

BOARD OF MADISON COUNTY COMMISSIONERS
April 12, 2022, Meeting Minutes

On Tuesday, April 12, 2022, a meeting of the Board of Madison County Commissioners came to order at 10:00 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 Pam Birkeland, Hannah Brook, Guy Buyan, Kila Shepherd, Jennifer Westfall, Laurie Buyan, Kacey Smart, Michelle Schriock, Tommy Luksha, John (Shorty) Roberts, David MacKenzie, Mike Callahan, and Vicki Tilstra. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Craig Erickson, Becky Lawson, Steve Janzen, Tamara Millican-Wood, Pat Bradley, Laurie Schmidt, Lance Bowser, Sandy Bailey, Albert Ortez, Abby Thomas, Britani Allhands, Jennifer Martens, Beth Famiglietti, Janie Alt, Ryam Voltaire, Jani Flinn, Karen Alley, Emilie Saylor, Jackie Lev, Cori Koenig, and unidentified phone attendees.

Approval of Minutes: No minutes were available for approval.

Mental Health LAC: Pam Birkeland, Mental Health Local Advisory Council, met with the Board to discuss the following topic.

- **Consideration of Mental Health Council Expenditure:** Pam discussed a virtual author event that the Mental Health Local Advisory Council (MHLAC) and Friends of the Madison County Library would like to co-sponsor. Tara Westover is the author of Educated, a memoir about her struggles surviving a terrible family situation and finding escape and healing through education. Pam explained that the MHLAC has not done trainings or brought in any speakers for two years so even though last year they used some of their budget to buy books for school and community libraries, they still have enough left in their budget to cover \$7,000 of the \$10,000 cost without affecting normal expenses for the remainder of the fiscal year. She also pointed out that this event will be available to a wide audience by being hosted in the County's libraries and could be set up in some schools, reviewed past events and speakers, noted the MHLAC is unanimously behind having this particular speaker, and she described the mental health benefits of this event including a positive message of hope and resiliency and the value of education. Following discussion, John Heckler moved to support the Mental Health Local Advisory Council's request to contribute up to \$7,000 to bring in author Tara Westover for a virtual mental health event. Ron Nye seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Housing Board Appointment: After discussion, Ron Nye moved to appoint Jaime Edmundson to the Madison County Housing Advisory Board and approve her application as presented, for a three year term that will expire on December 31, 2024. John Heckler seconded the motion. All voted aye and the motion carried.

Election Audit Committee Member Appointment: Ron Nye moved to appoint Brad Elser to the Madison County Election Audit Committee and approve his application letter as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Mental Health Local Advisory Council Appointment: After discussion, John Heckler moved to name Elysse Conklin to the Mental Health Local Advisory Council for Madison County for the remainder of a three year term that will expire on December 31, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.

SFY-22 Medicaid Nursing Facility Intergovernmental Transfer (IGT) Questionnaire: Dan reviewed the IGT questionnaire and explained the transfer process - the County makes a voluntary contribution to the State and they in turn send a payment back to the County, usually a higher amount than the original contribution, to support

at-risk nursing facilities including 11 county-owned nursing homes in Montana. After discussion, Ron Nye moved to approve SFY-22 Medicaid Nursing Facility Intergovernmental Transfer as presented. John Heckler seconded the motion. All voted aye and the motion carried.

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, Guy Buyan, Solid Waste Manager, Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, were present for this portion of the meeting.

- **Madison Valley Manor (MVM) Update:** Becky discussed the purchase of a walk-in cooler for MVM. The latest estimate was \$75,000 for the unit and \$4,000 for freight. Craig pointed out that if the amount exceeds \$80,000 it is required to be posted for bid, so it will be advertised if necessary. There was discussion about getting prices from three manufacturers if possible, the size needed for the concrete pad, CDBG reimbursement, and pros and cons of talking to vendors versus going through a competitive bid process. It was decided that the complete bid process would be a better option. Becky noted there will be a walk-through at MVM to look at the new sidewalks on April 25, 2022, at 10:00 a.m.

Solid Waste: Guy Buyan, Solid Waste Manager, met with the Board to discuss the following topic. Kila Shepherd, HR Director, Jennifer Westfall, Human Resources, Laurie Buyan, Executive Assistant, and Kacey Smart, Solid Waste Assistant, were present for this portion of the meeting.

