

## Madison County Board of Commissioners Meeting

10:00 am Tuesday, February 17, 2026, until concluded

First Floor Public Meeting Room  
Administrative Office Building, Virginia City, Montana

WebEx Login:

<https://madisoncounty.my.webex.com/madisoncounty.my/j.php?MTID=m41ec260e52fb051a5b5abad7194ef5ac>

Meeting Number: 2557 256 7614 Password: VCMadison

Join by Phone: 1-650-479-3208 Password: 82623476

Press \*6 to mute or unmute

Duke Gilman, District 1 Commissioner  
Ron Nye, District 2 Commissioner, Chairman  
Bill Todd, District 3 Commissioner

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### CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

### PUBLIC COMMENT (PLEASE LIMIT TO 5 MINUTES PER PERSON)

### CONSENT AGENDA

- Minutes for February 2, 2026 Work Session Meeting
- Minutes for February 9, 2026 Work Session Meeting
- Minutes for February 9, 2026 Special Meeting
- Minutes for February 10, 2026 Regular Meeting
- Approval of Claims

### REPORTS OF COMMITTEES

- None

### UNFINISHED BUSINESS

- None

### NEW BUSINESS

- Solid Waste - Truck Bid Opening
- MOU - Regarding Madison County Container Site Improvements
- Roy and Buchbauer Trust Survey Appeal
- Sheriff's Pay Discrepancy Discussion
- Payroll Correction - Updated Proposal
- MHPG Application Letter of Support and Permission for the VC Schoolhouse Phase 3 - Interior Renovation Project
- Resolution 14-2026 A Resolution Adopting 2026 Personnel Policy

### ANNOUNCEMENTS AND CALENDARS

Feb 19, 2026	Weed Board Meeting 1:30 PM Weed Board Office
Feb 23, 2026	Planning Board Meeting 6:00 PM Annex Building Public Meeting Room
Feb 27, 2026	Housing Advisory Board Meeting 9:00 AM Online Meeting
Feb 27, 2026	Senior Citizen Advisory Board 11:00 AM Twin Bridges Senior Center
Mar 2, 2026	Mental Health Local Advisory Council 2:00 PM TBD
Mar 9, 2026	Airport Board Meeting 6:00 PM Annex Building Public Meeting Room
Mar 11, 2026	Library Board Meeting 9:30 AM Thompson-Hickman Madison County Library
Mar 19, 2026	Safety Committee Meeting 10:00 AM Public Meeting Room

### ADJOURNMENT

**Madison County  
Commissioners Regular Meeting**

February 10, 2026, 1:00 pm Mountain Time until concluded  
103 W Wallace St, Virginia City, MT 59755, United States  
First Floor Public Meeting Room  
Administrative Office Building, Virginia City, Montana

**Present:**

Duke W. Gilman, Commissioner District 1  
Ronald E. Nye, Commissioner District 2  
William A. Todd, Commissioner, District 3, Chairman

**In Attendance:**

Ryan Wolter, IT Support Specialist, administered the Webex connection  
Sarah Carlson, Commissioners' / Airport Assistant, was present to take minutes

**Attendee List:**

Duncan Hedges, Sheriff  
Craig Schroder, Undersheriff  
Colton Lauer, Madison County Attorney  
Jennifer Tezak, Human Resources  
Susan Hanson, Human Resources  
Paula McKenzie, Clerk and Recorder

**1. Call to Order, Pledge of Allegiance, Roll Call**

**2. Public Comment (Please Limit to 5 Minutes Per Person)**

None

**3. Consent Agenda**

- 3.1. Minutes for January 26, 2026, Work Session**
- 3.2. Minutes for February 2, 2026, Work Session - not available**
- 3.3. Minutes for February 2, 2026, Closed Session**
- 3.4. Minutes for February 3, 2026, Regular Meeting**
- 3.5. Minutes for February 6, 2026, Special Meeting**
- 3.6. Request for Updated Letter of Support – US 191 / MT 64**
- 3.7. Approval of Claims**

**RESOLVED:** Commissioner Gilman moved to approve the Consent Agenda as read. Commissioner Todd seconded the motion.  
For: William Todd, Ron Nye, Duke Gilman. Motion passed.

