

BOARD OF MADISON COUNTY COMMISSIONERS
January 5, 2021, Meeting Minutes

On Tuesday, January 5, 2021, 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, Chairman, Jim Hart, and Ron Nye present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Joe Brummell, Bonnie O'Neill, Alex Hogle, Levi Simonson, Brett Schriock, Paula McKenzie, Gail Nelson, Allison Veland, Vicki Tilstra, and Laurie Buyan. Ryan Wolter, IT Support Specialist, was present to administer the Webex connection. Those who attended via Webex or by phone included Jonathan Weaver, Abby St. Lawrence, Kindra Todd, Abbi Lee, Janie Alt, Michelle Schriock, Lynda Holt, Courtnie Fisher, Carmin Hill, Chad Tree, Jani Flinn, Kathy Barnes, Lisa Stapp, Hannah Kearsse, and Sean Hill.

Approval of Minutes: Following review, Jim Hart moved to approve the December 1, 2020, Board of Commissioners' meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. After review, Ron Nye moved to approve the December 8, 2020, Board of Commissioners' meeting minutes as presented. Jim Hart seconded the motion. Jim Hart abstained from voting as he was not present for that meeting. The motion carried on a majority vote.

Public Health Office/DES – COVID-19 Update: Joe Brummell, DES, met with the Board to present a COVID-19 update and discuss the following topics. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting. Joe reviewed the latest COVID figures for the County, which included a total so far of 519 confirmed positive cases with 20 currently active, 4 current hospitalizations for a total of 28 to date, and fatalities remain at three. The State has had 82,664 positive cases with 975 fatalities, and currently has 191 hospitalizations. Confirmed cases for the U.S. have increased to 20.9 million, and the death toll is now 354,000. Joe reviewed Montana maps showing active cases, cumulative cases, and hospital bed capacity by county. He discussed local schools using the latest data from mid-December, noted that college students will be returning from holiday breaks soon, and said smaller colleges are playing basketball but trying to limit travel. The County's local hospitals have worked out immunization plans with Public Health, each hospital received 100 doses of the COVID vaccine, have implemented Phase I of the immunizations, and Joe said as long as the vaccine supply continues to be delivered the plan should run smoothly. He discussed crisis recovery and emotional support programs that have been set up as a result of the pandemic, reviewed Incident Command Team activities and schedules, went on to brief the Board on weather/road conditions and drought status, and discussed local ice jam conditions. Joe's year-end DES review included statistics regarding 36 total grass and wildland fires affecting 4,673.95 acres, burn permits sold and other fees collected resulting in a payout to each district of over \$800, and he discussed 182 PCSR applications received in 2020.

- **Discussion on COVID Stipend Distribution:** Jim asked for patience regarding the COVID Stipend distribution, said there should be a report available at the end of the month, and the topic was continued.

Planning Office: Alex Hogle, Planning Director, met with the Board to discuss the following topics. Levi Simonson, Planner I, was present for this portion of the meeting.

- **Resolution of Road Name Change – Pattys Way (Resolution 6-2021):** Alex reviewed a request to rename an existing dirt lane located south of Alder that heads west on a 90-degree angle from Ruby Road, and the petitioner's choice to name it Pattys Way. Alex explained the applicant's plan to build four habitable structures on the renamed road, the floodplain development review that is underway, and said the structures will be built on high enough ground that the lowest floors will be three feet above the identified flood area but a permit will still be required. Following discussion, Ron Nye moved to approve Resolution 6-2021 as presented, a resolution of road name change in Madison County, naming an unnamed road Pattys Way. Jim Hart seconded the motion. All voted aye and the motion carried.

- **Amendment to the Moonlight Basin Codes, Covenants, and Restrictions:** This topic was continued to a later date.

Claims: The Board approved claims.

Journal Vouchers: Ron Nye moved to approve Journal Vouchers for the 12/20 accounting period as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

Resolution 1-2021 Mileage Rates: Jim read aloud the fourth paragraph of the resolution detailing various reimbursement rates. Following review, Jim Hart moved to approve Resolution 1-2021, a resolution setting mileage rates for calendar year 2021. Ron Nye seconded the motion. All voted aye and the motion carried.

