

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**March 12, 2019, Meeting Minutes**

On Tuesday, March 12, 2019, 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 Ron Nye, Chairman, Jim Hart, and Dan Allhands present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Charity Fechter, John Olsen, Margie Edsall, Reagan Colyer, Lance Bowser, Jani Flinn, Vicki Tilstra, Tommy Luksha, Bonnie O'Neill, Kris Inman, Linda Owens, Darcel Vaughn, Leona Stredwick, Tammy Mahlstedt, and Laurie Buyan.

**Approval of Minutes:** This topic was continued to March 14, 2019, at 3:30 p.m.

**Claims:** The Board approved claims.

**Planning Office:** Charity Fechter, Planning Director, met with the Board to discuss the following topics. John Olsen, Lone Mountain Land Company, was present for this portion of the meeting.

- **Spanish Peaks ODP Extension:** Charity presented a request letter from John Olsen and explained that because Lone Mountain Land is still working with the Big Sky Fire Department on locating an additional fire department location, they are requesting an extension of the Spanish Peaks ODP expiration from its current date of March 31, 2019, to August 6, 2019. She added that since there was not a quorum at the most recent Planning Board meeting no vote was held, but they have no issues with the reasons for the extension. Based on the recommendation of the Planning Director and the request from Mr. Olson, Jim Hart moved to extend the existing Spanish Peaks ODP expiration date to August 6, 2019. Dan Allhands seconded the motion. All voted aye and the motion carried.

**360 Office Solutions Contract for Copier:** After review, Dan Allhands moved to approve the 360 Office Solutions/Hometown Leasing Contract for the 60-month lease and service of a Taskalfa 3552ci copier/printer at \$140.41 per month. Jim Hart seconded the motion. All voted aye and the motion carried.

**Transportation District Board Member Removal:** The Board reviewed correspondence regarding the Big Sky Transportation District Board's vote to remove a board member representing Madison County due to absences and lack of contact. Margie Edsall, Weed Coordinator, was present for this portion of the meeting. Discussion included whether transportation board members are elected or appointed after reviewing ambiguities in Resolution 12-2011, the fact that nothing is specified in the resolution about removal of board members due to absence, speculation about MCA guidelines regarding board member absences, and agreement that the resolution should be reviewed by the County Attorney and re-written. Dan added that board member terms should be staggered. The topic was continued to the next regular Commission meeting.

**Herbicide Request for Proposals:** Margie Edsall, Weed Coordinator, met with the Board to request approval of the Weed Board's 2019 Herbicide Contract Request for Bids. Reagan Colyer, the Madisonian, was present for this portion of the meeting. Margie discussed the terms and traditions of the contract award, pointing out a preference for hiring locally when possible, and how they work with local farmers on timing to avoid mishaps. Following discussion, Dan Allhands moved to approve the Madison County Weed Board Year 2019 Herbicide Contract Advertisement for Bids as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

**Courthouse Elevator Project:** Reagan Colyer, the Madisonian, was present for this portion of the meeting. A final decision has not been made regarding the Courthouse Elevator and remodeling project

after estimates were deemed unfeasibly high. After a brief discussion of court and jury room needs, bathroom additions, the idea of simplifying the project and saving funds for a future Sheriff's Office move, using local contractors, and finishing the open area in the Administrative Offices Building, it was determined that a discussion with both judges should be scheduled.

**Airports:** Lance Bowser, Robert Peccia & Associates, met with the Board to discuss the following topics. Jani Flinn, Airport Board Secretary, Vicki Tilstra, Finance Manager, Reagan Colyer, the Madisonian, Tommy Luksha, GIS Coordinator, and Bonnie O'Neill, Chief Administrative Officer, were present for all or portions of these topics.

