

BOARD OF MADISON COUNTY COMMISSIONERS
September 29, 2020, Meeting Minutes

On Tuesday, September 29, 2020, a meeting of the Board of Madison County Commissioners came to order at 1:04 p.m. in the Public Meeting Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Dan Allhands, Chairman, and Ron Nye present. Commissioner Jim Hart was absent to attend the MACo Annual Conference in Helena, Montana. Laurie Buyan, Executive Assistant to the Board of Commissioners, was present to take minutes.

Those people in attendance at the meeting were Shirley Gandenberger, Suzanne Schaul, Marnie Smith, Kirk Smith, Tommy Luksha, Ellis Thompson, Bonnie O'Neill, Alex Hogle, David Baldwin, Vicki Tilstra, Jani Flinn, Joe Brummell, and Melissa Brummel. Those who attended via Webex were Kathy Barnes, Tommy Luksha, Hannah Kearse, Kathleen Mumme, Michelle Schriock, Jani Flinn, Craig Erickson, Vicki Tilstra, Alison Veland, Becky Lawson, and Carmin Hill. Lance Bowser participated in the meeting by telephone. Ryan Wolter, IT Support Specialist, was present to administer the Webex connection.

Approval of Minutes: Ron Nye moved to approve the September 1, 2020, Commission meeting minutes with corrections. Dan Allhands seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the September 15, 2020, Commission meeting minutes with corrections. Dan Allhands seconded the motion. All voted aye and the motion carried.

Public Hearing on a Petition to Close an Alley in Pony: Chairman Allhands called a public hearing on a petition to close an alley in Pony to order at 1:07 p.m. Tommy Luksha, GIS, was present for the hearing. Members of the public present were Shirley Gandenberger, Suzanne Schaul, Marnie Smith, and Kirk Smith. Eli Thompson, District 1 Commissioner Candidate, was also present for the hearing. Shirley Gandenberger stated that she is one of the owners on Isdell Street, and that there is only one other owner on that block and both she and the other owner want the alley closed. She stated she owns lots above and below the alley, the alley has never been used, and that if her neighbor builds it will be right on the alley. Ron Nye read the viewers' report which noted that the alley serves no useful purpose, there should be no inconvenience or negative affects to others if this section is closed as it is undeveloped, and recommended approval of the proposed closure. No one at the hearing spoke against the closure. Hearing no further comments, the hearing was closed. Ron Nye moved to approve the petition to discontinue and vacate the alley between Hanley Street and Isdell Street, Block 33, Lots 4, 5, 6, 7, 8, 9, 11, 12, 13, and 14, belonging to Shirley Gandenberger and Suzanne Schaul; and the lots belonging to Ron Imberi, Lots 1, 2, 3, 15, 16, 17, and 18; and Lot 10, the corner lot off Isdell Street and Jefferson Street belonging to Jeanne Horton Martinez. Dan Allhands seconded the motion. All voted aye and the motion carried.

Public Hearing on a Petition to Relocate a Portion of Axolotl Lakes Road: Chairman Allhands called a public hearing on a petition to relocate a portion of Axolotl Lakes Road to order at 1:30 p.m. Tommy Luksha, GIS, was present for the hearing. Members of the public present were Marnie Smith and Kirk Smith. Eli Thompson, District 1 Commissioner Candidate, was also present for the hearing. Dan Allhands read the viewers' report which stated that this road serves a useful purpose and that it needs to be improved to County standards and not moved as requested in the petition. Kirk Smith asked why they didn't want to change the road. Dan responded that it is because of the width right now, it would have to be a minimum of 24' and the County would put in drainage. Kirk stated that the guy from A.M. Wells, who has been doing the work for them and is approved to do County road work, said that this is a better location for the road. He added that the Forest Service has also said the new location is a better place for the road. Kirk stated that they would bring it up to standards and pay for it, noting that he was told three years ago that the County would fix the road and it hasn't been touched. He said they have been there for five years and it has only been graded once in that time. Marnie stated that they have done their own survey and have a camera up. 90% of the vehicles take the new road and there have been over 600 in 2 months. Kirk added that it is a better road, with better material and not rutted up like the old road. Dan agreed that it is a

better road but needs clarification that it will be built to 24' wide. There was further discussion about the width of the road, owners in the area who have agreed in sharing the cost of graveling the road, the number of homes in the area, and getting documentation of where the road is going to be. After much discussion, Dan Allhands stated that he would like to table the meeting for now and take his foreman up to look at the road. At 2:02 p.m. the public hearing was continued to 11:30 a.m. on Tuesday, October 6, 2020.