Comment: None. Discussion: None.

#### **4. Reports of Committees**

None

#### **5. Unfinished Business**

None

#### **6. New Business**

##### **6.1. Resolution 12-2026: Resolution of Intent to Adopt Amended Buildings for Lease or Rent Regulations**

Cody Marxer, the Madison County Planning Director, participated via WebEx and presented historical insights, clarifying that the previous building lease and rent regulations were obsolete and necessitated revision.

**RESOLVED:** Commissioner Todd moved to approve Resolution 12-2026: Resolution of Intent to Adopt Amended Buildings for Lease or Rent Regulations. Commissioner Gilman seconded the motion.

For: Ron Nye, William Todd, Duke Gilman. Motion passed.

Comment: Marxer (WebEx). Discussion: None.

##### **6.2. Tourism Grant Extension Request**

**RESOLVED:** Commissioner Todd moved to approve the Tourism Grant Extension Request. Commissioner Gillman Seconded the motion.

For: Ron Nye, William Todd, Duke Gilman. Motion passed.

Comment: None. Discussion: None.

##### **6.3. Personnel Policy Revisions**

Jennifer Tezak and Susan Hanson from Madison County Human Resources provided the Commissioner with updates regarding the county personnel policy and procedures handbook.

**RESOLVED:** Commissioner Todd moved to approve the Tourism Grant Extension Request. Commissioner Gillman Seconded the motion.

For: Duke Gilman, Ron Nye, and William Todd. Motion passed.

Comment: Tezak and Hanson. Discussion: Commissioner Todd and Commissioner Gilman.

##### **6.4. Special District Elections**

Paula McKenzie, Madison County Clerk and Recorder, provided the commissioners with a list of elected boards that may be filled by acclamation.

Comment: McKenzie. Discussion: Commissioner Todd, Commissioner Nye, and Commissioner Gilman.

**6.5. Removal of Times from Tuesday Agendas**

**RESOLVED:** Commissioner Todd moved to approve the Removal of Times from Tuesday Agendas. Commissioner Gilman seconded the motion.

For: William Todd and Ron Nye. Against: Duke Gilman. Motion passed.

Comment: None. Discussion: None.

**6.6. Reappoint Joyce Pearson to the Mental Health Local Advisory Council Board**

**RESOLVED:** Commissioner Todd moved to reappoint Joyce Pearson to the Mental Health Local Advisory Council Board. Commissioner Gilman seconded the motion.

For: Ron Nye, Duke Gilman, William Todd. Motion passed.

Comment: None. Discussion: None.

**Adjournment**

**RESOLVED:** Commissioner Todd moved to adjourn the meeting. Commissioner Gilman seconded the motion.

For: Duke Gilman, Ron Nye, and William Todd. Motion passed.

With no further discussion, the meeting was adjourned at 10:35 am.

The upcoming Regular Commissioner meeting is scheduled for Tuesday, February 17, 2026, at 10:00 am, in the Public Meeting Room of the Administrative Building in Virginia City, Montana.

**Signed:** .....  
**Ronald E. Nye, Commissioner, Chairman**  
**Date Approved: February 17, 2026**

**Date:**.....

**Signed:** .....  
**Minutes prepared by:**  
**Sarah Carlson, Commissioners' / Airport Assistant**

**Date:**.....

**Attest:** .....  
**Paula McKenzie, Clerk and Recorder, Madison County**

**Date:**.....

DRAFT

**MEMORANDUM OF UNDERSTANDING  
REGARDING MADISON COUNTY CONTAINER SITE IMPROVEMENTS**

Madison County, Montana, a political subdivision of the State of Montana with its principal office located at 103 W Wallace St, Virginia City, Montana (“Madison County”), and the Greater Yellowstone Coalition, an NGO of the State of Montana with its principal office located at 215 S Wallace Ave, Bozeman, Montana (“GYC”), hereby enter this Memorandum of Understanding (“MOU”):

**Recitals.**

**Whereas:**

- A. Madison County has solid waste collection sites throughout Madison County, MT (“container sites”);
- B. Citizens use container sites to dispose of solid waste;
- C. Solid waste is a known bear attractant;
- D. Conditioning bears to solid waste has detrimental impacts to both humans and bears; and
- E. GYC is involved in the business of protecting bears in the Greater Yellowstone Ecosystem.

