

BOARD OF MADISON COUNTY COMMISSIONERS
January 12, 2021, Meeting Minutes

On Tuesday, January 12, 2021, a meeting of the Board of Madison County Commissioners came to order at 9:35 a.m. in the Second Floor Court Room of the Administrative Office Building in Virginia City, Montana, with Commissioners Dan Allhands, Chairman, and Jim Hart present. Commissioner Ron Nye was delayed for personal reasons. Laurie Buyan, Executive Assistant to the Board of Commissioners, was present to take minutes.

Those people in attendance at the meeting were Joe Brummell, Melissa Brummell, Brett Schriock, Jeff LeVeque, Bonnie O'Neill, Ellis Thompson, Vicki Tilstra, Bob Bates, Chris Christensen, Alex Hogle, and Jim Kaatz. Brett Schriock, IT Director, and Jeff LeVeque, IT Support Specialist, were present to administer the Webex connection. Those present via Webex were Kathy Barnes, Lynda Holt, Lisa Stapp, Britani Allhands, Cindy Fischer, Carmin Hill, Janie Alt, Jane Bacon, Jani Flinn, Jennifer Martens, Jonathan Weaver, Jared Williams, Mike O'Neill (x2), and Dale Grose.

Approval of Minutes: No minutes were available for approval.

COVID-19 Update: Melissa Brummell, Public Health Director, and Joe Brummell, DES, met with the Board to give an update on the COVID-19 pandemic. Bonnie O'Neill, Chief Administrative Officer, and Ellis Thompson, Virginia City Resident, were present for this portion of the meeting. Melissa reviewed local COVID cases with Madison County currently at 33 active cases, 558 positive cases, 29 out of state cases, a total of 521 that have recovered, still with 3 fatalities, and 2 active hospitalizations. The State of Montana has had 86,653 confirmed positive cases, 1,057 fatalities, 207 active hospitalizations, and 80,674 who have recovered. The United States currently has 22.7 million confirmed cases and 376,000 fatalities. Melissa reviewed cumulative cases, bed counts statewide and in counties closely surrounding Madison County noting that they are filling up, and trend maps - noting that cases are increasing more dramatically and that we are not in a good place for cases. People are choosing to get together in group gatherings. She also reviewed the incident command structure noting that the team meets regularly every Monday. Joe discussed vaccines stating that Montana is ahead of other states in distributing and administering vaccines. Melissa discussed how to get on the wait list. She suggested that you call your hospital, let them know your health conditions, let them know if you are in a priority group, and ask them to get you on the list. Joe also discussed an FBI warning of a possible armed march on all state capitals on Sunday, January 17, 2021, at 12:00 p.m. He added that Madison will do an EOP Annex P Civil Unrest review. Joe also reviewed current weather and fire status.

- **COVID Stipend Update:** Melissa stated that she had talked to Van Puckett, Sanitarian, about the COVID stipend and that he recommended the full stipend for both of his employees. She noted that the stipend could come out of PHEP funding because these funds are more flexible. She supported Van's recommendation, stating that he knows what his staff does. Jim Hart stated that it was initially understood that the stipends would be distributed equally and was good with this proposal. Dan Allhands also agreed. Jim Hart stated they will leave the distribution up to Melissa.

Commissioner Ron Nye joined the meeting at this point and was present for the remainder of the meeting.

Task Order #32 – Guinnane and Oxbow Opencut Amendments: Jonathan Weaver, Great West Engineering, met with the Board via Webex to discuss opencut mining permit amendments. There was discussion about the annual reporting. After discussion, Jonathan asked the Board to send a copy of one of the reports and he will complete it for us. There was also discussion about the cost of a bond for the Bar-7 pit. After much discussion, Jim Hart moved to approve Great West Task Order #32, Guinnane and Oxbow Opencut Amendments, for an amount not to exceed \$36,700. Ron Nye seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Airport Board Appointment: This appointment was postponed until after the next Airport Board meeting.

Mental Health LAC Appointments: This topic was continued to the next regular Commission meeting.

