

Commission Meeting Minutes; Park County, Montana  
Week of January 7 - 11, 2008

January 7, 2008

Road Issues

@8:35:10 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present were Ed Hillman, road supervisor; Bill Hurley, director of operations; Tara DePuy, civil attorney; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

Ed Hillman provided an update of county road issues and the county road crew's activities. Hillman handed out the road crew's weekly work schedule. Hillman and Brad are working on handicap accessible ramps at voting places.

The Yellowstone Association (YSA) in Gardiner says the alley between 3rd and 4th Streets and Main and Park is abandoned. Sewer and Qwest utilities run through the alley. If the alley is not abandoned, then the YSA may have encroached on a county right-of-way again. Lahren directed Hillman to contact the engineering firm working with YSA and request their documentation that the alley has been abandoned.

Lahren informed Hillman that the Commission needs to know the specifics about major upcoming projects in advance of their commencement. Murphy requested that large pot holes on Pine Creek Road be addressed as soon as weather permits.

DePuy would like to make a permanent file of county road research she has conducted over the years, specifically research that specified whether a road is a county road. She recommended that the file go into the archives. The file may be stored on cd, as well.

There was discussion about airport board requests for county maintenance of Mission Field Airport Road. The board has requested that millings be placed at the upper end of the road. Lahren advised Hillman to contact Kerry LaDuke and get a statement from the airport board to see what it wants done.

Hurley reported that Brett Linneweber is drafting an RFP for the Fleshman Creek restoration project.

@9:11:45 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 7, 2008

Commissioner Durgan attended a Meeting for JPIA/JPA Mid Policy/Year visits

January 7, 2008

Review and Approve Commission Minutes

@9:13:24 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners 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 December 24 and 31. Murphy requested a change to the Week of December 31 minutes, Page 1 of 11; third paragraph, seventh line. Strike "... let that contractor..." and replace with "...let that contract..." Murphy requested a correction on Page 5 of 11, first bullet under correspondence review. Strike "...county owns two lots adjoining..." and replace with "county owns six lots adjoining..."

Lahren requested a correction to minutes for Week of December 31, Page 3 of 11, second paragraph, third sentence – strike "retain" from sentence and replace with "for" so that sentence reads "Durgan made a motion for a unanimous vote for Lahren as Chairman and Durgan as vice chairman." A correction was requested in the ninth paragraph – the correct spelling is Amanda Sarrazin. On Page 4 of 11, first paragraph, fifth line – the correct spelling is Sarrazin. On Page 7 of 11, first paragraph, first line - replace "Lonnie" with "former finance director Lani Hartung." There was a request for the same correction in the second paragraph, second line. A request was made to insert the following to the end of the first paragraph on Page 8 of 11: "There was a question about outstanding warrants. Budeski reported that there is \$482,000 in unpaid fines."

Murphy made a motion to approve the minutes as corrected for the Week of Dec. 31 and the minutes for the Week of Dec. 24. Lahren seconded that motion. Motion passed.

@9:22:49 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 7, 2008

Planning Issues & Informational Updates

@10:06:56 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present were Michael Inman, planning department; Hillary Taylor, planning department; Tara DePuy, civil attorney; 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 planning issues and provide information updates. Michael Inman provided an update of the Planning Board's progress on recommended amendments to the 2006 Park County subdivision regulations. The planning board is addressing public comments on the 2006 subdivision regulations. DePuy will update the planning board on the progress it has made to date, as well as procedural problems.

DePuy will train the two new board members this month. It was recommended that the board members attend the upcoming MSU Extension board member training session.

Inman provided an update on the Planning Department's workload, responsibilities and delegation of work. The planning staff is generating a 2007 progress report.

DePuy gave a legal update on two recent Montana Supreme Court cases. One case involves a lawsuit between the Swan Lakers and the Lake County Commission. The Supreme Court granted an injunction saying the Swan Lakers have associational standing to file suit. There is potential for precedence for special interest groups to sue a county without having to show it is directly harmed by a development. The second case involves litigation with Flathead Citizens for Quality Growth, Inc. The Supreme Court gave detailed comment on justification of and specific reasoning it would like to see on findings made by Flathead County's board of adjustments.

There was discussion about when and how often DePuy should attend planning board meetings to provide direction. DePuy will attend meetings on an as-needed basis.

No public comment was made.

@10:33:41 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 7, 2008

Park County Policy Procedure Handbook Questions

@ 1:36:47 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Linda Budeski, Justice Court; 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 the Park County Policy Procedure Handbook and vacation pay. Linda Budeski inquired whether or not justice court clerks would receive holiday pay for December 24, 2007. The justice court was closed that day. Budeski read code (3-1-302) from the Montana Code Annotated, which stated a court cannot conduct judicial business on a day declared a holiday by the President of the United States. It was noted that department heads were notified at a department head meeting that a vacation day must be used if employees take off December 24.

Lahren said employees must take a vacation day for December 24 if they want to receive pay for that day. Miller said justice court clerks who took off December 24 were charged for a personal vacation day. The county's policy statement on this matter will be revised to address this issue in the future.

@1:51:10 p.m. Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 7, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@ 2:07:03 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 no public comment was made.

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

- Spring directory for Parks and Recreation Trades - To Mike Inman for review
- Midwest Assistance Program magazine
- CTS Concrete Buildings advertisement
- Magazine on watercraft - To Search and Rescue for review.
- Montana Fish, Wildlife and Parks Conservation Strategy book
- Commission invite for Jan. 10 after-hour business event from consultant of new DelMar Motel development
- GOP newsletter
- RC&D meeting schedule - To Durgan for review.
- Memo from Jacquie Nelson re. young farmers social events - To Durgan for review.
- Jon Tester newsletter re. year of accomplishments
- Memo from DePuy notifying DEQ Board of Environmental Review that Park is appealing Gardiner spill penalty
- DePuy week's work schedule
- Hillman road work crew weekly schedule - To Mueller for road book.
- List of warrants for month - To file.
- MACo claims re. Park County 4th quarter loss runs - To file.
- Memo from DePuy re. names for solid waste advisory board meeting agenda
- Dept of Justice Board of Crime Control announcement of Crime Victim's Rights Week; grant available for community reclamation/beautification projects
- Memo from 6th Judicial District Court re. juvenile probation office providing weekly meal at Loaves and Fishes
- Dept of Public Service Regulation re. application for sale and transfer of operating authority
- Governing magazine - To Durgan for review.
- Memo from Lahren re. Solid Waste Advisory Board name change from Refuse Board
- Saddleback Sandbags advertisement - To Hillman for review
- Memo re. Rural Community Conference in Billings

- Memo from J&H Office equipment re. renew maintenance agreement on two Canon copiers in Clerk and Records office
- Memo from Dept of Ag re. Gallatin National Forest website for land management activity analysis updates
- Letter from Fish, Wildlife & Parks introducing new Land Use Planning Specialist Doris Fisher - To Inman for review
- Microsoft Excel seminars pamphlet - To IT for review.
- Flier for clean energy conference in Portland, OR
- Memo from Belinda re. - MT Communities and Wildfires Conference in January in Bozeman - To Inman for review.
- Memo from Belinda re. Fire Suppression Interim Committee - To Inman for review.
- Memo from Belinda re. fire info. - To Inman for review.
- Memo from Hartley to Commission re. Nov. expenditure report - To file.
- Memo from DePuy re. Cokedale LLC presentation on Jan. 14 with Planning and Zoning commission - closed for litigation
- Memo from Barb Hagan re. tax exemption qualification - To assessors office.
- Memo from Belinda re. LEPC minutes
- Memo from Marc Richards re. Jan. 8 IT advisory committee meeting
- County mechanic work orders
- Museum board meeting public notice
- Mental Health newsletter re. summit in Washington DC
- Memo to Lahren from Political Net Press

Lahren discussed an idea to revise the procedure to distribute refuse tags. The new procedure would be similar to mass mailings done by Larkin and Nelson.