**NOW, THEREFORE**, in consideration of the foregoing recitals and the terms and conditions set forth herein, the parties agree as follows:

1. GYC agrees to pay up to \$20,000 toward the purchase, delivery, and installation of hydraulic lids, solar panels, hydraulic and push-button system housing, and proper signage. This equipment will be used to secure trash at container sites across Madison County. Priority sites include Sheridan, Waterloo, Alder, and Pony. After those sites are secured, it is possible that GYC may secure funding for additional site improvements. Ideally, all Madison County container sites will be secured and unavailable to bears. It is the intent of both parties that this equipment, when properly used, is bear-resistant and will result in the reduction of and prevention of potential bear conflicts in the future in the area. GYC also agrees to:

- A. Pay vendors and contractors involved in this project the balance on the purchase of equipment for the activities listed.

- B. Coordinate with Steve Primm who will continue to act as liaison between the Organization and vendors and contractors.
  - C. Coordinate with Montana Fish Wildlife and Parks bear specialists and Interagency Grizzly Bear Committee members regarding appropriate signage at each container site to keep people safe and informed, and equipment functioning properly.
2. Madison County agrees to:
- A. Train employees in how to use, monitor, and maintain equipment and ensure its effectiveness.
  - B. Make changes/modifications to equipment when necessary to ensure its bear resistance.
  - C. Conduct proper regular maintenance at each container site where equipment has been installed. This includes checking hydraulic fluid levels on each hydraulic lid system at the Sheridan, Waterloo, Pony, and Alder container sites, cleaning off all dirt, snow and debris to avoid malfunction, and conducting proper maintenance if/when needed. A guidance document for proper maintenance will be provided to Madison County upon installation and will be based on recommended protocols from other counties with the same equipment.
  - D. Ensure modifications made to equipment to ensure bear-resistance are made in a timely manner.
  - E. Allow for the inspection of the equipment on-site to ensure its bear-resistance.
3. If the equipment purchased for Madison County is not used to reduce human-bear conflict:
- A. The County shall provide a prorated share of the selling price to GYC if the equipment is sold; or Madison County will provide some other means of reimbursement.
4. The Parties acknowledge and agree that all equipment purchased by GYC under this MOU shall become the sole and exclusive property of Madison County upon acquisition. GYC disclaims any ownership, title, or interest in such equipment.

5. No amendment, modification or waiver of any condition, provision or term of this MOU shall be valid or of any effect unless made in writing, signed by the party or parties to be bound and specifying with particularity the nature and extent of such amendment, modification or waiver.

6. This MOU may at any time be terminated with thirty (30) days' written notice to either party.

7. This MOU and the obligations hereunder cannot be assigned without prior written permission of both parties. The parties to this Agreement, either personally or through their duly authorized representatives, have executed this Agreement on the dates set out below, and certify that they have ready, understood, and agreed to the terms and conditions of this Agreement.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026 by:

**MADISON COUNTY COMMISSION:**

X

DUKE GILMAN  
District 1

X

RON NYE  
District 2

X

BILL TODD  
District 3

**ATTEST:**

X

PAULA MCKENZIE  
Clerk & Recorder

**APPROVED AS TO FORM:**

X

\_\_\_\_\_  
Madison County Attorney

**GREATER YELLOWSTONE COALITION:**

X

*Scott Christensen*  
\_\_\_\_\_  
SCOTT CHRISTENSEN  
Executive Director

DRAFT

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## Great Divide Surveying

376 Milestone Dr.  
Belgrade, MT 59714  
(406) 580-1078

Madison County Commissioner  
P.O. Box 275  
Virginia City, MT 59755

**Feb 9, 2026**

RE: Appeal of Denial for Roy Trust Realignment Survey

Dear Madison County Commissioners,

Great Divide Surveying LLC was retained to provide a boundary line realignment for the Roy Trust property. The purpose of this realignment was to resolve a landscape encroachment issue. The owners determined this was the most prudent time to complete the realignment, as they currently own both adjacent tracts.