Resolution 2-2021 Setting Commission Meeting Dates: Following review, Ron Nye moved to approve Resolution 2-2021, a resolution setting dates for Commission meetings, with weekly meetings on Tuesdays beginning at 9:30 a.m. Jim Hart seconded the motion. All voted aye and the motion carried.

Resolution 3-2021 Establishing County Office Hours: Jim read the resolution, and discussed that the Board is following up on rumors that some offices are not adhering to standard office hours. Following discussion, Jim Hart moved to approve Resolution 3-2021, a resolution setting County office hours. Ron Nye seconded the motion. All voted aye and the motion carried.

Resolution 4-2021 Establishing Locations for Posting Public Notice: Jim pointed out the three locations listed on the resolution where public notice will be posted: the bulletin board at the front entrance to the Administrative Office Building; the bulletin board on the first floor of the Courthouse; and the bulletin board in the Virginia City Post Office. Following review, Ron Nye moved to approve Resolution 4-2021, a resolution establishing locations for posting public notice in the three locations referred to by Commissioner Hart. Jim Hart seconded the motion. All voted aye and the motion carried.

Resolution 5-2021 Establishing the Rate of Credit for Incarceration: Jim read aloud portions of the resolution regarding costs and rates. Following review, Jim Hart moved to approve Resolution 5-2021, a resolution setting the rate of credit for incarceration at \$75 per day. Ron Nye seconded the motion. All voted aye and the motion carried. Jim noted that the Sheriff confirmed this rate and will communicate to the Board any need for rate changes.

Great West Engineering: Jonathan Weaver, Great West Engineering, met with the Board via Webex to discuss the following topic.

- **Gravel Pits:** Jonathan said a letter was submitted to DEQ last week asking them to proceed with the reclamation process for the Boyd and Sauerbier gravel pit sites but he hasn't heard back from them yet. He put together a proposal to re-permit and expand the boundaries for the Guinnane and Oxbow sites, found out cultural surveys will not be needed, and hasn't heard back yet about stormwater permits. The total cost for both sites, which includes test pits, site visits, and redoing all the forms, is \$36,700, plus a \$1,500 fee per site to submit the application to DEQ. He reviewed several reasons for cost increases over the years, added that Ray Rowberry, District 1 Road Foreman, thinks these sites are worth re-permitting and doing boundary changes to allow them to be mined for a longer time period in the future, and the Board discussed getting them permitted for as many years as possible which in this case is 30 years. Additional discussion included the Bar 7 site, a requirement for private owners to put up a bond on pit sites, and reclamation procedures for the Hamilton pit.

Housing Board Resignation: Following review, Ron Nye moved to accept Angela Karanas' resignation from the Madison County Housing Board effective December 31, 2020, send a letter of appreciation for her position on the Board, and advertise for a replacement. Jim Hart seconded the motion. All voted aye and the motion carried.

Mental Health LAC Resignation: After review, Jim Hart moved to accept Sue Heald's resignation from the Mental Health Local Advisory Council as of December 30, 2020, send her a letter of thanks for her

participation and great involvement, and advertise for a replacement. Ron Nye seconded the motion. All voted aye and the motion carried.

IT: Brett Schriock, IT Director, met with the Board to discuss the following topic. Bonnie O'Neill, Chief Administrative Officer, was present for this portion of the meeting.

- **Request for a Full-Time IT Tech:** Brett presented and discussed a request to reclassify the part-time IT Systems Computer Support Specialist position to full time. He explained the need for the reclassification, citing several projects and demands that have increased the department's workload. Bonnie reviewed the cost difference between part-time and full-time, and discussion ensued about reducing overtime and stress, 24/7 availability, reclassification versus advertising for a full-time position, the time involved in travel and running virtual meetings, the breadth of coverage across the County, and possible post-pandemic work slowdowns. After discussion, Jim Hart moved to approve the IT Director's request for reclassifying the IT Department's half-time Systems Computer Support Specialist position to full time for one calendar year effective January 1, 2021, and to review the position prior to the end of 2021. Ron Nye seconded the motion. All voted aye and the motion carried.

Clerk and Recorder: Paula McKenzie, Clerk and Recorder, met with the Board to discuss the following topics.

