

BOARD OF MADISON COUNTY COMMISSIONERS
February 23, 2021, Meeting Minutes

On Tuesday, February 23, 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, Ron Nye, and Jim Hart 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, Melissa Brummell, Gail Nelson, Dave Reintsma, Bonnie O'Neill, Allison Veland, Paula McKenzie, Tawnya Clark, Donald Clark, Vicki Tilstra, Christen Peterson, Lisa Frye, Jani Flinn, Scott Kelley, Ellis Thompson, Kate Sweetman, Cade Overstreet, Alex Hogle, Kathy Barnes, Kindra Todd, and Britani Allhands. Jeff LeVeque, IT Support Specialist, was present to administer the Webex connection. Those present via Webex were Janie Alt, David Kack, Elizabeth Barnett, Jane Bacon, Jani Flinn, Kathy Barnes, Tommy Luksha, Kendra Horn, Van Puckett, Kacey Smart, Kindra Todd, Lisa Stapp, Cassandra Frye, Abbi Lee, Cindy Fischer, Chad Tree, Steve McNeece, Tammy Mahlstede, Joe Brummell, Gail Nelson, Rene Comer, Tammy Estensen, Melinda Tichenor, Montana Man, TRMCC, Jessica (no last name available), Robert Erdall, Britani Allhands, Lynda Holt, Laurie Schmidt, Keeley Inez Larson, Paige Dabney, Janet Gates, Craig Erickson, Becky Lawson, Mia Bell, Craig Erickson, Melinda Merrill, MSmith, Justin Gatewood, Jim Jarvis, Brad Owens, Sean Hill, David Kack, Bill Hansen, Jim Jarvis, Justin Gatewood, and several phone numbers that were not identified.

Approval of Minutes: Following review, Jim Hart moved to approve the January 28, 2021, Emergency Commission meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the February 26, 2021, Commission meeting minutes as corrected. Jim Hart seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the February 2, 2021, Commission meeting minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve minutes from the February 4, 2021, Public Hearing as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

COVID-19 Update: Joe Brummell, DES, and Melissa Brummell, Public Health, met with the Board to give an update on the COVID-19 pandemic. Bonnie O'Neill, Chief Administrative Officer, Gail Hanson, Tobacco Root Mountains Care Center Administrator in Training, Dave Reintsma, Tobacco Root Mountains Care Center Maintenance, and Allison Veland, Madison Valley Manor Administrator in Training, were present for this portion of the meeting. Joe stated that the state has changed the portal a little to show the number of vaccines that have been distributed in Montana by County and the number of Montanans that have been completely vaccinated. He added that flags have been lowered to half-mast because there are now over 500,000 deaths in the US due to COVID. He noted that accumulative cases in the State are at 9,810 and there have been 1341 deaths; hospitalizations are at 4,527, the good news is that active hospitalizations are down to 78, and bed capacity around the state is getting a lot better. He reviewed the number of cases in surrounding counties; and the continuation of mask mandates at the county levels. He also discussed the current weather, stating that there have been two deaths due to avalanches, and recommended avoiding the Bozeman Pass due to high winds and precipitation expected on Thursday and Friday. Joe stated there have two chimney fires and a structure fire that was a total loss. He also noted that he is taking over as incident command and reviewed meetings and upcoming trainings and that open burning begins on March first.

- **Nursing Homes COVID Update:** Allison Veland, Madison Valley Manor Administrator in Training, updated the Board on the status of COVID at the Manor. She noted that there are currently 13 residents in the facility. Twelve have recovered from COVID. There are currently no residents in isolation. PPE training is conducted daily. Staff and residents are tested twice a week and more often if they are showing symptoms. Gail Hanson, Tobacco Root Mountains Care Center Administrator in Training, updated the Board on the status at TRMCC. She stated there are currently 23 residents at the facility. Two are currently in quarantine. PPE training is conducted

daily, and staff and resident testing is conducted twice a week and as needed. At this point, Jim Hart presented Allison with a framed certificate and congratulated her for passing her nursing homes administrator exam. There was discussion about residents who have tested positive after receiving the vaccine. It was noted that the symptoms are minor at this point and they are working closely with a doctor to monitor symptoms. Both are eligible for antibody treatments but it has not been needed to this point.

