

**BOARD OF MADISON COUNTY COMMISSIONERS**  
**January 21, 2020, Meeting Minutes**

On Tuesday, January 21, 2020, a meeting of the Board of Madison County Commissioners came to order at 10:03 a.m. in the Commissioners' Conference Room 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 Tommy Luksha, Jani Flinn, Britani Allhands, Vicki Tilstra, Bonnie O'Neill, Mark Jacobs, Julie Jaksha, Courtney Loeffler, Nancy Stewart, Kaleena Miller, Mikayla Hudson, Dave Magistrelli, Alex Hogle, Gina Fleming, Bob Bates, Shirley Sands, and Frank Colwell.

**Resolution 6-2020:** The Board conducted a public hearing to take public comment on a resolution to change road names in the Big Sky area. The hearing was opened at 10:06 a.m. with Tommy Luksha, GIS, present. Tommy displayed a map and discussed where the new road names will be located. He also discussed the 1000 point addressing system using Big Sky as a test area. The hearing was closed at 10:13 a.m. Based on the recommendation of the Planning Office and the GIS Department, Jim Hart moved to approve Resolution 6-2020, a resolution of road name changes in Madison County stating that a portion of Beaverhead Drive will remain Beaverhead Drive, Beaverhead Trail will become Telemark Drive, a portion of Beaverhead will become Downhill Drive, and Barramundi Loop will become Slalom Trail. Ron Nye seconded the motion. All voted aye and the motion carried.

**Approval of Minutes:** No minutes were available for approval.

**Claims:** The Board approved claims.

**SRI Sand and Gravel Sales Agreement:** The Board reviewed an agreement for the purchase of sand and gravel from SRI River Holdings. Jani Flinn, Grant Administrator, and Britani Allhands, Finance Clerk, were present for this portion of the meeting. There was discussion about the indemnification clause. Following discussion, Ron Nye moved to approve the Sand and Gravel Sales Agreement between SRI River Holdings and Madison County for removal of sand and gravel from an 11.5 acre tract of land located in the Northeast Quarter of the Northwest Quarter of Section 11, Township 3 South, Range 6 West, for the amount of \$1.25 per cubic yard, not to exceed 18,000 cubic yards, for a period of two years from the effective date; with corrections to the address on the back page and concurrence of the County Attorney. Jim Hart seconded the motion. All voted aye and the motion carried.

**Airports and Grants:** Jani Flinn, Airport Board Secretary and Grants Administrator, met with the Board to discuss the following topics: Bonnie O'Neill, Chief Administrative Officer, Vicki Tilstra, Finance Officer, and Britani Allhands, Finance Clerk, were present for this portion of the meeting. Lance Bowser, Robert Peccia and Associates, participated in the meeting by telephone.

**Twin Bridges Airport:**

- **Ennis Big Sky Airport Snow Removal Equipment Building Update:** Lance briefly discussed the status of the snow removal building noting that most of the smaller contractors have been paid and they are just getting into the larger ones. He will work with Jani to get invoices processed and paid.
  - **Automated Weather Observation System – Operations and Maintenance Manual and Memorandum of Agreement between FAA and Madison County:** Following discussion, Ron Nye moved to approve the Memorandum of Agreement between the Federal Aviation Administration and Madison County with corrections and the attached Operations and Maintenance Manual for the AWOS at the Twin Bridges Airport. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Ennis Big Sky Airport Land Acquisitions:** Lance discussed details of two lands acquisitions and the urgency in getting these acquisitions accomplished. After much discussion, Jim Hart moved to assure the

FAA that Madison County will acquire the necessary portions of Lot 4A and Lot 4B amicably by February 25, 2020, or move ahead with the condemnation process. Ron Nye seconded the motion. All voted aye and the motion carried. After further discussion, Jim Hart moved to approve an increase of \$12,000 to the total amount for a portion of Tract 4-B. Ron Nye seconded the motion. All voted aye and the motion carried. There was also discussion about using millings from the project on the airport road.

- **Cliff Lake, Wade Lake, and Horn Creek Roads MOU:** This topic was postponed to later in the meeting.

**Brownfields Grant for Virginia City School:** Mark Jacobs, Virginia City Resident, met with the Board to discuss grant funding for renovations of the Virginia City Schoolhouse. Julie Jaksha and Courtney Loeffler, Headwaters RC&D, Vicki Tilstra, Finance Officer, Britani Allhands, Finance Clerk, Bonnie O'Neill, Chief Administrative Officer, and Nancy Stewart, Virginia City, Town Clerk, were present for this portion of the meeting. Mark stated that he is interested in getting the Virginia City Schoolhouse but noted that what he is proposing would also be available to someone else. He added that Headwaters RC&D has access to grant funds for preliminary investigations, and that he, his wife, and their LLC would sponsor the grant on behalf of the County with the stipulation that it could be assigned. Julie discussed the requirements of a Brownfields Grant, noting that Phase 1 is for investigation of the project and is typically around \$5,000 to \$6,000, and they would then come back with Phase 2 which is typically around \$10,000 to \$20,000. She added that this is a perfect redevelopment project for Headwaters and that there is funding available. Vicki asked if the funding goes through Headwaters. Julie stated that it does and that they do all the reporting and follow-up with the contractors. Following discussion Jim Hart moved to move forward with the Brownfields grant application in preparation of selling the Virginia City Schoolhouse. Ron Nye seconded the motion. All voted aye and the motion carried.