- **Twin Bridges Airport – Automated Weather Observing System:** Lance explained that the Twin Bridges Airport wants to pursue the installation of a certified, Automated Weather Observing System (AWOS) like that installed at the Ennis Airport, and discussed associated benefits and ramifications. He reviewed the project summary and total estimate, as well as sources of funding including entitlement fund loans, grants and local matches.
  - **FAA Application for Federal Assistance:** Following review, Jim Hart moved to approve the Twin Bridges Airport improvement grant application to the FAA for \$285,556, for federal assistance with the acquisition and installation of a certified, Automated Weather Observing System. Dan Allhands seconded the motion. All voted aye and the motion carried.
  - **FAA Sponsor Certifications:** Lance explained the details of the seven FAA Sponsor Certifications that are required for the grant application. Following review, Jim Hart moved to approve the following FAA sponsor certifications for the Twin Bridges Airport AWOS installation project:
    - Drug-Free Workplace AIP Sponsor Certification;
    - Certification and Disclosure Regarding Potential Conflicts of Interest AIP Sponsor Certification;
    - Selection of Consultants AIP Sponsor Certification;
    - Certification Regarding Lobbying;
    - Equipment and Construction Contracts AIP Sponsor Certification;
    - Project Plans and Specifications AIP Sponsor Certification; and
    - Construction Project Final Acceptance AIP Sponsor Certification.Dan Allhands seconded the motion(s). All voted aye and the motion(s) carried.
  - **Engineering Task Orders #5-7:** (This topic was incorrectly listed as Task Orders #1-3 on the Agenda.) Lance presented a summary comparing other airports' historical project fees for similar Engineering Task Orders #5-7 with the proposed Twin Bridges Airport AWOS, and explained each task order. Following review, Jim Hart moved to approve Task Order Number Five - Project Administration, Task Order Number Six – Design-Engineering, and Task Order Number Seven – Bidding and Construction Administration, related to the Installation of an Automated Weather Observing System (AWOS) at the Twin Bridges Airport. Dan Allhands seconded the motion. All voted aye and the motion carried.
  - **Draft Contract Documents, Specifications and Plans and approval to advertise:** Lance reviewed documents describing the siting for an AWOS at the Twin Bridges Airport, gained the Board's approval to open the bids in Helena on April 4, 2019, noting that there are no local contractors who do this work, and that the Board is welcome to participate.
- **Twin Bridges Airport – AIP-013-2018:**
  - **Pay Request #7:** Lance explained that Pay Request #7 takes the Twin Bridges Airport improvement project to 94% complete on construction administration, and that the total bill will be \$9,000 less than anticipated because A M Welles finished their work in less time than they estimated. Following review, Jim Hart moved to approve Twin Bridges Airport Improvements - Pay Request #7 (AIP 3-30-0080-013-2018) for \$5,941.79. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Ennis Big Sky Airport:**
  - **Land Acquisitions – Determination of Just Compensation – Tract4B:** Lance gave a synopsis of the appraised value of Ennis Airport Tract 4B, described details and depreciation due to the loss of access to one side of the shop within that property, noted that slightly more has been paid per acre on other similar land acquisitions, and due to the idea of just compensation recommended that the Board match that amount with a higher

offer to the landowner. Based on the recommendation of the Airport Board, Jim Hart moved to approve RPA and Airport Board President Tom Miller approaching the current property owner of Tract 4B with a just-compensation amount of \$76,800. Dan Allhands seconded the motion. All voted aye and the motion carried.

- **Land Acquisitions – Tract 4A Negotiations:** There was no discussion on this topic.
- **Snow Removal and Fire Fighting Equipment Storage Building:**
  - **Bathroom Additive:** Lance related that the Airport Board wants to add a bathroom to the building that stores the snow removal and firefighting equipment. The cost he presented is for the inside only, will be borne by the airport in next year's budget, and Lance will look into the cost of adding a drainfield which he expects will be relatively inexpensive. Based on the recommendation of the Airport Board, Jim Hart moved to approve the bathroom additive for the Ennis Airport SRE/ARFF Building for \$9,927.45. Dan Allhands seconded the motion. All voted aye and the motion carried. There was further discussion about the contractor having the equipment for the job or subcontracting the work to someone local, in the interest of saving on moving fees. Lance said he would look into the pricing, and that the contractor used to be local before moving recently. There was also some brief discussion about an unwelded or failed weld on a vehicle, and Dan pointed out that the broken part should be retained when the vehicle is repaired.
  - **Concrete Floor Sealant Additive:** There was no discussion on this topic.

