

BOARD OF MADISON COUNTY COMMISSIONERS
May 21, 2019, Meeting Minutes

On Tuesday, May 21, 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. Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, was present to take minutes.

Those people in attendance at the meeting were Denny Lueck, Bonnie O'Neill, Vicki Tilstra, Tom (Rosy) Rosenthal, Leona Stredwick, Hans Streufert, Paul Marsh, Kathleen Mumme, Toni James, Lyman Bennett, Alex Hogle, Tammy Mahlstede, Karen Miller, Darcel Vaughn, Abby St. Lawrence, Al Hendricks, Brian Gootkin, Phil Fortner, Joe Brummell, Jim Anderson, Lynda Holt, and Cody Marxer.

Approval of Minutes: Following review, Dan Allhands moved to approve the May 1, 2019, Preliminary Budget Hearing minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the May 7, 2019, Board of Commissioners' meeting minutes as presented. Dan Allhands seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the May 2, 2019, Preliminary Budget Hearing minutes as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

Request to Build Two New Solid Waste Stalls and Improve One Existing Solid Waste Stall at the Ennis Container Site: Denny Lueck, Solid Waste Foreman, met with the Board to discuss the Ennis Solid Waste container site. Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Denny stated that there is a bad stall at the Ennis container site and while talking to the Solid Waste Board about fixing it, they suggested he also find out what it would cost to add two additional stalls. Denny presented a bid for fixing the existing stall and a bid for creating two new stalls, both from Southmont Form and Finish. Vicki asked that the project doesn't split into two fiscal years. Denny will check to see if it can be completed before July 1, 2019; if not, he will ask them to wait until after July 1, 2019. Following discussion, Jim Hart moved to approve the bid from Southmont Form and Finish to replace the wall in the far south bay of the Ennis Container Site for the amount of \$3,600; and the bid from Southmont Form and Finish to construct two dumpster bays at the Ennis Container Site for the amount of \$17,587, to be completed before July 1, 2019, or to wait until after July 1, 2019 to begin the project. Dan Allhands seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Fair Board Recommendations – Bylaws, Golf Cart, and Refrigerator for Kitchen: The Board reviewed a memo from the Fairgrounds Manager requesting to purchase a golf cart and a refrigerator and recommending to adopt the revised Fair Board bylaws. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Bonnie stated that Dana has made the purchase of the golf cart and has a check ready to send and is waiting for the approval process. She added that a second golf cart would assist crews in summer with lawn maintenance. She also discussed the need for a new refrigerator in the Fair Office. Upon recommendation of the Fair Board, Dan Allhands moved to approve the purchase of a golf cart for the Fairgrounds in the amount of \$2,800 and the purchase of a refrigerator for the Fair Office, not to exceed \$600. Jim Hart seconded the motion. All voted aye and the motion carried. The Board continued the Fair Board bylaws to June 11, 2019, to give the Deputy County Attorney an opportunity to review them.

Leona Stredwick, Planner I, met with the Board to discuss the following topics. Hans Streufert, Morrison-Maierle, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting.

- **Resolution Amending River Ranch Road:** Leona reviewed the proposed resolution for River Ranch Road stating that this is a revision of a previously approved resolution but that the landowner

changed the course of the road significantly enough that it no longer matches the map in Appendix A of the original resolution. Following discussion and per recommendation of the Planner I, Jim Hart moved to approve Resolution 23-2018, a resolution amending Resolution 21-2018, naming River Ranch Road. Dan Allhands seconded the motion. All voted aye and the motion carried.

- **Resolution Naming Ivy's Loop:** Leona reviewed the proposed resolution for Ivy Lane, stating that it will name a looping extension that comes off River Ranch Road because they have added enough buildings to that area to require the road to have its own name. Following discussion, Jim Hart move to approve Resolution 24-2019, a resolution of road name change in Madison County, naming Ivy Lane. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Amended Plat of Cascade Subdivision Lots 132A and 134A:** Leona reviewed the staff report for the amended plat of Cascade Subdivision Lots 132A and 134A noting that the proposal is to amend the platted building envelope by eliminating an additional platted envelope that existed prior to lot aggregation. Hans stated that the purpose for aggregating is that one of the lots is not suitable for building and would be hard to put a residence on it. Leona added that the covenants don't allow for two building envelopes and since the lots have been aggregated, one of the building envelopes will need to be removed and they will keep the one recommended by the geo-tech. Following discussion, Jim Hart moved to approve the amended plat of Lot 132A-1, Cascade Subdivision, in Section 19, Township 6 South, Range 3 East. Dan Allhands seconded the motion. All voted aye and the motion carried.

