

BOARD OF MADISON COUNTY COMMISSIONERS
August 23, 2022, Meeting Minutes

On Tuesday, August 23, 2022, a meeting of the Board of Madison County Commissioners came to order at 9:35 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, Hannah Brook, Erland Gendreau, Reece Gendreau, Kristy Harper, Michelle Schriock, Tom Luksha, Paula McKenzie, Mary Snyder, Doug Smith, Donald McCune, Brad Owens, Marshall Bettendorf, Julie Thompson, John Thompson, Steve Maxwell, Michael Reeve, John Overstreet, Karen Rice, Greg Rice, Pete Rossiter, Tyler Lott, Carmin Hill, and Chris Christensen. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those in attendance via Webex included Chris Luck Jennifer Westfall, James Forester, Samantha Johnson, Courtnie Fisher, Brooke Schandelmeier, Jeremiah Theys, Jennifer Martens, Hanna Dietrich, Bou Lestner, Dan Metzger, Lisa Roberts, Michelle Schriock, Abby Thomas, Laurie Buyan, Dave James, Allison Veland, Jani Flinn, Lance Bowser, Karl Yakawich, Cori Koenig, AM Welles, PH, Mike Callahan, and AMW.

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

Performance Progress Report – Cliff and Wade Lake Road Gravel Surfacing Project FLAP: Hannah Brook, Grant Writer, met with the Board to discuss the Cliff and Wade Lake Road Gravel Surfacing Project. Karl Yakawich with Great West Engineering met with the Board via Webex. Karl discussed options for the project and informed the Board that A.M. Welles had submitted a bid. The Bid was higher than anticipated. The options were for Western Federal Lands to request additional funds, rebid the project, or reduce the project work. The County will need to look into the higher match of funds and if the County Road Department will be able to do some of the work on the project. Following discussion, it was determined that Karl would request for WFL for additional funds.

Saxon Minor Subdivision Preliminary Plat: Kristy Harper, Planner I, Erland and Reece Gendreau, GE Land Development, met with the Board to discuss Saxon Minor Subdivision Preliminary Plat and variance request. The subdivision is purposing to create two separate lots for two existing homes. Lot One would consist of 1.67 acres and Lot Two would consist of 13.07 acres. No parkland is required for the project. Total acreage is 14.74 acres for the residential pieces. A variance has been requested for the 60-foot Right of Way requirement. Current Right of Way is 30-feet and has been in existence prior to subdivision process. The Planning Board recommends the Commissioners adopt the proposed Findings of Fact, Conclusions and Conditions of Approval and grant Preliminary Plat approval for Saxon Minor Subdivision. The Planning Board recommends to deny the Variance Request to waive a 60-foot requirement for Skyway access. Following discussion Ron Nye moved to accept the Variance Request for Lots One and Four for the Saxon Minor Subdivision. John Heckler seconded the motion. All voted aye and the motion carried. Ron Nye moved to accept the Planning Boards Findings and Facts, Conclusions and Conditions of Approval and grant available Preliminary Plat approval for Saxon Minor Subdivision. John Heckler seconded the motion. All voted aye and the motion carried.

Ranch Resources Flood Plain Permit Application: Kristy Harper, Planner I, met with the Board to review the Flood Plain Development Permit Application submitted by Ranch Resources LLC on behalf of North Fork Place LLC to build a 36X60 foot Agricultural Pole Barn, Southwest of Twin Bridges along Pennington Rd. Flood Plain Administrator is recommending approval. Ron Nye moved to approve the Flood Plain Permit Application as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Ennis Big Sky Airport – Land Acquisition FFA Grant Eligibility: Hannah Brook, Airport Secretary, met with the Board and Lance Bowser, Robert Peccia & Associates, present via Webex, to discuss the Ennis Big Sky Airport Land Acquisition FAA Grant Eligibility. The FAA Project Manager has stated that grant reimbursement is

ineligible for the cost of the land acquisition. Following discussion, the Board decided to have Lance schedule a meeting with the FAA Project Manager, the Airport Board, and the Commissioners.

