

BOARD OF MADISON COUNTY COMMISSIONERS
September 22, 2020, Meeting Minutes

On Tuesday, September 22, 2020, a meeting of the Board of Madison County Commissioners came to order at 9:45 a.m. in the Second Floor Courtroom of the Administrative Office Building in Virginia City, Montana, with Commissioners Jim Hart and Ron Nye 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 Melissa Brummell, Bonnie O'Neill, Charles Drimal, Kascie Herron, Bob Bates, Vicki Tilstra, Pete Novich, Kevin Germain, Pat Bradley, Paul Grigsby, Alex Hogle, Laurie Schmidt, Steve McNeece, and those on the attached list. Ryan Wolter, IT Support Specialist, was present to administer the public link to the meeting via Webex.

Approval of Minutes: Following review, Jim Hart moved to approve the August 25, 2020, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Public Health Office/DES – COVID-19 Update: Melissa Brummell, Public Health Nurse, presented a Public Health/DES update on the COVID-19 situation. In Madison County there have been a total of 97 confirmed positives to date including one in the last week, and there have been a total of 26 out-of-state confirmed positives with one in the last week (this category includes people staying or working here from out of state, as opposed to vacation travelers). We have no active cases at present, and zero active hospitalizations. Melissa said the amount of testing in the County has increased significantly. COVID cases in the State of Montana included a total of 10,429 with 1,322 confirmed in the past week, a significant jump that Melissa expressed concern about; a total of 60 fatalities which includes 22 in the past week; and 108 active hospitalizations. The U.S. has had 6.86 million confirmed positive cases with 199,000 fatalities. She discussed schools, contact tracing, community briefings, upcoming weather, and local fire conditions.

Public Health Office: Melissa Brummell, Public Health Nurse, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Data Use Agreement for Sara Alert:** Melissa explained that Sara Alert is a free system for large breakouts that allows COVID patients to communicate their symptoms to a Public Health database by text, web link, email, or they can opt to communicate by phone. Certain symptoms flag Public Health to reach out to the patient, patient data is only tracked while active, and is purged after 14 days. She said people are more likely to respond on a daily basis if they don't need to call, allowing better daily reporting while decreasing staff time. Based on the recommendation of the Public Health Nurse and review by the Deputy County Attorney, Jim Hart moved to approve implementing the secure monitoring and reporting system for Public Health called Sara Alert. Ron Nye seconded the motion. All voted aye and the motion carried.
- **MSU Clinical Student Nursing Agreement:** Melissa said the Public Health Department works closely with MSU instructors to get a student nurse from MSU every year. They are all fourth year students who will graduate within several months, and the student nurse this year will probably work a lot with mental health, and start in October. After discussion, Jim Hart moved to approve the Clinical Student Nursing Agreement between Montana State University-Bozeman, and Madison County. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Maternal Child Health Block Grant:** Melissa discussed the Maternal Child Health Block Grant, and explained why her decision is to not accept the grant this year. She said they will continue to do the same work they would have done, but with the focus on COVID, the staff will not take the time to do the hours of paperwork required, and she was assured it would not negatively affect getting this grant in future years. Following discussion, Jim Hart moved to accept the recommendation not to enter into

the 2020/2021 agreement for the Maternal and Child Health Block Grant Program. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Public Health Emergency Preparedness (PHEP) Grant Amendment:** Because the PHEP Grant Amendment hasn't been received yet, this topic was postponed.
- **Disease Interventionist Position - Grant Funded (New Position):** Melissa informed the Board that the grant funding was received for a new Disease Interventionist position, and they are considering best use and what kind of person to hire.

Support for Montana Headwaters Legacy Act: Charles Drimal, Greater Yellowstone Coalition, and Kascie Herron, American Rivers, met with the Board to discuss support for the Montana Headwaters Legacy Act. Charles updated the Board on outreach efforts since their last meeting, said support is increasing in Montana and listed endorsements from Montana Outfitters and Guides Association, Back Country Horsemen of Montana, and Gallatin County Commissioner Scott McFarlane. They continue to meet with the Governor and Montana Senators Daines and Tester, and to address questions and concerns that come up in their outreach efforts. Charles said they are meeting today to answer questions and to ask for the Board's support, or individual Commissioner support in each district. Discussion ensued about public and private land owners, river sections included/not included in the legislation, parts of the Madison River that are/are not included, landowner perceptions about wilderness and previous caretaking efforts, public access, and the importance of wild and free-flowing rivers. Jim said they can write his name down as a supporter of the Act. Mark Savinski, County resident, commented via Webex that he is also in support of the Act, and that with more and more pressure on rivers in the future it is important to protect headwaters and watersheds.

Safety Coordinator: Bob Bates, Safety Coordinator, met with the Board to discuss the following topic.

- **Monthly Safety Report for August:** Bob presented and reviewed the monthly Safety Report for August. Topics of discussion included the workers compensation review and incident investigations, Department of Labor and Industry virtual inspection of the Harrison road shop, an update on improving Museum air quality, pandemic activities, safety self-inspections, Harrison Fire District CPR training, attendance at Safety Fest and Montana State Fund training, AED inspections, and helping out in the Finance Department.

Human Resources: Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following topic.

- **Authorization to Fill Solid Waste Driver, Short-term position:** Bonnie said a 90-day truck driver position was requested by the Solid Waste Supervisor because of a temporary staffing shortage. Ron asked about hiring another permanent driver, discussion ensued about increased dumpster use due to construction in the area, and Bonnie will discuss a permanent position with the supervisor. Based on the recommendation, Jim Hart moved to authorize filling the Solid Waste driver position for a 90-day period, with an hourly wage between \$21.02 and \$26.27. Ron Nye seconded the motion. All voted aye and the motion carried.

DUI Task Force Board Appointment: The Board considered an application for the Board of the DUI Task Force. Following review, Jim Hart moved to appoint Joshua Falkos to the DUI Task Force for an initial term to be determined by the Task Force. Ron Nye seconded the motion. All voted aye and the motion carried.

Great West Engineering Draft Task Order 31 to Inspect the Old Yellowstone Trail Bridge Crossing the South Boulder River: After review, Jim Hart moved to approve Great West Engineering Task Order 31 to inspect the old Yellowstone Trail Bridge on the South Boulder River, for a cost not to exceed \$2,500. 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: The Board discussed a bid received by Tony Forsythe, Maintenance Manager, for previously-discussed concrete work and drainage in front of the Dispatch Office. After review, Jim Hart moved to approve the bid of \$5,800 from Chief Croy Construction Inc., for concrete slab work at Placer Loop. Ron Nye seconded the motion. All voted aye and the motion carried.

Novich Insurance: Pete Novich, Novich Insurance Agency, met with the Board to discuss the following topic. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for a portion of this topic.

- **Insurance Claim for TRMCC Roof Repair (not on Agenda):** The recent bid for roof replacement at TRMCC was almost \$30,000 over what was paid out by the insurance company, and the difference between their approved payment last year and what their software would approve this year was deemed to be the difference in the cost of materials, and also influenced by inflated prices due to a known lack of local contractor availability. Pete said the recent bid was accepted by the insurance company as the claim value for repairs falling under a catastrophic category due to hail damage, and when the work is completed they will process the invoice.
- **Property Appraisal Review:** Pete presented and reviewed MACO's overview of property insurance coverage, as well as the recent property appraisal report from HCA. He explained "property in the open," meaning any non-building items that are covered, and pointed out several examples included in the appraisal such as runway lights, concrete pads, etc. Pete and the Board compared the documents item by item, and discussed property details and reasonable values. The topic was continued to Thursday, September 24, 2020, at 2:30 p.m.

Planning: Alex Hogle, Planning Director, met with the Board to discuss the following topic. Pat Bradley and Laurie Schmidt, Planning Board Members, Kevin Germain, Lone Mountain Land Company, Paul Grigsby, Attorney for Howard and Brenda Sheridan, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Vicki Tilstra, Finance Officer, and Steve McNeece, Nursing Homes Administrator, were present for a portion of this topic.

- **Lee's Pool Subdivision Preliminary Plat:** Ron said the Board previously heard from the Planning Director and the Applicant, and opened today's meeting to comments from the Planning Board and others. Laurie Schmidt read her comments, noting she was not speaking on behalf of the Planning Board, highlighted several public comments received by the Planning Board, as well as reviewing the deliberations leading to their recommendation to deny the proposed 40-foot setback. She expressed concern about private conversations that may have taken place, and public comments that were not adequately addressed. Paul Grigsby spoke on behalf of Dr. Howard Sheridan and Brenda Sheridan, saying this is a large development with sensitive areas and is an important wildlife corridor as well as the headwaters of Jack Creek, which ultimately flows into the Madison River. While his client is generally opposed to developments of this nature, they recognize the development plan in this area and are asking that the good regulations already in place be used in this situation. He also discussed notice concerns, statutory requirements, the value of wetlands, and setting precedent for future development. He referenced the Planning Board's recommendation for approval including the 100-foot setback, the extensive data and various reports used including the unusual joint letter from four conservation groups, he discussed several key points in the documentation, said the clustering planned in this instance goes against preserving the natural characteristics of the land to the maximum extent possible, and asked the Board to be mindful of future development. He reiterated that the existing regulations are good, and should, if anywhere, be applied carefully to this sensitive and pristine area. Pat Bradley discussed working positively with Moonlight Basin over the years, Planned Unit Developments, the requirement for preservation and enhancement of open space and natural features, clustering placed within an unacceptable setback area, the possibility of relocating guest cabins to sites with a different view, the importance of Lee's Pool as a headwater for the Madison River, and comments from various state and local agencies. Ron noted Laurie's comments about the Planning Board's recommendation asking that guest cabins be moved further away from the stream, and said it looked like only two of the cabins were too close. Kevin said in all its years of planned development Moonlight has never seen scrutiny to this extent, pointed out that the vast majority of their development has exceeded requirements for Planned Unit Development, and said this is the first time this stream setback criteria has been required. He said he and Moonlight value getting along with neighbors and the Planning Board, they are trying to do things right, and he discussed coming up with a compromise to reduce angst and pushback and make the plan work for everyone. Ron said the 40-foot setback won't work for the Planning Board and the Commissioners would not be comfortable opposing them. Paul pointed out that to many organizations the 100-foot setback is already a compromise. Kevin and Jim discussed moving the two cabins, and Kevin said they will somehow make it work, but expressed concern that no developer will be allowed to relax a setback in the future.

Jim reviewed the decisions to be made regarding the PUD, the preliminary plat, and the setback. Alex pointed out that, according to process, adjustments made between the preliminary plat and the final plat, such as relocating cabins, would constitute new information not considered in the public hearing and is not a valid option. Anything re-situated without being available for public comment would have to go back to the Planning Board, but he advised that the governing body may schedule a public hearing for considering the new information only. A discussion ensued about proper procedure, Alex suggested that since it has already taken this long we might as well take the time to get it right, and Jim expressed appreciation for the hard work done by everyone involved. Kevin expressed concern about the language of setbacks applying to water bodies versus applying to rivers, and suggested review by the County attorney. Following discussion, the topic was continued to the regular Commission meeting on Tuesday, October 6, 2020, but due to a scheduling conflict it was later rescheduled to Tuesday, October 13, 2020.

Nursing Homes Administrator: Steve McNeece, Nursing Homes Administrator, met with the Board to discuss the following topics. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting.

- **Nursing Homes Update:** Steve presented and reviewed an update on the nursing homes, and a quarterly report on the operating plan. Those on the attached list were present for this topic. Steve pointed out that his leadership team is in attendance, said he will include information about the Administrators in Training and the use of agency staff in response to Commissioner requests, and said because there has been a change in administrative structure at the nursing homes his review of the operating plan is based on building a solid foundation, its ongoing structure and measurable results, and sustainability. His presentation focused on four areas: residents, relationships, community, and fiscal matters, and metrics for success in each area. For residents, he discussed the goals of safety and high quality care, which included concentrating on COVID-19 safety and guidelines, fall prevention, skin care, infection prevention, and he reported positive results in each. Asked if these results are readily available, Christine said they can be looked up anytime using the Nursing Home Compare search information on medicare.gov, and Steve said the quarterly report to the Board is helpful for seeing trends. He went on to discuss the relationships area, which includes employees, providers and governance. Steve asked the Board about concerns with temporary staff, which include expense and the feeling that staff turnover is not good for the residents. He discussed the realities and challenges of hiring in Madison County, compared the expense of agency staff to paying employees, said with a limited workforce we will continue to depend on travelers, discussed strategies to reduce traveler expenses, and encouraged local hiring using ideas such as affordable housing and competitive wages. He reviewed provider relationships, said a survey will be completed by the end of the year on provider satisfaction, and talked about the pharmacy conversion at TRMCC. Regarding relationships with governance, Steve discussed frequency of reporting to the Board, upcoming Commissioner information/education sessions, and reiterated how the nursing homes are different and not like any other department. He went on to discuss his two goals for fiscal stewardship: exceeding budget performance; and maximizing revenue opportunities, which will include concentrating on areas such as occupancy rates, increasing admissions, business office management, re-engineering the revenue cycle, and increasing budget oversight in each department. Discussion ensued about public understanding of how nursing homes are financed, mill levies, and the financial support shown by County residents. Steve ended the presentation by welcoming conversation and questions to dispel misinformation and rumors, said he is always available by phone, and encouraged the Commissioners to safely resume visits. He then pointed out that both Administrators in Training have passed their first licensing tests, their training is continuing on schedule, and they are working very hard with long-term views. Discussion turned to deficiency-free survey results, MVM's five-star rating, and being under budget YTD as well as significantly decreasing agency hours at both facilities. Steve praised the nursing homes management teams and employees, said they are committed and caring, addressed comments about his contract and on-site presence, and said the positive outcomes and results speak for themselves.

At this point, all those on the attached list left the meeting.

- **Authorization to Fill TRMCC Activities Director (temporary 1 year position):** Steve explained why a temporary Activities Director is needed at TRMCC, as well as a temporary Social Service Director at MVM, and Bonnie pointed out that these positions are "up to" one year and can be terminated earlier if

not needed for the entire length of time. After discussion, Jim Hart moved to approve the authorization filling the Tobacco Root Mountain Care Center position of Activities Director for up to one year at a wage from \$19.13 to \$23.91. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Authorization to Fill Social Service Director MVM (temporary 1 year position):** Jim Hart moved to approve the authorization to fill the Social Service Director position at Madison Valley Manor for up to one year at a wage from \$19.13 to \$23.91. Ron Nye seconded the motion. All voted aye and the motion carried.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 4:24 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, September 29, 2020, beginning at 1:00 p.m. in the Public Meeting Room of the Administrative Office Building in Virginia City, Montana.

Dan W. Allhands, Chairman
Board of Madison County Commissioners

Date Approved: October 20, 2020

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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