DPHHS Public Health Master Contract: The Board reviewed the Public Health master contract from DPHHS. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Following review, Dan Allhands moved to approve the Master Contract from the Montana Department of Public Health and Human Services for the provision of Public Health Services by Madison County, from July 1, 2019, through June 30, 2026. Jim Hart seconded the motion. All voted aye and the motion carried.

Public Discussion: Per request from Jim Hart, Ron Nye signed the National Association of Counties 2019 Voting Credentials form designating Jim Hart as the Madison County delegate.

Bid Openings for Snow Plow Trucks and Lawn Mower: The Board received no bids for the snow plow trucks that were advertised for sale. The Board received five bids for the Toro Z Master G3 Riding Mower that was advertised for sale. Following review of all bids, Dan Allhands moved to reject all bids and to explore other options such as re-bidding the mower or listing it on a government surplus website. Jim Hart seconded the motion. All voted aye and the motion carried.

Vicki Tilstra, Finance Officer, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Resolution of Budget Amendment for Search and Rescue Boat Purchase:** Vicki discussed the proposed resolution for the Ruby Valley Search and Rescue Unit due to the purchase of a jet boat. Vicki explained that the boat has been purchased but the funds need to be on the County books. The proposed budget amendment will create an accounting entry and the payments will then be made through the County. Following discussion, Jim Hart moved to approve Resolution 27-2019, a resolution of budget amendment for Fiscal Year 2018-2019 for Account 2382-420740-925 – Search and Rescue. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Employer Coverage of Dental Insurance:** The Board discussed a proposal to provide dental benefits to employees and reviewed the current rate sheet from Montana Association of Counties, with the total cost being approximately \$68,000 for 150 people. Jim Hart stated that it is a good thought but questioned whether constituents are willing to pay for it. Bonnie stated that a recent benefit survey showed that most employees are happy with their current benefits. Ron asked about using permissive mills to fund this proposal. Vicki stated she asked the auditor but has not received a response. There was also discussion about the Magellan Employee Assistance Program that is contracted through Blue Cross/Blue Shield that employees can access for assistance with day to day issues such as problems at work, problems at home, or general guidance with life. Bonnie stated that employees are entitled to three clinical visits and unlimited telephone counseling. She added that Flo Bay, Blue Cross/Blue Shield representative, will be doing a presentation about this benefit.

Resolution to Adjust Voter Precinct and Commission District Boundary Lines: Kathleen Mumme, Clerk and Recorder, met with the Board to discuss a proposal to correct voter precinct and Commission District Boundary lines between Precinct 5 and Precinct 7. Paul Marsh, Sheridan Resident, Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Kathleen explained that in 2011 the Commission District boundary in one of the affected areas was changed but the precinct line was not. The other change would move the boundary line from what appears to be an old railroad right of way which is no longer showing on maps to the section line. Kathleen stated that she sent letters to the affected voters and heard nothing back. She stated that Paul Marsh was one of the owners who lives in the area where the Commission District boundary and the Fire District boundary was moved but the precinct boundary was not. Paul discussed the changes stating that he was still confused about what has been changed and what hasn't. He added that 2016 was the first time that they voted for the District 1 Commissioner, and asked about the Park District and the Cemetery District. He stated that his tax money for parks and cemeteries still goes to the Twin Bridges district. He also questioned school district boundaries, which Kathleen responded that these are not her jurisdiction and suggested that he talk to Pam Birkeland, Superintendent of Schools. Further discussion included the need to change the precinct boundaries any time the Commission District boundaries are changed. Kathleen will review the proposed resolution and bring it back to the regular Commission meeting for consideration on June 11, 2019.

