

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**August 4, 2020, Meeting Minutes**

On Tuesday, August 4, 2020, a meeting of the Board of Madison County Commissioners came to order at 9:36 a.m. in the Second Floor Court Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Dan Allhands, Chairman, Ron Nye, and Jim Hart present. Laurie Buyan, Executive Assistant to the Board of Commissioners, was present to take minutes.

Those people in attendance at the meeting were Joe Brummell, Melissa Brummell, Bonnie O'Neill, Dave Reintsma, Vicki Tilstra, Jani Flinn, Kipp Proctor, Tammy Mahlstedt, Tony Forsythe, Bridget Roskam, Cindy Colldewei, Ray Brewer, Alex Hogle, and those who participated via Webex. Ryan Wolter, IT Support Specialist, was present to administer the public connection to the meeting via Webex.

**Approval of Minutes:** Ron Nye moved to approve the July 7, 2020, Commission meeting minutes as corrected. Jim Hart seconded the motion. All voted aye and the motion carried.

**COVID-19 Update:** Melissa Brummell, Public Health Director, and Joe Brummell, DES, met with the Board to give an update on the current COVID-19 status. Melissa stated there will be a meeting tonight with a situational update, basically the same as this one, with the emphasis on masks. She reviewed the numbers, noting that Madison County now has 75 confirmed positive cases of COVID-19, 12 which are new in the last week. She also noted that there have been an additional 22 positive cases from out of state. Current active cases are at 22, 52 have recovered, and we are still at one fatality. There are no current hospitalizations. Melissa stated that they are now getting results back in two to three days and also reviewed the statewide and federal numbers. Joe discussed the Sturgis Bike Rally, stating that it is still going forward and that they are anticipating a surge in cases because of it. Further discussion included the National Guard testing noting that the rotations are over; the Old Baldy fire which is currently at 130 acres; possible evacuations and how to accomplish that during a pandemic; and drought conditions. Melissa discussed the mask mandate. She said they are finding that it is very effective for businesses and they have been able to stay open if they are compliant.

**Bid Openings for TRMCC Roof Replacement Project:** The Board received and opened one bid for the roof replacement at the Tobacco Root Mountains Care Center. Dave Reintsma, Tobacco Root Mountains Care Center Maintenance, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. The bid received expressed regrets that they would not be bidding the project due to the bonding requirements. Dave and Bonnie discussed potential contractors and questioned if they should re-advertise the project. Dave stated that he was told that contractors need a special license for this type of roof and wondered if that might be the reason for the lack of bids. Ron Nye suggested looking at the bonding issue. Dan Allhands discussed a type of spray-on roofing that might work for this project. Bonnie will re-advertise for bids and will check on the bonding requirements.

Jani Flinn, Grant Administrator, and 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.

- **Intercap Loan Application:** Vicki discussed an application for an Intercap Loan for the Jack Creek Road project. She stated she is working on an application for \$995,000 and needs to know if the Board wants to include more. Jani asked how that amount was determined. Vicki replied that \$800,000 was estimated for Jack Creek Road and the remainder was for the Fish Hatchery Road, adding that she stayed under one million so that it doesn't have to go to committee, due to the fact that it might take longer. There was discussion that this amount would not be enough for Jack Creek and that there was no penalty for pre-payment if the entire amount was not needed. After much discussion, Ron Nye moved to apply for an Intercap Loan in the amount of \$1.5 million for Jack Creek Road, Fish Hatchery Road, and Gravelly Range Road. Jim Hart seconded the motion. All voted aye and the motion carried.

- **Cliff and Wade Lakes Road Project:** The Board discussed the Cliff and Wade Lakes Road Project. Jim Hart stated that he has not heard back from Eric Bryson, MACo Executive Director, and will do a little more digging. He noted that in reality this project might not happen this year. This topic was postponed until 1:30 p.m.

**Motor Grader Leases:** Kipp Proctor, RDO Equipment, met with the Board to discuss the purchase of lease of new motor graders. Vicki Tilstra, Finance Officer, was present for this portion of the meeting. Kipp stated the current motor grader leases are due to expire on November 17, 2020, and distributed information on the current leased machines. He stated that the grader for District 3 is due to be returned, adding that there are two options, it can either be returned or it could be bought by the County. There was discussion about the purchase price if the grader is bought or the possibility of leasing the same machine for another year. Kipp stated he would need to get approval from John Deere to continue a lease on the same machine. There was discussion about the warranty on the machine, leasing it for an additional year and then purchasing it, delivery time for a new grader, the 7 year schedule of purchasing new graders, if the advertising process would have to be followed if the lease is extended, and the market value of the machines. After much discussion, it was determined that the Board would consult with the Deputy County Attorney about advertising requirements and that Kipp would return to the next regular Commission meeting to continue the discussion about purchasing and/or leasing motor graders.

