

BOARD OF MADISON COUNTY COMMISSIONERS
June 28, 2022, Meeting Minutes

On Tuesday, June 28, 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 Vicki Tilstra, Britani Allhands, Tommy Luksha, Hannah Brook, Laurie Buyan, Guy Buyan, Michelle Schriock, Kristy Harper, Beth Familigietti, Pamela Ward, Pete Novich, Carmin Hill, Kila Shepherd, and Chris Christensen. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Craig Erickson, Jeremiah Theys, Samantha Johnson, Brooke Schandelmeier, Tammy Mahlstedt, Hanna Dietrich, Courtnie Fisher, Abby Thomas, Gail Nelson, Jani Flinn, Bruce Koblisch, Jennifer Martens, Mike Callahan, Jennifer Westfall, and Stephanie Kruer.

Bill Todd, District 3 Commissioner Candidate, was present to observe a portion of the meeting.

Approval of Minutes: Following review, John Heckler moved to approve the May 23, 2022, Board of Commissioners' preliminary budget hearings minutes as corrected. Ron Nye seconded the motion. All voted aye and the motion carried. After review, John Heckler moved to approve the May 25, 2022, Board of Commissioners' preliminary budget hearings minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried.

2022 - 2023 Budget Requests: The Board discussed budget requests made by several departments for the 2022-2023 fiscal year. Vicki Tilstra, Finance Officer, Britani Allhands, Finance Administrative Assistant, and Tommy Luksha, GIS Coordinator, were present for all or a portion of this topic. GIS hiring requests were discussed. Tommy recommended a minimum of two additional GIS positions to work on 911 and meet current and upcoming mandates, and said a Programmer/Analyst is the most critical position, and there was some discussion about wages, funding, grants, the likelihood of hiring when several GIS positions around the state remain unfilled, and combining a position with another department such as Planning, or the Clerk and Recorder's office. Ron Nye moved to approve the #2 GIS request to hire a GIS Clerk per the salary schedule at \$21.08 (90%) depending on experience, and then consider a part-time position between Planning and GIS if possible. The motion died for lack of a second. Further discussion included inevitable future GIS expansion, balancing the budget, shapeshifting to adjust for availability and need within additional approved funding, the election process mandate for GIS work in the Clerk and Recorder's office, pursuing grant funding, and advertising for two positions and adjusting the remaining position after assessing the skill and experience level of the successful applicant. After discussion, Ron Nye moved to approve hiring 1.5 positions in GIS by advertising for a GIS Clerk and a Programmer/Analyst, wages to be determined, and after the first position is filled reassessing the remaining position, and then consider the possibility of a position shared between Planning and GIS. Following a brief discussion about various departments, it was decided that several budgets will be continued to Thursday, June 30, 2022, at 2:00 p.m. After discussing a decrease to the Road District 3 budget, John Heckler moved to approve the Road budgets for Districts 1, 2, and 3 as presented, with the correction of Road 3 having a decrease of \$128,000, not an increase of \$179,000. Ron Nye seconded the motion. All voted aye and the motion carried. John Heckler moved to approve adding \$75,000 to Contract Services for the Planning Department. Ron Nye seconded the motion. All voted aye and the motion carried. The Housing Board requested additional funds for a housing study and after a brief discussion John Heckler moved to increase the Housing Board budget by \$8,000 to participate in a one-time, region-wide housing study. Ron Nye seconded the motion. All voted aye and the motion carried. Budgets for the Sheriff's Department, Madison Valley Manor, and Weed Department were briefly discussed. The Board discussed Solid Waste, noting that there is no choice but to increase its budget considering the increase in the number of people living in the County, tipping fees, fuel costs, and that this budget includes adding summer help. After discussion, John Heckler moved to increase the Solid Waste/Junk Vehicle/Recycling budget by \$61,700 for fiscal year 2022/2023. Ron Nye seconded the motion. All voted aye

