

BOARD OF MADISON COUNTY COMMISSIONERS
January 25, 2022, Meeting Minutes

On Tuesday, January 25, 2022, 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, Ron Nye, and John Heckler present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Emilie Saylor, Kila Shepherd, Jennifer Westfall, Susan Vonasek, Paula McKenzie, Cody Marxer, Michelle Schriock, Hannah Brook, Mike Callahan, Richard Stem, Darrell Schulte, Brett Schriock, Guy Buyan, Laurie Buyan, Joe Brummell, Al Hendricks, Tommy Luksha, and Dale Olson. Jeff LeVeque, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Craig Erickson, Finance Office, Jennifer Martens, Gail Nelson, Jen, Richard Steinbeck, Lynda Holt, T. Downton, Chad Tree, Andy/Abby Thomas, Jolene Palmer, Pam Birkeland, Allison Veland, K Mursch, Phillip Rosenberg, Janie Alt, Carmin Hill, Katie Holden, Christine Keltner, and Cindy Purdue-Dolan.

Approval of Minutes: After review, John Heckler moved to approve the January 4, 2021, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried.

Public Health Office: Emilie Saylor, Public Health Director, met with the Board to discuss the following topics. Kila Shepherd, HR Director, Jennifer Westfall, Human Resources, Susan Vonasek, Victim/Witness Advocate, and Paula McKenzie, Clerk and Recorder, were present for all or a portion of this topic.

- **COVID Update including Nursing Homes Status:** Emilie updated the Board regarding COVID status. The numbers have been changing quickly but as of this morning the County has a total of 1,647 confirmed positive cases, 93 active cases, 1,634 have recovered, the fatality count remains at 20 with one additional death being investigated, and there are three active hospitalizations. Montana has a record high of 14,602 active cases, there have been 227,094 confirmed positives, there are 292 active hospitalizations, and fatalities increased to 2,985, 40 more than last week, which seems low on a relative scale to the increase in active cases. Emilie reviewed daily case trends in the County noting that the number of cases coming through Public Health is keeping them very busy but she still encouraged anyone testing positive to contact their office. Daily active cases reached a peak not seen since last September. She compared cumulative and current active cases with other Montana counties, reviewed the vaccine dashboard pointing out that 45% of eligible people in the County are fully vaccinated, and reviewed vaccine uptake by age group. John asked about local information on the percentage of vaccinated versus unvaccinated people who are hospitalized and pointed out the value of getting vaccinated for avoiding hospitalization. Emily said home tests are being sent to local health departments for distribution to the public with the help of other community partners such as pharmacies and private companies, with an aim of people being able to test at home and stay home if positive. An online link is coming soon for self-reporting and Public Health will follow up by phone with people who don't report online. She also discussed a Community Health Assessment survey being conducted by the Public Health Department to identify strengths, weaknesses, and opportunities for services in the County, which will aid planning efforts for the next several years.
Madison Valley Manor currently has 19 residents and is still in COVID outbreak status, no resident are currently in isolation or hospitalized, but one staff member is out pending test results. Staff is rapid-tested prior to coming on shift, residents are tested if symptomatic, but staff and residents will continue to be PCR-tested every three days while under outbreak status. 100% of residents are fully vaccinated. Visitation is allowed with screening and testing prior to entry. Transmission rate in the County is high. Tobacco Root Mountains Care Center has 23 residents and is currently in outbreak status. One resident and five staff members are quarantined, no hospitalizations. Residents and staff are tested

every 3-5 days, residents are 96% vaccinated, staff is 86% vaccinated, and two additional staff members have gotten their first dose. Visitation is allowed with education on transmission and testing.

- **FFY 2022 National Child Passenger Safety Technician Certification Training:** Emilie reviewed the National Child Passenger Safety Technician Certification Training for 2022, which the Board already approved. Since there is no Public Health Nurse on staff, she requested that she and two other County employees attend the training, which will certify them to inspect, fit correctly and install car seats, and will also enable the County to obtain several free car seats to distribute to those in need in the community. After discussion, Ron Nye moved to approve Public Health to fund Emilie Saylor and two other County employees to attend the National Child Passenger Safety Technician Certification Training in Kalispell. John Heckler seconded the motion, and there was discussion about costs. All voted aye and the motion carried.

