

BOARD OF MADISON COUNTY COMMISSIONERS
April 5, 2022, Meeting Minutes

On Tuesday, April 5, 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 Ron Nye and John Heckler present. Commissioner Dan Allhands was absent at the start of the meeting to participate in an online meeting. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Karen Miller, Carmin Hill, Kila Shepherd, Brooke Schandelmeier, Cody Marxer, Michelle Schriock, Allison Veland, Hannah Brook, Dale Olson, Mike Callahan, Vicki Tilstra, John (Shorty) Roberts, and Jennifer Westfall. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Craig Erickson, Jeremiah Theys, Jonathan Weaver, Travis Craig, Britani Allhands, Bella Butler, Jennifer Martens, Laurie Buyan, Danielle Scharf, Jani Flinn, Jackie Lev, Beth Famiglietti, Janie Alt, Ryam Voltaire, Abby Thomas, Gail Nelson, and unidentified phone attendees.

Approval of Minutes: After review, John Heckler moved to adopt the Board of Madison County Commissioners meeting minutes dated March 1, 2022, as written. Ron Nye seconded the motion. All voted aye and the motion carried.

Clerk of Courts: Karen Miller, Clerk of Court, met with the Board to discuss the following topic. Carmin Hill, Deputy Clerk of Court, Kila Shepherd, HR Director, and Brooke Schandelmeier, Justice Court, were present for this portion of the meeting.

- **Appointment of Interim Clerk of Court:** Karen recommended appointing Carmin Hill to the Clerk of Court position when Karen retires to fulfill the rest of her term, May 1 through December 31, 2022, noting that Carmin is also the only person to file for the position in the upcoming election. There was discussion about advertising for the Deputy position and Karen wants to post in-house starting today if Carmin is appointed. Following discussion, John Heckler moved to appoint Carmin Hill as interim Clerk of Court effective May 1, 2022 upon the retirement of Karen Miller on April 30, 2022, to fill the position for the remainder of the term until December 31, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.

Journal Vouchers: John Heckler moved to approve Journal Vouchers for the 3/22 accounting period. Ron Nye seconded the motion. All voted aye and the motion carried.

Request to MDOT for Use of Lot Adjacent to District 3 Road Shop: Following review, John Heckler moved to move forward with a formal request to the Montana Department of Transportation to lease MDOT land adjacent to the Madison County District 3 road shop, and accept their offer of surplus equipment of the existing fuel tank. Ron Nye seconded the motion. John noted that the fuel tank needs to be moved from MDOT's property. All voted aye and the motion carried.

Excess Annual Leave Extension Request: After review, John Heckler moved to extend Ray Rowberry's vacation use deadline to December 31, 2022. 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. Michelle Schriock, Planning Clerk, was present for this portion of the meeting.

- **Resolution 12-2022 Renaming Halflinger Lane to Freedom Way:** Halflinger Lane was named in January but since then Cody talked with the only affected landowner who would rather have it named Freedom Way, and GIS approved the change. Following review, John Heckler moved to adopt Resolution 12-2022, Resolution of Road Name Change in Madison County, to rename a previously named road from Halflinger Lane to Freedom Way. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Amended Resolution Allowing Limitations on Subdivision Applications:** This topic was delayed until later in the day when all three Commissioners are in attendance.

Southwest Montana Drug Task Force Agreement: The Board discussed DUI funding sources. Following review, John Heckler moved to approve the Southwest Montana Drug Task Force Inter-Agency Memorandum of Understanding Fiscal Year 2023. Ron Nye seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Madison Valley Manor: Allison Veland, MVM Administrator, met with the Board to discuss the following topic.

- **Religious Exemptions:** Allison presented two MVM employee requests for religious exemptions and there was discussion about the request process, tracking, and decision-makers. After discussion, John Heckler moved to accept the two religious exemption requests as presented and that the Commissioners recognize the exemptions. 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 Allison Veland, MVM Administrator, were present for this portion of the meeting.