The survey exemption application was denied based on two primary findings:

1. The septic system is not in the exact location designated on the lot layout, which is part of the Montana DEQ Certificate of Approval.
2. The Planning Department determined the house is located out of the building envelope shown on the final plat of the Bull Wheel Ranch Subdivision.

Please refer to the attached denial letter for full details.

I formally request a meeting with the Madison County Commissioners to discuss these issues and appeal the denied application.

Thank you for your time and consideration. I look forward to the opportunity to discuss the specifics of this survey with you.

Please contact me at [shannon@great-divide.net](mailto:shannon@great-divide.net) or call/text me at (406) 580-1078 with any questions or concerns.

Thank you



Shannon J. Marinko PLS  
Great Divide Surveying LLC

DATE RECORDED: \_\_\_\_\_

DOC #: \_\_\_\_\_

# MADISON COUNTY EXEMPTION REVIEW BOARD

**RECEIVED**

JAN 26 2026

REVIEW DATE: 2/4/2026

ATTENDEES: Alison Elser Paula McKersie  
Kasey Smart  
Lody Mayer

SEC: 18 T: 7S R: 1W Lot 23 + Lot 24

SUBDIVISION: Bull wheel Ranch Subdivision

TAX ID #'S: 27022230

Type of Exemption Requested:

- Agricultural Covenant
- Lot Aggregation
- Boundary Adjustment
- Mortgage
- Family Transfer
- Other \_\_\_\_\_

1. Review Fee
2. Completed application (3 copies)
3. Survey (3 copies)
4. Draft deeds (if transferring property)
5. Supporting documentation (3 copies)
6. Previous surveys (3 copies)

<input checked="" type="checkbox"/>	Check # <u>1037</u>
<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	
<input type="checkbox"/>	

SURVEYOR/REPRESENTATIVE: Great Divide Surveying LLC / Shannon Marinko

Landowners

- (1) Caroline S. Roy Revocable Trust
- (2) Jasper L. Buchbauer Revocable Trust
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

- Approved or Approved with Correction(s) (see comments)
- Submittal incomplete or inaccurate. Return to applicant for revisions. If second submittal is found incomplete or inaccurate, application will be denied and a new application and fee will be required.
- Denied (see comments)

**\*\*TRACTS CREATED THROUGH A FAMILY CONVEYANCE/TRANSFER EXEMPTION MAY NOT BE DEEDED OR SOLD FOR TWO YEARS.\*\***

6.3. Roy and Buchbauer Trust Survey Appeal/appeal.pdf  
NAME: Roy, Caroline S. Rev. Trust / Buchbauer, Jasper L. Rev. Trust

DOR

Comments:

- Taxes to be paid in full at time COS is presented for filing.
- Deeds transferring property required at time COS is presented for filing.
- Correct sanitation exemption
- Correct land use exemption
- RSID payoff required for (# or specific parcels) \_\_\_\_\_.
- Review by Examining Land Surveyor, at applicant's expense, is required.
- Corrections required (see below)

Clerk & Recorder Comments:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Sanitarian Comments:

- exemption reliance - septic not installed in accordance w/ approval (DEQ)
- cannot ~~approve~~ sign off
- septic (installed) may cross tract lines
- cannot approve BLA to accommodate non-compliant development
- Speak w/ Sanitarian

Planning Comments:

- House/yard outside building envelope (platted)
- Requires exempt amended plat to modify building envelope location
- cannot approve BLA to accommodate non-compliant development
- \_\_\_\_\_
- Speak w/ planning

Signatures of Exemption Review Board Members:

*Paula Mckenzie*  
Clerk & Recorder

*Scott Clark*  
Sanitarian

*Mark*  
Planning

*1-4-24*  
Date

## Madison County Sheriff's Office

### Compensation Recalculation Proposal (By Pay Period)

Coverage: July 1, 2023 – February 28, 2026

Estimated checks to recalculate – 1,100

#### Processing Basis

Work is organized by check dates & pay periods. For the covered timeframe, the Sheriff's Office operates on a semi-monthly cycle with two pay periods each month: 1–15 and 16–end of month. Longevity for hourly staff is added to the hourly rate; semi-monthly gross is determined by the hours worked within each pay period.