- **Formal Appointment as Clerk and Recorder:** Paula informed the Board that she has been appointed and sworn in as the Clerk and Recorder and started in the position yesterday. Jim Hart moved to formally appoint Paula McKenzie as the Madison County Clerk and Recorder for the remaining term of Kathleen Mumme's elected position. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Request to Remove/Destroy Some Older Records:** Paula presented lists of documents identified by the Clerk and Recorder's office as non-essential, and asked for the Board's permission to go through the process of removing them by sending a request to the Secretary of State's office, after which there is a 60-day waiting period, and if no other entities ask to keep the documents for their archives they can then be destroyed. After discussion, Ron Nye moved to approve the Clerk and Recorder's request to go through the process of removing/destroying some older, non-essential records. Jim Hart seconded the motion. All voted aye and the motion carried.

Commissioner Liaisons to County Boards: The Board reviewed the 2020 list of Commissioner Liaisons to County boards. After review, Ron Nye moved to keep the same board liaisons in 2021 as they were in 2020. Jim Hart seconded the motion. All voted aye and the motion carried.

Human Resources: Bonnie O'Neill, Chief Administrative Officer, met with the Board to discuss the following Human Resource topics. Vicki Tilstra, Finance Officer, Gail Nelson, TRMCC Administrator in Training, and Allison Veland, MVM Administrator in Training, were present for this portion of the meeting.

- **Authorization to Fill – Full Time, Nursing Home Administrator(s) 2-positions TRMCC & MVM:** Bonnie asked the Board whether they would like to advertise for one nursing home administrator, or two (one for each facility). She also asked the Board's preference for advertising internally, externally, or both, and said the salary is yet to be determined. Discussion ensued about when to start advertising given the current administrator's contract termination in mid-March, ensuring the County always has an administrator in place, and Allison and Gail agreed with the Board that one person cannot run both facilities efficiently. Following discussion, Jim Hart moved to approve the authorization to fill two Nursing Home Administrator positions, one for Madison Valley Manor (MVM) and one for Tobacco Root Mountain Care Center (TRMCC), and to advertise internally and externally for a minimum of two weeks. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Nursing Home Administrator Exempt Position Annual Salary-Resolution 19-2020:** Bonnie discussed research she conducted regarding nursing home administrator salaries with comparable census data where available, as well as the position's salary history in Madison County for the last few years. She also relayed her conversation with the current administrator regarding salaries and whether to hire one administrator or two, and noted that she did inform him of the Board's decision not to extend his contract until June as was offered. She asked if the Board would prefer to make a

salary decision today, or to list the salary as “to be determined.” The Board agreed that “to be determined” would be best, and Ron commented that salaries can be negotiated and it’s better to leave it open since there are many unknowns at this point.

Public Discussion on Items Not Listed on the Agenda but Within the Board’s Jurisdiction: Allison Veland, MVM Administrator in Training, and Gail Nelson, TRMCC Administrator in Training, updated the Board on the nursing homes. At MVM, an indoor visitation area is being used and greatly appreciated, many people in the community helped to enrich the holiday season for the residents, and Allison discussed staff and resident COVID vaccination status. Asked if the boilers and generators are functioning well at MVM, Allison said they are, and the staff is being educated on how to use them. Gail reviewed TRMCC’s vaccination progress, census and referrals, staffing, fabulous holiday events, and noted how the staff became family for the residents during the holidays.

Finance Office: Vicki Tilstra, Finance Officer, met with the Board to discuss the following topic. Gail Nelson, TRMCC Administrator in Training, Allison Veland, MVM Administrator in Training, and Bonnie O’Neill, Chief Administrative Officer, were present for this portion of the meeting.

- **Rescindment or Continuation of Resolution 15-2020, Authorizing Hazard Pay to Nursing Home Employees Due to COVID-19 Pandemic:** Allison and Gail requested, with the understanding that State and Federal COVID reimbursement funds through Medicaid are authorized for another month but are depleting, that the COVID hazard pay for nursing home employees is continued for the month of January at a lesser rate of \$1.50 per hour instead of the current \$2.50, to help with the stepdown process. The Board agreed that the request is reasonable, and Gail also asked for a letter to staff from the Commissioners informing them of the change. Bonnie will work with Laurie to either amend the current resolution or develop a new one, and to draft the letter. Allison said nursing homes will continue with current pandemic precautions. Following discussion, Ron Nye moved to accept the proposal to lower the amount of COVID-19 hazard pay for nursing home employees from \$2.50 to \$1.50 per hour from January 1 through January 31, 2021, pending a resolution to be completed by the next regular Commission meeting. Jim Hart seconded the motion. All voted aye and the motion carried.

