

BOARD OF MADISON COUNTY COMMISSIONERS
September 4, 2018, Meeting Minutes

On Tuesday, September 4, 2018, a meeting of the Board of Madison County Commissioners came to order at 10:00 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, Commissioners' Assistant, was present to take minutes.

Those people in attendance at the meeting were Bob Bates, Bonnie O'Neill, Van Puckett, Melissa Brummell, Anne McBee, Tony Forsythe, Charity Fechter, Dustin Tetrault, Joe Brummell, Shelly Burke, Pam Birkeland and Tammy Mahlstedde.

Approval of Minutes: There were no minutes available for approval.

Bob Bates, Safety Coordinator, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **August Safety Coordinator Monthly Report:** Bob presented and reviewed the monthly safety report for August 2018. Items discussed included meetings he has attended; including an annual safety program review with Emelia McEwen, MACo Senior Loss Control Specialist, who gave him goals for 2018; completion of a motor grader damage investigation; that he conducted an investigation and completed a report for a truck backing incident with a DNRC pick-up; that he attended twelve courses at the Safety Fest, and has been conducting annual safety assessments. He also discussed signage for the fuel tanks at the County shops; weekly safety topics that he has been distributing via email, and County seals to identify County vehicles.
- **BRIT Training:** Bob discussed a training opportunity through MACo which offers online safety trainings that could be offered to employees with Bob as the administrator of the program. Bob noted that the program would do the tracking and record keeping of who has completed each training. He noted that there is a 37 page catalog to choose courses from and that this type of training would help fulfill the Montana Safety Culture Act requirements. He added that departments without access to a computer would be a challenge but that he could possibly do a group training for them on a regular basis. Bob will look at annual costs of the trainings and the benefits that would come from the trainings. Ron stated that road crews and possibly weed crews could be trained when the weather prevents them from working.

Claims: The Board approved claims.

Journal Vouchers: Jim Hart moved to approve journal vouchers from the 13/18 accounting period. Dan Allhands seconded the motion. All voted aye and the motion carried.

Harrison Fire District Board Appointment(s): Following review, Jim Hart moved to appoint Jeff Lawson as a trustee on the Harrison Fire District Board for the remainder of a three year term that will expire in May of 2020, as recommended by the Harrison Fire Chief. Dan Allhands seconded the motion. All voted aye and the motion carried.

Twin Bridges Mosquito District Board Appointment: Following discussion, Dan Allhands moved to appoint Elizabeth Frandsen to the Twin Bridge Mosquito District Board for the remainder of a three year term that will expire on December 31, 2019, and to send a letter to Amber Garrison notifying her that she has been replaced on the board. Jim Hart seconded the motion. All voted aye and the motion carried.

Sanitarian Update: Van Puckett, Sanitarian, met with the Board to update them on his activities. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Van stated that this month encompassed the fair, noting that they dodged a few bullets and took a few hits. One issue was a kid

jumping on a joint in the make-shift PVC pipe that was providing the water to the fair. He noted that the pipe was fixed within the hour and the joints were fenced off to keep this from reoccurring. He stated there was positive feed-back on having bathrooms at the fair adding that there was no plugging. Van then discussed septic permits stating that they are at the pace for setting a septic record this year at 106 with four months to go, with last year being a record year with 151 installations. He discussed a misunderstanding with installers about needing a permit when hooking into affluent systems and noted that they will have to go back through the records to see which ones are compliant and which ones are not. Further discussion included the new fuel tank at the Courthouse. Van noted that an estimate from the State for the work that Tony Forsythe, Maintenance, has done there was around \$30,000. Bonnie O'Neill asked if there were a penalty for businesses not being inspected. Van responded that there was none and that to impose one would need to be done by ordinance. Other topics of discussion included food service inspections; an inspection done for Big Sky Catering who was handling food and other necessities at the Monument and Wigwam fire campus; a complaint of chemicals out of Nevada City and a call from the owner concerned about "whistle-blowing"; and the need for assistance in conducting inspections of vacation rentals in the Big Sky area.