Madison Valley Manor Phase 2 Project Update: Craig Erickson, Great West Engineering, and Becky Lawson, SMA, met with the Board via Webex to discuss the Madison Valley Manor project. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Becky discussed the boiler project, stating that DPHHS has signed off and they have CDBG approval of the project. She stated that she checked with their mechanical engineer and he is concerned that it is getting late in the year. His concern is about the turn-over time from when the old boilers are disconnected and the new boilers are connected. He thought December or January would not be a great plan and would like to keep the boilers going until spring. She noted that the boilers are in Billings so there would be no mark up. She asked the Board if they thought it might be safer to wait in case something goes wrong in the winter. Dan stated that Montana weather changes quickly and asked when the boilers were last evaluated. Becky responded that their engineers have checked them out and that they are old but doing their job. There was discussion about having Johnson Controls check them out. Ron Nye asked about the time-line. Becky responded that it would be three to four weeks if the project were advertised right now. She suggested advertising in January to get everything going and then work with the Manor on their time-frame. Becky added that she had talked to DPHHS and didn't get much guidance other than noting it was up to the Manor to keep the residents safe. Ron and Dan both agreed that it would be better to wait until spring. Becky stated this will give them more control of the schedule and better weather. This will also allow to advertise early and hopefully get someone who is familiar with the manor. She also checked with CDBG and they are fine with the time-line. Craig added that the delay has no impact on the grants and that he will continue doing quarterly reports. Becky stated that the boilers are in Billings and will be heading this way next week. Craig also stated that a couple of months ago he was directed to work on a planning grant for TRMCC and would like to get that on next week's agenda.

Claims: The Board approved claims.

Mental Health Board Resignation: Following discussion, Ron Nye moved to accept the resignation of Chris Mumme from the Mental Health Local Advisory Council, thank him for his service, and advertise the vacancy. Dan Allhands seconded the motion. All voted aye and the motion carried.

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

- **Authorization to Fill Part-Time GIS Clerk Position:** Bonnie reviewed an Authorization to Fill and a job description for permanent, part-time clerk in the GIS Office. Tommy Luksha, GIS, and Alex Hogle, Planning Director, were present for this portion of the meeting. Alex stated that Tommy has spearheaded this request and agreed that GIS does need a second person in the office for functionality. He added that he has read the job description and it seems to be right in line with the needs of the department. Following discussion, Ron Nye moved to approve the Authorization to Fill the permanent, part-time GIS Clerk position at 30 hours per week. Dan Allhands seconded the motion. All voted aye and the motion carried. Tommy stated the position is greatly needed and thanked the Board for their support.
- **Recommendation to Hire District 3 Road and Bridge Technician:** Bonnie read a recommendation to hire a position on the District 3 Road Crew. Based on the recommendation of the hiring committee, Ron Nye moved to hire Paul Wonders for the permanent, full-time District 3 Road and Bridge Technician position, beginning on October 1, 2020, at \$22.33 per hour or 85% of the Road Department hourly wage. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Temporary Custodial Worker, Short Term Job Posting:** Bonnie discussed the temporary custodial position. Dave Baldwin, Custodial Supervisor, was present for this portion of the meeting. Bonnie stated that they have received three applications for the position and asked the Board if they would like to interview or cancel the job notice. Dave discussed the GS 200 spray that they

are using at night and noted that the courts are wiping down everything between hearings. He stated that when the position was initially advertised, they weren't using this spray. After discussion, Ron Nye moved to close the position and not employ a temporary custodial position due to the long acting spray chemical. Dan Allhands seconded the motion. All voted aye and the motion carried.