and the motion carried. John Heckler moved to increase the Public Health budget by \$6,000 for fiscal year 2022/2023, but after discussion the motion was rescinded since the Board wants more information about including a medical director. Economic development funding was discussed, and Vicki noted this comes from the general fund and is billed quarterly. Vicki brought up the special request by the County Attorney to change the short term Legal Assistant position to a permanent position, and Dan pointed out this was approved at a prior meeting. Ruby Valley Search and Rescue's increase and the receipt of insurance money from the 2019 hail storm damage was briefly discussed, and John Heckler moved to accept Ruby Valley Search and Rescue's additional budget of \$40,206 for building repairs and small items of equipment. Ron Nye seconded the motion. All voted aye and the motion carried. John discussed the Senior Citizen's Advisory Board budget that was at some point \$250,000 for a vehicle but reduced by \$150,000, and he noted that now the overall budget shows an increase of \$3,700. Vicki said this is more informational than a request. Regarding the Fair budget, it was noted that some of the buildings need more maintenance than originally planned and funds should be moved to the appropriate line item. Ron Nye moved to approve moving \$15,000 from line 925 to Building Maintenance. John Heckler seconded the motion. All voted aye and the motion carried. The remainder of the requests were continued to later in the week.

Commissioner Dan Allhands left the meeting at this point and was absent for the remainder of the meeting.

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:** Hannah pointed out an update email with attached documents from Becky Lawson, SMA Architects. Discussion included operation and maintenance (O&M) manuals, loose ends to be tied up, and the possible release of retained funds to TW Enterprises, with Becky's written approval, closing out the boiler and generator projects. Craig mentioned that the Department of Commerce is considering a proposal to increase CDBG grant awards from \$600,000 to \$750,000, with no change to the 25% match, which would be very helpful for projects planned at TRMCC.

Claims: The Board approved claims.

Skyline Surveying – Court Ordered Survey: Stephanie Kruer, Attorney, met with the Board by Webex to discuss a court-ordered survey being done by Margaret Stecker, Skyline Surveying. Laurie Buyan, Executive Assistant to the Board of Commissioners, was present for this portion of the meeting. Laurie explained that this is a court-ordered subdivision, and Stephanie discussed the tenants-in-common process, noting the law allows the two gentlemen involved in this property to split it in half with no dispute. The court granted the partition in advance, ordered the steps that are being carried out, it has been reviewed by the Clerk and Recorder, and when the Board signs the mylars the deed will be recorded. Following review, John Heckler moved to approve the mylars as presented. Ron Nye seconded the motion. All voted aye and the motion carried.

Letter Cancelling LifeMap Insurance: The Board reviewed a letter cancelling LifeMap insurance. Laurie Buyan, Executive Assistant, was present for this portion of the meeting. After review, John Heckler moved to approve the letter to cancel Life Map insurance and sign the letter. Ron Nye seconded the motion. All voted aye and the motion carried.

Blue Cross/Blue Shield Revised Rates: The Board considered revised rates for Blue Cross/Blue Shield. Laurie Buyan, Executive Assistant, was present for this portion of the meeting. Laurie pointed out that previously the BCBS rates were approved, but when the number of employees that signed up for long term disability reached a certain number the rates were reduced. Following review, John Heckler moved to accept and sign the Ancillary Group Benefits Proposal Acceptance Letter, Quote ID 170331, dated July 1, 2022, and include the option sheets. Ron Nye seconded the motion. All voted aye and the motion carried.

Alder Sewer District Board Appointment: The Board reviewed an application for the Alder Sewer District Board. Laurie Buyan, Executive Assistant, and Guy Buyan, Solid Waste Foreman, were present for this portion of the meeting. After review, John Heckler moved to accept Randy Larson's application for the vacant position on

the Alder Water and Sewer District Board for a four-year term that will expire in May of 2026. Ron Nye seconded the motion. All voted aye and the motion carried.