#### Purpose & Method

- Sheriff: County uniform base salary + \$2,000 statutory increment; longevity equals 1% per completed year of service computed on the Sheriff longevity base (uniform base + \$2,000). If present, discretionary sheriff pay is excluded from Sheriff longevity but included for deputy/undersheriff percentage computations.
- Undersheriff & Deputies: Undersheriff is 98% of the salary of that sheriff; Deputies are a statutory percentage of the Sheriff and adjusted by rank. Statute defines "compensation" as the base rate of pay (excludes longevity and overtime).
- Longevity (Undersheriff/Deputies): 1% per completed year of the minimum base annual salary, paid in equal installments unless otherwise negotiated.
- County/MACo method: MACo worksheet sequence (Sheriff longevity base, then Sheriff base for deputy/undersheriff computations; exclusions) applied with the County's Sheriff's Department schedule (rank percentages/structure).
- Roster controls: Apply Special Pay and enforce the Deputy 90.5% cap (base + specialty); preserve Notes (FTO/Instructor/SAR/K9; promotions; separations) as documentation.

#### Scope of Work (performed each year in scope)

- Recalculate per year for Sheriff pay & determine per check pay difference
- Recalculate per year for Undersheriff Pay & determine per check pay difference
- Recalculate per year for Deputy Pay & determine per check pay difference
- Recalculate per year for longevity & determine per check pay difference
- Recalculate per year for Specialty pay & determine per check pay difference
- Blended OT Calc by paycheck (period) uses statutory hourly base + longevity addition; actual hours per semi-monthly period and includes all items needing to be included in weighted average. Included in the per check pay difference calculation.
- Calls/Meetings — coordination with Sheriff's Office & Payroll; statute/County alignment; final documentation

### Pricing (by calendar year) and Per-Employee Fee

Year	Project Cost	Per-Employee Fee (range)
2023	\$12,500	\$700 – \$1,000 per person
2024	\$25,000	\$1,000 – \$1,200 per person
2025	\$25,000	\$1,000 – \$1,200 per person
2026 (through 2/28/2026; heavily discounted)	\$2,100	\$100 – \$200 per person
Total Cost	\$64,600	

### Scope Comparison: Original vs. Revised Proposal

#### Original Scope (Superseded)

- Coverage period: 02/06/2024 – 06/30/2025
- Population reviewed: 20 total employees, including 1 Sheriff
- Madison County providing the calculation for Sheriff pay for the covered period
- Estimated timeframe - 30 days

#### Revised Scope (Current Proposal)

- Coverage period expanded to: 07/01/2023 – 02/28/2026
- Population reviewed increased to 25 total employees, including 1 Sheriff
- All Sheriff compensation calculations are completed by Wipfli strictly in accordance with Montana state statute
- Blended overtime calculations have been corrected and incorporated into the payroll conversion analysis by employees
- Estimated timeframe – 90 days

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### Scope (2026 Active Employees; as-of 03/01/2026)

Included employees are those active as of 03/01/2026 per the Sheriff's Office roster (hire date on/before and no end date prior to the as-of date).

### Calculate Pay as of 3.1.26 (Semi-Monthly → Bi-Weekly)

- Bi-weekly pay periods begin 03/01/2026 with a Sunday–Saturday work period and a standard 80 hours per pay period for base payroll planning.

### Pricing

**Cost:** \$500 per active employee (as of 03/01/2026) included in this conversion workstream.

**MADISON COUNTY BOARD OF COMMISSIONERS**

**P.O. BOX 278**

**VIRGINIA CITY, MT 59755**

Commissioners

Duke W. Gilman  
Ronald E. Nye  
William A. Todd

e-mail: [madco@madisoncountymt.gov](mailto:madco@madisoncountymt.gov)  
[www.madisoncountymt.gov](http://www.madisoncountymt.gov)

Phone: (406) 843-4277  
Fax: (406) 843-5517

February 17, 2026

Montana Historic Preservation Grant Program  
Montana Department of Commerce  
301 S. Park Avenue  
Helena, Montana 59620

Dear Montana Historic Preservation Grant Review Committee:

On behalf of the Madison County Commissioners Office, we are writing in support of the Virginia City Schoolhouse Foundation’s application for a Montana Historic Preservation Grant (MHPG) to complete Phase 3: Interior Renovation of the historic Virginia City Schoolhouse. As the owner of the schoolhouse property for over 30 years, we also give permission for the proposed improvements.

The property is listed on the National Register of Historic Places as a contributing element of the Virginia City National Historic Landmark and the local historic district. Constructed in 1876, the handsome 2-story masonry building served as the local K-12 school for the next century, prior to being closed in the mid-1970s due to declining enrollment. As such, it bears the distinction of being associated with Montana's first school district, and possibly the oldest surviving public high school in the state.

In the intervening years, the building has housed various county and municipal government offices, until in 2009 when it was vacated due to lingering structural safety concerns associated with damage sustained by 1959 Hebgen Lake earthquake. For the past 15 years, the county has attempted to find a new use or appropriate owner for the property. In 2024, the Virginia City Schoolhouse Foundation (VCSF), a local non-profit organization, was formed to preserve the schoolhouse, share its story, support the arts in Madison County, and complement Virginia City's well-established heritage tourism economy. The VCSF is currently leasing the building from the county and leading efforts to renovate the property.

With the goal of providing affordable studio and workshop spaces for local and regional artists, the VCSF has developed a 3-phased strategy estimated to cost approximately \$500,000 to renovate the building as the home of the Montana Makers' Space. Indicative of strong regional support, to-date over \$125,000 of cash and in-kind contributions have been raised for the project. These funds have been invested into Phase 1: Reactivate the Building and Phase 2: Exterior Restoration activities. Phase 2 is scheduled for completion by the end of 2026. These funds will be used to match the requested \$350,000 MHPG to replace obsolete utilities throughout the 6000 SF building, including mechanical (HVAC), electrical, and plumbing systems and to address structural issues that limit the building's ongoing use.

Upon completion in 2028, the historic building will be fully equipped to serve community and county residents in a safe, sustainable, and cost-effective manner for the next century.

I encourage your support for this worthy endeavor.

Sincerely,

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Duke W. Gilman,  
District 1 Commissioner

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Ronald E. Nye, Chairman  
District 2 Commissioner

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William A. Todd,  
District 3 Commissioner

Board of Commissioners Madison County, Montana

**RESOLUTION NO. 14-2026**

**A RESOLUTION ADOPTING 2026 PERSONNEL POLICY**

WHEREAS, Madison County last revised its personnel policy in 2023; and,

WHEREAS, the Madison County Commission has determined that certain revisions and additions are needed; and,

WHEREAS, it is intended for the attached personnel policy to supersede and replace the previous policy; and,

WHEREAS, the adoption of this policy is not intended to replace existing policies of various County departments;

NOW THEREFORE BE IT RESOLVED, by the Madison County Commission, that:

1. The attached Madison County Personnel Policy is adopted and effective as of the passing of this resolution.
2. The attached Madison County Personnel Policy shall supersede and replace the previous 2023 Madison County Personnel Policy.

Approved by the Board of Commissioners this 12th Day of February, 2026.

\_\_\_\_\_  
 Ronald E. Nye, Chairman

\_\_\_\_\_  
 William A. Todd, Commissioner

\_\_\_\_\_  
 Duke W. Gilman, Commissioner

Attest: \_\_\_\_\_  
 Paula McKenzie  
 Clerk and Recorder