

BOARD OF MADISON COUNTY COMMISSIONERS
October 6, 2020, Meeting Minutes

On Tuesday, October 6, 2020, a meeting of the Board of Madison County Commissioners came to order at 10:02 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 Joe Brummell, Bonnie O'Neill, Dana Escott, Vicki Tilstra, Jani Flinn, Ellis (Eli) Thompson, Tommy Luksha, Marnie Smith, Kirk Smith, Kathleen Mumme, Kaleena Miller, Mikayla Hudson, Brett Schriock, Randy Arbour, Charisse Opie, Landon Dybdal, Allen Rohrback, and those who attended via Webex. Ryan Wolter, IT Support Specialist, was present to administer the public link to the meeting via Web

Approval of Minutes: Following review, Jim Hart moved to approve the September 8, 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: Joe Brummell, Director of Emergency Management, presented a Public Health/DES update regarding COVID-19 along with Melissa Brummell, Public Health Nurse, who participated via Webex. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Joe said it has not been a good week for the State since the last update. The total of confirmed positive cases in Madison County has reached 117, with 15 in the past week, and 27 out-of-state confirmed positives with none added in the past week. We have 12 active cases at present, but no active hospitalizations. 104 people have recovered in the County, and we've had one COVID fatality. Beaverhead County was hit hard with the college opening, and is struggling to keep their rate of increase down. The State has had a total of 14,847 confirmed positives including 2,434 in the past week, 190 fatalities, and currently has 201 active hospitalizations. The U.S. has had 7.49 million confirmed positive cases, and finally crossed the 200 thousand mark in fatalities, with 210,000. Melissa pointed out the big jump in the number of school cases, reviewed the top five counties of cases per 100,000 people, and said Madison County finally fell back on that chart to about number 20, but only because other counties went up dramatically. She emphasized that the numbers will continue to rise unless everybody takes appropriate action and follows the rules, and recommended that everybody take additional precautions to limit the number of cases. She stressed that events over 50 people are unwise and can't be approved, including the local hunter's feed, and said large groups make contact tracing almost impossible as well as burdening the health care system. She reviewed schools and hospitals, noting that Ruby Valley Medical Center has done a fantastic job of working with Public Health. Joe gave updates on local fires, including Antelope, Lobo Mesa, and the Helmet fire near Sphinx Mountain, and said Gallatin County ended up with so many donations due to their local fires that they distributed some to other counties and Madison County was a recipient.

Public Discussion on Items Not Listed on the Agenda but Within the Board's Jurisdiction: The Board called Jeremiah Theys, Great West Engineering, regarding four permitted gravel pit sites that are about to expire. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Jeremiah explained what needs to be done to prevent the expiration of four County gravel pit permits, and the limited options were discussed. Considering the timeframe and information recently received from DEQ, Jim Hart moved to authorize Great West to proceed with submitting an amended application for four gravel pits that are about to expire: Boyd, Guinnane, Oxbow, and Sauerbier. Ron Nye seconded the motion. All voted aye and the motion carried.

Fair Manager: Dana Escott, Fair Manager, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Fair Update:** Dana updated the Board on this year's Fair, including a profit & loss spreadsheet, scheduled events for 2020 and 2021, Fair dates of August 11-15 set for 2021 and contracts started, sheep and steer barn roof work, ranch rodeo, a donation of tables, and grandstand stairway and safety. She said the fair was quiet but flowed well, animal sales were very successful, pointed out that this year will make yearly comparisons difficult for a while due to the COVID situation but sanitizing efforts went really well, and people seemed to really like the advance ticket sales how the seats were marked out for the rodeo so this may be adopted for the future.

Commissioner Dan Allhands joined the meeting at this point and was present for the remainder of the meeting.

