

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**July 9, 2019, Meeting Minutes**

On Tuesday, July 9, 2019, a meeting of the Board of Madison County Commissioners came to order at 9:45 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 Alex Hogle, Trever McSpadden, Dennis Foreman, Jeremy Olson, Tammy Mahlstedde, Jani Flinn, Bob Bates, Phil Fortner, and Cody Marxer.

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

**Claims:** The Board approved claims.

**Salary Resolution:** The Board reviewed a preliminary version of the salary resolution and will wait for the final version to be presented before taking action on the resolution.

**Wheel Loader Backhoe Bid Selection:** Jim Hart discussed bids for the purchase of a Wheel Loader Backhoe for the District 3 Road Department. He stated that he talked to the Deputy County Attorney about taking the higher bid instead of the lower bid, noting that the recommendation was to accept the lower bid. There was discussion about CAT versus John Deere and the difference in the two machines. There was also discussion about the amount offered for the trade-in and other budgeting considerations. Jim stated that this purchase would be coming out of the general fund and would be out of last year's budget. He asked the Board for flexibility to work something out on the bids. No action was taken.

Alex Hogle, Planning Director, met with the Board to discuss the following planning topics. Tammy Mahlstedde, Human Resource Generalist, Trever McSpadden, Haystack Development, and Dennis Foreman and Jeremy Olson, Gaston Engineering, were present for this portion of the meeting.

- **Montana Club Phase II Preliminary Plat:** Alex presented and reviewed the staff report for the Montana Club Subdivision Phase II, Big Sky Resort, Big Sky, Montana, noting that the proposal will create a 27-lot residential development on 45.44 acres comprised of 18 single-family lots, 1 multi-family condominium lot, 6 open space lots, 1 open space/utility lot and 1 operations and maintenance lot, for a total of 27 new lots with 32 total residential units and 1 operations and maintenance unit, which would be accessed via Territorial Drive off Rising Bull Road, and is proposed to be served by existing public water and wastewater systems. He added that the subdivision has not been proposed as a phased subdivision and that roads are designed to be built to county road standards. He further noted that the development will occur on the flatter terrain with the steeper areas used for open space. He displayed a map of the proposal. There was much discussion regarding compliance with the Overall Development Plan in relation to the validity of the traffic report. Alex noted that one member of the Planning Board questioned the absence of the required traffic impact study. Alex stated that he responded to the Planning Board in writing with the conclusion that since this is the first development in the ODP, there is no new impact since the traffic study was conducted. He added that in the future it would be reasonable to expect an updated traffic study to look at additional traffic. Trever McSpadden stated that at the time of the ODP, there was a traffic impact study that was based on full build-out of 740 units, and that the conclusions of that study were the worst case scenario. Alex will put language together for the next proposal with the reasoning being that this is the very first development and there has been no change in the numbers, but from here forward there will be increased numbers. Alex stated that the second issue was also from a Planning Board member questioning if the geotech is adequate. He stated that he had originally rejected the geotech and issued an insufficiency. When a new submittal was provided it was labeled "soil sample" rather than "geo-tech" but appeared to be

reasonable. Alex accepted it and determined it sufficient for review. Ingress and egress was also discussed. Trever suggested that prior to final plat, a letter could be submitted to the Clerk and Recorder documenting an approved easement and referencing the document on the face of the final plat. It was further noted that the paving would be completed by Big Sky Resort when the timing is right for them. Alex will adjust the findings of fact and approval conditions to reflect these changes. Following discussion, Jim Hart moved to approve the Findings of Fact with the addition of a new finding (#25) which outlines the timing of the road improvements and paving of internal roads; and to approve the Montana Club Subdivision Phase II subject to conditions of approval with amendments to condition #12 and condition #16 as discussed. Dan Allhands seconded the motion. All voted aye and the motion carried.

- **Planning Board Report:** The Board reviewed the summary from the June 24, 2019, Planning Board meeting as presented by Alex Hogle, Planning Director.

**Grants – Start-Up Documents for Giem Bridge:** Jani Flinn, Grant Administrator, presented the Board with start-up documents for the Giem Bridge Replacement project. Following review and discussion, Dan Allhands moved to approved Exhibit 2-D Designation of Depository for Direct Deposit of TSEP funds. Jim Hart seconded the motion. All voted aye and the motion carried. Dan Allhands moved to approve the Giem Bridge Replacement Management Plan with corrections. Jim Hart seconded the motion. All voted aye and the motion carried. Dan Allhands moved to approve the Signature Certification Form for reimbursements from the Montana Department of Commerce, Community Development Division, Treasure State Endowment Program. Jim Hart seconded the motion. All voted aye and the motion carried. There was also a draft resolution related to budget authority that was continued to the next regular Commission meeting.

**Safety Department:** Bob Bates, Safety Coordinator, met with the Board to discuss the following topics. Phil Fortner, Sheriff, and Tammy Mahlstede, Human Resource Generalist, were present for this portion of the meeting.

- **June Safety Report:** Bob presented and reviewed the monthly Safety Report for the month of June 2019. The report included a listing of various meetings he has attended; a CPR/AED/First Aid Training Class that he facilitated; Incident investigations and reports that have been completed; Sheriff's Office air quality issues; Weekly Safety Topics that have been distributed, AED monthly inspections that have been completed; Safety portion of new hire orientations he has participated in; and purchases by the Safety Department. Bob discussed the progress of the Safety Committee in regards to the Safety Incentive Program, Safety Newsletters, and vehicle safety kits that can be checked out from his office when someone is taking a County vehicle on an extended road trip. He also presented a list of workers' compensation claims with the status of each claim. There was a lengthy discussion regarding the mold issue in the Sheriff's Department. Bob noted that he has the final results from the environmental investigation and has talked to Tony Forsythe, Maintenance, about replacing the carpet with tile flooring. There was further discussion about the possibility of an underground spring and rain water with nowhere to go. Phil noted that the foundation of the building is wet for about a foot up from the ground. He discussed the possibility of re-sloping the yard and Dan Allhands added that it should be lined and have drainage added. There were also questions about long term exposure and if it might create a health risk. Bob stated that he was definitely open to suggestions and Jim Hart stated something should be done sooner than later.
- **Crosswalk Between Administrative Office Building and Courthouse:** Bob discussed the possibility of a crosswalk across the state highway between the courthouse and the Administrative Office Building. Laurie stated that this had been discussed before and remembered that the state may want the crosswalk at the end of the block rather than in the middle of the block. Bob will talk to the highway department and to the Town of Virginia City about putting in a crosswalk. Phil suggested that a crosswalk might also help slow down the traffic coming through town.

Tammy Mahlstede, Human Resource Generalist, met with the Board to discuss the following topics. Alex Hogle, Planning Director, Cody Marxer, Planning Technician, and Phil Fortner, Sheriff, were present for this portion of the meeting.

- **Authorization to Fill Licensed Clinical Professional Counselor or Licensed Clinical Social Worker On-Call Position:** Tammy presented and reviewed an authorization to fill a licensed clinical counselor position. She stated that the position would be on an as needed basis and a contract would be required if the position is filled. Following discussion, Jim Hart moved to approve the Authorization to Fill the Licensed Clinical Professional Counselor or Licensed Clinical Social Worker, part-time, permanent, contract position. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **New Planning Technician Job Description:** Tammy presented a revised Planning Technician job description. Alex stated that he had reviewed the current Planning Clerk and Planning Technician job descriptions and that clerk services will still be needed, so that has been blended into this job description. Additional items that were added to the job description were discussed. Following discussion, Jim Hart moved to approve the Planning Technician job description as updated and presented by the Planning Director and the new Planning Technician. Dan Allhands seconded the motion. All voted aye and the motion carried.

**Public Discussion and/or Comments on Items Not Listed on the Agenda but Within the Board's Jurisdiction:** Phil Fortner, Sheriff, met with the Board to discuss the progression of the issues in the Sheriff's office. Discussion included relocating the office, building a new office, the jail situation, getting the ground sloped so that water runs away from the building, new flooring, adding ventilation, barriers on the ground, and new downspouts.

**Mosquito District Board Appointment:** The Board reviewed an application for the vacant position on the Mosquito District Board. Because there are two applications and a resignation is forthcoming from an existing member, the Board continued this item to the next regular Commission meeting.

**Twin Bridges Cemetery Board Resignation:** Following review, Jim Hart moved to accept the resignation of Richard Marshall from the Twin Bridges Cemetery District Board and to send a letter of appreciation for his years of service to the board. Ron Nye seconded the motion. All voted aye and the motion carried.

**2020 Census Complete Count Committee:** The Board discussed the 2020 Census Complete Count Committee and agreed that letters should be sent out to recruit members for the committee.

**Twin Bridges Airport - AIP 3-30-0080-013-2018 Final Report, Consultant Certification for Project Testing, Sponsor Certification of Testing Laboratories, and Request for Reimbursement #8 (Final):** This topic was continued to the next regular Commission meeting.

**Interdisciplinary Child Information and School Safety Team Appointments:** Because there were only a few responses to the letters that were sent out related to the Interdisciplinary Child Information and School Safety Team Appointments, this topic was continued to the next regular Commission meeting.

**Courthouse Elevator Project:** There was no discussion on the Courthouse Elevator Project.

**Calendars:** The Board reviewed calendars.

With no further business, the meeting was adjourned at 1:20 p.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, July 16, 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: July 23, 2019  
Minutes prepared by:

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

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