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STATE OF MONTANA MADISON COUNTY
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Paula McKenzie, CLERK & RECORDER
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**BOARD OF MADISON COUNTY COMMISSIONERS
JULY 25, 2023 MEETING MINUTES**

On Tuesday July 25, 2023 a meeting of the Board of Madison County Commissioners came to order at 10:00 AM on the Second Floor in the Motor Vehicle Office of the Administrative Building in Virginia City, Montana, with Commissioners Dan Allhands, Chairman, Ron Nye, Bill Todd and Shawna Lutgen, Commissioner's Assistant present. Paula McKenzie, Clerk and Recorder, was present to take meeting minutes.

Those people in attendance at the meeting were Al Malinowski. Ryan Wolter, IT Specialist, facilitated the WEBEX connection. Those who attended via WEBEX or by phone included Craig Erickson and unidentified phone attendees.

ALL STAND FOR PLEDGE OF ALLEGIANCE

10:00 AM **MOU – Backup Sanitarian Services Discussion and/or Action Item:** Kasey Smart, Sanitation; Emilie Saylor, Public Health

Emilie Saylor went over the Truck Wreck and Train Wreck Protocol Plan, done every year and is due in September 2023. This plan is used when there is a truck wreck with food involved. A Sanitarian must be contacted every time this happens. The county must have a Sanitarian on call 24/7 to cover when this happens. Kasey Smart is looking into who will contract with us to cover these situations. We also need a backup Sanitarian. Emilie must report each quarter that we do have our Sanitarian's contracted.

10:05 AM **Contract Sanitarian RFP Discussion and/or Action Item:**

Bill Todd moved to advertise for a SIT or Sanitarian Contract. Seconded by Ron Nye. No further discussion followed. All three commissioners voted in favor at 10:09 AM. Dan Allhands, Chairman carried the motion. Emilie will have an article published explaining the job and qualifications needed to try to draw interest in the position.

10:10 AM **Senior Bus Driver Alternate Discussion and/or Action Item:**

Have no applications at this time. Dan Allhands recommends \$21.00 hour pay. The advertisement will reflect the offer at \$21.00/hour for the Senior Bus Driver Alternate Position up to 20 hours per week. The position will be posted.

10:15 AM **PADGETT Business Services Discussion and/or Action Item:** Vicki Tilstra, Finance

Vicki clarifies that we have two invoices left to pay for fiscal year then no more paying them for Fair Foundation. We will let the Fair Foundation/PADGETT know to send invoices to their secretary. A motion to discontinue payments was made previously. For certain fair projects, requests will still come before the Commissioners.

Bill Todd made a motion to approve the July 13, 2023 Meeting Minutes. Seconded by Ron Nye. No further discussion followed. All Three Commissioners voted in favor at 10:17 AM. Dan Allhands, Chairman carried the motion.

No Claims

10:20 AM **Medical Malpractice Insurance Follow-up Discussion and/or Action Item:**

Jennifer Westfall asks if the county has an option for medical malpractice? Bill Todd spoke to MACO and they said no. Dan Allhands explained that we need to look into the options and discuss the issues and gaps further and asked to have the discussion placed back on the agenda next week.

10:25 AM **Preservation of Former Employee Email Accounts – 7 years Discussion and/or Action Items:**
David Buchler, County Attorney

David Buchler has looked into and suggests we need an update and policy set in regards to preserving employee email accounts. Dave suggest 5 to 7 years preservation, Bill Todd believes 7 years makes the most sense.

Bill Todd made a motion to amend the IT Policy to require the maintenance of employee email as an electronic data for seven years. Seconded by Ron Nye. Discussion was held as to who should review the emails, who uses the email, possible different retention schedules for offices, all records kept while employee is retained and then kept 7 years after the employee severs their employ with the county. All three Commissioners voted in favor at 10:30 AM. Dan Allhands, Chairman carried the motion.

10:30 AM **Pony to Mammoth Road Re-route:** David Buchler, County Attorney; Gina Fleming, FWP

At the request of Ron Nye, David Buchler attended the Forest Service meeting to discuss the potential reroute of the Pony to Mammoth Rd. The project has come to the point where Buchler believes public discussion is warranted. Eli Thompson gave additional background from the road committee on the background of the road. He states this has been a county road since 1871, and has been closed since the fire of 2012 destroyed it. Ron Nye stated the Forest Service is willing to fix the road to a 65-foot motorized vehicle width. Then the road would be turned over to the county. There is a question as to whether this can be done. Is the county ready to go forward with this project? Is more public discussion needed before continuing? How would the proposed reroute be dealt with? If this would be a county road, can we limit access. Will there be a petition brought up for abandonment of a portion of the road? Discussed the process of how to go further and what is needed before this can be done. There is a question as to if this is really a county road. Bill Todd would like to review the Road Review Committee documents on this road. The Forest Service is ready to implement but want to work in partnership with Madison County.

10:45 AM **Boulder Lake Acquisition Discussion and/or Action Item:** Tim Leahy, Forest Service

The Forest Service is looking at a potential land acquisition of private land near Boulder Lake. They would like a letter of support from the county. Dan Allhands and Bill Todd question having the Forest Service take control of more private land. There are questions as to access and grant competition, assessment of worth. The Commissioners will look into this more and will be in touch.

11:00 AM **Madison Valley Manor Electrical Bid Opening:** Craig Erickson, Great West Engineering; Becky Lawson, SMA, Shawna Lutgen, Grants

As of now there are no bids. Discussed contacting Mr. Edwards and any other interested parties again and possibly scheduling further out to find any willing to take on this project. See if there is anything we can do to make this more attractive to an electrical contractor.

11:15 AM **Ousel Falls RID Maintenance Agreement Discussion and/or Action Item**

Bill Todd made a motion to approve the Morrison Maierle Ousel Falls RID Maintenance Agreement. Seconded by Ron Nye. No further discussion followed. All three Commissioners voted in favor at 11:18 AM. Dan Allhands, Chairman carried the motion.

11:20 AM **Resolution 49-2023 A Resolution Imposing An Open Burn Ban In Madison County:**

Joe gave update on fire danger at this time and informed that most other counties are on board with a fire ban.

Bill Todd made a motion to approve Resolution 49-2023 a Resolution Imposing an Open Burn Ban in Madison County. Seconded by Ron Nye. David Buchler noted that the Resolution was shown to the County Attorney for review and it seems reasonable and prudent. All three Commissioners voted in favor at 11:25 AM. Dan Allhands, Chairman carried the motion.

11:25 AM **Courthouse Drainage RFP Discussion and/or Action Item**

Dan Allhands explained that the first thing we need to do to move forward with solving the issues at the Courthouse is to take care of the drainage issue around the Courthouse. Let's find out why we are having issues to then find a solution to those problems. Bill Todd made a motion to approve the Courthouse Drainage RFP as presented. Seconded by Ron Nye. No further discussion followed. All three Commissioners voted in favor at 11:28 AM., Dan Allhands, Chairman carried the motion. Bill Todd made a secondary motion that the County submit a letter to Virginia City to have them investigate the height of the streets on a historical basis to whether or not they have raised up over time and if that could be contributing to the drainage problem. Seconded by Ron Nye. No further discussion followed. All three Commissioners voted in favor at 11:29 AM. Dan Allhands, Chairman carried the motion.

11:30 AM **Cyber Security Insurance Policy Discussion and/or Action Item**

MACO no longer covers Security Insurance so our insurance agent came up with options. Bill Todd made a motion to select Option 1 for Cyber Insurance Quote. Discussion was had as to how to select an option to choose. Back to the motion, seconded by Ron Nye. No further discussion followed. All three Commissioners voted in favor at 11:38 AM. Dan Allhands, Chairman carried the motion.

11:35 AM **Big Sky Trails, Recreation and Parks District Trails Discussion and/or Action Items:**

Update given, information is being put out through various way. Results of surveys gone over. The answers were very supportive with a 60% approval. Bill Todd made a motion to approve Resolution 50-2023 an Intent to Create a Resolution to Levy Assessments on All Parcels within The Big Sky Meadow Trails, Recreation, and

Parks District of Madison County for FY 2024. Seconded by Ron Nye. Question was raised as to amounts given, they will be corrected. The motion was amended to approve with corrections. Seconded by Ron Nye. No further discussion followed. All three Commissioners voted in favor at 11:46 AM. Dan Allhands, Chairman carried the motion.

DISCUSSION: Question was raised as to maintenance on county road, Madison Ave. in Ennis, MT. Bill Todd explained that this would be the next road to be done, the county is working through the list, also working with Bozeman District Manager to discuss what belongs to who and who owns what. We need to get a better relationship with the State up in the Bozeman area.

11:50 AM County Responsibility for Vehicle Repair Discussion and/or Action Item

David Buchler explained that barring extraordinary circumstances Madison County should not pay out claims for people who damage vehicles on county roads. The claims cannot be corroborated and drivers should take responsibility for themselves. The County Attorney recommends the County not pay out claims put in by residents whose vehicle is damaged on county roads. The County should come up with a policy to cover these claims. Also, a Road Foreman and/or Road Committee could be beneficial.

12:00 to 1:00 BREAK FOR LUNCH

1:00 PM County Facilities Task Force Discussion and/or Action Item

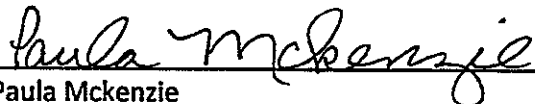
It was brought to the Commissioners that it may be beneficial to them to allow a County Facilities Task Force to be created. This Task Force would help look at different situations throughout the county to give help in research, possible solutions, different angles and perspectives, looking further back and forth to help with the big picture. The Commissioners are open to this. Possibly creating a Citizens Advisory Board, which would help the entire county. It would help present the best data which could help the Commissioners make informed decisions. Discussed how the structure would look, expectations of the board members, should this be an Advisory Board or Task Force, then asked if a proposal could be drawn up and brought back.

1:15 PM Human Resource Closed Session

Meeting adjourned at *2:05 PM*

Next Meeting: The next regular Commissioners meeting will be held on Tuesday August 1, 2023 beginning at 10:00 AM on the second floor in the Motor Vehicle Office in the Administrative Building in Virginia City, MT.

Minutes taken by:



Paula Mckenzie

Madison County Clerk & Recorder

Date Approved: aug 8, 2023

Dan W. Allhands

Dan W. Allhands, Chairman
Board of Madison County Commissioners

Paula Mckenzie

Attest: Paula Mckenzie, Madison County Clerk & Recorder