Resolution 39-2022 Closing the Alley in Block 4 of Schmaulhausen's Addition to the Townsite of Pony: The Board reviewed Resolution 39-2022. Laurie Buyan, Executive Assistant, was present for this portion of the meeting. Following review, John Heckler moved to approve Resolution 39-2022, a resolution of the Madison County Commission regarding the petition to close the alley within Block 4 of the Schmaulhausen's Addition to the Townsite of Pony, with corrections. Ron Nye seconded the motion. All voted aye and the motion carried.

MDT Equipment Storage Lease Agreement: John reviewed the proposed lease agreement received from MDT for a lot adjacent to the District 3 road facility, noting it is renewable every year and the cost of the land lease is \$50 per year. Laurie Buyan, Executive Assistant, was present for this portion of the meeting. After discussion, John Heckler moved to approve the lease agreement between the Montana Department of Transportation and Madison County, and sign and send it back to MDT for their execution. Ron Nye seconded the motion. All voted aye and the motion carried. John noted the \$50 needs to be paid in advance, then a 20-foot gate will be installed on the northern common fence line, and a fuel tank from that property needs to be relocated to District 3 property.

Public Health Task Order for Disease Intervention Specialists/Congregate Living Coordinators: The Board reviewed a Public Health task order. Laurie Buyan, Executive Assistant, was present for this portion of the meeting, and explained that the Disease Prevention Specialist position in Public Health is funded through grants, and this task order will fund the position through the end of the calendar year. Following review, John Heckler moved to approve Task Order Number 23-07-7-11-122-0 to the master contract effective July 1, 2019 to December 31, 2026 between the State of Montana, Department of Public Health and Human Services and Madison County. Ron Nye seconded the motion. All voted aye and the motion carried.

Planning Office: Kristy Harper, Planner I, met with the Board to discuss the following topics. Michelle Schriock, Planning Clerk, Beth Famiglietti, Lone Mountain Land, Hannah Brook, Grant Writer/Administrator, and Pamela Ward, Clerk and Recorder's Office, were present for all or a portion of these topics.

- **Subdivision Improvement Agreement (SIA) Releases (Pioneer Point Phase 2, Eglise Village, and Lower Golf Course Village Phase 2):** Kristy reviewed three SIA releases and warranty periods for Yellowstone Mountain Club subdivisions. The release amounts varied, and Kristy will research the reasons for the release amounts. After discussion, the topic was continued to the next regular Commission meeting.
- **Condo Lot D, Moonlight Basin, Condominium Declaration:** Beth pointed out that this subdivision in Moonlight Basin was approved in 2014, nothing was ever built on Condo Lot D, and once approval is recorded they can sell the lots. John discussed having adequate time for review, staff recommendation, and documentation for future requests. Ron reviewed previous Planning Staff approval and noted the lack of staff in Planning. After discussion, John Heckler moved to accept three units on Condo Lot D, Moonlight Basin, Condominium Declaration. Ron Nye seconded the motion. All voted aye and the motion carried.

Grants: Hannah Brook, Grant Writer/Administrator, met with the Board to discuss the following topics. She pointed out that the County's auditor requested more comprehensive agreements for ARPA funding so the agreements have been revised with no changes to the scope of work, and they have been approved by the County Attorney's office. The Alder agreement had some other corrections, and she noted that Harrison is in the process of hiring an engineer and then the project can be completed.

- **Alder Water & Sewer District updated ARPA MOA**
- **Harrison Water & Sewer District updated ARPA MOA**
- **Town of Sheridan updated ARPA MOA**
- **Virginia City updated ARPA MOA**

After review, John Heckler moved to approve four updated ARPA Memorandums of Agreement (MOA) for Alder Water & Sewer District, Harrison Water & Sewer District, the Town of Sheridan, and Virginia City. Ron Nye seconded the motion. All voted aye and the motion carried.