Noridian Medicare Certification of Delegate Official: Anne McBee, Public Health Clerk, met with the Board to discuss an agreement delegating an authorized official for Medicare payments. Melissa Brummell, Public Health Nurse, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Anne explained that this agreement would appoint her as the delegated official to bill Medicaid through the PACOS system creating a much more streamlined way of billing on behalf of the Public Health Department. Following discussion, Dan Allhands moved to approve the Medicare/Medicaid Agreement, Certification of Delegated Official for an Organization, appointing Anne Katherine McBee the Madison County representative. Jim Hart seconded the motion. All voted aye and the motion carried.

Action Inc. Human Services Contract: Melissa Brummell, Public Health Nurse, met with the Board to discuss an agreement with Action, Inc. Anne McBee, Public Health Clerk, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Melissa stated she has been checking on the work performed in Madison County by Action Inc. and will provide the information to the Board when she gets it. She stated that the organization is currently working with about 70 households in Madison County and that it sounds like a great program, she is just waiting for information on the numbers. Ron asked if people know this service is available. It was noted that there are flyers with phone numbers posted in several places throughout the County. Bonnie discussed the possibility of having Action Inc. audited since they are using County funds and will have Vicki Tilstra, Finance Officer, check on it. Following discussion, Dan Allhands moved to approve the agreement for the Madison County Assistance Program, Human Services Contract, between Madison County and Action, Inc. so that Action Inc. may administer funds and service to assist homeless, imminently homeless, and households otherwise lacking resources for basic necessities for an appropriation amount of \$8,500, for the period commencing July 1, 2018, and ending June 30, 2019. Jim Hart seconded the motion. All voted aye and the motion carried.

Tree Removal: Tony Forsythe, Maintenance, met with the Board to discuss having trees removed behind the Administrative Office Building. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Tony stated he is working on the paperwork to get street lights installed behind the building and is trying to get Dick Barr from Ennis to trim the trees. It was noted that the power company generally trims trees around power lines. Tony will discuss tree trimming and installation of the power poles with the power company before pursuing a private company to trim the trees.

Planning Board Report: Charity Fechter, Planning Director, reviewed the summary from the August 27, 2018, Planning Board meeting. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Topics of discussion included:

- Kern Minor Subdivision – Charity stated that the proposed subdivision would re-subdivide the 7.2819-acre Lot 11A, Summit View Subdivision Phase II, back into its original 2-lot configuration. She added that a variance will be required as Summit View Drive is not a public right-of-way, and the subdivision is gated.
- Public Hearing on Moonlight ODP – Charity stated that updated information was received from Moonlight on August 20 which was generally consistent with the May submittal and keeps the development cap at 1,651 units; adds 84 units to the exempt ranches area; and reallocates among

areas approved in 2007. Also included were updates on the Jack Creek Road slide and the solid waste facility under construction. The July 20, 2018 meeting with a number of natural resource and wildlife stakeholders was summarized, with agreed-upon conditions offered as mitigation. Letters received from Greater Yellowstone Coalition, Montana Fish, Wildlife and Parks, Wildlife Conservation Society, Jack Creek Preserve and Madison Conservation District generally agreed with the submitted material, with some caveats. Most of the comment/discussion focused on the Moonlight Territory, the northern part of Moonlight (Moonlight Territory area), and the need for rigorous review to determine suitability/density at the time of subdivision. She further stated that the Planning Board recommended conditional approval of the Moonlight Basin ODP with a total cap of 1,651 units. Of that total, a maximum 100 units (up to 84 in the 3 Territory Reserve pods, remainder in 160-acre exempt ranches) could be in the Moonlight Territory. One significant condition is that conservation easement(s) are to be established for the exempt ranch parcels; the easement is to be in perpetuity, be established within 5 years of the ODP approval, include designated building/disturbance areas, prohibit subdivision or parcel size reduction, and prohibit multi-unit rental development (such as condominiums, lodges, hotels, etc.). Among the other recommended conditions were: creating a comprehensive recreation/trails plan; wildlife monitoring result reporting on the cumulative impacts of development; rigorous subdivision-specific analysis of impacts in the Moonlight Territory Reserve pods; a permanent fix for the Jack Creek Road slide area; updates on Jack Creek Road transportation system; hiring a permanent employee to enforce natural resource and wildlife covenants; and emergency access and evacuation routes. Ron Nye asked who would be creating the comprehensive trails plan. Charity responded that it would be created by Moonlight and reviewed by the Planning Office. Charity noted that she has asked for a revised binder that would incorporate the overall plan, adding that the ODP officially expired on August 31, 2018, so nothing can be submitted from them until they get approval. She also discussed that the solid waste site in Strawberry Ridge will be moved. Charity stated she will have the complete staff report to the Board by the end of the week for review.