Claims: The Board approved claims.

Elected Board Appointments: The Board reviewed a letter from the Clerk and Recorder stating that the Board shall declare the following candidates elected by acclamation for their respective positions. Following review, Jim Hart moved to appoint Mark Jacobs to the Virginia City Fire District Board for a three (3) year term that will expire in May of 2024; to appoint Dale Smail to the Alder Rural Fire District Board for a three (3) year term that will expire in May of 2024; to appoint Les Gilman and Dell Bieroth to the Sheridan Rural Fire District Board for three (3) year terms that will expire in May of 2024; to appoint Elizabeth Ann Hall and Gary Nelson to the Harrison Rural Fire District Board for three (3) year terms that will expire in May of 2024; to appoint Mary Pat Graham and Janet Doornbos to the Ruby Valley Parks District Board for four (4) year terms that will expire in May of 2025; to appoint Kenneth Walsh and Debra Bradley to the Twin Bridges Parks District Board for four (4) year terms that will expire in May of 2025; to appoint Mary Oliver and Bryant Harp to the Madison Valley Hospital District Board for three (3) year terms that will expire in May of 2024; and to appoint Kenneth Walsh and Les Gilman to the Ruby Valley Hospital District Board for three (3) year terms that will expire in May of 2024. Ron Nye seconded the motion. All voted aye and the motion carried.

Amended Ballot Language to Big Sky Transportation District Expansion Ballot: Paula McKenzie, Clerk and Recorder, presented the Board with an amendment to the resolution that set a hearing to call for a resolution calling for an election to enlarge the boundaries of the Big Sky Transportation District. She stated that she needed to get the certification in last week and now needs to clarify the language that will be on the ballot. Per recommendation of the Clerk and Recorder, Jim Hart moved to approve the amended ballot language to Resolution 10-2021, a resolution calling for a public hearing for the enlargement of the Big Sky Transportation District. Ron Nye seconded the motion. All voted aye and the motion carried.

CARES Act Funding – HHS Reporting Engagement: Vicki Tilstra, Finance Officer, met with the Board to request assistance with reporting for COVID funds that have been received by the County. Bonnie O'Neill, Chief Administrative Officer, Gail Nelson, Tobacco Root Mountains Care Center Administrator in Training, Dave Reintsma, Tobacco Root Mountains Care Center Maintenance, Allison Veland, Madison Valley Manor Administrator in Training, Christen Peterson, County resident, and Tawnya and Donny Clark, County residents were present for this portion of the meeting. Vicki stated that the County has received \$651,244.06 in funding so far. She added that there are very extensive reporting requirements for this funding and asked to have Wipfli LLP assist with the reporting. Ron Nye asked if they would furnish a report. Vicki indicated that they would. Based on the recommendation of the Finance Officer, Jim Hart moved to approve the Consulting Engagement Letter with Wipfli LLP to assist with CARES Act Funding Sources for an amount not to exceed \$5,000 with the understanding that this fee will be covered by the HHS funding. Ron Nye seconded the motion. All voted aye and the motion carried. Lisa Stapp had a question regarding the Cares Act grant money and whether the second grant funding was used for the Public Health stipends. If not, she asked what money was used for the stipends. Jim Hart responded that it could be taken from one of two different places, one from the Public Health budget or from PILT funds. He added that it was unlikely that it would be taken from PILT and that there were other possibilities. Vicki explained that at the current time it has not been designated where the funds are be taken from. Jim Hart explained that they were told that the stipends could come from Cares funds and later found out that they could not be. Lisa stated that her concern is that the discussion regarding the stipends was not done at a public meeting. Jim stated that when a resolution is completed it will be approved at a public meeting. There was a question regarding the seventeen people who received the stipend and what hazard was involved in their positions. Jim Hart responded that fifteen people chose to accept it and asked if they would like a list of the people who received the stipend. Questions include how these people were selected, who made the decision about who would receive the stipends, if any of the recipients were

nursing home employees, and if the stipends were legitimate why did two people return the money. Bonnie stated that she is an exempt employee and did not feel it was appropriate to take additional money. Dan Allhands stated that they did it and thought it was much like the stipends that the nursing homes got, noting that other counties have lost Public Health employees and they were trying to support the Public Health Department so that we didn't end up losing staff. There was discussion about contract tracing and the time involved in it. Following much discussion, Jim Hart stated that they made a decision and he believes it was the right decision. Members of the public that were present, requested that clarification of Public Health time sheets be added to the agenda for the next regular Commission meeting. Kathy Barnes noted via Webex that these employees received regular pay and overtime for extra hours worked and that several county offices receive calls from disgruntled people.

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, was present for this portion of the meeting.

- **Madison Valley Manor Project:** Becky stated that they will be advertising in the Madisonian and the Bozeman Daily Chronicle beginning on Thursday for the Madison Valley Manor project and would like to open bids at 11:00 a.m. on March 23, 2021. She added that it will also be put on the Madison County website and they expect several addendums to be issued. There was discussion about the possible interest in the project, conducting the pre-bid walk-through virtually, and confirmation from CDBG regarding the boiler replacement.
- **CDBG Planning Grant – Tobacco Root Mountains Care Center:** Craig provided a brief update on the Tobacco Root Mountains Care Center project, stating that the Request for Qualifications has been submitted to the Madisonian and the deadline is Thursday. He hoped they would get at least two or three proposals.

Request for Winter Access on Axolotl Lakes Road (Amending Ordinance 1-93): Melinda Merrill, Hayden Outdoors Real Estate, met with the Board via Webex to discuss amending Ordinance 1-93 to open a portion of Axolotl Lakes Road to vehicular travel year around. Scott Kelley and Ellis Thompson, Virginia City residents were present for this portion of the meeting. Melinda thanked the Board for considering the change in Ordinance 1-93 and stated they are not requesting the road to be maintained, just opened. She added that there are about 30 people that cannot access their private property right now, due to this ordinance. It was noted there were about six letters from property owners also asking the Board to consider this request. There was discussion about the amount of snowmobile activity in the area, the ability of property owners to remove snow or for the County to get them out if needed, future owners who will also need access, taking each request on a case by case basis if more people request to have roads removed from the ordinance, the rights of people who bought property knowing that there was no winter access to the area, and public safety. Justin Gatewood read a portion of an official letter that was submitted earlier by the Town of Virginia City, noting that they knew when Garden Creek was removed from the ordinance that this would happen and will continue to happen. He stated the town is concerned with the affects to Madison County residents and businesses, quality of life aspects, and requested a broader discussion before any action is taken on the ordinance. Laurie Schmidt noted that there are other ways to access property over the snow. Melinda replied that the ordinance refers to snowmobiles only. Melinda stated that with new technology most of the ordinance is outdated. It was also noted by a property owner, that there is never enough snow to use a snowmobile, so therefore you are effectively banned from using your property. After much discussion, the topic was continued to the next regular Commission meeting.

Jani Flinn, Airport Board Secretary, met with the Board to discuss the following topics. Lance Bowser, Robert Peccia and Associates, participated in the meeting via telephone.

- **Ruby Valley Field - SRE Building / Pilot Lounge and Advertisement for Bids:** Lance discussed a cost estimate for a snowplow and building at Ruby Valley Field in Twin Bridges. He stated the Airport Board is on board with the project and recommended moving forward with the acquisition of a larger snow plow truck (Ennis size with a 14' wide blade and single rear axle), as well as construction of a new snow removal equipment storage (SRE) building. He explained that Ruby Valley Field's pickup based snow plow was acquired prior to runway extension, turnarounds, taxiway widening, apron expansion, and second taxilane construction. He noted that it is undersized for the amount of pavements at the airport, and definitely undersized in future configuration after the long discussed runway widening may occur. The existing SRE building is too small and too short to house the new truck and a new building would be

necessary; however, the existing building is FAA obligated for 40-years. Therefore, in order for the FAA to fund a two-bay building Ruby Valley Field wishes to convert the existing SRE building into a County owned revenue generating hangar (Ruby Valley Aviation estimates you could charge at least \$150/month and there is immediate demand for the hangar). The FAA would then fund a larger two-bay building. The Airport Board wishes to expand this to a three-bay building and incorporate a new pilot's lounge with $\frac{3}{4}$ bathroom. The pilot's lounge is eligible (newly eligible item for General Aviation Airport since approx. 2018), but the third bay and a $\frac{1}{2}$ bath integrated into the SRE Building are not. Lance noted that the airport would need to borrow a fair amount of FAA NPE funds in order to reach this project, as they only have \$252,000 available. They are in good position with their pavements and other needs to borrow at least 3-years out (\$450,000). Four years is stretching it a bit as pavement maintenance will become due again in that timeframe, but likely feasible if we can find willing lenders with flexible paybacks. Lance also discussed getting an independent fee review from another company, noting that Morrison-Maierle has been used in the past. Following discussion, Ron Nye moved to approve moving forward with the new SRE building with a pilots' lounge, converting the existing building to a revenue generating building, snowplow, and fee review of projected costs from Morrison-Maierle. Jim Hart seconded the motion. All voted aye and the motion carried. Lance stated that he will get reimbursed for the land acquisitions before this project starts. He also noted that a third bay could be an added alternative, so if it comes in too high we don't have to do it.

- **Application for Federal Assistance, SF-424, Twin Bridges, COVID 19 Grant and SF-424, Ennis, COVID 19 Grant:** Lance discussed two grant offers, one for Ennis at \$13,000 and one for Ruby Valley Field at \$9,000. Following discussion and review, Jim Hart moved to approve the Application for Federal Assistance SF-424, Twin Bridges, Montana, in the amount of \$9,000; and the Application for Federal Assistance for Ennis-Big Sky Airport, Ennis, Montana, in the amount of \$13,000. Ron Nye seconded the motion. All voted aye and the motion carried.

Congressman Rosendale's Field Representative Introduction and Update: Cade Overstreet, Field Representative for Congressman Rosendale, introduced himself to the Board and discussed topics that the Congressman is involved with. Topics of discussion included items that were cancelled in the last year; other meetings that have taken place or will take place; an increase in population in the County due to COVID; infrastructure updates on the two County nursing homes; FEMA grant available for local EMS and firefighters; relationships with agencies including Forest Service and BLM; airports and private air traffic; Grizzlies and endangered species; and revising firearms and weapons laws in Montana. Cade stated that the Congressman is currently focused on natural resources and veterans' issues. There was further discussion about veteran issues and the possibility of getting someone to assist veterans with paperwork, etc. It was noted that Montana has the highest population of veterans per capita in the nation. Cade noted that all three of Montana's delegation are working on veterans issues.

Alex Hogle, Planning Director, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Request for Release of SIA Security for SW Entry Subdivision:** Alex reviewed the Staff Report for proposed Subdivision Improvements release for SW Entry Subdivision, noting that he and Jim Hart had toured the site. Based on the recommendation of the Planning Director, Jim Hart moved to confirm completion of all subdivision improvements for SW Entry Subdivision by accepting the engineer certified record drawings of completed improvements from Kyle Scarr, PE of TD&H Engineering; to release \$720,061.88 of the \$800,068.75 performance bond #1001006896 from US Specialty Insurance Company, leaving 10% remainder of \$80,006.87 for a one-year warranty period; and sign the certification/partial release. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Request for Release of SIA Security for Madison Overlook 1 Subdivision:** Alex reviewed the Staff Report for proposed Subdivision Improvements release for Madison Overlook 1 Subdivision. Based on the recommendation of the Planning Director, Jim Hart moved to confirm completion of all subdivision improvements for Madison Overlook Subdivision by accepting the engineer certified record drawings of completed improvements from Kyle Scarr, PE of TD&H Engineering; to release \$783,821.25 of the \$871,912.50 performance bond #1001130633 from US Specialty Insurance Company, leaving 10% remainder of \$88,091.25 for a one-year warranty period; and sign the certification/partial release. Ron Nye seconded the motion. All voted aye and the motion carried.

Bonnie O'Neill, Human Resources, met with the Board to discuss the following topics. Vicki Tilstra, Finance Officer, and Ellis Thompson, Virginia City Resident, were present for this portion of the meeting.

- **Recommendation to Hire Full-time, Permanent Public Health Department Registered Nurse:** Bonnie read a recommendation to hire a full-time Registered Nurse for the Public Health Department. Based on the recommendation of the hiring committee, Jim Hart moved to approve hiring Lauralyn Baughn, RN, as a full-time Public Health Nurse, beginning on March 1, 2021, at \$29.30 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Authorization to Fill Nursing Home Administrator Positions:** Bonnie discussed the nursing home administrator positions stating that it was first requested and posted on January 5, 2021, with a closing date of January 31st, and that she was asked to put it on the agenda for consideration to post the position internally. Jim Hart stated that based on the personnel policy manual and having checked with MACo, and the two AITs have passed their tests and received Nursing Home Administrator licenses, he believes it is appropriate. Following discussion, Jim Hart moved to approve advertising in-house for an administrator at the Tobacco Root Mountains Care Center and for an administrator at the Madison Valley Manor for no less than five days. Ron Nye seconded the motion. All voted aye and the motion carried.

Discussion Regarding Health Insurance Bidding Process: Kathy Barnes, Sheriff's Administrative Assistant, Kindra Todd, County Attorney's Administrative Assistant, and Britani Allhands, Finance Clerk, met with the Board to discuss the health insurance bidding process. Jim Hart stated that he checked with MACo and read an email from them regarding the process and the possible need to advertise for a new agent. The response stated "*there is no requirement for an RFP for these type of services. Best practice, however, would be to do one to make sure pricing/services etc. are competitive, as long as you're not locked into a contract.*" There was discussion regarding the bidding process and the possibility of having Antoinette Bloem, Maynard McQuiston's replacement, help with the bidding process. Based on the discussion of the bidding process, Jim Hart moved to keep Antoinette Bloem as the current agent and request that she assist with the Insurance Committee for finding appropriate health insurance for Madison County. Ron Nye seconded the motion. All voted aye and the motion carried. The Finance Office will contact Antoinette.

Complaint Received from Sabrina Tallant: This portion of the meeting was closed pursuant to MCA 2-3-203(4).

Administrative Office Building Canopies: Bill Hanson, ThinkOne Architects, Jim Jarvis and Justin Gatewood, Town of Virginia City, met with the Board via Webex to discuss the canopies for the Administrative Office Building. Bill stated that he has shared information with Jim Jarvis that was previously shared with the commissioners. He prepared some additional graphics with a little better detail of what they're anticipating for the two doors to the meeting room, adding that Jim Jarvis is generally supportive of this design. Jim Jarvis agreed, adding that he feels the permit that's in place is being honored in terms of the design that the town had approved, and that the town council will be happy too, assuming we stick with something similar to what what's been designed. Jim Hart asked if it's the fiberglass option that's being preferred. Bill responded that it doesn't really matter, adding that the original design concept was to go with that fiberglass version but they're now finding that due to the size of it, it will have to be a full custom which would drive the cost up. There was discussion about the cost of using wood rather than fiberglass and the additional maintenance required if using wood. Jim Jarvis added that from the town's perspective, either option would be acceptable. There was discussion about reaching out to contractors and giving the one that is chosen the option to determine which material would work the best. Bill Hanson and Jim Jarvis will work with the contractors and the topic will be back on the agenda on March 9, 2021, at 11:30 a.m.

Letter of Support for Daines Opposition to President Biden's Nominee for Secretary of Interior: The Board further discussed a proposed letter of support for Senator Daines opposition to President Biden's Nominee for Secretary of Interior. Because the Board was unable to send people a draft letter before the meeting due to email problems and due to the fact that the Board received several letters in favor of the nominee, Jim Hart moved to encourage each Commissioner to send an individual letter of support if desired rather than sending one letter from the Board of Commissioners. 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 4:05 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, March 2, 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: March 9, 2021

Minutes prepared by:

Laurie Buyan, Executive Assistant to the
Board of Commissioners

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