron Nye seconded the motion. All voted aye and the motion carried.

**Emergency Management Performance Grant – FY 20-21:** Joe Brummel, DES, presented the Board with a commitment letter for the Emergency Management Performance Grant. Bonnie O'Neill, Chief Administrative Officer, Jani Flinn, Grant Administrator, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Joe discussed the grant application stating that the amount was cut last year and that a lot of the cost is salaries. He added that this letter will accompany the grant application. Local match for the grant was discussed. Following discussion, Ron Nye moved to approve the FY 2020-2021 Emergency Management Performance Grant funding commitment letter. Jim Hart seconded the motion. All voted aye and the motion carried. Joe discussed fire season, stating that there have been four fires already, that the burn permitting system is back open, they have had some training, and that they lost a fire chief in Harrison. Also discussed was DES coverage in Big Sky, mass casualty preparedness, and a robot phone at the Twin Bridges Airport.

**Cliff and Wade Lake Road Project – Letter of Public Interest and Spreadsheets:** Jani Flinn, Grant Administrator, met with the Board to discuss the Cliff and Wade Lakes Road project. Bonnie O'Neill, Chief Administrative Officer, and Joe Brummell, DES, were present for this portion of the meeting. Jani stated that the letter of interest is what we need to send to justify why it's being done the way it is. There was discussion regarding the cost of the project, the Western Federal Lands portion and the local match, the length of the project which will be over a three year period, and when the project will start, which will be July of this year. Following discussion, Jim Hart moved to approve the Letter of Public Interest and the associated spreadsheet to Western Federal Lands for the Cliff and Wade Lake roads project, Madison County, Montana. Ron Nye seconded the motion. All voted aye and the motion carried.

**Coronavirus Update:** Melissa Brummell, Public Health Nurse, presented the Board with a press release, including an infection prevention and control plan, and gave an update on the status of coronavirus in Madison County. Joe Brummell, DES, Bonnie O'Neill, Chief Administrative Officer, Bob Bates, Safety Coordinator, Jani Flinn, Grant Administrator, Britani Allhands, Finance Clerk, and Tammy Mahlstedt, Human Resource Generalist, were present for this portion of the meeting. Melissa noted that the press release will be in the next week's Madisonian. She stated that the Public Health Department and Disaster and Emergency Services have taken steps to prepare for the possible spread of the virus in Madison County, but so far there are no cases of the virus in Montana. Discussion included staying home to help slow the spread of the virus, where and how to quarantine tourists, needs of Big Sky residents, and testing for the virus and the amount of tests that are available. Melissa explained the testing process, stating that other possibilities are ruled out before testing for coronavirus and that if the initial test comes back positive it will go to the CDC for follow-up. This takes about 24 hours. People are asked to stay in quarantine until the second test comes back negative. Joe stated that the Incident Response Team was officially activated on Thursday, with the Public Health nurse as Incident Command. Bob Bates asked about meetings, if they're going to continue and how long. Melissa talked about follow-up plans for meetings and teleconferencing options. Bob discussed limiting community gatherings and recommended against food sharing. He also asked if we want a policy and getting all information in one place. Melissa agreed that a central source for information would be good. Bob suggested that there should be more of a plan. Melissa stated that the current guidance is to check with your Public Health Nurse. She added that there are no cases so far and expects the guidance to be different once there are, depending on where it starts.

**Chief Administrative Officer Job Description Clarification:** Justin Ekwall, Deputy County Attorney, met with the Board to discuss clarification of the Chief Administrative Officer's job description. Vicki Tilstra, Finance Officer, Britani Allhands, Finance Clerk, Bonnie O'Neill, Chief Administrative Officer, Melissa

Brummell, Public Health Nurse, Ellis Thompson, Virginia City Resident, Tommy Luksha, GIS, Jody Galika, RN, Kathleen Mumme, Clerk and Recorder, Jani Flinn, Grant Administrator, Tammy Mahlstedt, Human Resource Generalist, Kacey Smart, Sanitarian's Assistant, and Mikayla Hudson, 4-H Extension Agent, were present for this portion of the meeting. Justin stated that this topic was brought up about a year ago and he has put together a draft resolution for clarification. He added that Vicki has seen the draft and made some suggestions, and that there needs to be clarification of who the position supervises. There was much discussion about the requirements to be a Chief Administrative Officer, who wrote the current job description, if requirements are listed in the job notice, waiting until the current CAO is gone before updating the job description, and incorporating items into the job description rather than clarifying by resolution so people don't have to search for two documents. Ron stated that he would like to see item #3 on the resolution refined. Justin discussed ways to refine that item and stated that he is trying to keep this job from being pointless without avoiding transparency. Ron Nye stated that he would like to see the CAO requirements for the nursing homes incorporated in the job description.

