

BOARD OF MADISON COUNTY COMMISSIONERS
September 3, 2019, Meeting Minutes

On Tuesday, September 3, 2019, a meeting of the Board of Madison County Commissioners came to order at 9:35 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Ron Nye, Chairman, and Jim Hart present. Commissioner Dan Allhands was absent for personal reasons. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Tony Forsythe, Bonnie O'Neill, Jani Flinn, Tommy Luksha, Alex Hogle, Vicki Tilstra, Phil Fortner, Van Puckett, Kaleena Miller, MiKayla Hudson, Janet Doornbos, Laurie Buyan, Pam Birkeland, Shelly Burke, Tammy Mahlstedt, Melissa Brummell, Cindy Gockel, Cody Marxer, and Nancy Stewart.

Approval of Minutes: After review, Jim Hart moved to approve the July 30, 2019, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the August 20, 2019, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried.

Maintenance - Garage Door at Maintenance Shop: Tony Forsythe, Maintenance Manager, met with the Board seeking approval to purchase an overhead garage door for the Placer Loop shop. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. The garage door Tony has in mind will fit behind the outer sliding door, maintaining the rustic appearance of the building, and will operate manually on a chain-hoist. He obtained a quote including installation from Door Tech Incorporated in Bozeman, Montana. Following review, Jim Hart moved to authorize the purchase of an overhead garage door for the Placer Loop snowplow shop for a total of \$3,437, including installation. Ron Nye seconded the motion. All voted aye and the motion carried. Additional topics discussed included Tony's work at the Ennis Solid Waste site, progress on getting the former Department of Revenue space ready for the Sheriff's Office to move in, whether a new generator is required and, if so, where it should be located, and anticipated costs associated with the generator and the move.

Airports / Grants: Jani Flinn, Grant Administrator and Airport Board Secretary, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Twin Bridges Airport – FAA Grant Offer AIP 3-30-0080-014-2019:** This topic was continued to Friday, September 6, 2019, to allow time for receipt of the mailed document, which is due back to the FAA by Tuesday, September 10, 2019.
- **Modify Task Order for TRMCC Sidewalk:** Discussion of TRMCC sidewalk repairs included engineering requirements, as well as the many aspects of the project such as drainage, snow removal, and sidewalk sinking. Bonnie brought up compliance with the Department of Health and Human Services, and further discussion included cooperation with the hospital, repairs affecting their property as well as county road property, budget, grants, and the possible inclusion of boilers as a larger project. Jani will call Jeremiah Theys to review the matters discussed. Following discussion, this topic was continued to the next regular Commission meeting.
- **Great West Task Order #25 – Consultant Agreement for MVM and CDBG Grant Administration:** Jani pointed out that Great West Task Order #25 to the Consultant Agreement for MVM Phase 2 renovations is for grant administration services, a standard cost, and that the MVM Nursing Home Administrator did the grant administration for the previous CDBG grant. Ron expressed the need to have a meeting so that everyone affected by the renovation project can be part of the conversation, as the MVM staff is adamant about being involved and they have some great ideas. Timing of the project, particularly the ramifications of the kitchen being closed, was discussed, as well as current kitchen output of 100 meals per day, and Jim talked about arranging the work so the kitchen could stay open. Jani mentioned planning defined stages, with the need to be specific when putting the project out to bid. A planning meeting for the CDBG Grant was scheduled at MVM for 10:30 a.m. on Wednesday, October

2, 2019. Following discussion, Jim Hart moved to approve Task Order #25 – Madison Valley Manor CDBG Grant Administration for Great West Engineering Project #1-15267, MVM Phase 2 Renovation Project, for an amount not to exceed \$30,000. Ron Nye seconded the motion. All voted aye and the motion carried.

- **DNRC Land Use License for Rip Rap Work at the Fairgrounds:** Jani reported that the license paperwork is in the mail but not received yet, and that the check has been cut. Following review, Jim Hart moved to approve the DNRC Land Use License for Rip Rap Work at the Fairgrounds, subject to receipt of the permit. Ron Nye seconded the motion. All voted aye and the motion carried.

