

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**July 16, 2019, Meeting Minutes**

On Tuesday, July 16, 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, and Dan Allhands present. Commissioner Jim Hart was absent as he was attending an annual National Association of Counties Conference in Las Vegas, Nevada. Jane Bacon, Commissioners' Clerk, and Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, were present to take minutes.

Those people in attendance at the meeting were Jim Jarvis, David Bacon, Bob Bates, Jon Olsen, Tony Forsythe, Kathleen Mumme, Alex Hogle, Julie Jaksha, Courtney Edwards, Kensie Jaksha, Jeremiah Theys, Jani Flinn, Hannah Kearse, Craig Erickson, Paul Marsh, Bonnie O'Neill, Jani Flinn, Jeremiah Theys, Joe Brummell, and Tommy Luksha.

**Approval of Minutes:** Dan Allhands moved to approve the June 4, 2019, Commission meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. Dan Allhands moved to approve the June 11, 2019, Commission meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried. Dan Allhands moved to approve the July 2, 2019, Commission meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried.

**Canopies and Railing on Steps at Administrative Office Building:** Jim Jarvis, Virginia City Historic Preservation Officer, and David Bacon, President of Virginia City Town Council, met with the Board to discuss canopies, and the newly-installed railing on the steps outside the Administrative Office Building. Bob Bates, Safety Coordinator, Jon Olsen, Spanish Peaks Resort, Tony Forsythe, Maintenance Manager, and Kathleen Mumme, Clerk and Recorder, were present for this portion of the meeting. The need to jointly formulate a letter regarding a potential runaway truck situation or other type of disaster in Virginia City was discussed, as well as options to be considered if preventive solutions are not provided by the state. Ron thanked Jim and David for coming to discuss the railing, which both he and Dan agreed has become a sore subject. He discussed safety concerns after seeing a local resident using the steps during the winter when the steps are not maintained, and recently watching children playing around the steps, said he was unaware of the need for a permit for something that seemed obvious, and said that efforts were made to try and install something that would fit the historic image of Virginia City. Dan and Ron listed areas where the county has assisted when the city needs help, such as with snowplowing, blading, and helping with floods, and Dan said he doesn't want a battle every time the county wants to get something done. David agreed with the need for safety and mutual cooperation but pointed out that every property owner in Virginia City is required to obtain a permit via the review process when outdoor structures are added or changed, emphasizing that the ordinances are in place to protect the historic integrity of the town and the town council is required to enforce the ordinances. Jim said it's not uncommon for residents to be unaware of the need for permits although the ordinance has been in place for 20 years, and reiterated that permits are required for any exterior addition/alteration, excluding ordinary maintenance and repair. Discussion ensued about the design and structural integrity of the railing. Jim related that the design was not approved or particularly liked by the town council or residents, and recommended a metal railing as a more permanent and appropriate solution for a high-profile and monumental building such as this one. He pointed out that there are several functional, dark metal railings in town that are not so noticeable, and agreed that while there are wood railings in the city, they are mostly located on the lower, older end of town. Dan thinks the railing looks good and doesn't see why there is a problem with it, and Jim said the whole point of the permitting process is to hash these things out. He pointed out that the county is not being singled out - the town deals with about 30-35 permits per year, and they all go through the same process. Ron wondered if the process is cut in stone or if it can be negotiated. David pointed out that residents often consult with HPAC or with Jim prior to construction to develop a functional design that doesn't stand out, and Jim said he does his best to assist but that ultimately these decisions are determined by the town council. Dan