Tammy Mahlstedde, Human Resource Generalist, and Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following topics. Vicki Tilstra, Finance Officer, and Tony Forsythe, Maintenance, were present for this portion of the meeting. Van Puckett, Sanitarian, participated in this portion of the meeting via Webex.

- **Revised Development Coordinator Job Description:** Bonnie stated she spoke to Van about the proposed Development Coordinator position and that due to time challenges, they are not ready to present this topic yet. The topic was moved to the next regular Commission meeting.
- **New Nursing Homes Office Manager Job Description:** Bonnie reviewed a revised job description for the nursing homes office manager position. She stated the position has many different areas of responsibilities, and that the target for this position is to be more of an accounting position and to have more public interaction with families, etc. She added that the position is due to close on August 11, 2020, and that a draft version of the job description is posted with the job notice. Following discussion, Jim Hart moved to approve the Business Office Manager Job Description for both nursing homes, as presented. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Authorization to Fill Temporary (120 Days) Activities Director Position:** Bonnie stated that Steve McNeece, Nursing Homes Administrator, has requested to fill a temporary position for an activities director at the Tobacco Root Mountains Care Center, because the current activities director is also the Administrator in Training and is working with Steve to manage the facility and studying to get an administrator license. Steve would like to fill the current director position for the next 120 days, with the salary based on a director wage. Bonnie clarified that this would be a new temporary position. There was much discussion regarding the need for the position, the classification of the position, and if there are certification requirements for the position. After much discussion, Jim suggested leaving the current activities assistant in the position she's in for the time being and revisit the topic after talking with Steve.

**Policy to Sell Surplus Property:** Tony Forsythe, Maintenance, met with the Board to discuss the procedure to sell surplus County property. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Tony stated that he would like the ability to sell property outright putting a limit on it of \$2,500 or less. Jim Hart questioned the need for an appraisal and who would do the appraisal. He stated that we would have to create a resolution for public property to be sold at a public auction or advertised for sale. There was discussion about the appraisal process and the advertising process. Following discussion, this topic was continued to the next regular Commission meeting.

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

**Ennis Big Sky Airport**

- **Matson Gravel Pit:** The Board attempted to contact Lance Bowser, Robert Peccia and Associates, but was unsuccessful; therefore, this item was continued to the next regular Commission meeting.
- **Northwestern Energy Agreement:** This item was also continued to the next regular Commission meeting.

**Twin Bridges Airport – AIP 3-30-0080-014-2019**

- **SF-424 Federal Financial Report:** Jani stated there were a couple of documents that could be approved. Following discussion, Ron Nye moved to approve the SF 424 Federal Financial Report for the Twin Bridges AWOS, AIP 3-30-0080-014-2019, as presented. Jim Hart seconded the motion. All voted aye and the motion carried.
- **SF-271 Outlay Report and Request for Reimbursement for Construction Programs:** Ron Nye moved to approve the SF 271 Outlay Report and Request for Reimbursement for Construction Programs for the Twin Bridges AWOS, AIP 3-30-0080-014-2019, as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

Alex Hogle, Planning Director, met with the Board to discuss the following topics. Bridget Roskam, C and H Engineering, Cindy Colldewerh, Renewable Legacy, and Ray Brewer, Renewable Legacy, were present for this portion of the meeting.

- **Kirby Minor Subdivision Final Plat:** Alex reviewed the Staff Report for the Kirby Minor Subdivision Final Plat, stating that the preliminary plat was approved in December of 2019 with 16 standard conditions. He noted that this proposal was meant to return the subject property back to its original configuration of two lots. He explained that a previous owner had aggregated the property from two lots into one and the current owner is reverting it back to the two original lots. He discussed a comment from the Big Sky Fire Chief and that Dustin Tetrault has sent a letter stating they have no concerns due to proximity of fire hydrants in good working condition. He also discussed a variance that was requested because Summit View is a gated community, noting that this variance has been approved. After much discussion, Alex recommended approval of the final plat. Based on the recommendation of the Planning Director, Jim Hart moved to approve the Final Plat of Kirby Minor Subdivision, Amended Plat of Lot 11A of the Amended Plat of Lots 10 and 11, Summit View Subdivision Phase II, as presented. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Lot 1 Ramshorn Mountain Estates No. 2 Phase I Subdivision Amended Plat:** Alex reviewed the Staff Report for the Amended Plat of Lot 1 of Ramshorn Mountain Estates, Number 2, Phase 1, stating that the request is to remove a building envelope that was on the original plat. He added that the proposal required a rewrite from DEQ and that the applicant has worked to accomplish that. The property is located on Mountain View Road, east of Montana highway 287, approximately 4 miles south of Sheridan. Based on the recommendation of the Planning Director, Jim Hart moved to approve the Amended Plat of Lot 1 of Ramshorn Mountain Estates, Number 2, Phase 1, removing the building envelope to allow a residence and new drainfield to be situated in a more appropriate location. Ron Nye seconded the motion. All voted aye and the motion carried.