GIS Remaining Grant Funds: Tommy Luksha, GIS Coordinator, met with the Board to discuss using remaining funds from the MLIA grant. Bonnie O'Neill, Chief Administrative Officer, Alex Hogle, Planning Director, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Tommy said he met with Montana State Library personnel in Helena to discuss acceptable options for using the funds, which total over \$8,000, noted that the grant's original purposes had been accomplished, and outlined his recommendation for the remaining funds. Following discussion, Jim Hart moved to approve the GIS request to use remaining MLIA grant dollars to purchase GIS ArcMap software extensions and ESRI training classes in an amount not to exceed the remaining grant funds of \$8,883.74. Ron Nye seconded the motion. All voted aye and the motion carried.

Public Discussion on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Phil Fortner, Sheriff, came in to speak with the Board about claims received having to do with the DUI Task Force. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Discussion included the next DUI Task Force meeting which is rumored to be scheduled for this week, meeting notices, and whether the Task Force had a booth at the fair, noting that SW Montana Prevention did have a booth. The claims were discussed and it was determined that they will not be paid until unanswered questions are resolved.

Sanitarian Update: Van Puckett, Sanitarian, met with the Board to give an update on department activities. Bonnie O'Neill, Chief Administrative Officer, was present for a portion of this topic. Van discussed ownership information researched about the Cardwell Solid Waste site – it belongs to the State. Licensing and inspections were discussed: The inspections for the seasonal businesses are completed except for some of the paperwork, and Van reviewed local ordinances, noting that Virginia City is unique as the only summer-only area. New guidelines from the State require full environmental health inspections of all schools, in all areas of the school, inside and out, instead of just food service inspections. He related that at the Planning Board meeting, talk of having a Development Coordinator position down the road was re-ignited, with ability to do inspections, help with PCSRs and local compliance, and possibly be a regulatory position. Van agreed that planning for the position should wait, but mentioned that to be useful to the Sanitarian's Office it should be a regulatory position. He reviewed a PCSR in Bear Gulch, regulation enforcement versus property rights, addressing/permitting processes, and rural addressing issues. He also discussed CPR and First Aid classes he is conducting, including efforts to train future instructors.

Extension Update: Kaleena Miller, Madison & Jefferson County Extension Agent, and MiKayla Hudson, Madison & Jefferson County Agriculture Agent, met with the Board to give an update on their recent activities in the area. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. The fair was reviewed – it went well, and both agents were impressed with the work done by all the volunteers, as well as the animal handling. Kaleena presented an activity report covering the month of August, which listed training and education she and MiKayla have participated in, outreach activities in the county, various inquiries they have responded to, and the pursuit of office space in Sheridan or other towns to provide a regular extension agent presence. Discussion highlights included: participation in an electric vehicle charging station workshop and a discussion about the potential for getting charging stations in the county; offering a master gardener class; a tour of the Cardwell wool barn; and the Upper Missouri drought plan being used as a national model. An Extension open house is planned for Thursday, September 26, 2019, from 4:00-6:00 p.m., in Whitehall for the community to meet with agency staff, particularly as three new agents have joined in the last year. She also clarified details about shared use of the county vehicle, and will keep the Board informed about usage. MiKayla reviewed her background, and said she started her job on August 1st and was immediately very busy with the fair and 4-H. She went on to discuss fair panel ownership and loans, Ron reviewed the history involved.

MiKayla expressed her commitment to work out existing panel issues by spray painting the owner on each panel, designating one specific contact who will set up and maintain a checklist and schedule, and stressed that she will be prioritizing the kids' interests over everything else. She also mentioned that she will be attending a Farm to Child summit, and discussed potentially improving fair participation and exhibits in the tin barn.

Final Budget Hearing: The Board conducted a public hearing regarding the Fiscal Year 2019-2020 County Budget. Chairman Ron Nye opened the public hearing at 1:17 p.m. Vicki Tilstra, Finance Officer, Janet Doornbos, Senior Citizen's Advisory Board, Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Public comment included a discussion about senior citizen's centers, how funds are allocated, and how bills should be processed. Hearing no further public comment, the public hearing was closed at 1:20 p.m.