- **Bids for Pavilion Roof:** Dana reported that the bids and Fair Board recommendation had been emailed to the Commissioners regarding the Pavilion roofing project. Discussion ensued about the winning bidder's performance bond and the bonding process, the 10% guarantee check provided, their good reputation, and when they would be able to start the project. Following discussion, Ron Nye moved to accept the Fair Board's recommendation to hire Lobo Construction to re-roof the Pavilion at the Madison County fairgrounds in Twin Bridges for a total cost of \$79,591.42, providing they have the performance bond in place before they start the project. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Extra Hours Request:** Dana reported that she has been spending time every day to keep the fairground and play yard cleaned and disinfected due to COVID, there have been a lot of events taking place there with a lot of kids involved, and requested an additional five work hours per week. She said the Fair budget is in good shape and this will not put a strain on the budget. Dan said there would seem to be extra time now that the Fair is over and things are slowing down, that there is a disinfecting product available from the Safety department that can just be sprayed on, he mentioned research done that made it seem like Dana wanted to do away with the fair, pointed out that other staff members are still working so there is plenty of help, and he would like to see more justification for additional hours. Dana said one staff member is done at the end of October, and the other works 10 hours per week, and they have started working on 2021 events. Dan asked if the security cameras have been put up yet after being approved a year ago, and Dana said the Fair Board had been on hold with the cameras. Ron said the time for these decisions is budget time, and thought it best to continue on for now. Following discussion, Ron Nye moved to deny, for now, the five hours per week for the Fair Manager, to continue on as is, and to look again at the extra hours at next budgeting time. Jim Hart seconded the motion. All voted aye and the motion carried.

Great West Engineering: Craig Erickson, Great West Engineering, met with the Board via Webex to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, and Jani Flinn, Grant Administrator, were present for this portion of the meeting.

- **CDBG Planning Grant Application - Tobacco Root Mountains Care Center:** Craig reviewed the four items to be approved and signed related to the submission of the CDBG Planning Grant application for TRMCC. He noted that the citizens of the County have shown that they care about senior services, discussed the County's strong planning history, and laid out the work involved and the timeline for the subsequent grant application next September, if all goes as planned. Following discussion, Ron Nye moved to approve the CDBG Planning Grant application for TRMCC as presented by Craig Erickson, Great West Engineering, in the amount of \$33,500 with a Madison County match of \$8,500. Jim Hart seconded the motion. Discussion included Jani's observation that Vicki is listed as legal counsel, which Craig will change to Chris Christensen, Madison County Attorney. All voted aye and the motion carried.
- **Resolution 35-2020 - Submittal of CDBG Planning Grant Application:** Ron Nye moved to approve Resolution 35-2020, a resolution of the Madison County Board of Commissioners authorizing the submission of an application for funding to the Montana Department of Commerce Community Development Block Grant (CDBG) program to prepare a preliminary architectural report for the Tobacco Root Mountains Care Center. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Designation of Environmental Certifying Official Letter:** Ron Nye moved to approve the letter designating Daniel W. Allhands as the Environmental Certifying Official in conjunction with the 2020 CDBG planning grant. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Finding of Exempt Activities Letter:** Ron Nye moved to approve the Finding of Exempt Activities letter as presented. Jim Hart seconded the motion. All voted aye and the motion carried. Craig said he is

working with Bonnie to collect all the information needed, and the CDBG applications will be turned in by the due date of Thursday, October 15, 2020.

Continuation of Public Hearing on a Petition to Relocate a Portion of Axolotl Lakes Road: At 11:30 a.m. Chairman Allhands reopened the continued public hearing on the petition to relocate a portion of Axolotl Lakes Road. Tommy Luksha, GIS Coordinator, and Bonnie O'Neill, Chief Administrative Officer, were present for the hearing. Members of the public present were Marnie Smith and Kirk Smith, Madison County residents. Eli Thompson, District 1 Commissioner Candidate, was also present for the hearing. Dan pointed out that he asked the Smiths to do an addendum to the original petition, which was filed with the Clerk and Recorder on Friday, October 2, 2020, and he read the addendum. Jim asked if the Deputy County Attorney had reviewed the addendum, Dan said he had not, but Jim was fairly certain he reviewed the original petition. Dan expressed his opinion that the terms laid out in the addendum will help the County, cost less than fixing the original road, and would help everybody. Jim explained to the Smiths that the reason he and the other member of the viewer's committee recommended denial of the petition was that they thought, "why not just fix the road?" Following discussion, Jim Hart moved to approve the addendum to the petition to alter Axolotl Lakes Road submitted on August 27, 2020, by Kirk and Marnie Smith to the Madison County Board of Commissioners. Ron Nye seconded the motion. Jim thanked the Smiths for their patience. Dan asked if there was any further discussion. All voted aye and the motion carried. Marnie asked if they should contact the contractor since they are collaborating with the County on the costs, and Dan said they should get the costs to the Commissioners and proceed from there. After the Smiths left the meeting there was additional discussion about the acceptance/approval process for the petition and the addendum.

Journal Vouchers: Jim Hart moved to approve Journal Vouchers for the 9/20 accounting period. Ron Nye seconded the motion. All voted aye and the motion carried.

