

BOARD OF MADISON COUNTY COMMISSIONERS
September 14, 2021, Meeting Minutes

On Tuesday, September 14, 2021, a meeting of the Board of Madison County Commissioners came to order at 9:00 a.m. in the Public Meeting Room of the Administrative Office Building and the Second Floor Courtroom 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 William Hildebrant, Larry (did not wish to give his last name), Steve Wallace, Kila Shepherd, Emilie Sayler, Jennifer Westfall, Vern Robison, Paula McKenzie, Margaret Stecker, Van Puckett, Kacey Smart, Jani Flinn, Hannah Brook, John (Shorty) Roberts, William Brunton, Angela Davis, Dale Davis, Vicki Tilstra, Landon Dybdahl, Bill McGraw, Bruce Eng, Alan Rohrback, Joe Brummell, Ruth Kriger, Victor Kriger, Jack Klements, Steve Garback, Tom Waldorf, Allene Waldorf, Tommy Luksha, Cheri Wilson, Jari Clements, Ellis Thompson, Margorie Kelm, Britani Allhands, Jason Monroe, and Bob Briggs. Ryan Wolter, IT Support Specialist, was present to administer the Webex connection.

Those present via Webex were Gail Nelson, HB, Allison Veland, Craig Erickson, Becky Lawson, Britani Allhands, Jani Flinn, Janie Alt, Jane Bacon, Mark Davidson, Mike Callahan, Thomas 406, TL, Jennifer Westfall, IT, Finance, Bonnie, Karen Mead, Tammy Mahlstedt, Joseph Brummell, Kelah Savage-Willauer, Jennifer Martens, Kyle Stone, 4068****06, and 4068****00.

Closed Session: The Board conducted a closed session with Human Resources in the Public Meeting Room. This portion of the meeting was closed to the public and a sealed recording of the meeting was delivered to the County Attorney's Office.

The meeting was moved to the Second Floor Courtroom of the Administrative Office Building at this point and was opened to the public.

Approval of Minutes: No minutes were available for approval.

COVID Update including Nursing Homes: Emilie Sayler, Public Health Director, updated the board on the COVID status. Kila Shepherd and Jennifer Westfall, Human Resources, and William Hildebrant, Larry (did not wish to give his last name), and Steve Wallace, private citizens, were present for this portion of the meeting. Emilie stated that Madison County has had a total of 933 cases, with 66 currently active. She stated that this number will increase because they had 30 yesterday that have not yet been added to the count. Madison County has 859 recovered, 8 fatalities, 1 active hospitalization, and a total of 63 hospitalizations. She reviewed the State cases with 134,935 confirmed positive, 7,589 active cases, 125,504 recovered, 1,842 fatalities, 351 active hospitalizations, and 6,725 total hospitalizations. Emilie reviewed new daily cases in Madison County, current active cases in the state, cumulative cases, and vaccine doses administered. Emilie discussed the status of beds, stating that it's getting increasing difficult to find an ICU bed. She also discussed vaccine clinics that were held in Virginia City and Ennis offering several vaccinations including flu shots. She noted it will come back in a month. Emilie presented the update for the Madison Valley Manor, stating that they are again in outbreak status due to a staff member that received a positive rapid test which was later confirmed. She noted that everyone else has tested negative. Visitation, communal dining, activities and admissions have all been suspended until further notice. The current census is 15. There are zero residents in quarantine and zero currently hospitalized. They are performing PPE audits, testing all staff daily prior to coming on shift, and residents will have a minimum of three rounds of testing throughout the outbreak. Compassionate care visits are allowed and they are encouraging window visit, phone calls, and video calls.