- **PAR Contract for Twin Bridges Arena/Events Center:** The Board reviewed the contract with SMA Architecture and Design for a preliminary architectural report (PAR) on the proposed Madison county Fairgrounds event center in Twin Bridges. Following review, John Heckler moved to accept the Preliminary Architectural Report contract for the Twin Bridges arena/events center. Ron Nye seconded the motion. All voted aye and the motion carried.
- **PAR Invoice for Twin Bridges Arena/Events Center:** After review, John Heckler moved to pay the PAR invoice for the Twin Bridges arena/events center. Ron Nye seconded the motion, noting it would be more accurate to call it the Madison County arena/events center, not Twin Bridges. All voted aye and the motion carried.
- **CDBG Reimbursement #7:** Craig clarified payment details for the CDBG request for funds, Drawdown #7. Following discussion, John Heckler moved to make payment on reimbursement #7 on the CDBG grant program request for funds for contract number MT-CDBG-19PF-02 in the amount of \$51,050.79. Ron Nye seconded the motion. All voted aye and the motion carried.

Commissioner Dan Allhands joined the meeting at this point and was present for the remainder of the meeting.

- **Update on Madison Valley Manor (MVM):** Craig updated the Board on MVM projects noting that the extension request made to CDBG is in process, and he read an email update from Becky Lawson at SMA Architects that included scheduling a walk-through, kitchen project status, and her recommendation to order and make storage plans for a walk-in cooler unit. There was discussion about proceeding with the walk-in order, finding a contractor to install it, pouring a concrete pad, and getting measurements and orientation information from SMA.

Grants: Hannah Brook, Grant Writer/Administrator, met with the Board to discuss the following topics. Jeremiah Theys, Great West Engineering, participated via Webex.

- **MCEP Draw #2 - Jack Creek Bridge:** Following review, John Heckler moved to approve Drawdown #2 for the Jack Creek Bridge contract number MT-MCEP-CG-23-250 in the amount of \$22,480.25. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Task Order #10 - Seyler Lane MCEP Application:** Jeremiah noted that last week the Board decided to move forward with an MCEP application for the Seyler Lane Bridge. A preliminary engineering report (PER) was done in 2019 and Great West will update it with new cost estimates and the latest inspection reports, gather updated environmental information, schedule public hearings, and prepare the grant application. After review, Ron Nye moved to approve Task Order #10 for preparation of the Seyler Lane Bridge Montana Coal Endowment Program (MCEP) application for the amount of \$15,770, as presented. John Heckler seconded the motion. There was discussion about task orders spelling out lump sum payments versus time and materials. After discussion, all voted aye and the motion carried.

Planning Office - Amended Resolution Allowing Limitations on Subdivision Applications (continued):

Dan said he spoke with a MACo attorney and the law is no longer valid that allowed limitations on subdivision applications, so she recommended pursuing other options for getting the work done. Discussion ensued about

Planning Department staffing, reviewing job descriptions quickly, advertising and hiring timelines, Great West's interim assistance, and the number of active subdivision applications in the Planning Department.

Great West Engineering: Jonathan Weaver and Travis Craig, Great West Engineering, met with the Board via Webex to discuss the following topic. Dale Olson, Madison District Ranger, was present for this portion of the meeting.

- **Update on Gravel Pits:** Jonathan and Travis updated the Board on stormwater permitting for the McKee, Harrison, Guinnane, and Oxbow gravel pits. Quarterly inspections were completed for all four sites in March of this year and the required Discharge Monitoring Reports (DMR) were submitted. Over the next couple of months Travis will train Laurie Buyan in the Commissioner's Office to submit the reports electronically – it has been a time-consuming process to get her authorized to sign the reports but in future it will take very little time to submit them electronically.

U.S. Forest Service: Dale Olson, Madison District Ranger, met with the Board to discuss the following topics.

- **Schedule A Road Maintenance Agreement:** Dale and the Board discussed the most recent draft of the Schedule A Maintenance Plan, and Dale will move forward to formalize it. Discussion ensued about road work in the Goose Fire area. After discussion, John Heckler moved to approve the Cooperative Forest Road Agreement Schedule A between Madison County and the Beaverhead-Deerlodge National Forest, effective for the 2022-2023 Field Season, and authorize the Chairman to sign it. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Powder Gulch Pit:** Dale discussed moving forward with an agreement on the Powder Gulch gravel pit with the Board, with County road crews crushing an amount of gravel provided by the Forest Service, and the County matching the same amount back to the Forest Service. Discussion also included continuing to establish cooperation between the two entities to be well positioned for future projects and planning, working out an overall MOU so that each project can be a separate exhibit to that MOU, and a proposal for an upcoming project.
- **Cliff and Wade Lakes Road Project (not on Agenda):** Dale asked about work on Cliff and Wade Lakes Road, because the Forest Service maintains that road every other year. John said the intent is to start the work around July 16, 2022, after the grizzly bear avoidance period. He'll be attending a meeting on the project later this week and will inform Dale of any schedule changes.

Madison County Response to Madison County Golf Association Current Proposed Operational Agreement: John reminded the Board that last November the Golf Association presented the draft of a 20-year agreement to the Board and it has since been brought to his attention that the Board did not respond. He drafted a response and had it reviewed by the County Attorney's office. Options such as the duration of the next agreement and funding sources were discussed, and John noted it is becoming clearer what the County can and cannot do in support of the golf course going forward but it was agreed the topic still requires some work.

Letter of Commitment for Montana 64 Funding: Ron read aloud the letter of commitment for Montana 64 funding for \$333,000 over two fiscal years. After review, John Heckler moved to approve, with corrections, the commitment of funds for the Montana 64 project, taking up the shortfall of the TIGER grant funds, in the amount of \$333,000. Ron Nye seconded the motion. All voted aye and the motion carried.

Safety: Mike Callahan, Safety Coordinator, met with the Board to discuss the following topics. Vicki Tilstra, Finance Officer, and John (Shorty) Roberts, District 3 Road Crew, were present for all or a portion of these topics.

- **Clothing and Footwear Allowance:** Mike said he made the changes to the Clothing and Footwear Allowance that were discussed the last time he met with the Board, and made it an appendix to the Safety Manual. He explained that new employees are made aware of their job safety requirements in their new hire paperwork and orientation and the road foremen keep up with routine checks on safety training and proper equipment. Discussion included workers comp claims, documentation of employee equipment training, and adding signs in road shops to make sure employees are informed about wearing safety equipment and procedures. Following discussion, Ron Nye moved to adopt Appendix A, Clothing and Footwear Allowance, as presented. John Heckler seconded the motion. All voted aye and the motion carried. Shorty pointed out that employees should also be instructed about keeping their safety clothing clean. After further review, John Heckler moved to adopt the modifications to the Safety Manual

reflecting the addition of Appendix A, Clothing and Footwear Allowance. Ron Nye seconded the motion. All voted aye and the motion carried.

- **CDL Requirements:** Mike and the Board discussed the Federal law regarding additional training required prior to taking the CDL driving test. Options for two road crew members include sending them to offsite training expected to cost around \$4,500 each; compensating a willing road crew employee to conduct the training; or have the two employees do a combination of online training and driving instruction terms for the instructor can be agreed upon. The costs would be paid by the two employees and reimbursed on successful completion. Discussion included changing the road crew job requirements requiring applicants to have their Class A CDL when hired, interstate versus intrastate requirements, CDL hurdles, activities permitted with Class B license such as plow trucks and dump trucks without a trailer, working on county roads versus crossing a Federal or State highway, equipment for CDL road tests, and the complexities of providing extra compensation for internal trainers. Short term, 90-day positions were briefly discussed.

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

- **Samantha Johnson transferring to County Attorney Legal Assistant starting April 18, 2022, at 18.97 per hour:** Kila reviewed an internal employee transfer from a permanent part-time position in the Justice Court to a short-term position in the County Attorney's office. Following review, Ron Nye moved to approve Samantha Johnson's transfer to County Attorney Legal Assistant starting April 18, 2022, at \$18/97 per hour. John Heckler seconded the motion. All voted aye and the motion carried.

Commissioner Ron Nye left the meeting at this point to attend a meeting in Twin Bridges regarding the Children's Center.

Letter of Commitment for Montana 64 Funding (continued): For the benefit of online listeners, Commissioner Heckler reviewed the earlier motion by the Board to commit \$333,000 to the overrun on the TIGER grant for Montana Highway 64 over the next two years, and agreed to send a copy of the commitment letter to an online participant.

Lease Agreement with State of Montana - Motor Vehicle Division for Drivers' License Station in Virginia City: After review, John Heckler moved to approve the lease agreement with the State of Montana – Motor Vehicle Division for the drivers' license station to be located in Virginia City, Montana. Ron Nye seconded the motion. All voted aye and the motion carried.

Set Dates for Preliminary Budget Hearings: This topic was continued to the next regular Commission meeting.

Calendars: There was no discussion on this topic.

With no further business, the meeting was adjourned at 1:55 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, April 12, 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 24, 2022

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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