**Facilities and Land Use Agreement:** Jani Flinn, Airport Board Secretary, presented the Board with an agreement allowing the Forest Service to use the Twin Bridges Airport for Helicopter Base Landing and Parking. She noted the topic was not on the agenda but considered an emergency situation due to the Old Baldy Fire. She added that Beau Bradley, Airport Manager, would execute the agreement and that the agreement did not include fueling. Following discussion, Ron Nye moved to approve the Facilities and Land Use Agreement for approximately 5 to 10 acres of land at the Twin Bridges Airport, for the amount of \$500, and to authorize Beau Bradley or Kendra Horn to sign the agreement. Jim Hart seconded the motion. All voted aye and the motion carried.

**Claims:** The Board approved claims.

**Journal Vouchers:** Jim Hart moved to approve journal vouchers for the 7/20 accounting period. Ron Nye seconded the motion. All voted aye and the motion carried.

**Madison County Procurement Policy:** The Board reviewed a proposed procurement policy for Madison County, comparing the current proposal to a previous version, a MACo format, and a policy from another county. Bonnie O'Neill, Chief Administrative Officer, and Jani Flinn, Grant Administrator, were present for this portion of the meeting. There was discussion about the minimum number of quotes, and that due to our location, it may be hard to get three; and about the need to solicit bids for items less than \$80,000 in value and the process for soliciting bids. The Board noted that they need more clarification on the policy before taking action. Bonnie suggested creating a check-list with the process outlined. There was also a question about the definition of a purchasing agent. After much discussion, it was determined that the Board would talk with Justin Ekwall, Deputy County Attorney, about the policy.

**Cliff and Wade Lakes Road Project:** Jani Flinn, Grant Administrator, met with the Board to continue the discussion regarding the Cliff and Wade Lake project. She stated that Western Federal Lands has submitted a budget of the project cost if they complete it; and that they are waiting for an estimate from Madison County. There was discussion about why they would need an additional estimate from the County and the possibility of pursuing additional grant funding to help with the project. The Board contacted Curtis Jorgenson, Western Federal Lands, by telephone. Curtis explained what the cost estimate for the project and the County match would be if Western Federal Lands delivers the project. He stated that there seems to be some confusion because when it was discussed previously, they were asking if the County would be comfortable delivering the project. Western Federal Lands would merely have oversight and stewardship of the project. Madison County would have construction management of the project and solicit a contractor to provide crushing, hauling, and placing the surface aggregate. Curtis added that Western Federal Lands pulled back on the County providing labor for the project, not managing the project. Jim Hart responded that he will get in touch with the County's engineers and have them create an estimate of what it would cost for the County to manage the project. There was discussion about when the project might be finished and what happens if the bids come in more than what's currently allocated for the project. It was determined that the project could be bid in the winter or early spring and the project could be completed in 2021. For the second part of the question, Curtis responded that we can ask FLAP for additional funding and he is sure that they would give it if the County is willing to commit to the match. Jani confirmed that the County will engineer the project and put it out to bid; and that Western Federal Lands will confirm additional FLAP funds and the County will confirm the match. Curtis agreed, stating that when they get the County's estimate, he will draw up the match agreement. Jim Hart will contact Great West Engineering to help create a proposed budget for the project.

**Closed Meeting RE: Personnel Matter/Pending Litigation:** The Board closed the meeting at this point to discuss a personnel matter that may lead to litigation.

**Resolution 25-2020 Increasing Assessment Fees for Ousel Falls RID:** After the meeting was reopened, the Board reviewed a proposed resolution to increase the assessment fees for Ousel Falls RID. Following review, Jim Hart moved to adopt Resolution 25-2020, a resolution levying increased maintenance assessments upon benefited property in Rural Special Improvement and Maintenance District 2009-01, increasing the annual assessment from \$168 to \$285 per parcel, and to advertise a public hearing on August 25, 2020, to consider objections made by owners of record of properties in the District. Ron Nye seconded the motion. All voted aye and the motion carried.

**Calendars:** The Board reviewed calendars.

With no further business, this portion of the meeting was adjourned at 2:25 p.m. The Board conducted special meeting later in the evening regarding ambulance service in Madison County.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, June 21, 2020, beginning at 9:30 a.m. in the Second Floor Court Room of the Administrative Office Building in Virginia City, Montana.

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Dan W. Allhands, Chairman  
Board of Madison County Commissioners

Date Approved: August 25, 2020

Minutes prepared by:

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Laurie Buyan, Executive Assistant to the  
Board of Commissioners

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