

Commission Meeting Minutes; Park County, Montana
Week of February 4 – 8, 2008

February 4, 2008

Road Issues

@8:30:45 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Ed Hillman, road supervisor; Brad Wilson, assistant road supervisor; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss county road issues.

Brad Wilson submitted a letter to the Commission addressed to Ed Hillman requesting a lateral move within the road department from assistant road supervisor to operating engineer. Wilson will check with Polly Miller to ensure his lateral move and position title change go smoothly. There was discussion that Wilson may have to stop driving a county vehicle to and from his home residence if he moves to an operating engineer. There was discussion that Wilson may serve as the acting road foreman when Hillman is on leave.

Lahren reported that the county will give work permits to Master Key Ranch, 12 Springs Ranch, and the West Boulder Ranch so they can clear snow drifts with their own equipment.

There was discussion on the road plowing priority schedule. Roads are plowed on a systematic, rotational basis within each operating technician's territory. There was discussion on recent citizen calls relating to road clearing. The promised turnaround at the end of Suce Creek Road has not been installed.

Wilson reported that snow along some county roads is close to being pushed over and inside private fences. Wilson asked the Commission to tell citizens who plow their own roads to plow in the correct direction and push snow into proper resting places.

There was discussion on the road crew budget and needed wages to finish out the fiscal year with the extra hired help. There was also discussion on the practicality of light duty work for road crew employees. Murphy said estimates of polling places work needs to be updated and submitted. Forms to follow through with those updates and submissions were given to Ed Hillman. Storage tank purchase orders were discussed. Hillman will draft a response to a letter of request from Shooting Star Ranch re. more plowing work on Cinnabar Road. The Commission and DePuy will review and submit the letter.

There was discussion of using Rural Special Improvement District funds to fund increasing requests from citizens for more road plowing work.

@9:17:48 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 4, 2008

Review and Approve Meeting Minutes

@9:24:13 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to review and approve meeting minutes from the Week of January 28, 2008.

Murphy requested a revision to Page 2 of 11; second to last paragraph; the correct spelling is "Bullis Creek." On Page 9 of 11; second paragraph; strike "up and" from the first sentence, so it reads, "Papineau reported there is a news link on the county web page about the growth policy and the growth policy vote on Nov. 11."

Durgan requested a revision to Page 8 of 11; fourth paragraph; first sentence. The sentence should read, "@10:35:55 a.m. Durgan moved to postpone a decision on proposed changes to the Element Minor Subdivision preliminary plat until the developer addresses the Commission's concerns." Durgan noted that he delivered a correspondence memo from MACo on sexual exploitation to the county health department and a correspondence letter from Jon Tester to Marty Malone.

John Mueller read into the record Civil Attorney DePuy's minute revision suggestions sent via e-mail.

Durgan made a motion to accept the minutes from the Week of Jan 28 as corrected and with corrections from Attorney DePuy. Murphy seconded that motion. Motion passed.

@9:31:33 a.m. Durgan made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 4, 2008

Planning Issues and Informational Updates

@10:00:29 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Tara DePuy, civil attorney; Michael Inman, planning; Jerry Stevens, planning; Lewis Wilks, planning board member; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss planning issues and informational updates.

DePuy reported that she conducted training sessions with new planning board members. Inman updated the Commission on the planning board's progress on recommendations to amendments to the 2006 subdivision regulations. At its last meeting, the planning board discussed how to go about making findings based on public comment. There was discussion about transcribing public comment made in meetings and work sessions in order to assist the planning board in conducting its public comment analysis. John Mueller will work on transcribing meeting audio to document public comment. DePuy explained the purpose behind the planning board's public comment analysis and how the Commission must address relevant citizen comments per county subdivision regulations that relate to a development's findings and conditions.

DePuy updated the Commission on the county appointment to the city planning board. There was discussion about the appointed individual sitting in on the monthly planning department update meeting with the Commission in order to serve as a liaison between the city, county commission, and the planning staff.

Inman updated the Commission on the Planning Department's workload. Because of the currently low number of subdivision reviews, the planning department is completing some necessary file and office organization. The department would like to update its electronic and hard copy filing system. Jerry Stevens reported she would like to get to that project but is unable to at this point with the department's other work. Inman requested direction from the Commission regarding Diane Papineau's work responsibilities within the planning department so that the department can prepare for her upcoming absence. Inman reported that the planning department will meet as a staff to redefine when and in what capacity the department should be assisting the public. Public citizens have asked the department to assist them with research or other tasks on various issues that may or may not be appropriate for the department to address.

DePuy updated the Commission on recent legal issues. A new case in Ravalli County ruled on by the district court there involving multi-dwelling condominium developments is likely to go to the Montana Supreme Court. Four condominium developers sued Ravalli County, saying the condo units are stand alone single family residences, not subject to subdivision reviews and not subject to the county's emergency zoning. A Montana district court judge ruled the Condominium Unit Development Act does not consider condo units single family dwellings. The judge said zoning had to be in effect if a condominium development was to be built, and the development must be in compliance with that zoning. The judge ruled that the county's informal staff reviews of the condo proposals were legal.

DePuy reported that the planning staff has experienced difficulties with local agency subdivision reviews. Agency personnel have rescinded or lessened their recommendations after the planning staff finalized subdivision review reports based on agency comments. Such actions put the planning staff in a precarious situation and threaten its perceived level of competence. Some agencies have made recommendations in areas beyond their expertise. There was discussion about the need for consistent

agency recommendations and to set up a meeting between planning department staff, the planning board, the Commission, and agency personnel to address the issue. Durgan will serve as the Commission point person in that effort.

There was no public comment.

@10:53:12 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 4, 2008
Building Security

@1:29:22 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Phil Dawson, public citizen; Bruce Martin, maintenance; Judge Swandal, district court; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss city/county building security concerns, specifically in regard to after-hours building use.

The discussion included ingress and egress from the building for after-hours events, as well as the potential for individuals to roam the hallways and enter unlocked offices after hours. The Commission reiterated that every proposal to use the city/county building needs to be brought before the Commission. Judge Swandal agreed with that directive.

Phil Dawson made public comment, saying door closers, access codes that expire after a set number of uses, and panic hardware with alarms may be installed to deter people from wandering throughout the building after hours. Dawson will work with Judge Swandal to secure his courtroom entrance. Dawson will submit a cost estimate to the Commission on securing the entire city/county building.

@1:48:15 p.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 4, 2008
Review Correspondence, Public Contacts and Determine Action Plan

@2:31:36 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and there was no public comment.

The meeting was scheduled to review correspondence, public contacts and determine action plans. Correspondence included:

- Office furniture catalog

- Rocky Mountain Development Council newspaper - To Murphy for review.
- Memo from MACo re. Western Governors Association Land Use Working Group and wildlife corridors - To Lahren for review.
- Memo from NACo and 5 Star Restoration grant program - To Benner for review.
- Western Governors Association Land Use Working Group - To Lahren for review
- Upper Yellowstone Watershed Basin Feb. 7 meeting notice - To Durgan for review
- Memo re. RC&D seminars in Bozeman in March on Inventors and Intellectual Property Rights - To Hurley for review.
- Heard Across Montana newsletter - To Hurley for review.
- DePuy weekly schedule
- Memo from Park County nursing services re. Public Health Emergency Preparedness grant project - To Durgan for review
- Montana Mental Health Bulletin - To Murphy for review
- Seminars in Helena March 11 re. eminent domain in Montana
- Memo from US Bankruptcy Court re. sales procedures - To Larkin for review
- Memo from Yellowstone Gateway Museum re. Whithorn grant photo development and archive estimates - To DePuy, Miller and Durgan for review.
- Memo from Belinda re. good review by NIMS re. Montana qualifies to receive preparedness funds
- RC&D board member contact sheet - To Durgan for review.
- Memo re. Friends of Library meeting Feb. 4 at 7 p.m. in library
- Memo from Harvey Economics re. natural gas leasing
- Reminder from Job Service re. Feb. 19 meeting
- Memo from Mental Health re. national effort to end domestic violence
- Memo from MACo re. change in international land and sea travel document procedures
- Letter from Shooting Star Ranch re. road plowing request - To Road Book file
- Mental Health Advisory Network re. new limits on jeopardized care - To Murphy for review
- Advertisement for walk-through metal detectors
- Postage department reports - To Miller for review
- Memo from Montana Republican party
- Memo from BLM re. meeting in Miles City re. public comment on supplemental air quality analysis to draft supplement to statewide oil and gas EIS
- Memo from NACo re. 2008 legislative conference in Washington DC
- Trial balance on Commissioners budget from finance department