Request for Religious Exemption: Allison Veland, Madison Valley Manor Administrator requested via Webex the Board's approval for the COVID 19 Vaccine Religious Exemption for a currently employed CNA. Following discussion and review item has been tabled until form is completed.

Madison Valley Manor Requests for Hire: Allison Veland, Madison Valley Manor Administrator, requested the approval for the hire/transfer of the following individuals:

- Kylie Noack as part time CNA at the rate of \$17.96 per hour. Following review of the pay scale, John Heckler moved to approve Madison Valley Manor new hire Kylie Noack as a part time CNA at the rate of \$17.96 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.
- Thomas Zitzer as full time RN at the rate of \$36.23 per hour. Following review of the pay scale, John Heckler moved to approve Madison Valley Manor new hire as a full time RN at the rate of \$36.23 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.
- Lily Garcia as part time Dietary Cook/Aide at the rate of \$17.16 per hour. Following review of the pay scale, John Heckler moved to approve Madison Valley Manor new hire Kylie Noack as a part time Dietary Cook/Aide at the rate of \$17.16 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.
- Kim Zuck as part time Infection Prevention Officer at the rate of \$36.23 per hour. Following review of the pay scale, John Heckler moved to approve Madison Valley Manor transfer as a part time Infection Prevention Officer at the rate of \$36.23 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.

GIS Programmer Wage and Job Description: Tommy Luksha, GIS, requested the approval for GIS Programmer/ Analyst Wage and Job Description. Following discussion John Heckler moved to move forward on the advertising of a GIS Programmer/Analyst at a pay range of \$29.97 to \$35.26 per hour as a full-time permanent employee as the Madison County GIS Department. Ron Nye seconded the motion. All voted aye and the motion carried.

Approval of Minutes: There were no minutes provided to approve.

Claims: The Board approved claims.

Mason House Inspection: The Board discussed the agreement between Headwaters Home Services LLC and Madison County for the home inspection on the Mason house in Virginia City. The agreement is a standard home inspection and services showing possible short comings. If agreement is approved the inspection would be done within two weeks and would issue the County a report on the Mason house within the third week. The amount of payment is not to exceed \$1,000.00. Following discussion, John Heckler moved to sign the agreement with Headwaters Home Services LLC for the home inspection on the Mason house in Virginia City as presented. Ron Nye seconded the motion. All voted aye and the motion carried.

Action Inc. Human Services Contract: Board reviewed the Agreement Madison County Assistance Program Human Services Contract between Madison County and Action, Inc. Total amount of the Contract is \$8,500.00 and to help people who are going through tough times and in need for some assistance. Ron Nye moved to approve as presented. John Heckler seconded the motion. All voted aye and the motion carried.

SRS Allocation (Title I, Title II and Title III) Designations: The Board reviewed the SRS Allocation for Title I, Title II and Title III Designations. Ron Nye moved to approve the SRS Allocation (Title I, II, and III) designations as presented by Finance Office. John Heckler seconded the motion. All voted aye and the motion carried.

MOU with Gallatin County for Purposes Related to the Administration and Management of the SW Regional Juvenile Detention Grant FY23: This Memorandum of Understanding is made by and between Gallatin County and Madison County for the purpose to authorize and establish an agreement between