Public Comment: Ellis Thompson, Road Review Committee Member, informed the Board that he is going to resign from the Road Review Committee. He asked about the road litigation. Dan Allhands responded that the Driscoll Ranch is changing hands and it sounds like they may request a proposal to re-route the road. There was also discussion about the status of the Pony-Mammoth Road and the lack of response from agencies involved. Ellis discussed road issues that haven't been settled yet, email issues, lack of access to Clerk and Recorder's records, and the fact that there is no follow-up on road recommendations and it doesn't look like there will be. He asked to be removed from the committee verbally. He also noted that he is going to contact FOIA about closed meetings. He stated that he doesn't think it's right for the Commissioners and the attorneys to have closed meetings with no public input.

Advisory Board Renewals and/or Non-Renewals: After review, Ron Nye moved to approve the renewal of terms of Tamara Millican-Wood on the Planning Board for a two-year term that will expire on December 31, 2022; Kathryn Simpson on the Senior Citizens' Advisory Board for a three-year term that will expire on December 31, 2023; and Dayna Thergesen, CPNP, on the Board of Health for a three-year term that will expire on December 31, 2023. Jim Hart seconded the motion. All voted aye and the motion carried.

Iron Financial Presentation: Jared Williams, Nationwide, met with the Board to discuss the Preferred Comp 457 plan that Madison County offers to its employees. Vicki Tilstra, Finance Officer, was present for this portion of the meeting. Jared summarized the current plan stating that it is a 457B plan that is meant to supplement employee's pensions. He added that there is no cost to the County to offer the plan as it has been for several years. As the County rep, he is trying to make sure that all of the Counties in Montana have access to all of the plans that Nationwide offers. What is currently being offered is an entirely new fund line-up along with an investment fiduciary called Iron Financial. Funds would be transferred from the current funds and moved to Iron Financial. He discussed reasons to make the change, 1. A reduction in cost to the employees because the funds that are being utilized are less expensive; 2. These funds have exceeded traditional performance; and 3. A transfer of the investment fiduciary from Madison County to Iron Financial. He discussed a mailing that comes to Vicki that makes suggestions for changes. He added that the transfer would put a process in place where Iron Financial would manage the funds. He also discussed the administration costs, and explained how this would save costs for Nationwide. He stated that the one down side is that there would be an administrative fee applied to all funds, including Nationwide fixed. He noted that 32% of the County's balances are in Nationwide fixed. He stated he doesn't expect an answer today, but wanted to initiate the conversation. There were comments from employees who noted that they each have Nationwide fixed and would like to keep it. In closing Jared stated if this is not what you're looking for, please let him know and he will continue to seek the right solution.

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

- **AED Distribution:** Bob distributed an Automated External Defibrillator Inventory sheet, noting that due to COVID the date for those that were no longer going to be logistically supported has been pushed out another year to February 3, 2022; and that he still has several AEDs in his office, some that he bought and some from the Sheriff's Department. There was discussion about where the new should be placed and where the older ones should be relocated. There was also discussion about training that is required to use the AED's. Bob noted that he could do the training. After much discussion, it was determined that Bob would make a list of where they could be distributed and get six new batteries. Janie Alt, Weed Office Assistant, who was participating by Webex stated that they would like one at the Weed Office and would like both she and Dale Grose, Weed Coordinator, trained to use them.
- **Monthly Safety Report for December:** Bob reviewed the monthly safety report for December 2020, noting that there was no monthly workers' compensation claim review during the month of December and that the next one was scheduled for January 15th. He discussed incidents that have

been investigated and reports that have been completed; duties that he has assumed related to the Coronavirus Pandemic, including hours spent on the Incident Management Team; 2020 self-inspections that have been completed to date, noting that none were done in the care centers due to COVID lockdown; an attempted DLI inspection of the Twin Bridges Road Shop; Webinars attended; safety supplies that have been ordered and received; and time spent assisting the Finance Office, noting that he did 9.5 hours in December for a total of 184.5 hours in 2020.

- **2020 Injury Statistics:** Bob reviewed the 2020 Workers' Compensation Data sheet and the 2020 Workers' Compensation Claim Statistics, noting that slips, trips, and falls, are again the highest number of incidents but that we are on a downward trend and hopes that it will continue. He stated that 9 out of 26 claims this year were OSHA recordable.