**Gas Tax Maps:** Tommy Luksha, GIS Coordinator, met with the Board to seek direction on updating the Gas Tax allocation maps. Reagan Colyer, the Madisonian, Charity Fechter, Planning Director, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Tommy presented a map showing many roads in the County that have not been previously included in the gas tax calculation, which he thinks should be included, although further research is required. He has been in contact with Brian Anderson, the supervisor at MDT, who automatically issued an April 6, 2019 extension to the due date, informed Tommy that if more than ten miles are added to the current listing the allocation may be frozen at its current rate until next fiscal year as MDT goes through its verification process, since an allocation change will affect all recipients, and discussed road qualifications and exclusions. Tommy explained to the Board some of the changes he has identified, estimating about 456 miles of road that might be added to the listing, and even though he expects some of those will be rejected, the potential increase to the county's allocation is significant. A call was made to Brian Klapstein at MDT, who answered several questions about forest service, private and subdivision roads. The Board discussed road signs and private property markings, how next to proceed, and the effect of this project on Tommy's work load and priorities. Following discussion, Dan Allhands moved to proceed with the revisions to the gas tax maps, and approved up to 20 additional work hours for Tommy Luksha between today's date and April 6, 2019. Jim Hart seconded the motion. All voted aye and the motion carried. Tommy will initially meet with each Commissioner to review the roads by district, and noted that this year the maps will be submitted digitally.

**Resolution to Establish Predatory Wolf Management Reimbursement Fee:** The Board reviewed a draft of Resolution 4-2019, a resolution to establish a Predatory Wolf Management Reimbursement Fee. Reagan Colyer, the Madisonian, was present for this portion of the meeting. To allow time for further consideration, this topic was continued to the next regular Commission meeting.

**Madison Valley Ranchlands Group:** Linda Owens, Madison Valley Ranchlands Group, met with the Board to discuss the following topic. Kris Inman, Wildlife Services, and Jani Flinn, Grant Administrator, were present for this portion of the meeting.

- **Carcass Composting Site:** Linda reported on the progress that has been made in establishing a new carcass composting site in Madison County. The site is located in Norris across the highway from the solid waste container site on Matt Moen's Bar MZ Ranch, the area is dry with very little wildlife, access has been agreed upon, and Steve Primm made sure it is located within setback limits. Although the site is two posts away from being finished, the soil there is very clay, and with the recent snowfall the site is basically inaccessible so no animals have been delivered yet. Linda provided a map and photos. A semi load of chips was obtained, Matt will have plenty of manure for composting, a well was drilled for water on site, and they made sure the land does not slope down

to Bradley Creek. Matt is getting power there, and will be building a shop - everything else is paid for already, and supporters and grant funding were reviewed. Linda explained that the site has plenty of room, is big enough to have a separate bin for wildlife carcasses, expects that the functioning site will not produce offensive odors, and with MSU research property nearby, they will be involved. She discussed how carcasses have been handled and coordinated in past years, and mentioned the possibility of a pickup program. She wants the Board to support the site by spreading accurate information, providing feedback on issues, and by bringing up ideas for improvement and funding sources. She expects a slow start, but described how the site will be well managed and controlled - Matt will be managing it and has all the equipment necessary, a sign at the gate will provide both Matt's and Linda's phone numbers for access - and an initial contract with Matt was drawn up for just one year so they can watch how things go and revise as needed.

Dana Escott, Fair Manager, met with the Board via conference call to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, Linda Owens, Madison Valley Ranchlands Group, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **Request for Refund of Attorney Fees:** Dana's request for a refund of attorney fees was briefly discussed, and when asked about providing verification of payment Dana answered that all invoices forwarded to the Board have been paid. The topic was continued to provide more time for research and consideration.
- **Approval of Revised Bylaws:** The Board reviewed with Dana the Fair Board Bylaws that were recommended for approval by the Fair Board. Several inconsistencies, typos and wording concerns were noted, and the Board had additional questions and suggestions. Dana agreed to make suggested corrections and bring the revised document and suggestions to the Fair Board at their next meeting on March 21, 2019 – meanwhile, Jim will look in the MCA code to verify other points that were raised.