RID 80 Asphalt Repairs: Jim pointed out an email from Jeremy Olson, Gaston Engineering, asking for permission to do asphalt repairs on a section of the RID 80 in Big Sky that has deteriorated, and he wants to get it done while he has a company up there doing other work to take advantage of mobilization fees. Jim gave him the go-ahead, and the Board considered the request. Following discussion, Jim Hart moved to approve the RID 80 asphalt repairs. Ron Nye seconded the motion. All voted aye and the motion carried.

Resolution 36-2020 Closing Alley in Pony: The Board discussed Resolution 36-2020, a resolution regarding the petition to close an alley in Pony. Tommy Luksha, GIS Coordinator, and Kathleen Mumme, Clerk and Recorder, were present for all or a portion of this topic. Tommy recommended correcting descriptive language in the resolution to clarify the ownerships resulting from closing the alley, Kathleen agreed with his recommendation, and other minor corrections were pointed out.

Center for Tech and Civic Life COVID-19 Response Grant: The Board considered a grant to be used for planning and operationalizing safe and secure election administration in Madison County, and Kathleen Mumme, Clerk and Recorder, pointed out payment instructions prior to leaving the meeting. Based on the request of the Clerk and Recorder, Jim Hart moved to accept the Center for Tech and Civic Life grant in the amount of \$5,000, and that the payment shall be made to Madison County through ACH wireless transfer within five to nine business days. Ron Nye seconded the motion. All voted aye and the motion carried.

Resolution 36-2020 Closing Alley in Pony (continued): After review, Ron Nye moved to approve Resolution 36-2020, a resolution of the Madison County Commission regarding the petition to close an alley in Pony between Hanley Street and Isdell Street, as revised. Jim Hart seconded the motion. All voted aye and the motion carried.

MSU Extension: Kaleena Miller, Ag Extension Agent, and Mikayla Hudson, 4-H Extension Agent, met with the Board to discuss MSU Extension services.

- **Ag and 4-H Extension Update:** Mikayla reviewed the Fair's 4-H activities, saying she heard a lot of positive comments, buyers liked having the sale in the rodeo arena, and she distributed a sale recap, noting it may have been the best sale ever with total proceeds near the top in spite of having less animal than in previous years. She discussed working on babysitting courses which tie in with a 4-H project, getting Fair photos distributed, and working with the Fair on schedule times for next year. Kaleena

presented an outline of what she has been working on for the last few months. Training and education included apple tree grafting practice at the Ruby Habitat Foundation community orchard, food systems and preservation, 4-H gardening, tree pruning, private applicator training, distributing Extension materials at libraries and stores, and planning for 2021. She reviewed inquiries the office has been getting on forage testing, soil testing, plant disease and identification, and on testing pressure canning lids. Kaleena has also been researching the alfalfa weevil, and briefly discussed the needs assessment conducted over the past few months with a fairly equal number of responses from both Madison and Jefferson Counties. Mikayla and Kaleena discussed challenges related to getting agriculture and 4-H into the schools, and the Board suggested reaching out to principals and superintendents. Kaleena said she is spending one day a week in the Sheridan office.

Human Resources: Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following Human Resource topics. Vicki Tilstra, Finance Officer, Brett Schriock, IT Director, Randy Arbour, TRMCC, and Charisse Opie, TRMCC, were present for all or a portion of these topics.