Victim Advocate – VOCA Match Waiver Form: Susan Vonasek, Victim/Witness Advocate and Investigator, met with the Board to discuss the Victims of Crime Act (VOCA) Match Waiver Form. Paula McKenzie, Clerk and Recorder, Cody Marxer, Planner I, and Michelle Schriock, Planning Clerk, were present for this portion of the meeting. Susan explained that grant fund recipients were requested to submit a form waiving the match requirement during the pandemic, but said the requirement doesn't apply to Madison County's program and the items covered by the match are covered in other ways so she recommends opting out. After discussion, Ron Nye moved to approve Susan Vonasek's request to opt out of requesting the Montana Board of Crime Control (MBCC) match waiver and acknowledge that MBCC will not waive match for the current VOCA award. John Heckler seconded the motion. All voted aye and the motion carried.

Cancel Public Hearing for Creation of Ambulance District: The Board discussed cancelling the public hearing for creation of an ambulance district. Paula McKenzie, Clerk and Recorder, Cody Marxer, Planner I, and Michelle Schriock, Planning Clerk, were present for this portion of the meeting. Paula explained that the mailing sent out by Madison Valley Medical Center contained an incorrect document, and it has been advised that the public hearing scheduled for February 1, 2022, be cancelled so that it does not interfere with the other route that will now be taken instead, which will entail requesting an election on the issue of creating the ambulance district. John Heckler moved to cancel the public hearing that had been scheduled for February 1, 2022, for the creation of an ambulance district. Ron Nye seconded the motion. All voted aye and the motion carried.

Planning Office: Cody Marxer, Planner I, met with the Board to discuss the following topics. Michelle Schriock, Planning Clerk, and Hannah Brook, Grant Writer/Administrator, and Mike Callahan, Safety Coordinator, were present for all or a portion of this topic. Cody reviewed the following road name resolutions, describing the location of each and noting that all were landowner-initiated.

- **Resolution 13-2022 Naming Little Bear Way:** John Heckler moved to approve Resolution 13-2022, a resolution of road name change in Madison County, naming an unnamed easement Little Bear Way as shown on Certificate of Survey Book 7, Page 2555-FC, located in Section 34, Township 11 South, Range 2 East. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 14-2022 Naming Dans Mill Road:** Ron Nye moved to approve Resolution 14-2022, a resolution of road name change in Madison County, naming an unnamed driveway Dans Mill Road as shown on Certificate of Survey Book 7, Page 2472-R, located in Section 22, Township 6 South, Range 3 West, as presented. John Heckler seconded the motion. All voted aye and the motion carried.
- **Resolution 15-2022 Naming Libby Lane:** John Heckler moved to accept Resolution 15-2022, a resolution of road name change in Madison County, naming an unnamed driveway Libby Lane as shown on Certificate of Survey Book 7, Page 2472-R, located in Section 22, Township 6 South, Range 3 West. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 16-2022 Naming Eureka Lane North:** John Heckler moved to adopt Resolution 16-2022, a resolution of road name change in Madison County, naming an unnamed driveway Eureka Lane North as shown on Certificate of Survey Book 7, Page 2472-R, located in Section 22, Township 6 South, Range 3 West. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Resolution 17-2022 Naming Eureka Lane South:** Ron Nye moved to approve Resolution 17-2022, a resolution of road name change in Madison County, naming an unnamed driveway Eureka Lane South as shown on Certificate of Survey Book 7, Page 2472-R, located in Section 22, Township 6 South, Range 3 West, as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Great West Engineering/SMA Architects: Craig Erickson, Great West Engineering, met with the Board via Webex to discuss the following topic. Hannah Brook, Grant Writer/Administrator, was present for this portion of the meeting.

- **Madison Valley Manor Renovation Project:** Craig referred to an email from Becky Lawson at SMA Architects with a cost estimate of \$93,672 for the kitchen renovation that includes a cost of \$74,312.50 for the walk-in refrigerator/freezer, and said he will review the budget compared with these costs and email his comments, but he thinks the budget will cover the costs.
 - **CDBG Grant Extension Request:** Craig presented a draft request to extend the terms of the CDBG grant agreement between the County and the Department of Commerce (DOC) for the kitchen project. He updated the DOC contact about the project and the 7-month lead time for the walk-in freezer, requested extending the completion date to June 30, 2024, and said the contact was not wild about the two-year extension but understood the reasons, in addition to the current conditions in the construction industry. After discussion, Ron Nye moved to approve the letter to the Department of Commerce for a two-year extension for Community Development Block Grant MT-CDBG-CG-15-719, as presented. John Heckler seconded the motion. All voted aye and the motion carried. There was discussion about getting more quotes for the walk-in, possibly going through State procurement for a lower cost. Craig may include scope modifications with the request letter and will discuss with Allison and Hannah.

Allison confirmed that the contractor and electrician are on site and in the process of certifying the generator, which will complete the generator/boiler portion of the project. John reviewed plans going forward with Johnson Controls for both corrective maintenance and deferred maintenance of the heating system, and discussed costs. There was discussion about having Johnson Controls tailor their proposal to MVM, establishing a five-year agreement with yearly renewals, asking the DOC to consider reimbursing some of the costs already incurred, and the budget.

Grants: Hannah Brook, Grant Writer/Administrator, met with the Board to discuss the following topic. Mike Callahan, Safety Coordinator, Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, were present for this portion of the meeting.

- **Cliff and Wade Lakes Road FLAP Project Memorandum of Agreement (MOA):** Hannah discussed the MOA and supporting documents for the Cliff and Wade Lakes Road project. There was discussion about the project schedule, bidding in early April of 2022, project cost, and the County's 10% match amount. After discussion, John Heckler moved to accept the Federal Lands Access Program Project Memorandum of Agreement Amendment 0001 for Cliff and Wade Lake Road Gravel Surface Preservation project, noting the project was approved by the Program Decision Committee on 9/28/2020. Ron Nye seconded the motion. All voted aye and the motion carried.

Safety – Revised Safety Manual: Mike Callahan, Safety Coordinator, met with the Board to discuss the following topic. Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, were present for this portion of the meeting. Mike reviewed revisions to the County's Employee Safety Manual, originally approved in 2015. Discussion included reasonable incident thresholds such as "all damages in excess of \$100" and circumstances that would prompt the Sheriff's Office sending out a deputy, Montana statutes, County-supplied personal protective equipment (PPE), and items that have been supplied in the past. It was determined that a policy regarding PPE will be defined, the Safety Manual will be amended to reflect the policy, and the amended version will be presented to the Board within two months.

Claims: The Board approved claims.

FY 2022 Extension Agreement: After review by the Deputy County Attorney, the Board signed the previously-approved FY 2022 Extension Agreement between Montana State University (MSU) and Madison County.

Advisory Board Renewals: Following review, John Heckler moved to accept Bert Todd's request to continue serving on the Pioneer Cemetery Board for the remainder of another three year term that will expire on December 31, 2024. Ron Nye seconded the motion. All voted aye and the motion carried.

Sheriff's Department – Sheriff's Office Modifications: This topic was cancelled.

Commissioner Liaisons to County Boards: The Board updated the list of Commissioner Liaisons to County Boards for 2022.

Letter of Recommendation for Novich Insurance: Following review, Ron Nye moved to approve the letter of recommendation for Novich Insurance as presented and send the letter to Beaverhead County. John Heckler seconded the motion. All voted aye and the motion carried.

Guinnane Pit – NOI Form and Storm Water Pollution Prevention Plan: This topic was continued to the next regular Commission meeting.

Oxbow Pit – NOI Form and Storm Water Pollution Prevention Plan: This topic was continued to the next regular Commission meeting.

Tire Replacement and Portable Fuel Tank for Road District 3: The Board discussed District 3 vehicle tires, including expiration dates, tire tread and condition, replacement costs, mileage, availability of new tires, and replacing them as needed over time. John reported on conversations with Department of Transportation (DOT) personnel about developing a Memorandum of Understanding for parking County equipment on DOT property in Ennis, and said the DOT District Administrator also approved the road crew's use of their fuel tank.

Resolution Closing a Portion of Mood Street in Pony: After review, Ron Nye moved to approve Resolution 18-2022, a resolution of the Madison County Commission regarding the petition to close a portion of Mood Street in Pony, as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Resolution Closing a Portion of Taft Street in Pony: Following review, Ron Nye moved to approve Resolution 19-2022, a resolution of the Madison County Commission regarding the petition to close a portion of Taft Street in Pony, as presented. John Heckler seconded the motion. All voted aye and the motion carried.

Letter of Support for 3 Rivers Communications ConnectMT Grant Program: After review, Ron Nye moved to approve sending a letter of support for 3 Rivers to receive ConnectMT grant funds, which will be used for broadband infrastructure projects. John Heckler seconded the motion. All voted aye and the motion carried.

