

BOARD OF MADISON COUNTY COMMISSIONERS
June 9, 2020, Meeting Minutes

On Tuesday, June 9, 2020, a meeting of the Board of Madison County Commissioners came to order at 9:36 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 Bonnie O'Neill, Kacey Smart, Allen Rohrback, Landon Dybal, Tony Pfaff, Rebecca West, Tommy Luksha, Kristen Gardener, Ryan Newcomb, Ellis Thompson, Jani Flinn, Tammy Mahlstedt, Pete Novich, Tyler Holland, Bob Bates, Vicki Tilstra, Ryan Nutt, Aimee Decker, Russ Robertson, Tyler Baumberger, Jeremiah Theys, Britani Allhands, and several who participated via Webex. Ryan Wolter, IT Support Specialist, was present to administer the public connection to the meeting via Webex.

Approval of Minutes: Ron Nye moved to approve the May 11, 2020, preliminary budget hearing minutes with corrections. Jim Hart seconded the motion. Jim Hart and Ron Nye voted aye. Dan Allhands abstained from voting as he was absent for that meeting. The motion carried on a majority vote. Jim Hart moved to approve the May 13, 2020, preliminary budget hearing minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the May 14, 2020, preliminary budget hearing minutes as presented. Jim Hart seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the May 15, 2020, preliminary budget hearing minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the May 20, 2020, preliminary budget hearing minutes as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

COVID-19 Update: Joe Brummell, DES, met with the Board to review the most recent COVID-19 statistics. Bonnie O'Neill, Chief Administrative Officer, Kacey Smart, Sanitarian's Assistant, and Allen Rohrback, Madison Valley Manor CEO, were present for this portion of the meeting. Van Puckett, Sanitarian, participated in this portion of the meeting via Webex. Joe reviewed the most current COVID-19 statistics for Madison County and the state, noting that the only thing that's changed in Madison County is that the amount of testing is significantly rising. He stated that the State has seen some drastic changing with 30 plus new cases confirming positive and there has been one additional fatality. 51,592 have been tested statewide, including care centers and reservations. He added that's why you're seeing a significant rise in positive cases. He stated that the State Fair has been cancelled but will continue with 4-H programs. Joe noted that cases in the United States have jumped to 2.2 million with 113,000 fatalities, with 532,000 recovered. He also discussed worldwide cases and reviewed a comparison of cases in various counties in the state. Joe stated that a very significant amount of PPE has arrived, reviewed activities of the Incident Command Team, a list of upcoming meetings, and weather forecasts. He noted a concern for high water adding that he will continue to monitor the situation. Van Puckett discussed guidance from DPHHS regarding a cooperative agreement that will allow them to do virtual inspections of class three and four and basically high risk populations like nursing homes, schools and daycares. He added that this will give them a pretty good boost in their inspections. Another thing Van discussed is that they have been trying to put out guidance and be fair and equitable across the board, but have been getting some push-back from certain entities, specifically the Fair and County Extension in regards to the Fair. He stated that the Fair Manager had asked for guidance which he gave basically saying that we are following the Governor's guidance and guidance of the Board of Health so that individual entities wouldn't have to worry about it but that it still seems to be a sticky issue. He discussed issues related to campers at the Fair and stated there is misinformation out there and a lot of spinning wheels. He stated that with the guidance so far, most of the venues at the Fair should be okay and that camping should not be limited. He asked that if there were questions about the guidance for COVID-19, please contact him or Melissa Brummell at the Public Health Department. Jim Hart asked Van if there has been any discussion about allowing families to visit nursing homes. Van responded that his understanding is that will come with Phase 3 restrictions.