**Extension Update:** Kaleena Miller, Ag Extension Agent, and Mikayla Hudson, 4-H Extension Agent, met with the Board for an Extension update. Bonnie O'Neill, Chief Administrative Officer, and Jani Flinn, Grant Administrator, were present for this portion of the meeting. Dan Lucas, MSU Extension, participated in the meeting via telephone. Mikayla opened the discussion by apologizing for the tense events that happened over the past week. She stated that she is new at this and has made mistakes. She added that she will probably make more and discussed the issues, her roles and responsibilities as the 4-H agent, and how to move forward with more communication. Ron Nye responded that what happened was unfortunate and stated that if we lose the two volunteers who said they were going to resign, they could not be replaced. He gave examples of the dedication of these two volunteers listing things they have done for 4-H over the years. He added that we don't want to lose them. Mikayla stated that she didn't want to make any major changes and listed items that she feels are important such as accountability, making sure projects are completed, keeping accurate records, identifying animals, fly problems, leadership, citizenship, and all the lessons that go along with ownership. Ron suggested that she use a softer approach and that changes should go on the agenda and decisions should be made by the board. There was much discussion about tagging animals and who should have input. Ron added that the program cannot exist without volunteers and that it makes sense to work with them and allow them to have some input. Dan Lucas stated that there are two issues at hand, one is 4-H education. The other is fair management questions. He stated that education is sometimes a logistical challenge, adding that the Fair is not a requirement to finish a 4-H project but rather a celebration of what they've accomplished. He discussed requirements of projects and working together as a team to make a successful event. Dan Allhands suggested taking a step back to look at things and give it some time while trying to find ways to work together. Mikayla agreed, adding that it needs to be a two way street and that she has to know the issues in order to find a way to fix them. Kaleena discussed the office space in the NRCS Office stating that they would like a formal agreement and that she's not sure who to pursue an agreement with. Dan stated that everyone leases the office space from the Search and Rescue. He will look into a sub-lease through NRCS.

**Habitat for Humanity-Ennis Project:** Dave Magistrelli, Habitat for Humanity, met with the Board to review the Ennis Habitat for Humanity project. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Dave stated that they have been processing eight applications and are ready to start talking specifics with these applicants. He discussed various financial restrictions that some applicants are experiencing. There was discussion regarding credit scores; creating a selection committee with a goal to select community minded individuals; and the cost of

homes and the amount of monthly payments. Income limits were discussed and there was a question as to what might happen if someone selected for a home exceeded the minimum after they were chosen. Dave responded that once they qualify, they stay in the home. They are not penalized for bettering themselves. He did add that they are disqualified for coming with an attitude that something is owed to them. The possibility of purchasing modular homes was discussed. Dave stated that there are concerns with the long term value of a modular home. Dave will keep the Board informed as the process moves forward.

**Board Renewals/Appointments:** Following review, Ron Nye moved to re-appoint Janet Doornbos to the Senior Citizens' Advisory Board for another 3 year term that will expire on December 31, 2022; to re-appoint Lindsay Colbert to the Big Sky Transportation Board for another 3 year term that will expire on December 31, 2022; and to accept the resignation of Melissa Brummell from the Mental Health Local Advisory Council. Jim Hart seconded the motion. All voted aye and the motion carried.

**Public Health Board Resignation:** With appreciation for his time and service, Jim Hart moved to accept the resignation of R.D. Marks from the Public Health Board and as the Medical Director for the Public Health Department, and to advertise the vacancy. Ron Nye seconded the motion. All voted aye and the motion carried.

**Public Health Board Appointment:** Jim Hart moved to appoint Molly Biehl to the Public Health Board for a three year term that will expire on December 31, 2022. Ron Nye seconded the motion. All voted aye and the motion carried.

**Virginia City Fire District Board Resignation:** Ron Nye moved to accept Joe Bettinger's resignation from the Virginia City Rural Fire District Board. Jim Hart seconded the motion. All voted aye and the motion carried.

**South Willow Creek Land Exchange:** Gina Fleming, Land Law Examiner, U.S. Forest Service, met with the Board to discuss a proposed land exchange in South Willow Creek. Vicki Tilstra, Finance Officer, Tommy Luksha, GIS, and Alex Hogle, Planning Director, were present for this portion of the meeting. Gina explained that since the early 1900's, the Forest Service has authorized four recreational residences in Sections 13 and 24, Township 3 South, Range 3 West, commonly referred to as the Bungalow Group. In 2011, the owners of the Bungalow Group proposed a land exchange for these four recreational lots (approximately 30 acres) located on Federal land for approximately 144 acres of private mining claims located four miles upstream in the same canyon. Gina showed maps of the area and the properties that would be exchanged and reviewed a list of benefits to the Forest Service if the exchange takes place. There were questions about environmental issues, to which Gina responded that a full environmental assessment would be completed along with a NEPA process and a wildlife review. There was discussion about whether the road leading to the sites is a County Road or a Forest Service Road and if the road would remain open to the public after the exchange takes place. Dan Allhands stated that there should be language in the agreement that the road will remain open and that the Forest Service will maintain it. Gina stated that it would be helpful to know that status of the road. Following much discussion, it was agreed that the Board would submit a request to the Road Review Committee to research the road. The width of the road, ability of the bridge to support emergency vehicles, and water were also discussed.