**Personnel Policy Manual:** Justin Ekwall, Deputy County Attorney, met with the Board to discuss updates to the draft personnel policy manual. Vicki Tilstra, Finance Officer, Britani Allhands, Finance Clerk, Bonnie O'Neill, Chief Administrative Officer, Melissa Brummell, Public Health Nurse, Ellis Thompson, Virginia City Resident, Tommy Luksha, GIS, Jani Flinn, Grant Administrator, Tammy Mahlstedt, Human Resource Generalist, and Mikayla Hudson, 4-H Extension Agent, were present for this portion of the meeting. Justin discussed items that have been incorporated into the draft including changes to pages 20-21 regarding the salary resolution, travel and meals expenses on page 25, personnel records with four kinds of files, and internet use with clarification that no-one is authorized to randomly access computers or emails, noting that some people had concerns about that. The grievance procedure was also discussed. Dan stated that he received a memo from Dispatch asking to notify them if anyone is going to be here on weekends or late in the evening and asked if that should be included. There was discussion about having a staff meeting for input on the policy. Justin discussed the pros and cons of having a staff meeting.

**Letter of Response to Alder Speed Study:** Dan Allhands discussed a letter from Lee Alt, Montana Department of Transportation, with a response to a speed study that was requested for the Alder area. Dan stated that he took it to the Ruby Garnet Mine and that their requests, including double lines, trucks entering signage on both sides of the mine, and stair stepping speed limits, have all been accomplished. Following discussion, Ron Nye moved to accept the speed study from the Montana Department of Transportation with a speed limit recommendation for MT 287-Alder, as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

**Request for Bids for Administrative Building Canopies:** Following discussion, Ron Nye moved to request bid proposals for canopies at the Administrative Office Building. Jim Hart seconded the motion. All voted aye and the motion carried.

Dana Escott, Fair Manager, Chief Croy, Livestock Sales Committee, and Chad Armstrong and Jake Barnosky, Fair Board Members, met with the Board to discuss the following topics. Mikayla Hudson, 4-H Extension Agent, Kacey Smart, Livestock Sales Committee, Jani Flinn, Grant Administrator, Tammy Mahlstedt, Human Resource Generalist, Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting.

- **Making the Livestock Sales Committee a Subcommittee of the Fair Board:** Chad discussed a meeting where it was strongly suggested that the Livestock Sales Committee becomes a sub-committee of the Fair Board. He noted that the Rocky Mountain Association of Fairs sent many responses of how other fairs work. He asked if this is how it is supposed to work or if it's one man's opinion. Jim Hart asked if the Livestock Sales Committee is a 501-C3. Chief replied that it all goes under the Fair. Kacey explained that each animal class has its own chairman and that there is a president, secretary, etc. She added that this is not only for Fair but also FFA. Ron stated that more research needs to be done because they receive some pretty substantial donations. There was discussion about the financial responsibilities, developing an MOU to clarify responsibilities, discussing the process with MSU, legal issues and the possibility of hiring an attorney, the timing in getting it done this year or waiting until after fair, and the pros and cons of making the change. Dana stated that we currently have a very strong 4-H program and noted that we should all work

together. Following much discussion, Ron Nye moved to accept the recommendation of the Fair Board to continue working on the process of making the livestock sales committee a subcommittee of the fair board. Jim Hart seconded the motion. All voted aye and the motion carried.

- **Adoption of Arena Policy:** Dana discussed the arena policy stating that it has been in effect since she started at the fair. She stated that at the current time all barrel racers enter from the east. She said this works well and she would like to all events enter from the east. Chief Croy discussed how their events are entered. Chad noted that these are guidelines that the Fair Board recommends. Dana asked if pole bending should be added. The Fair Board will make suggested changes to the policy before final approval.

**Department of Veterans Affairs-Contract #36C25919P0550/Notification of Intent to Exercise FAR 52.217-8:** Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss a contract with the Department of Veterans Affairs. Tammy Mahlstedt, Human Resource Generalist, was present for this portion of the meeting. Bonnie stated that there is currently a contract in place with the Madison Valley Manor and that they are in the process of renewing it, but for the current time would like to extend the existing contract. Following discussion, Jim Hart moved to send the letter of Notification to Contractor of Government Intent to Exercise Upcoming Option, Contract Number: 36C25919P0550, Notification of Intent to Exercise FAR 52.217-8, for the Madison Valley Manor. Ron Nye seconded the motion. All voted aye and the motion carried.

**Gas Tax Maps:** The Board contacted Tommy Luksha, GIS, by telephone to discuss the proposed gas tax maps. Tommy stated that the state appeared to reject most of the suggestions that were submitted last year. He added that they did add 66.891 miles to the overall amount and recommended approval. Following discussion, Jim Hart moved to approve the Gas Tax Maps as presented and to complete and return the Mileage Certification Form to the Montana Department of Transportation. Ron Nye seconded the motion. All voted aye and the motion carried.

**Items not Listed on the Agenda but Within the Board's Jurisdiction:** The Board signed the Management Services Agreement Extension between Madison County and CAH Solutions Group which is intended to modify the term of the previous which was signed on January 16, 2020. The extension was approved at the March 3, 2020, Commission meeting with corrections to be made by the Deputy County Attorney in cooperation with Steve McNeece.

**Calendars:** The Board reviewed calendars.

With no further business, the meeting was adjourned at 4:30 p.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, March 17, 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: April 7, 2020

Minutes prepared by:

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

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Laurie Buyan, Executive Assistant to the  
Board of Commissioners