

BOARD OF MADISON COUNTY COMMISSIONERS
October 8, 2019, Meeting Minutes

On Tuesday, October 8, 2019, a meeting of the Board of Madison County Commissioners came to order at 9:30 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Ron Nye, Chairman, Dan Allhands and Jim Hart present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Tammy Mahlstedt, Bonnie O'Neill, Tommy Luksha, Vicki Tilstra, Phil Fortner, Allen Jones, Melissa Brummell, Joe Brummell, Margie Edsall, Al Hendricks, Mike Driscoll, Neal Driscoll, Brett Schriock, Rob Gilmore, Sandie Gilmore, Justin Ekwall, Chris Christensen, and Jani Flinn.

Approval of Minutes: No minutes were available for approval.

Claims: The Board approved claims.

Human Resources: Tammy Mahlstedt, Human Resource Generalist, and Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following topics. Tommy Luksha, GIS Coordinator, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **Recommendation to Hire Victim/Witness Advocate and Investigator:** Tammy presented the hiring committee's recommendation for the Victim/Witness Advocate and Investigator position, which she said was reviewed previously by the County Attorney. Discussion included number of hours, grant funding, confusion over hourly wage versus salary and the reference to being listed in the Salary Resolution. A call was made to set up a discussion with the County Attorney's office, and the topic was continued to later in the meeting.
- **GIS Clerk Job Description:** Tammy presented the job description for the GIS Clerk position. Dan Allhands moved to approve the GIS Clerk job description as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

Compensation Board Renewal: After review, Dan Allhands moved to reappoint Billie Ratcliffe to the Madison County Compensation Board for another three year term that will expire on June 1, 2022. Jim Hart seconded the motion. All voted aye and the motion carried.

Tax Appeal Board Appointment: There was no discussion on this topic.

Pioneer Cemetery Board Appointment: Following discussion, Dan Allhands moved to appoint Bert Todd as a trustee on the Pioneer Cemetery Board to fulfill a three year term that will expire on December 31, 2021. Jim Hart seconded the motion. All voted aye and the motion carried.

DUI Task Force Guidance: The Board discussed the DUI Task Force, and a call was made to Kevin Dusko, State DUI Task Force Coordinator, to ask for his guidance. Vicki Tilstra, Finance Officer, Bonnie O'Neill, Chief Administrative Officer, Phil Fortner, Sheriff, and Allen Jones, SW Montana Prevention, were present for this portion of the meeting. Kevin explained his role with the State, which is to coordinate all the DUI task forces across the state, review their plans, and submit them to the Director of the Department of Transportation for approval. Dan discussed concerns about the county's existing DUI Task Force, including: calling themselves "a quasi-form of government"; defining a quorum as consisting of the voting members present at a given meeting; infrequent, irregular meetings; a lack of meeting notifications both to the public and to task force members; rejection of people expressing interest in being on the task force; and meeting minutes that are unrecorded or not readily available. He stated his belief that the DUI Task Force is County-run and funded, said there are no other County-appointed boards that are run privately or as a quasi-form of government, pointed out several items in the existing plan that are not being done, and elaborated about problems he has become aware of, citing several examples. Kevin recommended referring to MCA Code 61-2-106 for clarification, briefly

discussed what he sees with other county-run task forces which are all a bit different but run according to the discretion of each county, and said he can provide resources, data, examples and strategy information for consideration in developing a new or revised plan. He pointed out who should be on a basic DUI task force, such as representatives from the Sheriff's Office, Public Health, County Commissioners, and said from there it can be expanded. He suggested that changes to elements of the plan, or a new plan, be done by resolution, indicated that approval by the Commissioners would carry some weight in being approved by the State, and said that, generally, once task force plans are approved, they are run by the counties without much state oversight. Recent communications were discussed, as well as monitoring spending, and whether to obtain task force records and documents. Further discussion included steps and options for moving forward, statistics and reasons to have a DUI task force as well as how to make it stronger, the necessity of working in schools to change mindsets and increase future prevention, task force appointments and who should be involved, Commissioner representation, website improvement, working as a team, participation in local events, and transparency. Allen recommended consulting with task forces in other counties and said he knows of DUI task forces that do work. Discussion of this topic was continued later in the meeting.

Ousel Falls Snow Plow Contracts: Following discussion, Jim Hart moved to approve the agreement between Madison County and Gallatin County for Ousel Falls snow removal for the 2019-2020 season from October 1, 2019, to April 30, 2020, in the amount of \$67,200 as follows: 74% from Madison County and 26% from Gallatin County. Dan Allhands seconded the motion. All voted aye and the motion carried.

Big Sky Shoulder RID Correction Bid: Following review, Jim Hart moved to approve the Big Sky Shoulder RID correction bid in the amount of \$17,400 for shoulder work, as presented by Gaston Engineering. Dan Allhands seconded the motion. Discussion included the cost of gravel indicated at \$60/yard, which was questioned. Later in the meeting, Jeremy Olson, Gaston Engineering, returned a call from the Board to clarify the cost, and said that the cost for gravel has been over \$50/yard, and the costs tend to be higher in Big Sky. Once clarified, all voted aye and the motion carried.

Resolution 50-2019 – Prosecutorial Assistance: Following a brief discussion, Dan Allhands moved to approve Resolution 50-2019, a Resolution Appointing Special Deputy County Attorney. Jim Hart seconded the motion. All voted aye and the motion carried. Later in the meeting, the Deputy County Attorney clarified to the Board why prosecutorial assistance is required.

USDA Rural Development Loan (TRMCC) – Required Financial Reporting, Certification Documentation, and Affirmative Fair Housing Marketing Plan: The Board discussed the USDA Rural Development Loan reporting and documentation for TRMCC. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Vicki explained the reporting requirements for the TRMCC USDA loan, and clarified that the construction project is completed. Dan Allhands moved to approve the USDA Rural Development Loan (TRMCC) – Required Financial Reporting, Certification Documentation, and Affirmative Fair Housing Marketing Plan. Jim Hart seconded the motion. All voted aye and the motion carried. Dan asked about the amount of interest being paid annually on the loan, and discussion ensued about how the interest might be reduced.

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

- **Maternal and Child Health Grant Renewal:** Melissa reviewed the purpose of the Maternal and Child Health Grant, related details about events and activities that have occurred due to this funding, said the amount for this period is \$5,423, explained the period covered was changed to go from October through September instead of a fiscal year from July through June, and pointed out items on the grant document that relate to Madison County. Based on the recommendation of the Public Health Nurse, Jim Hart moved to approve Task Order 20-07-5-01-028-0 to the Maternal and Child Health Block Grant Program, an annual contract for the timeframe of October 1, 2019, to September 30, 2020. Dan Allhands seconded the motion. All voted aye and the motion carried.
- **Public Health Office Update:** Melissa presented her Public Health Office report for the period of August 21, 2019 to the present. She discussed scheduled flu clinics, saying that flu shots are on backorder and expected by November 1st, and they usually give 300-500 shots during the season. Her

update also included Tobacco Prevention interviews, supplying the new DES mass casualty trailer, completion of the LEPC strategic plan, completed and upcoming projects and trainings, and a review of departmental staff activities.

Weed Office: Margie Edsall, Weed Coordinator, met with the Board to discuss the following topic. Joe Brummell, Director of Emergency Management, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Margie took a minute to discuss how spray school went, saying it was very well attended, and she received positive feedback about the extension agent's involvement in the training.

- **Truck Replacement for Assistant Weed Coordinator:** Margie reviewed the research she and her staff have done on buying a replacement truck to be used by the Assistant Weed Coordinator. Discussion included prices, grant funds, trade-in possibilities, and what to do with the old truck.

DES: Joe Brummell, Director of Emergency Management, met with the Board to discuss the following topic. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Joe briefly reported on last night's grass fire, windy conditions, and fast response from the Sheridan and Twin Bridges fire departments.

- **State DES Annual Time Certifications:** Joe presented a form required by the State certifying he DES Deputy's grant-related time planned for the 2019-2020 fiscal year, and reviewed grant benefits and reimbursement. Based on the request by the Director of Emergency Management, Jim Hart moved to approve the Montana State Disaster and Emergency Services Annual Certification for the DES Deputy. Dan Allhands seconded the motion. Joe verified that the state is aware of the Deputy's part-time status, and said there are only a few full-time Deputies in Montana. All voted aye and the motion carried.

Road Review Committee Report for Adobe Town Road: Al Hendricks, Road Review Committee Chairman, and Tommy Luksha, GIS Coordinator/ Road Review Committee Secretary, met with the Board to discuss the Road Review Committee's report on County Road #71, also known as the Adobetown Road. Mike Driscoll and Neal Driscoll, local residents, were present for this portion of the meeting. Al reported on the Road Review Committee's research and findings regarding Adobetown Road. He described the history of the road, which runs from Adobetown to Ruby and crosses through several Sections and ownerships, and he explained issues related to the road location shifting over time, particularly in three significant portions. Discussion included access and easements, historical documents including maps and photos, route alterations made with and without documentation, road usage levels, hilly terrain and road obliteration, current mining interests, property ownership including BLM land, public access laws, proposed road closures and alternate routes, and the importance of finally establishing and documenting a designated route for this road. Discussions are planned with the Garnet USA mine, private property owners, and the BLM to work toward consensus for a designated route as well as access agreements, and after their November meeting the Road Review Committee will make a recommendation to the Board to determine the road's status.

GIS: Tommy Luksha, GIS Coordinator, met with the Board to discuss the following topic. Vicki Tilstra, Finance Officer, Bonnie O'Neill, Chief Administrative Officer, and Brett Schriock, IT Director, were present for this portion of the meeting.

- **GIS Car/Budget:** Tommy said he talked with the repair shop about the unwanted repairs made to the GIS vehicle, and they were willing to remove the bull bar and issue a refund for it. Discussion ensued about budget line items to use for this, and budgeting for vehicle maintenance next year.

Regional Cooperation for Economic Development: Rob Gilmore, Northern Rocky Mountains Economic Development District, met with the Board to discuss regional cooperation for economic development. Vicki Tilstra, Finance Officer, Bonnie O'Neill, Chief Administrative Officer, Brett Schriock, IT Director, and Sandie Gilmore, Bozeman resident, were present for this portion of the meeting. Rob discussed the concept of urban and rural areas working together to build more economic sustainability in outlying areas. He pointed out that Butte and Bozeman are the urban centers that most influence the economy in the Madison and Ruby Valleys, reviewed work being done through the Center for Regional Economic Competitiveness that so far has Bozeman's full cooperation and he is hoping to develop the same cooperation with Butte, and he discussed forming a working group in Madison County to develop a local strategic plan for increasing rural economic business sustainability. Rob said workforce and housing are tied in to this concept as well, discussed the

importance of building consensus with the private sector, the challenge of developing growth locally while recognizing existing no-growth sentiments, and keeping graduates in the area by bringing in right-sized businesses. He invited the Board to participate in upcoming meetings

Public Discussion and/or Comments on Items Not Listed on the Agenda: Brett Schriock, IT Director, informed the Board that the IT Department will be updating employee computers to Windows 10, since Microsoft will no longer support Windows 7 as of January, 2020. Since some have already been updated this will affect about 35 computers, it is already in the budget, and the price has come down so will cost less than anticipated. Bonnie said that for the IT Department to provide better customer service, they would like to flex their work hours to avoid overtime and comp time, and will come up with a proposal to present to the Board on a future agenda.

Human Resources:

- **Recommendation to Hire Victim/Witness Advocate and Investigator (continued):** Chris Christensen, County Attorney, and Justin Ekwall, Deputy County Attorney, were called in to clarify salary and wage questions regarding the Victim/Witness Advocate and Investigator position, continued from earlier in the meeting. Tammy Mahlstedt, Human Resource Generalist, and Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Chris said the offer was for \$18.61 per hour and accepted, and discussion ensued about the best way to word it, amending the Salary Resolution, step increases, and exempt versus non-exempt status. This is a temporary position due to being grant-based and contingent on Federal funding, which was made very clear in the interview, and will be salaried based on the hourly rate. Chris and Justin said the position historically doesn't run over 30 hours per week, but it could in unusual circumstances. Based on the recommendation of the hiring committee, Jim Hart moved to approve hiring Susan Vonasek for the salaried, part-time, temporary, grant-funded Victim/Witness Advocate and Investigator position, working 30 hours per week, at 18.61 per hour, which is 80% of the department head wage of \$23.26 per hour. Dan Allhands seconded the motion. All voted aye and the motion carried.

DUI Task Force Guidance (continued): The Board continued its discussion regarding the DUI Task Force. Chris Christensen, County Attorney, Justin Ekwall, Deputy County Attorney, Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for all or a portion of this topic. Discussion ensued about approving Resolutions to dissolve the current DUI Task Force and create a new one, developing a new plan, Board of Commissioners' authority over the task force, and curtailing spending. Dan Allhands moved to rescind the DUI Task Force's ability to expend funds, effective immediately, and to notify the DUI Task Force. Jim Hart seconded the motion. All voted aye and the motion carried. Issues and problems previously discussed were reviewed for Chris' benefit. Further discussion included setting standards, working closely with the Sheriff's Office to make sure proposed purchases are helpful, having initial members of a new task force set up rules regarding number of members and quorums, making meetings more public, and having new appointees come through the Board of Commissioners for better tracking.

Ennis Big Sky Airport – AIP-3-30-0090-020-2018 Request for FAA Grant Amendment: Jani Flinn, Airport Board Secretary, met with the Board to discuss AIP-3-30-0090-020-2018, Request for FAA Grant Amendment, for the SRE building at the Ennis Big Sky Airport. She said that the walls were up by the end of last week, and progress is being made on the project. Based on the recommendation of Lance Bowser, Project Manager, Robert Peccia & Associates, Jim Hart moved to approve sending a grant amendment request for the Ennis Big Sky Airport Improvement Project 3-30-0090-020-2018 to Joe Nye, P.E., FAA Project Manager, requesting an increase of \$47,297 from the previously granted amount. Dan Allhands seconded the motion. All voted aye and the motion carried.

Jani Flinn, Grant Administrator, informed the Board that the grant for acquiring a bus at Madison Valley Manor has been awarded, and a meeting is scheduled with a representative from the Department of Transportation to discuss details prior to delivery.

Gallatin Forest Partnership Letter of Support: Following review, Dan Allhands moved to approve sending a support letter to the Gallatin Forest Partnership. Jim Hart seconded the motion. All voted aye and the motion carried.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 3:30 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, October 15, 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: November 5, 2019

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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