

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**April 19, 2022, Meeting Minutes**

On Tuesday, April 19, 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, Kila Shepherd, Jennifer Westfall, Justin Gatewood, Hannah Brook, Antoinette Bloem, Rebekah Norton, Gail Nelson, Laurie Buyan, Vicki Tilstra, Flo Bay, Britani Allhands, and those on the attached list. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Craig Erickson, Lance Bowser, Drewry Hanes, Carmin Hill, K. Doud, Kate Rose, Lisa Stapp, Sam Frederick, Cori Koenig, Jennifer Martens, Haley Sir, Lois Stephens, Mary Sedwick, Tommy Luksha, Ryam Voltaire, Lynda Holt, Jackie Lev, Christine Keltner, Janie Alt, Mike Callahan, Abby Thomas, Kellie Greco, and unidentified phone attendees.

Bill Todd and Brian Conklin, District 3 Commissioner Candidates were present to observe the meeting.

**Approval of Minutes:** No minutes were approved.

**Public Health Office:** Emilie Saylor, Public Health Director, met with the Board to discuss the following topics. Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, were present for all or a portion of this topic.

- **COVID Update including Nursing Homes Status:** Emilie updated the Board regarding COVID status. Over the last three weeks there has been only one additional case in the County bringing total cases to 1,806, none are currently active, and the fatality rate is unchanged. The State has 452 active cases, 15 hospitalizations, and fatalities have increased to 3,260. Symptoms have been cold-like and not very severe for most people but indications of a new variant are increasing. The percentage of deaths and hospitalizations with current cases is low compared to past cases. Emilie reviewed daily new cases in the County, reviewed State maps of active and cumulative cases and vaccination information, and discussed recent changes to mask mandates and recommendations. Madison Valley Manor has 18 residents and no COVID cases. The County transmission rate is low. Testing continues for visitors and as needed for staff and residents and additional precautions such as distancing and masking by choice are in place. Tobacco Root Mountains Care Center has 24 residents with no COVID cases. Staff not up to date on vaccinations are tested twice a week, residents as needed, and visitation is allowed following CDC recommendations on testing/screening. The staff vaccination rate is 95%, and 96% for residents.

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

- **New Hire - Wade Fisher for Solid Waste starting 4/18/22 @ \$24.35:** Following discussion, Ron Nye moved to hire Wade Fisher for Solid Waste, starting on April 18, 2022, at \$24.35 per hour. John Heckler seconded the motion. All voted aye and the motion carried. Jennifer noted there is one more Solid Waste position left to fill.
- **Amendments to the Personnel Policy Manual:** Kila discussed making changes to the Personnel Policy Manual and asked for Board input on language and policies. Several items were briefly discussed including the hiring process, interview committees, 90-day emergency positions, and probationary periods for new hires, and it was decided that the Board will meet with Kila for a more complete review of the manual prior to sending it out for employee review.

**Public Hearing and Second Reading of Ordinance 1-2022:** The Board conducted a public hearing and second reading of Ordinance 1-2022, Madison County Amended Commercial Marijuana Ordinance (amending Ordinance

3-2021). Justin Gatewood, Virginia City Mayor, and Hannah Brook, Grant Writer/Administrator, were present for this portion of the meeting. Chairman Allhands opened the public hearing at 10:00 a.m. and asked for public comment, noting that no public comment has been received since the public hearing was scheduled. Hearing no additional public comments, Chairman Allhands closed the public hearing at 10:04 a.m. Commissioner Heckler read the Ordinance aloud. After the reading, John Heckler moved to approve amended Ordinance 1-2022, Madison County Amended Commercial Marijuana Ordinance. Ron Nye seconded the motion. There was discussion about distinguishing the amended portions of the document, information sources, and enforcement. After discussion, 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 topic. Hannah Brook, Grant Writer/Administrator, was present for this portion of the meeting.

- **Madison Valley Manor Update (CDBG Project):** Craig referred to an update email from Becky Lawson, SMA Architects, and added that he has been in contact with the Department of Commerce regarding the plan to acquire a walk-in cooler and they've asked to see the RFQ prior to its upcoming publication in the Madisonian. Further discussion included measurements for the concrete pad at MVM, applying for a TRMCC planning grant available after the MVM grant is closed out, and evaluating MVM emergency boiler expenses for grant reimbursement.