Great West Engineering: Jeremiah Theys, Great West Engineering, met with the Board via Webex to discuss the following topics. Hannah Brook, Grant Writer/Administrator, and Pete Novich, Novich Insurance Agency, were present for this portion of the meeting.

- **Town of Twin Bridges Contractor's Application for Payment:** Jeremiah said the Town of Twin Bridges has already approved the contractor's application for payment and it needs to be submitted for reimbursement to the County who will in turn reimburse Twin Bridges. The application was submitted last September under ARPA Bucket B. He and Hannah pointed out that the County has already received \$835,000 in Bucket A funding, and Bucket B projects operate on a reimbursement basis. Following discussion, John Heckler moved to approve Contractor's Application for Payment No. 4 dated June 7, 2022, for the amount of \$63,595.43. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Status of Change Orders on the Jack Creek Road Emergency Work:** Jeremiah and John discussed the water-damaged areas on Jack Creek Road, A.M. Welles' emergency repair work and keeping those repairs separated from the ongoing road repair project, the best way to handle billing and documentation, Great West's separate tracking for emergency labor and supplies, and submitting documents to FEMA for repayment. Since the State and County declared emergencies and there was a Presidential declaration, Jeremiah said FEMA will step in to offer flood mitigation assistance. He reviewed work and inspections already completed and still to be completed when the high water recedes. Jack Creek Bridge #4 was discussed, as well as the resumption and revised schedule for the project work on Jack Creek Road.

Forest Service MOU for Road Repair on Fire Damaged Areas: The Board discussed a Memorandum of Understanding (MOU) with the Forest Service for road repairs on specified fire damaged areas. Carmin Hill, Clerk of Court, Hannah Brook, Grant Writer/Administrator, and Pete Novich, Novich Insurance Agency, were present for this portion of the meeting. Since the MOU needs to be changed, the topic was continued.

Clerk of Court – Starting Wage for Part-Time Deputy: Carmin Hill, Clerk of Court, met with the Board to discuss the starting wage to offer a part-time Deputy for the District Court office. Kila Shepherd, HR Director, was present for this portion of the meeting. Carmin discussed wage procedures, starting wage, and step scale regarding an experienced applicant for the part-time Deputy Clerk of Court position. She requested, because the position is part-time and the individual is very experienced, to increase the pay on a calendar basis (at 6 months and 12 months) instead of hours worked, given that the individual performs well on the job. After discussion, John Heckler moved to approve, for this specific request by the Clerk of Court, that the hiring manager can offer a starting rate based upon the candidate's experience of 90% for the part-time Deputy position. After a six calendar-month period, on the hiring manager's recommendation, the pay scale may be raised 5%. After another six calendar-month period and upon the hiring manager's request, a second 5% raise in pay will be considered. Ron Nye seconded the motion. All voted aye and the motion carried.

Insurance Renewal for Airports: Pete Novich, Novich Insurance Agency, met with the Board to discuss airport insurance renewals. Kila Shepherd, HR Director, and Hannah Brook, Grant Writer/Administrator, were present for all or a portion of this topic. Discussion included the insurance brokers' efforts to get the best carrier rates, non-covered/excluded and contingency items on the renewal quote, special event coverage, coverage of the County versus the airplane owners and airport managers, hangar and content liability, hypothetical situations, and primary versus secondary coverage. The IT Department is involved with the applications, and to avoid a gap in coverage Pete will submit a bind request to hold the premium amount.

Cyber Liability Insurance Quote: Pete Novich, Novich Insurance Agency, met with the Board to discuss a quote for cyber liability insurance. Kila Shepherd, HR Director, was present for this portion of the meeting. Pete stated that MACo dropped their cyber liability insurance due to rising costs and the County's last day of coverage is Thursday, June 30, 2022. Pete reviewed a company in California with a yearly premium of \$15,632, coverage of \$1 million with a \$25,000 deductible, and briefly explained coverage. Following discussion, John Heckler moved to approve sign the bind request with National Specialty Insurance Company for cyber insurance for the premium amount of \$15,632.72 for the period from 07/01/2022 to 07/01/2023. Ron Nye seconded the motion. All voted aye and the motion carried.