- **Resolution Adopting Final Budget and Mill Levy Requirements:** Following review, Jim Hart moved to approve Resolution 44-2019, a resolution adopting Fiscal Year 2019-2020 budget and mill levy requirements. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution of Budget Amendment for VC Ranches RID:** Following review, Jim Hart moved to approve Resolution 45-2019, a resolution of Budget Amendment for FY 2018-2019 for fund 2521, Virginia City Ranches RID. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution Declaring a Disaster in Madison County:** Following discussion of work required both at the Jefferson River shoreline at the fairgrounds, and the repairs required to make the current Sheriff's Office habitable, Jim Hart moved to approve Resolution 46-2019, a resolution declaring a disaster in Madison County. Ron Nye seconded the motion. All voted aye and the motion carried. It was noted that a letter will be attached, which is on its way from the county attorney's office, and copies will go to FEMA/DES and the Department of Revenue.
- **Resolution for State Meal Rate and Hotel Rate Reimbursement:** After discussion of per diem rates, receipt requirements and department head discretion, it was agreed that the resolution should be amended.

Superintendent of Schools: Pam Birkeland, Superintendent of Schools, and Shelly Burke, Treasurer, met with the Board to discuss the following topic. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Mills for School Transportation and Retirement:** Pam noted that everyone's mills went down because taxable values went up, she presented and reviewed spreadsheets showing school mill totals for 2019-2020, and pointed out what is needed for retirement and transportation, which are both down from last year. She discussed special education co-ops, which schools belong to which co-ops and why, and reviewed history. Following discussion, Jim Hart moved to approve transportation and retirement mills for each of the schools in Madison County, as presented by the Superintendent of Schools and the Treasurer. Ron Nye seconded the motion. All voted aye and the motion carried.

Human Resources: Bonnie O'Neill, Chief Administrative Officer, and Tammy Mahlstede, Human Resource Generalist, met with the Board to discuss the following topics. Melissa Brummell, Public Health Nurse, Vicki Tilstra, Finance Officer, and Alex Hogle, Planning Director, were present for all or portions of these topics.

- **Nursing Home Update:** Bonnie presented and reviewed a nursing home update. She discussed TRMCC first, noting there are currently 27 residents and a hold on new admitting. In her review of staffing, she noted that there is only one travelling position remaining, which will terminate at the end of September. She also reviewed billing, inspections, staff training and meetings, dietary supervision for kitchens in both facilities, planned boiler replacement, and hiring for the Director of Nursing position. Bonnie then discussed MVM, with a current resident count of 26 and a hold on new admitting. She discussed staffing, noting that MVM is currently using four travelers per month, and reviewed recent hires of an activity director and activity assistant. When asked about the possibility of opening up new admissions, she pointed out that newer employees in both facilities are still in training and learning their jobs, and when they are up to speed, not only will the need for travelers be reduced, but stability of staffing should allow for more admitting in the future. Bonnie brought up the Infectious Control Program mandated by CMS, requiring 10 nursing hours per week at each facility. After learning about the position from Bonnie, Melissa said she would be able to cut back her Public Health hours to 30 per week and cover the hours required for the Infectious Control Program at the Nursing Homes, which she feels fits into what Public Health already does for the County. Bonnie did post the job internally, had no

LPNs or RNs apply, and pointed out that having Melissa fill the position, compared to hiring another nurse for the job, should save the County about \$20,000 per year. Hours, logistics and ideas were discussed, as well as Melissa's plan to reorganize Public Health staff responsibilities somewhat to make it all work and stay within budget. Vicki confirmed that the new position will be placed under the Public Health budget. Bonnie noted that the new position is to be filled by November 1, 2019, with policies and procedures in place, and she will return to the Board with more concrete details or an amended salary resolution at a regular Commission meeting in the near future.