GIS Purchase Requests: Tommy Luksha, GIS, met with the Board to request permission to purchase County atlases and a dedicated server for the GIS Department. Tommy stated there are funds in the budget for these purchases. He provided a list of where atlases would be distributed with five extra that will be available for sale. He also provided documentation on the cost and accessories needed for the requested server. Following discussion, Jim Hart moved to approve the GIS request to purchase 110 County atlases at \$50 each for a total of \$5,500 and to approve the purchase of a dedicated server for the GIS Department at an approximate cost of \$3,500. Ron Nye seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Ambulance Financial Discussion: Allen Rohrback, CEO of Madison Valley Medical Center, Landon Dybdal, CEO of Ruby Valley Medical Center, Tony Pfaff, CEO of Cypress Healthcare (Deer Lodge Medical Center) and Rebecca West, CFO of Ruby Valley Medical Center, met with the Board to discuss financial options for creating an ambulance service in Madison County. Bonnie O'Neill, Chief Administrative Officer, and Tommy Luksha, GIS, were present for this portion of the meeting. Allen initiated a presentation and discussed potential funding for an ambulance service on the Madison side of the County. He stated he has talked to Landon about the ambulance on the Ruby side, who has some good financial information. He added that they have also looked at the Deer Lodge financials to make some general assumptions about the cost of a rural ambulance service. He reviewed a list of assumptions based on the financials from the Ruby Valley Medical Center, at 250 runs per year at an average charge of \$2,300 per run, depending on staffing models, etc. and discussed emergent and non-emergent runs. He also reviewed insurance payer mix, staffing assumptions, assets, and operating expenses, noting that all of these expenses can vary and explained each in detail. It was noted that hospital based ambulance services basically subsidized by the facility, can utilize EMTs who are on shift but not on a run, and administrative support for billing. There was discussion about volunteer service, how the County is split, expectations of residents, buildings and depreciation, funding structure, if there should be one service in two locations or two separate services, and putting the question on the ballot for voter approval. After much discussion, it was decided to conduct a county-wide ambulance meeting to discuss structure, options, advantages, and disadvantages. The meeting will be held on Tuesday, June 30, 2020, at 7:00 p.m. in the Public Meeting Room of the Administrative Office Building in Virginia City.

CDBG Grant Contract for Madison Valley Manor Project: Craig Erickson, Great West Engineering, met with the Board via Webex to discuss the CDBG Grant contract for the Madison Valley Manor renovation project. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Craig discussed the project and the grant contract noting that Commerce is still routing the contract but has put priority on COVID grant so TSEP and CDBG are on the back burner. He stated that he has been assured the contract is in routing and the DocuSign agreement should be sent within a few days. He further stated that Becky Lawson, SMA Architects, was trying to schedule a meeting at the Manor and asked if that has happened. Bonnie responded that a meeting is scheduled for tomorrow and listed those who planned to attend.

Compensation Board Appointment: Following review, Jim Hart moved to re-appoint John Armstrong to the Compensation Board for another three-year term that will expire June 1, 2023. Ron Nye seconded the motion. All voted aye and the motion carried.

Livestock Protection Committee MOU: The Board reviewed a Memorandum of Understanding from the Livestock Protective Committee to allocate \$12,500 to the predator control fund for aerial work for the protection of cattle from destructive animals in Madison County. Dan noted that this funding ran out and they are asking for an additional \$12,500. Following discussion, Ron Nye moved to approve a Memorandum of Understanding between the Montana Stockgrowers Association, Predator Control Fund, and the Madison County Livestock Protective Committee for an addition \$12,500, for aerial work for the protection of cattle from destructive animals in Madison County. Jim Hart seconded the motion. All voted aye and the motion carried. Dan Allhands will notify the Livestock Protective Committee.

Renewal of AmeriGas Propane Contract: Following review of documentation, Ron Nye moved to approve the AmeriGas Propane Contract for a one time summer fill at .40 over the area index which would be \$1.087 per gallon. Jim Hart seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the AmeriGas Propane Contract for a fixed pricing at \$1.33 per gallon with no additional delivery fee, from August 1, 2020 until July 31, 2021. Jim Hart seconded the motion. All voted aye and the motion carried.

Gallatin River Task Force FY 2020 Funded Project Work and Funding for Next Fiscal Year: Kristin Gardner and Ryan Newcomb, Gallatin River Task Force, met with the Board to discuss progress of the Gallatin River Forever Campaign. Ellis Thompson, District 1 Commissioner Candidate, was present for this portion of the meeting. Kristin and Ryan distributed copies of the 2019 Upper Gallatin River Watershed - 2018 Field Season Monitoring Report and the 2019 Gallatin River Task Force Annual Report; and distributed and reviewed the Director of Development Deliverable Report for Madison County, November 2018 to June 2020. Ryan discussed the first 20 months as the Task Force Director, noting the growth in non-resort tax income and reviewing various other revenue sources. He also reviewed donations for the annual banquet and plans for social distancing if necessary. He stated that at the 2019 close of the Forever Campaign, they came in at \$300,000 over their net goal. Following much discussion, Jim Hart moved to continue to support the Gallatin River Task Force per contract for the five years at \$50,000. Ron Nye seconded the motion. All voted aye and the motion carried.