- Planning Clerk – Cody Marxer was introduced as the new Planning Clerk.
- Upcoming Activities – Charity notified the Board that she would be attending the Montana Planners Conference in Whitefish, Montana, on September 12, 2018.

Ennis Big Sky Airport – FAA Grant Offer (AIP 3-30-0090-0020-2018 SRE/ARFF Building): Because the grant offer has not yet been received, this topic was continued to the next regular Commission meeting.

Dust Abatement Agreement: The Board reviewed and discussed a dust abatement agreement, prepared by the County Attorney's Office, between Madison County and residents requesting dust abatement on County Roads. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Discussion included removing language related to road maintenance; adding language stating that the dust abatement will be done by the County at the landowners' expense; and preparation of roads prior to applying the dust abatement chemical. Following discussion, it was agreed that the Board will work with the County Attorney's Office to fine-tune the agreement. This topic was continued to the next regular Commission meeting.

Resolution Regarding Mining in Montana (Resolution 35-2018): The Board reviewed a proposed resolution related to mining in Montana. Because the topic will be on the ballot in the November Election for the public to decide and after reviewing an email from a constituent stating this, the Board took no action on the resolution.

Motor Grader Repair Claim: There was no new information on the motor grader repair claim. This topic was continued to the next regular Commission meeting.

Motor Grader Bid Selection: The Board discussed selection of a new motor grader for Road District 1. Dan Allhands stated that he is working with Vicki Tilstra, Finance Officer, on purchasing rather than leasing a grader for his district. Dan stated that if we lease all the graders, we're going to end up in a position that we're not going to like and discussed the numbers he reviewed. Cost of purchasing versus leasing and the cost of purchasing extended warranties were discussed. After much discussion, this topic was continued to the next regular commission meeting.

Dustin Tetrault, Director of Emergency Management, and Joe Brummell, Deputy Director of Emergency Management, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Emergency Management Performance Grant Award Letter:** Dustin presented the Board with a copy of the FFY 2018-2019 EMPG Award letter. He stated that the grant pays for half of his and Joe's wages. He also charges some of the bigger items to it, such as Code Red expenses, and noted that it is somewhat less than previous years. Jim Hart asked how Madison County compares with other Counties. Dustin responded that all except eight counties in Montana get EMPG funding and that Madison County is on par with other mid-level counties. Dustin also discussed revenue that has been generated by leasing the SAT Trailer, adding that this revenue goes directly into the general fund. Following discussion, Dan Allhands moved to accept the Emergency Management Performance Grant for FFY 2018-2019, for the amount of \$41,655 with Madison County contributing a cost match in the amount of \$41,655 of non-federal funds, being 50% of the total approved project cost of \$83,310; and to approve the letter to the Montana State Emergency Response Commission naming Scott McClintic as the Local Planning Committee Chairman, to be submitted with the grant acceptance. Jim Hart seconded the motion. All voted aye and the motion carried.
- Dustin then notified the Board that he would be resigning his position with the County to take a position with the Big Sky Fire Department and would send a letter next week. He recommended Joe for the full-time position and commended him on his duties as a deputy. Dustin volunteered to help with the selection process for a new person and offered to stay on board until that person is in place. He further stated that he will get started on the Alder Fire Hall with the hopes of getting it completed before he takes on the new position. He added that in the new position, he will still be working closely with Madison County and other fire departments in the County.
- **Fire Restrictions:** Dustin discussed fire restrictions stating that he participates in a weekly conference call with the agencies. He noted that some of the agencies have rescinded restrictions due to a couple moisture events, but because it is supposed to be hot and dry until October, he recommended leaving Madison County's restrictions in place.