@3:08:52 p.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 5, 2008

Consider a Proclamation for Joe Gaab; Consider Resolution to Authorize Submission of Application and Sign Agreement to Certifications for Application for the Montana Department of Commerce HOME Investment Partnerships Program for the Park County

Senior Center Rehabilitation Project; Consider Appointments to Park County Planning and Zoning Commission Board; Consider James Logan Boundary Adjustment Appeal

@8:59:48 a.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Lori Benner, grant coordinator; Joe Gaab, public citizen; Jerry Brekke, contractor; Mark Refling, attorney; Tara DePuy, county civil attorney; Elaine Logan, public citizen; Garrett Hamm, public citizen; Jim Logan, public citizen; Amanda Sarrazin, public citizen; Rusty Collier, public citizen; Michael Inman, county planning department; Bill Hurley, county operations; and Commission Minutes Clerk John Mueller.

There was no public comment.

The first action item was scheduled to consider a resolution to authorize submission of application and sign agreement to certifications for application for the Montana Department of Commerce HOME Investment Partnerships Program for the Park County Senior Center Rehabilitation Project. Benner reported that 60 citizens attended last week's public meeting on the rehab project. The county received 25 letters in support of the project and no letters of opposition. The grant amount to support the Senior Center housing rehabilitation project is \$500,000.

Murphy read into the record Resolution #1010, Resolution to Authorize Submission of Application and Sign Agreement to Certifications for Application for the Montana Department of Commerce Home Investment Partnerships Program for the Park County Senior Center Rehabilitation Project.

Durgan made a motion to accept the resolution. Murphy seconded that motion. Motion passed.

The second action item was scheduled to present a citizen proclamation to Joe Gaab. Lahren read the citizen proclamation for Joe Gaab into the record, Resolution #1011.

Durgan made a motion to pass Resolution #1011. Murphy seconded that motion. Motion passed.

The third action item was scheduled to consider appointments to the Park County Planning and Zoning Commission Board. Durgan made a motion to cast a unanimous ballot to appoint the two applicants (Tracy Raich; Sally Hughes) to the planning and zoning commission board. Murphy seconded that motion. Motion passed.

The fourth action item was scheduled to consider a property boundary adjustment appeal from James Logan, county citizen.

Attorney Mark Refling representing the Logan family addressed the Commission. Refling expressed opinion that the Logan's application for realignment of the common boundary meets all requirements of the Montana Subdivision Planning Act and Park

County Subdivision regulations. Refling noted a rebuttable presumption within the Park County Subdivision regulations that an individual is attempting to evade subdivision review when the acreage affected by the boundary adjustment is fewer than 160 acres after boundary realignment. Refling said the Logan family is not attempting to evade subdivision review with its request.

A list of criteria to justify approval of the boundary adjustment request was read into the record. At the Commissioner's request, Minutes Clerk John Mueller reiterated those criteria for the record. Those criteria as read by Mueller include: 1) The Commission recognizes that the Logan family is a lifelong ranching family in the community; 2) The Logan family asks for the boundary adjustment in attempt to sustain its working ranch into the future; 3) The Logan family is not attempting to evade county subdivision review with the request; 4) The Logan family has no history of subdividing the ranch property in question; 5) Sale of the property affected by the boundary adjustment to an individual outside the family is prohibited for 10 years. That prohibited sale does not prohibit a financial institution from foreclosing on the property if necessary; 6) Commission approval of the boundary adjustment request does not set a precedent for any future requests of this nature. All boundary adjustment requests will be considered on a case-by-case basis; 7) The Logan affidavit was included in the record.

A few citizens in attendance made public comment in regards to the boundary transfer.

Durgan made a motion to approve the boundary adjustment request as read by Mueller and noted in the minutes. Murphy seconded that motion. Motion passed.

@9:31:56 a.m. Durgan made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 5, 2008

Pipeline Meeting – Bozeman – Commissioner Lahren

February 5, 2008

City/County Commission Meeting

@4:03:20 p.m. Commissioner Murphy opened a meeting in the Commissioner's Chambers. Present were Commissioner Murphy; Mary Beebe, city commissioner; Juliann Jones, city commissioner; Bruce Becker, city attorney; Vicki Blakeman, city commissioner; Rick VanAken, city commissioner; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and there was no public comment.

The first agenda item involved the Headwaters Recycling Contract. The city has agreed to provide its share of funding for one more year of the contract and will put that action item on its next meeting agenda.

Ann Hallowell will be reappointed by the County Commission on Feb. 20, as the county seat to the city planning board.

There was discussion about a city/county technology center. Murphy offered his time in researching the matter as a County Commission member. There was discussion about possible building locations east of town or at the fairgrounds and whether an existing building could be used. There was discussion about the county possibly donating the land on which a technology center could be built.

As other business, Mary Beebe is looking into funds that may have been promised by the County Commission for the Stafford Animal Shelter. Vicki Blakeman reported that the city is hosting a compost workshop on March 3 at 6 p.m. in the Community Room.

The next city/county meeting is scheduled for March 4, 2008.

No public comment was made.

@4:15:49 p.m. Murphy made a motion to adjourn the meeting. Rick VanAken seconded that motion. The meeting was adjourned.

February 6, 2008

FY'08 6-Month Budget Update

@9:06:02 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Tara DePuy, civil attorney; Marty Malone, public citizen; Polly Miller, human resources; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss a FY'08 six-month budget update report.

DePuy and Miller updated the Commission on the status of budgeted revenues and expenditures for each county department. DePuy and Miller are in the process of researching overages and underages in department budgets. Miller will book meetings with the Commission for department heads of departments experiencing budgeting issues. There was discussion that budget transfer requests must come before the Commission. Miller reported that many departments are miscoding expenditures.

@9:44:36 a.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

February 6, 2008

MSU Extension Staffing

@1:30:44 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present

were Marty Malone, public citizen; Mary Anne Anderson, MSU Extension; Steve Siegelin, MSU Extension; Polly Miller, human resources; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss MSU Extension staffing issues, specifically replacing retiring Marty Malone with a new Extension agent.

Mary Anne Anderson noted MSU Extension's appreciation of Marty Malone's 30 years of service to Park County. The Commission was provided a position description for the vacant Extension agent. There was discussion about adding qualification criteria to the job announcement.

Murphy read a County Commission Authorization to Advertise an Agent Position document into the record.

Durgan made a motion to grant MSU Extension permission to begin advertising to secure an Extension agent. Lahren seconded that motion. Motion passed.

A Commissioner-sponsored appreciation event on behalf of Malone will take place.

@1:40:36 p.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 7, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:30:16 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Marilyn Hartley, accounting; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and there was no public comment.

The meeting was scheduled to review correspondence, public contacts and determine action plans.

There was discussion about a voluntary census survey. The Commission directed Hartley to submit to the census agency requested statements of net assets, activities, and expenditures of government funds.

Correspondence included:

- Park County Central Garage report
- NACo News - To Commissioner for review.
- LEPC minutes - To Durgan for review.
- NACo newsletter - To Murphy for review.

