

BOARD OF MADISON COUNTY COMMISSIONERS
November 1, 2022, Meeting Minutes

On Tuesday, November 1, 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. Shawna Lutgen, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Joe Brummell, Jennifer Martens, Mike Jones, Cory Hardy, Brenda Jones, Larry Pine, Hannah Brook, Buddy Wayne, Van Puckett, Lance Bowser, Vicki Tilstra, Britani Allhands and Dave Maichel. Jeff LeVeque, IT Support Specialist, administered the Webex connection. Those in attendance via Webex included Abby Thomas, Brian Miller, Connie Dedrick, Gail Nelson, Heidi Woods, IT Support, Jani Flinn, Jeremiah Theys, Jennifer Westfall, Kate Rose, Kristy Harper, Laurie Buyan, LeTesa Schrank, Michelle Schriock, Brett Schriock, Mike Callahan, Tammy Mahlstedt, Tom Reed and Zach Kozicky.

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

Approval of Minutes: John Heckler moved to approve the August 9, 2022 minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. John Heckler moved to approve the August 16, 2022 minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried. Ron Nye moved to approve the October 25, 2022 as presented. Ron Nye amended his motion and move to approve the October 25, 2022 minutes with corrections. John Heckler seconded the motion. All voted aye and the motion carried.

Disaster and Emergency Services: Joe Brummell, Director of Emergency Management, and Jennifer Martens, DES Clerk, met with the Board to discuss the following items.

- **Resolution 60-2022 – Rescinding Resolution 45-2022, Open Burning Ban:** Joe stated that the County is in charge of the burning from March 1st to November 30th and then from December 1st until February 28th the State DEQ is in charge. Resolution 60-2022 is to allow open burning. Following discussion, John Heckler moved to adopt Resolution 60-2022 a resolution rescinding Resolution 45-2022, a Burn Ban in Madison County effective November 1, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Hand Held Radio Purchases:** Joe discussed purchasing two new hand-held radios. The original purchase was in 2011-2012. Currently both radios have started having operational issues. Joe reached out to three different companies throughout the state and looked at three different radio operations. Joe has decided which brand he would like to purchase and he stated that the funds are available within his budget plan. The Board concurred with Joe and agreed that purchasing two new hand-held radios was needed.
- **Crisis Incident Stress Management (CISM) Training:** Joe explained what the Critical Incident Stress Management (CISM) Training is designed for and would like to host a training. The training is designed for first responders (police, fire, ambulance, emergency workers and disaster rescuers. The training is an intervention protocol developed specifically for dealing with traumatic events. CISM interventions include debriefing, defusing, grief and loss session, crisis management briefing, critical incident adjustment support and re-crisis education. Joe stated that the funds are available within his budget plan. Jennifer Martens stated she has been in contact with Carol Burroughs, Trainer for the International Critical Incident Stress Foundation, and has set a date for the training which is January 31, 2023 thru February 2, 2023. Following discussion, the Board concurred with Joe and agreed that hosting the training was a good idea and needed within our County.
- **DES Update:** Joe provided the dates for all the upcoming meetings for DES. The Fire Chiefs meeting will discuss how to implement training for battery fires. The dangers of battery fires have increased with more electronic vehicles being on the roads. Extraction is not only dangerous to the occupant, but also to the extractors because of the battery cells. The Community Wildfire Protection Plan was denied but the DNRC is assisting with the Forest Service Community Wildfire Defense Grant Application. The Pre-

Disaster Mitigation Plan is still on-going at this time. Joe discussed the winter weather outlook. Winter will be warmer than normal, with the coldest periods in mid-November and early February. Precipitation will be above normal, with above-average snowfall in northern and southern parts of Montana. Current and active fires in the State of Montana is 23, year total is 2,021, and total acres burned is 124,162. Year to date fires in Madison County has been 23. Total acres burned 2,232.81.

TRMCC Hiring Process: Gail Nelson, Tobacco Root Mountain Care Center Administrator, met with the Board via Webex to discuss the hiring process for the nursing home. The Board suggested that a draft be created with verbiage for allowing the nursing homes administrators to hire up to 95% without the Boards permission. The Board would like a package put together with a couple of examples. Following discussion this item will postponed until the next meeting.

