

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**June 16, 2020, Meeting Minutes**

On Tuesday, June 16, 2020, a meeting of the Board of Madison County Commissioners came to order at 9:33 a.m. in the Second Floor Courtroom of the Administrative Office Building in Virginia City, Montana, with Commissioners Dan Allhands, Jim Hart, and Ron Nye present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Joe Brummell, Ellis (Eli) Thompson, Bonnie O'Neill, Susan Vonasek, Lisa Brubaker, Tammy Mahlstede, Mark Brook, Bob Bates, Jim Kaatz, Alex Hogle, Shaleena Walter, Michael Walter, Kathleen Mumme, Becky DiGiovanna, Brett Schriock, Vicki Tilstra, Jani Flinn, Kaleena Miller, Mikayla Hudson, Kacey Smart, and several who participated via Webex. Ryan Wolter, IT Support Specialist, was present to administer the public link to the meeting via Webex.

**Approval of Minutes:** Ron Nye moved to approve the June 11, 2020, Compensation Board meeting minutes as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

**Claims:** The Board approved claims.

**Public Health Office/DES:** Joe Brummell, Director of Emergency Management, met with the Board to present the COVID-19 update. Ellis (Eli) Thompson, District 1 Commissioner Candidate, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Melissa Brummell, Public Health Nurse, participated by phone/Webex.

- **COVID-19 Update:** Joe noted that every state is undergoing policy changes due to resurgences, which he said is to be expected with Phase 2 and Phase 1 openings. He presented information about COVID cases in the County, the State, and the country, said cases are rising everywhere, particularly in Texas and Arizona, reported on National Guard activities, pointed out new policies by government entities and colleges, reviewed upcoming meetings and activities, and discussed local fire responses and conditions. Discussion included possible nursing homes re-openings and current visitation policies, and the statues of Ennis rodeo and parade.

**Nursing Home Survey Results:** Bonnie O'Neill, Chief Administrative Officer, reviewed the results of the DPHHS infection prevention survey mandated by CMS, conducted at the nursing homes on Wednesday, June 10, 2020. Melissa Brummell, Public Health Nurse, participated by phone/Webex. Eli Thompson, District 1 Commissioner Candidate, was present for this portion of the meeting. Bonnie said there were no deficiencies, discussed the staff's preparation and knowledge, and briefly reviewed how CNA and nursing staff handle various levels of care while meeting DPHHS and CMS requirements. Discussion also included information about the Administrator-in-Training positions.

**Victim Advocate - Victim Advocate Preliminary Budget:** Susan Vonasek, Victim/Witness Advocate and Investigator, and Lisa Brubaker, Licensed Clinical Social Worker, presented the Victim Advocate Preliminary Budget to the Board. Eli Thompson, District 1 Commissioner Candidate, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Lisa said the budget has not changed much from last year, with a slight overall decrease. She and Susan reviewed line item changes, discussed a slight increase in number of clients served, and talked about upcoming grant cycles.

**Transit Service Agreement with Liberty Place – Whitehall Transportation:** Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss a Transit Service Agreement with Liberty Place – Whitehall Public Transportation (WPT). Eli Thompson, District 1 Commissioner Candidate, was present for this portion of the meeting. Bonnie said the Commissioners met with the Senior Advisory Board and WPT yesterday to discuss this topic. She discussed including Ennis in the route(s), driver time needed to cover the route including stops and activities, last year's wage/benefit costs to run the bus three days a week, vehicle

options, rider donations, driver recruitment, and service options under consideration. Paula from WPT plans to meet with senior citizens in Pony next week to discuss their interests, and a Senior Citizens Board meeting is being scheduled as well. Later in the meeting, the Board discussed the topic further, including obtaining input from the County-wide Senior Advisory Board, contract wording regarding vehicle ownership and insurance, vehicle options and conditions, long work days for drivers, and costs.

