

BOARD OF MADISON COUNTY COMMISSIONERS
May 24, 2022, Meeting Minutes

On Tuesday, May 24, 2022, a meeting of the Board of Madison County Commissioners came to order at 9:34 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 Vicki Tilstra, Guy Buyan, Kacey Smart, Kila Shepherd, Jennifer Westfall, Hannah Brook, Esther Lince, Jennifer Meacham, Emilie Saylor, and those on the attached list. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Jeremiah Theys, Kindra Todd, Christine Keltner, Kristie Turck, Gail Nelson, Abbi Lee, Kelli Greco, Justin Ekwall, Stacy Erdall-Gatewood, Pat Bradley, Melinda Tichenor, Megan Fasules, Britani Allhands, Tommy Luksha, Cody Marxer, Lisa Stapp, Jennifer Martens, Kristi Ranson, Michelle Schriock, Tammy Mahlstedt, Jennifer Bailey, Mike Callahan, Laurie Buyan, Jani Flinn, Abby Thomas, Joshua Denny, Allison Veland, Haley Sir, and unidentified phone attendees.

Bill Todd, District 3 Commissioner Candidate, was present to observe the meeting.

Approval of Minutes: Following review, Ron Nye moved to approve the Board of Commissioners' meeting minutes for April 5, 2022 with corrections. John Heckler seconded the motion. All voted aye and the motion carried. John Heckler moved to approve the Board of Commissioners' Preliminary Budget Hearing minutes for May 18, 2022, as amended. Ron Nye seconded the motion. All voted aye and the motion carried.

Finance Office: Vicki Tilstra, Finance Officer, met with the Board to discuss the following topic.

- **Amendment to FLEX Plan Document:** Vicki explained that a recent IRS increase to the medical FLEX program limit allows the six participating employees to increase contributions for the coming fiscal year, but none so far have been contributing the current maximum so there is doubt they would take advantage of the increase. After discussion, John Heckler moved not to increase the FLEX payment for fiscal year 2022/2023, knowing what we know, and to readdress this in one year. Ron Nye seconded the motion. All voted aye and the motion carried.

Solid Waste: Guy Buyan, Solid Waste Foreman, met with the Board to discuss the following topic. Kacey Smart, Solid Waste Assistant, was present for this portion of the meeting.

- **Discussion Regarding Hours for Solid Waste Sites:** Guy discussed ideas about closing solid waste sites at certain times such as Sundays or at night, noting the ideas may be controversial with the public, but irresponsible and unlawful use is worsening and increasing the County's costs and adding risk to employee safety. Discussion ensued about additional ideas such as signage, high-quality cameras, nighttime monitoring, hiring additional staff, upgrading construction and demolition permits to add material separation information, educating contractors and other member of the public, and trying less controversial solutions for the summer to evaluate results.

Human Resources: Kila Shepherd and Jennifer Westfall, Human Resources, met with the Board to discuss the following topics. Guy Buyan, Solid Waste Foreman, was present for the hiring portion of these topics.

- **New Hires:** Jennifer reviewed new hire information.
 - **Dillan Haugland, Solid Waste Tech starting 5/24/22 at \$24.35 (Full-time Permanent):** After review, John Heckler moved that Dillan Haugland be hired as a Solid Waste Technician starting May 24, 2022, at \$24.35 per hour for a full-time, permanent classification. Ron Nye seconded the motion. All voted aye and the motion carried.
 - **Jennifer Bailey, Communications Officer starting 5/17/22 at \$26.56 (Short Term):** Ron Nye moved to approve Jennifer Bailey as Communications Officer starting on May 17, 2022, at \$26.56

per hour, for short-term employment. John Heckler seconded the motion. All voted aye and the motion carried.

- **Kelsie Tate, Communications Officer starting 5/16/22 at \$26.56 (Short Term):** Ron Nye moved to approve Kelsie Tate as Communications Officer starting May 16, 2022, at \$26.56 per hour, for short-term employment. John Heckler seconded the motion. All voted aye and the motion carried.
- **Angie Brown, IPO - TRMCC starting 05/20/22 at \$28.59 (from Part-time to Full-time for both positions):** Jennifer explained that Angie Brown was hired as a part-time LPN and will transition to full-time as she adds the duties of Infection Prevention Officer (IPO) as well. Following review, John Heckler moved that Angie Brown be made the IPO at TRMCC, starting on May 20, 2022 at \$28.59, transferring from part-time LPN to full-time for both positions combined. Ron Nye seconded the motion. All voted aye and the motion carried. Kila noted that until today there have been no new hires and one resignation in the Communications (Dispatch) Department, leaving a total of three full-time and two short-term Communications Officers, and there are more applicants. Eight full-time positions were recommended by the departing Communications Officer, and John suggested reviewing the situation weekly until staffing is up to a more comfortable level.
- **Job Description Review and Compensation Request of \$26.14 per hour for the Weed Coordinator (Dale Grose):** Kila presented the revised job description for the Weed Coordinator, noting his request that it be reviewed along with requesting a \$1.50 hourly increase to his wage. Discussion included the difficulty of doing individual increases because it may cause several other employees to follow suit, upcoming budget considerations with salaries/benefits scheduled for review in June, and wage comparisons with other counties. Kila will prepare a wage-comparison spreadsheet.
- **Approval to Proceed with Required Steps for Draft Changes to Employee Policies:** Kila requested approval to move forward with draft changes to the Employee Policy Handbook by sending it out to employees for a two-week comment period, after which she will bring all comments and requested changes to the Board for review, and the Board encourages her to move forward. Discussion returned to compensation including the need for a comprehensive salary study, the federal value of driving a County vehicle for daily use which is considered part of an employee's compensation package, and it was noted that employees are taxed on car days.

Grants: Hannah Brook, Grant Writer/Administrator, and Jeremiah Theys, Great West Engineering (via Webex), met with the Board to discuss the following topics.

- **Carney Lane Bridge Grant Award:** Jeremiah reviewed the acceptance for the MCEP emergency grant of \$15,000 awarded for Carney Lane Bridge, and said it has been reviewed by the County Attorney's office. Great West has started on the design, it should go out to bid within the next month, and work could start in early November. Following review, Ron Nye moved to approve the Montana Department of Commerce Montana Coal Endowment Program Contract #MT-ARPA-EG-23-694 for emergency planning for a bridge on Carney Lane, as presented. John Heckler seconded the motion. All voted aye and the motion carried.
- **Cliff & Wade PS&E Certification:** Jeremiah reviewed the PS&E (Plans, Specifications & Estimates) certification for the Cliff & Wade Lakes Road project, noting a request needs to be submitted for the PS&E package so Western Federal Lands can give the County the go-ahead to go out to bid. John pointed out that the Board hasn't seen the final PS&E and recommended they review it prior to approving it, and asked about funding limits. Hannah verified she has an email that more funds can be requested, this is expected due to higher costs, and Jeremiah said this can be considered when bids are received or reducing added alternatives to fit within the budget is another option. Additional discussion included dust prevention costs, which is currently an added alternative, tentative dates for the bid process and construction, formal bid documents, grant match for District 3 road crew work, and use of millings. The topic was continued to June 7, 2022, to allow time for document review.

MDT Parking Lease: Because no documents have been received from the Montana Department of Transportation (MDT), John will contact them to check the status of their parking lease with the County.

DUI Task Force: Esther Lince, DUI Task Force, met with the Board to discuss the following topic. Jennifer Meacham, DUI Task Force, and Emilie Saylor, Public Health Director, were present for this portion of the meeting.

- **Annual DUI Task Force Plan:** Esther said the annual DUI Task Force Plan needs to be approved and signed by July 1, 2022, for the next fiscal year. She said it is pretty much the same as last year, although population has grown, and DUI's are down but statistics have not been published yet to explain reasons for the decrease. She reviewed statistics for the previous year on State and County consequences of impaired driving, projections for the future remodified due to declining numbers and revised laws, survey results regarding how underage kids obtain alcohol, PNA's (Montana Prevention Needs Assessments) usually completed every other year by kids in 8-12 grades, upcoming events and safety campaigns, paying overtime to add deputies over holiday weekends, RAST (Responsible Alcohol Server Training) classes, and Task Force board membership. She discussed an uptick in MIP's (Minor in Possession), citing parties in Gallatin County as the primary cause, and there was some discussion about marijuana usage although Esther noted it is not yet included in the statistics they receive. Following discussion, John Heckler moved that the County Commissioners sign the DUI Task Force Plan for fiscal year 2022/2023 dated July 1, 2022, running through June 30, 2023. 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 topic.

- **COVID Update including Nursing Homes Status:** Emilie updated the Board regarding COVID status. Cases are up, with 16 active cases in the County. Emilie discussed State reporting which has been reduced to once weekly, so anyone needing more accurate, daily updates such as hospitals that base masking requirements on local cases can get the information from the Public Health office. The County's confirmed positives are up to a total of 1,831, one active hospitalization, and 21 fatalities. The State's active cases doubled to 1,242, likely the BA-2 strain but sequencing results have not been obtained to confirm this. State fatalities increased only slightly to 3,385 but active hospitalizations jumped to 36. Emilie reviewed daily new cases in the County which are increasing significantly, and pointed out that the majority of active cases are related to coming home symptomatic after people travel, more than from transmission within the County. State maps of active and cumulative cases were reviewed as well as vaccination information.
Madison Valley Manor has 20 residents, with no residents or staff in isolation, quarantine or hospitalized. The County transmission rate is high. Staff that are not up to date on boosters are being tested twice weekly. Visitation is allowed with education and screening.
Tobacco Root Mountains Care Center has 24 residents with no residents or staff in isolation, quarantine or hospitalized. Staff members not up to date on vaccinations are tested twice a week, residents as needed, and visitation is allowed following CDC recommendations on testing/screening. Vaccination rates remain at 95% for staff, and 96% for residents.

Compensation Board Resignation: The Board considered a resignation from the Compensation Board. After review, Ron Nye moved to accept Billie Ratcliffe's resignation from the Compensation Board as presented, advertise for replacement, and send a letter of thanks for her many years of service on this board. John Heckler seconded the motion. All voted aye and the motion carried.

Road Improvements on Varney Road: There was no discussion on this topic.

Montana State Ageing Plan Re-Designation: The Board reviewed the Montana State Ageing Plan re-designation. Following review, Ron Nye moved that the County opt in and remain with the Area 5 Agency on Ageing in Butte, Montana. John Heckler seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Decision on Petition to Close Adobe Town Road and Establish an Alternate Route to BLM Land: The Board considered the petition to close Adobe Town Road and establish an alternate route to BLM land. Mark Davis, Heroes and Horses, and Pete Rossiter, GMA Mining USA, represented those who brought the petition forward and Andy Thomas, VC resident, represented those opposed. Others who attended this portion of the

meeting signed in on the attached list. Discussion included regrets when roads are abandoned, proposal to delay the decision giving time to work out a compromise, the need to rule on this petition before proceeding with compromise discussions or changes, litigation potential, issues with the road going through the mine, avoiding litigation through compromise no matter which way the vote is decided, following the law, and a suggestion that PLWA mediate further compromise discussions. After discussion, John Heckler moved to deny the petition to close Adobe Town Road and establish an alternate route to BLM land. Ron Nye seconded the motion. All voted aye and the motion carried. Additional discussion included getting together to discuss a timetable for opening the road and substituting cattle guards for gates, establishing a committee to discuss alternatives with PLWA's involvement and periodically updating the Board, working with GIS to record and map out compromises, the need for three petitions to address different parts of the road, dealing with the road through the mine, appreciation for the public process, and encouragement to deal with other contentious roads and locked gates in a timely manner.

Calendars: There was no discussion on this topic.

With no further business, the meeting was adjourned at 2:55 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, May 31, 2022, 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: July 19, 2022

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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