Infrastructure Bill and Forestry Provisions: Richard Stem, County resident and retired Forest Service Deputy Regional Administrator for the Rocky Mountain Region, met with the Board to discuss the Federal Infrastructure Bill and forestry provisions. Darrell Schulte, VC resident and retired Forest Service Fire Management Officer, and Hannah Brook, Grant Writer/ Administrator, were present for this portion of the meeting. Rich reviewed a recent Forest Service report and explained the ramifications of the \$5.5 billion that will be coming over the next six years. He said there is a Congress-backed intent to fix problems that the FS has had for many years, and to wisely and professionally manage forests starting with large scale landscape treatment to prevent or decrease catastrophic fires. Colorado, California, Oregon and Washington will be prioritized for the first couple of years, then the program will trickle down to other locations including Montana and engaging with counties and local municipalities to do the work, since the FS will not be able to hire all the personnel needed. As a result, those who are ready ahead of time when this funding arrives locally will reap the benefits by being able to react quickly. He advised developing a list of projects and priorities including identifying the highest risks to communities, planning execution of prioritized projects, and educating the public so projects are not halted by those who want nothing to change. Discussion included learning from what other states do in the first years, FS personnel, addressing proposed wilderness study areas, whether matching funds will be part of the program, fixing roads, NEPA issues, planning for collaboration, former replanting/reforestation policies that were changed, and fire ecology.

Human Resources: Kila Shepherd, HR Director, and Jennifer Westfall, Human Resources, met with the Board to discuss the following topics. Brett Schriock, IT Director, Guy Buyan, Solid Waste Foreman, Richard Stem, County resident, Laurie Buyan, Executive Assistant, and Joe Brummell, Director of Emergency Management, were present for all or a portion of these topics.

- **IT Department - Move Jeff LeVeque to Permanent Full-Time Status with Corresponding Wages:** Kila reviewed Brett's request to change Jeff LeVeque's position from part-time to full-time, and to increase the wage to a level previously approved for the full-time position. There was discussion about IT hours spent on Webex meetings, department workload, hours and overtime with the Department

Head moving to an exempt status, fixing problems such as administrative computer issues within ten days or turning it over to a consultant, resolving issues without adding more work for essential County positions, serious IT issues to be evaluated, total cost of IT Department and cost of outsourcing, approved pay rate versus a salary range, incentivizing good performance, and job security. After discussion, John Heckler moved to make Jeff LeVeque's IT Systems Computer Support Specialist position permanent, full-time, and commensurate with the current rate scale for that position. Ron Nye seconded the motion. All voted aye and the motion carried.

- **Rick Toot- Residential Aide at MVM 1/20/22 at \$15.09:** Jennifer reviewed the hiring of a Residential Aide at MVM. After review, Ron Nye moved to approve Rick Toot as a Residential Aide at Madison Valley Manor, starting on January 20, 2022, at \$15.09 per hour. John Heckler seconded the motion. All voted aye and the motion carried.

Blue Ridge Services Consulting Agreement for Solid Waste: The Board discussed a Solid Waste consulting agreement with Blue Ridge Services. Guy Buyan, Solid Waste Foreman, and Richard Stem, County resident, were present for this portion of the meeting. Discussion included proper channels for approval of contracts including County Attorney review and approval by the Board of Commissioners, informing all parties involved including the Solid Waste Foreman, the need for a more detailed scope of work, including a recommendation regarding property adjacent to the Ennis site, and the value of the work described in the agreement. No action was taken on this topic.

Road Review Committee: Al Hendricks, Road Review Committee Chairman, met with the Board to discuss the following topic. Tommy Luksha, GIS Coordinator/Road Review Committee Secretary, and Richard Stem, County resident and retired USFS Deputy Regional Administrator for the Rocky Mountain Region, was present for this portion of the meeting.

- **Report on Iron Rod Bridge/Hells Canyon Road:** Al presented a report on Iron Rod Bridge and Hells Canyon Road, noting the Road Review Committee was asked to determine if this is a public road after discussions between County and Forest Service personnel regarding maintenance responsibilities. His review included history of the road and bridge including information from Commissioner journals, a 1985 resolution and prescriptive easement, adjoining land consisting of mostly private ownership although the road crosses both BLM and State forest land, a deed granted by the State to Madison County in 2017 and an error of omission that should be corrected. Following Al's review, he laid out steps the County could take to further secure public status in the BLM sections and private sections.

U.S. Forest Service: Dale Olson, Madison District Ranger, met with the Board to discuss the following topic. Richard Stem, County resident and retired USFS Deputy Regional Administrator for the Rocky Mountain Region, was present for this portion of the meeting.

- **Goose Fire Suppression Repair:** Dale and the Board continued a previous discussion about the County assisting the Forest Service in repairing sections of the roads located in last year's Goose Fire area. Discussion included use of a brusher, gravel, timing, subcontracting the work, grading, further refining the definition of work, having a field engineer on site at times, priorities, deadlines, expected outcome, and recommended contractors. There was further discussion about the Infrastructure Bill and forestry provisions.

Calendars: The Board reviewed calendars. Laurie Buyan, Executive Assistant, was present for this portion of the meeting.

With no further business, the meeting was adjourned at 4:30 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, February 1, 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: March 1, 2022

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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