

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**October 22, 2019, Meeting Minutes**

On Tuesday, October 22, 2019, a meeting of the Board of Madison County Commissioners came to order at 9:33 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 Alex Hogle, Justin Houser, Jason Brey, Pete Lannan, Scott Schuster, Joe Brummell, Jim King, Laurie Buyan, Vicki Tilstra, Jani Flinn, Garrett Johnson, Tammy Mahlstedde, Brett Schriock, Rob Gilmore, Cindy Gockel, Mary Oliver, Dana Escott, Bonnie O'Neill, and Justin Ekwall.

**Approval of Minutes:** Following review, Dan Allhands moved to approve the October 1, 2019, Board of Commissioners' meeting minutes as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

**Claims:** The Board approved claims.

**Planning Office:** Alex Hogle, Planning Director, met with the Board to discuss the following topic. Justin Houser, Houser Engineering, was present for this portion of the meeting.

- **Amended Plat of Lots 326 & 327 of Yellowstone Mountain Club Phase 3:** Alex explained that the owner of these two lots plans to add an addition to the existing house on Lot 327 and expand its boundary, leaving Lot 326 undeveloped. Discussion included recreational and utility easements, view angles and slopes, evaluation by the Clerk & Recorder's office, and approval by the Exemption Review Board. The condition listed, taxes paid in full and amended plat signed by the Treasurer, has been met. The owner is working with neighbors regarding the building envelopes, which may or may not be altered. Based on the recommendation of the Planning Director, Jim Hart moved to approve the amended plat adjusting the common central boundary line between Lots 326 and 327 of Yellowstone Mountain Club Subdivision Phase 3. Dan Allhands seconded the motion. All voted aye and the motion carried.

**West Yellowstone Forest Service Ranger District:**

- **West Yellowstone Tanker Base Transition:** Jason Brey, Hebgen Lake District Ranger, U.S. Forest Service (USFS), Pete Lannan, West Yellowstone Interagency Fire Center and Tanker Base Manager, USFS, and Scott Schuster, Forest Fire Management Officer for the Custer Gallatin National Forest, USFS, met with the Board to discuss the West Yellowstone Tanker Base Transition. Joe Brummell, Director of Emergency Management, was present for this portion of the meeting. A call was made to Cindy Purdue-Dolan, Field Representative for U.S. Senator Steve Daines, who asked to be included in the discussion. Jason, Scott, and Pete reviewed the reasons that the Forest Service doesn't consider future development of the tanker base at West Yellowstone as viable or critical, primarily as a result of improved technology: national tanker base study results identified it as low use, its use is limited in summer due to temperatures required by half of the fleet, there are runway length and fueling issues, and rapid coverage can be supplied from nearby locations due to increased speed of modern jets. They emphasized that it isn't being entirely eliminated, the well and water tank will still be intact so it can still be set up for use on a case by case basis, but the time and investment of regularly setting it up every spring no longer makes sense. They discussed interaction and coordination on national and local levels to prioritize firefighting resources, communication with the surrounding park community and fire chiefs who did not voice concerns, and Joe added that his experience has been fast emergency response from other bases. Long term investment is still in place to keep the smoke jumper base in West Yellowstone, and even with the transition of the tanker base, helicopter operations are not affected. Jason said future options are open if technology should change, and Scott explained further how the fire coverage system works locally and nationally. Cindy appreciated clarification on questions

she and Senator Daines had, and said the Senator is working with folks across the aisle about being proactive in preventing a catastrophic fire season. Dan asked about landing strip maintenance, and was assured that the main runway is funded for resurfacing and maintained by the FAA. Further discussion included tanker loading times and airworthiness, importance of initial smoke jumper response prior to air tanker use, fire season in Montana starting later than other areas, the coordinated movement of nationwide resources to active areas, and the effects of changing policies.

**Sheridan USDA Service Center Lease – Search and Rescue Building:** The Board discussed the Sheridan USDA Service Center Lease – Search and Rescue Building. Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, was present for this portion of the meeting. After discussing the lease period, cost and square footage, and space for the Extension Agent one day a week, this topic was continued to the next regular Commission meeting.

**Forest Service – Madison Ranger District:** Jim King, USFS Madison District, met with the Board to discuss the following topic. Jason Brey, Hebgen Lake District Ranger, Pete Lannan, West Yellowstone Base Manager, Scott Schuster, Custer Gallatin Fire Management Officer, Vicki Tilstra, Finance Officer, and Jani Flinn, Grant Administrator, were present for all or portions of this topic. Cindy Purdue-Dolan, Field Representative for U.S. Senator Steve Daines, participated in the discussion by telephone.

- **Land & Water Conservation Support Letter for West Fork Property:** Discussion of a support letter regarding the West Fork of the Madison included concerns about public and motorized access, wilderness areas, generation of tax dollars, grazing permits, in-holdings, grizzly bear issues and livestock losses, Forest Service standards and the potential effect on access if the property were to be purchased by a private owner. Jim King pointed out that grizzly bear management is not under Forest Service control, said they are currently operating under the Forest Service plan that was implemented in 2009, concerns will be addressed when the next plan comes up for review, and mentioned that there are no easements in place on the property to ensure future motorized access if it is sold. Further discussion included the area's popularity for hunting and recreation, the economic effect of people going elsewhere if access is cut off, grizzly bear populations and possible delisting, roads, and methods that might be used to keep the area open for public use. Cindy said discussions are taking place with the Department of the Interior about Montana's bear issues, and will keep everyone informed of the results. Dan expressed concern about bears chasing out grazing permit holders, and suggested permits be held open until a solution is found. All agreed that further research is needed and the topic was continued to the regular Commission meeting.

**Grants:** Jani Flinn, Grant Administrator, met with the Board to discuss the following topic. Vicki Tilstra, Finance Officer, was present for this portion of the meeting.

- **BaRSAA Gas Tax Distribution (Resolution 52-2019):** Jani presented Resolution 52-2019 related to funding allocated for road projects from the Bridge and Road Safety and Accountability Act (BaRSAA), and reviewed the attachments. Following discussion, Dan Allhands moved to adopt Resolution 52-2019, a resolution requesting distribution of local government road construction and maintenance match program funds, with attached Appendix A, Madison County Road Maintenance BaRSAA Distribution Request, October 28, 2019; and Appendix B, Madison County Statement of Expenditure Budget vs Actual Report for the accounting period 10/19. Jim Hart seconded the motion. All voted aye and the motion carried.

**DIS Technology – Technology Discussion:** Garrett Johnson, DIS Technology, met with the Board to discuss IT services offered by DIS Technology (DIS). Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, Jani Flinn, Grant Administrator, and Brett Schriock, IT Director, were present for all or portions of this topic. Garrett reviewed the broad range of services offered by DIS, such as IT, critical data and system protection, phones, camera systems, door access systems, and digitization. They have done project work with the Sheriff's Office in the past, handle IT in varying degrees for other counties throughout the state, costs vary depending on services and whether working on a specified project or by the hour, and since they are available 24/7, they can be called upon as needed.

**Madison County Housing Matters:** Rob Gilmore, Northern Rocky Mountains Economic Development District, Cindy Gockel, Housing Advisory Board Chair, and Mary Oliver, Housing Advisory Board and Economic

Development Council, met with the Board to discuss housing matters in Madison County. Vicki Tilstra, Finance Officer, was present for this portion of the meeting. Rob presented and reviewed results of a recent County-wide housing survey initiated in August, noting that it did not include the Big Sky area. He said they had over 300 responses which represents about 12% of the targeted area, there were no responses from seasonal employees, no differentiation was made between renting and owning, and he noted that this was done to get an idea of housing needs and more comprehensive and specific data would be needed to adequately fix existing problems. Various related topics were discussed, including housing costs, government housing supplements, homes for sale and median prices, wages, employer and private sector roles, the need for rental, funding resources such as housing trust credits and revolving loans, grant availability, and owner incentives for building as well as providing long-term rentals. Cindy reviewed the status of the Housing Board, which is continuing to research and identify affordable, long-term housing strategies.

**Human Resources:** Tammy Mahlstedt, Human Resource Generalist, and Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following topics. Justin Ekwall, Deputy County Attorney, was present for these topics.

- **Request for Paid Time to Attend Deposition in Escott vs Madison County:** Dana Escott, Fair Manager, presented a request for paid work time to attend depositions for Escott vs Madison County. Following discussion, Jim Hart moved to approve Dana Escott using comp time or regular pay (using the "Other" category on the timesheet) for deposition time on October 15, 2019, and using vacation time or comp time for the 11 deposition hours on October 16 & 17, 2019. Dan Allhands seconded the motion. Jim Hart and Ron Nye voted aye, Dan Allhands voted nay, and the motion carried on a majority vote.
- **Exempt Employee Work Hours:** Bonnie related a conversation with an exempt employee who felt unable to always fulfill a minimum of 40 hours per week, based on the way the County's pay periods run, and wants to be considered for comp time over 40 hours per week. She said the law does allow for comp time for exempt employees but this has not been included in the County's policy manual. Justin said it is not a problem for an exempt employee to put in 50 hours one week and 35 the next, as long as they are averaging more than 40 hours per week consistently. He said he will look into the matter further, and the topic was continued to the next regular Commission meeting.

**Great West Engineering Task Order #26 – 2019 TSEP Bridge Evaluation:** Jani Flinn, Grant Administrator, and Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, were present for this portion of the meeting. After review, Jim Hart moved to approve Task Order No. 26, TSEP Bridge Evaluation and Preliminary Engineering Reports. Dan Allhands seconded the motion. All voted aye and the motion carried.

**Local Projects on Designated State and Federal Highways:** Following review, Jim Hart moved to approve submitting the Local Projects on Designated State and Federal Highways report. Dan Allhands seconded the motion. All voted aye and the motion carried.

**FLAP Project MOU for Cliff, Wade, and Horn Creek Road:** Jani Flinn, Grant Administrator, met with the Board to discuss the Federal Land Access Program (FLAP) Project MOU for Cliff, Wade, and Horn Creek Road. Jim said he had received the MOU and had the Deputy County Attorney review it, who didn't see any legal issues. Jani said there were a lot of typos and issues with the document, questioned the cost listed for hauling gravel, and a discussion ensued about gravel purchasing, permitting, transporting, crushing and storage. Several other details were questioned, and since further review is needed this topic was continued to a future regular Commission meeting.

**Resolution Adopting Per Diem and Lodging Rates:** Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, was present for this portion of the meeting. The Board discussed the proposed Resolution regarding per diem and lodging rates, and talked about requiring receipts versus paying out the per diem rate per day. This topic was continued to a future regular Commission meeting.

**Permit Application to the Town of Virginia City for Handrail at Administrative Office Building:** Laurie Buyan, Executive Assistant to the Madison County Board of Commissioners, was present for this portion of the meeting. The Board considered the Virginia City Historic Preservation Officer's review and suggestions for the

Administrative Office Building railing permit, such as placement in the middle of the steps which was not seen as useful, what to do with the materials if the present railing is taken down, and a brief discussion ensued about a railing at the fairgrounds. At this point, Commissioner Dan Allhands left the meeting for an appointment in Sheridan. Following review, Jim Hart moved to have the railing taken down. 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 3:50 p.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, October 29, 2019, beginning at 9:30 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana.

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Ronald E. Nye, Chairman  
Board of Madison County Commissioners

Date Approved: November 19, 2019

Minutes prepared by:

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Jane Bacon, Commissioners' Clerk

Attest: \_\_\_\_\_  
Kathleen Mumme, Clerk and Recorder, Madison County