

BOARD OF MADISON COUNTY COMMISSIONERS
February 2, 2021, Meeting Minutes

On Tuesday, February 2, 2021, 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, Chairman, Jim Hart, and Ron Nye present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Joe Brummell, Melissa Brummell, Gail Nelson, Dave Reintsma, Bonnie O'Neill, Vicki Tilstra, Alex Hogle, Levi Simonson, Justin Houser, Jani Flinn, Kacey Smart, Bob Bates, Ellis (Eli) Thompson, Allison Veland, and Laurie Buyan. Ryan Wolter, IT Support Specialist, was present to administer the Webex connection. Those who attended via Webex or by phone included Steve McNeece, Craig Erickson, Becky Larson, Carmin Hill, Janie Alt, Michelle Schriock, Margie Edsall, Van Puckett, Gail Nelson, Britani Allhands, Elizabeth Barnett, Dale Grose, Kathleen Mumme, Sean Hill, and several unidentified Webex attendees.

Approval of Minutes: Following review, Jim Hart moved to approve the December 22, 2020, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the January 5, 2020, Board of Commissioners' meeting minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried. After review, Ron Nye moved to approve the January 12, 2020, Board of Commissioners' meeting minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried.

Public Health Office/DES – COVID-19 Update: Joe Brummell, DES, and Melissa Brummell, Public Health Nurse, met with the Board to present a COVID-19 update. Gail Nelson, TRMCC Administrator in Training, Dave Reintsma, TRMCC Maintenance, Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for all or a portion of this topic. Melissa reviewed the latest COVID figures for the County: 638 confirmed positive cases, active cases are down to only ten, there are two active hospitalizations at this point for a total of 37 hospitalizations so far, and fatalities have increased to seven. The State has had 94,070 positive cases, 1,234 fatalities, and has 108 active hospitalizations. Confirmed cases in the U.S. are up to 26.2 million, with 441,000 deaths. Melissa noted that flu cases are low due to COVID precautions such as mask-wearing, distancing, and increased handwashing, and no cases have been reported in the County. Returning to COVID updates, she reviewed County maps of Montana, noting that current active cases have decreased. Additional maps by county included cumulative cases and hospital bed capacity. A new graph put out by the State shows cases and deaths by age group, with the largest number of positive cases in the 20-60 age group decreasing as age increases, but the deaths increase from a starting point in the 20s as age increases. Local schools were stable for two weeks with no active cases as of the last reported date, but a positive case may be developing this week. Melissa reported that the Montana Legislature voted on protecting businesses and health care providers from lawsuits, a key step toward removing mask mandates. The Madison County Board of Health voted to extend the current mask mandate for all County residents and businesses for 60 days until their next meeting, and approved basketball tournament plans. She discussed vaccine distribution and signup procedures with local hospitals and explained a map of Montana showing vaccines administered by county. She noted that the current Phase 1B includes a large population in this County, so this group will take some time to get through with a supply of 100 doses per week – she emphasized the need for everyone to be patient, continue to wear masks, social distance, and wash hands even after getting the vaccine until the number of people vaccinated goes up. Joe reviewed upcoming weather, drought conditions, and a map showing snow/water equivalent percentages in the high country areas of the State.

- **Nursing Homes COVID Update:** Steve McNeece, Nursing Home Administrator, updated the Board via Webex regarding the COVID situation at the nursing homes. Joe Brummell, DES, Melissa Brummell, Public Health Nurse, Gail Nelson, TRMCC Administrator in Training, Dave Reintsma, TRMCC Maintenance, Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer,

were present for this portion of the meeting. Steve reported that there are no residents currently quarantined in either of the nursing homes. There is one staff member from TRMCC who is quarantined and two from MVM, which is a decrease from last week. Both facilities are continuing regular PPE training and twice weekly staff testing, and there are no visitations. He stated that, all in all, the facilities are trending in the right direction.