Virginia City Rural Fire District Loan: Toni James and Lyman (Bill) Bennett, Virginia City Rural Fire District Board members, and Vicki Tilstra, Finance Officer, met with the Board to discuss a proposed loan for the Virginia City RFD. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Vicki stated that Toni had asked her about getting a loan. Because the fire district is a fiduciary fund of the County, they would be using the County's tax identification number for the loan. Toni listed items that funds would be used for such as widening the doors of the fire hall because the current engine is larger than the past engines, hooking up a generator that they currently have, and creating a storage area, noting that the storage area will be made to look like a root cellar. The total loan, or line of credit, would be for \$50,000 with payments of \$8250 for a period of seven years. Toni stated that some of the money will come from fund-raising and that the Montana Heritage Commission is committed to raising \$15,000 per year for the fire department. After discussion, Dan Allhands moved to approve the request from the Virginia City Rural Fire Department to obtain a loan from Madison Valley Bank and to use the County Tax Identification Number for a revolving line of credit in the amount of \$50,000. Jim Hart seconded the motion. All voted aye and the motion carried.

Mini Excavator Purchase – Road District 1: The Board reviewed an invoice for the purchase of a mini-excavator for Road District 1. Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Dan described the excavator stating that it has a 36 inch bucket but it's not real deep. He added that the District 1 backhoe is getting old and that this will be much more mobile and quick, and easier to load on a trailer. It was noted that this was an informational topic and no motion was made.

Exemption Review Committee Decision Repeal (Hokanson): Alex Hogle, Planning Director, met with the Board to discuss a request to repeal a decision of the Exemption Review Committee. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Alex stated that he reviewed the documentation from the Exemption Review Committee and determined that the proposed exemption for a family conveyance would not result in a "pattern of development". He went on to explain that there have not been three tracts split from the parent tract and that the original tract was recorded prior to July 1, 1974, so should not be included in the count. He added that the new tract creates the third tract but not "more than three", which is how it is defined in state law. Based on the recommendation of the Planning Director, Dan Allhands moved to allow the Hokanson Family Conveyance on Tract 3-A of Certificate of Survey 1293. Jim Hart seconded the motion. All voted aye and the motion carried.

Bids for Plows and Sanders for New Trucks – Road District 3: Jim Hart presented bids for adding plows and sanders to the new snowplow trucks that he is purchasing. Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. There was discussion regarding where the funds would come from. Vicki stated that this would be paid for from a

capital account with funds from the sale of the graders. An interfund loan will be used for the difference. Following discussion, Jim Hart moved to accept the bid from Capital Trailer and Equipment in the amount of \$57,488.80, plus \$3,000 for shipping, for the purchase of two plows and two spreaders with accessories; and to accept the bid from Clay's Truck and Equipment Repair for mounting the plows and sanders for the amount of \$11,700. Dan Allhands seconded the motion. All voted aye and the motion carried.

Human Resources: Bonnie O'Neill, Chief Administrative Officer, and Tammy Mahlstedt, Human Resource Specialist, met with the Board to discuss the following topics. Karen Miller, Clerk of Courts, Darcel Vaughn, Nursing Homes Administrator, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **Recommendation to Hire Deputy Clerk of District Court:** Tammy read a recommendation from the hiring committee for the proposed position. Karen discussed the number of days needed for the position and stated there would be more hours involved during the training period. Based on the recommendation from the Clerk of Courts and Human Resources, Jim Hart moved to accept the recommendation of the hiring committee to hire Theresa Brown for the short-term part time position of Deputy Clerk of District Court. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Recommendation to Hire Fairgrounds Personnel:** Tammy read a recommendation from the hiring committee for summer help at the Fairgrounds. Based on the recommendation of the hiring committee, Dan Allhands moved to approve hiring Teri Larsen as Crew Assistant, and Richard Kinoshita, Kenna Millhouse, and Kyie Salerno as Groundskeepers at the Fairgrounds. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Director of Nursing for Tobacco Root Mountains Care Center:** Darcel discussed the need for a Director of Nursing at the Sheridan nursing home. She stated that they are currently out of compliance and in their survey window. She added that they were tagged at the last survey for no DON and could be shut down if it happens again. She requested using a temp through Medifis, stating that they can still continue advertising for a permanent position. There was discussion regarding current RNs who would rather be charge nurses than the DON. Darcel stated that the wage needs to be increased to get the right person. Jim asked how long she thought that might take. Darcel didn't know but will keep the Board updated on applications. Following discussion, Dan Allhands moved to approve the Authorization to Fill for a Director of Nursing traveler from Medifis. Jim Hart seconded the motion. All voted aye and the motion carried.