- **Revised Nursing Home Administrator Job Description:** Bonnie mentioned that the latest applicant for the Nursing Home Administrator position didn't call back for an interview, and had mentioned interest in a position elsewhere. She reviewed options for advertising at this point – to require licensed applicants, to operate under another license, or to hire a management company. Bonnie noted that she has been designated as acting administrator under the current license holder, and they communicate daily. Discussion ensued about admissions, the need for daily management in each facility especially with staffing, and opening up advertising for licensed and unlicensed administrators at the same time. Following discussion, Jim Hart moved to approve advertising for a licensed and/or unlicensed nursing home administrator, with the ability to obtain a license within six months of being hired. Ron Nye seconded the motion. All voted aye and the motion carried. The revised Nursing Home Administrator job description was briefly discussed, Tammy noted that the only change is having the position report to the Chief Administrative Officer as well as the Board of Commissioners. Jim Hart moved to approve the updated job description for Nursing Home Administrator. Ron Nye seconded the motion. All voted aye and the motion carried. Later in the meeting, Bonnie said she would ask the current administrator license holder about his willingness to assist for another six months while the recruiting and hiring process continues, and related that he thinks the best option would be to hire a management company. She also added that he is president of the Montana Health Care Association, and will be attending a retreat about forming a management company to manage nursing homes.
- **Victim Witness Advocate Job Description:** Tammy presented the Victim Witness Advocate job description, written by Lisa Brubaker before resigning the position, and approved by the County Attorney. Lisa added "Investigator" to the title, reflecting the actual work required by the position. Based on the County Attorney's review and approval, Jim Hart moved to approve the Victim/Witness Advocate and Investigator job description as updated. Ron Nye seconded the motion. All voted aye and the motion carried. Advertising for the position has already started. Tammy related that several applications have been received, and that Lisa is willing to remain in the position until it is filled and will help with training. It was also noted that the job description specifies residence in Madison County due to necessary response time.

Planning Office: Alex Hogle, Planning Director, met with the Board to discuss the following Planning topics. Cindy Gockel and Cody Marxer, Housing Advisory Board, were present for this portion of the meeting. Alex reviewed history and timelines of four separate Big Sky subdivision improvements agreement (SIA) releases, noted that a site visit was conducted on all four properties by Alex and Commissioner Jim Hart on August 27, 2019, and all involved improvements appeared to be intact and in good order.

- **Lower Ulery's 1 Subdivision SIA – Release of Remaining 10%:** Alex presented the Board with a recommendation for the release of the remaining 10% of bond funds for the Lower Ulery's 1 Subdivision. Based on the recommendation from the Planning Director and the site inspection confirming completion of improvements, Jim Hart moved to approve the release of the final \$84,258.75 bond by US Specialty Insurance Company #1001006850, for the Subdivision Improvements Agreement for Lower Ulery's 1 Subdivision and PUD, and to sign the release. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Lower Ulery's 2 Subdivision SIA – Release of Remaining 10%:** Alex presented the Board with a recommendation for the release of the remaining 10% of bond funds for the Lower Ulery's 2 Subdivision. Based on the recommendation from the Planning Director and the site inspection confirming completion of improvements, Jim Hart moved to approve the release of the final \$90,107.80 bond by US Specialty Insurance Company #1001006853, for the Subdivision Improvements Agreement for Lower Ulery's 2 Subdivision and PUD, and to sign the release. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Silvertip 2 Subdivision SIA – Release of Remaining 10%:** Alex presented the Board with a recommendation for the release of the remaining 10% of bond funds for the Silvertip 2 Subdivision.

Based on the recommendation from the Planning Director and the site inspection confirming completion of improvements, Jim Hart moved to approve the release of the final \$6,414.75 bond by US Specialty Insurance Company #1001006851, for the Subdivision Improvements Agreement for Silvertip 2 Subdivision and PUD, and to sign the release. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Lodge Residences Subdivision SIA – Full Partial Release:** Alex presented the Board with a request from Moonlight Basin for full release of bond funds for the Lodge Residences Subdivision, an engineer certification of completion of improvements from Kyle Scarr, PE, and Alex's recommendation for a partial (90%) release leaving a 10% remainder for a one-year warranty period. A set of construction drawings was requested for inclusion in the subdivision file and has been received. Based on the recommendation from the Planning Director and the site inspection confirming completion of involved improvements, Jim Hart moved to accept the August 5, 2019, engineer certification of completed improvements from Kyle Scarr, PE; approve the release of \$632,907.28 (90%) of the \$703,230.31 bond by US Specialty Insurance Company (#1001006867) leaving a 10% remainder of \$70,323.03 for the purpose of a one-year warranty period; and to sign the partial release of the Subdivision Improvements Agreement for Lodge Residences Subdivision. Ron Nye seconded the motion. All voted aye and the motion carried.