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

- **Recommendation to Hire Part-time Building Maintenance Worker:** Tammy read the memo outlining the hiring committee's recommendation for the part-time building position. Based on the recommendation of the hiring committee, Ron Nye moved to hire Cody Martens for the part-time, permanent, Building Maintenance position, at \$20.93 per hour, or 90% of the top wage for the position. Discussion included the possibility of having this position cross-train to help at TRMCC when needed, which Bonnie will discuss with the Maintenance Manager. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Recommendation to Hire Short-term COVID-19 Temporary Custodial Position:** Tammy said there are no current applications for the Short-term COVID-19 Temporary Custodial position, and wondered if the position is still necessary since Phase 2 is in effect. The Board couldn't provide a definitive answer due to unpredictable conditions, but the position will continue to be advertised.
- **Recommendation to Hire District 3 Road and Bridge Technician:** Tammy read the hiring committee's recommendation to hire for the position of District 3 Road and Bridge Technician. Based on the recommendation of the hiring committee, Jim Hart moved to hire Valerie Tichenor for the full-time, permanent position of District 3 Road and Bridge Technician, at the rate of \$23.12 per hour. Ron Nye seconded the motion. Discussion included the terminology used for the position's title. All voted aye and the motion carried.

**Safety Department:** Bob Bates, Safety Coordinator, met with the Board to discuss the following topics. Mark Brook, Detention Officer, Bonnie O'Neill, Chief Administrative Officer, Eli Thompson, District 1 Commissioner Candidate, and Tammy Mahlstedt, Human Resource Generalist, were present for this portion of the meeting.

- **Monthly Safety Update:** Bob presented and reviewed the monthly safety report for May, 2020, including incident investigations, actions taken in response to Courthouse safety concerns, support of Coronavirus Incident Management Team, Virtual SafetyFest classes attended, involvement in County property appraisal, budget preparation, and administrative work.
- **Courthouse Mold Issue:** Bob reviewed the actions taken so far to address concerns about moisture-related air quality and mold in the County courthouse, as well as related concerns about the structural integrity of the building. Air sampling tests and site surveys have been conducted, remediation measures were researched, and interim solutions included installing dehumidifiers and air purifiers in several locations throughout the building, and sealed off areas where moisture had accumulated. Discussion ensued about mold issues and sensitivities, employee exposure to boxes of old documents, public and employee awareness and safety, courtroom sessions in the building, and the need for court to be held in a location with state computers installed. Bob said further testing is scheduled for tomorrow to see if any of the measures taken have made a difference, and said results should be received within ten days. He noted the high interest level of building employees as well as members of the public, discussed possible signage being put up in the building, but recommended waiting for test results before taking that step. Based on a suggestion from a meeting attendee, the Board encouraged testing in several smaller offices and rooms, rather than just a few large areas.
- **County AED Potential Replacement:** Bob reported that the company providing logistical support for the County's AED units notified him that most of the units are reaching the end of their support lifespan and should be replaced. Technically, they can be used until their batteries expire, but accessories will be unavailable after February, 2021. Several units need replacement batteries, which generally last four years. Since the batteries and the AED units are expensive, the Board supported Bob's proposal to spread out the battery replacements, and to spread out and/or delay purchasing new AED units.

**Planning Office:** Alex Hogle, Planning Director, met with the Board to discuss the following topics. Jim Kaatz, Sheridan resident, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting.

- **Spanish Peaks – Material Change Determination:** Alex explained a request to aggregate two platted lots into a single lot, with a slight boundary line adjustment between the new lot and Open Space 1, in Spanish Peaks Resort Phase 2. He reviewed details of the change of use from residential to recreational, discussed considerations, and explained that if the request is seen to constitute a "material change," the amended plat request would be required to undergo subdivision review. Alex stated that the request seems reasonable and he can't identify any adverse impact, said the request appears to be compatible with the use of Open Space 1 (shown on map), and asked for a determination from the Board. After review, and considering the recommendation of the Planning Director, Jim Hart moved to agree that there is no material change regarding the aggregation of Lots 21 and 22 into Lot 21A, and the boundary line adjustment between the boundary of Lot 21A and Open Space 1, in Spanish Peaks Resort Phase 2. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Planning Update:** Alex reviewed Planning Office activities. The person hired for the Planner I position started a week ago, and resigned by email late last night, so the hiring process will begin again for that position. The department has a backlog of Pre-Construction Safety Reviews that need temporary addresses, and Alex plans to catch up by working late, and working with Michelle. He said the office has been very busy with various land use inquiries, and he's received three additional subdivision applications. He confirmed that, after several delays, a classic-format public hearing is scheduled on June 29, 2020, to consider the Lee's Pool subdivision and PUD, and will inform the Board of the Planning Board's decisions. He discussed making changes to existing addresses, and reviewed details and presented maps for two pressing situations he is working on, one in VC Ranches and one in Big Sky.

