

BOARD OF MADISON COUNTY COMMISSIONERS
August 17, 2021, Meeting Minutes

On Tuesday, August 17, 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, Jim Hart, and Ron Nye present. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Emilie Saylor, Joe Brummell, Scott Holbrook, Shawn Christensen, Scott McClintic, Guy Buyan, Van Puckett, Tony Forsythe, Jani Flinn, Laurie Buyan, Vicki Tilstra, and Kila Shepherd. Jeff Leveque, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Ryan Wolter, Karl Yakawich, Jeremiah Theys, Helen Oppenheimer, Neal Christensen, Tammy, Kathy Barnes, JM, Jolene Palmer, Lance Bowser, Gail Nelson, Carmin Hill, and unidentified Webex/phone attendees.

Approval of Minutes: Following review, Jim Hart moved to approve the July 27, 2021, Board of Commissioners' meeting minutes with corrections. Ron Nye seconded the motion. All voted aye and the motion carried. Jim Hart moved to approve the August 6, 2021, Board of Commissioners' special closed meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. After review, Jim Hart moved to approve the June 30, 2021, Board of Commissioners' special meeting minutes as presented. Ron Nye seconded the motion. All voted aye and the motion carried. Following review and a brief discussion about ARPA funding structure, Ron Nye moved to approve the August 3, 2021, Board of Commissioners' meeting minutes with corrections. Jim Hart 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. Joe Brummell, Director of Emergency Management, Scott Holbrook, Twin Bridges Fire Chief, Shawn Christensen, Ennis Fire Chief, and Scott McClintic, Local Emergency Planning Committee (LEPC), were present for this portion of the meeting.

- **COVID Update:** Emilie said there have been 834 positive cases in Madison County with 15 currently active, there are new cases each day and an increase in cases is expected, especially after group events such as the County Fair. The number of fatalities remains at 8, there are no active hospitalizations but over the past several weeks there have been several hospitalizations, all were unvaccinated, and the age groups of people being hospitalized are younger than last year. There has been a big increase in State cases with 2,742 active cases and 191 active hospitalizations, and a total of 120,325 confirmed positives overall. She discussed vaccinations, vaccination rates and age groups, reasons for vaccination hesitancy, booster vaccines, and ongoing efforts in the community to offer vaccines. Also, in response to local inquiries Emilie explained there is no separate test for the Delta variant – if a test is positive for COVID it can then be tested further for the Delta variant but it is not done locally and results are not readily available, there can be a long delay in getting results (some have been three months old), but anytime someone is hospitalized the test results are prioritized to determine if it is the Delta variant.
- **Nursing Homes Status Update:** Emilie presented and reviewed updates on the status of the County's nursing homes. At Madison Valley Manor (MVM), there are 15 residents, no COVID cases with residents or staff, 80% of residents are fully vaccinated and all have had at least one shot, visitation is allowed with testing for all visitors and outdoor visits encouraged, and ongoing education is being provided to staff about vaccine benefits. Tobacco Root Mountain Care Center (TRMCC) has 26 residents, no COVID cases with residents or staff, they are testing unvaccinated staff twice weekly and vaccinated staff once weekly, and are staying up to date with PPE training.

DES: Joe Brummell, Director of Emergency Management, met with the Board to discuss the following topics. Scott Holbrook, Twin Bridges Fire Chief, Shawn Christensen, Ennis Fire Chief, Scott McClintic, Local Emergency Planning Committee (LEPC), Guy Buyan, Solid Waste Foreman, and Van Puckett, Director of Environmental Health, were present for this portion of the meeting.

- **Fire Update:** Joe presented and reviewed updated wildfire information. As of this morning there are 76 fires burning in Montana and 792,714 acres have burned. All State incident management teams are out, with help coming from teams across the nation. He discussed fires nearby, including Goose Fire which is 90% contained, Trail Creek which is 26% contained, Christensen and Alder Creek which are 10% contained and so close together they may combine, and said Alder Creek is using the most resources at this point. Goose Fire will probably remain in its present state until snow comes due to firefighting difficulties on its western side, and suppression repair plans include prioritizing work on roads, water systems, and preventing erosion. Joe reviewed the drought index map with 90% of the State labeled Extreme or Exceptional, reflecting the worst conditions since tracking was started in 2000, and reviewed statewide health effects from wildfire smoke. Conditions are expected to improve with upcoming rainy and chilly weather.
- **Unintentional Burning at Solid Waste Sites:** Joe recommended increased mitigation efforts at Ennis and Twin Bridges Solid Waste sites to prevent unintentional flare-ups, potential spread and liability, and strain on volunteer fire departments. He suggested more physical separation between burn areas and drop-off sites, installing a water hydrant at Twin Bridges, and discussion included flare-ups due to high winds and high heat, relationships between Road and Solid Waste departments, and methods for dealing with buried materials and new materials. Van and Guy discussed plans and ideas for future mitigation and reviewed improvements that have already been put in place in the last few weeks to solve some of these issues, including departmental consolidation, having the work done by and/or supervised by the Sanitation and Solid Waste departments instead of road crews, burning smaller piles more frequently, using County water trucks to fully extinguish burns, covering ashes with more dirt, and possibly adding gates to control public use. Joe mentioned ash disposal signs that will be supplied to all the sites.

Solid Waste: Guy Buyan, Solid Waste Foreman, and Van Puckett, Director of Environmental Health, met with the Board to discuss the following topic.

- **Ennis Landfill Security and Asphalt Removal:** Van and Guy updated the Board on measures that have been taken to completely remove asphalt at the Ennis Landfill, and options were reviewed for improving security at all the Solid Waste sites. Burn pile materials were discussed, including prohibited materials removed when noticed by Solid Waste crews such as railroad ties, asphalt shingles, tar paper, and treated wood. Tire disposal alternatives were also discussed, including working closely with local tire shops, and transporting them to the Dillon site.

Maintenance: Tony Forsythe, Maintenance Manager, met with the Board to discuss the following topics.

- **Boiler and Woodstove at the Mason House:** Tony explained that both the boiler and the woodstove at the Mason house need to be replaced. He researched boilers and presented a photo of the one he recommends buying, noting it can ship quickly and would cost around \$3,000 including accessories, and can be combined with the water heater. He found a used woodstove in good shape, and the cost will be \$500 including a replacement pipe. After review, Ron Nye moved to approve the Maintenance Manager's request to buy a Noritz Combi propane boiler and a used woodstove for the Mason house. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Handrail at the Courthouse:** Tony reviewed the repairs already done to the handrails in front of the Courthouse and outlined additional repairs and replacements needed for the balusters and handrails. He has identified people and companies that can do the work, will gather cost information, and said the work will probably be done next summer. He also said he has caulked around the building to the extent that hopefully will prevent water from entering the building over the winter.

Claims: The Board approved claims.

2022 Predator Control Memorandums of Understanding: The Board reviewed the Memorandums of Understanding (MOU) for Madison County to allocate funds for predator control and livestock protection. Following review, Ron Nye moved to approve the Predator Control Fund Memorandum of Understanding for the period of July 1, 2021 to June 30, 2022, between the USDA APHIS Wildlife Services program and the Montana Wool Growers Association, with Madison County allocating \$617 for the protection of sheep from destructive animals, as presented. Jim Hart seconded the motion. Dan noted that the fee comes from 60 cent per head of sheep, with 1,029 sheep on the tax rolls. All voted aye and the motion carried. Ron

Nye moved to approve the Predator Control Fund Memorandum of Understanding for the period of July 1, 2021 to June 30, 2022, between the USDA APHIS Wildlife Services program and the Montana Stock Growers Association, with Madison County allocating \$14,890 for the protection of cattle from destructive animals. Jim Hart seconded the motion. Dan pointed out that the cattle license fee per head is 25 cents, and the amount of cattle on the tax rolls is 59,561. All voted aye and the motion carried.

Great West Engineering: Jeremiah Theys, Great West Engineering, met with the Board via Webex to discuss the following topic. Jani Flinn, Grant Administrator, was present for this portion of the meeting.

- **Steel Price Adjustment on Jack Creek Road Safety Improvements Project:** Jeremiah received a request from the contractor for the Jack Creek Road project for a price adjustment due to a \$4.55 per linear foot increase in the price of culvert materials since they submitted their bid. Dan questioned how often amounts are changed after the bidding process is completed, noting that if the price had dropped the contractor wouldn't ask to lower the amount. There was discussion about culverts being the first part of the project, obligation versus good faith effort, and holding a pre-construction meeting next week. After discussion, Ron Nye moved to approve the request for an additional cost of \$4,486.30 for culverts on the Jack Creek Road project. Jim Hart seconded the motion. Jim suggested waiting until after the pre-construction meeting and Jeremiah noted that the materials have already been delivered and this is the price the contractor paid. Ron Nye and Jim Hart voted aye, Dan Allhands voted nay, and the motion carried on a majority vote.

Resolution 38-2021 - National Moment of Remembrance of the 20th Anniversary of the September 11, 2001, Terrorist Attacks: Jim read aloud the first paragraph of Resolution 38-2021 describing the upcoming moment of remembrance beginning at 11:00 a.m. Mountain Daylight Time on September 11, 2021. Following review, Jim Hart moved to approve Resolution 38-2021, Madison County joining the National Moment of Remembrance of the 20th Anniversary of the September 11, 2001, terrorist attacks. Ron Nye seconded the motion. All voted aye and the motion carried.

Airports: A call was made to Lance Bowser, Robert Peccia & Associates (RPA), to discuss the following airport topics. Jani Flinn, Airport Board Secretary, was present for this portion of the meeting.

- **Ennis Big Sky Airport – Task Order #23 Construction Management – Services During Construction Addendum #1:** Lance explained that the contractor for the Ennis Big Sky Airport project was originally budgeted for 50-hour work weeks, but the budget was changed to allow up to 80-hour work weeks to enable the use of double-shift crews and an additional inspector in order to meet the construction timeline. An addendum to the construction contract was issued but the task order for inspection services was never amended, so Task Order #23 addresses this. He said the project is still significantly below the amount of the Independent Fee Estimate (IFE). Actual costs have come in higher than the original grant amount, but Lance said overruns will be covered through a grant amendment. After discussion, Jim Hart moved to approve Task Order #23, an Agreement to Furnish Engineering Services to Madison County for Improvements to Ennis Big Sky Airport, Addendum #1, for services during construction of the Ennis Airport in the summer of 2020 in the amount of \$48,900. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Ennis Big Sky Airport – Record of Engineering Selection and Contract Negotiations AIP 3-30-0090-021-2020:** Lance stated that this document affirms Task Order #23 was reviewed to determine reasonableness of fees utilizing rates, overhead, and fixed fees from the previously-submitted IFE.
- **Ruby Valley Field – Airport Layout Plan:** This topic was postponed to a later date.

Request for Speed Study on Highway 287 near Troutdale Subdivision, McAllister: The Board reviewed several requests from McAllister and Ennis area residents for a speed study to be conducted on Highway 287. Laurie Buyan, Executive Assistant to the Board of Commissioners, was present for this portion of the meeting. Laurie recounted a phone conversation with one resident who contacted the Department of Transportation and was told if a request letter is received quickly from the Board of Commissioners, a study could possibly be done this fall instead of the spring of 2022. Based on the number of requests from members of Troutdale Subdivision, Jim Hart moved to approve sending a letter of request to the Montana Department of Transportation for a speed study on US Highway 287 N, between mile markers 54 and 56. Ron Nye seconded the motion. It was noted that the letter will include copies of the community requests. All voted aye and the motion carried.

Accept 2021 Certified Taxable Values and Set Date for Final Budget Hearing: Laurie Buyan, Executive Assistant, and Vicki Tilstra, Finance Officer, were present for this portion of the meeting. Following review, Ron Nye moved to approve the 2021 Certified Taxable Value of \$194,527,295 and to set the final budget hearing for Tuesday, September 14, 2021, at 11:00 a.m. Jim Hart seconded the motion. All voted aye and the motion carried.

Commissioner Dan Allhands left the meeting at this point for a personal appointment.

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

- **Resolution 37-2021 Budget Amendment for Fair Account:** Ron informed Vicki about progress toward building an arena at the Fairgrounds, including high and low estimated costs, grant funding opportunities, grant requirements and application timelines, and public interest shown during the Fair. Jim read Resolution 37-2021, which amends the Fair fund because the original budget did not include startup expenses for the Fairgrounds Improvement Foundation. Following review, Jim Hart moved to approve Resolution 37-2021 with corrections, a resolution of budget amendment for fiscal year 2020-2021, Fund 2160 – Fair. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Budget and Levy Discussion:** Vicki requested direction from the Board on several budget matters. She reviewed the cash remaining in the Emergency Levy fund and asked about levying another mill, but after discussion about levying mills only by resolution when there is an emergency reason, the Commissioners agreed to leave the fund as is. Vicki pointed out that the Weed and Public Health Departments are over on reserves, and both departments will be coming to the Board with a plan. The Senior Citizen's fund was discussed, Vicki noted it is levied two mills and said she will put the funds in Capital for now to assist with some of the senior facilities until the Board can discuss whether to increase the allotment or make any changes. She also handed out an expenditure report for the Road Districts.

Commissioner Dan Allhands joined the meeting at this point and was present for the remainder of the meeting.

Western Federal Lands Highway Division: Neal Christensen, Western Federal Lands (WFL), met with the Board via Webex to discuss the following project. Jeremiah Theys and Karl Yakawich, Great West Engineering, participated by Webex. Jani Flinn, Grant Administrator, was present for this portion of the meeting.

- **Cliff and Wade Lake Roads FLAP Project:** Neal wanted to make sure all participants in the Cliff and Wade Lake Roads FLAP project were on the same page, and after clearing up some questions on roles and responsibilities and being assured of the County's technical and financial capabilities the previously-executed Memorandum of Understanding (MOA) needs to be updated. When the MOU is in place the funding agreement can be finalized, and must be in place in order for any reimbursement to occur. Karl clarified that the project now involves 8 miles of road due to work done by road crews on each end of the original stretch of 13 miles. Discussion ensued about completed culvert work, Forest Service involvement, budget, and updating the milestone schedule. Match eligibility for work already completed was discussed, Jani noted the balance of the match amount is already budgeted and anything over and above that amount is guaranteed by the County, and Jim reviewed amounts the County pays for gravel from a co-owned, permitted pit in the area and will provide information to Neal to determine whether this can count toward the match. The project work was described as crushing, hauling, and placing gravel, including dust control. Neal will work with Jani on any further information he needs for a capability assessment, with help as needed from Jeremiah and Karl. Several forms are required for grant funding, some that were not required in the past, and all agreed on next steps.

Human Resources: Kila Shepherd, HR Director, met with the Board to discuss the following topics. Laurie Buyan, Executive Assistant, was present for this portion of the meeting.

- **Request to Hire – Grant Writer/Administrator:** This topic was continued to the next regular Commission meeting.
- **Request to Hire – HR Generalist:** Kila discussed the hiring committee's recommendation for the position of HR Generalist. Based on the recommendation of the hiring committee, Ron Nye moved to

approve hiring Jennifer Westfall in the position of HR Generalist at a wage of \$27 per hour with a start date of September 7, 2021. Jim Hart seconded the motion. All voted aye and the motion carried.

- **Request to Hire – Senior Bus Driver:** This topic was continued to the next regular Commission meeting.

Human Resources Closed Session: Kila met with the Board in a closed session. An audio recording of this session was sealed and delivered to the County Attorney's office.

Calendars: The Board discussed calendars.

With no further business, the meeting was adjourned at 2:35 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, August 24, 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: August 24, 2021

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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