COVID Related Quarantine Discussion: Emilie discussed COVID related quarantine protocols, stating that with the significant outbreak of COVID throughout the County and having a small staff, they have been prioritizing cases according to information they received through the Montana Public Health Institute. She stated it is not abandoning contract tracing but prioritizing those who come through such as health care workers, those who work at nursing homes, attend school, or those who work for a large employer. They contact those individuals first and try to identify household members, and are trying to avoid cluster outbreaks. She noted it will probably take longer to notify people. They are also asking people to notify their own possible contacts. There was a question about criteria for determining large employers. Emilie responded that they don't have a set criteria, they ask questions of people to determine the environment they work in. There was also a question about the percentage of false positives tests. Emilie responded that the only false positives they've had are on the rapid tests and that they are all still verified by the state and explained the testing process.

Nursing Homes Updates: Gail Nelson, TRMCC Administrator, updated the Board on TRMCC, stating that the current census is 27, one hospitalization but not due to COVID. They have 2 staff in quarantine. One is a close contact. The other tested positive but had not been in the facility so they did not have to go into outbreak status. They are continuing with PPE training and audits; unvaccinated staff is tested twice weekly; vaccinated staff once weekly for surveillance, and residents are tested as needed. Visitation is allowed but there are a few more restrictions. They currently have six people on the waiting list, mostly local residents. Staffing continues to be the biggest issue which is why they are currently on hold with admissions. Clean Linen cabinets have come in and have been installed. Washer installation is scheduled for October 12th. County Safety Inspector was there yesterday which went very well with just a few minor corrections. This is helpful for preparing for the State survey.

Allison Veland, Madison Valley Manor Administrator, presented the Madison Valley Manor update via Webex. One staff member tested positive. It was a vaccinated person so had minor symptoms. They have initiated all of the outbreak protocol. The boiler has been changed out and they are working through control issues. The freezer is still down even though the repairman has been there a couple times. They are strategizing on staffing and stockpiling PPE. The vaccination status is 100% of residents; 60% of staff. They are asking folks to do window visits, phone calls, video calls, etc. They are able to open the windows but ask that both the resident and the visitor wear masks.

Robison Family Transfer: Vern Robison, Landowner, met with the Board to discuss a request for a family transfer. Paula McKenzie, Clerk and Recorder, Margaret Stecker, Surveyor, Kacey Smart, Sanitarian's Assistant and Van Puckett, Sanitarian, were present for this portion of the meeting. Vern stated that his request for a family transfer has been denied by the Exemption Review Board because the original property has been divided more than four times. He explained how it was divided between five siblings and how certain lots were either passed down or sold. Paula stated that the main item of concern is that there are more than four divisions from the original 20-acre parcel, that's what their decision is based on, and to everyone looking at the plat it seems to be a pattern of development. Vern responded that the initial split was done by his father over 20 years ago. Paula added that what needs to be determined today is if this transfer creates a pattern of development. She also asked if James had been adopted by him. Vern replied that he had not and that he (Vern) would transfer the property to his wife who would then do the family conveyance to her son. Margaret Stecker stated that another thing to be taken into consideration is that a lot of people who use this exemption only have a couple kids. It seems like people who have more kids are at a disadvantage and the State statute does not have a limit on how many exemptions you can do. This limitation is at the County level. She added that most of the tracts are still in the family name and it doesn't look to her like there's a pattern. She noted that James has already done DEQ on the property and is ready to start building. Following discussion, Paula stated that after hearing explanations here today, she feels that the exemption should be allowed. Kacey Smart, Sanitarian's Assistant, explained the process, noting that the same person can only be given one family conveyance in a lifetime. She noted this is once only, not just on a particular piece of property. Following much discussion, Jim Hart moved to determine that the Robison Family Transfer is not a pattern of development and to allow the Robison Family Transfer request. Ron Nye seconded the motion. All voted aye and the motion carried.

Craig Erickson, Great West Engineering, and Becky Lawson, SMA Architects, met with the Board via Webex to discuss the following topics. Jani Flinn, Sanitarian's Assistant, and Hannah Brook, Grant Writer, were present for this portion of the meeting.