**Airports:** Hannah Brook, Airport Board Secretary, met with the Board to discuss the following topic. Lance Bowser, Robert Peccia & Associates, participated in the meeting by Webex.

- **Record of Engineering Selection and Contract Negotiations for EKS Airport Improvement Projects:** The Board reviewed the EKS Record of Engineering Selection and Contract Negotiations. There was discussion about the document reflecting a five year extension until 2027 although it is not stated as such in the document. After a brief discussion about schedules and the upcoming budget process, John Heckler moved, for the Ennis Big Sky Airport Improvement Projects AIP 3-30-0090-026-2022 as of April 12, 2022, the Record of Engineering Selection and Contract Negotiations with Robert Peccia and Associates (RPA) as Airport Engineer be extended for five years with the budget being established at a later date. Ron Nye seconded the motion. At this point Lance joined the meeting by Webex and explained that with the approval last week of Task Orders 23-25, this document simply states that the process for executing those task orders and for selecting RPA has been followed to date, and there is no additional budget. All voted aye and the motion carried. Lance also briefly discussed the next Airport Board meeting and tomorrow's delivery of the snowplow truck to Ruby Valley Field.

**First West Insurance:** Antoinette Bloem, First West Insurance, met with the Board to discuss the following topic. Rebekah Norton, Clerk and Recorder's Office, Kila Shepherd and Jennifer Westfall, Human Resources, Gail Nelson, TRMCC Administrator, Laurie Buyan, Executive Assistant, Vicki Tilstra and Britani Allhands, Finance Office, and Flo Bay, Blue Cross/Blue Shield of Montana, were present for this portion of the meeting.

- **Blue Cross/Blue Shield Health (BCBS) Insurance Renewal:** Antoinette reviewed the BCBS renewal for the coming fiscal year. She noted she has been working with the insurance committee on creative ideas and the best benefit package after they voted not to go out to bid this year after going through the bid process the last two years, reviewed the negotiated renewal rate compared to the last few years, and discussed several features and benefits of the plan. BCBS is bidding on the County's life insurance and Antoinette explained how its inclusion creates a package discount on the County's health insurance premiums. She and Jennifer discussed BCBS contribution this year toward a wellness program with incentives for employees designed to raise awareness of plan offerings and increase health screenings, noting that healthier employees result in lower premiums overall and the goal is to limit cost increases. Based on the insurance committee's recommendation, Ron Nye moved to approve keeping Blue Cross/Blue Shield as Madison County's health insurance provider for one year. John Heckler seconded the motion. All voted aye and the motion carried.

**Insurance Committee:** Members of the insurance committee met with the Board to discuss the following topic. Rebekah Norton, Clerk and Recorder's Office, Laurie Buyan, Executive Assistant, Vicki Tilstra and Britani Allhands, Finance Office, Kila Shepherd and Jennifer Westfall, Human Resources, Gail Nelson, TRMCC Administrator, Flo Bay, Blue Cross Blue Shield of Montana, and Antoinette Bloem, First West Insurance, were present for this portion of the meeting.

- **Recommendation for Insurance Renewal and Wellness Program:** Following the previous discussion, Ron Nye moved to approve the wellness program as recommended by the insurance committee, with the intent to take the \$20,000 credit from Blue Cross/Blue Shield as a one-time deduction and apply it to the wellness program for one year as stated in the contract. John Heckler seconded the motion. All voted aye and the motion carried. Discussion ensued about switching the County's life insurance provider from LifeMap to BCBS, noting this was part of the insurance committee's recommendation, and Flo and Antoinette reviewed the 1% discount for switching resulting in an annual savings of \$1,304.51 per month. John pointed out that this amount could be applied toward a wellness program going forward, and amended the above motion to add, "and switching from LifeMap to Blue Cross/Blue Shield for life insurance." All voted aye in favor of adding the amendment and the motion carried.

**Communications - New Recorder System for the Dispatch/Sheriff's Office:** This topic was cancelled.

Laurie Buyan, Commissioners' Assistant, joined the meeting at this point and took minutes for the remainder of the meeting.

