

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

On Tuesday, October 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 and Jim Hart present. Commissioner Ron Nye was absent for personal reasons. Jane Bacon, Commissioners' Clerk, was present to take minutes.

Those people in attendance at the meeting were Emilie Saylor, Kila Shepherd, Jennifer Westfall, Nondi Harrington, Dana Escott, Mike Callahan, Hannah Brook, Terry Quirk, John Roberts, Tommy Luksha, Lois Stephens, Steve Garback, Mark Davis, Paula McKenzie, Laurie Buyan, Vicki Tilstra, Phil Fortner, Allen Rohrback, and Alex Hogle. Ryan Wolter, IT Support Specialist, administered the Webex connection. Those who attended via Webex or by phone included Craig Erickson, Becky Lawson, Samantha Devore, Brittani Allhands, Lisa Stapp, Lisa Roberts, Chad Tree, Andy/Abby Thomas, Jani Flinn, Jamie Pederson, Janie Alt, Gail Nelson, Jolene Palmer, Lyn Baughn, and an unidentified phone attendee.

Approval of Minutes: After review, Ron Nye moved to approve the August 31, 2021, Board of Commissioners' meeting minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried. Following review, Ron Nye moved to approve the September 23, 2021, Board of Commissioners' special meeting minutes, COVID quarantine/guidelines, as presented. 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. Kila Shepherd, HR Director, and Jennifer Westfall, HR Generalist, were present for this portion of the meeting.

- **COVID Update including Nursing Homes Status:** Emilie presented an update on COVID status reflecting two weeks of data. Total confirmed cases are 1,121 for Madison County, there are 76 active cases which will climb, 9 fatalities which will increase in the coming days after reconciling some death certificates, 6 active hospitalizations with 3 in ICU, for a total of 86 hospitalizations to date. The State of Montana's confirmed positives are up to 153,479, active cases are up to 11,498, fatalities have jumped to 2,022, and there are currently 419 active hospitalizations. Emilie noted that the last 28 days yielded roughly 20% of the County's total COVID-19 cases over the course of the pandemic so September was really significant for Madison County, and about 1 out of every 5 cases Public Health has contacted has gone to a hospital emergency room for treatment during their illness. She also pointed out, in reviewing the daily new cases chart, that there has been a significant increase in spread compared to the summer months, the 14-day look at hospitalizations has increased 27%, and she noted that a 17% positivity rate from testing is a really high percentage. Most local hospitalizations require care beyond local capability since we have no respiratory therapists, so they are being moved to larger hospitals. She reviewed a map of cases by county, and cumulative cases by county. The fully-vaccinated rate in Montana is now 53%, finally breaking the 50% mark, and is 46% in Madison County. She reviewed vaccinations by age group and noted that the people who are really sick with COVID are unvaccinated and mostly in their 50s and 60s, and a few in their 70s.

Madison Valley Manor: The 16 residents are 100% vaccinated, and no residents or staff are quarantined or hospitalized. Unvaccinated staff members are tested daily, and limited visitation is allowed.

Tobacco Root Mountain Care Center: There are 25 residents, and the facility is on outbreak status with 5 residents testing positive and quarantined, but all were vaccinated and have mild symptoms. Four staff members are in quarantine. PPE training is ongoing, residents and staff are tested on regular schedules, and no visits are allowed. Emilie said this outbreak is directly related to a school outbreak through a household member of a staff person, and this is exactly the outcome we have been trying to prevent with all the recommendations and preventive measures attempted in the schools.

Emilie discussed working with the schools on masking and testing, said most of them have agreed to push harder on sending symptomatic students home to prevent spread, and pointed out that last year the predominant local COVID symptom was fever but now the predominant symptoms are runny noses, headache and fatigue. All five County schools have had outbreaks in the last five weeks, spreading to

daycares and nursing homes as well. Hospitals and healthcare workers are overwhelmed and traumatized from experiences over the past year, and the case load is not letting up. The data shows that 86% of hospital cases are unvaccinated and at much higher risk, so if more people would get vaccinated it would take the load off health care workers. Fortunately, cases in children are mostly mild but this age group is able to spread the virus. Vaccinations for younger children ages 5-11 are close to being approved. Mobile vaccine clinics are taking place in Virginia City and Ennis this coming weekend.

