

BOARD OF MADISON COUNTY COMMISSIONERS
November 15, 2022, Meeting Minutes

On Tuesday, November 15, 2022, a meeting of the Board of Madison County Commissioners came to order at 9:32 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 Kila Shepherd, Jennifer Westfall, Cody Marxer, Connie Dedrick, Kristy Harper, Beth Famiglietti, Dan Metzger, Hannah Brook, and Justin Gatewood. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those in attendance via Webex included Jennifer Martens, Tarah Redfield, Lisa Roberts, Warren Moon, Tommy Luksha, Mike Callahan, PH, Craig Erickson, Lance Bowser, Britani Allhands, Laurie Buyan, Emilie Saylor, A.M. Welles, Jon Olson, Abby Thomas, Kate Rose, Gail Nelson, Brooke Schandelmeier, Josh Denny, Heidi Woods, Jani Flinn, and Janie Alt.

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

Approval of Minutes: Ron Nye moved to approve the November 1, 2022 minutes with corrections. John Heckler seconded the motion. All voted aye and the motion carried.

Commissioners' Review of Offer Letters (All or Criteria): Kila Shepherd, Human Resource Director, and Jennifer Westfall, Human Resource Generalist, met with the Board to discuss the process of reviewing New Hire Offer Letters. Following discussion, John Heckler moved to have all offer letters reviewed by the Board of Commissioners prior to signature. Ron Nye seconded the motion. All voted aye and the motion carried.

Spanish Peaks Resort Phase 3 PUD Subdivision (Highlands West) Final Plat: Cody Marxer, Contracted Planner, met with the Board to request final plat approval of Spanish Peaks Resort Highlands West Phase 3 PUD subdivision. The proposal would subdivide one 29.50-acre tract into 10 single family residential lots totaling 20.63 acres, two open space lots totaling 4.86 acres, and one roadway right-of-way totaling 4.01 acres. The preliminary plat was approved with conditions on February 15, 2022. Cody stated the submittal is in compliance with the conditions and recommended approval. Following discussion, Ron Nye moved to approve the subdivision improvements agreement for utility, roadway, and ski bridge improvements and accept Performance Bond #1001130688 from U.S. Specialty Insurance Company in the amount of \$3,782,368.75 as the financial guarantee to cover 125% of the estimated \$3,025,985.00 in improvement costs and to approve and sign the final plat and accompanying documents for recordation, as applicable, for Spanish Peaks Resort Phase 3 PUD Subdivision (Highlands West) Final Plat as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Items Not Listed on the Agenda but within the Board's Jurisdiction: Jeff Gerth, Sheridan Rural Fire Department member, dropped off a letter of request to be included in the LATCF discussion. The request of grant funds would be used to help build the new fire hall.

Golf Course Agreement: Dan Metzger, Madison County Golf Association member, met with the Board to discuss the renewal of the Golf Course Lease Agreement. The current lease agreement expires November 21, 2022. Dan Metzger suggested the Board provide a letter of validation stating the Madison County Golf Association can remain on the premises until the contract negotiation has been completed. The Board reviewed the proposed Lease Agreement provided by Madison County Golf Association and discussed potential changes to the agreement. There was discussion between John Heckler and Dan Metzger about the best form of an agreement going forward. Both agreed that a lease agreement was inappropriate and either a service agreement or a service contract would best benefit both parties. Following discussion, this item will be further discussed at the November 22, 2022 Commissioners Meeting.

TRMCC Hiring Process: There was no discussion on this topic.

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

- **Ennis Big Sky Airport – Through the Fence Agreement:** Hannah requested the Board approve and sign the Agreement for Airport Access referred to as “Through the Fence Agreement”. The agreement is between Madison County and Ryan Seth Riney. Following discussion, Ron Nye moved to approve the Through the Fence Agreement for Ennis Big Sky Airport for Ryan Seth Riney of Lot 3A. John Heckler seconded the motion. All voted aye and the motion carried.
- **Ruby Valley Airport – SF 425 Federal Financial Report (AIP-016-2021):** Lance stated that the SF 425 Federal Financial Report and the SF 271 Outlay Report and Request of Reimbursement for Construction Programs are both final federal financial reporting forms. The project is in the close out phase. Following discussion, Ron Nye moved to approve the Ruby Valley Airport SF 425 Federal Financial Report (AIP - 016-2021). John Heckler seconded the motion. During further discussion Lance suggested that both SF 425 Federal Financial Report and SF 271 Outlay Report be approved at the same time since they are both Federal Financial Reports and have been discussed. Ron Nye amended his motion to include SF 271 Outlay Report and Request for Reimbursement for Construction Programs (AIP 016-2021). John Heckler seconded the amended motion. All voted aye and the motion carried.
- **Ruby Valley Airport – SF 271 Outlay Report and Request for Reimbursement for Construction Programs (AIP-016-2021):** This item was discussed and approved with the SF 425 Federal Financial Report.