Tobacco Root Mountain Care Center (TRMCC) Boilers: The Board discussed the boilers at TRMCC. Gail Nelson, TRMCC Administrator in Training, Dave Reintsma, TRMCC Maintenance, Bonnie O'Neill, Chief Administrative Officer, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **Purchase of Replacement Boilers:** Dave reported that an emergency meeting was held with the Board of Commissioners last week on Thursday, January 28, 2021. The following morning, the boiler at TRMCC had broken down and was not functioning at all, so he took it apart and found the problem but was unable to find a replacement part available anywhere. With some assistance he was able to find a new boiler in Billings, and within 24 hours it was installed and operating. Gail described implementing the Emergency Operating Plan at TRMCC, which allowed the facility to remain warm enough for the residents during downtime and installation. Dave noted that only one boiler was installed to get everything working and another is on its way, and all necessary permits and State inspections were completed.
- **Shaw Account 101002 – Authorization to Purchase TRMCC Boilers:** Following discussion, Ron Nye moved to authorize the purchase of new boilers at TRMCC, and to use Shaw Account 101002 to pay for them. Jim Hart seconded the motion. Vicki and Gail reviewed the origin and intent of the Shaw account, which came from donations made in 2010 and 2011 designated to benefit the nursing home in Sheridan, and Vicki said this purchase will close out the account. All voted aye and the motion carried.

Planning Office: Alex Hogle, Planning Director, met with the Board to discuss the following topics. Levi Simonson, Planner I, Justin Houser, Houser Engineering, and Bonnie O'Neill, Chief Administrative Officer, were present for all or portions of these topics.

- **Public Hearing to Name Upper Slide Rock Road (Resolution 11-2021):** Alex explained that this public hearing was triggered when a landowner-initiated petition to name Upper Slide Rock Road was unable to be signed by all affected landowners, despite efforts made to do so. The road is located south of Quake Lake, off Slide Rock Road which is accessed from Highway 87. Since completing the extension of Slide Rock Road eastward is unlikely due to a steep slope, landowners use an unnamed road that follows the topography to access several parcels beyond the end of Slide Rock Road. The proposed name for this road is Upper Slide Rock Road. Legal notice was sent to all affected landowners and one comment was received, as shown in Exhibit C, expressing concern about the possibility of increased traffic because the road might be perceived as a public road. Alex noted the concern but stated that in his opinion this would not constitute a public road, discussed un-platted property and applicability to subdivision regulations, said the road is privately maintained, and pointed out that one of the primary reasons for road naming is emergency access. Chairman Allhands formally opened the public hearing at 10:13 a.m. Alex referred to a response to Exhibit C received from another landowner who stated their intent to install a private road sign and a gate, noting that these lots are un-platted, and briefly discussed applicability of subdivision regulations on platted versus un-platted parcels. He and Levi stated that the road does not seem to touch Forest Service property or any established trails. Commissioner Allhands asked if there was any further public comment and, hearing none, closed the public hearing at 10:20 a.m. Alex said the owners of Lot 13 have requested an address following correct procedures, and he believes it is in the best interest of the property owners involved and the County to facilitate naming this road. Based on the recommendation of the Planning Director and hearing only one negative comment, Jim Hart moved to approve Resolution 11-2021, a resolution of road name change in Madison County, from an unnamed road to Upper Slide Rock Road. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Public Hearing to Name Bear Creek Crossing (Resolution 12-2021):** At 10:23 a.m., Commissioner Allhands opened a public hearing to name Bear Creek Crossing. Alex said there was a request from a property owner for an access way extending west from Bear Creek Loop in the area east of Cameron. The route already exists but has never been named, the proposed name is

Bear Creek Crossing, there were no objections from the County's Dispatch supervisor, and legal notice was issued with no negative responses. Six landowners are affected – five have signed the petition, but one of them has not responded. Hearing no public comment, Commissioner Allhands closed the public hearing at 10:30 a.m. Based on the recommendation of the Planning Director, Jim Hart moved to approve Resolution 12-2021, a resolution of road name change in Madison County, naming an un-named road Bear Creek Crossing. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Amended Plat of Lots 12 and 30, and Open Space A2, YMC Phase 1&2:** Alex presented and discussed a staff report for an amended plat that was previously approved in September, but the mylars were never brought to the Board for signatures. Justin pointed out that the only changes were the owner's corrected address on the notary block, and the County Treasurer signed off on the taxes being paid. Following discussion, Ron Nye moved to approve signing the amended plat mylars for Lots 12 and 30, and Open Space A2, Yellowstone Mountain Club Phase 1&2. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Moonlight Basin Ranch Declaration of Covenants Amendment:** Alex presented and reviewed an amendment to the Moonlight Basin Covenants having to do with exceptions to the open fire rules, including clarification on the use of campfires, barbeques, fireplaces, approved fire pits and approved land maintenance fires. Based on the improvements and changes made, Jim Hart moved to approve the Second Amendment to the Declaration of Master Covenants, Conditions and Restrictions for Moonlight Basin Community, Madison County, Montana, related to open fires within the subdivision. Ron Nye seconded the motion. All voted aye and the motion carried.

