

BOARD OF MADISON COUNTY COMMISSIONERS
January 11, 2022, Meeting Minutes

On Tuesday, January 11, 2022, a meeting of the Board of Madison County Commissioners came to order at 9:30 a.m. in the Second Floor Court Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Dan Allhands, Ron Nye, and John Heckler present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Emilie Saylor, Kila Shepherd, Jennifer Westfall, Cody Marxer, Dennis Regan, Paula McKenzie, Allen Rohrback, Van Puckett, Chad Armstrong, Bill Holden, and Laurie Buyan. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Pete Novich, Jeremiah Theys, Justin Cole, Beau Bradley, Craig Erickson, Becky Lawson, Allison Veland, Lindsay Seidensticker, Christy Todd, Gail Nelson, T. Downton, Jolene Palmer, Bonnie O'Neill, Britani Allhands, Mike Callahan, Andy/Abby Thomas, 4065****94, Lynda Holt, K Mursch, Carmin Hill, and Janie Alt.

Approval of Minutes: After review, Ron Nye moved to approve the November 30, 2021, Board of Commissioners' meeting minutes with corrections. John Heckler seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the October 12, 2021, Board of Commissioners' meeting minutes with corrections. John Heckler seconded the motion. All voted aye and the motion carried.

Public Health Office: Emilie Saylor, Public Health Director, met with the Board to discuss the following topics. Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, were present for this portion of the meeting.

- **COVID Update including Nursing Homes Status:** Emilie updated the Board regarding COVID status. The County has a total of 1,488 confirmed positive cases, there are 43 active cases which has more than doubled since last week, 1,425 have recovered, the fatality count is still 20, there is one active hospitalization, and there has only been one additional hospitalization since last week. Montana has 203,788 confirmed positives, active cases jumped to 7,713, there are 194,154 people who have recovered, fatalities are 2,921, active hospitalizations are up to 154, and there have been 10,534 total hospitalizations. She noted there has been a huge increase in cases Statewide, mostly the new variant, and a big increase in active cases but not a big increase in active hospitalizations, indicating the cases are not as severe. She discussed incidental cases, which reflect patients coming to the hospital for other reasons and testing positive for COVID, and said she has read that these cases make up about half of total cases. She discussed daily case trends in the County, which are currently increasing, and the daily test positivity rate, which has also increased meaning there is more COVID in the County compared to flu and other viruses, but there is good news in the low hospitalization rate. She displayed maps of current and cumulative active cases compared with other Montana counties, fully-vaccinated people in Montana (53%) and in the County (45%), and reviewed vaccine uptake by age group. Pharm 406 is conducting a mobile clinic on January 22nd and 23rd for Sheridan, Virginia City, and Ennis. Madison Valley Manor is still in COVID outbreak status, a couple more people have tested positive since the first case, and no residents are in isolation although one resident is hospitalized for non-COVID reasons. MVM currently has 18 residents and all are fully vaccinated. Two staff members are in isolation, and transmission rate is considered high. All staff is rapid-tested and screened prior to coming on shift, and PCR testing is being conducted for staff and residents every three days until the facility is released from outbreak status. Visitation is allowed with education, screening, and testing prior to entry. Emilie discussed the consequences for the residents of being in outbreak status, and following isolation rules mandated by CMS even though the current cases seem to be mild. Tobacco Root Mountains Care Center has 23 residents and is conducting ongoing PPE and infection prevention training. Transmission rate in the County is rated as high, and Emilie explained that this rating is used to determine whether extra regulations should be implemented. Staff is tested twice weekly whether vaccinated or unvaccinated, residents are tested as needed, and visitation is allowed. Staff vaccination rates are 83%, and 96% of residents are vaccinated.

Human Resources: Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, met with the Board to discuss the following topic.

- **Notice of Hiring Dorothy Pierce as CNA at TRMCC, Starting at \$19.11 on January 7, 2022:** Jennifer reviewed the re-hire of Dorothy Pierce as a CNA at TRMCC. After review, Ron Nye moved to approve hiring Dorothy Pierce as a CNA at Tobacco Root Mountains Care Center at \$19.11 per hour, starting on January 7, 2022. John Heckler seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Employee Work Logs: The Board discussed employee work logs. Discussion included who should fill them out, road crew work logs that provide a good reference for public questions, supervisors that don't fill them out, whether this is included in the personnel policy, and sending out an email reminder.

Employee Mileage Logs: The Board discussed employee mileage logs. Discussion included mileage logs as a good tool for tracking vehicle use, accountability, remembering to fill them out, using them to answer questions from the public, and sending out an email reminder for vehicle users to use the mileage logs.

Planning Office: Cody Marxer, Planner I, met with the Board to discuss the following topics. Dennis Regan, Engineer with Brown and Associates Inc., was present for this portion of the meeting.

- **Public Hearing on Resolution 10-2022 Naming Wapiti Lodge Lane:** Chairman Allhands opened a Public Hearing on Resolution 10-2022, a resolution of road name change in Madison County naming Wapiti Lodge Lane, at 10:00 a.m. Dennis Regan, Brown and Associates Inc., was present for the hearing. Cody described the road as a previously unnamed driveway accessing a lot being developed in Big Sky, stated that no public comment has been received by the Planning Department and there was no opposition to the proposed name, and she briefly reviewed the road naming process. Hearing no opposition from the public, the hearing was closed at 10:04 a.m. Following discussion, Ron Nye moved to approve Resolution 10-2022, a resolution of road name change in Madison County, naming an unnamed driveway Wapiti Lodge Lane. John Heckler seconded the motion. All voted aye and the motion carried.
- **Resolution 6-2022 Naming Charcoal Creek Road:** Cody noted that all adjoining landowners have signed an agreement to name a previously-unnamed driveway Charcoal Creek Road, and she discussed previous difficulties locating the road using GPS. Following review, John Heckler moved to approve Resolution 6-2022, a resolution of road name change in Madison County, assigning the proposed name of Charcoal Creek Road to an unnamed roadway. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 7-2022 Naming Horse Pasture Lane:** Cody described the roads in Resolutions 7-2022 and 8-2022 as being on the same easement, but because they are on a 90-degree turn they are being named separately and all landowners have signed on to the proposed name changes. Following review, John Heckler moved to approve Resolution 7-2022, a resolution of road name change in Madison County, from an unnamed easement to be named Horse Pasture Lane. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 8-2022 Naming Halflinger Lane:** Cody reviewed the resolution to name the adjoining portion of the easement at the 90-degree turn referenced above, naming an unnamed portion Halflinger Lane. After review, John Heckler moved to accept Resolution 8-2022, a resolution of road name change in Madison County, from an unnamed easement to the name Halflinger Lane. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 9-2022 Naming Raptor Lane:** Cody discussed the proposal to name an unnamed driveway located off Axolotl Lakes Road in the Shining Mountains area, where three homes are being built. There was discussion about the location, encroachment permits, and building new roads. After discussion, Ron Nye moved to approve Resolution 9-2022, a resolution of road name change in Madison County naming an unnamed driveway to the name Raptor Lane, with the contingency that an encroachment permit will be filed and approved as part of this resolution. John Heckler seconded the motion. All voted aye and the motion carried.
- **Final Plat of Freddy's Place Subdivision:** Cody read the proposal to approve the final plat for Freddy's Place Subdivision and discussed the current agricultural restriction that will be lifted if

approved. The preliminary plat was approved on April 6, 2021, the 16 conditions of approval have been met, and there was discussion about the subdivision's location and access road. After review, Ron Nye moved to approve Freddy's Place Subdivision final plat as presented. Discussion ensued about future subdivision review if the property is split, future access if subdivided, and the parent tract. Dennis said the mylars are not available because the deeds from the title company are not all completed, and approving the final plat as proposed and signing the mylars later was discussed. After discussion, the motion was amended: Ron Nye moved to approve the Freddy's Place subdivision final plat as presented, subject to receipt of the signed mylars and original documents for recordation. John Heckler seconded the motion. All voted aye and the motion carried.

MACo Property and Casualty Insurance Agent Services Survey: The Board discussed the MACo Property and Casualty Insurance Agent Services Survey. Pete Novich, Novich Insurance Agency, participated in the discussion via Webex. The Board clarified with Pete several aspects of the survey questions, and discussion included scheduling more frequent updates, rodeo coverage, planning ahead for cyber liability, building evaluations, updating vehicle and equipment lists, and assessing current coverage for the golf course.

Board of Health Appointment: After review, Ron Nye moved to approve John Fountain's application for the Madison County Board of Health, appointing him for a three-year term that will expire on December 31, 2024. John Heckler seconded the motion. There was discussion about the term and Emilie Saylor, Public Health Director, confirmed via Webex that this appointment fills a vacant position. All voted aye and the motion carried.

Senator Tester's Field Representative/ Office Update: This topic was cancelled.

Airports and Grants: The Board considered the following Airport and Grant topics. Jeremiah Theys, Great West Engineering, participated in the discussion via Webex.

- **TSEP (now MCEP) Emergency Funds for Carney Lane Bridge:** Jeremiah said MCEP has up to \$30,000 available in emergency funds that could be used for the Carney Lane Bridge, and if the County can obtain these funds it would be a good way to start replacing the bridge as soon as possible. The MCEP application describes the bridge being in a state of emergency and that it was to have been closed, but due to usage it was cut back to a single lane with traffic and weight restrictions. Jeremiah described significant concerns with the current condition of the foundation and bridge stringers, reviewed repair/replacement options and timing, and recommended monitoring it in the meantime. Discussion included possible use of a rail car, adjusted loading calculations, materials currently being used in replacements, and having the work done by the County road crew to reduce costs. After discussion, Ron Nye moved to approve the application for emergency MCEP grant funding for the Carney Lane Bridge. John Heckler seconded the motion. All voted aye and the motion carried.
- **Memorandum of Agreement for Cliff and Wade Lakes Road FLAP Project:** The status of the MOA was discussed, and Jeremiah said revisions were made but he hasn't heard whether the County Attorney received or approved the revisions. After discussion, this topic was continued to the next regular Commission meeting.
- **RVF Approval for \$2,125 New Light Kit:** This topic was continued to later in the meeting.
- **EKS RVF Northwestern Energy Service Agreement:** This topic was continued to later in the meeting.

Madison Valley Medical Center and Clerk and Recorder: Allen Rohrback, Madison Valley Medical Center CEO, and Paula McKenzie, Clerk and Recorder, met with the Board to discuss the following topic. Justin Cole, Attorney with Garlington, Lohn & Robinson, participated via Webex.

- **Madison/Ruby Valley Ambulance District:** Allen reviewed the process that was started for creating a special ambulance district by resolution, which includes notice requirements, public hearings, and notice to affected property owners, and noted that the petition form sent out to property owners only provided the opportunity to object. Statute calls for the petition form to allow recipients to object or agree, and after discussions with Mr. Cole and the County Attorney in which the three options for setting up a special district were reviewed it was determined that the referendum process would be the best option to pursue at this point and will still allow sufficient time to get on the ballot with the school district election in May. Discussion included pros and cons of

the alternatives, referendum steps and deadlines, and Department of Revenue involvement. Paula pointed out that continuing with the original resolution process would delay the ballot to the general election in November. Following discussion, Ron Nye moved to adopt a referendum to conduct an election creating a Special Ambulance District, contingent upon final approval by the County Attorney to ensure the law is being followed properly. John Heckler seconded the motion. All voted aye and the motion carried.

Airports and Grants (continued): A call was made to Beau Bradley, Airport Board, to discuss the following topics.

- **RVF Approval for \$2,125 New Light Kit:** After a brief discussion, this topic was postponed to later in the meeting to confirm the status of the new light kit.
- **EKS RVF Northwestern Energy Service Agreement:** There was a brief discussion about Airport Board support for 3-phase instead of 120-volt at the Ennis Airport. John agreed it is a better system in the long run, but noted the Airport Board will seek more proposals and better definition. Dan noted the Northwestern Energy agreement in front of the Board is for maintaining facilities described as transformer single phase for the Delta taxiway in Twin Bridges, not in Ennis, and Beau pointed out that this is part of the SRE building project. After discussion, Ron Nye moved to approve the customer agreement between Northwestern Energy and Madison County for Transformer SinglePhase at the Delta taxiway in Twin Bridges, Montana, at a cost of \$496. John Heckler seconded the motion. All voted aye and the motion carried.

Great West Engineering/SMA Architects: Craig Erickson, Great West Engineering, and Becky Lawson, SMA Architects, met with the Board via Webex to discuss the following topic. Allison Veland, MVM Administrator, also participated by Webex.

- **Madison Valley Manor Renovation Project:** Becky stated the generator is now on site and the electrician will be there this week to get it running, and Allison confirmed that the onsite fuel was winterized. Discussion about the boilers included getting a consolidated proposal from Johnson Controls, having them put together an itemized list of completed repairs and invoices to facilitate tracking, and making monthly payments. Allison reviewed ongoing heat issues and repair details and said the Manor is using temporary solutions such as relocating residents to warmer rooms while Johnson Controls is working on the heating system. Becky is researching lead times for purchasing a walk-in cooler/freezer and confirmed it will be insulated and have its own compressor. The budget and remaining grant funds were discussed, Craig reviewed the budget for the proposed kitchen renovation, he pointed out that the CDBG grant is set to expire on June 30, 2022, and there was discussion about requesting an extension since lead times are unknown and there is still no contractor for the kitchen project.

Fair Board: Chad Armstrong and Bill Holden, Madison County Fair Board, met with the Board to discuss the following topic. Van Puckett, Director of Environmental Health, Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, were present for this portion of the meeting.

- **Fair Board Decision Making Authority and Other Miscellaneous Items:** Chad said he received a letter from the Commissioner's office asking whether he would like to renew his position on the Fair Board for another term, he stated it feels like a waste of his time, discussed the Fair Board's decision-making authority, and expressed frustration about sometimes not being included in meetings or being uninformed about the reasons behind Commissioner decisions. Discussion included Fair Board recommendations, the Board of Commissioners role in Fair decisions, recommendations put on hold or not taken, and specific items including a repaired tractor and video camera installation. Additional discussion included the Fair Foundation arena project, grants, Board duties and organization, and improving lines of communication.

Airports and Grants (continued):

- **RVF Approval for \$2,125 New Light Kit:** Ron said he verified that Kenworthy has done some wiring work at Ruby Valley Field that was required prior to installation of the new wind sock light kit, and the rest of the work has not been completed. After discussion, Ron moved to approve the Ruby Valley Field wind sock light kit from Airsides Solutions, Inc., for \$2,125 with freight included.

Calendars: The Board reviewed calendars. Laurie Buyan, Executive Assistant, was present for this portion of the meeting.

With no further business, the meeting was adjourned at 2:44 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, January 18, 2021, 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: February 8, 2022

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

Attest: _____
Paula McKenzie, Clerk and Recorder, Madison County