Grants: Hannah Brook, Grant Writer, met with the Board to discuss the following items:

- **Jack Creek Road Project Payment Application #8 and Change Order #2:** Hannah stated that the change order documents the changes in quantities on the project, the payment application, and the final contractor payment on the project releasing retainage. Following discussion, John Heckler moved to approve the final payment request to A.M. Welles for the Jack Creek Road safety improvements for the amount of \$17,347.20. Ron Nye seconded the motion. In further discussion John amended the motion to include the request of the project close out summary report from the engineer of record. Ron Nye seconded the amended motion. The Finance Department asked if they should submit a draw request from the Intercap Loan. Dan said yes to modifying the Intercap agreement. All voted aye and the motion carried.
- **Cliff & Wade Lake Progress Report:** Hannah presented the quarterly progress report for Cliff & Wade Lake for signature. Once the report has been signed it will be submitted to FHWA. Following discussion, John Heckler moved to approve the Cliff & Wade Lake Progress Report. Ron Nye seconded the motion. All voted aye and the motion carried.
- **LATCF Discussion:** Hannah handed out some additional letters of support submitted by residents from the county. The Board reviewed the letters. Hannah confirmed that the LATCF funding is an extension of the ARPA funding. All of the monies need to be spent by December 31, 2026. Hannah presented a project list, proposals for the Sheridan playground, St. Mary of the Assumption Catholic Church new hall, and Virginia City Pace Park. Dan Allhands stated that any of the projects that have been chosen for funding should have additional language in the motion stating “contingent upon any changes coming down in the rules and regulations”. Dan proposed to prioritize the project list by critical needs, life safety health and life safety. Justin Gatewood stated there are not a lot of grant opportunities for some of the proposed projects listed whereas other projects have other grant opportunities and suggested that some the funding go toward the projects that do not have other grant opportunities. Following discussion, the Board decided to put a deadline for the proposals to be submitted. Hannah stated that the Sheriff’s Department requested Shop with a Cop funds. The Board decided that they will fund the request from the Commissioners Contingency Fund. Following discussion, the Board decided to put a deadline for the proposals to be submitted. Ron Nye moved to set November 29, 2022 at 5:00 p.m. as the deadline for applications for LATCF funding requests. John Heckler seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Sheridan Park District Board Appointment: This item has been postponed until the next meeting.

Concrete Bid for MVM Walk-In Project: This item was continued until the County receives two more bids.

Nursing Homes New Hires and/or Transfers: John Heckler moved to accept the Religious Exemption Request for COVID-19 Vaccination for a Madison Valley Manor employee. Ron Nye seconded the motion. All voted aye and the motion carried.

Public Health Amendment to Task Order for COVID Immunization Services: Emilie Saylor, Public Health Director, met with the Board via Webex to request the approval of Task Order Amendment Number One to the Task Order for COVID Immunization Services Task Order Number 23-07-4-31-126-0. The amendment increases the funding to \$81,138.00 and extends the funding expiration date through June 30, 2024. Following discussion, John Heckler moved to approve Task Order Amendment Number One to the Task Order for COVID Immunization Services Task Order Number 23-07-4-31-126-0 in the amount of \$81,138.00. Ron Nye seconded the motion. All voted aye and the motion carried.

Update on Letter to Department of Revenue Pursuant to HB 701: Van Puckett, Sanitarian, discussed with the Board that he had completed an inspection of the facility, made some recommendations and has sent a letter to Buddy Wayne, facility manager. The recommendations were unrelated to the business license. Following discussion, the Board agreed that a letter would be drafted, reviewed by the County Attorney and upon review sent to the Department of Revenue.

Communications Officer New Hire at 90%: Craig Schroder, Acting Sheriff, requested to hire Anika Mahler as a Communication Officer at \$25.10 hourly rate which is 90% of the pay scale. Craig stated that the department is requesting 90% of the pay scale do to applicant having three years' experience in dispatch. Following discussion, John Heckler moved to approve the hiring of Anika Mahler at \$25.10 hourly for Communications Officer which is equal to 90% of the pay scale with a start date pending the acceptance of the offer. Ron Nye seconded the motion. All voted aye and the motion carried.

Closed Personnel Meeting: This item has been canceled.

Calendars: The Board reviewed calendars.

With no further discussion, the meeting was adjourned at 1:34 p.m.

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

Shawna Lutgen, Commissioners' Clerk

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