Grants: Jani Flinn, Grant Administrator, met with the Board to discuss the following topic.

- **Big Sky Grant Amendment Approval Letter – Cauty Boots:** This topic was postponed.

DIS Technology Investigation – Status Update: Kacey Smart, Sanitarian's Assistant, met with the Board to get a status update on the DIS Technology investigation. Jani Flinn, Grant Administrator, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting, and Van Puckett, Sanitarian, participated via Webex. Kacey asked if the investigation happened, Dan and Jim weren't sure, and said the last thing they knew it was in the hands of the County Attorney's office. Kacey said she asked the Deputy County Attorney, who also wasn't sure if an investigation happened, and asked the Board who she should speak with to get an answer. She stated she deserves an answer because her computer files were frozen and she was told DIS was copying her files, in the December meeting a Commissioner stated the breach was done purposefully, and she feels accused. Van stated that Kacey was accused, and deserves answers and an apology. Jim and Dan reiterated that the County Attorney's office should be asked. Jani said she thought Bonnie was in charge of the investigation, and Bonnie said DIS did assist the IT Department with some updates, and the rest was turned over to the County Attorney's office. Dan said he would ask the County Attorney where this stands and let Kacey know, and Jani suggested following up with a memo stating the results.

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 topics. Jani Flinn, Grant Administrator, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting.

- **Madison Valley Manor Project:** Becky asked about fuel sources for generators and how long generators and boilers should be expected to run according to the nursing home emergency plan before being refilled/serviced, and 3-5 days was the consensus. Discussion ensued about diesel versus propane, serviceability, running in cold versus warm weather, tank capability, DEQ or DPHHS approvals, burying tanks and limited space, and the costs and timing of switching to diesel. Becky will return with informational and budget updates.
- **Request for Proposals for Architectural Service – Tobacco Root Mountain Care Center (TRMCC):** Craig drafted an RFP for architectural services that satisfies CDBG grant requirements, and requested the Board's approval. Ron Nye moved to approve Great West Engineering moving ahead with the proposal for architectural services for TRMCC. Jim Hart seconded the motion. All voted aye and the motion carried. Dan noted a plan by the Town of Sheridan to improve Madison Street, which turns into a County road at some point, and discussed how the County and the

TRMCC project architect might coordinate with the Town. He will attend their next meeting on February 8, 2021.

Safety Coordinator: Bob Bates, Safety Coordinator, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **January Safety Report:** Bob presented and reviewed the Safety report for January 2021, which included AED distribution and battery replacements, incident investigation reviews, 2020 OSHA record preparation, COVID support activities, COVID and safety supply management, AED inspections, disseminating Employee Assistance Program information, CPR training, Finance Department assistance and in response to Jim's inquiry will check on ice cleats for nursing home employees.
- **BLS Statistics for Injury Rates:** Bob presented and reviewed a Bureau of Labor Statistics report of incident rates for 2019 occupational injuries and illnesses that are OSHA-recordable, explained OSHA's oversight of the private sector and targeting high-risk areas such as road shops and nursing homes, and noted their acceptance of administrative organizations complying with safety culture and awareness programs.
- **AED Distribution:** Bob discussed Automated External Defibrillator (AED) inventory and distribution, noting entities that have expressed interest, and there was further discussion about additional places that might be able to use an AED such as airports or senior centers. It was noted that they should be located in places that are manned, and where people are trained in CPR and AED use. Bob said the Dispatch Supervisor is making AED location information available to dispatchers, noted there is one in each Sheriff's vehicle, and said he has over a dozen more available for distribution.
- **OSHA 300-A 2020 Annual Summary:** Bob presented the OSHA 300-A 2020 annual summary form, which will be posted in the Administrative Building and in the nursing homes. Following review, Ron Nye moved to approve signing OSHA Form 300-A, a Summary of Work-Related Injuries and Illnesses for 2020. Jim Hart seconded the motion. All voted aye and the motion carried.