Gallatin County and Madison County to accomplish the goals in the Montana Board of Crime Control Regional Juvenile Detention grant entitled: Southwest Regional Juvenile Detention. The effective date of the agreement for FY 23 is July 1, 2022 through June 30, 2023. Ron Nye moved to approve as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Resolution 50-2022 Ordering Referendum to Create Golf Course District: The Board held a public hearing regarding referendum to create a golf course district. At 1:13 p.m. Chairman Allhands opened a public hearing on the Resolution 50-2022 Ordering Referendum to create golf course district. Paula McKenzie, Mary Snyder, Doug Smith, Donald McCune, Brad Owens, Marshall Bettendorf, Julie Thompson, John Thompson, Steve Maxell, Michael Reeve, John Overstreet Bill Todd, Karen Rice, Greg Rice and Tommy Luksha were present for the hearing. John Heckler read Resolution 50-2022 aloud. Dan Allhands asked for public comment. Discussion ensued about several elements contained in the document, including process to move forward. John Heckler stated that Resolution 50-2022 only applies to the mill levy and that there would be a separate agreement for operation created in the future. Dan Metzger, Golf Course Board Member, via webex, commented that the proposed resolution is specific to Section 6. Activities to be financed included total upgrade of the irrigation system and replacement of worn grass maintenance equipment. One concern of the public was why the proposed mill levy was not a countywide tax levy and only a special district tax levy. Hearing no further comment, the public hearing was closed at 2:36 p.m. Following discussion, Ron Nye moved to approve Resolution 50-2022 a resolution calling for a referendum regarding Madison County Golf Course District. John Heckler seconded the motion. All voted aye and the motion carried.

Proposed Asphalt off Highway 287: Pete Rossiter, GMA, and Tyler Lott, GMA, proposed asphalt off of Highway 287 between Anderson Lane and GMA Mine East Entrance. Pete is proposing to put down asphalt aprons and agitation pads. This would help with DEQ concerns of bringing sediment onto the highway. The proposed project is just in the development phase. GMA is looking for the Commissioners endorsement to submit the proposal to the Department of Transportation. Following discussion, the Board agreed to support the draft proposal. Once the proposal is completed the Board will submit a letter supporting the asphalt aprons and agitation pads to the Department of Transportation.

Off system Bridge Discussion: This item has been postponed to a later date.

Resolution 41-2022 Setting Salaries: Following review Ron Nye move to adopt Resolution 41-2022 a resolution setting salaries for fiscal year 2022-2023. John Heckler seconded the motion. Chris Christensen, County Attorney, presented a letter regarding the Legal Assistant wage scale. His concerns with the new rate of pay was that his experienced employees within his department should receive higher pay since the new rate of pay is for unexperienced hires. Following discussion, all voted aye and the motion carried. Following further discussion Ron Nye moved to amend the first motion to remove previous verbiage on the Resolution 41-2022 with new verbiage saying "AND THAT, all county employees will receive salaries in accordance with the appropriate salary schedules shown on Attachment "A", Attachment "B", Attachment "C", Attachment "D", and Attachment "E" for Fiscal Year 2022-2023 based on the Madison County Personnel Policy and certain resolutions amending that policy. AND THAT, Attachment "F" is the longevity schedule for each employee listed on the following attachments, except sheriff and sheriff deputies; and that the longevity amount listed in Attachment "F" will not be calculated in the annual cost of living increase, if there is one. John Heckler seconded the amended motion. All voted aye and the motion carried.

Public Discussion and/or Comments on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Andy Thomas inquired about previous meeting on Adobe Town Road. Dan Allhands said that the concerns were being looked into, and no further construction is being ensued at this time. Andy recited Montana State Statues regarding encroachments on county roads. Dan stated that the issue was being researched and Board is checking with MACO on the legalities for the land owner to apply for an encroachment permit. Chris Christensen, County Attorney, asked if the project is above ground. Dan confirmed that the construction has ceased. Chris stated that a notice to the land owner needs to be sent, the landowner will have 5 days to remove the encroachment and after that the abatement process can start accessing \$10.00 day for each day the encroachment is not removed. The Board agreed to proceed with the process.

Closed Meeting Pursuant to MCA 2-3-203(4): This portion of the meeting is a closed session to discuss MCA 2-3-203(4). Minutes and recording were delivered to the County Attorney's Office.

Calendars: The Board reviewed calendars.

With no further discussion, the meeting was adjourned at 3:40 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, August 30, 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: October 25, 2022

Minutes prepared by:

Shawna Lutgen, Commissioners' Clerk

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