After concluding the call, the Board readdressed the topic of attorney fees. Consistent with prior practices, verification of payment would need to be provided. Any reimbursement would come out of the Fair budget, so the topic would need to be on the Fair Board agenda before final approval.

Darcel Vaughn, Madison Valley Manor Administrator, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Update for MVM and TRMCC:** Darcel reported that one of the nurses with a great background and training was hired as the social services director, and will work back and forth between TRMCC and MVM. Her update on TRMCC included a steady resident count of 31, staffing and agency use, temporary solution for a dangerous and icy outside entrance reported by a family member, an upcoming dryer repair, improvements to medication and pharmacy delivery systems as well as checks and balances, and how they are working to decrease costs not covered by CMS. She is pleased to be utilizing the help of a knowledgeable pharmacy consultant who now provides services to both nursing homes, and has been very helpful with CMS requirements. Darcel's update on MVM included a resident count of 26, recent staff positions filled, and a pizza party held as a thank-you and morale booster after achieving an excellent proxy report.
- **MVM Request to Contract with Relias:** Darcel presented a proposal and course listing from Relias, a company that provides various areas of cloud-based staff competency training. Nurses can get continuing education credits, they work with Point-Click-Care and CMS regulations, as well as providing in-service training. She would like to start with a one-year contract for MVM employees only, worked out the cost to \$4.52 per employee per month, it will fit into their overall budget, and she has contacted IT to make sure the staff has access. After review, Jim Hart moved to approve the Madison Valley Manor Administrator's request for a contract with Relias, providing one year of training services to MVM employees at an annual cost of \$2,539.35, and a one-time fee of \$3,000. Dan Allhands seconded the motion. All voted aye and the motion carried. Further discussion included whether the one-time fee would be eliminated if a second facility was added, but Darcel already checked and it is firmly per facility. She also discussed TRMCC's ability to check insurance cards and medical records electronically, which saves paperwork, time and reduces mistakes, and she is looking into getting this set up for MVM as well.
- **Request for Pay Increase for Director of Nursing - MVM:** Darcel read a letter from the Director of Nursing at MVM requesting a pay increase, which she supports. The letter outlines several

reasons why an increase is deserved and a good investment, including 10 years of dedicated, excellent service, time and on-call requirements, job details and life consequences, as well as researched salary comparisons and MVM's 12<sup>th</sup>-in-state ranking scores. Discussion included how an increase would fit into MVM's ongoing budget, the value of an experienced Director of Nursing and the still-open position at TRMCC, and the Board concluded that, while they are not denying approval, a decision should be delayed until it can be re-addressed during the normal annual budgeting process.

- **Designation of Environmental Certifying Official:** Following review, Jim Hart moved to designate Ronald E. Nye as the Environmental Certifying Official for the Madison Valley Manor Renovation 2019 CDBG grant application. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Finding of Categorical Exclusion for MVM Project:** After review, Jim Hart moved to approve the Finding of Categorical Exclusion as listed in the letter to the Montana Department of Commerce, dated March 12, 2019, regarding the CDBG grant for the Madison Valley Manor Renovation. Dan Allhands seconded the motion. All voted aye and the motion carried.

**Planning Office Reorganization and Planning Director Recruitment:** Charity Fechter, Planning Director, and Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following topics. Charity Fechter, Planning Director, Leona Stredwick, Planner I, Tammy Mahlstedt, Human Resource Generalist, Vicki Tilstra, Finance Manager, and Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, were present for all or portions of these topics.

- **Memorandum of Understanding with Beaverhead County Planning:** Bonnie reviewed the proposed MOU with Beaverhead County, and ensuing discussion included travel time, use of a Madison County vehicle, and a suggestion to retain the language in the MOU but ask for minor changes related to vehicle use. Dan Allhands moved to continue this topic to Thursday, March 14, 2019. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Approve Consulting Planner Services RFP for Advertising:** Charity reviewed changes she made to the RFP for Planning Services, primarily in the scope of work description. Following review, Jim Hart moved to approve the Request for Proposal for Madison County Planning Services as presented, for advertising in the Madisonian for two weeks, with responses due by 5:00 p.m. on April 1, 2019, to be reviewed at the regular Commission meeting on April 2, 2019. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Planner 1 Position to Planner 2 Position / Planning Clerk to Planning Technician Position:** Charity reviewed reasons for promoting the Planner I and Planning Clerk positions to Planner II and Planning Technician positions, citing the immediate increase in responsibility and stress levels for both, as well as their role in training a new Planning Director when hired. Leona gave several examples of work she would be able to do as a Planner II that would financially benefit the County. The Board pointed out that other departments are looking for promotions and/or salary increases as well and expressed reluctance to increase salaries outside of the fiscal year budgeting process, and also anticipated additional funds coming into the County by May that will affect the Cash Report. Charity outlined how much money per month would be spent by going ahead with these two promotions, and recommended that increases in compensation should be made policy when increased responsibility is taken on, as in this case. Following review, Jim Hart moved to hold off on the decision to promote Planning Department employees until the FY2019/2020 budgeting process takes place. Dan Allhands seconded the motion. All voted aye and the motion carried. Charity asked the Board to consider compensating affected employees at a higher rate, even if temporary, when there is a vacancy and employees take on added work to fill the void.

**Human Resources:** Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following topics.

- **Authorization to Fill Housekeeping/Laundry-TRMCC 2 Positions Full-time:** Bonnie explained that two people in Housekeeping and Laundry at TRMCC are becoming CNAs. Following review, Dan Allhands moved to approve the Authorization to fill two full-time positions in Housekeeping/Laundry at TRMCC. Jim Hart seconded the motion. All voted aye and the motion carried.

- **Recommendation to Hire Road and Bridge Technician Ennis, Full-time position:** Bonnie pointed out the difficulties of establishing hiring procedures when department heads are not consistent in their hiring practices within the county, and asked for direction from the Board about establishing consistent policy, citing salary resolutions and the availability of the experience rating scale. Following discussion, based on the recommendation of the hiring committee, Jim Hart moved to approve hiring Daniel DeJaynes for the full-time position of Road and Bridge Technician, Ennis, at \$21.45 per hour or 95% of the Personnel Road Department wage (\$22.58) scale, and to place him on the County's step increase schedule. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Recommendation to Hire Road and Bridge Technician Twin Bridges, Full-time position:** Based on the recommendation of the hiring committee, Dan Allhands moved to approve hiring both Wesley Eggers and Todd Gilstrap for the full-time, flexible-hours position of Road and Bridge Technician, Twin Bridges, at \$20.32 per hour or 90% of the Personnel Road Department wage (\$22.58) scale, and to place them on the County's step increase schedule. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Recommendation to Hire Social Services Designee-TRMCC Part-time:** There was no discussion on this topic, as it was discussed earlier during Darcel's update on TRMCC.
- **Recommendation to Hire Tobacco Prevention Specialist Full-Time Temporary Position:** Based on the hiring committee's recommendation, Dan Allhands moved to approve hiring Fallon Horrocks for the temporary (grant-funded through June 30, 2019), full-time flexible-hours position of Tobacco Prevention Specialist, at \$16.52 per hour or 85% of the Clerk wage (\$19.44) scale, and to place her on the County's step increase schedule. Jim Hart seconded the motion. All voted aye and the motion carried.

**Calendars:** The Board reviewed calendars.

At 4:30 p.m., the remainder of the meeting was continued to March 14, 2019, at 10:00 a.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, March 19, 2019, beginning at 9:30 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana.

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Ronald E. Nye, Chairman  
Board of Madison County Commissioners

Date Approved: March 26, 2019

Minutes prepared by:

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Jane Bacon, Commissioners' Clerk

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