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

Fair Manager – Fair Update: Dana Escott, Fair Manager, met with the Board to give an update on the Madison County Fair. Nondi Harrington, Fundraising Consultant, Mike Callahan, Safety Coordinator, Hannah Brook, Grant Writer/Administrator, and Terry Quirk, County resident, were present for all or a portion of this topic. Dana's update included a small leak in the Pavilion roof, getting an internet connection in the Pavilion due to all the events held there, purchasing a Square for onsite payments, and the Highway Department's scheduled chip-sealing in July/August of next year that will be shut down during the 2022 Fair. Dana described ongoing safety and control issues with scooters and skateboarders and asked for help, said bicycles are no longer allowed on the grounds, noted that the insurance agent recommended not allowing scooters/skateboarders on the grounds anymore due to liability, and the Board agreed with this and suggested working with the County Attorney on an enforceable policy. Dana's continued update included the DES Coordinator working on camping rules, comparing rodeo event revenues, and reviewing 4-H Sale proceeds, working with food vendor schedules, and she said everything ran smoothly this year. The next Fair is scheduled for August 10-14, 2022, the theme is "Made in Montana," and they are looking for a parade marshal from Ennis.

Public Discussion on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Nondi Harrington, Fundraising Consultant, updated the Board regarding the Fair Foundation. Dana Escott, Fair Manager, Mike Callahan, Safety Coordinator, Hannah Brook, Grant Writer/Administrator, John (Shorty) Roberts, County Resident, and Terry Quirk, County resident, were present for all or a portion of this topic. Discussion included Foundation meeting frequency and best location, using Zoom during the meetings, arena size and costs, renaming the crow's nest, getting a grant for an electronic reader board, a special events committee, 501(c)(3) status, bulk mailing to Madison County residents and selected residents of adjoining counties, and the amount of interest for building a new arena. Nondi promised a Fair Foundation report in December, noting her contract is also up in December.

Great West Engineering: Becky Lawson, SMA Architects, and Craig Erickson, Great West Engineering, met with the Board via Webex/phone to discuss the following topics. Hannah Brook, Grant Writer/Administrator, John (Shorty) Roberts, County Resident, Dana Escott, Fair Manager, and Nondi Harrington, Fundraising Consultant, were present for this portion of the meeting.

- **Manor Renovation Project:** Becky reviewed progress on the MVM renovation project: the generator is shipping on November 19, a walk-through is being scheduled to address issues related to the new boilers, and a change order from TW Enterprises will include expenses related to moving the old generator in order to clean up contaminated soil and for Northwest Energy transformer work. Craig said everyone is doing a good job on the project, only minor issues have come up and have gotten solved, and he is hoping the generator will be fully installed before Thanksgiving. Jim related a discussion with the Sanitarian about the contaminated soil/concrete cleanup that included possible road crew or Solid Waste crew assistance, and there was additional discussion about addressing the kitchen renovation component of the project, and using local contractors when possible.
- **CDBG Request for Funds #5 Madison Valley Manor:** Craig reviewed the invoices included in CDBG Pay Request #5, noting that the total of the four invoices is \$92,312 but the pay request is for \$68,546.09 because the County has to provide its 25% match obligation of \$23,766. After review, Ron Nye moved to approve the CDBG pay request for funds #5 for the Madison Valley Manor Phase 2 renovation project. Jim Hart seconded the motion. All voted aye and the motion carried.
- **MCEP (TSEP) Pay Request #2 and Close-Out Documents for Giem Bridge:** Craig noted that the Giem Bridge project has been a long one and was substantially completed in October, the final report is done, the final pay request #2 for reimbursement of \$3,968.62 from TSEP funding includes invoices from Great West for construction and grant administration, and the close-out documents will close the contract.

Following review, Ron Nye moved to approve Pay Request #2 and closeout documents for the Gien Bridge project as presented. Jim Hart seconded the motion. All voted aye and the motion carried.

- **Review of Architectural Proposals for Fairgrounds:** Craig reviewed the need for a Preliminary Architectural Proposal (PAR) for the arena project at the Fairgrounds to fully define the project's scope and to provide the technical basis for grant applications, and briefly discussed the EDA scoresheet that will be submitted for each proposal received. The Board continued the topic until later in the day.

GIS: Tommy Luksha, GIS Coordinator, met with the Board to discuss the following topic. Lois Stephens, GIS Clerk, was present for this portion of the meeting.

- **Montana Association of GIS Professionals' Request of Tommy to Chair the Local Government Special Interest Group:** Tommy told the Board he has been asked to chair a local government GIS special interest group he belongs to, the Montana Association of Geographic Information Professionals (MAGIP). He reviewed the benefits of belonging to the group and explained that while he represents Madison County's GIS Department in the group, he does not use work time for any of the meetings or activities. The Board agreed they have no problem with Tommy chairing the group if the role doesn't interfere with his workload. After discussion, Ron Nye moved to approve Tommy Luksha chairing the MAGIP group. Jim Hart seconded the motion. All voted aye and the motion carried.

Claims: The Board approved claims.

Petition to Close County Road in Pony, Montana, and Set Date for Public Hearing: Steve Garback, Pony resident, met with the Board to discuss a petition to close unimproved streets in Pony, Montana. Tommy Luksha, GIS Coordinator, Mark Davis, Heroes and Horses, Paula McKenzie, Clerk and Recorder, and Laurie Buyan, Executive Assistant, were present for this portion of the meeting. Steve explained the reasons behind the requested closures, said there is not much interest from adjoining neighbors because he owns the affected property, pointed out BLM land, and said he would appreciate any of the Commissioners coming out to see the property. Paula discussed proper procedure, older documents that have been found, noted she hasn't seen a recommendation from the County Attorney, and pointed out the absence of signatures from adjoining property owners. Steve will pursue signatures and prepare a new petition to reflect information from previous documents.

Action Inc. Human Services Contract: After review, Jim Hart moved to approve the agreement between Madison County Assistance Program and Action Inc. whose office is out of Butte, Montana. Ron Nye seconded the motion. Dan explained that this program provides funds for items such as rent, medications, utilities, and travel for folks who are in need. All voted aye and the motion carried.

Senior Citizens' Advisory Board Resignation: Following review, Ron Nye moved to accept Robert Loveland's resignation from the Senior Citizens' Advisory Board and advertise for a replacement. Jim Hart seconded the motion. All voted aye and the motion carried.

HighMark Traffic Services – Contract for Striping in Big Sky: Jim described the location of road in Big Sky that needs to be striped, discussed paint type and issues with acquisition, and said MDT has been asked to finish the last ¾ mile. Dan noted the epoxy option is better since water-based paint doesn't last as long. After discussion, Jim Hart moved to approve the contract with HighMark Traffic Services for \$14,400 to stripe a portion of Lone Mountain Trail. Ron Nye seconded the motion. All voted aye and the motion carried.

Establishing Private Pay/Per Diem Room Rates for Nursing Homes: After review, Ron Nye moved to approve the request to establish private pay/per diem nursing home room rates for Tobacco Root Mountain Care Center as presented. Jim Hart seconded the motion. All voted aye and the motion carried. Later in the meeting, Jim Hart moved to approve the daily private pay nursing home room rates for Madison Valley Manor. Ron Nye seconded the motion. All voted aye and the motion carried.

Human Resources: Kila Shepherd, HR Director, and Jennifer Westfall, HR Generalist, met with the Board to discuss the following topics. Vicki Tilstra, Finance Officer, Phil Fortner, Sheriff, and Hannah Brook, Grant Writer/Administrator, were present for all or portions of these topics.

- **New Law Regarding Sheriff's Office Compensation:** Kila discussed a new law resulting from the last Montana legislative session and pointed out changes that affect Sheriff salaries and the County's salary schedule. There was discussion about competitive salaries, increases, policies affecting retention, and other parts of the new law that may need to be addressed in future. Based on the Montana Legislature's new law effective October 11, 2021, MCA 7-4-2508, Jim Hart moved to set the compensation of the Undersheriff at 98% of the Sheriff's compensation. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Request to Hire MVM RN, MVM Dietary Aide, TRMCC Dietary Aid, TRMCC Infection Prevention Officer:** Kila discussed several new hires, their starting wages and start dates. Based on the recommendation of the hiring committee, Jim Hart moved to approve the request to hire RN Tami Adams starting on September 23, 2021 at \$31.77 per hour, increasing to \$34.50 on October 1, 2021, at Madison Valley Manor (MVM). Ron Nye seconded the motion. All voted aye and the motion carried. Based on the recommendation of the hiring committee, Jim Hart moved to approve hiring Don Lindburg as MVM Dietary Aide at a rate of \$18.27 per hour, starting on October 1, 2021. Ron Nye seconded the motion. All voted aye and the motion carried. Based on the recommendation of the hiring committee, Ron Nye moved to approve hiring Daina Bruno as a Tobacco Root Mountain Care Center (TRMCC) Dietary Aide at \$16.35 per hour, starting on October 18, 2021. Jim Hart seconded the motion. All voted aye and the motion carried. Based on the recommendation of the hiring committee, Ron Nye moved to approve hiring Melissa Brummell as the TRMCC Infection Prevention Control Officer starting on September 7, 2021, at \$31.77 per hour and increasing to \$34.50 per hour on October 1, 2021. Jim Hart seconded the motion. All voted aye and the motion carried.
- **Dispatch Communications Officer:** Based on the recommendation of the hiring committee, Jim Hart moved to approve hiring Kelli Kirtley to fill the position of Dispatch Communications Officer starting on October 4, 2021, at \$18.25 per hour. Ron Nye seconded the motion. All voted aye and the motion carried.
- **Tuition Reimbursement Policy Draft:** Kila reviewed her research on tuition reimbursement and eligibility, made suggestions about clarifying/developing a policy, and there was discussion about policy detail options including supervisor training, using a timeframe basis rather than a grade scale basis to determine eligibility for reimbursement, and requiring a commitment of County employment for a specified time after completion. Kila will provide additional information for future review.

Public Discussion on Items Not Listed on the Agenda but Within the Board's Jurisdiction: Phil Fortner, Sheriff, asked the Board if they recalled anything about a grazing district in the Virginia City area. Hannah Brook, Grant Writer/Administrator, was present for this portion of the meeting. Phil said he wasn't sure if the town maintains the fence on the southern border of the town, cattle have been coming into the town in the fall and destroying property, and there was discussion about animal control regulations and checking with the County Attorney.

Journal Vouchers: Jim Hart moved to approve Journal Vouchers for the 9/21 accounting period. Ron Nye seconded the motion. All voted aye and the motion carried.

Great West Engineering/ Review of Architectural Proposals for Fairgrounds (continued): The Board reviewed architectural proposals submitted for the Fairgrounds. Hannah Brook, Grant Writer/Administrator, and Phil Fortner, Sheriff, were present for this portion of the meeting. Only one proposal was received. After review, Ron Nye moved to accept the architectural proposal from SMA Architects to complete a preliminary architectural report (PAR) for the Madison County Fairgrounds. Jim Hart seconded the motion. All voted aye and the motion carried.

Resolution of Intent to Create the Madison and Ruby Valley Special Ambulance District: Allen Rohrbach, Madison Valley Medical Center CEO, met with the Board to discuss the resolution of intent to create the Madison and Ruby Valley Special Ambulance District. Paula McKenzie, Clerk and Recorder, Phil Fortner, Sheriff, Vicki Tilstra, Finance Officer, Tommy Luksha, GIS Coordinator, and Laurie Buyan, Executive Assistant, were present for this portion of the meeting. Allen said he has a resolution with maps

prepared by the GIS Department, both hospital boards had the opportunity to weigh in on funding and whether this would be voted in or permanent, and after the Department of Revenue determined the assessed tax value of the special district the language on a ballot would be for 12 mills to raise approximately \$465,000 on a four-year, voted mill levy. Since this is new they would want the opportunity to look at it for a few years, and over time it is possible the funding amount would decrease. He reviewed aspects considered in determining levy districts and excluded areas, and next steps were discussed including improving the legal description, using school district boundaries, details needed for a ballot, and deadlines prior to an election.

Planning Office – Silver Star Trails Amended Plat: Alex Hogle, Planning Director, met with the Board to discuss the Silver Star Trails amended plat. Paula McKenzie, Clerk and Recorder, was present for this portion of the meeting. Alex reviewed concerns about primary access that were discussed a few weeks ago, said he viewed the concerns about a pivot crossing the road as a civil matter between the subdivision and one neighbor, pointed out the opportunity to learn from this situation that subdivisions in rural areas should show not just easements but also legal easements and road use agreements, and he recommended approval of the amended plat. He pointed out that this went to the Exemption Review Committee on August 18, 2021, explained that the purpose was to have a shared community agricultural strip that crossed property lines, and the buildable areas were determined by that area. Following discussion, Ron Nye moved to approve the recommendation of the Planning Director to adjust the boundary between Lots 1, 2, and 5 of Silver Star Trails subdivision. Jim Hart seconded the motion. All voted aye and the motion carried.

At this point, the meeting was relocated to the Public Meeting Room of the Administrative Office Building.

Human Resources – Closed Session: Kila Shepherd, HR Director, 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: There was no discussion on this topic.

With no further business, the meeting was adjourned at 3:35 p.m.

Next meeting: The next regular Commission meeting will be held on Tuesday, October 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: November 16, 2021

Minutes prepared by:

Jane Bacon, Commissioners' Clerk

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