Lead Legal Assistant Job Description and Wage Increase: Chris Christensen, County Attorney, met with the Board to discuss a Lead Legal Assistant position in his office. Bonnie O'Neill, Administrative Officer, and Brett Schriock, IT Director, were present for this portion of the meeting. Chris stated that there are two assistants in his office and one of them needs to be the lead, adding that it would be beneficial to have one to make the decisions about handling assignments. The Board reviewed a proposed job description. Jim Hart asked about the budget. Chris responded that it is not specifically budgeted for but by adjusting some line items, it could come out of his budget. Dan stated that there are issues when something like this is done between budget time and that there has already been one request for a raise, which was denied. He added that he would prefer to look at it at budget time. Chris stated that the urgency is for the job description, not the increase and that he understands the Board's position on the wage increase. Following further discussion, Ron Nye moved to approve the revised job description for a Lead Legal Assistant as presented by the County Attorney but to wait on an increase in wages until budget time. Jim Hart seconded the motion. All voted aye and the motion carried. Bonnie offered to assist with updating the job description and getting it in the current format.

Bonnie O'Neill, Human Resources, met with the Board to discuss the following Human Resource topics. Vicki Tilstra, Finance Officer, was present for this portion of the meeting.

- **Human Resources Director or Specialist Position - Authorization to Fill and Human Resource Generalist Position - Authorization to Close:** The Board discussed the option of hiring an HR Director or an HR Specialist. Laurie distributed copies of the previous job descriptions. Dan stated that before we even get into the discussion, he would like time to do more research on the positions. Jim agreed adding that it depends on what we need in Madison County. Laurie stated that there is a need for someone to represent the employees and discussed the request by employees when the last HR Specialist was hired. Ron stated that he would like to see the cost of the different levels. Bonnie stated that she will do a salary survey of Human Resource positions. She will also send letters to the people who were going to be interviewed and let them know the position is on hold.
- **Recommendation to Hire Records Clerk:** This topic was continued to the next regular Commission meeting.
- **Resolution 8-2021 – Continuing Nursing Homes COVID Pay with a Reduced Amount:** The Board reviewed a resolution to decrease the amount of hazard pay for nursing home employees. Bonnie noted that she had talked with Steve McNeece, Nursing Homes Administrator, who requested that the amount not be reduced at this time and read a text from him stressing the need to keep people motivated. There was discussion about the vaccination process and some employees that have chosen not to get vaccinated; and questioning how long the situation would continue. Following much discussion, Jim Hart moved to approve Resolution 8-2021, a resolution to continue hazard pay to nursing home employees due to the COVID-19 pandemic but with a reduced amount. Ron Nye seconded the motion. All voted aye and the motion carried.

Interlocal Agreement with Virginia City for Planning Services (Resolution 7-2021): Alex Hogle, Planning Director, met with the Board to discuss a proposed resolution to create an agreement with the Town of Virginia City for Planning services. Alex gave a brief background on the project noting that Madison County currently has similar agreements with Sheridan, Twin Bridges, and Ennis, and that the Planning Office assists in the review process, exemption review, flood plain, and growth policies. He added that the draft was done in conjunction with Justin Gatewood, Virginia City Mayor, and Justin Ekwall, Deputy County Attorney. Following discussion, Ron Nye moved to approve Resolution 7-2021, creating an

Intergovernmental Agreement between the Town of Virginia City and Madison County to cooperate on matters of community planning and development. Jim Hart seconded the motion. All voted aye and the motion carried.

Discussion Regarding Revising Ordinance 1-93: Jim Kaatz, Real Estate Agent, met with the Board to request a revision to Ordinance 1-93, which limits vehicular traffic on specific roads during the winter months. He provided copies of the original ordinance and previous revisions and/or addendums. He noted that right now, the ordinance shows a cloud on the title of property he is trying to sell, noting that the problem is the \$500 fine. There was much discussion regarding other property that the road accesses, other roads that have been removed from the ordinance, and speculation on the original purpose of the ordinance. Following much discussion, Ron Nye moved that Ordinance 1-93 be revised to remove the entire length of Garden Creek Road, from the Garden Creek Cow Camp to the end of the road, from Attachment A; and to move forward with the process of formally removing it from the ordinance. 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 2:25 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, January 19, 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:

Laurie Buyan, Executive Assistant to the
Board of Commissioners

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