Attorney Services for County Road Issues: Abby St. Lawrence, Attorney at Law, met with the Board to discuss legal issues with a road between Mammoth and Pony. Bonnie O'Neill, Chief Administrative Officer, and Al Hendricks, Road Review Committee Chairman, were present for this portion of the meeting. Abby commended the Board for providing so much information on the history of the road. She discussed how she would like to proceed with the case and will talk others involved to get additional information. Her first two goals will be to establish the Forest Service's position and to establish the private land owner's position. She added that she will talk to the Deputy County Attorney and stated that she does not want any other communication with the Forest Service or land owner from the Road Review Committee or the Board of Commissioners. She will meet with the Board on a periodic basis to meet the reporting requirements.

Emergency Services Communications Funding: Brian Gootkin, Gallatin County Sheriff, Phil Fortner, Madison County Sheriff, Joe Brummell, Madison County DES, Jim Anderson, Gallatin County Interim 911 Director, and Lynda Holt, Madison County Communications Coordinator, met with the Board to discuss funding for Big Sky Communications. Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Sheriff Brian Gootkin, explained the communications process for calls received from Big Sky and noted that the Big Sky Law Enforcement Agreement between Madison County and Gallatin County does not deal with communications. He noted that Gallatin County has never charged Madison County for 911 services but because of new infrastructure that is needed in Big Sky, he feels it would be fair to ask for one-third of the cost from Madison County. He distributed a spreadsheet showing the cost of two full-time employees and noted that because there are six employees that handle communications in the Big Sky area, the amount requested would be equivalent to the cost of two employees. Sheriff Gootkin clarified that it will not be two additional employees but it is a break-down of the cost of two employees. There was discussion about adding the cost for one employee in FY 2019 and

adding the second in FY 2020, adding the additional funding to the Big Sky Law Enforcement Agreement, and supporting the cost of one employee from the 911 budget. Sheriff Fortner and Lynda Holt both supported the proposal. The proposal will be put back on the June 18, 2019, regular meeting agenda for a conference call at 11:00 a.m.

Two Floodplain Permits for Dunn: Cody Marxer, Floodplain Administrator, presented the Board with two floodplain applications. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Cody stated that both are for the same person and both are in Jefferson Acres. Lot 1-A has a section that is out of the floodplain, which Cody noted is where the house will be located; but the driveway will be in the floodplain. Following discussion, Dan Allhands moved to affirm the Floodplain Administrator's approval of the Floodplain Permit for Lot 1-A, Jefferson Acres River Bend Unit, submitted by Selene Dunn. Jim Hart seconded the motion. All voted aye and the motion carried. Cody discussed the proposed permit for Lot 11, stating that this one is entirely in the floodplain so they will have to elevate both the house and the garage. It requires an elevation certificate and does meet the standards; and approved materials will be used. Following discussion, Dan Allhands moved to affirm the Floodplain Administrator's approval of the Floodplain Permit for Lot 11, Block 2, Jefferson Acres Iron Rod Unit, submitted by Selene Dunn. Jim Hart seconded the motion. All voted aye and the motion carried.

DPHHS Intergovernmental Transfers for Nursing Homes: The Board reviewed documentation for the nursing homes intergovernmental transfers. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Following review, Dan Allhands moved to approve the State of Montana Intergovernmental Agreement for the Transfer of Monies to the State, between the Montana Department of Public Health and Human Services, Senior and Long Term Care Division, and Madison County to provide a one time, lump sum payment effective for the period of July 1, 2018, through June 30, 2019. Jim Hart seconded the motion. All voted aye and the motion carried.

Courthouse Elevator Project: The Board discussed the Courthouse elevator project and finishing the extra room at the Administrative Office Building. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Discussion including bringing in a private contractor to look at the project in the Administrative Office Building. Bonnie asked if it would need to be put out as a Request for a Proposal. The Board responded that at this time, they would only be putting the word out.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 4:15 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, May 28, 2019, beginning at 9:30 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana.

Ronald E. Nye, Chairman
Board of Madison County Commissioners

Date Approved: June 11, 2019
Minutes prepared by:

Laurie Buyan, Executive Assistant to the
Madison County Board of Commissioners

Attest: _____
Kathleen Mumme, Clerk and Recorder, Madison County