Murphy recommended that the Commission meet with Judge Nels, Tara DePuy, and the sheriff re. building security issues and after-hours building use. The Commission discussed an option where the group using the building pays for an off-duty security officer. Lahren asked Murphy to check with Allen Lutes about the possibility of contracting a reserve deputy for after-hour use of the city/county building.

Durgan gave a brief review of his morning meeting with JPIA/JPA.

There was brief discussion about replacing the wrecked sheriff's Durangos.

@3:04:58 p.m. Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 8, 2008  
Planning Office Staffing

@10:08:55 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present

were 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 planning office staffing issues. Polly Miller gave an update on the candidate search for the vacant planning director position. The search has produced no qualified candidates per the qualifications of the job announcement. Miller requested continuing the search with the existing qualifications.

The Commission directed Miller to continue the position search for two additional weeks. Miller will contact Montana State University to have the announcement posted there and to take advantage of any assistance the university can provide in the search.

Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 8, 2008

Solid Waste Board Organizational Meeting

@11:05:14 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were John Schuler, board member; Ed Schilling, public citizen; Brett Linneweber, county attorney; Sue Nelson, board member; Joe Skaggs, board member; Dick Juhnke, board member; Norbert Herauf, board member; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss organization of the solid waste board. Lahren gave a history of the refuse board, the incinerator issue, and an attempted inter-local agreement with the city regarding trash disposal. Formation of the solid waste board as an advisory board to the County Commission was a condition of a lawsuit settlement. The county has a contractual agreement with Envirocon until April 15, 2009, to haul trash. The board is charged with bringing forth recommendations to the Commission. The board must conduct meetings per established procedure, record minutes, and establish bylaws. No county commissioner will be involved in board meetings unless by request. Bill Hurley will be available to the board upon request to provide technical input and serve as a liaison between the board and Commission. Lahren advised the board that information requests should be made to and come through the Commission office.

Linneweber recommended creating a meeting agenda for the next meeting that includes calling the meeting to order, review and approve minutes, consider and adopt bylaws, county presentation of injunction/lawsuit background and proper board operation, new business, public comment, adjourn. Board members are not to discuss solid waste issues outside of scheduled board meetings. The board added a goals and objectives action item to the upcoming meeting agenda, as Skaggs requested discussion of background of and where things are with the court injunction and how the solid waste board will operate as a

result of it. He voiced concern about the Commission being unable to act on solid waste board recommendations because of the injunction.

The next meeting was scheduled for January 15 at 5 p.m.

@11:54:06 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 8, 2008

City-County Commission Meeting

@4:06:34 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Mary Beebe, city commission; Peg Glass, Park County 911; Steve Caldwell, city commission; Rick Van Aken, city commission; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

An update was given on the Fleshman Creek Restoration Project. The county attorney needs to review the FEMA study, and the RFP is being worked on. Hurley reported that the grant should cover the cost of the engineering study.

Murphy gave an update on the Bridger Communications contract issue. The problem necessitating the contract has been resolved, thus there is no longer a need for a contract.

In Other Business, Caldwell said the city will commit to one more year of the Headwaters Recycling contract.

Durgan reported that he was approached by an individual interested in reclaiming the abandoned gym on MRL property for Livingston youth. Discussion on the matter revealed concerns about the building's physical integrity.

There was discussion about after-hour use of the city/county building and subsequent security issues.

Caldwell said reappointment of Ann Hollowell, or appointment of a new member to the city planning board, is necessary.

February 5 meeting agenda items were set as action on the Headwaters Recycling contract, an update on the Fleshman Creek Restoration Project, and reappointment or appointment to the city planning board.

No public comment was made

@4:23:21 p.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 9, 2008

Consider a Request to Amend the Preliminary Plat for Element Minor Subdivision

@9:08:40 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Mike Inman, planning department; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to consider a request to amend the preliminary plat for Element Minor Subdivision. Inman gave an update of the developer's request to amend three conditions of the preliminary plat approval. A request was made to delete Conditions 5 and 6, which address water rights, from the preliminary plat. Another request was made to amend Condition 10.

The Commission agreed to postpone action on the amendment requests until it can obtain input from legal counsel and meet proper amendment procedure.

Durgan made a motion to postpone any decision on the amendment process until the Commission completes further analysis and research on the issue. Murphy seconded that motion. Motion passed.

@9:19:44 a.m. Durgan made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 9, 2008

Audit Findings FY07 – Fair

@11:07:11 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Daniel Nelson, fair board; Barbara Quarbeck, fair board; Bruce Kron, fair board; Kim Knutson, fair manager; Mike Adams, fair board; Ed Flatt, fair board; 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 FY07 audit findings for the Park County fair. Kim Knutson handed out a response memo to auditor findings/recommendations. The auditor recommended that the fair secretary provide a formal accounting of startup funds to the County Commissioners at the conclusion of the fair. Knutson said she did that through an Excel spreadsheet. The Commission recommended that the fair board consider waiving the \$1 fair entrance fee in response to the finding that gate receipt ticket reconciliations do not always balance. The auditor noted that all miscellaneous contributions must be deposited directly with the county treasurer.

@11:21:11 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 9, 2008

Medical Insurance Reimbursement

@1:09:08 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Denise Nelson, clerk & recorder; 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 address the county's policy on employee reimbursement of medical insurance for unpaid leave. Polly Miller reiterated that the county policy is that employees receiving health insurance must reimburse the county for that insurance for the days he/she takes as unpaid leave. The frequency to which some employees have taken unpaid leave and not reimbursed the county for medical insurance on those days has increased. The reimbursement amount is approximately \$35/day.

The Commission directed Miller to draft a memo with Civil Attorney DePuy explaining that reimbursement funds for medical insurance covering unpaid leave days will be withdrawn from an employee's next paycheck. That memo will go to every Park County employee by week's end, and Miller hopes to begin withdrawals on delinquent payments on the next paycheck. An employee will be required to reimburse the county for unpaid leave medical insurance coverage after one-half work day is missed in a pay period. A contract must be signed by the employee following unpaid leave of more than one-half day notifying him/her that medical insurance coverage will be withdrawn from the next paycheck. Should employees fail to sign that contract, the situation will be referred to the Commission for action. Department heads will be responsible for their respective employees signing the contract.