Community Project: Mike Jones, Larry Pine, Cory Hardy, Brenda Jones, Madison Hills Amphitheatre & Parks Association, discussed a proposal for the use of the County land that is located behind the golf course. There are approximately 20 acres of unused County land located on the acreage which currently incorporates the golf course. MHA&P Association is requesting permission in the form of a land use agreement from the County to improve these lands for community public use. The land would be used to enrich the community through the actions of building a place for public gatherings, community activities, cultural enrichment, public events and outdoor exercise and recreation areas. At the present time the association is not requesting any funding directly from the general county budget. The association is asking for access to the county resources to achieve their goals such as, legal assistance and grant assistance. In the future, the association may wish to ask for assistance in forming a County Parks Foundation to oversee and assist the efforts and actions the current nonprofit association has been able to accomplish for the benefit of the community. Hannah Brook, Grant Writer, inquired about who would be responsible for upkeep and maintenance repairs of equipment. Mikes stated that would be the responsibility of MHA&P Association. Following discussion, the Board would like to review the project and the bring back to the table in three weeks.

Requesting Letter for DOR Pursuant to HB 701: Buddy Wayne, Therapeutic Essentials, LLC dba Honey Sour facility manager, met with the Board to request a letter for the Department of Revenue Pursuant to HB701. Brian Miller, Morrison Sherwood Wilson Deola PLLP, and Tom Reed, Owner, participated by Webex. Brian stated that the letter from the Board is what the Department of Revenue requires as a renewal. Brian has been in contact with the Deputy County Attorney and has sent him a letter. Buddy informed the Board that they have been in existence since 2018. The sight in Ennis has been there for a couple of years. They are members of the Home Owners Association in Prairie Way. They have been inspected six times. Inspections have been done by the State Building Inspector, State Fire Marshall, and DOR individual inspectors. Inspections are all required by the DOR. Van Puckett, Sanitarian, stated that the DOR will ask if the company is within local ordinances and regulations. At that time, Van will do an onsite inspection and then contact the DOR with any concerns or let them know if they are within compliance. The Board would like Van to do an inspection to make sure the business is in compliance with local ordinances. Brian stated that the letter to the DOR just needs to state that the business is approved to operate within the county. Following discussion, the Board agreed to ask Van to do an inspection, talk with the County Attorney, and write a letter to the DOR. Bill Todd asked if the business was planning on operating a dispensatory at the Prairie Way location. Buddy stated not at this time. The business is only a growing station at this time.

Public Health Office: Emilie Saylor Public Health Director, met with the Board to discuss the following items:

- **COVID Update including Nursing Home Status:** Emilie updated the Board regarding COVID status for Madison County and the state. The County has had a total of 2,283 confirmed positive cases, currently has 7 active cases, 2,254 people have recovered, and there have been 22 fatalities. There are no active hospitalizations, bringing total hospitalizations to 137. Montana has 985 active cases, 314,564 confirmed positive cases to date, 310,005 people have recovered, there have been 3,574 COVID fatalities, and active hospitalizations are currently 68. Total number of hospitalizations is 13,481. Emilie reviewed daily new cases in the County, State maps of active cases, cumulative cases, and vaccination information, noting we are seeing a decrease in community spread within Madison County. Madison Valley Manor has no residents or staff in isolation. The County transmission rate is substantial. MVM are testing staff that are not up to date with recommended vaccination twice weekly. MVM is open for visitation with screening prior to entry. Vaccination rates are 100% for staff and residents. Tobacco Root Mountain

Care Center has 23 residents with no COVID cases. One staff member tested positive and has recovered. Two staff members are currently in quarantine. TRMCC are testing of staff and residents every 3-7 days. Vaccination rates are 95% for staff, and 96% for residents. County transmission rate is substantial. Visitation is allowed. The vaccination clinic on October 25, 2022 went well.

- **Public Health Update:** Emilie provided a Public Health Update to the Board showing what the department has accomplished in the month of October. The department has been meeting with youth and parents to discuss the negative health outcomes of tobacco and vaping use. They have been arranging presentations and working with “Communities that Care” for county-wide prevention efforts. They are currently working with local COVID cases, attending flu shot clinics, updating all forms to support current vaccination information, and obtaining updated information for the Public Health Education Programs. Daycare immunization review, supporting schools to supply immunization for students, investigating multiple animal bite concerns, supervising two nursing students and building a newsletter for updates of department activities and education.