School Budgets and Set Mills: Pam Birkeland, Superintendent of Schools, and Shelly Burke, Treasurer, met with the Board to review school budgets. Pam presented and reviewed spreadsheets showing budgets for County school districts; mill levies; a comparison of ANBs, taxable values Budgets and mill amounts, and the 2017-2018 financial summaries and cash balances for each school. Pam discussed payments to Co-ops and noted that the state mills will be 16% less and that the schools cannot mill more to cover them. Following discussion, Jim Hart moved approve the County mill values as present by the Treasurer and Superintendent of Schools for the transportation, elementary transportation, and retirement; and to accept the state equalization mills for high school and elementary. Dan Allhands seconded the motion. All voted aye and the motion carried. Jim Hart moved to accept the FY 2019 Budget Reports for Alder Elementary, Ennis K-12, Harrison K-12, Sheridan Elementary, Sheridan High School, Twin Bridges K-12, Cardwell Elementary, Whitehall Elementary, and Whitehall High School. Ron Nye seconded the motion. All voted aye and the motion carried.

Bonnie O'Neill, Chief Administrative Officer, and Tammy Mahlstedt, Human Resource Generalist, met with the Board to discuss the following topics.

- **Recommendation to Hire Information Systems Computer Support Specialist-Part-time Permanent Position:** Tammy discussed the interviews for the IT Support position, noting that the recommended candidate has requested relocation assistance. Bonnie added that they would like to make the position full-time instead of three-quarter time as originally requested. Following discussion, Dan Allhands moved to approve the hiring committee's recommendation to offer the permanent full-time position of Information Systems Computer Support Specialist to Brett Schriock of Colibrán, Colorado, at \$26.03 per hour which is 90% of the IT Director's hourly wage. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Authorization to Fill Fair Secretary Twin Bridges-Part-Time Permanent Position:** Tammy gave a background of the Fair Secretary vacancy noting that the current Fair Secretary is leaving for college and that Dana Escott, Fair Manager, had recommended an interim person to fill the position until the vacancy can be filled. Following discussion, Dan Allhands moved to approve the Authorization to Fill the

permanent, part-time position of Fair Secretary with varying hours. Jim Hart seconded the motion. All voted aye and the motion carried.

Letter of Support to Senator Daines for Forest Service Grazing Permitting: The Board discussed sending a letter to Senator Daines requesting support for Forest Service grazing permittees. There was discussion about sending the letter to other representatives as well. Dan stated that there is also concern regarding weed control. He will get bullet points from Rick Sandru, Permittee, and Margie Edsall, Weed Coordinator, to assist with drafting a letter.

Accept Petition for Road Closure in Pony: The Board reviewed a petition from residents in Pony requesting the closure of a street in Pony. Laurie stated that the Clerk and Recorder has checked and approved names on the petition. Based on signature review by the Clerk and Recorder, Jim Hart moved to accept the petition to close a portion of Madison Street in Pony, Montana, from the east side of Pattee Street to Jefferson Street; to appoint Ron Nye, Frosty Armstrong, and Tommy Luksha as the viewing committee; and to wait until the committee has had an opportunity to view the road before setting a date for a public hearing on the proposed road closure. Dan Allhands seconded the motion. All voted aye and the motion carried.

Property Acquisition: The Board reviewed a counter-offer for the property known as Lots 15-19, Block 157, of the Virginia City Original Townsite with the final to be determined by the title company. Following review, Jim Hart moved to approve the counter-offer, dated August 30, 2018, as presented by the realtor. Dan Allhands seconded the motion. All voted aye and the motion carried.

Administrative Office Building Canopies: The Board contacted Bill Hansen, ThinkOne Architects, via telephone to discuss the proposed canopies for the Administrative Office Building. Bill stated he is working with Jim Jarvis, HPAC, on the design for the canopies noting that Jim suggested adding shutters to the windows. The type of material and possible powder coating on the columns was discussed. Bill will keep the Board informed of the progress on the canopies.

Courthouse Elevator Project: The Board discussed the Courthouse elevator project with Bill Hansen, ThinkOne Architects, via telephone. Bill discussed asbestos remediation and will contact Ingraham Environmental to see what remediation was completed in 2005. Ron Nye asked if they were any closer to an amount for the project. Bill stated that they were and that he would like to verify numbers from the electricians and would have the estimate to the Board by tomorrow.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 4:45 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, September 11, 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: September 11, 2018
Minutes prepared by:

Laurie Buyan, Executive Assistant

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