@1:27:52 p.m. Murphy made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 9, 2008

Staffing Issues in the HR Office

@1:36:45 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Marilyn Hartley, accounting office; Tara DePuy, civil attorney; 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 staffing needs in the human resource office. Polly Miller received a letter of resignation from Emily Strong, effective immediately. Miller proposed using residual funds from Strong's appointment to hire a permanent, part-time (20 hour/week) human resource assistant.

The Commission advised Miller to advertise the position as a 20-hour per week position.

@1:58:02 p.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 9, 2008

Finance and Auditor Position

@2:09:45 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Marilyn Hartley, accounting office; Tara DePuy, civil attorney; Denise Nelson, clerk & recorder; 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 the vacant finance director and auditor positions. DePuy said the Commission needs to respond to the auditor's findings this week by informing the state Department of Administration that the Commission accepts the auditor's recommendations, rejects them or accepts them with modifications. The finance director position will not be filled. DePuy will respond to the auditor that Clerk & Recorder Nelson will retake accounting office statutory duties by Dec. 31, 2008, and Treasurer Larkin will assume statutory duties at the end of the fiscal year, June 31, 2008. Hurley will assist in the accounting office in the interim and serve as a liaison to the Commission. The Commission will appoint an individual in the interim for the auditor position until that position is filled in 2009 via election.

Miller will run an advertisement of the auditor position appointment in the newspapers in addition to job service. Nelson has run a notice of the upcoming elected auditor position in the newspaper.

There was discussion that Hartley will need to reassess her job duties, as some responsibilities will return to Larkin. Her job description will likely be rewritten and her position given a new title.

No public comment was made.

Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 9, 2008

MACo – HCT Meeting

@4:12:14 p.m. Vice Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Murphy were present. Also present were Polly Miller, human resources; Owen Voigt, MACo HCT; Bill Hurley, director of operations;

and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

Owen Voigt reviewed a Park County claims analysis generated by the Health Care Trust. The analysis showed how Park County claims and insurance information compare to national averages, such as average dollar amount of claims per month and prescription drugs costs. The analysis showed that Park County is below-average on claim costs increases. Prescription discount cards for uninsured Park County residents or residents without drug coverage are on their way.

No public comment was made.

Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 10, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@2:01:36 p.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; 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 correspondence, public contacts and determine action plans. Correspondence included:

- Letter of request from Patrick Walker of City of Livingston Fire Department to train at landfill with junk vehicles
- Memo from Van Jamison re. wind energy - To Durgan for review.
- Consortium meeting in Livingston in Jan. - To Hurley for review.
- NPDES Discharge Monitoring Report for Gardiner Sewer District - To sewer log for file.
- Minutes for IT advisory committee - To Durgan for review.
- Mental Health memo - To Murphy for review
- Minutes for downtown vision meeting - To file.
- Memo from DePuy to Hillman re. research deed for 1/2 interest in the Mission Airport Road and Zollman Airport Road - To file.
- Memo from Polly Miller re. job ads for fair and appointed auditor positions
- Memo from Bruce re. elevator
- Memo from Belinda re. Loss Control Conference - To Durgan for review.
- Memo from RC&D Development re. SAA Summit synopsis - To Murphy for review.

Lahren reported that Civil Attorney DePuy is still researching the formation of the Park County Volunteer Fire Department. Lahren is looking into retirement benefits issue for

Park County Volunteer Fire Department volunteers. Lahren visited the quonset with Bruce - department heads still need to cull paperwork. Lahren will inform department heads to do so.

Murphy will visit election polling sites with ADA personnel on Jan. 16. Murphy reported that he has received more complaints in Cooke City about vehicles parked on drainfield. Randy Taylor will be appointed to the issue.

Durgan reported that a Wilsall resident complained about the condition and maintenance of Horse Creek Road after a contractor's truck and backhoe slipped off the edge in icy conditions.

There was discussion with Ed Hillman re. informing the Commission about major upcoming road projects and their estimated costs.

Lahren will call Lois Hatfield re. fuel storage tank issue.

No public comment was made.

@2:43:38 p.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 10, 2008

Time Sheet Questions

@3:11:16 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Denise Nelson, clerk & recorder; 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 address time sheet questions. An employee in Denise Nelson's office took three hours of sick leave that she had not yet accrued. Miller made the correction on the timesheet without the employee's or Nelson's knowledge. Nelson asked to be notified of changes to time cards she had signed. Miller will notify Nelson of timecard changes in the future.

Miller is looking into a new timecard software program that will track employee unpaid leave hours, accrued comp time and even enrollment of benefits. The software is a web portal, so employees can review their accrued personal, sick leave, comp time, and unpaid leave hours, as well as medical benefits, from anywhere.

The Commission requested a dollar quote on the cost of the software.

No public comment was made.

@3:21:52 p.m. Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 11, 2008

Commissioner Murphy was in Helena at a Law and Justice Interim Committee

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana

Commission Meeting Minutes; Park County, Montana  
Week of January 14 - 18, 2008

January 14, 2008

Road Issues

@8:34:18 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, road crew; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

Ed Hillman and Brad Wilson gave an update on the county road crew work schedule. The Commission requested that Hillman prioritize for one year the road crew master list of projects needing completion. There was discussion about the possible need for a mill levy for road funds and an option to implement a \$.02 per gallon countywide tax on fuel, the funds of which would be shared between the county and the City of Livingston. The Commission requested information from Wilson on road mill levies and the gas tax. Murphy suggested approaching MDOT about whether or not TSEP funds can be used to address some problems on milled or paved roads.

@9:06:32 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 14, 2008

Review and Approve Meeting Minutes

@9:08:48 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 for the Week of January 7, 2008. Lahren requested a change on Page 1 of 13, sixth paragraph, the proper spelling is "Kerry LaDuke." On Page 2 of 13, last sentence, Durgan requested ending the sentence with "...procedural problems." On Page 3 of 13, 4th paragraph, Durgan requested adding, "DePuy will attend meetings on an as-needed basis." On Page 4 of 13, bulleted items, bullets should read "Jon Tester newsletter" and add "DEQ" to bulleted item discussing Park County's appeal of a finding by the Board of Review. On the same page, 4th bullet from the bottom, the correct name is "Governing magazine."

On Page 6 of 13, last sentence, Murphy requested adding "He voiced concern about the Commission being unable to act on solid waste board recommendations because of the injunction." Durgan noted that Ed Schilling is a public citizen and that he made public comment. On Page 7 of 13, fifth paragraph, Murphy noted that the correct spelling is

"Mary Beebe." On Page 10 of 13, Durgan requested adding the date "June 31, 2008" as the end of the fiscal year. On Page 11 of 13, second bullet from bottom, Lahren requested to strike "Lost" and replace with "Loss." Same page first bullet point, Durgan requested adding the title of "City of Livingston Fire Dept" after Patrick Walker. Durgan said the bullet item discussing the Consortium should follow with "To Hurley for review." On Page 12 of 13, third paragraph, Durgan said sentence should read, "Durgan reported that a Wilsall resident complained about the condition and maintenance of Horse Creek Road after a contractor's truck and backhoe slipped off the edge in icy conditions."

Durgan made a motion to accept the minutes with conditions and corrections noted. Murphy seconded that motion. Motion passed.

@9:29:04 a.m. Durgan made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 14, 2008

Review Correspondence, Public Contacts and Determine Action Plan; Annual Financial Report Update

@10:06:03 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Marilyn Hartley, accounting; 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 correspondence, public contacts and determine action plans. An update on the completion status of the county annual financial report was given. Marilyn Hartley provided that update. She has the Long Term Debt section to finish. She cannot find the Management Discussion and Analysis section, but she will get the '05 template and '06 printed version of that section to the Commission to work on. She will have the report completed as far as she can go with it and to Commission by noon.

Polly Miller gave an update on auditor and planning director position postings. Mike Harbor will run an e-mail through the MACo e-mail system about the positions.

Lahren said he is meeting on the 28<sup>th</sup> with Ross Gammon, Chief of Maintenance for MDOT Bozeman District, to determine the chain of command on interstate highway closures. Lahren mentioned the Miller Drive extension project and reiterated that the Commission needs to know about and approve major road projects before they happen.

Correspondence included:

- Memo from Park County to MACo re. prescription drug cards - To Lahren for review.
- Road crew weekly schedule - To Mueller for Road Book

- Memo from Bill Moser re. Livingston ditch - To DePuy and Durgan for review
- Safety Committee meeting minutes - To Durgan for review.
- Memo from Miller re. county job openings
- Memo from Miller re. Bernadette needs claims to accounting no later than Friday at 5 p.m.
- Memo re. County Performance Summit in Las Vegas
- Montana Interoperability Update - To Hurley for review.
- Memo from Dept. of Natural Resource & Conservation re. grant monies for reclamation - To Lahren for review.
- Memo from Belinda re. liaison officer training and all hazardous incident command team - To Sheriff's Dept and Wendy Wood for review
- Memo from Belinda re. LEPC minutes - To Durgan for review.
- Memo from Michelle Beck re. FHWA office and assets management webinar
- Memo from Belinda re. child passenger safety training
- Friends of the Library newsletter - To Durgan for review.
- Montana Liquid and Gas Pipeline Association re. presentations in Bozeman Feb. 5 and Big Timber Jan. 24 - To Commissioners for review.
- Memo from Van Jamison re. Helena wind energy working group - To Murphy for review
- Memo from Miller re. request employee review of policy and procedure manual
- Memo from Bill Avey re. Forest Service Main Boulder fuel reduction update – removal of 4.5 million board feet of timber to be completed by 2011.
- Memo from David and Kathy Burns re. Hyalite Creek Road conditions - Murphy read letter into the record - To Road Book for review.

Murphy gave a review of his meeting in Helena on Friday. He said there is great concern that the PILT funds will not be renewed

Jerry Brekke gave an update on research of Boulder Road historical data and archiving of all county road data in petition envelopes.

Durgan made an addition to the department head meeting agenda. There will be discussion that press releases need to go through the Commission or Civil Attorney DePuy before released, and John Mueller is available to assist with drafting them.

Lahren will submit a draft letter of Commission findings of research done on formation of the Park County Volunteer Fire Department. The Commission will meet with Bob Fry and give him its recommendations. The Commission will then discuss its findings with Rural 1.

@11:07:37 a.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 14, 2008

Accounting Office Duties Meeting - Canceled

January 14, 2008

Planning & Zoning Meeting – Cokedale LLC Lawsuit

@1:30 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present as members of the Planning and Zoning Commission. Also present were Tara DePuy, civil attorney; Denise Nelson, planning and zoning commission member; Randy Taylor, planning and zoning commission member; Sally Hughes, public planning and zoning commission member; Tracy Raich, public planning and zoning commission member; Allen Carte, public citizen; Mike Adkins, public citizen; and Jennifer Farve, MACo-appointed attorney for Park County. One member of the public did not sign the sign-in sheet.

The meeting was scheduled to discuss litigation between Cokedale LLC and Park County. Lahren opened the floor to public comment, and public comment was made. Allen Carter stated he was present representing the Sullivan Law Firm, the legal firm representing the Plaintiffs, and requested a copy of the audio of the meeting. Mr. Carter also requested that Commissioner Durgan not be allowed to be present during the meeting, as he had previously recused himself for a conflict of interest.

Lahren made a motion to close the meeting to the public for litigation proceedings. Murphy seconded that motion. The meeting was closed.

January 15, 2008

Approve Headwaters Recycling Contract

@9:12:33 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present was 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 the Headwaters Recycling Contract.

Lahren made a motion to approve the contract as written and reviewed by the county civil attorney. Murphy seconded that motion. Motion passed.

@9:14:49 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 15, 2008

Combining Gardiner Water & Sewer Districts

@11:04:03 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Max Berg, public citizen; Ron Shorter, Gardiner water district manager; 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 combining the Gardiner Water and Sewer Districts. Ron Shorter said the Gardiner water board is interested in the depot building as an office building if it takes on sewer operations. Shorter inquired about a binding, long-term lease agreement between Park County and the Gardiner Water and Sewer District for office space, so that future Commissions cannot displace them.

The depot building is a county building and would have to be appraised. A legal process must be followed to move a sewer district there. Lahren will approach Civil Attorney DePuy about options of land trading, sale of the Parrilli property and a sewer district occupying the depot.

There was discussion about the transition of assets and indebtedness should the two districts unite. The election is February 19, 2008, and a projected date when a transition and administrative business, such as creation of bylaws, might be completed is April 1, 2008.

Shorter suggested that a mailing is done before the election to inform citizens of possible new rates should the districts combine or if the county maintains control of sewer operations. Shorter will contact Patrick Murtagh of Great West Engineering to see if Murtagh can come up with projected rates and whether those rates can be mailed with the next water bill. The Commission will pay for the cost of the mailing. Hurley recommended that the mailing include a disclaimer stating that rates are estimates of a professional engineering firm and may not reflect what the Commission or the newly formed Gardiner Water and Sewer board may establish.

No public comment was made.

@11:31:58 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 15, 2008

Department Head Meeting

@1:34:48 p.m. Chairman Lahren called a meeting to order in the West Room. Present was Brett Linneweber, county attorney; Lois Hatfield, landfill; Bruce Martin, maintenance; Dan Hackman, shop; Randy Taylor, health department; Marc Richards, IT/GIS; Bill Hurley, operations; Kim Knutson, fair manager; Polly Miller, human resources; Hillary Taylor, planning department; Linda Budeski, justice court; Tara DePuy, civil attorney; Brian Sparks, museum; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The first agenda item was employee of the month nominations. Miller said she thought that individual was Gail Bowers.

The second agenda item was to review county Web site homepage for updates. Richards reported that everything is up to date. Lahren reiterated that department heads are responsible for ensuring their department web page content is current. The Guide to Park County Government will be available to department heads for comment by the next department head meeting.

The third agenda item was to discuss FY 09 budgets. Department heads will use last year's report as a template and submit projected budgets to Miller. Each department head must schedule a meeting with the Commission to review projected budgets by the end of April.

