

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**February 15, 2022, Meeting Minutes**

On Tuesday, February 15, 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, Rick Hafenfeld, David Welch, Jon Olsen, Cheryl Mulholland, Vicki Tilstra, Cody Marxer, Beth Famiglietti, Hannah Brook, Alison Elser, Allen Rohrbach, Jennifer Westfall, Kila Shepherd, Dale Olson, Phil Fortner, Chris Christensen, and Justin Ekwall. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Craig Erickson, Jeremiah Theys, Lance Bowser, Tommy Luksha, Jennifer Martens, Britani Allhands, Allison Veland, Hanna Dietrich, Mike Callahan, Lauren Waterton, Pat Bradley, Janie Alt, Jani Flinn, Lynda Holt, T. Dowton, K. Doud, Gail Nelson, and unidentified phone attendees.

**Approval of Minutes:** No minutes were available for approval.

**Public Health Office:** Emilie Saylor, Public Health Director, met with the Board to discuss the following topics. Rick Hafenfeld, RVSAR, David Welch, RVSAR, Jon Olsen, Lone Mountain Land, and Cheryl Mulholland, County resident, were present for all or a portion of this topic.

- **COVID Update including Nursing Homes Status:** Emilie updated the Board regarding COVID status. The County has a total of 1,772 confirmed positive cases, there were 13 active cases as of yesterday, the fatality count remains at 20, and there are no active hospitalizations. Montana has had 257,852 confirmed positives, active cases are down to 4,587 this week, fatalities slightly increased to 3,072, and there are 266 active hospitalizations bringing total hospitalizations statewide to 11,336. These changes in numbers indicate Montana is coming out of the Omicron surge which has been dominating the numbers since Christmas. She reviewed the chart of daily new cases in the County, noted there has been a big drop in the daily average and the test positivity rate decreased by about half to 11%, compared current and cumulative active cases with other Montana counties, reviewed the vaccine dashboard map showing fully-vaccinated people in Montana (54%) and in the County (45%) which has had a significant increase in vaccines in the past week but not enough to increase the percentage, and noted the County is seeing a few cold and flu viruses. Test kits are still available at Public Health and local pharmacies, and while one kit per household per week was recommended she noted they have given out more kits to larger families. Emilie reviewed last week's Board of Health special meeting where Margaret Bortko was recommended as the Health Officer, and as Medical Director she brings additional services to Public Health. Madison Valley Manor currently has 21 residents and no staff or residents are isolated or hospitalized. COVID testing is done twice per week for staff that is not fully vaccinated, and as needed for anyone who is symptomatic. Visitation is allowed with screening and testing prior to entry. Tobacco Root Mountains Care Center has 25 residents and is still in outbreak status which they are anticipating will be exited this week. No residents are infected, quarantined, or hospitalized, one has recovered, and 8 staff members also recovered. Transmission rate in the County is high. Residents and staff are tested every 3-5 days due to outbreak status, and visitation is allowed following CDC recommendations on testing and screening. Staff vaccination rates are 86% with two recently getting a first dose, and 96% of residents are vaccinated.

**Claims:** The Board approved claims.

**Fair Board Renewal:** The Board considered reappointing a Fair Board member. Vicki Tilstra, Finance Officer, Rick Hafenfeld and David Welch, RVSAR, and Cheryl Mulholland, County resident, were present for this portion of the meeting. Discussion included the benefit of having positive, new faces on County boards, the staggered two-year terms of the Fair Board, and wanting people on boards with positive attitudes who want to serve. After discussion, Ron Nye moved not to renew Chad Armstrong's position on the Madison County Fair Board and to advertise for replacement. John Heckler seconded the motion. All voted aye and the motion carried.

**Ruby Valley Search and Rescue:** Rick Hafefeld and David Welch, Ruby Valley Search and Rescue (RVSAR), met with the Board to discuss the following topic. Vicki Tilstra, Finance Officer, and Cheryl Mulholland, County resident, were present for this portion of the meeting.

- **Equipment Purchase:** David said the RVSAR acquired several pieces of free equipment from the military but ended up short on trailers so they are requesting to purchase one at this time, and have grant applications in process to acquire two more in the future. Bids were requested and fortunately the low bid is local and in stock, and he reviewed the trailer details and cost. There was discussion about the important work done by the RVSAR and the enthusiasm of the members, and the Board approved the RVSAR's purchase.

**DUI Task Force Board Renewal:** The Board considered the renewal of a member of the DUI Task Force. Cody Marxer, Planner I, Beth Famiglietti and Jon Olsen, Lone Mountain Land, and Cheryl Mulholland, County resident, were present for this portion of the meeting. After review, Ron Nye moved to approve Wes Collette's application for renewal on the DUI Task Force for another three-year term that will expire on December 31, 2024. John Heckler seconded the motion. All voted aye and the motion carried.

**Big Sky Transportation District Board Resignation:** The Board considered the resignation of a member of the Big Sky Transportation District Board. Cody Marxer, Planner I, Beth Famiglietti and Jon Olsen, Lone Mountain Land, and Cheryl Mulholland, County resident, were present for this portion of the meeting. After review, John Heckler moved to accept Kris Corzine's resignation from the Big Sky Transportation District Board effective February 1, 2022, and to advertise for a replacement. Ron Nye seconded the motion. All voted aye and the motion carried.

**Planning Office:** Cody Marxer, Planner I, met with the Board to discuss the following topics. Beth Famiglietti and Jon Olsen, Lone Mountain Land, Hannah Brook, Grant Writer/Administrator, and Cheryl Mulholland, County resident, were present for all or a portion of these topics.

- **Spanish Peaks Highlands West Preliminary Plat:** Cody reviewed highlights of the staff report on the preliminary plat for Spanish Peaks Highlands West, a 3500-acre development in Big Sky on the County line between Gallatin and Madison Counties. She reviewed the fire district location, wetlands and flood plain, water and wastewater, a proposed hammerhead turnaround, and noted there are currently no structures on the property. Discussion ensued regarding a decision about one lot's required setback from a stream that has been identified as intermittent and as perennial by different sources, setting precedent, State laws, subdivision regulations regarding open space land, indications over six years that the stream is intermittent, and the timeline for a Board decision. After discussion, John Heckler moved to adopt the Spanish Peaks Highlands West preliminary plat with site specific conditions as set forth in Phase 3 amending Condition 5, modifying it from a 200-foot open space buffer setback to a 100-foot buffer setback, as per current Madison County subdivision regulations. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 21-2022 Adding Members to the Planning Board:** John read Resolution 21-2022 aloud. After review, John Heckler moved to adopt Resolution 21-2022 to increase Planning Board membership from 11 to 13, with preference of the additional two members being from the Big Sky Madison County area. Ron Nye seconded the motion. All voted aye and the motion carried.

**Great West Engineering/SMA Architects:** Craig Erickson, Great West Engineering, met with the Board via Webex to discuss the following topics. Hannah Brook, Grant Writer/Administrator, and Cheryl Mulholland, County resident, were present for this portion of the meeting.

- **Madison Valley Manor Renovation Project:**
  - **Kitchen Work at MVM:** Craig said Becky Lawson is in the process of contacting general contractors to gauge the level of interest in the kitchen renovation project at MVM, and she will be available next week to give an update.
  - **Request for Reimbursement from CDBG Grant:** Craig reviewed the first application for payment from the CDBG grant since last fall and point out that it includes four invoices from Great West Engineering, one from SMA Architects, and two applications for payment from TW Enterprises for a total request from the grant of \$41,830.99. Craig had hoped to have a final application from TW Enterprises to close out the generator and boiler projects but has not received it yet, although he has been told they expect to come in under the contract amount.

There is \$122,000 left in the contract after this current request for payment, and TWE's final invoice will determine how much is left for the kitchen project. After review, Ron Nye moved to approve the request for CDBG Drawdown #6 in the amount of \$41,830.99 from CDBG grant funds. John Heckler seconded the motion. All voted aye and the motion carried.

**Great West Engineering:** Jeremiah Theys, Great West Engineering, met with the Board via Webex to discuss the following topics. Hannah Brook, Grant Writer/Administrator, and Cheryl Mulholland, County resident, were present for this portion of the meeting.

- **MCEP Emergency Grant Award Letter and Associated Documentation for Carney Lane Bridge:** Jeremiah said the County was awarded MCEP funds of \$15,000 for the Preliminary Engineering Report (PER) to replace the failing Carney Lane Bridge, and the documentation regarding the primary contact was discussed as well as the contract with the Department of Commerce which will be on the Agenda when it comes through. Jeremiah confirmed with Ron that County road crews will install the replacement structure and said he will put together enough of a design in a month's time to help the County order materials, a crane will be hired to set the structure, and the County will do the cleanup. Great West will take a look at a bridge span structure to make sure they are recommending the best options, but a concrete box culvert is the most expedient solution and will open up more alternatives for ordering. There is no permitting required, just coordinating with the canal company. Jeremiah explained the steps being taken including a survey, getting exact measurements, and measuring flow rates. He discussed the work schedule which will be affected by the delayed availability of materials and the necessity to work in dry conditions when the canal company shuts off water flow in the fall, so it is likely that the work will be done in October of this year.
- **Task Order #8 – Design, Bidding and Construction Management of the Carney Lane Bridge:** This topic was continued to a later date.

**Airports:** Lance Bowser, Robert Peccia & Associates, met with the Board via Webex to discuss the following topics. Hannah Brook, Grant Writer/Administrator, was present for this portion of the meeting.

- **Airport Affected Area (AAA) Zoning Ordinance(s) Revisions - Authorization to Coordinate with Great West:** Lance explained the revisions to the AAA zoning ordinance and why he is requesting authorization to coordinate with Great West on the changes to their ultimate configurations, noting that a certified Planner is required to oversee getting the maps adapted, and the County is currently using an external Planner from Great West. Lance can do the mapping and simplify it so it is more understandable for the general public. The Board instructed him to work with Hannah and the Planning Department, who will use Great West's Planner as needed.
- **AIP Grant Oversight Risk Assessment:** Lance explained the AIP Grant Oversight Risk Assessment form noting that Madison County, and all Montana counties, are considered nominal (low) risk. This form is updated every three years, and basically states that our processes have not changed. After review, John Heckler moved to sign the AIP Grant Oversight Risk Assessment Sponsor Certification Checklist for Federal Fiscal Year 2022. Ron Nye seconded the motion. All voted aye and the motion carried.

Additional discussion included progress on the building at Ruby Valley Field which is 2-3 months behind due to material delays, and the configuration of the new snowplow.

**Appointment of Insurance Committee:** The Board discussed appointing an insurance committee. Discussion included reappointing the previous committee, the average age of County employees, how many years since the health insurance contract was last renewed, giving direction to the committee, health insurance as an aspect of attracting and retaining employees, offers from other carriers, and sending out an email inviting additional volunteers to be on the committee. Kila noted via Webex that there are still four or so members remaining on the committee.

**Clerk and Recorder's Office:** Alison Elser, Deputy Clerk & Recorder, and Allen Rohrback, Madison Valley Medical Center CEO, met with the Board to discuss the following topic.

- **Resolution 23-2022 Ballot Language for Creation of Ambulance District:** Allison noted that Resolution 23-2022 has been reviewed by the County Attorney's office. The Board reviewed and discussed the language used in the Resolution. After review, John Heckler moved to approve Resolution No. 23-2022, a resolution determining the ballot language for the upcoming election requesting the creation of the Madison and Ruby Valley Rural Ambulance District and mill levy to fund

such ambulance district, to be brought to the voters on the May 3, 2022, Special District Ballot. Ron Nye seconded the motion. All voted aye and the motion carried.

**Department of Transportation (DOT) Roadway Functional Classification Review:** The Board briefly discussed the DOT Roadway Functional Classification Review, reviewed the roads on the list, noted it was last done in 1992, and Dan contacted someone from the DOT for further clarification. The topic was continued to later in the meeting.

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

- **New Hire: Joe Dickinson, District 3 Road Foreman, \$27.36 per hour, starting on February 28, 2022:** Following review, John Heckler moved to hire Joe Dickinson a Foreman of District 3 with a starting rate of \$27.36 per hour, starting on February 28, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.

**US Forest Service:** Dale Olson, Madison District Ranger, met with the Board to discuss the following topic.

- **Goose Fire Road Work:** Dale reviewed an updated map of the Goose Fire area and discussed the types of road work to be done including brushing to make the ditches functional and clearing culverts to promote drainage, noted a source for gravel in Ennis, pointed out the burn area and the roughly 16 miles of road work, and discussed salvage logging and log piles in the area. There was discussion about prioritizing work, how the budget was determined, going out for bids with flexible timing based on availability, contractor shortages, other options such as County road crews doing the work or adding it to the Schedule A agreement, taking the idea to contractors to gauge interest before committing County road crews, and using the experience as preparation for the Forest Restoration Act. Dale will see if he can find a standard contract as an example and offered to meet with contractors if more information is needed. The topic was continued to the regular Commission meeting in two weeks.

**Department of Transportation Roadway Functional Classification Review (continued):** After review, John Heckler moved to adopt the Vision Zero Roadway Functional Classification Review dated January 11, 2022, from the Montana Department of Transportation. Ron Nye seconded the motion. All voted aye and the motion carried.

At this point, the meeting was relocated to the Public Meeting Room in the Administrative Building.

**Human Resource Grievance:** This portion of the meeting was Closed Pursuant to MCA 2-3-203. An audio recording of this session was sealed and delivered to the County Attorney's office.

**Calendars:** There was no discussion on this topic.

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, February 22, 2022, beginning at 9:30 a.m. in the Second Floor Court Room of the Administrative Office Building in Virginia City, Montana.

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Dan W. Allhands, Chairman  
Board of Madison County Commissioners

Date Approved: March 29, 2022

Minutes prepared by:

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Jane Bacon, Commissioners' Clerk

Attest: \_\_\_\_\_  
Paula McKenzie, Clerk and Recorder, Madison County