mentioned that he would have been more accepting of the process with a phone call rather than receiving a Cease & Desist order from the town, and Ron asked if it wouldn't make more sense to finish the structure and then take a look at it. David pointed out that people living in Virginia City are very protective of the town, and gave examples of permit applications for structures previously installed that were then objected to by residents, turned down, and removed. He also suggested having the city and county meet at least once a year to discuss matters of mutual interest and to better understand each other's motivations. Ron suggested everyone regroup and come back together next week to work things out, saying that he had begun to get past it when the call came in yesterday to have the railing taken down by the 19<sup>th</sup> and thinks that taking the railing down is the wrong approach. David said he will contact other members of the town council to discuss putting a moratorium on the removal of the railing in an effort to move forward. Kathleen expressed an opinion that the railing looks good, but metal would be more functional, because the wood surface is wide and could cause splinters. The discussion then turned to building canopies. Dan said he went to a local contractor to get a bid, was told the mayor didn't like it and the bid process was stopped, and feels this was not the mayor's call and that he is pushing Dan's buttons. David said we need to work this out, as the city and county need to work hand in glove together on many issues. Kathleen asked about canopy drawings or mockups, and Jim replied that several drawings had been created by ThinkOne Architects a year ago but the design was not actually finalized. Ron mentioned that the architect needs to be involved for structural considerations, and discussion ensued about hiring local contractors to build the final design. Ron informed Jim and David about the upcoming project dealing with courthouse moisture and drainage, and they discussed whether permits would be required due to issues such as visible impact, historic structure alteration, and road grading. The possibility of installing a crosswalk in front of the courthouse was also discussed, as well as what would be required since the highway belongs to the state. Jim Jarvis said that since a crosswalk would involve signage and possibly flashing lights, it would be a big visual impact on the town and the town council would want to weigh in on any decisions. Ron recommended drafting a letter to the governor about the impact of a traffic-related incident in Virginia City, and include the possibility of a crosswalk between the Courthouse and the Administrative Office Building. Several ideas were brought up about how to call attention to this issue. Dan reiterated in closing that a phone call regarding the railing would have been a nicer way to deal with it.

**Spanish Peaks ODP Extension:** Alex Hogle, Planning Director, and Jon Olsen, Spanish Peaks Resort, met with the Board to discuss an extension to the Spanish Peaks Overall Development Plan (ODP). Alex related that the Spanish Peaks project is moving forward with a lot of development activity, and reviewed the background of the ODP, which is due to expire on August 6, 2019, after a previous extension was granted. Jon explained that ongoing discussions with the Fire District are rather complicated, and he is requesting an additional six-month extension for more time to work out the details. Discussion ensued about roads, development, fire station proximity in Big Sky, and whether six months is enough time for a collaborative resolution. Based on the recommendation of the Planning Director, Dan Allhands moved to give Lone Mountain until August 6, 2020, to complete the Spanish Peaks Overall Development Plan. Ron Nye seconded the motion. All voted aye and the motion carried.

**Headwaters RC&D Update:** Julie Jackstra and Courtney Edwards, Headwaters RC&D, met with the Board to give an update on their organization's activities. Alex Hogle, Planning Director, and Kensie Jackstra, area resident, were present for this portion of the meeting. Julie said Headwaters RC&D recently merged to cover seven counties, said they do a little of everything, and gave examples of projects, grants, loans and partnerships they have been involved with. Further discussion included Big Sky development, taxable values, work force needs and employee housing.

Jeremiah Theys, Great West Engineering met with the Board to discuss the following topics. Jani Flinn, Grant Administrator, and Hannah Kears, The Madisonian, were present for this portion of the meeting.

- **Great West Task Order #24 – Design, Construction Administration, and Grant Administration for Glem Bridge Replacement:** Jeremiah explained that this Task Order is for Great West's design, construction management, inspections and grant administration services and fees, and come out of the TSEP grant. He reviewed timeline and project details, explaining the intention to straighten access to the bridge, said they may use the old bridge as a work bridge, and the construction is planned for late summer/fall construction. Still to be evaluated is whether to make it a single span or a double span, depending on cost effectiveness, but it will be a concrete structure.

Further discussion included landowners and easements, local concerns regarding traffic and speeds, and improved access and safety. Following discussion, Dan Allhands moved to approve Task Order #24 to Great West Engineering for the Giem Bridge design, construction administration and observation, and grant administration services in the amount of \$225,000. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Resolution Authorizing Funds for TSEP Grant – Geim Bridge:** Jani and Jeremiah discussed how the TSEP grant for the Giem Bridge will work regarding budget resolutions, accounting details, administration and file structure. When this year's budgets are approved, grant files should include the resolution adopting the current budget, and documentation of fund allocation.