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

- **New Hire: Kuu Mursch, Justice Court Compliance Officer and Assistant Administrator transferring on 6/23/22 at \$23.42:** Kila reminded the Board that the Justice Court Clerk position was changed to Compliance Officer with Commissioner approval and was advertised and filled at different rates, and she provided meeting minutes from July 13, 2021. She also pointed out that Kuu has over six months of emergency communication experience, experience entering legal documents, over four years of supervising individuals with chemical dependencies, and reviewed other personal experience and qualities that Judge Glines deemed important for this position. She also would have been due an increase in her former position, so she will be making less per hour by transferring to the Justice Court position. John Heckler moved, upon more consideration since last week, to offer Kuu Mursch the position of Justice Court Compliance Officer and Assistant Administrator at a starting rate of \$23.42 per hour, starting on June 23, 2022. Kila noted that the start date was delayed to June 27, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Review Policy Change Comments:** Kila reviewed comments from employees regarding proposed changes to the Personnel Policy Manual, including that the Policy Manual Committee should be brought together again to go through the suggested changes. Ron agreed and Kila suggested that she can designate and add diversity by including employees from all over and adding people who weren't on it before. She also provided a draft reflecting the Board's suggestions from last week, which she will put before the committee and if they make any significant changes she will bring it back to the Board. Ron agreed that this needs to happen.

County Attorney – Opioid Litigation: Chris Christensen, County Attorney, met with the Board to discuss opioid litigation. After a brief discussion, John Heckler moved to approve the second amendment to the November 2021 Memorandum of Understanding as regarding the Distributors and Janssen opioid settlement. Ron Nye seconded the motion. All voted aye and the motion carried.

Ron informed Chris about the earlier approval of the Justice Court position and there was discussion about wage scale and increases to other staff members, and Ron discussed a suggestion that a committee could review the wage scale, make necessary changes, and have everyone stick to the corrected scale, noting this should be done right away.

Calendars: The Board reviewed calendars in the Commissioner's office.

At 3:55 p.m. the remainder of the meeting was continued to Thursday, June 30, 2022, at 2:00 p.m.

Thursday, June 30, 2022: The meeting was reconvened on Thursday, June 30, 2022, at 2:00 p.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. Laurie Buyan, Commissioners' Assistant, was present to take minutes.

2022 - 2023 Budget Requests: The Board continued the discussion on 2022-2023 budget requests. Britani Allhands and Vicki Tilstra, Finance, were present for this portion of the meeting. There was discussion regarding budgets that were approved at Tuesday's meeting.

The Board briefly discussed and agreed to move forward with Superintendent of Schools, Treasurer, Facilities, IT, Finance Office, DUI Task Force, Coroner, Drug Forfeiture, Communications and 911 Emergency, Communications (Dispatch), Communications Coordination, Human Resources, Madison Valley Search and Rescue, Sanitarian, Clerk of Courts, Library, Airports, Mental Health, Madison Valley Manor, and Bridge budgets.

There was discussion about upgrades that still need to be completed at the old courthouse and adding funds to the budget for upgrades to the Mason house. Vicki stated there is funding in the capital improvements lines for these items. The following items were discussed more in-depth.

