

BOARD OF MADISON COUNTY COMMISSIONERS
July 10, 2018, Meeting Minutes

On Tuesday, July 10, 2018, a meeting of the Board of Madison County Commissioners came to order at 11:28 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Ron Nye, Chairman, and Dan Allhands present. Commissioner Jim Hart was absent for personal reasons. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Steve Primm, Bonnie O'Neill, Jeremiah Theys, Vicki Tilstra, Tom Hyndman, Kristie Millhouse, Kacey Smart, Jani Flinn, Al Hendricks, Tommy Luksha, Kathleen Mumme, and Justin Ekwall.

Approval of Minutes: No minutes were available for approval.

Update on Nevada City Solid Waste Site: Steve Primm, People and Carnivores, met with the Board to give an update on the Nevada City Solid Waste Site. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Steve reported what was discussed at the last Solid Waste Board meeting, and the pros and cons of several options were discussed for protecting the site from dangerous wildlife, primarily bears, while keeping it accessible to humans. An automatic sliding gate system was reportedly installed in Dillon, and Steve will investigate design, cost and how it's working. While this option would be more expensive than the cattle guard idea, Steve felt that if it is determined to be the best option, funding can be found. He will get the subject onto the next Solid Waste Board meeting agenda scheduled for September 13, 2018.

Claims: The Board approved claims.

District 1 Motor Grader: Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Dan Allhands moved to authorize advertising for bids for a new road grader in District 1. Ron Nye seconded the motion. All voted aye and the motion carried.

Edsall Road Easement Agreement: This topic was continued to the next regular Commission meeting.

Letter to John Tubbs re: Loss of 310 Funds to Conservation Districts: This topic was continued to the next regular Commission meeting.

County Pool Vehicles: Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss which departments need to occasionally use County pool vehicles and how this should be worked out. The Board discussed which vehicles are presently available, current usage and anticipated needs. Bonnie will transport the gray car from one of the nursing homes to the County parking lot for general use.

Bed Tax at TRMCC: Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Bonnie reported that because the April 1, 2018 deadline for filing the bed tax with the state was inadvertently missed, a \$3,500 penalty was imposed and paid. Since there have been no prior issues in the last 22 years, an appeal has been filed to waive the penalty. A call was made to Holly Haithcox, TRMCC Interim Administrator, who explained bed tax details and answered questions. After discussing of rising tax rates and a drop in Medicaid funding, Ron stated his intention to pursue asking State Representatives and the Governor about getting some relief from these nursing home taxes, noting that the subject came up during the visit with Senator Daines and it was seen then as a serious issue to be resolved, and Holly expressed her willingness to help. Holly then updated the Board on the following topics and answered questions: Jeremiah Theys with Great West Engineering is looking into the TRMCC sidewalk situation; another computer board will be needed to repair a commercial dryer at a cost of \$500, much less than the \$8,000 cost to replace the dryer; and, Holly will check on the progress of the backup generator, she thinks it is not yet completed.

Laurie Buyan, Commissioners' Assistant, was present to take minutes for the remainder of the meeting.

Off System Bridge Nominations: Jeremiah Theys, Great West Engineering, met with the Board to discuss bridges that may be eligible for MDT off-system funding. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Jeremiah stated that the off-system program uses funds to help with bridges that are structurally deficient. He noted that he has provided a list of three bridges in Madison County that are eligible for the program because to their deficiency ratings. He noted that Seyler Lane Bridge over the Ruby River has had scour issues for years and is a candidate for the project. Two other bridges, Carney Bridge and Waterloo Bridge, both over a canal are too small for this program. Dan Allhands asked about the Judy Lane Bridge near Alder, Montana. There was discussion regarding including this bridge and discussion about the condition of the Hutchings Bridge at the West Fork of the Madison. Following much discussion, Dan Allhands moved to put Seyler Lane Bridge and Judy Lane Bridge into the Montana Department of Transportation off-system bridge program nominations. Ron Nye seconded the motion. All voted aye and the motion carried. Jeremiah will send a spreadsheet with the nominations to be forwarded to MDT.

***Note:** After reviewing bridge records, Jeremiah advised the Board via email that the Judy Lane Bridge was not eligible for this program.

Either Issue Notice of Award for Fairgrounds Water Main Project or Reject All Bids due to Funding Limitations: Jeremiah Theys, Great West Engineering, met with the Board to discuss bids for repairing the waterline to the Fairgrounds in Twin Bridges. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, Jani Flinn, Grant Administrator, Kacey Smart, Sanitarian's Assistant, Tom Hyndman, Twin Bridges Mayor, and Kristie Millhouse, Twin Bridges Town Clerk, were present for this portion of the meeting. Jeremiah discussed issues related with rejecting the bids, noting that all of the paperwork would have to be changed and the project would need to be re-advertised with a possibility that the bid back higher. Jeremiah and Vicki discussed how the process would work with town being a pass-through for the County. He added that the Town does not have the Rural Development funding yet. At this point, a conference call was conducted with Craig Erickson and Carrie Stanley of Great West Engineering and Steve Trundle and Laura Statler of Rural Development, participating via telephone. Laura started the discussion by stating that everything is ready to go to get the project funded. Steve added that it will need to go through the federal process and that there is funding now but certain components are time sensitive. He asked what the local concerns are. Jeremiah responded that the County is coming up against a deadline for issuing the project and the County is not comfortable issuing a notice of award until the funding is in place. There was discussion regarding the agreement with the Town of Twin Bridges. Laura asked what the drop-dead for the contractors would be. Jeremiah responded that he has been in contact with them and felt they would be agreeable to a short delay. Laura stated that they are looking at a two to three week turn around for federal approval. After much discussion, it was agreed to move ahead with the federal request and approve the MOU with the town. Vicki asked about TSEP. Jeremiah responded that Craig is still working with TSEP and that TSEP is waiting for all the funding sources to be in place.

Memorandum of Agreement between Twin Bridges and Madison County for Water Main

Replacement Project: Jeremiah Theys, Great West Engineering, met with the Board to discuss a proposed MOU for the Twin Bridges/Fairgrounds waterline project. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, Jani Flinn, Grant Administrator, Kacey Smart, Sanitarian's Assistant, Tom Hyndman, Twin Bridges Mayor, and Kristie Millhouse, Twin Bridges Town Clerk, were present for this portion of the meeting. Following discussion, Dan Allhands moved to approve the Memorandum of Agreement between the Town of Twin Bridges and Madison County for the water main extension from Second Avenue to the fairgrounds. Ron Nye seconded the motion. All voted aye and the motion carried. Jeremiah outlined the process for submitted claims, noting that he will be involved in the process and make sure the invoices get routed correctly.

Jani Flinn, Grant Administrator, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, and Kacey Smart, Sanitarian's Assistant, were present for this portion of the meeting.

- **Fairgrounds Waterline Project:** The Board discussed the project to provide water at the fair in case the main waterline has not been repaired before the Fair starts. Dana Escott, Fair Manager,

participated in this portion of the meeting via telephone. Kacey stated that the water from the well on the fairgrounds has been tested and all of the results have come back clean. Dana stated that she is in the process of talking to the Fair Board about putting a curb stop on the pressurized line coming from the town. She noted that the priority is watering and washing the animals and that she would check the water pressure to make sure it was adequate, stating that use of the bathrooms would be the last priority. Bonnie asked if portable bathrooms would be provided. Dana responded that it is on next week's Fair Board agenda. Dan Allhands suggested that Dana ask Sam Novich, Town of Twin Bridges, if he would be willing to dig up the waterline to find the shut-off valve, adding that it would be fairly simple to block the line if a shut-off valve could be found. After much discussion, Dan and Ron both agreed that it is of the utmost importance to get the line blocked off so that water from the fairgrounds well can't seep back into the town system and requested that Dana contact Sam for assistance on getting this accomplished.

- **N. Willow Creek Reclamation Project – DNRC Grant Contract Approval:** Jani stated that the contract for the North Willow Creek Reclamation project was ready for signature but that the contractor did not like the way it read. She noted that Heidi Anderson Fohnagy with DNRC is re-wording the agreement. Jani further stated that this grant requires no county match and that all of the match comes from private sources. She added that the final step is a partnership agreement that she has asked Justin Ekwall, Deputy County Attorney, to draft.

Administrative Building Canopies: The Board contacted Maryanne St Sauver, ThinkOne Architects, regarding the proposed canopies for the Administrative Office Building. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, were present for this portion of the meeting. The Board asked for an estimate for the lights and canopies. Maryanne will get this to them. Vicki asked for an invoice for services through the end of June. Maryanne will get this to her. Dan Allhands stated that Tony Forsythe, Maintenance, is working with Dan Crismore, Northwestern Energy, to mount a light on a power pole in the front of the building. There was discussion about this being a more acceptable option because the light would shine down on the areas that need to be lighted at night. This topic was continued to the next regular Commission meeting.

Courthouse Elevator Project: The Board put in a call to Bill Hanson, ThinkOne Architects, to discuss the Courthouse Elevator Project but he was unavailable. This topic was continued to the next regular Commission meeting.

Salary Resolution: The Board reviewed the proposed salary resolution. Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Following review, Dan Allhands moved to approve Resolution 25-2018, a resolution setting salaries for Fiscal Year 2018-2019. Ron Nye seconded the motion. All voted aye and the motion carried.

Road Closure Process: Kathleen Mumme, Clerk and Recorder, and Justin Ekwall, Deputy County Attorney, met with the Board to discuss the need to create a written process for closing roads in Madison County. Bonnie O'Neill, Chief Administrative Officer, Al Hendricks, Road Review Committee Chairman, and Tommy Luksha, GIS, were present for this portion of the meeting. Kathleen presented a draft procedure/policy outlining steps to be completed in the process, starting with a petition of the property owners requesting the closure, and including a draft resolution that outlines the steps that were followed and the final decision by the Board. It was noted that the process has been done differently in different instances in the past. There was discussion regarding whether a deed is necessary to complete the process. It was agreed that a warranty deed is definitely not an option but that some property owners have requested quit claim deeds to clarify title issues. Al Hendricks stated that an encumbrance is being removed from the property and that ownership would revert back to the estate that owns under the road. Justin Ekwall summarized the steps for the process: first, getting the petition, then conducting a public hearing, completing a resolution with the decision included, and then the property automatically reverting back to the owners. Tommy Luksha added that maps could be included with the resolution for more clarification. It was agreed that this would be beneficial. Kathleen stated that she will contact the title companies regarding the question of issuing quit claim deeds. Justin stated that quit claim deeds could be drafted for a nominal fee to the property owners.

County Pre-Employment Drug Testing Policy: Bonnie O’Neill, Chief Administrative Officer, met with the Board to discuss a proposed pre-employment drug testing policy for Madison County. Justin Ekwall, Deputy County Attorney, was present for this portion of the meeting. Discussion included testing specific to certain jobs, being consistent so it doesn’t look like “targeting”, requirement to test CDL drivers at pre-employment and randomly, testing following accidents, and pros and cons from the legal side. Following much discussion, it was determined that Bonnie will re-work the existing Chemnet policy and bring it back to the Board for consideration.

Calendars: This topic was continued to the next regular Commission meeting.

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, July 17, 2018, 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: July 17, 2018

Minutes prepared by:

Jane Bacon, Commissioners’ Clerk, and

Laurie Buyan, Administrative Assistant

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