Tax Appeal Board Resignation: Laurie Buyan, Executive Assistant/Tax Appeal Board Secretary, met with the Board to discuss a Tax Appeal Board Resignation. Since the resignation was not in writing but clearly expressed verbally, and another person has expressed interest in filling the position, Laurie asked the Board if they would accept the verbal resignation or wait for confirmation. Following review, Jim Hart moved to accept Don McCune’s verbal resignation from the Tax Appeal Board, thank him for his service, and advertise for a replacement. Ron Nye seconded the motion. All voted aye and the motion carried.

Advisory Board Renewals Advisory Board Non-Renewals: Laurie Buyan, Executive Assistant to the Board of Commissioners, met with the Board to discuss Advisory Board renewals and non-renewals for 2021. So far eleven people have not responded, four have elected not to renew their positions, several have renewed for another term, and Laurie read the names of those who have responded. Following review, Ron Nye moved to appoint the following members to their respective boards: John Hauck and James Frey to the Airport Board for three year terms that will expire on December 31, 2023; Frank Kneeshaw to the Big Hole River Advisory Board for a three year term that will expire on December 31, 2023; Jon Olsen to the Big Sky Park District Board for a three year term that will expire on December 31, 2023; Doug Young to the Board of Health for a three year term that will expire on December 31, 2023; Christy Todd and L.J. Pancost to the Fair Board for two year terms that will expire on December 31, 2022; Mary Beth Walsh to the Housing Advisory Board for a three year term that will expire on December 31, 2023; Neil Barnosky to the Livestock Protective Committee for a two year term that will expire on December 31, 2022; Jim Hart and Ke’lah Savage to the Mental Health Local Advisory Council for four year terms that will expire on December 31, 2024; Pat Bradley and Jackie McCurdy to the Planning Board for two year terms that expire on December 31, 2022; Dave Marsh and Dave Welch to the Road Review Committee for three year terms that will expire on December 31, 2023; Ron Paige to the Senior Citizens Advisory Board for a three year term that will expire on December 31, 2023; Tikker Jones to the Solid Waste Board for a three year term that will expire on December 31, 2023; Monty Simonsen to the Tax Appeal Board for a three year term that will expire on December 31, 2023; John Armstrong to the South Boulder Cemetery Board for a three year term that will expire on December 31, 2023;

Bill Christensen to the Laurin Cemetery Board for a three year term that will expire on December 31, 2023; Kay Frisbee to the Madison Valley Cemetery Board for a three year term that will expire on December 31, 2023; Toni Kantorowicz to the Pioneer Cemetery Board for a three year term that will expire on December 31, 2023; Jim Anderson to the Taylor Cemetery Board for a three year term that will expire on December 31, 2023; and Sherry Nyhart Smith to the Twin Bridges Cemetery Board for a three year term that will expire on December 31, 2023. Jim Hart seconded the motion. All voted aye and the motion carried.

Ron Nye moved to accept the resignations of Phil Fortner from the DUI Task Force, Matthew Oehler from the Housing Advisory Board, Linda Parsons from the Mental Health Local Advisory Council, and Ty Todd from the Sheridan Cemetery Board, to send them a letter of appreciation, and to advertise for replacements. Jim Hart seconded the motion. All voted aye and the motion carried.

Potential Litigation Related to County Road Issues: Abby St. Lawrence, Attorney, met with the Board by telephone to discuss potential litigation related to County road issues. This portion of the meeting was closed to the public.

Calendars: The Board reviewed calendars. Laurie Buyan, Executive Assistant, was present for this portion of the meeting. When scheduling interviews for the HR position was mentioned, Laurie expressed the opinion that an HR Specialist is needed instead of an HR Generalist, and asked that this be taken into consideration prior to interviewing. Ron agreed. Laurie further stated that the position should be an independent third party and not report to the Commissioners or the CAO, since that would be a conflict of interest, and employees don't feel comfortable when the position is linked to the CAO position. Jim and Laurie further discussed the position, which they agreed should be a confidential one and, Laurie added, neutral.

With no further business, the meeting was adjourned at 3:30 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, January 12, 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: February 2, 2021

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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