- **Recommendation to Hire Solid Waste Truck Driver-Full-time-Short-term:** Bonnie read the memo outlining the hiring committee's interview and recommendation for filling the full time, short term Solid Waste position at \$23.64 per hour. Based on the recommendation of the hiring committee, Jim Hart moved to approve hiring Timothy Warner for the full time, 90-day, short term Solid Waste position. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Recommendation to Hire IT Systems Computer Support Specialist-Part-time:** Bonnie read the memo regarding the hiring committee's recommendation to hire for the position of part time, permanent IT Systems Computer Support Specialist. Brett noted the applicant's background and said he would be a great asset to the department and the County. Based on the recommendation of the hiring committee, Jim Hart moved to approve hiring Jeffrey LeVegue for the part time, permanent IT Systems Computer Support Specialist position at \$24.66 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Nursing Homes Social Services Director Job Description Approval:** Following review, Ron Nye moved to approve the Madison County Social Services Director job description as presented. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Termination or Extension of Resolution 15-2020, Authorizing Hazard Pay to Nursing Home Employees Due to COVID-19 Pandemic:** Bonnie read a memo describing the Board's decisions to date regarding COVID-19 Pandemic pay to nursing home employees, and the Nursing Homes Administrator's request and reasoning for extending the hazard pay for another 90 days. Jim said he understands the dilemma of hazard pay for the nursing home employees but the Board has additional employees to think about, a way should be found to assist all 200 employees since we are all in this together, but there isn't a way since the County is out of COVID funds to do so, and because of this he feels hazard pay for nursing home employees should be discontinued.
- **Health and Human Services (HHS) Stimulus Payments - Distribution & Audit Requirements:** Jim read a memo from Vicki regarding Health and Human Services (HHS) Stimulus Payments - Distribution & Audit Requirements, which reported the total HHS funds received since March as \$505,317. Vicki said if the County's previous COVID expenses qualify for reimbursement under the Federal guidelines, this money has already been designated and spent.
- **Termination or Extension of Resolution 15-2020, Authorizing Hazard Pay to Nursing Home Employees Due to COVID-19 Pandemic (continued):** Discussion ensued about COVID funds received and paid out, taxpayer-funded emergency levies, and other funding possibilities. Randy and Charisse discussed the effect on employees when staff members can't work due to quarantine, maintaining motivation and keeping people working, the many challenges of working with residents isolated in their rooms, and said the majority of employees don't expect additional pay to come from the taxpayers once COVID funds are exhausted. Bonnie asked them to convey to their employees that quarantined employees will be paid for their regularly-scheduled shifts. The Board talked about options, noted the hazard pay ran out on September 30th, agreed to do more research and continue the topic to the next regular Commission meeting, and Jim expressed appreciation for what the nursing home employees do.
- **Nursing Homes Medicaid \$40.00 COVID Pay Extension Notice-Review and Discussion:** Vicki said the additional \$40 per resident per day paid from Medicaid has been extended indefinitely, but since she can't find clear guidelines for distribution she is trusting the auditors for spending guidance. She

reviewed total funding received from Medicaid payments since March: \$76,040 to Madison Valley Manor, and \$133,920 to TRMCC.

Grants and Airports: Jani Flinn, Grant Administrator and Airport Board Secretary, met with the Board to discuss the following topics.

- **Giem Bridge Replacement - TSEP Draw Request #1:** Jani discussed what is included in the TSEP draw request for the Giem Bridge replacement project, and reviewed the process of paying contractors and getting reimbursement from TSEP. Following review, Ron Nye moved to approve the request for reimbursement to Madison County from the TSEP fund for \$571,103.30, for expenses related to the Giem Bridge replacement project. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Change Order #1, AIP 20-2020 Ennis Big Sky Airport:** This topic was continued to the next regular Commission meeting.

Ambulance Meeting: The Board met to continue the discussion about Madison County ambulance services. Landon Dybdal, Ruby Valley Medical Center CEO, Allen Rohrback, Madison Valley Medical Center CEO, Tommy Luksha, GIS Coordinator, Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, and Joe Brummell, Director of Emergency Management, were present for this portion of the meeting. Lisa Roberts, Ennis Town Commissioner, participated in the discussion via Webex. Joe and Tommy reviewed maps of the County, discussed exclusion areas and ambulance response times, and Tommy pointed out that using levy district boundaries is the best way to look at it for now. Discussion ensued about mills being preferred over fees, Beaverhead County's methods and use of school districts, county-wide coverage with areas carved out instead of two separate coverage areas, using a surveyor, using a structure count, issues with creating a special district, and whether to include business owners. Tommy noted that there are 37 levy districts in the County, not including special districts. Next steps were discussed, such as getting more detailed information to help figure out structures and property values, and Tommy asked if we are creating a special district for ambulance service. Jim referred to MACo guidance that a county may provide for ambulance services either by managing the service itself or by contracting it; there does not seem to be any requirement for the service to include the entire county so it may be appropriate to exclude a portion of the given county; and that no authority could be found by MACo for a hospital to create an ambulance service. Alan recalled that the goal from previous discussions was to not create a special district and not have a special board, but to have a County-wide levy, excluding property, and have those funds managed by the County Commissioners. He said he thinks the Ennis Ambulance Service is warming up to the idea, and we'll get to where we need to be one step at a time. Tommy pointed out to Jim a section of the Administrative Rule of Montana. The next ambulance meeting was discussed and tentatively scheduled in two weeks.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 4:20 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, October 13, 2020, beginning at 10:30 a.m. in the Second Floor Courtroom of the Administrative Office Building in Virginia City, Montana.

Dan W. Allhands, Chairman
Board of Madison County Commissioners

Date Approved: October 27, 2020

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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