**Petition to Close Adobe Town Road and Establish an Alternate Route to BLM Land, Appoint Viewer's Committee, Set Date for Public Hearing:** Dan Allhands opened this portion of the meeting by stating that the topic is to accept a petition to close Adobe Town Road and establish an alternate route to BLM land, appoint a viewer's committee, and set a date for a public hearing. Those on the attached list were present for this portion of the meeting. Dan added that there would be no decisions made at today's meeting and that all the signatures on the petition have been checked and verified by the Clerk and Recorder's Office as legitimate and legal. At this point Ron Nye moved to accept the petition as presented. John Heckler seconded the motion. All voted aye and the motion carried. The next topic was to appoint the viewers committee. Dan stated that there can be no more than one commissioner on the committee and determined that it would consist of himself, Ray Rowberry, the District 1 Road Foreman, and Tommy Luksha, GIS, as the third member to help with GIS issues if necessary. Eli Thompson, Virginia City Resident, asked if there would be an opportunity for public discussion and stated he has been trying to open this road for 18 years and you guys have been trying to keep it closed and make it private. He stated that the Commissioners should be removed from their jobs, adding that he has filed a complaint with the County Attorney and nothing has been done. There were several other public comments including the fact that this road is very important historically as it was the first road out of Virginia City to Salt Lake City; that Montana Code Annotated says when a County road is closed the Commissioners are supposed to open it; that there is no need to survey the road because we know where it is; and that 10 generations of settlement deserves some recognition so don't throw away 150 years of public property for private owners. John Anderson, Ruby Dell Ranch, stated that his family has had the property that a portion of the road runs through for 110 years and that it has not been used in his lifetime, a calving barn was established over 40 years ago. He added he doesn't want to block out history but times do change. Justin Gatewood, Virginia City Mayor, who was in attendance via Webex, requested that a member of the Virginia City Town Council be included in the viewing committee and asked that the topic be tabled so they could come back to the next Commission meeting with a recommendation. Drewry Hanes, PLWA, also attending via Webex, noted that the Commissioners have already stated in a public meeting that the road is open and that it is a public road, so there's no need to resurvey or re-establish what's already been determined. She also stated that there is precedence for closing County roads, so before you do that just make sure there is agreement with the landowners beyond it and that a new road is created before closing this one. There was also a suggestion to put the question to a vote of the people. Following much discussion, John Heckler moved to set the public hearing at 6:00 p.m. on May 17, 2022. Ron Nye seconded the motion. All voted aye and the motion carried. The venue will be determined.

**Claims:** The Board approved claims.

**SW Juvenile Detention Board Member:** Following discussion, Ron Nye moved to appoint Dan Allhands to the Southwestern Regional Juvenile Detention Services Board for a period of one year. John Heckler seconded the motion. John Heckler and Ron Nye voted aye. Dan Allhands abstained from voting. The motion carried on a majority vote.

**No on I-191 Coalition - Membership Form:** The Board discussed participating in a coalition opposing I-191. It was noted that the Board already sent a letter of support to the opposition of I-191 and can do so again as needed but preferred not to be listed on documentation without seeing it first. No action was taken on this topic.

**Additional Funding for Ruby Valley Conservation District:** After review, Ron Nye moved to support funding for the Ruby Valley Conservation District as requested in a letter from its Chairman in the amount of \$6,500 for Big Sky Watershed Corps and \$7,000 for WHIP administration for a total of \$13,500. John Heckler seconded the motion. All voted aye and the motion carried.

**Corrected Letter of Commitment of Funds for Highway 64:** Following review, John Heckler moved to add \$333 to the amount previously approved in a letter of commitment of funds for Highway 64 to correct the amount of the committed funds from \$333,000.00 to \$333,333.00. Ron Nye seconded the motion. All voted aye and the motion carried.

**Resolution Confirming the Closure of Pearl Street in Pony, MT:** After review, Ron Nye moved to approve Resolution 29-2022, a resolution of the Madison County Commission regarding the petition to close a portion of Pearl Street in Pony, Montana, pending review by Tommy Luksha, GIS Coordinator. John Heckler seconded the motion. All voted aye and the motion carried.

**Calendars:** The Board reviewed calendars.

With no further business, the meeting was adjourned at 2:17 p.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, April 26, 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: June 14, 2022

Minutes prepared by:

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Jane Bacon, Commissioners' Clerk, and

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Laurie Buyan, Executive Assistant

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