RPA Task Order for PER for 12" Well: Jani Flinn, Airport Board Secretary, met with the Board to discuss a task order for a well at the Ennis/Big Sky Airport. Ellis Thompson, District 1 Commissioner Candidate, was present for this portion of the meeting. Lance Bowser, Robert Peccia and Associates, participated in the meeting via telephone. Lance discussed the task order, stating that it is to evaluate the need for water system and to put together a rough estimate of the cost involved. He listed justification for a water system including protection of structures, potential water use by the fire department, on-site water for aerial fire-fighting, and interior sprinklers for private hangars. He added that the Airport Board recommended to proceed with the project. Based on the recommendation of the Airport Board, Jim Hart moved to approve Task Order Number Nineteen, Agreement to Furnish Engineering Services to Madison County for improvements to the Ennis/Big Sky Airport, Water System Preliminary Engineering Report, between Robert Peccia and Associates and Madison County, to be completed in the time period from June 2020 to July 2020, for the lump sum amount of \$12,500. Ron Nye seconded the motion. All voted aye and the motion carried.

Tammy Mahlstedt, Human Resource Generalist, met with the Board via Webex to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, and Ellis Thompson, District 1 Commissioner Candidate, were present for this portion of the meeting.

- **Recommendation to Hire Temporary Custodial Position:** Tammy discussed the vacancy for a temporary custodial position, stating that she has received two applications and interviewed both candidates but that it's not working out. She will continue to advertise the vacancy.
- **Recommendation to Hire District 3 Road Crew Position:** Tammy read a recommendation to hire for the vacancy in Road District 3. Based on the recommendation of the hiring committee, Jim Hart moved to hire Robert Cain for the permanent, full-time, District 3 Road and Bridge Technician position beginning on or about June 22, 2020, at \$23.12 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.

State Fund Workers' Compensation Insurance: Pete Novich and Tyler Holland, Novich Insurance, met with the Board to discuss State Fund Workers' Compensation Insurance. Bonnie O'Neill, Chief Administrative Officer, Bob Bates, Safety Coordinator, Tammy Mahlstedt, Human Resource Generalist, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Becky Bright, State Fund, participated in the meeting by telephone. Tyler stated that they brought in the proposal from State Fund reviewed the selection process for new workers' compensation carriers that was used after the Montana Association of Counties notified counties that they would no longer be offering Workers' Compensation Insurance. He noted that bids were requested from three other carriers, Liberty Mutual, Travelers, and Victory, and that two of these carriers denied Madison County because of claims history, and one denied because of law enforcement exposure. Tyler and Pete reviewed the new policy starting with the premiums for the last three years that were paid by Madison County. He stated that in

the most recent policy year Madison County paid \$715,000, in 2018-2019 it was \$619,000, and in 2017-2018 it was \$614,000. He added that the State Fund premium, when it's all said and done will be about \$307,000, noting that it will be a pretty good reduction for the calendar year. Pete distributed hand-outs that were taken off the State Fund website and reviewed how the website will be used. Becky discussed proprietary information and how to file a first report. Payroll reporting instructions were discussed as well as payment options. Becky stated she would like to have a meeting with the service team to further review forms and processes. She also discussed a "Grab and Go Kit" which will include a First Report, an Incident Report, a Medical Status Form, and Transitional Duty Jobs. She noted this information can be viewed at Safemt.com. Tyler discussed the difference in the cost of a claim by using transitional duty or not using it. Becky discussed the State Fund Service Team and what their duties will be. Vicki asked about class codes. Becky responded that there are four and that the internal audit department will reach out to her about class codes. Dan Allhands asked if the quote was a pretty firm number. Tyler replied that it was. After much discussion, Ron Nye moved to accept the proposal from Novich Insurance Agency and Montana State Fund for Workers' Compensation Insurance policy in the amount of \$307,295 for a savings of \$407,000 over previous years. Jim Hart seconded the motion. All voted aye and the motion carried.

Budget Amendment for Receipt of HHS Monies: The Board reviewed a proposed resolution for budget amendment for HHS Stimulus Payments. Vicki Tilstra, Finance Officer, was present for this portion of the meeting. Jim Hart read the proposed resolution. Vicki discussed the proposed resolution stating that she needs to set up a separate fund to record the deposit for this money and that it will ultimately be transferred to the nursing home fund. Vicki and Jim will work on the proposed resolution and requested that the topic be continued to the next agenda.

Jeremiah Theys, Great West Engineering, met with the Board to discuss the following topics. Ryan Nutt, COP Construction, Aimee Decker, Battle Ridge Builders, Russ Robertson, Sletten Construction, Tyler Baumberger, Dick Anderson Construction, Jani Flinn, Grant Administrator, and Britani Allhands, Finance Assistant, were present for this portion of the meeting.

Giem Bridge

- **Bid Openings for Giem Bridge Replacement:** The Board received four bids for the Giem Bridge replacement project. Jeremiah opened and read each bid, checking to be sure each one had the required 10% bid bond, along with the base bid and additive alternate #1. Jeremiah then recommended that the Board take the bids under advisement, adding that he would get a debarment from TSEP and that he would probably recommend the low base bid because it's the closest to the amount of TSEP funding which was \$900,000.

Jack Creek Bridge

- **Public Hearing on draft Preliminary Engineering Report and Environmental Assessment for the Jack Creek Road Bridge #4 Replacement:** Chairman Allhands opened the public hearing on the draft Preliminary Engineering Report and Environmental Assessment for the replacement of Jack Creek Road Bridge #4 at 2:18 p.m. Those present at the hearing were Jani Flinn, Grant Administrator, and Britani Allhands, Finance Clerk. Jeremiah stated that they have completed the Preliminary Engineering Report and the draft Environmental Assessment to accompany the PER. He discussed the location of this bridge in the canyon stating it is the third one, stating that the County has replaced two other bridges in the canyon and that number 5 will need to be done in the future. He noted that of the two remaining in the canyon this one is by far the worst. He stated the sub-structure is failing, the timber supports are almost completely out and thus susceptible to losing the abutment of the bridge in an earthquake or a high water situation. It is well beyond its useful life and doesn't have standard rail and doesn't meet current load criteria, it also doesn't meet County width standards. The bridge itself has a deck geometry of two out of five; the sufficiency rating is 46.6 out of 100. Anything under 75 is eligible for replacement, under 50 is in need of replacement. It is considered a TSEP level 4 out of 5, so a strong candidate for replacement. He stated they have looked at various alternatives and discussed the span, foundation and construction of a new bridge, as well as costs for engineering, administration, and legal fees. He noted the amount that would be requested from TSEP and the amount of match that would be required from the County. Great West will reach out to all permitting agencies and determine if there are critical species in the area and what type of mitigation would be required. Jeremiah also stated that a safer bridge is needed in the canyon due to the fact that it is potential emergency route out of the canyon. With no comments from the public the hearing was closed at 2:45 p.m.

- **Jack Creek Road Bridge #4 Replacement Uniform Application for Public Facility Projects”:** Following discussion, Jim Hart moved to approve the Uniform Application form for Montana Public Facility Projects for the replacement of Jack Creek Road Bridge #4. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 16-2020, Authorizing the Submission of an Application for Treasure State Endowment Program Funding with the Montana Department of Commerce of the State of Montana Finance Improvements for the Jack Creek Road #4 Bridge Replacement Project:** Jim Hart read the proposed resolution. Following discussion, Jim Hart moved to approve Resolution 16-2020, a resolution to authorize submission of the Treasure State Endowment Program application for the replacement of Jack Creek Road Bridge #4. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 17-2020, Accepting the Environmental Assessment for the Jack Creek Bridge #4 Replacement:** Jim Hart read the proposed resolution. Following discussion, Jim Hart moved to approve Resolution 17-2020, a resolution to accept the determination that the environmental assessment is appropriate for the Jack Creek Road Bridge replacement. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Approve and Sign the “Environmental Assessment for the Jack Creek Road Bridge #4 Replacement”:** Following discussion, Jim Hart moved to approve the Montana Department of Commerce, Treasure State Endowment Program, Environmental Assessment Draft, for Jack Creek Road Bridge over Jack Creek (JC4), Madison County, Montana. Ron Nye seconded the motion. All voted aye and the motion carried.

Jeremiah stated that he will be submitting the grant on Friday and that another public hearing on the bridge replacement will be held in Ennis, probably in July. He also discussed the status of other bridges in the County.

Calendars: The Board reviewed calendars.

With no further business, the meeting was adjourned at 3:05 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, June 16, 2020, beginning at 9:30 a.m. in the Public Meeting Room of the Administrative Office Building in Virginia City, Montana.

 Dan W. Allhands, Chairman
 Board of Madison County Commissioners

Date Approved: July 14, 2020

Minutes prepared by:

 Laurie Buyan, Executive Assistant to the
 Board of Commissioners

Attest: _____
 Kathleen Mumme, Clerk and Recorder, Madison County