**CDBG Grant for Madison Valley Manor Improvements:** Craig Erickson, Great West Engineering, met with the Board to discuss the grant award for the kitchen renovation at the Madison Valley Manor. Paul Marsh, Nursing Homes Foundation, Bonnie O'Neill, Chief Administrative Officer, Jani Flinn, Grant Administrator, and Jeremiah Theys, Great West Engineering, were present for this portion of the meeting. Becky Lawson, Jason Davis, and Madison Gabib, SMA Architects, participated in the meeting by telephone. Ron asked if the project could be done in stages, adding that we have a problem with the nursing homes budget because of having to use so many travelers. Craig asked SMA to remind everyone of the scope of work for the project. Becky responded that the PER included a new kitchen, an addition of a walk-in freezer and cooler, moving the rest room entrance away from the kitchen, and new equipment for the kitchen, adding that she didn't think the magnitude of the project could be changed. Craig questioned the replacement of the boilers and generator. Becky stated that was a separate project. There was further discussion about budgeting issues and possible funding for replacement of the boilers and generator. Craig noted that the CDBG grant of \$450,000 would require a 25% match from the County. Bonnie stated that someone was coming to replace a switch in the boiler at TRMCC and she could ask if they could do an assessment of the boilers at Madison Valley Manor. There was discussion about how soon the funds needed to be expended for the kitchen project and the projected increase in the cost of construction if the project is postponed. Craig noted that the County has nine months to meet the start-up conditions which would run it into Fiscal Year 2020-2021. Ron discussed starting a capital campaign for funding the County share of the project. Paul Marsh stated that if a capital campaign is done, the foundation would help in any way it can. Vicki stated there is also the option of an interfund loan from the general fund. Dan suggested recruiting local contractors to avoid the additional cost of out-of-the-area contractors. Craig listed the start-up requirements, noting that these could be done within the next 60 days, which would allow SMA to start the design and would allow local contractors plenty of time to bid. There was discussion about food service for the residents while the project was in progress and alternate ways to provide meals. After much discussion, Vicki noted that she will build the project into the budget for a commitment this year. Jeremiah stated it could then be put out to bid to see how it comes in. Craig and Jeremiah both noted that the County would have three years to complete the project after the start-up documents have been completed. Vicki will send Craig a copy of the budget showing the commitment of funds once it has been approved.

**DES Office:** Joe Brummell, Disaster and Emergency Services, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **DES Update:** Joe discussed the airplane that got stuck at the Ennis Airport and submitted an incident report which noted that the plane was a Global G6000 that sunk into the tarmac. He was asked to establish incident command and immediately contacted Bozeman and West Yellowstone airports for assistance. He stated that the lift assist started at approximately 9:47 p.m. and the plane was out by 12:15 a.m. Joe reviewed the DES update noting that PCSRs to date are at 72; there have been two structure fires and 6 wildland fires in this calendar year; last year's burn ban was implemented on August 7, 2018; fire adapted community briefings were held in Pony and Ennis. He discussed LEPC happenings and other incidents he has been involved in in the past two months.
- **EMPG Grant:** Joe discussed the EMPG Grant stating that it has been awarded and that he submitted for \$47,000 and has been approved for \$38,621, adding that almost all of the submittals were reduced. Following discussion, Dan Allhands moved to approve the Emergency Management Performance Grant in the amount of \$38,621, with a local match of \$38,621, for a total award of \$77,242. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Mitigation Grants:** Joe discussed mitigation grant classes that he would like to attend. One class is on how to apply for mitigation grants, the other is on how to administer the funds. He stated that he wants to apply for a grant to get a new generator for the Madison Valley Manor and also blowout kits for Stop the Bleed training.
- **Disaster Recovery:** Joe discussed a disaster recovery annex, keying in on distribution management and damage inventory. He will schedule a visit with Park County to discuss this project.

**Dispatch 911 Grant:** Jani Flinn, Grant Administrator, met with the Board to discuss the E911 grant for the Dispatch Office. Bonnie O'Neill, Chief Administrative Officer, and Tommy Luksha, GIS, were present for this portion of the meeting. Jani stated that Lynda Holt, Communications Coordinator, has already put the project out to bid and that the paperwork needs to be signed and returned. Following discussion, Dan Allhands moved to approve the Montana Department of Administration 9-1-1 Grant Program, Contract #MT9-1-1 Grant-2019-025, to install a new Computer Added Dispatch system in the current Dispatch Office, in the amount of \$275,000, for the period between July 1, 2018 and June 30, 2021. Ron Nye seconded the motion. All voted aye and the motion carried.