Housing Advisory Board Survey Results: Cindy Gockel, Housing Advisory Board Chair, met with the Board to discuss the results of the recent Housing Survey. Cody Marxer, Housing Advisory Board, and Nancy Stewart, Town of Virginia City Clerk/Treasurer, were present for this portion of the meeting. Cindy said they had over 300 responses to the housing survey conducted in August, the bulk from Ennis, Sheridan, and Twin Bridges. Many respondents wanted to be kept informed and volunteered their contact information, and she will be able to contact them to gather more ideas. A Housing Board meeting is scheduled today, where they will discuss next steps. Cindy also presented the survey expenses, which came in under budget. She noted that respondents' expectations for who should provide housing did not fall on employers according to the survey, but many employers are trying to solve housing issues for their employees. An in-depth review of results will be conducted by Rob Gilmore, who continues to work on finding affordable housing solutions. Habitat for Humanity's processes were discussed, with Cindy passing on that they have not yet started building in Ennis. Applications are being processed and it's expected that they can build up to two dwellings per year.

Railing at Administrative Office Building: Nancy Stewart, Town of Virginia City Clerk/Treasurer, was present for this portion of the meeting. Discussion included the fact that the wooden railing on the east side of the Administrative Building was not on the original plan, that the building has been finished for four years, and the Board's safety concerns that prompted the current railing. Nancy reiterated the city council's preference for a metal railing, and the Board told Nancy that they are reasonably serious about installing a metal railing. The need to work together on many things was stressed, meeting every quarter was suggested, as well as setting up a meeting in October with the VC Town Council, the Heritage Commission, and other Virginia City groups.

Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, joined the meeting at this point and was present for the remainder of the meeting.

Journal Vouchers: Jim Hart moved to approve Journal Vouchers for the 8/19 accounting period. Ron Nye seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Trust and Agency Budgets: Trust and Agency Budgets were distributed to each Commissioner for their respective Commission District to review before final approval. This topic was continued to the next regular Commission meeting.

Predator Control Fund MOUs: Following review, Jim Hart moved to approve the Predator Control Fund Memorandum of Understanding for the period of July 1, 2019, to June 30, 2020, between Madison County and the Montana Stock Growers Association, with Madison County allocating \$14,220 for the protection of cattle from destructive animals. Ron Nye seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the Predator Control Fund Memorandum of Understanding for the period of July 1, 2019, to

June 30, 2020, between Madison County and the Montana Wool Growers Association, with Madison County allocating \$544 for the protection of sheep from destructive animals. Ron Nye seconded the motion. All voted aye and the motion carried.

Mental Health Local Advisory Council Resignation: Following review, Jim Hart moved to accept Lisa Brubaker's resignation from the Mental Health Local Advisory Council, effective immediately, and to thank her for her years of service. Ron Nye seconded the motion. All voted aye and the motion carried.

Policy for Sale of County Property Under \$2,500 in Value: The Board considered establishing a policy for selling property of real value under \$2,500. Discussion included policies in other counties, MCA guidelines, appraisal definitions, trade-ins, and public auctions. It was agreed that the information will be sent to the Deputy County Attorney for review and to develop a policy.

Resolution to Create a 2020 Census Complete Count Committee: Following review, Jim Hart moved to approve Resolution 48-2019, a resolution to create a Complete Count Committee to promote education, awareness, and participation in the 2020 United States Census, and to send a letter to various organizations encouraging involvement in the Complete Count Committee. Ron Nye seconded the motion. All voted aye and the motion carried.

Fair Board Bylaws: The Board discussed concerns about the most recent revision to the Fair Board bylaws, compared past versions, and looked at the 2017 Resolution establishing the Fair Board. Following review, this topic was continued to the next regular Commission meeting.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 5:20 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, September 10, 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: September 17, 2019

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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