**Safety Department:** Bob Bates, Safety Coordinator, met with the Board to discuss the following Safety topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Safety Training for Outside Counties:** Bob said that he has been approached about providing training to other Counties and wondered if there are any outstanding agreements with other counties and if one would be necessary. There was discussion about previous agreements with other counties for Sanitarian services and Human Resource services; what types of trainings could be included, such as flagger training, CPR, and MSHA certification; what outside agencies could be included in the trainings; if Bob would exceed his allotted number of weekly hours; and what other counties would be charged for these services. It was agreed that Bob would limit the trainings to local counties only and come up with a cost that would include his wages and travel time and present a proposal to Beaverhead County to see what they're willing to cover.

- **Review and Sign OSHA 300A Form:** Bob presented and reviewed an OSHA form stating that it is required by Federal law that the form be signed and posted during February, March, and April. He stated that Madison County had 10 OSHA recordable cases which are listed on the forms. He noted that he is also required to send the report to the Bureau of Labor and Statistics.

**Sale of Sheridan Senior Center:** Shirley Sand, Sheridan Senior Center, and Frank Colwell, Berkshire Hathaway Real Estate, met with the Board to discuss a potential sale of the vacated Sheridan Senior Center. Vicki Tilstra, Finance Officer, and Bonnie O'Neill, Chief Administrative Officer, were present for this portion of the meeting. Frank stated that there is a valid offer on the Sheridan Service Center, noting that an appraisal has been done on the property and that Andy VerHow was given the first option to purchase it but declined. Shirley stated that because the senior groups receive public funds, the sale of the building needs to be approved by the Commissioners. Following discussion, Ron Nye moved to accept the Buy/Sell Agreement between the Sheridan Service Center and Todd C. and Carrie S. Gibson for property located at 106 W. Hamilton Street in Sheridan, Montana, which meets or exceeds the marketing appraisal conditions; and to accept the second offer if the first one doesn't go through. Jim Hart seconded the motion. All voted aye and the motion carried.

**Closed Meeting Pursuant to MCA 2-3-203(4):** The Board closed the meeting at this point to discuss strategy for litigation.

**Commissioner Liaison to Housing Board:** Following discussion, Ron Nye moved to appoint Dan Allhands as the liaison for the Housing Advisory Board. Jim Hart seconded the motion. Jim Hart and Ron Nye voted aye. Dan Allhands abstained from voting. The motion carried on a majority vote.

**District 1 Purchase of Hydraulic Breaker for Mini Excavator:** Dan Allhands notified the Board that Road District 1 has purchased a hydraulic breaker/vibratory packer for their mini-excavator for the amount of \$6,900 from Shepard's Garage, Dillon, Montana.

**CDL Medical Card Requirements:** The Board briefly discussed requirements for CDL medical cards and continued the topic to the next regular Commission meeting.

**Cliff Lake, Wade Lake, and Horn Creek Roads MOU:** The Board reviewed and discussed an MOU for proposed work on Cliff and Wade Lakes Road. After reviewing the agreement, Ron stated that he is okay with it if the gravel crushing is paid from the Road District 3 budget. Jim agreed that it was okay with him. Ron Nye moved to approve the Federal Lands Access Program Project Memorandum of Agreement between Madison County, Beaverhead National Forest, and Federal Highway Administration, the Western Federal Lands Highway Division (Project/Facility Name: MT MADISON 2015(1) Cliff and Wade Lake Road; Project Route: Wade Lake Road, Cliff Lake Road, and Horn Creek Road) to include preliminary engineering including environmental studies to support an environmental decision; hauling approximately 25,210 CY (49,670 ton) of roadway aggregate and 4,000 CY (7,880 ton) of aggregate base from County provided source to local County stockpile; aggregate to be placed on the roads by County forces; and construction engineering/contract administration of the rock hauling contract. Jim Hart seconded the motion. All voted aye and the motion carried.

**Calendars:** The Board reviewed calendars.

With no further business, the meeting was adjourned at 4:15 a.m.

**Next meeting:** The next regular Commission meeting will be held on Tuesday, January 28, 2020, beginning at 9:30 a.m. in the Commissioners' Conference Room of the Administrative Office Building in Virginia City, Montana.

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Dan W. Allhands, Chairman  
Board of Madison County Commissioners

Date Approved: February 18, 2020

Minutes prepared by:

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Laurie Buyan, Executive Assistant to the  
Board of Commissioners

Attest: \_\_\_\_\_  
Kathleen Mumme, Clerk and Recorder, Madison County