- **CDBG Request for Funds for Madison Valley Manor Renovation Project:** Craig reviewed the request for funds for the Madison Valley Manor project. Following discussion, Jim Hart moved to approve the Community Development Block Grant Program Request for Funds form, CDBG Contract #MT-CDBG-19PF-02, Drawdown #4, for the Madison Valley Manor, in the amount of \$40,180.06. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Madison Valley Manor Renovation Project Update:** Becky updated the Board on the status of the Madison Valley Manor project. She stated that boilers are running but that someone needs to come and dial them in and there needs to be a contract for annual maintenance as part of the Manor process. There was discussion about generator work that needs to be completed, the cost to rent a temporary heater, a leak at the existing generator site that affected soil that will need to be removed, and testing of the contaminated soil. Dan suggested putting a liner under the new generator so this type of thing doesn't happen again. Becky will check on this. Based on the recommendation of SMA, Jim Hart moved to approve moving forward with the removal and replacement of the existing generator at the Madison Valley Manor with assistance from the County on removal of the contaminated soil. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Tourism Grant for Fairgrounds Arena Project:** Craig discussed the tourism grant, stating that he has been working on it with assistance from Becky; that it is due late tomorrow, and he feels very confident with it. He stated that Nondi Harrington and Laurie have been helping him secure letters of support for the project and that the response has been pretty enthusiastic. He has also been working with Sara Bannon with Visit Southwest Montana .com to secure a letter from her. Becky has prepared a cost estimate for the project and because it will be partially funded by public funds, Davis Bacon will apply. Becky will update the cost estimate to reflect this. He reviewed the probable costs, noting that the low end is approximately 3.1 million and the high end about 3.6. The County is requesting \$200,000 from the Tourism Program and the other potential source of funding will be through the Economic Development Administration. He will submit the grant on behalf of the County by the end of the day tomorrow. The Board introduced Craig to Hannah Brook, the new Grant Writer for Madison County. Craig added that we should know by the end of the year on the tourism grant.

Claims: The Board approved claims.

Use of Buffalo Restoration Credit: The Board reviewed an invoice from Buffalo Restoration, Inc. which showed a credit of \$2,278.66. Following discussion, Ron Nye moved to approve using the credit to clean the carpets at the Courthouse if they have that service and if not, request a refund. Jim Hart seconded the motion. Dan added that we would want a quote on what the cost would be to clean the carpets. With no further discussion, all voted aye and the motion carried.

Public Hearing on 2021-2022 Final Budget and Mill Levy Requirements: Chairman Allhands opened the public hearing on the 2021-2022 Final Budget and Mill Levy Requirements at 11:02 a.m. Vicki Tilstra, Shorty Roberts, William Burton, Angela Davis, and Dale Davis were present for this portion of the meeting. The Board reviewed the budget and hearing no public comment the hearing was closed a 11:05 a.m. Ron Nye moved to approve the final budget certification for FY 2021-2022. Jim Hart seconded the motion. All voted aye and the motion carried.

Resolution Adopting Fiscal Year 2021-2022 Budget and Mill Levy Requirements: Dan Allhands read the proposed resolution. Following discussion, Ron Nye moved to adopt Resolution 42-2021, a resolution adopting Fiscal Year 2021-2022 budget and mill levy requirements. Jim Hart seconded the motion. All voted aye and the motion carried.

Jani Flinn, former Airport Board Secretary, and Hannah Brook, new Airport Board Secretary, met with the Board to discuss the following topics.

- **Ennis Big Sky Airport – Capital Improvements Plan:** Jani reviewed the Capital Improvement Plan for the Ennis Airport, stating these are done every year for each airport for planning purposes only as a five-

year plan. She stated nothing much has changed. They are still putting a little money into land acquisition; a back-up generator and electrical vault is still pending; and there is still equipment they would like to acquire. There was discussion about maintenance on the generator if they take the one from the Madison Valley Manor. Jani stated they still need to construct the taxiway and expand the apron. After discussion, Jim Hart moved to approve the 5-year capital improvements plan for planning purposes only, for the Ennis/Big Sky Airport. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Ennis Big Sky Airport – Grant Amendment Request Letter:** Following review, Jim Hart moved to approve a letter to Mr. Joe Nye, P.E. Project Manager, FAA HLN-ADO, requesting a grant amendment for the Ennis/Big Sky Airport improvement Project 3-30-0090-021-2020 for additional excavation with the South Apron area. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Ennis Big Sky Airport – US Corps of Engineers – Section 404 Permit Compliance Certification:** The Board reviewed the compliance certification for the Ennis/Big Sky Airport. Jani stated this is part of the project close-out, documenting that it's done and the vendor has been paid. Jim Hart moved to approve the US Army Corps of Engineers compliance certification for the Ennis/Big Sky Airport. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Ruby Valley Field – Capital Improvements Plan:** Jani reviewed the Capital Improvement Plan for the Ruby Valley Field, stating they are planning to do a little additional land acquisition in the year 2022 for runway expansion for approximately \$350,000. She stated a little less than half of that will be entitlement. Following discussion, Ron Nye moved to approve the 5-year capital improvements plan for planning purposes only, for the Ruby Valley Field, as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

Update on Proposed Creation of Madison and Ruby Ambulance District: Landon Dybdahl, Ruby Valley Medical Center, and Alan Rohrback, Madison Valley Medical Center, met with the Board to discuss the proposed Madison and Ruby Ambulance District. Hannah Brook, Grant Writer, Joe Brummell, DES, Vicki Tilstra, Finance, and Paula McKenzie, Clerk and Recorder, were present for this portion of the meeting. Alan stated that they've had time to work with Joe and Tommy on the boundaries for the proposed ambulance district and have revised the maps slightly. He added that they have excluded some areas either because they're not being served by either ambulance or they're already in another district and have tried to be respectful of those who are already paying for one. He stated they are also working with Brandy Hilton, Department of Revenue, to determine the tax base. He believes they can have it finalized by the end of the week. He added that the boards are jointly working on whether it will be a voted or permanent levy. They are also reviewing what the final ask will be. Alan reviewed the timeline which included having a final resolution ready by September 21, 2021, and steps that will be taken to get the topic on the school election in May. There was further discussion from those present and Dale Davis, Mammoth resident, said he was glad that Madison County is moving forward with an ambulance district.

Mammoth Road Concerns: Dale Davis, Mammoth resident, met with the Board to discuss concerns about South Boulder Road up to and through the town of Mammoth. William Brunton, Angela Davis, Bill McGraw, Bruce Eng, Ruth Kriger, Victor Kriger, Jack Klements, Steve Garback, Tom Waldorf, Allene Waldorf, Tommy Luksha, Cheri Wilson, Jari Clements, Ellis Thompson, and Margorie Kelm, were present for this portion of the meeting. Dale gave a history on the South Boulder Road, stating that when they were here in June they determined that it is a County road and has been since 1877. The next concern was that the bridges wouldn't hold the motor patrol but it's been proven that they will hold the motor patrol. There are other things that came up, one most recently was that the people in Mammoth didn't want the road maintained. He stated there are 15 people here who do want it maintained. He added that it hasn't been touched after the Indiana University buildings; and that the entire road has not been touched since 1988. Ron stated he will see if Todd will blade it. Dale responded that it has to be done, no ifs, ands, or buts about it. He added that all the people here agree that it has to be done. There was discussion about the condition of the road, the speed limit, damage to vehicles due to the road, damage from the fire that hasn't been cleaned up, the need for on-going maintenance, people who have paid taxes in protest because of the condition of the road, and creating a schedule for maintaining the road. There was discussion about traffic due to campers and recreationists going through the town to get to public land above the town. All of this adds damage to the road. There was also discussion about getting an ambulance or a fire truck up the hill to the town. It was noted that FedEx or UPS won't go up there because the road is so bad. There was further discussion about getting a schedule for road maintenance. Ron agreed that the road needs to be maintained and will try to come up with a plan to get it done three times a year.

Jason Monroe and Bob Briggs, First Interstate Bank, met with the Board to discuss the following topics. Vicki Tilstra, Finance Officer, Britiani Allhands, Finance Clerk, Tommy Luksha, GIS, Gail Nelson, TRMCC Administrator, and Allison Veland, Madison Valley Manor Administrator, were present for this portion of the meeting.

- **Accounts Payable Cards:** Jason stated that currently Madison County carries cards for different departments. He added things are going good, it's easy to add or remove cards, and you can also add to the limits on the cards. On the overall program, it's a day to day use in departments. He discussed using an accounts payable card. He stated it's becoming more widely used in the industry. Businesses are able to utilize a higher limit card to pay vendors by virtual payment. Cost of checks, postage, man-power, and even fraud are a few of the reasons to use virtual payments. These cards have a zero liability. If someone used your card and you notice it on the statement, you are not responsible for the charge. With a check, if the check was stolen it has all the information they need to hack into your account. He added that the bank only has about one day to cancel a check, but it very difficult to get funds back once they are taken.
- **Vendor Analysis:** Jason stated that another thing that was discussed previously was vendor analysis, adding that this is something they could do for us. Some vendors say they will accept virtual payments but then charge a fee for it, most are around 3%. They do not see that as a cardable opportunity. He added that this discussion is to try to minimize the numbers of checks that get used. He stated that a vendor analysis will kick out a report of who accept credit card payments without a vendor fee and would also give an idea of the rebate that would come back to the County. For example, if you spend \$1,000,000 you would get \$10,000 back. He discussed the rebate process, noting that different departments, such as the nursing homes would need cards, but the rebate would all come back to one card. He stated that departments would still get invoices, then the Finance Office could make the payments. There was discussion about having departments pay their own invoices. There was also discussion about nursing home payments to Medline adding that one check for both facilities has been an ongoing issue. There was further discussion about the process and how it would work. After much discussion, Jason suggested doing the vendor analysis starting with two departments to see how it works and move go on to the other departments.

Calendars: The Board reviewed calendars.

Kila Shepherd, Human Resources, met with the Board to discuss the following topics. Joe Brummell, DES, Hannah Brook, Grants, Allison Veland, Madison Valley Manor Administrator, and Gail Nelson, Tobacco Root Mountains Care Center Administrator, were present for this portion of the meeting.

- **Changing DES Position from Part-time to Full-time:** Kila discussed the vacant position in the DES Office. She stated that Joe is looking at changing the position of Office Manager from part-time to full-time, and that he has checked with FEMA and they will still pay the wages for this position. Kila also stated that she would like to call the position a clerk or administrative assistant as Joe is currently at the same rate of pay as an office manager. Dan questioned whether the position would need to remain full-time once things get back to normal. Kila discussed the draft job description noting that about a page and a half are essential duties. She also reviewed non-essential duties and other items the position would be assisting with. Joe stated that he could really see this position helping him out, not only with the paperwork but with subdivision reviews, structure reviews, and a huge portion would be dealing with the press. He stated it would be nice to have someone who's able to be in the office and answer the phone. Kila added that ideally the position would be in the office from 8:00 to 5:00 so they would be there when Joe has to be out. At this point, Jim Hart suggested that the Board look at it for a week and put the topic back on the agenda. Kila stated she will get the exact numbers and get a draft job description to the Board for review.
- **Closed Session:** At 3:48 p.m., the Board moved the meeting to the Public Meeting Room to conduct an additional closed session with Human Resources. This portion of the meeting was closed to the public and a sealed recording of the meeting was delivered to the County Attorney's Office.

With no further business, the meeting was adjourned at 4:25 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, September 21, 2021,

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 9, 2021

Minutes prepared by:

Laurie Buyan, Executive Assistant

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