- Memo from MT DEQ re. Fort Yellowstone PUD - To Gardiner Sewer District file and Planning Department for review
- Memo from MACo re. 2009 Federal Appropriations applications available - To Murphy for review.
- Memo from Central Service Authority - Mental Health - To Murphy for review.
- Montana Family History re. Hoppe family - To Jerry Brekke for review
- Memo re. staffer retirement from Political Science Department and Local Government Center in Bozeman
- Memo from American Road and Transportation Builders Association re. scholarship criteria
- Yellowstone Gateway Museum Board of Trustees meeting minutes - To Commissioners and Miller for review.
- Letter from Patty Miller member of Visions committee re. printing money request - To file. Denton will submit a reply that Commission cannot assist with the request at this time per its budget.
- Memo from MACo re. DNRC reclamation and development grants - To Benner for review.
- Memo from Livingston Job Service re. personnel management seminar - To Miller for review.
- Fleshman Creek RFQ meeting minutes - To Hurley for review.
- Memo from citizen re. Montana taxes
- GOP newsletter
- New West Design, Development, Community book - To Durgan, Murphy and Planning Department for review.
- Correspondence from DePuy re. establishing building codes. Murphy read memo into the record - To Murphy for review.

Durgan read into the record correspondence between Civil Attorney DePuy and Mr. Collier re. the Logan boundary adjustment request. There was discussion that the Commission should require all optional documentation of their decision on the matter.

Murphy discussed his building security review with Judge Swandal and Phil Dawson.

The Commission discussed location of a technology center. There was discussion on the county's solid waste contract and when the Commission should accept bids. There was discussion about the combined Gardiner Water and Sewer District vote to be completed by Feb. 18.

Lahren will meet with the Rural Fire #1 board at its March meeting to report on Volunteer department research status. Lahren reported that the retirement benefits issue has been resolved.

The Commission reiterated that it needs to know about major road department projects and be provided an accurate estimate of project costs before projects commence. The Commission also needs to know the costs of completed projects.

The Commission finalized next week's schedule at MACo and in the Livingston office. There was discussion about the OshKosh vehicle. Murphy commented on the option of purchasing road department vehicles from other states.

@11:18:05 a.m. Durgan made a motion adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 7, 2008

1:00 P.M. – The Commissioners will leave the courthouse and travel to the proposed Shields River Bluffs Subsequent Minor Subdivision (west of Clyde Park). They will be on site at 1:30 P.M. - Canceled

February 8, 2008

Finalize & Submit Park County's Management Discussion & Analysis Report for Fiscal Year Ending June 30, 2007

@11:01:39 a.m. Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Murphy were present. Also present were Marilyn Hartley, accounting; Tara DePuy, civil attorney; Polly Miller, human resources; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and there was no public comment.

The meeting was scheduled to finalize and submit Park County's management discussion and analysis (MD&A) report for fiscal year ending June 30, 2007.

DePuy reviewed Commissioner Lahren's written suggested revisions to the MD&A, which were previously reviewed and approved by DePuy. Hurley handed out his copy of MD&A revisions for review.

Murphy made a motion to incorporate new edits brought forward by Mr. Lahren into Marilyn Hartley's version and get it signed off on and submitted today. Durgan seconded that motion. Motion passed.

@11:19:51 a.m. Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

Larry A. Lahren
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana

Commission Meeting Minutes; Park County, Montana
Week of February 11 – 15, 2008

February 11, 2008

The Commissioners will be in Billings attending the MACo Mid-Winter Conference

February 12, 2008

Commissioners Lahren and Murphy will be in Billings attending the MACo Mid-Winter Conference

10:00 A.M. – Urban Transportation Committee – Durgan – Community Room

1:00 P.M. – Weed Meeting – Durgan – East Room

2:00 P.M. – Information Technology Advisory Committee – Durgan – Community Room

February 13, 2008

Commissioners Lahren and Murphy will be in Billings attending the MACo Mid-Winter Conference

February 14, 2008

Commissioners Lahren and Murphy will be in Billings attending the MACo Mid-Winter Conference

8:30 A.M. – Safety Committee – Durgan – Community Room

10:00 A.M. – Local Emergency Planning Committee – Durgan – Community Room

February 15, 2008

9:00 A.M. - Sign Claims

February 15, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:00:50 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, director of operations; Marilyn Hartley, accounting; Jerry Brekke, research contractor; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to review correspondence, public contacts and determine action plans.

There was discussion about out-of-county refuse tag requests and individuals needing to sign release of liability forms each year. There was discussion about the county policy regarding sick leave and maternity leave, as well as recent requested access to the human resources office.

Correspondence included:

- Thank you card from Joe Gross
- Museum pamphlets - To Commissioners for review.
- Shareholders report from Federated Worldclass Investment
- Parks and Recreation News
- Tobacco Use Prevention information
- Park County road work application on West Boulder from Doug Campbell re. snow removal - To Road Book
- Memo from DePuy re. DEQ meeting with Park County on Feb. 26 @ 10:30 a.m. in Livingston
- Memo from Dawson County re. feedback on jail structure - To Lutes for review.
- Memo from Belinda re. Marty Malone retirement party Feb. 29; 2-4 p.m.
- Memo from MACo re. bids for road grader - To Hillman for review
- Memo from Lori Benner re. minutes and comments from public meeting on HOME Investment Partnership program
- Gardiner sewer weekly sample report - To sewer book
- Memo from DePuy re. Golden Ratio should not contact commissioners re. potential subdivision
- Memo from Paul Grant re. MDOT will hold public hearing on EA on bridge on Yellowstone River in Livingston - To Durgan for review.
- Heard Across Montana from Jim Spooner re. interoperability - To Hurley for review.
- Memo from Bill Moser re. offsite impoundments to store water
- Memo from DEQ re. county discharge monitoring report for discharge permit - To sewer book
- Letter from Dan Vermillion re. behavior at transfer station on Feb. 2 - To Miller for review
- Memo from accounts payable clerk re. office supplies budget is off budget
- Dealing with Difficult People pamphlet
- Center for Rural Affairs newsletter - To Durgan for review
- Memo from Emigrant Community Hall association re. permission to upgrade parking lot to ADA standards - To file and Hillman for review.
- Memo from Great West Engineering re. bill for assisting county with wastewater system and RSID in Gardiner - To finance department
- Memo from MT Fish, WL and Conservation Trust re. soliciting projects for funding - To Benner for review

- Bankruptcy Court memos - To Larkin for review.
- Memo from MDOT re. Feb. 20 meeting on Yellowstone River Bridge; 2 p.m. and 7 p.m.
- Blazing Saddles VII pamphlet
- Memo from US Dept. of Commerce re. survey of government finances - To Cooke City water district
- Memo from MSU Extension re. board training seminar on April 24
- Grant writing workshop notice - To Benner for review.
- Memo from Suzanne Brown re. Homemaker Program
- IT meeting agenda - To Durgan for review
- Memo from Bill Hurely re. bill for YNP
- Memo from Hurley re. costs to Gardiner Sewer District re. weir work
- Memo from MACo re. forest payment - To finance department
- Notice for application for sale and transfer of operating authority
- Memo from Shields Valley Watershed group - To Lahren for review
- Memo from US Census Bureau re. building permits
- Memo from Gary Wisegerber re. address change for KPRK - To Denton
- Marc Richards - computer/public info committee surveys handed out
- Memo from Lahren re. items into road meetings - To road book
- Memo re. RC&D meeting Feb. 22 in Bozeman - To Durgan for review
- Memo re. BD action alert re. meeting in Butte on BD
- Gallatin Valley Land Trust annual report
- IT committee meeting minutes - To Durgan for review
- Memo from Planning Academy @ Virginia Tech
- List of warrants from Clerk of District Court
- Calendar year expenses for Gardiner Sewer District - To sewer book
- Memo re. FBI foreign intelligence espionage
- Memo from DePuy to Denton re. Bresnan business service agreement on Feb. 26 at 9 a.m.
- Memo from BLM re. WZRAC meeting on Feb. 14 re. cooperative rangeland monitoring, forest health and FS recreation fee proposals
- Memo from MACo re. pre-commitment cost surveys re. mental health costs
- Yellowstone Gateway Museum newsletter - To Lahren for review
- MACo county courthouse awards
- MACo interstate regional conference in Utah
- Memo re. 2008 Livingston Jobfest - To Miller for review.
- Performance Institute information - To Miller for review
- Memo from Belinda re. letter to all first responders re. pipeline emergency luncheon in Billings
- Grant news from New Dawn Technologies - To Benner for review

Murphy updated Jerry Brekke on various research and archiving information discussed at the MACo conference.