- **Nursing Homes Activities Director Job Description:** Bonnie noted that they are currently trying to get the nursing homes job descriptions in line with the other job descriptions and reviewed a revised description for the Nursing Homes Activities Director. Following review, Ron Nye moved to approve the Activities Director job description as presented. Dan Allhands seconded the motion. All voted aye and the motion carried.

Trust and Agency Budgets: The Board reviewed Trust and Agency Budgets. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Following review and discussion, Ron Nye moved to approve budgets for Alder/Taylor Cemetery District (Fund 7308), Laurin Cemetery District (Fund 7307), Madison Valley Cemetery (Fund 7302), Pioneer Cemetery District (Fund 7304), Sheridan Cemetery District (Fund 7303), South Boulder Cemetery District (Fund 7306), Twin Bridges Cemetery District (Fund 7301), Madison Valley Hospital District (Fund 7370), Ruby Valley Hospital District (Fund 7371), Alder Rural Fire District (Fund 7213), Big Sky Rural Fire District (Fund 7216), Harrison/Norris/Pony Rural Fire District (Fund 7212), Jefferson Valley Rural Fire District (Fund 7214), Madison Valley Rural Fire District (Fund 7210), Sheridan Rural Fire District (Fund 7211), Twin Bridges Rural Fire District (Fund 7215), Virginia City Rural Fire District (Fund 7217), Beaverhead Conservation District (Fund 7398), Jefferson Valley Conservation District (Fund 7395), Madison Valley Conservation District (Fund 7397), Ruby Valley Conservation District (Fund 7396), Twin Bridges Park District (Fund 7372), Sheridan/Alder Park District (Fund 7373), Whitehall TV (Fund 7325), and Big Sky Water (Fund 7361) and Sewer District (Fund 7362) as presented. Dan Allhands seconded the motion. All voted aye and the motion carried.

Resolution of Budget Amendment for Golf Course Fund: The Board reviewed a proposed resolution of budget amendment for the golf course. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Vicki stated that the County gets donations for the golf course through the parks funds and which are then transferred to the golf course. Because the golf course received more donations than anticipated, the expenditure budget was short. Following discussion, Ron Nye moved to approve Resolution 34-2020, a resolution of budget amendment for Fiscal Year 2019-2020, Account 2210 – Parks, as presented. Dan Allhands seconded the motion. All voted aye and the motion carried.

Discussion about Reel Street in Pony, Montana: The Board discussed a situation related to Reel Street in the town of Pony. Ron stated that our road is going through lots with private ownership and that he will talk to the County Attorney about it. He said the original road was platted and showed on the map how the original platted road didn't travel through the lots. He doesn't know if the County should buy the lots and will check to see if the County has a prescriptive easement, noting that there is a power pole, a culvert, and fiber optics on the property. He noted that he wanted to make sure the Board is aware of the situation.

Jani Flinn, Airport Board Secretary, met with the Board to discuss the following airport topics. Lance Bowser, Robert Peccia and Associates, participated in this portion of the meeting by telephone.

- **Ennis Big Sky Airport – NorthWestern Energy Customer Agreement (Old Snow Removal Equipment Building Meter):** Lance discussed the proposed agreement with NorthWestern Energy stating they are putting in a new meter because the snow-plow building was being powered out of the meter with the lights. He stated that NorthWestern wants them on separate meters. He added there will now be three meters but that there will be no cost to the County to add the additional meter. Following discussion, Ron Nye moved to approve the NorthWestern Energy Customer Agreement, effective September 23, 2020, to install, operate, and maintain facilities at 35 Runway Road, Ennis, Montana, as presented. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Ennis Big Sky Airport – Residential Through the Fence Gates:** Lance discussed the Residential Through the Fence issues at the Ennis/Big Sky Airport, noting that he is aware of the

issues, one of which is slopes. He stated that they have to maintain the slopes for airport safety and there's nothing they can do about this. The other issue is the width of the gates. He stated that the Airport Board decision was to replace the gates with like gates and because the existing gates were 40', they would be replaced with 40' gates. The problem is that the height of the fence has gone from 4.5' to 9' and some of the aircraft can't taxi through a smaller gate. He stated that he met with Jim Hart, Commissioner, and Tom Miller, Airport Board Chair, and they agreed to go with 48' gates. He noted that he contacted the FAA and was told they cannot pay for wider gates. There was much discussion on the difference in cost to install wider gates and if the costs would be paid by the County or by the landowners and how the additional gates would be installed. Following much discussion, Ron Nye moved to absorb the cost of the 40' gates and allow landowners to pay the unit bid price difference if they choose to increase the gate size over the previous size. Dan Allhands seconded the motion. All voted aye and the motion carried.