Airports: Lance Bowser, Robert Peccia and Associates, and Hannah Brook, Airport Board Secretary, met with the Board to discuss the following items:

- **Ennis Big Sky Airport (Ennis Airport):**
 - **Application for Federal Assistance – Snow Removal Equipment Acquisition:** Lance stated the Ennis Airport has the need for a second snow plow. The FAA has allocated \$150,000.00 a state of apportioned funding throughout the state and then the entitlement funding which would be 90% of the development funding with 10% coming from the local share. The airport board has recommended moving forward with the purchase of a single axle, high speed runway plow with closeable end gates and can be utilized as a ramp plow. Total estimated cost of the plow is \$330,000.00. Local share would be \$33,000.00. John Heckler moved to apply for the Ennis Big Sky Airport snow plow for a grand total of \$330,000.00 with \$297,000.00 coming from the Federal Assistance SF-424 Grant which is 90% and 10% match is \$33,000.00 from Madison County. Ron Nye seconded the motion. All voted aye and the motion carried.
 - **FAA Sponsor Certifications:** Lance stated that the FAA Sponsor Certifications detail the entirety the scope of work that has to be followed as part of the grant. They detail each step of the grant process. Following discussion, John Heckler moved to approve the FAA Sponsor Certifications which are the Drug-Free Workplace Airport Improvement Program Sponsor Certification, Certification Regarding Lobbying, Certification and Disclosure Regarding Potential Conflicts of Interest Airport Improvement Program Sponsor Certification, Selection of Consultants Airport Improvement Program Sponsor Certification, Project Plans and Specifications Airport Improvement Program Sponsor Certification, and Equipment and Construction Contracts Airport Improvement Sponsor Certification. Ron Nye seconded the motion. All voted aye and the motion carried.
 - **Engineering Task Order #26 & 27 and Record of Engineering Selection and Contract Negotiations:** Lance stated that task order #26 and #27 relate to the snow plow acquisition. Task order #26 is Project Administration, which is grant administration and task order #27 is Snow Removal Equipment Acquisition Assistance, which is turning the snow plow package out for bid and administering the equipment acquisition contract. The totals are below the \$100,000.00 threshold and do not require a fee review. Record of Engineering Selection and Contract Negotiations is a summary of task order #26 and #27. Following discussion, John Heckler move to approve the Ennis Big Sky projects A.I.P. 3-30-0090-026-2023 Record of Engineering Selection and Contract Negotiations with Robert Peccia & Associates, Inc. in the amount of \$58,070.00. John Heckler amended the motion to include approving Task Orders #26 and #27. Ron Nye seconded the motion. All voted aye and the motion carried.
 - **Record of Engineering Selection and Contract Negotiations:** This item was part of the Task Order #26 and #27 discussion and was included in the Task Order #26 and #27 motion and was approved.
 - **Montana Department of Transportation – Aeronautics Division Grant and Loan Application:** Lance requested authorization to submit a request for the Aeronautics Grant and Loan Application. The application would be requesting the 10% local share for the purchase of the snow plow for Ennis Big Sky Airport. Following discussion, John Heckler move to grant Robert Peccia & Associates, Inc. to submit on the behalf of Madison County Commissioners,

aeronautics grant application for 10% match for the snow plow purchase. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Ruby Valley Field (Twin Bridges Airport):**