Lahren read a status report memo from Jerry Brekke re. the county archiving project. Brekke provided a breakdown of his work efforts/hours. Lahren asked Bill Hurley to provide a similar breakdown of his efforts. Brekke continues with road research work, and Brekke provided an update on the status of completing the Park County government guide.

Durgan reported on a situation from Gardiner where a large amount of computer and electronic equipment was thrown into a rolloff dumpster in Gardiner. Lois Hatfield was not contacted by the Gardiner School District, which was determined to have discarded the equipment. Hatfield proposed sorting the computer equipment from the rolloff, weighing it, and charging the school district the appropriate disposal fee.

Lahren reported that Richard Wright caught a man dumping construction waste in a green box. Wright will document information and present it to the Commission for action. Lahren will report to the Rural 1 fire council on Feb. 18 about his findings re. the county's relationship with Rural 1.

Murphy will set up a meeting with Ross Gammon, Rural 1, the Sheriff, Highway Patrol, City of Livingston, and the city police to discuss authority on closing highways.

The Commission discussed MACo conference issues.

Murphy reported on PILT and SRS monies; JPT adding attorneys; former Madison County planner Doris Fischer could assist Park County with its issues; mitigating fire hazards; impact fees; JPIA will audit county's jail; district court security; and public information/e-mail dissemination issues.

Hurley reported that he received a drafted lease for the transfer station. He forwarded that to DePuy to negotiate changes to the MRL contract. The Commission directed Hurley to reissue the RFP for the solid waste contract. Bids will be due prior to Jan. 10, 2009.

Durgan reviewed issues within past resolutions re. zoning; impact fees; and an opt out provision for parks districts that will be discussed at September district meetings.

There was some discussion on the direction of the solid waste board.

@11:50:46 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 15, 2008
Planning Director Follow-up Interview

@1:02:12 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Marc Richards, GIS/IT; Randy Taylor, health department; Bill Hurley, director of

operations; Polly Miller, human resources; Mike Inman, public citizen; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to conduct a follow-up interview with planning director position candidate Mike Inman. Inman answered 10 predetermined questions. Following the question/answer session, Inman expressed his sincerity in applying for the position.

@1:33:31 p.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 15, 2008

Planning Director Follow-up Interview

@2:03:24 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Marc Richards, GIS/IT; Randy Taylor, health department; Bill Hurley, director of operations; Polly Miller, human resources; Phillip Fletcher, public citizen; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to conduct a follow-up interview with planning director position candidate Phillip Fletcher. Fletcher answered 10 predetermined questions. Following the question/answer session, Fletcher asked questions of the Commission regarding their opinion of public sentiment about the suspended county growth policy.

@2:50:14 p.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

Larry A. Lahren
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana

Commission Meeting Minutes; Park County, Montana
Week of February 18 – 22, 2008

February 18, 2008

President's Day Holiday – office closed

7:30 A.M. – Job Service Employers Committee – Durgan/Murphy – Job Service.
Murphy did not attend.

February 19, 2008

Road Issues

8:30 A.M. - The meeting was canceled.

February 19, 2008

Review and Approve Meeting Minutes

@9:01:15 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to review and approve Commission meeting minutes for the Weeks of February 4, 2008, and February 11, 2008.

Murphy requested a revision to the February 4, 2008, meeting minutes on Page 4 of 12; add, "Judge Swandal agreed with that directive" at the end of the seventh paragraph referencing proposals to use the city/county building need to be brought before the Commission. On Page 6 of 12, add resolution number for resolution to submit application of HOME grant. On Page 1 of 12, add, "Forms to follow through with those updates and submissions were given to Ed Hillman," after the third sentence in the last paragraph.

Murphy made a motion to approve the meeting minutes as amended. Durgan seconded that motion. Motion passed.

Murphy requested a revision to the February 11, 2008, meeting minutes on Page 4 of 5; sixth paragraph; add "former Madison County planner Doris Fischer could assist Park County with its issues."

Durgan made a motion to approve the minutes for February 11 as corrected. Murphy seconded that motion. Motion passed.

@9:09:21 a.m. Durgan made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 19, 2008

Review Correspondence, Public Contacts and Determine Action Plans

@10:02:05 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, director of operations; Ed Hillman, road supervisor; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to review correspondence, public contacts and determine action plans.

The Commission provided an update of issues individual commissioners recently addressed.

The proposed combined Gardiner Water and Sewer District vote closes today. June Little will be asked to participate as an elected official at the February 22 meeting to canvass votes.

There was discussion that the Park County Rural 1 fire board, not the Commission, needs to schedule a meeting between all parties re. highway closure authority issue.

Durgan received a comment from a citizen concerned with the issue of fire inspection for subdivisions and who is responsible for and completing those inspections.

Lahren attended a Rural 1 board meeting Feb. 18 to report on the status of the county's research and fact-finding effort re. the Park County Volunteer Fire Department relationship with Rural 1 and how the volunteer fire department came into existence. The Rural 1 board is reviewing the draft report prepared by Civil Attorney DePuy and will provide its comments. The county remains in the research phase on this issue.

There was discussion about county employees seeking legal advice from Civil Attorney DePuy. The Commission reiterated that county employees and department heads are not to ask legal advice directly from the civil attorney. They need to direct requests to the Commission, which will instruct the civil attorney to research requested issues.

- Memo from Jay O'neal requesting a filing cabinet
- Rehberg newsletter - To Commission for review
- Memo re. used printer available
- Memo from MACo re. Jane Jelinski retirement
- Memo from Mary Fran re. online resumes - To Durgan for review
- Memo from Laura Holtzman re. seminar on project management March 3-7 in Arlington, VA
- Memo from Sue Hankin of Job Service re. FLMA - To Miller for review
- Heard Across Montana newsletter - To Hurley for review

- Gallatin County Solid Waste District minutes - To Hatfield for review
- RC&D meeting agenda - To Durgan for review
- Invitation to Governor's Prayer Breakfast and dinner on March 8 in Helena
- Memo from Livingston Mercantile re. meeting Feb. 21

There was discussion about the solid waste advisory board meeting on Feb. 21. The Commission discussed a potential future agenda item to discuss opening a request for bid proposal period for solid waste collection with a due date of Jan. 10, 2009.

There was discussion about the planning director interviews. Miller will provide the Commission with resumes and references so it can go forward with a job offer.

There was discussion about a Bridger Communications bid for microwave link for the city/county building.

There was discussion that citizens need a work permit to plow snow from county roads. Ed Hillman reported that someone hit the Carbella Road Bridge over the weekend.

There was discussion about the auditor position applicants.

@11:08:07 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 19, 2008

1:00 P.M. – Senior Citizens Board – Murphy – Senior Center

February 19, 2008

Department Head Meeting

@1:30 p.m. Commission Chairman Lahren called a meeting to order in the Community Room. Commissioners Durgan and Lahren were present. Also present were Lois Hatfield, landfill; Ed Hillman, road supervisor; Bill Hurley, operations; Ed Barich, superintendent of schools; Linda Budeski, justice court; Mary Ann Anderson, Extension; Marty Malone, Extension; Clay Williams, weeds/junk vehicles; Tara DePuy, civil attorney; Brian Sparks, museum; Mike Inman, planning; Bruce Martin, maintenance; Marc Richards, GIS/IT; Kevin Larkin, treasurer; Randy Taylor, health department; Brett Linneweber, county attorney; Polly Miller, human resources; Suzanne Brown, health department; and Commission Minutes Clerk John Mueller.

The second agenda item discussed employee of the month nominations. The nomination this month is Gail Bowers.

The third agenda item was a report from Nurse Suzanne Brown. Brown reported that the health department purchased a number of communication radios for emergency services

uses that are compatible with existing county radios. A radio communication training exercise is scheduled for Feb. 27 from 2 to 5 p.m. in the Community Room.

The fourth agenda item discussed IT billing issues. Richards discussed an occurrence of some departments incurring bills from Granite unexpectedly for work Granite completed. Richards advised department heads to seek assistance from Erica Hoffman first if they do not want to get billed by Granite for services.

The fifth agenda item discussed surveys distributed to department heads by the computer/public information advisory committee. Miller reported that surveys were due today.

The sixth agenda item discussed city/county building security issues. There was discussion about appropriate access to offices and security issues in the city/county building. There have been a few requests for access to department head offices and apparent attempts by unknown individuals to log into or out of county employee computers. Linneweber reported that no one should be given access to a department head's office under any circumstances unless the department head is contacted and gives permission.

The seventh agenda item discussed an MSU Extension board training scheduled for April 24 for city and county staff and potential board members.

The eighth agenda item discussed protocol for seeking legal advice from the civil and county attorney. County employees and department heads must approach the Commission with requests for legal assistance from the civil attorney. The Commission will then take the request to the attorney for action. Elected officials may go directly to the county attorney with requests.

No public comment was made.

There was discussion about how to appropriately conduct a county meeting in the city/county building in regards to supervision of meeting participants and security issues.

@1:52:55 p.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 19, 2008 Wind Development Meeting

@2:30:14 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Sarah Hamlen, MSU Extension Regional Economic Development Coordinator; Peter Vandergrift, Livingston Enterprise; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss wind development opportunities in Park County.

Hamlen asked the Commission what it feels it needs to move forward with or address wind energy in Park County. There was discussion about educating rural landowners about land leases and other information so they are protected and can do things right if interested in wind development on their property. There was discussion on the need to assess how much interest exists, as well as CREBS program funds and energy transmission issues. Hamlen said RC&D can do workshops on wind development.

@3:04:43 p.m. Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 19, 2008

4:00 P.M. – Park County Weed Management Area Meeting – Durgan – Forest Service Office

February 20, 2008

Consider a Condominium Review Resolution; Consider an Appointment to the City Planning Board; Consider a Franzen-Davis/County Contract

@9:00:38 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Tara DePuy, civil attorney; Maureen Ruggles, department of revenue; Ann Hallowell, public citizen; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a condominium review resolution; consider an appointment to the city planning board; and consider a Franzen-Davis contract.

Addressing the condominium review resolution, Civil Attorney DePuy gave a history of subdivision review issues, the current protocol of processing condominium applications and how Park County arrived at considering the proposed resolution.

Murphy read Resolution #1012 into the record.

Durgan moved to accept Resolution #1012 as read, a resolution setting a policy for the review of condominium unit declarations prior to filing with the clerk and recorder. Murphy seconded that motion. Motion passed.

Addressing an appointment to the City Planning Board, Murphy made a motion to reappoint Ann Hallowell to the city planning board as the county representative. Durgan seconded that motion. Motion passed.

DePuy reiterated that as the county appointee to the city planning board, Hallowell will attend monthly county planning staff/Commission update meetings on the first Monday of every month at 10 a.m.

Ann Hallowell commented on her experiences with the city planning board and the board's progress in implementing a required noxious weed plan for new lots on city property, as well as drafting a letter of recommendation from the board to the city encouraging the city to submit a courtesy letter to neighboring properties of potential and new city annexations.

Addressing adoption of a Franzen-Davis contract, Lahren made a motion to postpone a decision on the contract until Al Jenkins provides rates from Franzen-Davis. Murphy seconded that motion. Motion passed.

@9:19:39 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 20, 2008
MSU Extension Office Update

@9:59:20 AM Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Mary Ann Anderson, MSU Extension; Marty Malone, MSU Extension; Bill Hurley, director of operations; Allan Lutes, Sheriff; and Commission Minutes Clerk John Mueller. No members of the public were present, and there was no public comment.

The meeting was scheduled to discuss recent activities of the MSU Extension Office.

Malone and Anderson provided the Commission with written update reports of recent Extension office activities. There was discussion about the NRCS tree sale program, television transmissions and the '09 change from analog systems, Mill Creek diversions removal, and a Brucellosis committee's recent activities.

Murphy mentioned the potential benefit of Mary Anne Anderson sitting on a JSEC committee to provide her agricultural input and expertise.

There was discussion about producers' ability to acquire reliable seasonal help, as well as recalled beef in local schools that will be landfilled. Malone notified the Commission that TV district appointees have not received a letter from Commission about appointments.

@10:16:35 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 20, 2008

2:00 P.M. – Yellowstone Bridge Project – Commissioners – Best Western

February 20, 2008

7:00 P.M. – Montana Department of Transportation, Public Hearing for Yellowstone Bridge Project – Best Western

February 21, 2008

Museum Board Update

@11:02:12 Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Also present were Yellowstone Gateway Museum board members Bob Jovick, Donna Armentaro, Rick VanAken and Susan Kraft. No members of the public were present, and there was no public comment.

Neither a quorum of County Commissioners, nor museum board members was present, so there was no business action taken. The board updated Commissioner Durgan on recent museum board activities and issues.

@11:03:18 Durgan officially closed the meeting.

February 21, 2008

1:30 P.M. - Planning Board Meeting – Community Room

February 21, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@2:00:14 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, director of operations; Bruce Martin, maintenance; Brett Linneweber, county attorney; Warren McGee, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to review correspondence, public contacts and determine action plans.

Murphy gave an update about the Carbella Bridge damage and closure issue. Murphy reviewed the bridge damage onsite Thursday morning with an MDOT engineer from Billings who will submit an official opinion. The engineer informed Murphy that the opinion will be that the bridge should not be used again, and that engineer would not put a successful work guarantee on his work if he fixed the bridge. Damage to the bridge in addition to that caused by the weekend car wreck was found upon inspection. The engineer's data collected and report will be mailed to the Commission office. Murphy

said the likelihood of getting emergency funding from the federal government for the fixing the bridge is low because there are two other access points across the river in the area. The consideration of an RSID providing funding for the bridge was discussed. The county may contact the heavy equipment outfit currently working at Corwin Springs to remove the bridge should the bridge be condemned. Ed Hillman will research the cost to do that. There was discussion about the potential cost and design of a new bridge and the regulatory measures that may be required to install a new bridge.

Bridge Closed signs are up at the site. There was discussion about removing approaches and putting a guardrail stop across the road to ensure vehicle and foot traffic does not cross the closed bridge.

Bruce Martin gave an update on the elevator review contract and contract renewal situation.

There was discussion about completing the computer/public information advisory committee survey.

Correspondence included:

- County News - To Commissioners for review
- LTAP Matters - To Hillman for review
- DePuy weekly schedule
- Memo from MT Fish Wildlife and Park re. EA for gift water right for Mr. Ed Hillman on Shields River - To Park County Conservation District for review
- NACo conference in Missouri
- BLM report to public - To Lahren for review
- Flier re. MACRS workforce development week in Helena - To Hillman for review
- Memo from Thompson West re. search and seizures law bulletin
- Memo from Loriman re. sustainable and green construction in Montana
- Memo from U.S. Dept of Ag re. Custer National Forest public meetings for proposed recreation sites
- Letter from Bill Moser requesting appointment to urban traffic committee - To file
- Bob Ebanoff weekly water quality samples - To sewer book
- Memo re. GA airports - To Hurley for review
- Memo from DePuy re. passing resolution prior to start of fire season March 1
- Memo from Marc Richards re. IT personnel schedules
- Letter from Hartwig and Tim Watson re. burning signatures on Lahren recall
- Memo from DePuy re. news release of Carbella bridge closing - To road book
- Flier of MACo meth conference
- Memo from MACo representative asking if interest to sit on DES committee
- Yellowstone Business Partnership - To Durgan for review
- Memo from MACo re. analog/digital television conversion

- Mandatory safety class on stress management on Feb. 22
- Job Service newsletter re. unemployment rates in different states
- Memo from Ellen Cox re. Central Services board meeting
- Memo from Marilyn Hartley re. time to update fixed assets with MACo for liability insurance
- Health Care Trust cd - To Durgan for review
- Memo from Myron personalized business gifts
- Memo from Department of Natural Resources and Conservation re. fire systems grant window is open - To Lahren and Bob Fry for review
- Flier from Livingston Education Foundation re. raising money for innovative programs
- Memo from Montana Republican Party
- Memo from Denny Rehberg - To Lahren for review
- Memo re. available furniture at MSU
- Memo from Melissa Frost re. IBMP open house notes - To Durgan for review

Brett Linneweber read a memo that requested that the deputy county attorney have remote access to county server for work purposes - To Richards for review.

A memo from MDT bridge maintenance department was read, which stated that an official recommendation of the Carbella bridge closure will arrive via U.S. Mail - To road book.

There was discussion about a letter that explains when and why Bill Hurley attends meetings to assist the Commission.

There was discussion about the Feb. 21 solid waste board meeting and what Hurley will report to the board. Linneweber reported that the injunction has not been lifted after two informal requests. Linneweber commented on the injunction and how it affects the Commission and the board's ability to officially act regarding solid waste issues.

There was discussion about the MDT bridge project over the Yellowstone River in Livingston and the Wednesday meeting on the issue and a request within the EA to address detour route impacts to local county roads.

There was discussion about the Gardiner Sewer District and the current deal with the Park Service.

The Commission discussed drafting a memo to inform employees of the protocol on asking for legal advice from the civil and county attorney.

Letter documentation from Rich Wright of illegal dumping in green boxes will result in a complaint filed against an illegal dumper at Trail Creek.

Lahren reported that Al Jenkins researched rates for a Franzen-Davis contract. The rates remain consistent with a previous year's quote.

Durgan gave an update on the museum board's interest in hiring a permanent part-time cataloger at \$12/hour with social security and worker's compensation benefits. There was public comment from Warren McGee on the history of the individual who built all wooden bridges in Park County, as well as an Amtrak meeting in Helena Feb. 29.

Lahren reported on the status of the Rural 1/Park County Volunteer Fire Department research report. Rural 1 has been given the report and all baseline data used to prepare it. Rural 1 is to report to the Commission its findings in regards to how Rural 1 was formed the current relationship it has with Park County Volunteer. Lahren reported that there was an allegation that no clear minutes exist in the record that show definitively that a fire warden and/or an assistant fire warden were ever officially appointed. Durgan noted that in his first tenure in office Bob Fry was considered the fire warden for Park County, but he does not know when Fry was appointed. Fry was onboard when Durgan was elected into office. The Assistant Fire Warden Gordon Roth was appointed during the current Commission tenure to serve under Bob Fry. Any claims by any other individuals that he or she is the assistant fire warden cannot be substantiated.

There was discussion about city/county building employee space issues. Additional building space will be needed when the auditor position is filled.

There was discussion of a building walk-through with Bruce Martin to point out minor maintenance areas that need to be addressed.

The Commission updated its ongoing tasks board.

@4:01:41 p.m. Durgan made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

February 21, 2008

6:00 P.M. – Solid Waste Advisory Committee – West Room

February 22, 2008

Canvass Election of Creation of Gardiner Water and Sewer District

@10:02:05 a.m. Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present were June Little, clerk of district court; Denise Nelson, clerk and recorder; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and there was no public comment.

The meeting was scheduled to canvass election of creation of Gardiner Water and Sewer District.

Denise Nelson reported that 184 voters were required to meet the 40 percent minimum number of voters. There were 227 ballots returned, of which 204 were cast in favor of combining the water and sewer districts and 23 votes were cast against combining the districts. The Commission signed an official certificate to create the combined sewer and water district. The Commission will contact Gardiner Water District personnel to schedule a public meeting to discuss formation of the combined district and handling necessary logistical matters regarding transition of the sewer district from Park County authority.

The following order was entered into the minutes pursuant to state statute.

COMMISSION ORDER

On February 22, 2008, at 10:00 a.m., after canvassing the election results for the expansion of the Gardiner-Park County Water District to become the Gardiner Water and Sewer District, and upon determining that at least forty percent (40%) of all registered qualified voters residing within the proposed district voted and the majority of the votes cast were in favor of said expansion,

IT IS HEREBY ORDERED, pursuant to Section 7-13-2214(1) that the Gardiner, Park County, Water District shall be known as the Gardiner, Park County Water and Sewer District by expanding the services currently provided by the District to include sewer service within the current boundaries of the District.

@10:15:47 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

Larry A. Lahren
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana

Commission Meeting Minutes; Park County, Montana
Week of February 25 – 29, 2008

February 25, 2008
County Road Issues

@8:41:28 a.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present were Ed Hillman, road supervisor; and Commission Minutes Clerk John Mueller. There were no members of the public present, and no public comment was made.

The meeting was scheduled to discuss county road issues.

There was discussion about the Carbella bridge closure. Initial estimates to replace the bridge are \$750,000. There was discussion about some local landowners possibly having interest in contributing to the cost of fixing the bridge. There was discussion about the importance of replacing the bridge due to safety issues in the area, specifically fire safety. Hillman has contacted two firms in regards to removing the old bridge for \$100,000. Hillman plans to set up an onsite meeting to get a more definite estimate. MDOT will provide guardrail sections to barricade bridge entrances to prohibit any travel across the bridge in the interim. There was discussion about a request for bids to remove the bridge. The county road crew may remove the bridge deck.

There was discussion about warranty work on John Deere equipment and service and parts issues.

Hillman mentioned available capital improvement funds in the bridge budget that can be used to buy a used backhoe for Gardiner. There was discussion about purchasing the landfill backhoe or buying one from elsewhere.

There was discussion about the dirt floor in the Gardiner shop. Hillman noted the utility of having a concrete floor in the shop.

@9:05:29 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 25, 2008
Review and Approve Minutes

@9:20:07 a.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. There were no members of the public present, and no public comment was made.

The meeting was scheduled to review and approve Commission meeting minutes for the Week of February 18, 2008.

Durgan reiterated that the Feb. 21, 2008, museum board meeting included discussion of upcoming museum events and the museum board's interest in hiring a part time cataloger. There was no business action conducted.

Lahren requested a correction to Page 9 of 11; fourth paragraph. The paragraph should read: "There was discussion about the Feb. 21 solid waste board meeting and what Hurley will report to the board. Linneweber reported that the injunction has not been lifted after two informal requests. Linneweber commented on the injunction and how it affects the Commission and the board's ability to officially act regarding solid waste issues."

Durgan requested a correction to Page 10 of 11; second paragraph. The paragraph should read: "Lahren reported on the status of the Rural 1/Park County Volunteer Fire Department research report. Rural 1 has been given the report and all baseline data used to prepare it. Rural 1 is to report to the Commission its findings in regards to how Rural 1 was formed the current relationship it has with Park County Volunteer. Lahren reported that there was an allegation that no clear minutes exist in the record that show definitively that a fire warden and/or an assistant fire warden were ever officially appointed. Durgan noted that in his first tenure in office Bob Fry was considered the fire warden for Park County, but he does not know when Fry was appointed. Fry was onboard when Durgan was elected into office. Assistant Fire Warden Gordon Roth was appointed during the current Commission tenure to serve under Bob Fry. Any claims by any other individuals that he or she is the assistant fire warden cannot be substantiated."

Mueller read Civil Attorney DePuy's suggested corrections into the record. Those corrections included striking the term "board" and replacing it with the term "staff" in the Feb. 20, 2008, meeting minutes for appointing a county representative to the City Planning Board. The paragraph should read:

"DePuy reiterated that as the county appointee to the city planning board, Hallowell will attend monthly county planning staff/Commission update meetings on the first Monday of every month at 10 a.m."

DePuy requested a change to the Feb. 21, 2008, Museum Board Meeting. The correct spelling of a board member is Donna Armentaro.

The Feb. 21, 2008, planning board meeting was held at 1:30 P.M.

Durgan made a motion to approve the minutes as corrected. Lahren seconded that motion. Motion passed.

@9:47:09 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 25, 2008

Fleshman Creek RFQ Review Committee – Community Room

February 25, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:04:22 a.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. There were no members of the public present, and no public comment was made.

The meeting was scheduled to review correspondence, public contacts and determine action plans. Correspondence included:

- Memo from DePuy re. Commission memo to Park County employees advising them to contact Commission with legal advice requests. The Commission issued a memo directing all employees requesting advice from the civil attorney to first submit requests to the Commission
- Memo from BLM re. informational meeting @ USDA building Highway 89 in Livingston on March 12 re. Park County gravel pit request - To Hillman for review
- Proclamation request re. Cowboy and Heritage week beginning March 30 - To Denton for review
- Memo to DePuy re. questions about Dillard Condominium conversion from Hubert, Swindlers and Woodruff
- Montana Transportation Commission 89 Yellowstone River bridge meeting agenda
- Memo re. integrated justice
- Better Roads magazine advertisement
- Park County public safety committee minutes
- Wolf recovery program correspondence - To Durgan for review
- Draft resolution revised criteria for subdivision and platting act re. Jefferson County subdivision regs. and its review fee and RSID bond payments - To planning department
- Memo from Bruce Martin re. generator maintenance and testing - Commissioners will submit a memo authorizing Martin to get testing completed
- Memo from DePuy re. info to her box must be signed by two commissioners
- Memo from MACo re. Dept of Labor prevailing wage survey - To Miller for review
- Advertisement on seminar for election candidates
- Memo re. procedure for Title 3 monies - Meeting scheduled with Commission to discuss structure and function of Title 3 monies

@10:29:00 a.m. Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

February 25, 2008

Personnel Issues – Auditor & Other

@1:30:18 p.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present were Polly Miller, human resources; Tara DePuy, civil attorney; and Commission Minutes Clerk John Mueller. There were no members of the public present, and no public comment was made.

The meeting was scheduled to discuss personnel issues.

Miller has done follow-up research on education backgrounds of auditor candidates. The Commission will conduct follow-up interviews with the top three candidates on March 3 at 2:00, 2:30, and 3:00 p.m. Miller will submit a letter and make a phone call to candidates not selected for follow-up interviews.

There was discussion about personnel office issues and the possible location of the auditor office in half of the current DES office. DePuy reported that she will purchase back seven years of retirement from the Public Employment Retirement Administration. The county will receive an invoice of its portion of the buyback cost.

@1:45:43 p.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 26, 2008

Meeting with National Park Service - Jim Evanoff

@8:35:03 a.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioner Lahren was present. Also present were Jim Evanoff, Yellowstone National Park; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. There were no members of the public present, and no public comment was made.

The meeting was scheduled to discuss the conversion from a Gardiner sewer contract between Yellowstone National Park (YNP) and Park County to a contract between YNP and the Gardiner, Park County Water and Sewer District.

Contact information and job titles of Yellowstone National Park representatives and employees were read into the record. Information included: Jim Evanoff - Park Service representative for the sewage contract between YNP and Park County, Phone: 307-344-2311; Jeff Sneddon - contracting officer for YNP at Mammoth, Phone: 307-344-2080; Steve Iobst - Chief of Park Maintenance, Phone: 307-344-2305.

Hurley provided a history of the contract between the Gardiner Sewer District and YNP and YNP's newly formed contractual relationship with the Gardiner, Park County Water and Sewer District. Hurley provided a history on the existing RSID that funded the Gardiner Sewer District.

The National Park Service will pay Park County its remaining meter balance share and enter into a contract with the board of the Gardiner, Park County Water and Sewer District. The Park Service owes Park County for YNP's share of the sewer bill for the entire year of 2007 and the period of Jan - Feb. 21, 2008.

The second issue discussed was the Carbella bridge closure. Evanoff reported he represents a landowners association of over 90 members, as well as a road users association, in the area near Carbella bridge. Evanoff reported on behalf of the associations that they understand what is going on with current bridge closure. Association members would like to know if there is any way to come up with a temporary fix to the bridge, possibly through a reduced gross vehicle weight limit.

@8:58:22 a.m. Lahren adjourned the meeting.

February 26, 2008

Consider a Resolution to Temporarily Close the Carbella County Bridge Over the Yellowstone River; Consider a Resolution for the Establishment of a Fire Season for the 2008 Season; Consider Signing a Bresnan Business Agreement

@9:00:26 a.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present were Tara DePuy, civil attorney; Dann Babcox, Park County Rural Fire District #1; Marc Richards, GIS/IT; Daniel Tompkins, public citizen; Kevin Gallagher, public citizen; Jim Evanoff, public citizen; Vern Smith, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a resolution to temporarily close the Carbella county bridge over the Yellowstone River, consider a resolution for the establishment of a fire season for the 2008 season; and consider signing a Bresnan business agreement.

There was no public comment.

Lahren commented for the record the Carbella bridge is 90 years old. A single-car accident considerably compromised the bridge's structure. A Montana Department of Transportation report recommended the bridge be closed for safety reasons due to the vehicle accident. The county civil attorney also recommended closing the bridge due to liability and safety concerns. The county is in talks with contractors on the costs and options of removing and replacing the bridge. Durgan added that the bridge closure includes closure to pedestrian traffic because of safety issues. That closure came as a recommendation from the Montana Department of Transportation.

Local schools were informed and are aware pedestrian traffic on the bridge is prohibited. There was discussion about a bus pickup on East River Road. An engineering report from Mackin Bridge Construction Company will note all defects the company found in the bridge.

Public comment was made by Kevin Gallagher. Gallagher asked where Mackin is from and if Mackin was using a structural engineer. He also asked if Mackin is looking into getting the bridge structurally sound for use. Gallagher commented that the accident on the bridge would not have happened if the bridge hadn't been neglected for so long. Gallagher said it was a Volkswagon that crashed on the bridge.

Lahren replied that Mackin is a structural engineer from Billings. Lahren commented that the bridge's weight limit had been reduced to 6 tons in the past. Durgan clarified for the record the vehicle that hit the bridge was a Subaru.

Gallagher said citizens had been putting planks on the bridge for the last three years to make it passable, which were a stop gap measure. He asked if signs will be posted along the road pointing out the truck route.

Public comment was made by Jim Evanoff. Evanoff asked how often county bridges are supposed to be inspected by the state and whether it is state or county law that requires an annual inspection.

Lahren read Resolution #1013 A Resolution by the Park County Commission to Temporarily Close the Carbella County Bridge Over the Yellowstone River into the record.

Public comment was made by Vern Smith. Smith asked whether pedestrians were allowed on the bridge.

Durgan made a motion to pass Resolution #1013 to temporarily close the Carbella county bridge over the Yellowstone River. Lahren seconded that motion. Motion passed.

The Commission discussed passing Resolution #1014 Establishment of a Fire Season for the 2008 Season to run from March 1 - Nov. 30. Lahren read the resolution into the record.

Dann Babcox of Park County Rural Fire District #1 commented that the resolution language, "without written permit or permission" is confusing to citizens. He'd like to use only the term "permit." The language came out of Montana statutory code.

Durgan made a motion to accept Resolution #1014 to establish a fire season for the 2008 season. Lahren seconded that motion. Motion passed.

Addressing a Bresnan business agreement, automatic contract renewal parameters were discussed. Marc Richards will track the contract in December to notify Bresnan of the county's intention to renew or not. Richards commented that the contract will save Park County \$100/month on Bresnan bills. There was discussion about the phone line that needs to be fixed under Callender Street. Bresnan hosts server access to the city/county building. WispWest is now online within the building as a backup provider.

Durgan made a motion to accept the contract as presented, noting the Commission gave authority to Marc Richards to follow up on the contract renewal for next year. Lahren seconded that motion. Motion passed.

@9:23:02 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 26, 2008

Consider Signing Franzen-Davis Contract

@1:03 p.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present were Tom Davis, Franzen-Davis; and Kris Denton, administrative assistant. No members of the public were present, and there was no public comment.

The meeting was scheduled to consider signing a contract with Franzen-Davis Funeral Home and Crematory.

There was discussion about revisions to contract wording and adjustments of funeral service fees.

Lahren made a motion to postpone signing the contract until requested revisions are provided by Franzen-Davis. Durgan seconded that motion. Motion passed.

@1:15 p.m. Dugan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

February 26, 2008

Southwest Juvenile Detention Funds Budget Issue

@1:30:59 p.m. Vice-Chairman Durgan opened a meeting in the Commissioner's Chambers. Present were Allan Lutes, Gary Tanascu, Scott Hamilton, and Colleen Singer of the Park County Sheriff's Office; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss Southwest Juvenile Detention funds budget issues.

Allan Lutes stated for the record his recommendation on how the shortage of juvenile detention funds needs to be corrected. The Sheriff's department juvenile offender budget for the fiscal year is depleted by Feb. 29, 2008. The department has expended \$61,700 in juvenile offender expenses this fiscal year to-date. Many funds for juvenile detention expenses have been paid out of the professional services budget. Per Montana code, the county and not the Sheriff's department is responsible for paying SW Juvenile funds. Lutes requested that the Sheriff's department be reimbursed the funds the department has paid this fiscal year for juvenile offender detention. Lutes suggested a budget

amendment to create a line item within the Sheriff's jail budget that Park County can pay into as needed expenditures arise. The Sheriff's department would pay all juvenile offender costs from that line item and would handle all bookkeeping of expenditures, billing and tracking of funds. Undersheriff Tanascu reiterated the department's main concern as the over-budget expenditure issue regarding juvenile offenders and the ongoing issue of needing money put back into a juvenile offender account so the Sheriff's department doesn't have to use unbudgeted funds from other accounts.

There was discussion about the difficulty of predicting how many juvenile offenders will come through the system in a year's time, which makes it impossible to accurately predict needed funds during budget planning. It costs \$225 per youth per day for the Regional Youth Offenders and \$260 per youth per day for Youth Community Services. There was discussion about Montana Crime Control, which has provided the Sheriff's department with juvenile offender funds this fiscal year.

Durgan reported he sits on the SW Juvenile Committee and several Montana counties are experiencing this same budget problem. The next SW Juvenile meeting is April 24. There was discussion about a Sheriff's office representative attending that meeting.

Polly Miller reported that a county budget committee had its first meeting Feb. 26. It has been recommended to the Commission that the county budget not to altered at this point. The Sheriff's department has expended only 57.7 percent of its annual budget to-date, and 66.6 percent of funds was budgeted to be expended to-date. Durgan commented that he does not think there is room in any Commission budget at this point from which to borrow money to meet the Sheriff's department juvenile detention funds reimbursement request.

There was discussion about two Dodge Durangos that were lost to damage when a semi-truck blew over onto them. Because of depreciation values, the Sheriff's department will get an equivalent of only 1 ¾ vehicles back.

@2:04:44 p.m. Durgan closed the meeting.

February 26, 2008

Yellowstone Gateway Museum Board @ Yellowstone Gateway Museum

February 27, 2008

10:00 A.M. – Western Mental Health – Murphy – Butte – Commissioner Murphy was out of town and did not attend the meeting.

1:00 P.M. – Sign Claims – Commissioner's Chambers

4:00 P.M. – Consider Auditor Appointment - Commissioner's Chambers - Canceled

February 28, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:02:00 a.m. Chairman Lahren opened a meeting in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present were Tara DePuy, civil attorney; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. There were no members of the public present, and no public comment was made.

The meeting was scheduled to review correspondence, public contacts and determine action plans. Correspondence included:

- Memo from MT Dept of Admin re. department has not received Park County's annual financial report as of Feb. 27, 2008

There was discussion about the discharge permit transfer process from Park County to the newly formed Gardiner, Park County Water and Sewer District. A conference call on the topic was conducted with Patrick Murtaugh of Great West Engineering, as were conference calls with John Wattams of DEQ and Ron Shorter, plant supervisor for Gardiner Water District.

@11:28:40 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

February 28, 2008

Clean Renewable Energy Bonds Presentation – Durgan – Bozeman Comfort Inn

February 28, 2008

Carbella Bridge Informational Meeting – Gardiner School Multi-Purpose Room

Commissioner Lahren called to order a public meeting on the Carbella Bridge issue at 6:00 p.m., in the multi-purpose room of the Gardiner School. Commissioner Durgan, Road Supervisor Ed Hillman, and Civil Attorney Tara DePuy were present. Dan Gravage, Bridge Inspector Coordinator for the Butte Division of the Montana Department of Transportation was present. Numerous members of the public were present.

Commissioner Lahren gave a brief overview of the Carbella Bridge being damaged by a single vehicle accident, and upon recommendations from MDOT engineers, the bridge is currently closed to vehicular and pedestrian traffic. The county is pursuing the cost to rebuild the bridge which will be complicated due to the requirement to obtain permits and negotiate with BLM who owns a piece of property adjacent to the bridge.

Dan Gravage reported that the Carbella Bridge had last been inspected in July of 2006 and was due for another inspection in July of 2008. After the Carbella Bridge was damaged he and Chief Engineer Crumbly inspected the bridge and took measurements.

The measurements were provided to MDOT's engineers who immediately required that the bridge be closed due to safety concerns. The bridge was built in 1918 and is a light-weight truss. Each member or truss in the bridge relies on the other members for strength. When one member is damaged, it comprises the integrity of the entire bridge. In this case the one member was sheared off. Mussellshell County had similar bridge damage, did not close the bridge, and the bridge collapsed with a vehicle on it.

The public had numerous questions about the extent of the damage to the bridge and if it was possible to repair the bridge. It was explained that the bridge may be able to be repaired, but there are several factors to consider such as cost, whether an engineer will certify the bridge once it is repaired, whether MDOT will approve the repairs and whether the county's insurance will insure a repaired bridge. Funding sources were discussed including an offer by Mr. Childress to loan the money to Park County to build a new bridge. The condition and safety of Old Yellowstone Trail South was discussed and the county will pursue options to improve the safety of this detour road until the bridge is either repaired or replaced.

Another meeting will be held in a couple of weeks in Emigrant after more information is received by Park County regarding the cost of replacing or repairing the bridge.

February 29, 2008

2:00 – 4:00 P.M. – Retirement Gathering for Extension Agent Marty Malone –
Community Room

Voided Checks

Payroll #: 42759

Claims #: 62421; 62422

Larry A. Lahren
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana