

BOARD OF MADISON COUNTY COMMISSIONERS
October 13, 2020, Meeting Minutes

On Tuesday, October 13, 2020, a meeting of the Board of Madison County Commissioners came to order at 10:32 a.m. in the Second Floor Court Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Dan Allhands, Chairman, Jim Hart, and Ron Nye present. Laurie Buyan, Executive Assistant to the Board of Commissioners, was present to take minutes.

Those people in attendance at the meeting were Joe Brummell, Bonnie O'Neill, Jani Flinn, Tony Forsythe, Dave Welsh, Rick Hafenfeld, Kipp Proctor, Kraig Pester, Vicki Tilstra, Gail Hansen, Dave Reintsma, Joanne Galiger, Charisse Opie, Leona Stredwick, Christine Despres, Kacey Smart, Laurie Schmidt, Pat Bradley, Kevin Germain, Paul Grigsby, and Alex Hogle. Those who attended via Webex were Hannah Kears, Janie Alt, Jane Bacon, Jani Flinn, Kacey Smart, Michelle Schriock, Bob Bates, Kathy Barnes, Howard Sheridan, Vicki Tilstra, Elizabeth Erickson, Paul Scarborough and R. Scarborough. Lance Bowser participated in the meeting by telephone. Ryan Wolter, IT Support Specialist, was present to administer the Webex connection.

Approval of Minutes: Approval of minutes was continued to a later date.

COVID-19 Update: Joe Brummell, DES, updated the Board on the status of the COVID-19 pandemic. He stated that Madison County is up to 126 confirmed positive cases, with 14 active cases, and no current hospitalizations, adding that they did have two hospitalizations last week but thankfully they have both been discharged. He went on to say that it's not looking good for the state, which had 4,278 new cases in the past week bringing the total to 19,125 confirmed positive cases, with 212 fatalities, and 291 active hospitalizations. 11,481 have recovered and a total of 400,458 have been tested. He noted that the wait time for testing has increased. He stated that the U.S. total has increased also. Joe reviewed the congregate numbers stating that the schools were previously combined but have now separated out K-12 from the universities. He reviewed the numbers for long term care facilities and assisted living facilities, noting that there has been an increase in these numbers as well. Joe also updated the Board on cases per 100,000 people, the number of hospital beds available in the state, Incident Command Team activities, weather conditions, drought conditions, and the status of local fires, noting that the Lobo Mesa fire is still burning and that there was a small fire out of Sheridan started by downed powerline.

Claims: The Board approved claims.

Sand/Salt Agreement with Daems: This item was postponed to a later date.

Ousel Falls Snow Removal Contracts. Following review, Jim Hart moved to approve the Agreement, dated August 12, 2020, between MG Contactors LLC, Gallatin County, and Madison County, for snow removal in Ousel Falls RID for the amount of \$56,175 with 54% from Gallatin County and 46% from Madison County. Ron Nye seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the Agreement, dated August 12, 2020, between Yellowstone Development, Gallatin County, and Madison County, for snow removal in Ousel Falls RID for the amount of \$25,000 with 24% from Gallatin County and 76% from Madison County. Ron Nye seconded the motion. All voted aye and the motion carried.

Big Sky Trust Fund Grant – Request for Payment: Following review, Ron Nye moved to approve the Montana Department of Commerce, Big Sky Economic Development Trust Fund, Request for Payment in the amount of \$5,000 for Cauty Boots. Jim Hart seconded the motion. All voted aye and the motion carried.

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.

- **Capital Improvement Plan - Ennis Big Sky Airport:** Lance discussed Capital Improvement Plans for both airports, noting that these plans are updated annually and don't lock the County into anything. He added that it helps both the County and the FAA budget for future needs. If you're showing a need, it also helps with non-entitlement funding. Items included for the Ennis airport were snow removal equipment, land development, electrical vault equipment, and maintenance on runways and aprons. Jim Hart discussed the need for a tractor, noting that our tractor won't always be available for them to use. There was discussion about purchasing a tractor for the airport. Following discussion, Jim Hart moved to approve the 5-Year Capital Improvement Plan for the Ennis/Big Sky Airport as presented. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Capital Improvement Plan - Twin Bridges Airport:** Lance reviewed the Capital Improvement Plan for the Twin Bridges Airport, noting that they would also like to acquire a snowplow truck and a snow removal building like the one in Ennis. The plan listed land acquisition for future expansion and various rehab projects for runways, taxiways, aprons, and lights. Following discussion, Ron Nye moved to approve the 5-Year Capital Improvement Plan for Ruby Valley Field (Twin Bridges Airport) as presented. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Change Order #1, AIP 20-2020 Ennis Big Sky Airport:** Lance discussed a change order for the wildlife exclusion gates at the Ennis Airport. He stated that the landowners would pay the difference between a 50 foot gate and a 40 foot gate and that this is not an expense that is reimbursable by the FAA. He added that none of the Residential Through the Fence gates are FAA funded; all of them are County funded. He noted that there should only be two of these gates that need to be replaced, adding that it's pretty good that these are the only changes in a 13 million dollar project beginning in May of 2019 until now. Following discussion, Jim Hart moved to approve Contract Change Order #1 with SK Construction, Inc. for Wildlife Exclusion Fence Vehicular Gate-Single Track Cantilever, 30' panel width, for the amount of \$14,715.00. Ron Nye seconded the motion. All voted aye and the motion carried.

Giem Bridge Certificate of Substantial Completion: Following discussion, Ron Nye moved to approve the Certificate of Substantial Completion to Sletten Construction Company for the Giem Bridge Replacement project. Jim Hart seconded the motion. All voted aye and the motion carried.

Quote for Fire Alarm Panel Replacement: Tony Forsythe, Maintenance, met with the Board to discuss the need to replace a fire alarm panel at the Courthouse. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Tony stated that the reason the quote was so high had to do with an issue of telephone lines in the building. There was discussion about the phone lines. Tony will discuss the issue with Brett Schriock, IT. After discussion, Ron Nye moved to approve the quote from Fire Suppression Systems to replace the fire alarm panel at the Madison County Courthouse, for the amount of \$4,207.02. Jim Hart seconded the motion. All voted aye and the motion carried.

DUI Task Force Office Space: Dave Welsh and Rick Hafefeld, Ruby Valley Search and Rescue, met with the Board to discuss office space in the Search and Rescue building in Sheridan. Dave stated that they were approached by Esther Lince, DUI Task Force, about using office space in the Search and Rescue building. He added that the topic was discussed at the last meeting and all thought it was a good idea. The Forest Service was paying around \$500 per month when they leased the office and Dave offered to charge this group \$300 per month, because it would only be used part of the time, and take the rent off the balance owed to the County by the Search and Rescue. There was discussion about the Ag Extension Agent also using the office. Dave stated that they are not opposed to any use of the office and felt it should be memorialized in an agreement. There was discussion about the type of language that should be in the agreement. After much discussion, Ron Nye moved to authorize the Ruby Valley Search and Rescue to move forward with an agreement for office space with the DUI Task Force and possibly MSU Extension and others at \$300 per month. Jim Hart seconded the motion. All voted aye and the motion carried.

Quote for Blinds in the Administrative Office Building Courtroom: Following review, Jim Hart moved to approve the Client Proposal for Contact Madison County Admin Building from Nicholia Creek Events and Interiors to install Hunter Douglas designer screen roller blinds in the Administrative Office Building

courtroom and Hunter Douglas Applause lite-rise bottom up blinds in the Dispatch Office for a total amount of \$3,550.40. Ron Nye seconded the motion. All voted aye and the motion carried.

Motor Grader Bid Openings – District 3: The Board received and opened two bids for a motor grader for the District 3 Road Department. After reviewing the bid proposals and the lease options, Jim Hart stated that they will take the bids under advisement and will be in touch.

Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following Human Resource topics. Kacey Smart, Sanitarian's Assistant, Vicki Tilstra, Finance Officer, Gail Hansen, TRMCC Administrator -in-Training, Dave Reintsma, TRMCC Maintenance, Joanne Galiger, TRMCC Dietary Manager, Charisse Opie, RN, Leona Stredwick, Madison Valley Manor Activities Director, and Christine Despres, Madison Valley Manor Director of Nursing, were present for this portion of the meeting.

- **Recommendation to Hire Short-Term Sanitarian-in-Training:** Bonnie read a recommendation to hire a short-term Sanitarian-in-Training to complete the remainder of a 90-day position that was previously held by Joe Lazarus. Following discussion and per recommendation of the Sanitarian, Jim Hart moved to approve hiring Zachary Kozicky to finish the last 30 days of the 90-day short-term position as Sanitarian-in-Training at the hourly rate of \$25.38 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Rescind or Extend Resolution 15-2020:** Bonnie read a memo related to the resolution authorizing \$2.50 per hour COVID pay for nursing home employees, noting that Steve McNeece, Nursing Homes Administrator, has requested that the resolution be extended for another 90-day period. She stated they are currently working with Larry Lester, Wipfli LLP, for specific distribution guidelines. She also noted that Vicki has additional information. Vicki stated that this is Federal money and will go on the Federal schedule. Because of this, we need to make sure it's being used for an allowable expense. She added that she has talked to the County auditors and they believe it will qualify. She reviewed a memo listing payments received from HHS totaling \$505,317 to date and distributed a tracking sheet showing that \$291,761.36 has been used to date by both nursing homes. Bonnie stated that the cost of the COVID pay has been running about \$20,000 per pay period. There was discussion about eligible expenses, not being able to provide this benefit to all County employees, putting parameters on those who receive the benefit, and encouraging those who do to avoid high risk areas. Leona Stredwick then read a very moving statement regarding the effects the COVID pandemic has had on the lives of nursing home residents, the physical and emotional tolls on the residents, and the personal lives of those working there. Following discussion, Ron Nye moved to extend Resolution 15-2020 authorizing COVID pay to nursing homes employees for another 90 days. Jim Hart seconded the motion. All voted aye and the motion carried.

Amended Plat of Lots 12, 30, and Open Space 2, Yellowstone Mountain Club Phases 1 and 2: This item was postponed to a later date.

Lee's Pool Subdivision and PUD Preliminary Plat: Alex Hogle, Planning Director, met with the Board to discuss Lee's Pool Subdivision and PUD Preliminary Plat. Kevin Germain of Lone Mountain Land, Paul Grigsby, representing Dr. Sheridan, Laurie Schmidt and Pat Bradley, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Jani Flinn, Kacey Smart, Michelle Schriock, Bob Bates, Kathy Barnes, Howard Sheridan, Vicki Tilstra, Elizabeth Erickson, Paul Scarborough and R. Scarborough, were present via Webex. Alex summarized the review status to this point, noting that the Planning Board held a public hearing on the proposal on June 29, 2020, the Board of Commissioners had an initial meeting on the proposal on September 15, 2020 where they heard the staff present the proposal summary and Planning Board recommendation. The Board of Commissioners also heard the applicant presentation from Kevin Germain and public comment by Mike Duncan of MFWP on that day. Continuing, Alex noted the Board of Commissioners held a second meeting on the proposal on September 22, 2020, where they heard substantial public comment and made no decision due to time constraint. Regarding this third meeting on the proposal (October 13) Hogle indicated consideration of the Planning Board recommended findings of fact and conditions of approval still needed to be done, noting the Planning Board had recommended approval of the subdivision and PUD with the exception of the requested modification to the applicable construction setbacks from waterbodies, and that the Board of

Commissioners may adopt their recommendations in whole or in part. Regarding the proposed modification to the applicable construction setbacks from waterbodies, there was discussion about the affect the two closest proposed cabins might have on the stream water quality and potential compromise. Following discussion, Jim Hart moved to approve the requested preliminary plat and PUD. This motion died for lack of a second. Alex suggested starting again with adoption of the findings of fact. There was discussion about approving the findings of fact without the Planning Board's recommended number 27 due to policy implications, the potential effects on the riparian area involved, ambiguous language in the subdivision regulations as it relates to setbacks for rivers versus other waterbodies and waterways, and potential clarifying modifications to the regulations in regard to setbacks from waterbodies. Ron Nye read excerpts from a joint-letter from conservation groups regarding possible detrimental effects of development on riparian areas, noting that the EPA recommends a minimum of a 100-foot buffer on streams. Following much discussion, Jim Hart moved to adopt the finding-of-facts for the Lee's Pool Subdivision as amended by the Planning Board, excluding Finding Number 27. Ron Nye seconded the motion. All voted aye and the motion carried. At this point Elizabeth Erickson stated that if there is going to be a second public hearing, she has two clients with concerns about increased traffic on Jack Creek Road and that opening the road to the public will have a detrimental effect on their property sight lines and a detrimental effect on the road. She requested that the Board consider the traffic effects. Kevin Germain responded to Ms. Erickson by stating that the road will be paved and in non-conforming areas will be brought up to County road standards. Following further discussion, Jim Hart moved to approve the preliminary plat of Lee's Pool Subdivision and Planned Unit Development with standard and project-specific conditions as recommended by the Planning Board. Ron Nye seconded the motion. All voted aye and the motion carried.

With no further business, the meeting was adjourned at 3:12 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, October 20, 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 27, 2020

Minutes prepared by:

Laurie Buyan, Executive Assistant to the
Board of Commissioners

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