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

- **COVID-19 Update:** Melissa reviewed the briefing situation update, stating that it is Day 209 of the COVID incident. She stated that Madison County now has 110 confirmed positive cases, and have had 27 out of state cases in the County. There are currently 11 active cases, 99 cases that are recovered, and no current hospitalizations. There have been 2,072 test results in Madison County, 130 in the past week. The state of Montana is currently at 12,413 confirmed positive cases, with 174 fatalities, 158 active hospitalizations, 8,839 recovered, and a total of 337,196 tested. The United States has 6.86 million confirmed cases and 199 thousand fatalities. Melissa reviewed statistics on assisted living facilities, long term care facilities, and schools. She also reviewed the top five counties per 100,000 cases and the trend map showing that cases per 100,000 have peaked again in the last week or so. She discussed current cases, stating that they are not clustered but there are a lot of little pockets with close contacts between 25 and 50 per case and no large portion tied to one event. She noted that this is very concerning because it means that people have not been social distancing. She added that they have quarantined over 100 people since Saturday. Melissa stated that Beaverhead County has had a big spike and that Petroleum County is the only county in the state with no cases. She further stated that the Ruby Valley Medical Center had two positive cases and that the facility is being cleaned and disinfected. Joe reviewed information on weather and fire, stating that it has been unseasonably warm and significantly dry, with little to no chance of precipitation. He stated that the Lobo Mesa fire is currently at 330 acres.
- **Public Health Emergency Preparedness (PHEP) Grant Amendment:** Melissa discussed the PHEP grant stating that it is usually an annually renewable agreement or amendment but that they are trying to move it to a five year cycle. She added that additional COVID funds are coming in and are being offered to fund a new disease interventionist position for up to two years. Kathleen Mumme, who was present for this portion of the meeting via Webex, asked when flu shots would be available. Melissa responded that they haven't gotten the supplies yet but once they do, they will get the information out. Dan Allhands asked about the Sanitarian position referred to in the PHEP agreement. Melissa explained that you can't get both positions, you can get one or the other depending on the level of need. Following discussion, Ron Nye moved to approve Task Order Amendment Number 2 for PHEP Task Order Number 20-07-6-11-032-0 between the Montana Department of Public Health and Human Services and Madison County for additional funding to enable each county or tribal health jurisdiction to hire one FTE for year 2020-2021 and 2021-2022. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Disease Interventionist Position – Grant Funded (New Position):** Melissa discussed the primary duties of the Disease Interventionist position, noting that the main objective of the position is to intervene in the spread of communicable diseases but that other duties will be included to supplement the position. She presented the Board with an Authorization to Fill and Job Description for the position. Following review, Ron Nye moved to approve the Authorization to Fill the Disease Interventionist full-time position for up to two years. Dan Allhands seconded the motion. All voted aye and the motion carried. Following review, Ron Nye moved to approve the Disease Interventionist job description as presented. Dan Allhands seconded the motion. All voted aye and the motion carried.

Planning Board Summary: Alex Hogle, Planning Director, met with the Board to review a summary of the September 28, 2020, Planning Board meeting. He stated that all seats on the Planning Board are filled and attendance has been good. They are working on two conservation easements, one pre-application, and revisions to the subdivision regulations. He added that the Board has created a sub-committee to look at the subdivision regulations. There has been discussion about the topic of “old business” on the agenda and are going to start using the term “unfinished business” instead. He stated that the meeting was very productive. Alex also discussed Planning efforts in general which included addressing in a clustered area in Spanish Peaks and possibly using the 1000 point system in that area; new flood plain mapping which has not yet been adopted; and situations outside of the floodplain.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 4:25 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, October 6, 2020, beginning at 9:30 a.m. in the Second Floor Court 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:

Laurie Buyan, Executive Assistant to the
Board of Commissioners

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