**Airports:** Jani Flinn, Airport Board Secretary, met with the Board to discuss the following topics.

- **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.
- **Cancellation of Agreement for Transfer of Entitlements:** Jani discussed an agreement for a transfer of entitlements that was granted to the Twin Bridges Airport by the Beaverhead County Airport. She stated that Lance Bowser, Robert Peccia and Associates, received notice that the FAA has committed to providing Twin Bridges state apportionment funding to fund the project for which the entitlement funds were intended. Because of this the transfer of entitlements will be cancelled and the Twin Bridges Airport will not be indebted to Beaverhead County.

**Discussion and/or Comments on Items Not Listed on the Agenda but Within the Board's**

**Jurisdiction – Purchase of Solid Waste Truck:** Dan Allhands noted that he and Denny Lueck, Solid Waste Foreman, travelled to Havre, Montana, to look at trucks and purchased a 2007 Peterbilt Semi from Zomer Truck Company, Conrad, Montana, for the amount of \$60,000, to replace the 1998 Freightliner that was wrecked in an accident in Dillon, Montana, on May 14, 2019.

**Discussion and/or Comments on Items Not Listed on the Agenda but Within the Board's**

**Jurisdiction – Complaint about Sheriff's Office:** Bob Bates, Safety Coordinator, and Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss a complaint that was filed with the Montana Department of Labor Safety and Health Bureau regarding air quality in the Sheriff's Office. Bob presented and reviewed a timeline of actions that have been taken to date regarding the safety concerns in the Sheriff's Office and stated that, in his opinion, the fix for this issue should be done incrementally. He further discussed steps that need to be taken. Following discussion, Bob stated that he will send the timeline of actions to the state and will send a copy of the complaint to the sheriff.

**Claims:** The Board approved claims.

**Salary Resolution:** The Board reviewed a draft of the salary resolution. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Executive Officer, were present for this portion of the meeting. Bonnie referred to Attachment B, stating that the Madison Valley Manor is struggling to get a certified dietician but that Joanne Galiger has agreed to manage both kitchens. She proposed putting a lead person under her at both facilities and added \$1.00 per hour to the salary schedule for the lead positions. She wants to try this arrangement for six months to see if it will work. She added that the Madison Valley Manor is currently full, with 32 residents, and that they should be able to start increasing residents at the Tobacco Root Mountains Care Center by September. Dan Allhands stated that at some point, he would like to look into the option of a Countywide Road Supervisor. When Bonnie has time, she will look into job descriptions and a salary range for the position. Ron Nye stated that he would like to review the proposed salary resolution and wait

until next week, when Jim Hart will be present, to take action on it. This topic was continued to the next regular Commission meeting.

**Library Board Appointment:** Following review and per recommendation from the Library Board, Dan Allhands moved to appoint Sandy Bailey of Pony, Montana, as the Harrison/Pony/Norris area representative to the Madison County Library Board for a five year term that will expire on June 30, 2024. Ron Nye seconded the motion. All voted aye and the motion carried.

**Mosquito Board Resignation:** Following review, Dan Allhands moved to accept the resignation of David Smith from the Twin Bridges Mosquito District Board and thank him for his 13 years of service. Ron Nye seconded the motion. All voted aye and the motion carried.

**Mosquito District Board Appointments:** Following review and discussion, Dan Allhands moved to appoint Sunshine Harmon to the Twin Bridges Mosquito District Board to fulfill a three year term that will expire on December 31, 2020; and to appoint Verta Dorseth to the Twin Bridges Mosquito District Board for a three year term that will expire on December 31, 2021. Ron Nye seconded the motion. All voted aye and the motion carried.

**2020 Census Complete Count Committee:** This topic was continued to the next regular Commission meeting.

**Interdisciplinary Child Information and School Safety Team Appointments:** The Board discussed the proposed 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 4:35 p.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, July 23, 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: August 13, 2019

Minutes prepared by:

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

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Jane Bacon, Commissioners' Clerk

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