The fourth agenda item was to discuss required employee signatures on invoices submitted to department heads. Employees charging county accounts at local vendors must print their name on the invoice slip and submit it to Bernadette in accounting as soon as possible.

The fifth agenda item discussed employee tracking. Miller reiterated that, per the Park County Policy Manual, department heads are required to keep track of time employees work, specifically leave of absence without pay. Per the policy manual, employees that take leave without pay will be required to reimburse the county for insurance benefits for those days. A reimbursement contract must be signed by employees after taking leave without pay.

The sixth agenda item involved the policy book acknowledgement sheet. All county employees must sign that sheet and return it to Polly Miller.

The seventh agenda item involved First Aid kits. Bruce Martin reported on behalf of the Safety Committee. There is a First Aid kit in the coffee room upstairs and one in the planning office. The committee is considering placing a third kit in either the nurse's office or the kitchen. Kits must be in view and contain band aids only. Each county vehicle must have a kit. There is an eyewash station in the coffee machine room upstairs. There was no support to place a second station downstairs.

The eighth agenda item involved missing Community Room tables, a small metal table, and a flag. Martin said equipment in that room is to remain there.

The ninth agenda item involved press releases. All county press releases must go through the Commission before released. John Mueller is available to assist with drafting press releases.

The tenth agenda item was Other Business. Lois Hatfield reported that she will contact a Tractor and Equipment Community salesperson to get a quote on trading-in the landfill backhoe. The Commission authorized that action in a past Commission meeting.

Linneweber reported that he used the web-based board training tool from MSU Extension. He said the tool is very helpful, and he strongly recommended other Park

County employees serving on boards use it. The county purchased 40 licenses from Extension. Kris Denton has licenses, user names and passwords.

No public comment was made.

@1:56:35 p.m. Lahren adjourned the meeting.

### January 16, 2008

8:00 A.M. – 4 P.M. – MACo Loss Control Conference/LTAP Road Session – Bozeman

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

### January 17, 2008

#### Review Correspondence, Public Contacts and Determine Action Plan

@1:37:15 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; 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. Correspondence included:

- Letter from DePuy to MT Dept of Admin re. corrective action plan on audit findings - To file
- NACo booklet re. prescription drug card and initiatives
- Logan landfill minutes - To Hatfield for review.
- Flier from MT Dept of Commerce re. TSEP issues - To Benner and Hillman for review.
- NACo newsletter announcing seminars
- Memo from Forest Counties re. request for Commission to submit op-ed on effects of losing Secures Rural Schools funds - To Lahren for review.
- Board meeting - To Durgan for review
- DePuy weekly schedule
- Memo from DePuy re. highway meeting on Jan. 28
- Yellowstone Country Montana Board of Directors meeting minutes - To Murphy for review.
- Memo from MACo re. CTAP legislation updates - To planning dept and DePuy for review
- Report from County Rural Fire Chief Bob Fry - To Commissioners for review
- New e-mail address for T Vincent
- Memo from Bill Moser - To Lahren for review
- MACo grant information - To Richards for review

- Advertisement for web conference in Orlando, FL
- Memo re. Angeline Board meeting rescheduled for Jan. 28 - To Denton for review.
- Memo from NACo re. drug prescription card delay
- Memo on MACRS Conference - To Hillman for review
- Memo from Susan Swimley re. letter to Karl re. lifting the solid waste injunction - To file
- Airport Board minutes - To Durgan for review
- Park County Solid Waste Advisory Board bylaws - To file
- Memo from Mike Graham re. his appointment as deputy fire warden by Bob Fry - To Lahren for review
- Mass mailing letter from Patrick Murtagh drafted by Shorter re. estimated Gardiner sewer and water rates
- Annual Fire Fighter Awards banquet invitation
- Memo from Erica Hoffman re. Wispwest in tomorrow at 1 p.m. for IP addresses
- Memo from Lahren re. annual finance report progress status request
- NACo prescription drug card program information

The Commissioners updated the Commission task list. Lahren reported that he spoke with Miller re. staffing issues and possibly actively employing Papineau until Growth Policy vote.

Miller gave an update on department budgets. There have been some miscoding errors in department budgets. She discussed a proposal for county employee identification cards. She reiterated that fringe benefit policy requires employees who drive vehicles home to pay taxes on gas mileage. She reported that no more applicants were received to-date for the planning director position. The position's qualifications may need to be lowered. Miller presented the Commission with a price quote on new HR software with timecard capabilities.

Murphy recommended that a meeting be set up with Judge Swandal re. building security during after-hours events.

@2:36:42 p.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

### January 18, 2008

9:00 – 10:30 A.M. – Commissioner Murphy will be at the Wilsall Senior Center to hear area residents' concerns and share upcoming agendas

11:00 A.M. – 12:30 P.M. – Commissioner Murphy will be at the Clyde Park Town Hall to hear area residents' concerns and share upcoming agendas

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana

Commission Meeting Minutes; Park County, Montana  
Week of January 21 - 25, 2008

January 21, 2008

Martin Luther King, Jr. Holiday – Offices closed

January 22, 2008

Road Issues

@8:35:29 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present were Ed Hillman, road supervisor; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

Ed Hillman gave an update on the county road crew work schedule. Snow plowing and road clearing is going well. There was discussion about Upper Rainbow Road not being a county road. There was discussion about getting the OshKosh and lowboy into the auction this spring. Lahren advised Hillman to research trade and sale options of those pieces of equipment for a new plow truck or backhoe. Lahren advised Hillman to look at his budget, upcoming projects and equipment needed so equipment needs can be addressed. There was discussion on work to be completed at voting places.

@8:50:54 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 22, 2008

Review and Approve Minutes

@9:05:28 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present was Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

Lahren suggested that each Commissioner note the directive the Commission set forth on Page 2 of 9, last sentence of last complete paragraph, namely, that the Commission needs to know about and approve any major road projects before they happen.

Murphy requested to strike the last sentence of the second complete paragraph on Page 1 of 9 and replace it with, "Murphy suggested approaching MDOT about whether or not TSEP funds can be used to address some problems on milled or paved roads."

Murphy made a motion to approve the minutes of Jan 14 - 18 as amended. Lahren seconded that motion. Motion passed.

@9:09:23 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 22, 2008

Extension Update

@10:04:41 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Marty Malone, Extension; Mary Anne Anderson, Extension; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled for an Extension office update. Anderson and Malone provided a printed update report of the past month's issues and activities. There was discussion on the brucellosis issue and a Jan. 21 meeting. Murphy said a meeting will be set up with Judge Swandal to discuss after-hours building security issues. Anderson reported that 27 individuals are signed up for the 12-week gardening class. Anderson is considering a board training seminar possibly for the last week of April.

@10:18:54 a.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 22, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:36:37 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Marilyn Hartley, accounting; Bill Hurley, operations; Rick Adams, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to review correspondence, public contacts and determine action plans. Rick Adams reported that the county is continuing to plow Love's Lane.

DePuy's comments on revisions to Week of January 21, 2008, meeting minutes were received via e-mail. Revision requests included, "In regards to the January 14, 2008, Planning and Zoning Meeting, please correct the following: ". . . Murphy were present as members of the Planning and Zoning Commission. Also present were . . . Denise Nelson, Planning and Zoning Commission member; Randy Taylor, Planning and Zoning Commission member, Sally Hughes, public Planning and Zoning commission member, Tracy Raich, public Planning and Zoning Commission member . . . Jennifer Farve . . . MACo appointed attorney for Park County. One member of the public did not sign the sign-in sheet."

Also, after "public comment was made", please add as a new sentence: "Allen Carter stated he was present representing the Sullivan Law Firm, the legal firm representing the Plaintiffs, and requested a copy of the audio of the meeting. Mr. Carter also requested

that Commissioner Durgan not be allowed to be present during the meeting as he had previously recused himself for a conflict of interest.”

“January 15, 2008, Gardiner Water and Sewer Districts: The correct spelling is Parrilli.”

“January 15, 2008 Department Head meeting . . . who is Andrews that reported everything is up to date on the web site? Change Andrews to Richards.”

Correspondence included:

- Memo from MACo on Trust Land Management Division of Dept of Conservation re. land banking report online - To Durgan for review.
- Memo from MACo re. Secure Rural Schools and scenerios if PILT funds not reauthorized - To Commissioners, Miller, DePuy for review.
- Two memos from MACo re. cost of living adjustment calculation for county officials salary - To Miller for review.
- Memo from Ed Meece re. lost desk from downstairs
- Calendar of classes from Career Transitions
- Memo re. Yellowstone Bridge Project meeting - To Durgan for review.
- Add "Old Clyde Park Road" in minutes - re. Murphy detour for vehicles
- Memo of opinion from Chuck Donovan re. planning board member comments via interview process
- Memo from Marty Malone re. county's need for meeting rooms for long distance training and central complex for meetings - Put on City/County meeting agenda
- Rick Adams public comment – The county is still plowing Love's Lane
- Memo from public citizen Marty Matson re. Commission minutes on web
- Memo from Planning Dept staff re. interviews conducted by Commission research assistant - To Durgan for review.
- Advertisement from Great West Engineering re. moving to a new building
- Shields Valley Watershed committee flier - To Lahren for review.
- Gardiner Community Newsletter
- ABC newsletter
- Memo from Lahren re. Sonata Park lawsuit in Rattlesnake based on growth policy - To Durgan for review
- Grade Separated Rail Crossing report

Lahren reported that the Fleshman Creek RFQ went to Linneweber, Benner and Meece for review but it did not come back to the Commission for review. Lahren will get a copy to the rest of the Commission. The museum director proposed spending \$40,000 on a project, and Lahren reiterated that the Commission needs to be in the loop on such proposals. Lahren talked to Lois Hatfield and Dan Larkin about landfill equipment, who will research whether they can trade the backhoe and trackcat in for a new trackcat. There was discussion on looking for a replacement for the road department Oshkosh vehicle and possibly advertising the sale of it or looking into other states' vehicles.

Lahren reported that Hurley reviewed the Annual Financial Report, but the Commission is at an impasse of what to do with the report from this point. There was discussion about possibly contacting MACo for direction. There was discussion with Hartley to highlight and explain inconsistencies in numbers in the '06 and '07 report. Hartley reported that the report is as accurate and complete as it can be and is ready to be submitted. She has been in contact with Ernie Olness throughout the process. Hurley will contact Olness with questions he may have during his review of the annual financial report. Hartley will make copies of MD&A for Commissioners to review.

@ 11:40:07 a.m. Murphy made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 23, 2008

Western Mental Health – Butte - Murphy

January 24, 2008

Wind Working Group – Helena – Murphy

Museum Board Meeting

-- There was not a quorum for the museum board or Commission.

Weed Management Meeting – Best Western

Review Correspondence, Public Contacts and Determine Action Plan – Canceled

January 25, 2008

9:00 – 10:30 A.M. – Commissioner Murphy will be at the Cooke City Fire Hall to hear area residents' concerns and share upcoming agendas

12:30 – 2:00 P.M. – Commissioner Murphy will be at the Gardiner Community Center to hear area residents' concerns and share upcoming agendas

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 January 28 – February 1, 2008

January 28, 2008

Road Issues

@8:39:12 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present was Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

There was no road crew personnel available for the meeting. Murphy gave a report on Cooke City roads. The town has a few speed limit signs facing the wrong direction that need attention. A few citizens requested that the road crew plow the city's roads earlier this year. There are large snow humps in the roads. There was discussion as to whether the county or the Forest Service is responsible for clearing those roads.

@8:53:01 a.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 28, 2008

Review and Approve Minutes

@9:08:27 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners 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 from the Week of January 21, 2008.

Lahren requested a revision to Page 1 of 4; eighth paragraph – after last word of sentence, “paragraph,” insert a comma and the following text: "namely, that the Commission needs to know about and approve any major road projects before they happen."

Lahren made a motion to approve the minutes for Week of January 21 as read and corrected. Murphy seconded that motion. Motion passed.

@9:11:15 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 28, 2008

Review Correspondence, Public Comment and Determine Action Plan

@10:07:29 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; Marc Richards, GIS; Ed Meece, city manager; Denise Nelson, Clerk & Recorder; Brad Wilson, road crew; Jerry Brekke, 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 an issue with the Bresnan Communications server line that crosses under Callender Street in front of the city/county building. The county server has gone down a few times over the last few months. Bresnan says it might be a faulty splice underneath the road, and fixing that splice will require the road to be dug up. Meece said the city plans to repave Callender Street in May. DePuy is researching whether the line is a city, county or Bresnan's responsibility to address.

Richards recommended that the city/county building contract with WispWest as a broadband internet backup system. The install fee would be \$99, and a monthly fee would range between \$39 and \$300 depending on the amount of service purchased. Nelson said Montana Votes is an internet-based program, and her office's ability to complete its voting work would be severely limited should the building's internet capabilities go down during a critical voting time. Meece commented it's a good idea to have a permanent backup system for emergency issues, such as Sheriff Dispatch and Clerk & Recorder.

Lahren commented on Bullis Creek and will contact Susan Kraft re. response of role of museum on collecting items from state land. There will be a Citizen Proclamation for Joe Gaab on Feb. 5 at 9 a.m. Citizens are inquiring about temporary closure of Old Yellowstone Trail South where Stevens Creek is flooding the road. The road is temporarily closed for safety reasons.