Human Resources: Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following Human Resource topics. Vicki Tilstra, Finance Officer, Allison Veland, MVM Administrator in Training, and Ellis (Eli) Thompson, Virginia City resident, were present for this portion of the meeting, and Steve McNeece, Nursing Home Administrator, participated via Webex.

- **Setting Nursing Home Administrator Interview Date(s):** Bonnie reminded the Board that she will be out of the office for a couple of weeks due to a family emergency, and their discussion included postponing Nursing Home Administrator and Human Resource interviews for at least three weeks, vetting processes, and the current Nursing Home Administrator's ending date. Steve offered to stay in the position longer if that would be helpful, and Bonnie noted that with the Administrators-in-Training in place extending his contract for a few weeks would make things simpler since the State must be notified of any Administrative changes. After discussion, Jim Hart moved to approve postponing the interview process for the Nursing Home Administrator position(s) until a date to be determined. Ron Nye seconded the motion. Steve will discuss a contract extension with the Deputy County Attorney, to be approved by the Board separately. All voted aye and the motion carried.
- **Amending Motion for Interview Committee for Nursing Homes Administrators:** There was no discussion on this topic.
- **Prothman Recruitment Pre-Screening Nursing Home Administrators Applicants:** Bonnie said she contacted three companies about pre-screening applicants for the Nursing Home Administrator position(s) and explained that they would take care of the time-consuming work in the pre-screening process, and rank the applicants according to their education and experience, taking the heavy lifting off the Commissioners and interview committee. Dan said the Board would consider and research the idea. Bonnie described the variety of applications that have been received, and will distribute copies to the Commissioners for review.

Public Discussion and/or Comments on Items Not Listed on the Agenda but Within the Board's

Jurisdiction: Jim noted that Lisa Stapp, Deputy Treasurer, pointed out to him that in last week's meeting he inaccurately said CARES Act funding could be used for hazard pay, and indicated that he and Vicki had spoken with MACo about it. He said he did not recall speaking with anyone at MACo about that, but they did

discuss that the County should apply for the funding, and any funding used for assistance, such as the \$2.50 per hour hazard pay at the nursing homes, came from HHS funding.

Public Discussion and/or Comments on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Ellis (Eli) Thompson, Virginia City resident, met with the Board to discuss his concerns regarding Adobetown Road. He said the Road Review Committee presented their recommendation to the Board in October of 2019, and follow-up since then included information from a resident who lived up there for 12 years – Eli distributed this document to make sure the Board reads it and asked that it be passed on to the attorney. He discussed the alternate routes for the road, and said historical evidence shows that the road runs on the south side of the house, not up through the draw. He asked for a public hearing to be scheduled so the public can participate and know how this is being worked out. Eli also said that when people with money move in and lock roads, it seems to be up to private individuals to block this from happening, but it should be up to the Board of Commissioners.

Claims: The Board approved claims.

Journal Vouchers: Jim Hart moved to approve Journal Vouchers for the 1/21 accounting period. Ron Nye seconded the motion. All voted aye and the motion carried.

Airport COVID Funding (Next Round): This topic was postponed to a later date.

Missouri River Drug Task Force MOU Renewal: Following review, Ron Nye moved to approve the renewal of the Missouri River Drug Task Force Memorandum of Understanding for the period from July 1, 2021, to June 30, 2023, pending clarification of dates listed on the MOU. Jim Hart seconded the motion. All voted aye and the motion carried.

Letter of Support for Twin Bridges Library Project: Ron explained that a space was vacated at the back of the Twin Bridges Library allowing them to expand and create a meeting space they have named "Discovery Hall," he reviewed capital campaign project costs and several funding sources, and recommended writing a letter of support from the Board. After discussion, Ron Nye moved to approve a letter of support for the Discovery Hall project for the Twin Bridges Library. Jim Hart seconded the motion. All voted aye and the motion carried.

Public Discussion and/or Comments on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Ron called attention to an update document prepared by Nondi Harrington, Fundraising Consultant, regarding the setup of the Madison County Fairgrounds Improvement Foundation, and it was briefly discussed.

Calendars: The Board reviewed calendars

With no further business, the meeting was adjourned at 2:32 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, February 9, 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 23, 2021

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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