

BOARD OF MADISON COUNTY COMMISSIONERS
March 22, 2022, Meeting Minutes

On Tuesday, March 22, 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 Karen Miller, Hannah Brook, Van Puckett, Vicki Tilstra, Steve Janzen, Tamara Millican-Wood, Rita Owens, Mike Callahan, Wes Collette, Paula McKenzie, Dana Escott, Kila Shepherd, and Tommy Luksha. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Lance Bowser, Jeremiah Theys, Craig Erickson, Becky Lawson, Allison Veland, Cody Marxer, Jackie Lev, Jennifer Martens, Britani Allhands, Laurie Buyan, Jennifer Westfall, Christine Keltner, Jani Flinn, Beth Famiglietti, Pat Bradley, Ryam Voltaire, Chad Tree, Janie Alt, Clayton Marxer, Tammy Mahlstedt, Trever Downton, Abby Thomas, Gail Nelson, Emilie Sayler, Brooke Schandelmeier, and unidentified phone attendees.

Approval of Minutes: Following review, John Heckler moved to approve the February 8, 2022, Board of Commissioners' meeting minutes as written. Ron Nye seconded the motion. All voted aye and the motion carried. After further review, Ron Nye moved to approve the Gallatin/Madison County Joint Commission Meeting minutes from November 3, 2021, with corrections. John Heckler seconded the motion, noting he attended the meeting but was not yet appointed as a County Commissioner. All voted aye and the motion carried.

Clerk of Court Retirement: Karen Miller, Clerk of District Court, met with the Board to discuss her retirement. She read aloud a letter stating she intends to retire as of April 30, 2022, and recommending that Carmin Hill, Deputy Clerk of Court, be appointed to fill the remainder of the term until December 31, 2022, pointing out that Carmin has filed for the position in the 2022 election cycle and is running unopposed. She also discussed hiring for the department and advertising in-house if possible. Dan thanked Karen for her 28 years of service to the County.

Airports: Lance Bowser, Robert Peccia & Associates, met with the Board by phone to discuss the following topic. Hannah Brook, Grant Writer/Administrator, and Van Puckett, Director of Environmental Health, were present for this portion of the meeting.

- **Ennis Big Sky Airport – SF425 & 271 Financial Forms (AIP's -021-2020 & -22-2020):** Lance described the final Federal financial forms to be submitted in conjunction with two major grants for the Ennis Airport projects and said he is waiting for FAA headquarters to concur with the final amounts, noting the FAA has been holding 2.5% until project completion. The forms state that all payments have been distributed, which the County has done, and that the County has been reimbursed, which will happen after the forms are uploaded with the final pay request. Additional discussion included FAA-eligible land acquisitions, potential grant funding from the bipartisan infrastructure bill, water rights, water for fire suppression, private and airport wells, flow rates, and a preliminary engineering report for the Ennis Airport. After discussion, Ron Nye moved to accept Federal financial reports for AIP 3-30-0090-021-2020 and AIP 3-30-0090-022-2020 as presented and authorize the Chairman to sign them. John Heckler seconded the motion. All voted aye and the motion carried.
- **Ennis Big Sky Airport – Land Acquisition Amendment (not on Agenda):** Lance stated that the seller of a property at the Ennis Big Sky Airport has requested an amendment to the buy/sell agreement: the County will take ownership immediately upon closing, but the seller would like to have access to the building to remove its contents until later in the year, airport staff are supportive of the request, and the amendment agreement date has been extended to March 25, 2022, to allow time for signatures. After discussion, John Heckler moved to approve the Amendment to Agreement Between Parties for Existing Terms and Conditions between Joseph Tisler and Madison County, with a request

to hold contents of the facility until October 15, 2022 at no cost to the seller. Ron Nye 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 topic. Hannah Brook, Grant Writer/Administrator, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **Seyler Lane Bridge – Pursue MCEP Grant for Replacement:** Jeremiah noted that he sent bridge inspection findings to the Board last week with an updated table of existing bridge data showing the overall condition of all the County bridges, including bridges that haven't been inspected in the last four years and those that are MDT-inspected. Also included is a table of bridge replacements showing bridges that have been replaced since 2002, and a prioritized table of bridges to replace next - the top two, Jack Creek Road #4 and Carney Lane, are in the works to be replaced this fall. The next two are the Silver Springs Road and Seyler Lane bridges, both of which had preliminary architectural reports done two years ago, and both are eligible for MCEP funding. He pointed out that the structural rating of the Silver Springs bridge dropped significantly over the last two inspection cycles, and the amount of traffic on the Seyler Lane bridge warrants its replacement. He reviewed several other bridges on the priority list, noting that the Hutchins Bridge on the south Madison has been nominated for MDT's off-system bridge program. Applications for the upcoming MCEP grant program, which would fund half of the cost of replacement up to \$750,000, are due May 5, 2022, and there was discussion about the process, budget, other funding opportunities, the infrastructure bill, financial need and rankings. Jeremiah projected replacement schedules tied to potential funding sources for the highest priority bridges and asked the Board to determine whether he should pursue MCEP funding for Silver Springs and/or Seyler Lane bridges or do something different.

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. Hannah Brook, Grant Writer/Administrator, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting.

- **Madison Valley Manor Project Update:** Becky said she is still pursuing contractors to find interest for the MVM kitchen renovation project in the next year but so far has not been successful. TW Enterprises is wrapping up their work on the boiler and generator replacements and she will inform the Board when a final walk-through has been scheduled, likely during the first or second week of April. With the ground warming up, Becky will check on the status of when cement can be poured as the final step of the project.
- **CDBG Reimbursement Request for TRMCC PAR:** Craig reviewed the first request for reimbursement from the CDBG grant for the preliminary architectural report (PAR), which amounts to half of the eligible expenses under the grant. Becky noted the only step left to finalize the PAR process is a public meeting in April, giving the community the opportunity to weigh in on the challenges, solutions, and funding distribution for the TRMCC project. Also included is a request letter to extend the terms of the contract to September 30, 2022, which Craig explained is to make sure all costs will be reimbursed given the Department of Commerce's reimbursement terms and timing. After review, John Heckler moved to submit the letter for Community Development Block Grant (CDBG) contract #MT-CDBG-PL-19-13, for an extension of time for the completion of the TRMCC preliminary architectural report (PAR) to September 30, 2022. Ron Nye seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the CDBG Planning Grant request for funds for the PAR at TRMCC in the amount of \$12,185.81. John Heckler seconded the motion. All voted aye and the motion carried.

Johnson Controls Annual Service Agreement for MVM: Allison Veland, MVM Administrator, met with the Board via Webex to discuss a three-year service agreement for deferred maintenance of the heating system with Johnson Controls, with a different service agreement and varying cost levels for each year. She and John described the intent and various details of the agreement, which includes working together to create a \$40,000 inventory of parts housed at MVM (based on historical need since December and on what might be needed within the first year), to avoid future system interruptions. Following review, John Heckler moved that the County accept the annual planned service agreement for three years with Johnson Controls, with the initial payment amount of \$8,275, second year \$8,855, and third year \$9,475, all paid in advance for those periods, as well as establish a \$40,000 allowance budget for the creation of a parts inventory specifically to service the

Manor equipment in a rapid and efficient manner. Allison added that entering into this contract also gives MVM, as a health care facility, priority for same-day service response. Ron Nye seconded the motion. All voted aye and the motion carried.

Planning Board: Steve Janzen and Tamara Millican-Wood, Madison County Planning Board members, met with the Board to discuss the Planning Department. Rita Owens, Planning Board member, was present for this portion of the meeting.

- **Planning Board Update:** Steve noted there is a Planning Board meeting next week and asked about the plan for the Planning Department, given the recent resignation of the Planner I and the number of plat applications the department has in process. Dan stated that the Planning Director position is being advertised, and engineering companies and the Montana Planners Association have been contacted about hiring independent contractors. Discussion ensued about staffing alternatives and other options for handling or limiting planning work until the department is adequately staffed.

Safety Update: Mike Callahan, Safety Coordinator, met with the Board to give an update on Safety activities for February, 2022. Update highlights included meetings and computer training with HR, flagger training, work on clothing and boot reimbursement policies, and maintaining compliance with various State and Federal regulations. Discussion included providing additional assistance and safety training during monthly road shop inspections, and finding an internal CDL trainer to meet recent Federal requirements or pursuing other methods.

Selection of Justice of the Peace: The Board discussed the selection process for the Justice of the Peace position. Wes Collette, Alder resident, was present for this portion of the meeting. Dan reviewed the interview committee and relayed their recommendation, noting both candidates were good and closely rated in many areas. Based on the recommendation of the interview committee, Ron Nye moved to appoint Marc Glines as the Madison County Justice of the Peace to fill the vacancy left by Judge Nellen's retirement and complete the remainder of her term. John Heckler seconded the motion. All voted aye and the motion carried.

Public Discussion on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Paula McKenzie, Clerk and Recorder, met with the Board to discuss the 2022 election. She explained that filing is closed for six offices and because less than three candidates filed for each of those offices she recommends that they will go on the General Election in November with no primary for those offices required. For the offices of County Commissioner District 3 and Justice of the Peace, three or more candidates have filed and those races are required to be placed on the primary ballot. Following review, Ron Nye moved to accept the Clerk and Recorder's recommendation to put only the Commissioner District 3 and Justice of the Peace offices on the primary ballot. John Heckler seconded the motion. All voted aye and the motion carried. Further discussion included additional election matters such as school, police and ambulance ballots; the percentage of the County voters registered as mail ballots, and certification of election judges.

Fairgrounds Manager: Dana Escott, Fair Manager, met with the Board to discuss the following topics.

- **Fair Update:** Dana updated the Board on various Fair activities including setting the Fair date of August 10-14, 2022, and all the preparations that go with it such as Fair Book advertising, sponsorships, signage, entertainment and vendors, 4H and LSSC events and rodeos, fairgrounds camping and fire safety, and choosing the Parade Marshall. She also reviewed participation in Fair Foundation projects, non-Fair events at the Fairgrounds, and keeping up with Safety Department requirements. Discussion ensued about office hours, Dana described various activities that require her to be out of the office and to work outside of normal work hours, and ideas such as keeping a calendar and posting a schedule on the office door were discussed to help the public understand why the office is not always staffed. She also reviewed her winter and summer hours, and discussion included other department staff, planning ahead, and ideas for office coverage when Dana needs to be off-site especially during April and May. Insurance matters were discussed, particularly with events such as monster truck shows, and discussion went on to include rental fees, event admission charges, parking, food and beverage rights, law enforcement costs, and additional event details. Dana will send an event schedule to the Board.
- **Fair Board Appointment(s):** Fair Board applicants were interviewed at the last Fair Board meeting, and recommendations were made regarding appointments. Discussion included cross-county representation and bylaws, and advertising longer and reaching out to various entities to encourage

more people to apply from the Harrison area. Based on the Fair Board's recommendation, Ron Nye moved to appoint Mark Hoyt to the Madison County Fair Board for a two-year term that will expire on December 31, 2023. John Heckler seconded the motion. All voted aye and the motion carried.

- **Fair Board Bylaws Revision:** Dana said the Fair Board has been working on revisions to their bylaws, including revisions recommended by the Deputy County Attorney. During discussion about establishing the Fair Board, Dana reviewed the early history of the fair and cited background facts and historical details on several of the Fairgrounds buildings. The topic will be added to a future Agenda for the Board's review.

Claims: The Board approved claims.

Planner 1 Resignation: The Board discussed the recent resignation of the Planner I. After a brief discussion about staffing ideas, John Heckler reluctantly moved to accept the resignation of Cody Marxer as Planner I of the Madison County Planning Department, effective as of April 8, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.

CMS Communication and Management Services Contract: The Board discussed a contract between Madison County and CMS (Communication and Management Services, LLC). Kila Shepherd, HR Director, was present for this portion of the meeting. Dan stated that the purpose of contracting CMS's services is to review the County's HR duties and responsibilities as well as those of the Commissioners and other elected officials, to provide clarification and direction from a neutral party. Following review, John Heckler moved to approve the Madison County Board of Commissioners entering into a contract with CMS, Communication and Management Services, LLC, for the purpose of assessing the scope and responsibilities assigned to Madison County's Human Resource (HR) Officer. The amount of the contract shall not exceed \$8,000 and the individual hourly rate is \$130 per hour. Work will commence on approval and be finished by May 31, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.

Madison County Request for Exemption Review – Twin Bridges Clinic: The Board reviewed a request for Madison County exemption review for a boundary adjustment at the Twin Bridges Clinic. Following review, Ron Nye moved to approve the request for exemption review as presented for the Twin Bridges Clinic. John Heckler seconded the motion. All voted aye and the motion carried.

Public Discussion on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Tommy Luksha, GIS Coordinator, distributed maps and reports on County road miles in each district regardless of maintenance status, the number of roads by name, and the miles of road maintained by each district. Since the information is based on data from several years ago he asked the Commissioners, as the Road Supervisors for each district, to evaluate the data with their road crews and he will update the data.

With no further business, the meeting was adjourned at 2:40 p.m.

Calendars: The Board reviewed calendars.

Next meeting: The next regular Commission meeting will be held on Tuesday, March 29, 2022, 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: May 3, 2022
Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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