Murphy reported on the Wilsall Senior Housing Committee. Murphy said RC&D is in the process of meeting to discuss the issue. The committee is looking into USDA grants. Murphy gave an update on Cooke City. Randy Taylor sent out a memo to an individual parking cars on a septic system drain field. Linneweber is looking into records on businesses not paying resort taxes. Some citizens have asked if the county can maintain city streets before June or July this year. EMS personnel asked about \$3,000 budgeted to them they haven't yet received. A few speed limit signs are down and need to be fixed. Murphy may contact Chips, Clay Herbst, or fix them himself. Murphy gave an update on Gardiner. Merv Olson will resign within a month or so, so a new appointee to Yellowstone Country board is needed. Murphy was given the name of one recommended individual. The final Commission-sponsored resort tax public meeting was held. There have been citizen complaints about speeders in Gardiner, particularly in summer months, and citizens inquired into how many speeding tickets have been issued. Citizens requested more speed patrol. Murphy spoke to Sheriff Lutes who said Greg Todd has been doing more patrolling. Murphy reported on the wind seminar he attended in Helena. NW Energy is proposing to build a natural gas generator site in Anaconda for wind

backup. A proposed transmission line would be built between Townsend and Idaho. They are looking into running a line from Ringling to enable plug-ins from eastside towns like Livingston and White Sulphur Springs. NW Energy acknowledged support for the Park High wind project.

Durgan said an advisory team was set up to identify and map weeds in the county

Brad Wilson gave an update on road crew work.

Jerry Brekke gave an update on the Park County Guide. A draft will likely be ready for review next week.

There was discussion about a road crew equipment maintenance schedule. A meeting with the county mechanic might need to be set up to reiterate the need to keep such a schedule.

Correspondence included:

- Fair Labor Standards handbook - To Miller for review.
- Fair Labor Standards subscription voucher
- NARC newsletter - To Durgan for review.
- MDOT flagger training brochure
- MT Conservation Voters - re. invitations to 2008 Your Energy Can Make a Difference program in Helena and Bozeman - To Commissioners for review
- Update from Mental Health Recovery - To Murphy for review.
- Malone and Anderson progress report
- JSEC meeting minutes
- Planning Academy News - To Planning Department for review.
- Livingston's Vision Downtown minutes - To Commissioners for review.
- Memo from June Little - out of office dates and personnel in charge
- Grants information - To Benner for review.
- DePuy weekly schedule
- Memo from Ed Meece re. city will address garbage can safety issue in back of city/county building parking lot
- Memo from MACo re. legislative issues and Farm Bill - To Durgan for review.
- Preconference seminar from MACRS - To Commissioners, DePuy and Hillman for review.
- Heard Across Montana newsletter - To Hurley for review.
- Memo from MACo re. Secure Rural Schools request to contact congressmen to support Secure Rural Schools monies
- Memo from Moore, O'Connell & Refling re. Logan boundary adjustment request - To Lahren and DePuy for review.
- Memo from Hillary Taylor re. Feb. 6 CHDO Commission meeting agenda item removed - re. St. Francis Senior resource - To Durgan for review.

- Letter from Hurley to Murtagh re. remove Park County references from letter. Letter was drafted and submitted.
- Letter from Mr. Collier re. issues with planning board membership and possible conflict of interest - To Commission for review.
- Elevator inspection canceled
- Letter from citizen Byron Beck re. refuse permit question. Denton gave an update on letter. Beck received out of county refuse tags and signed off on them. Denton will draft an explanation letter to Beck, and the Commissioners will sign off on it.
- Health Care Trust memo - To Durgan for review
- Memo from Destin Erickson re. removing item from Avalon PUD
- Invite to Clyde Park Volunteer Fire Department community dinner
- Weed meeting memo - To Durgan for review
- MDOT Environmental Assessments for Yellowstone River - Hurley reported MDOT will do a single pier option for bridge near KPARK

@11:39:27 a.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 28, 2008

Interstate Highway Chain of Command meeting - Canceled

January 28, 2008

AngeLine meeting – West Room – Commissioner Murphy

January 29, 2008

Staffing, Budgeting and Fringe Benefits

@9:05:18 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Denise Nelson, Clerk & Recorder; Kevin Larkin, treasurer; Marilyn Hartley, accounting; Tara DePuy, civil attorney; Marty Malone, Extension; Linda Budeski, justice court; 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 staffing, budgeting and fringe benefit issues.

There was discussion about the Commission appointing a party to assume responsibility of directing and assisting department budgetary processes. The Commission directed department heads to begin planning their annual budgets at the last department head meeting. Department heads must meet with the Commission before budgets are approved. Miller suggested that the Commission set budget draft deadlines. Miller reported that some department heads are not properly coding some budgeted items, which

makes it difficult to budget line items accurately. Bernadette Rambow began notifying heads of miscodings. Lahren said department heads should put budget line item justifications in a written memo to explain budget codes used.

Miller provided handouts on expenditures and revenue for PILT and the general fund. She said many important county programs are being supported by PILT funds. There is a legitimate threat of losing PILT funds, so department heads need to consider that when budgeting. DePuy said the county will lose 45% of its annual PILT funds, and Title 3 money is no longer available. Murphy recommended that the county begin to plan and budget in a manner that PILT won't go through and announce that possibility to department heads before they begin on their budgeting. Some departments, currently funded by PILT, such as accounting and Rural Addressing/GIS, will need to be moved around within the county's operating budget. Some department heads have requested expenditure and revenue reports by the middle of each month to give them more time to review them.

Discussing staffing issues, Miller said three departments are over their payroll budgets at this point in time. She said department staffing levels need to be reassessed, as employees in some departments reported they are short on work, where other departments need staffing help.

Discussing fringe benefits, the fair employee occupying the onsite house does not have to pay housing costs per IRS guidelines. Miller said employees who drive county vehicles to and from personal homes must pay for that mileage. A beginning and ending monthly mileage balance will be recorded on employee paychecks, and the number of miles driven within each month will be deducted from employee paychecks. Miller reported that many department head employees are taking compensatory time, which is not permitted per the county policy manual. Exempt department heads must work a minimum of 40 hours per week. Any hours less than 40 must be taken as sick or vacation leave. Lahren advised Miller to type up a memo and submit it to department heads who have been taking compensatory time.

@9:39:40 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 29, 2008

Employee Tracking/Electronic Time Clock

@9:39:56 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Denise Nelson, Clerk & Recorder; Kevin Larkin, treasurer; Marilyn Hartley, accounting; Tara DePuy, civil attorney; Marty Malone, Extension; Linda Budeski, justice court; 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 proposed software package enabling employee tracking and electronic time clock capabilities.

Miller reported that a few department heads raised concern that some employees arrive late to work and are taking long lunches and not documenting that time off. The software would enable department heads to better track employee work hours, as well as employee sick and unpaid leave hours. The software can process open enrollment for health insurance benefits, provide employees with paycheck receipts and MACo flex and claims forms, electronically approve purchase orders, and enable vendors and contractors to track claim submittals and payments.

Hartley suggested appointing an individual who will correct employee log-in/out errors before software is implemented. Learning about and remembering to use a new system may require a significant amount of time for employees, and errors may result. There was discussion about security measures of where to place time clock machines or if a swipe identification card would be used.

The purchase cost of the software package is \$19,451; \$5,900 of which is allocated for training; and the recommended annual support fee would be \$5,665. Payments can be made in increments. Murphy will talk to MACo and other counties to see if they are using the software and how they handled purchase of it.

@10:00:09 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 29, 2008

5:00 P.M. – Yellowstone Gateway Museum Board Meeting – Yellowstone Gateway Museum

January 30, 2008

Resolution on Old Yellowstone Trail South

@8:39:15 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to consider a resolution to temporarily close a portion of Old Yellowstone Trail South until repairs are completed. Lahren read Resolution #1009 into the record.