- **Request for Short Term Solid Waste Employee:** Guy said Solid Waste needs immediate help since they are two employees short, they normally hire part-time help for the summer anyway, and someone local offered to help on a short-term basis. They are in the process of interviewing for a permanent, full-time driver so that will help, but at this point no construction boxes are being delivered since there is no available staff. After discussion, Ron Nye moved to approve the Solid Waste Foreman's request to hire Greg Smart as a 90-day, short term employee in Solid Waste. John Heckler seconded the motion. All voted aye and the motion carried. There was a brief discussion about wages and start date.

Planning Board: Steve Janzen and Tamara Millican-Wood, Planning Board Members, met with the Board via Webex to discuss the following topic. Pat Bradley and Laurie Schmidt, Planning Board Members, also participated via Webex. Michelle Schriock, Planning Clerk, and Hannah Brook, Grant Writer/Administrator, were present for all or a portion of this topic.

- **Planning Board Update:** Planning Department staffing was discussed, and Dan said the job descriptions for Planner I and II are being reviewed and both positions will be advertised shortly. Steve presented a Planning Department scope of work prepared by Cody Marxer, former Planner I, to have a comprehensive view of what the Department does. Discussion ensued about how the Department is to proceed and work with Great West until fully staffed, including whether Great West contractors will be working and participating in Planning Board meetings remotely or in person. Michelle described the work being done as the only person in the office, including requests for temporary addressing and a high volume of PCSR's, and asked that the Board consider increasing her wages to compensate for work outside her job description as Clerk, or consider a promotion and hiring a clerk with less knowledge and experience. It was noted that the budget process is coming up and discussion continued, including the Planning Board's institutional knowledge, their role regarding the budget and making recommendations, possibly being part of staff interview committees, and involving the entire Planning Board in any meetings with the Board of Commissioners.

Ennis Big Sky Airport: Lance Bowser, Robert Peccia & Associates (RPA), met with the Board via Webex to discuss the following topics. Hannah Brook, Grant Writer/Administrator, was present for this portion of the meeting.

- **Application for Federal Assistance – Land Acquisition:** Lance commented on the importance of land acquisition assistance for property purchases at the airport, noted that the buy-sell agreement for the 10.2-acre tract in the terminal area is for \$350,000 plus closing costs (totaling just under \$390,000), and reviewed engineering tasks RPA will complete with closing. He referred to a funding summary on the last page of the application for Federal assistance which requests \$355,000 reimbursement from the FAA solely for this property. Reimbursement will take a couple of months, and 2.5% will be retained. After discussion, Ron Nye moved to approve the Application for Federal Assistance SF-424 for land at the Ennis Big Sky Airport. John Heckler seconded the motion. All voted aye and the motion carried.

- **Sponsor Certifications:** Lance reviewed standard sponsor certifications that accompany every grant and briefly described the parameters of each. Following review, John Heckler moved to approve all the sponsor certifications for the Ennis Big Sky Airport improvement program projects. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Engineering Task Orders #23 - #25:** Lance presented three engineering task orders for the Board's approval and reviewed each, noting that #23 and #24 are associated with the current land acquisition of Lot 22B and included in the grant application, and #25 is associated with a future land acquisition. He said #23 is essentially for grant administration and described several of the tasks involved. After discussion, John Heckler moved to approve Task Order #23, Agreement to Furnish Engineering Services to Madison County for improvements to the Ennis Big Sky Airport in the amount of \$20,620 to Robert Peccia & Associates, Inc. Ron Nye seconded the motion. All voted aye and the motion carried. Lance described #24 as acquisition assistance, noting that appraisal costs are included. John Heckler moved to approve Task Order #24, Agreement to Furnish Engineering Services to Madison County for Land Acquisition Assistance and Services, Shining Mountain Airpark – Lot 22B, for the amount of \$20,540 to Robert Peccia & Associates, Inc. Ron Nye seconded the motion. All voted aye and the motion carried. Lance described a vacant, isolated tract of land that is being pursued by the airport and said #25 basically includes up-front negotiations/coordination and appraisals that will hopefully lead to a buy-sell agreement on Lot 23A. Following discussion, John Heckler moved to accept Task Order #25, Agreement to Furnish Engineering Services to Madison County for Land Acquisition Assistance and Services, Shining Mountain Airpark – Lot 23A, for the amount of \$12,440 to Robert Peccia & Associates, Inc. Ron Nye seconded the motion. All voted aye and the motion carried.

Public Hearing – Pony Road Closure – Pearl Street: Chairman Allhands opened a public hearing at 1:03 p.m. on a petition to close a portion of Pearl Street in Pony, Montana. Sandy Bailey, Pony resident, participated in the hearing via Webex. Tommy Luksha, GIS Coordinator, John (Shorty) Roberts and David MacKenzie, District 3 Road Crew, and Mike Callahan, Safety Coordinator, were present for this hearing. Sandy Bailey initiated the petition and was available online to answer any questions since she initiated the petition, she pointed out that this section has never been used as a road to her knowledge, and all adjoining landowners are in agreement. Ron said the viewer's committee looked at the section thoroughly and came out in favor of closing this section of Pearl Street, and noted the petition has been certified by the Clerk and Recorder. Tommy said the GIS Department supports the closure. Hearing no opposition from the public or additional comments, Commissioner Allhands closed the public hearing at 1:07 p.m. Ron Nye then moved to accept the petition to close the portion of Pearl Street from the west of Beatrice to North Willow Creek in the original township of Pony, Montana. John Heckler seconded the motion. All voted aye and the motion carried.

Madison County Response to Madison County Golf Association Current Proposed Operational

Agreement: The Board discussed drafting a response to the operational agreement proposed in November of 2021 by the Madison County Golf Association. Guy Buyan, Solid Waste Foreman, Vicki Tilstra, Finance Officer, John (Shorty) Roberts and David MacKenzie, District 3 Road Crew, Mike Callahan, Safety Coordinator, Kila Shepherd and Jennifer Westfall, Human Resources, and Tommy Luksha, GIS Coordinator, were present for this portion of the meeting. John reviewed the draft response and said it will be part of a more formal documentation process to move forward. Discussion ensued about several elements contained in the document, including having an agreement term of as little as one year initially to provide time for developing alternative financing options, consideration of accounts and books, creating a special district so taxpayers can vote on mills and annual revenue, other funding sources, and changing the Golf Association's status from 501-C4 to 501-C3 in order to qualify for federal grants. John will email the draft response to representatives of the Golf Association.

Safety: Mike Callahan, Safety Coordinator, met with the Board to discuss the following topic. Guy Buyan, Solid Waste Foreman, Vicki Tilstra, Finance Officer, Kila Shepherd and Jennifer Westfall, Human Resources, and John (Shorty) Roberts and David MacKenzie, District 3 Road Crew, were present for all or a portion of this topic.

- **CDL Requirements:** Mike reviewed training options for fulfilling the new Federally-mandated requirements for obtaining a new CDL license. There was discussion about risk management and insurance, requiring CDL licensing prior to hiring, Federal overreach, scarcity of CDL drivers, and confirming the employee willing to conduct the behind-the-wheel training.

Human Resources: Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, met with the Board to discuss the following topics. David MacKenzie, District 3 Road Crew, and Mike Callahan, Safety Coordinator, were present for this portion of the meeting.

- **New Hire - Lynette Renfro as Communications Officer starting April 7, 2022 at \$18.25 per hour:** Kila reviewed the hire of a new Communications Officer, noting she will be going through training. After review, John Heckler moved to hire Lynette Renfro as a Communications Officer starting on April 7, 2022, at an hourly rate of \$18.25. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Employment Status of David MacKenzie:** Chairman Allhands asked David if he preferred to have this portion of the meeting closed, and David opted to keep it open. John pointed out that David was hired prior to his Commission appointment, and was the only employee on the District 3 road crew at that time. Discussion ensued regarding David's hourly rate, agreed time period for obtaining CDL Class A license, pandemic and other delays, extension request, options for continued employment, and job performance. After discussion, John Heckler moved to discharge David MacKenzie from employment with Madison County Road District 3. Ron Nye seconded the motion. All voted aye and the motion carried. Dan read a letter regarding probationary discharge and next steps were discussed.

Set Dates for Preliminary Budget Hearings: Laurie Buyan, Executive Assistant to the Board of Commissioners, met with the Board to set dates for preliminary budget hearings and scheduled several days during May of 2022.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 2:52 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, April 19, 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 31, 2022

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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