- **Weed Budget Request:** The Board discussed wages in the Weed Department, noting that the Coordinator is requesting an increase for himself and an increase for the office assistant. There was discussion about the level of responsibility of the assistant which is more than most clerk positions. There

was also discussion about the amount of increase of going from a clerk to an administrative assistant position and the difference in the coordinator wage and the Administrative Assistant wage. Following discussion, John Heckler moved to approve moving the Weed Office Clerk to an Administrative Assistant, at the rate of \$24.59 per hour and to increase the Weed Coordinator wage to \$26.59 per hour for a difference of \$2.00 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Public Health Medical Director:** There was discussion about paying the medical director for the Public Health Department. The request was to pay the medical director \$12,000 per year, but the rest of the budget was reduced making the overall budget increase \$6,000. This proposal was questioned because of the actual work that would be performed and the fact that the medical director is a board member and board members are typically volunteer. The Board tabled this topic and will come back to it later.
- **Grants Budget Request:** There were no major changes to the Grant budget but there was discussion about increasing the budget for the Grant Department for contracted services and possible additional help. It was suggested that if needed a budget amendment could be used.
- **TRMCC Budget Request:** It was noted that Gail adjusted the line item for travelers. Vicki noted that she thinks it's good now.
- **Road General:** There was discussion about grader leases and grader purchases. The Board was okay with the overall budget.
- **Extension:** It was noted that the lease line was increased because the building is being sold and they are anticipating an increase in the cost of the lease. The increase hasn't happened yet but they are planning for it. There were also increases due to fuel and machine maintenance.
- **Commissioners:** It was noted that there is a request to add another full-time clerk and keep the part time clerk as needed. It was also noted that the travel line was increased. Laurie asked if it was okay to start advertising for a new clerk. The board responded that it was. Laurie also stated that Jane has agreed to fill-in in various offices if needed when she's not needed at the Library.
- **Golf Course Funding:** There was discussion about adding funding for the golf course and the fact that there is no budget or mill levy to support it, which is how it's been for 41 years. John stated that it would have been great if a mill levy had been run 40 years ago. Dan responded that they did try it and one of the commissioners at the time was not willing to support it. There was further discussion about the history of the golf course. Dan further noted that they are currently having the best year they've ever had. Ron asked if the budget should include a line for the golf course. Vicki replied that she could if that's what the Board wants and asked how much to put in it. It was noted that their last request was for \$60,000. There was discussion about the mill levy to cover infrastructure needs at the golf course and the possibility of borrowing money to fund these needs and paying it off annually with the mill levy funds. Ron will contact the golf association and find out what their immediate needs are. It was noted that in order to assist the golf course financially, the County would need accurate records from the golf association, including number of members, revenue, expenses, operating costs, etc. Vicki stated that she can do an intergovernmental transfer from the General Fund.
- **Sheriff's Budget Request- Care and Custody of Prisoners:** The Board discussed the Care and Custody portion of the Sheriff's budget. It was noted that the requested increase was too much. Vicki stated she will make adjustments. Dan made suggestions. Following discussion, Ron Nye move to approve the Care and Custody budget for the Sheriff's Department with line item 392 at \$250,000 and line item 399 going from \$25,000 to \$15,000. With these reductions, John Heckler seconded the motion. All voted aye and the motion carried. Ron Nye moved to decrease line item 357 in the Sheriff's budget from \$98,000 to \$75,000 and line item 399 from \$30,000 to \$15,000. John Heckler seconded the motion. All voted aye and the motion carried.
- **Fair Budget:** There was discussion regarding the request to increase the crew assistant and the groundskeeper positions. Following discussion, Ron Nye moved to deny the request to change the crew assistant and the groundskeeper wage scale as they have already received a 5% increase. John Heckler seconded the motion. All voted aye and the motion carried.
- **Public Health Budget Request:** There was discussion regarding compensation for a medical director. It was noted that a smaller amount might be acceptable but \$1,000 per month was too much. Following discussion, John Heckler moved to deny the request to pay the medial director for the Public Health Board. Ron Nye seconded the motion. All voted aye and the motion carried.

With no further discussion, the meeting was adjourned at 4:10 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, July 5, 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: November 22, 2022

Minutes prepared by:

Jane Bacon, Commissioners' Clerk, and

Laurie Buyan, Commissioners' Assistant

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