- **Application for Federal Assistance – Pavement Maintenance:** Lance stated that the pavements are in good condition and it has been five years since the pavements have been maintained. The most economical way of maintaining the pavements are three to five-year cycles. The maintenance would include crack seal, seal coat and repainting. Overall project \$262,222.23. The County would be applying for 90% FAA share which is \$236,000.00 and 10% local share which is \$26,222.23. Following discussion, Ron Nye moved to approve the grant request to do the pavement maintenance on the Ruby Valley Field in the amount of \$262,222.23. John Heckler seconded the motion. All voted aye and the motion carried.
- **FAA Sponsor Certifications:** Lance stated that the FAA Sponsor Certifications detail the entirety the scope of work that has to be followed as part of the grant. They detail each step of the grant process. Following discussion, Ron Nye moved to approve the FAA Sponsor Certifications which are the Drug-Free Workplace Airport Improvement Program Sponsor Certification, Certification Regarding Lobbying, Certification and Disclosure Regarding Potential Conflicts of Interest Airport Improvement Program Sponsor Certification, Selection of Consultants Airport Improvement Program Sponsor Certification, Project Plans and Specifications Airport Improvement Program Sponsor Certification, Equipment and Construction Contracts Airport Improvement Sponsor Certification and Construction Project Final Acceptance Airport Improvement Program Sponsor Certification. John Heckler seconded the motion. All voted aye and the motion carried.
- **Engineering Task Order #28, 29, 30:** The Board reviewed Agreement to Furnish Engineering Services to Madison County for Improvements to Ruby Valley Field task orders. Task order #28, Project Administration, task order #29, Field Design Engineering – Maintenance, and task order #30, Construction Management Services - Maintenance. Ruby Valley Field Airport Improvement Projects AIP 3-30-0080-019-20263 Record of Engineering Selection and Contract Negotiations was also reviewed. Ron Nye moved to approve Engineering Task Order #28, 29, and 30 in the proposed amount of \$70,550.00 as presented. John Heckler seconded the motion. Ron Nye amended the motion. Ron Nye moved to approve Engineering Task Orders #28, 29, 30 and Record of Engineering Selection and Contract Negotiations as presented. John Heckler seconded the motion. All voted aye and the motion carried.
- **Record of Engineering Selection and Contract Negotiations:** This item was part of the Task Order #28, #29 and #30 discussion and was included in the Task Order #28, #29 and #30 motion and was approved.
- **Montana Department of Transportation – Aeronautics Division Grant and Loan Application:** Lance stated the Aeronautics Division Grant is for the ten percent local share for the Ruby Valley Field pavement maintenance project. John Heckler moved to authorize Robert Peccia & Associates to represent Madison County and apply for Montana Aeronautics Division Grant Application for the ten percent match in the amount of \$26,222.23. Ron Nye seconded the motion. All voted aye and the motion carried.

Grants: Hannah Brook, Grant Writer, met with the Board to discuss the following items. Jeremiah Theys, Great West Engineering, met with the Board via Webex.

- **Joint Application for Carney Lane Bridge Replacement:** Jeremiah presented a joint permit application for the replacement of the Carney Lane Bridge box culvert. The bridge will be replaced over the irrigation canal. Ron Nye moved to approve the Joint Application for Proposed Work in Montana's Streams, Wetlands, Floodplains & Other Water Bodies as a SPA124 Permit as presented for the box culvert for Carney Lane. John Heckler seconded the motion. All voted aye and the motion carried.
- **LATCF – Local Assistance and Tribal Consistency Fund Project List:** Hannah presented a project list and letters of support for the Local Assistance and Tribal Consistency Fund Grant. Hannah stated that the County has applied for the funding. The County will receive \$3,378,982.46 over a two-year period. Hannah stated that there is no match required on this grant. Hannah suggested creating an updated Capital Improvement Plan. Dave Maichel, Harrison Fire Department board member, discussed the current issue with the water storage supply that the fire department currently has in Harrison. The lack of water hinders the ability to fight fires and get the fires under control. Dave requested the Harrison

Fire Department be considered for a portion of the LATCF grant. The funds would be used to improve the existing water supply on hand. Following discussion, the Board reviewed the list and deleted projects that were not necessities for the County and projects that would not be completed within two years. There will more discussion to come in future meetings.

Claims: The Board approved claims.

Journal Vouchers: Ron Nye moved to approve journal vouchers for the accounting period 10/22 as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Inmate Medical Insurance: Ron Nye moved to approve the 2022-2023 Agreement for Inmate Excess Medical Insurance and/or Claims Administration Management as presented. John Heckler seconded the motion. All voted aye and the motion carried.

MACo Public Lands Research Center Funding: The Board reviewed the letter sent from the Montana Association of Counties regarding Public Lands Research Center Funding. Following discussion, Ron Nye moved to approve joining the intergovernmental partnership with Montana Association of Counties providing at least 51% of the other counties participate. John Heckler seconded the motion. All voted aye and the motion carried.

Nursing Homes New Hires and/or Transfers: There was no discussion on this topic.

Calendars: The Board reviewed calendars.

With no further discussion, the meeting was adjourned at 3:38 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, November 15, 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 15, 2022

Minutes prepared by:

Shawna Lutgen, Commissioners' Clerk

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