**Appeal of Denial of Walter Family Transfer:** Michael Walter and Shaleena Walter, Sheridan residents, and Jim Kaatz, real estate broker and Walter family representative, met with the Board to appeal the Exemption Review Board's denial of the Walter family transfer. Alex Hogle, Planning Director, Bonnie O'Neill, Chief Administrative Officer, and Kathleen Mumme, Clerk & Recorder, were present for all or portions of this topic. Jim Kaatz presented a report prepared by G&E Land Development on behalf of the Walters, and explained why he believes the appeal is reasonable, citing an identical appeal made one year ago, state statutes and County regulations, tracts created prior to . Alex, having reviewed the report, commented that the appeal made one year ago was not at all identical to this situation and explained the differences. He went on to discuss regulations, including differences between division of parcels 20 acres or larger versus smaller parcels, criteria that allow the use of exemption, factors used to trigger a "pattern of development," why this case did so, and explained that examining intent and purpose are tools used by the governing body in the appeal process. Kathleen noted that the governing body in this case is not the County, the Board of Commissioners can make a recommendation, but the decision is ultimately up to the Town of Sheridan. Jim Kaatz said he has discussed this with Sheridan's Mayor and it would need to go before the City Council, and further explained that since Michael Walter is a member of the Council and would recuse himself, and they recently lost another member of the Council, they may not have a quorum, and remaining time for the appeal is growing short. Ensuing discussion included factors that might allow the County to become the governing body, mutual cooperation between the County and Town, appeal process requirements, water and sewer availability, and obtaining an opinion from the County Attorney's office. Considering the questions raised and the need to involve both the County Attorney and the Town of Sheridan, Jim Hart moved to continue the requested appeal of the Madison County Exemption Review Board's decision on the Michael Walter and Shaleena Walter family conveyance request, for 30 days. Ron Nye seconded the motion. All voted aye and the motion carried.

Becky DiGiovanna, Montana Heritage Commission (MHC), met with the Board to discuss the following topics. Brett Schriock, IT Director, Bonnie O'Neill, Chief Administrative Officer, Joe Brummell, Director of Emergency Management, and Vicki Tilstra, Finance Manager, were present for all or portions of these topics.

- **National Register Sign Program Plaque for Courthouse:** Becky discussed the National Register Sign Program's signs on the historic buildings in Virginia City. MHC has been working on installing these signs around the town to enhance visitor experiences, and would like to put a sign up at the Courthouse. Since Virginia City is registered as a historic landmark, every building is considered a

contributing building to the landmark. There is no cost to the County, and having the sign will not add restrictions of any kind. The Montana Historical Society will write the text and send it to the Board for approval before having the sign made. Jim Hart moved to approve installing a National Register sign for the Courthouse and to designate the current Board Chairman as the contact person. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Vigilante Trail:** Becky discussed the Vigilante Trail historic byway between Glacier and Yellowstone National Parks, noted that any business can link to the Trail's website and marketing efforts, and asked everyone to spread the word and have local entities use the emblem and add their information to the site. She requested that County employees leave parking spaces on Wallace Street open for visitors as the summer season arrives.

**IT Department – Proposal for New Phone System:** Brett Schriock, IT Director, met with the Board to discuss a proposal for a new County phone system. Bonnie O'Neill, Chief Administrative Officer, Joe Brummell, Director of Emergency Management, and Vicki Tilstra, Finance Manager, were present for all or a portion of this topic. After being asked to look into a new County phone system a few months ago, Brett and Bonnie talked with several vendors. He discussed the advantages of moving to a cloud network, presented and reviewed price differences between the current system and other options, and discussion included IT's phone and fax frustrations, inoperable conference phones due to older technology/system updates, supporting local/Montana businesses and past reliance on Three Rivers, the 911 system, hesitation due to challenges encountered in last phone system change, complicated billing and the need to break costs down by department, disposition of old equipment, copier/printer/fax machine replacement, trying out or phasing in a new system, the varied needs of County departments, and giving Three Rivers the chance to upgrade equipment and address concerns.

**Emergency Management:** Joe Brummell, Director of Emergency Management, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, and Jani Flinn, Airport Board Secretary, were present for all or portions of these topics.

- **EMPG Grant:** Joe applied for an Emergency Management Performance Grant (EMPG) and received financial assistance in the amount of \$42,790.18 – although he requested \$46,000. He explained that the funds will help cover wages and benefits for Joe and his assistant, as well as half of the satellite trailer service, and it was noted that the County is required to match the same amount. Jim Hart moved to accept the Emergency Management Performance Grant in the amount of \$42,790.18, to be matched by Madison County in the amount of no less than \$42,790.19, for a total of \$85,580.55, and to have the Board Chairman sign the agreement. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Reverted Fund Grant:** Joe explained that with the Reverted Fund Grant, at the end of the fiscal year you can apply for the difference between the amount you requested for the EMPG and the amount actually approved. This is also a 50/50 match, he has the funds to cover the County's obligation in his budget, and he would like to use the money for updates to the command trailer, including new laptops, tires and bearings. After review, Jim Hart moved to approve the Reverted Fund Grant application as requested in the amount of \$9,164.02 with a 50% match, for updates to the Mobile Command Trailer. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Cataract Dam Update:** Joe presented an update on the Cataract Dam, reviewed previous action items ordered by the DNRC, reported compliance with all items, and displayed photos from a recent site visit. He took another look at a catastrophic event's effect on Pony, which he thinks would be less than previously projected, but Harrison would be affected. Joe confirmed that he would be notified of any changes in the situation.
- **Procurement Policy:** Joe presented a draft Procurement Policy, which he reminded the Board will be required to be eligible for Federal funding in disasters, and also affects the County as a whole. The draft is based on a MACo document, which was revised for Madison County, with the help of the Deputy County Attorney. Bonnie commented that the document includes further definition of the CAO's level of authority and what the job entails, and there may be other areas to consider modifying, such as a recommendation to the Board based on the committee that would be formed to review contracts. Joe has up to two years before being mandated by FEMA to have a policy in place. Discussion included concerns about procedures, allowing for rapid purchase decisions of used equipment, establishing and following policies, adding a purchase requisition to be included in the

budget process, and Joe pointed out the exemption for emergency declarations. The Board will review the document over the next two weeks.

**Airports:** Jani Flinn, Airport Board Secretary, met with the Board to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Manager, Kaleena Miller, Madison & Jefferson County Extension Agent, and Mikayla Hudson, Madison & Jefferson County 4-H Agent, were present for all or a portion of these topics.

- **Ennis Big Sky Airport – NorthWestern Energy Agreement:** There was no discussion on this topic.
- **Twin Bridges Airport – Grant Amendment Request Letter AIP-014-2019:** Jani explained that the CARES Act now allows amending the original Twin Bridges Airport grant to 100% funding, instead of the 90/10 match. After review, Ron Nye moved to approve the grant amendment request for Twin Bridges Airport Improvement Project 3-30-0080-014-2019 from the previously granted amount of \$228,000 to \$248,639, an increase of \$20,639 (FAA portion). Jim Hart seconded the motion. All voted aye and the motion carried. Jani clarified that this increase covers the addition of the specialized version of AWOS that was installed at the airport.
- **EKS-NMG-3-30-0090-021-2020-(1)-Grant Amendment:** Jani explained that this amendment to the Ennis Airport Improvement Project grant reflects the CARES Act, adding an amount so the grant is 100% covered. Following review, Jim Hart moved to accept Amendment No. 1 to Ennis-Big Sky Airport AIP Grant No. 3-30-0090-021-2020, eliminating Madison County's 10% share of \$597,988 and increasing the federal share to 100%, or up to \$5,979,984, for the current fiscal year 2020 obligation, as authorized under the CARES Act. Ron Nye seconded the motion. All voted aye and the motion carried.

**Grants - Recommendation and Award of Bid for Giem Bridge:** Jani Flinn, Grant Administrator, met with the Board to discuss the recommendation and Award of Bid for Giem Bridge. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Manager, Kaleena Miller, Madison & Jefferson County Extension Agent, and Mikayla Hudson, Madison & Jefferson County 4-H Agent, were present for this portion of the meeting. Jani reviewed Great West Engineering's recommendation and award of bid for the Giem Bridge project. Discussion included the base bid amount, and the money saved by not providing a public detour bridge. Following review, Ron Nye moved to accept Sletten Construction Company's bid of \$934,071 for the Giem Bridge Replacement Project, and to issue them the Notice of Award. Jim Hart seconded the motion. All voted aye and the motion carried.

**Extension Update:** Kaleena Miller, Madison & Jefferson County Extension Agent, and Mikayla Hudson, Madison & Jefferson County 4-H Agent, met with the Board to present an Extension update. Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Manager, and Kacey Smart, Sanitarian's Assistant, were present for this portion of the meeting. Kaleena discussed an amendment to the Extension budget. She explained that the agents each have a checking account, and MSU is closing those accounts, so she and Vicki discussed setting revenue accounts through Madison County. Discussion included past expenses and rough amounts, credit card limits, and Vicki explained how it would work. Following discussion, Jim Hart moved to authorize MSU Extension to set up an account with Madison County Finance to replace two external checking accounts that are no longer accessible. Ron Nye seconded the motion. All voted aye and the motion carried.

**Madison County Fair:** A call was made to Dana Escott, Fair Manager, to discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, Kacey Smart, Sanitarian's Assistant, Kaleena Miller, Madison & Jefferson County Extension Agent, and Mikayla Hudson, Madison & Jefferson County 4-H Agent, were present for this portion of the meeting, and Van Puckett, Sanitarian, participated by phone.

- **Fair Update/ Fair Board Recommendation to Cancel Fair:** Dana said they are in limbo waiting for Public Health's input on the plan for the Fair, and she reviewed the new recommendation which addresses camping, Ranch Rodeo, outdoor-only vendors, a limited beer garden, and livestock sales. Kacey explained the documents, noting that there are really two separate proposals. Dana said the Fair Board would like to get out of the NRA Rodeo for this year, but included it just in case the pandemic moves to Phase 3, and just do a small version of the Ranch Rodeo if it works out. Discussion included minimizing public attendance numbers, cancelling events that would draw crowds, rationales and guidance, moving forward with 4H and FFA, adding open class to the recommendation, entertainment cancellations, status of Ennis Rodeo, social distancing provisions, handwashing

stations, food providers, camping density, directional traffic as a way to avoid limits, and the importance of indoor projects being displayed in addition to outdoor projects. These topics were continued to the next regular Commission meeting, Dana noted that the Fair Board wants to participate in the discussion next week, and by then the Board of Health will have met. Following discussion, Ron Nye moved to approve the Fair Board's recommendation to cancel the NRA Rodeo portion of the 2020 Madison County Fair. Jim Hart seconded the motion. All voted aye and the motion carried. Dana reported that she's going to print with a downscaled version of the Fair book, including pictures of 4H and FFA kids and schedules, possibly including a page on the to-be-determined Ranch Rodeo, and advertisers have agreed to move forward with advertising paid for this year.

**Compensation Board Recommendation:** Based on the recommendation of the Compensation Board on June 11, 2020, Jim Hart moved to approve a 2.8% wage increase, across the board, for elected officials and staff. Ron Nye seconded the motion. All voted aye and the motion carried.

**Calendars:** The Board reviewed calendars.

With no further business, the meeting was adjourned at 3:49 p.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, June 23, 2020, beginning at 9:30 a.m. in the Second Floor Courtroom of the Administrative Office Building in Virginia City, Montana.

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Dan W. Allhands, Chairman  
Board of Madison County Commissioners

Date Approved: July 23, 2020

Minutes prepared by:

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Jane Bacon, Commissioners' Clerk

Attest: \_\_\_\_\_  
Kathleen Mumme, Clerk and Recorder, Madison County