Durgan made a motion to pass Resolution #1009 to close a portion of Old Yellowstone Trail South until repairs are completed. Lahren seconded that motion. Motion passed.

@8:41:31 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 30, 2008

Review for Public Meeting on Senior Center HOME Grant Application

@9:14:25 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present were Lori Benner, grant coordinator; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

Lori Benner gave an update on the Senior Center physical upgrade project and public meeting scheduled for Jan. 31. At the Jan. 31 meeting, Benner will give a PowerPoint presentation update on the HOME Investment Partnerships program grant and other monies that will fund the improvement project. There will be a public comment session.

@9:19:24 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 30, 2008

Proposal to Change Element Minor Subdivision Preliminary Plat

@10:05:54 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present were Michael Inman, planning department; Joel Shouse, engineer; Diane Papineau, research assistant; Tara DePuy, civil attorney; 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 consider a proposed change to the Element Minor Subdivision preliminary plat.

Mike Inman gave an update on requested changes to the preliminary plat of the Element Minor Subdivision made by the developer. Those requested changes include waiving or removing Original Conditions #5 and #6 and modifying #10 to allow waiver to be filed with the final plat rather than being delineated on the final plat.

Regarding conditions #5 and #6, Inman stated those requests can be considered nonmaterial changes. Joel Shouse said the developer cannot satisfy conditions #5 and #6, because he does not know who the buyers will be and whether or not buyers will want water rights on the property.

Durgan commented there should be text within the findings and conditions to protect potential buyers. That text would notify buyers before purchase whether or not water rights go with the land or a provision can be made to transfer water rights. Durgan also

mentioned difficulties with properly maintaining a parcel via irrigation if water rights are not included in a parcel's sale. DePuy said Montana water right laws allow water to be severed from the land, and Park County subdivision regulations require allocating water rights if subdivision tracts average less than 5 acres. Shouse said the developer wants the option of offering water rights or not offering water rights on the two lots.

The Commission agreed to postpone a decision on the request to waive conditions #5 and #6 until time that Shouse can talk with the Element developer about the Commission's concerns with potentially restricting water rights from a parcel.

Regarding condition #10, DePuy clarified that state law does not specify whether a waiver of protest to create a Rural Improvement District or Special Improvement District must be on a final plat as a condition of final plat approval. Park County can require it be there as long as it doesn't go against state law. The county requires the waiver on the final plat to make a buyer aware of the relevant improvement district provision when they buy a parcel of land.

@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. Lahren seconded that motion. Motion passed.

@10:36:17 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 30, 2008  
Planning Board Interview Research Summary

@1:08:39 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present were Diane Papineau, research assistant; 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 hear a progress report of Research Assistant Diane Papineau's recent work.

Papineau informed the Commission that a calendar of planning staff schedules is now available on the county web page. Papineau reported that two public comments were received about the document posted on the county web page regarding planning board member interviews. Papineau read citizen comments and the former Planning Board Chairman's comments into the record. There was discussion about the comments.

Papineau discussed the direction in which the process to create the final report will take from this point forward, and she presented ideal and staff-perceived current flows of information between the public, Commission, planning department staff, and planning board members. Papineau discussed an option of hosting a "roles" meeting between the

Commission and the planning board to discuss the responsibilities and activities of the two entities in the overall planning process.

Papineau reported there is a news link on the county web page about the growth policy and the growth policy vote on Nov. 11. She discussed available information dissemination processes, resources, and types of messages possible to promote and market the growth policy before November. Two options include a succinct, one-page fact sheet or a postcard.

@1:50:50 p.m. Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

#### January 30, 2008

Fleshman Creek Study Responder Conference - 1:30 p.m.

Brucellosis Update – St. John’s Church - 6:30 p.m.

#### January 31, 2008

##### IT Invoice

@9:04:43 a.m. Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Present were Marc Richards, GIS department; and Commission Minutes Clerk John Mueller. No public citizens were present, and no public comment was made.

Richards presented IT department bills and purchase orders to the Commission and explained the items those purchase orders covered. Richards will use department budget numbers to pay for departments’ share of the cost for Microsoft Office Manager software.

@9:09:11 a.m. Lahren adjourned the meeting.

#### January 31, 2008

##### Review Correspondence, Public Contacts and Determine Action Plan

@9:59:58 a.m. Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, 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 correspondence, public contacts and determine action plans.

Durgan noted for the record that a citizen phoned about Old Yellowstone Trail South. There is no “Road Closed” sign on Old Yellowstone Trail South from the Corwin Springs side.

The Commission agreed it does not have money in its budget at present to assist Vision Livingston in its request for county funds for printing costs.

Correspondence included:

- Memo from NACo re. campaign against sexual exploitation - To Durgan for review.
- Memo from MACo re. pre-register for MACo conference
- Memo re. registration for website management conference in Orlando, FL
- Papineau work progress synopsis - To file.
- Montana Economy at a Glance - To Lahren for review.
- Verizon bill for Dec. – Jan. 15 - To Hurley for review.
- Vision Livingston minutes
- Letter to MSU from Marty Malone re. Malone's resignation - To file
- Fire Suppression System re. record of completion
- JPIA minutes - To Durgan for review.
- MT Dept of Commerce re. confirmation of match eligibility for Park County re. Senior Citizen upgrade project – To Lahren for review.
- Memo from MT Dept of Commerce re. certification of consolidated plan submittal - Murphy read into the record - To Lahren for review.
- JSEC and ADA restoration meeting announcement
- Emergency appropriations request deadline Feb. 27 - To Denton for distribution
- Fire systems sprinkler inspection report from Fire Suppression Systems, Inc. - To Durgan for review
- Memo re. CREBS workshop on Feb. 28 - To Denton to schedule
- Invitation to Community Network meeting on Feb. 4 - To Denton to schedule
- Memo from Mental Health re. workshop on individuals in recovery
- Memo from Benner re. removed RFQ from city/county, Feb. 5 meeting agenda
- Letter from Tester re. contacting him re. RC&D appropriations funding - To Durgan for review.
- Memo from Rick D'Hooge re. Garrity Rights
- Memo from NACo re. survey questions of MACo assistance
- MT Dept of Transportation announcement of public hearing for EA on Yellowstone River bridge project at Livingston - To file.
- GOP of Montana newsletter
- Memo re. MACo Health Care Trust JPIA meeting Feb. 11 @ 6 p.m. - To Durgan for review.

The Commission determined it does not need to continue paying for appraisal and evaluation services from Northwest Appraisal Services. Durgan will notify Miller to stop services.

Lahren will attend a Montana Liquid and Gas Pipeline Association conference in Bozeman on Feb. 5.

@10:52:59 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 31, 2008

HOME Grant Public Meeting – Livingston Senior Center - 1:00 p.m.

Voided Checks

Payroll #s: 42602; 42615; 42625; 42633

Claims #s: 61922; 62311

February 1, 2008

Sign Claims – 11:00 a.m.

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana