

Commission Meeting Minutes; Park County, Montana
Week of July 7 – 11, 2008

July 7, 2008

County Road Updates

@8:31:48 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Present was Ed Hillman, road foreman; Don Holland, auditor; Polly Miller, human resources; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to update the Commission about county road issues.

Lahren told Ed Hillman he is not to make any decisions regarding 9th Street Island Bridge or authorize anyone to do any kind of work on the bridge. Lahren said he is the point man for all 9th Street Island Bridge issues.

Hillman said Scott Opitz of MT Fish, Wildlife & Parks is drafting a 124 permit for dropping rock into the river. Hillman said Opitz approved the work and said the permit could be done after the fact.

Hillman said Winn Treible is conducting 9th Street Island Bridge maintenance and is filling out maintenance checklists. Hillman said he will check off on the lists and they will be submitted to Lahren.

County Attorney Linneweber told Hillman he needs to provide plenty of notice to residents on 9th Street Island if the bridge is to be closed for any reason, because there are people on the island with medical needs. Linneweber said a reverse 911 may need to be considered for any bridge closures.

Hillman said the entire road crew is working this week on the Five-Acre Tracts millings work, which commenced this morning. Hillman said citizens were notified of that work.

@8:38:02 a.m., Lahren adjourned the meeting.

July 7, 2008

9:00 A.M. – Consider Approving Minutes – Commissioner's Chambers – Rescheduled for July 10 at 4 p.m.

July 7, 2008

Gallatin Area Planning Grant

@10:02:07 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Philip

Fletcher, planning department, Mike Inman, planning department; Hillary Taylor, planning department; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a Gallatin Area Planning Grant application.

Mike Inman presented the Commission with a proposed grant application for a Sonoran Institute Montana Smart Growth Coalition grant opportunity dealing with long range planning issues known as the Gallatin Area Planning grants program. Inman said the grant would help fund establishment of an education program for the suspended Park County growth policy to be voted on in the November general election. Inman presented the Commission with a descriptive summary of the project to be funded, issues being addressed, relevance to local growth policy and planning goals, desired project outcomes, challenges to the success of the project, and how the Gallatin Area Planning funds would be used.

Philip Fletcher said the planning department budget has been amended to fund a proposed growth policy education program. Fletcher said the total program cost is \$9,400. The grant would provide \$5,000, in-kind contribution would amount to \$3,000, and the county planning department would fund the remaining \$1,400. Fletcher said the county's growth policy educational program will be small if the grant is not awarded. Fletcher said it is his opinion applying for and receiving the grant would be all benefit and no cost.

The Commission will ask County Attorney Linneweber to double check with the attorney general as to whether residents in the city of Livingston and the town of Clyde Park can vote on the growth policy.

Lahren made a motion to approve the grant application as presented. Durgan seconded that motion. Motion passed.

Fletcher said the planning department will submit the application and can withdraw it if Linneweber has an issue with it.

@10:18:11 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 7, 2008

1:30 P.M. – Review Correspondence, Public Contacts and Determine Action Plan – Commissioner's Chambers - Canceled

July 8, 2008

Federal Emergency Management Agency and Montana State Disaster and Emergency Services Present to Discuss Funds and Other Concerns Associated with the 9th Street Island Bridge

@8:04:43 a.m., Chairman Lahren called a meeting to order in the Community Room of the City-County Building. Commissioners Durgan and Lahren were present. Also present was Larry Ross, MT-DES; Tim Thennis, MT-DES; Roger Jones, FEMA; Jerry DeFelice, FEMA; Kris Farquhar, FEMA; Harry Strong, FEMA; Polly Miller, human resources; Dann Babcox, PCRFD#1; Belinda Van Nurden, DES; Kim Gentry, human resources; Don Holland, auditor; Jerry Brekke, commissioner consultant; Ed Hillman, road foreman; Scott Hamilton, PCSO; Jim Mastin, Livingston fire; Wendy Wood, PCSO; Mike Waite, Denny Rehberg representative; Marilyn Hartley, accounting; Jennifer Madsic, Jon Tester representative; David Cobb, Max Baucus representative; Shirley Ewan, city of Livingston; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss funds and other concerns associated with the 9th Street Island Bridge incident.

Lahren said Park County Historian Jerry Brekke generated a report verifying the origin and ownership of the 9th Street Island Bridge. He said the county owns the bridge and has rights-of-way on the mainland side and the island. Lahren said the report is available for review.

Tim Thennis of Montana Department of Environmental Quality (DEQ) said the Federal Emergency Management Agency (FEMA) is in Livingston today at the request of the state of Montana to conduct a Preliminary Damage Assessment (PDA) to estimate damages and expenditures of emergency work associated with the 9th Street Island Bridge incident. Thennis said 9th Street Island Bridge damage, associated road damage, and any other sites that can be identified as part of the bridge incident need to be documented. County Road Foreman Ed Hillman and FEMA will tour sites, take measurements and put together estimates on damage that has occurred. Thennis said the incident needs to hit a dollar threshold of \$1,118,000 for the Department of Emergency Services to request a presidential declaration to receive FEMA monies. Thennis said that request would be made to the president through the governor's office.

Roger Jones of FEMA said work today will only entail gathering as much information as possible from city and county personnel regarding damages associated with the 9th Street Island Bridge and any other subsidiary costs incurred by the city, county or state. He said it is very important for the county and city to capture all eligible costs today. He said no decisions will be made today as to whether FEMA or the president will grant a disaster declaration for the 9th Street Island Bridge incident. Jones said only costs incurred from June 19 when the bridge began to fail will be eligible for FEMA monies - nothing prior to that date can be considered in the cost analysis.

Shirley Ewan of the City of Livingston said the city incurred overtime wage hours from bridge work, specifically for the fire department, which maintained a command post and assisted with bridge construction. Ewan said the city swimming pool is cracked due to high water and ground water pressure. Jones said the city needs to provide an estimate of all overtime costs and an estimate of what personnel working overtime hours were working on. He said the county sheriff's office, Search and Rescue and road crew need to do the same thing because overtime work is the only work time eligible for FEMA monies in this situation. Jones said if other counties charged a FEMA rate on equipment used on the bridge under a mutual aid, that equipment and the man hours used to operate it is eligible for FEMA monies, but fuel costs are rolled into equipment costs. Jones said the county needs to provide cost data for its work on the bridge. He said repair of the levy road between 9th Street and Siebeck Islands is eligible for FEMA monies because that work will be necessary as a result of flooding that occurred at the same time as the bridge incident. Jones said FEMA needs to know today if the Montana Department of Transportation charged the county on a reimbursement basis for bridge work, as well as an estimate for helicopter time. Jones said construction of a heated building on 9th Street Island to protect a fire truck there would not be covered in the PDA

Jones said FEMA does not allow for reimbursement for loss of income, fees or increased operational costs, such as revenue lost by the city for the pool closure. He said the city and county can only report damage caused by the immediate event of high water on July 19 and after, such as the second pier and bridge deck spans adjoining it. Prior year compromise of the 9th Street Island Bridge cannot be considered because it did not occur as part of this specific event. Jones said he is hopeful an estimate for replacing the second bridge pier and repairing or replacing the bridge decking on either side of that pier can be generated today with the help of the state and the county road crew. Jones said a formal engineering study to determine specifics of completing bridge repair will be completed at a later date when a determination is made to repair or replace the bridge. He said the intent today is to conduct a preliminary assessment and estimate of bridge damage and associated costs, and those costs need to be based on some level of reality.

Belinda Van Nurden of Park County DES said she spoke with Kent Barnes of the Montana Bridge Bureau who said repairing the 9th Street Island Bridge was not an option. Jones said that may be the case, but that does not make replacement of the entire bridge eligible for FEMA monies. He said should a disaster declaration be granted, any funds received for the specific damage of the second pier and adjoining decking received on July 19 could be used toward a full bridge replacement should that option be chosen. Van Nurden will obtain a written description of how Barnes came up with the cost to repair the second pier and two decking spans of 9th Street Island Bridge.

Jones said the dollar figures contained in the PDA report may not be the final dollar figures the incident would be awarded if it were to receive a presidential declaration. He said the PDA is a tool to help FEMA estimate what it thinks the financial impacts are to the community and state of Montana to assist the governor in compiling his request for a declaration of disaster.

Jones said after data is collected today and should the incident reach the dollar threshold, FEMA will compile data and complete its preliminary assessment analysis. That data will then be provided to the state of Montana and the state will determine how it wishes to proceed. The governor may choose to contact the president and request a major disaster declaration to help cover a portion of the costs. Jones said should that happen, FEMA regional offices will write up a summary document and submit it to FEMA headquarters in Washington D.C., which will conduct its own evaluation and make recommendations and forward those onto the Department of Homeland Security which will write a final recommendation to the White House. If the president refuses to declare the incident a major disaster, the state has rights of appeal it can exercise through FEMA headquarters. If a presidential declaration is granted, FEMA personnel will conduct applicant briefings and kickoff meetings to explain the public assistance program.

Jones said it is unlikely Rock Creek Bridge damage that occurred in early spring will be eligible for FEMA monies under this assessment, but that data will be collected. He said the KPRK Bridge over the Yellowstone River is a Federal Highway Association (FHA) bridge, so the FHA will work through the state highway department to address damage to that bridge.

@8:55:01 AM Lahren adjourned the meeting.

July 8, 2008

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

7:00 P.M. – Board of Health – Durgan – West Room

July 9, 2008

Review Hogenson First Minor Subdivision

@9:07:57 a.m., Chairman Lahren called a meeting to order in the Community Room of the City-County Building. Commissioners Denton, Durgan and Lahren were present. Also present was Mike Inman, planning; Philip Fletcher, planning; Public Citizens Jim Gelhaus, Jeb Hays, George Borneman, Troy Rasmus, and Calvin Sarvin; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to review a Hogenson First Minor Subdivision application.

II. No conflict of interest was reported by Commission members.

III. Mike Inman provided the Commission with a report about the planning board review process for the Hogenson First Minor Subdivision application. He said there has been no additional public comment since the planning board reviewed the application and nothing has changed with the application. Inman said the planning board accepted all

recommended findings of fact from the planning staff. The Commission reviewed the planning board report.

The Commission opened the floor to public comment on water and sanitation. No public comment was made.

There was discussion about a road approach on the backside of the property and a culvert that was removed there. John Hogenson said that access is an agriculture access. Inman said Road Foreman Ed Hillman was mistaken the access was for vehicle access, which is why he told Hogenson the culvert and road overtop it had to be built to Park County standards. Inman said if a road access is constructed it must be constructed to county road standards.

Inman provided the Commission with an update on an applicant variance request. The applicant for Hogenson First Minor Subdivision requested a variance from section VI-Q(D)(1) of the Park County Subdivision Regulations, which states: "For a one (1) lot minor subdivision, the subdivider shall provide: An underground tank of 10,000 gallons capable of delivering 1,000 gallons/minute from an approved fire hydrant with a maximum approved travel distance from the furthest lot line to the hydrant of 1,000 feet."

Inman said the planning board denied the variance request. Inman presented to the Commission a letter from Surveyor Shannon Marinko proposing a mitigation strategy. The letter offers \$10,000 to the Wilsall Fire Department from the applicant to purchase equipment to be on the ready to fight rural structure fires. That payment would be made in lieu of the applicant installing an underground, 10,000-gallon water storage tank on the subdivision site. Commissioner Durgan asked if the fire department has specific equipment to purchase in mind with the \$10,000. Calvin Sarvin said the fire department has discussed buying a water tanker truck with the money. Sarvin said \$10,000 would only pay a portion of the cost for a 4,500 gallon truck. He asked how long the fire department would have to purchase the truck. Hogenson said the Wilsall Fire Department has wanted to improve and add additional fire fighting equipment for a long time. He said the \$10,000 will give the fire department a push in getting a tanker truck purchased. He said even if the department does not have the truck immediately, the demands on the fire department with the subdivision remain the same. Sarvin asked who would maintain an underground water tank at the subdivision property to make sure it has water in it. Inman said the applicant would be required to maintain the tank in perpetuity.

The Commission reviewed the planning board's findings of fact supporting its denial of the variance request.

Durgan noted for the record receipt of a letter from the Wilsall Fire Department dated June 18 regarding the Hogenson Subdivision signed by Wilsall Fire Chief Sarvin and Vice President Joe Scott. Durgan said he agrees with the developer that if the fire department had to go to the site to fight a fire, it would be better off with a tanker truck than an underground water tank.

Addressing the requested variance, the Commission stated the following, “Variance 1: The Commission approves the request for variance of Section VI-Q(D)(1) of the Park County Subdivision Regulations based on the applicant's proposed mitigation strategy and the following findings of fact and determinations.”

Under A. of Section XI-B-1 of the Hogenson First Minor Planning Staff Report, the Commission stated, “The Commission determines the granting of the variance with the inclusion of the applicant's mitigation strategy will not affect the public health, safety, or general welfare or be injurious to other adjoining properties.”

The Commission made the following findings of fact:

- With the inclusion of the applicant's mitigation strategy of a \$10,000 donation to the Wilsall Fire Department for the purchase of fire protection equipment and the inclusion of fire suppression water supply systems in any new or modified structures on the property, a water supply will be available for fire suppression on this proposed one lot subdivision.
- Requiring an onsite water supply will further delay the response capabilities of the Wilsall Fire Department. A tanker truck will increase the response capabilities of the Wilsall Fire Department.

The Commission defined the term “modifications” as “major structural modifications.”

Under B. of Section XI-B-1 of the Hogenson First Minor Planning Staff Report, the Commission stated, “The Commission determines due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose undue fire response hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self imposed.”

The Commission made the following findings of fact:

- The property is located approximately five miles from the nearest fire station and is accessible via county roads.

Under C. of Section XI-B-1 of the Hogenson First Minor Planning Staff Report, the Commission stated, “The Commission determines the variance will not cause a substantial increase in public costs”

The Commission made the following findings of fact:

- With the inclusion of a voluntary donation of \$10,000, public costs will be decreased as they relate to fire protection in the area.

Durgan made a motion the Commission approve the variance. Lahren seconded that motion. Motion passed.

IV. Public comment was made by Calvin Sarvin. Sarvin said the structures on the subdivision property have been there 60+ years. He asked why the subdivider is asked within the county subdivision regulations to install a 10,000 gallon tank. He said that is forcing the little guy to not subdivide his property.

Lahren said that issue needs to be addressed by the legislators. Inman said the state requires subdivided properties be reviewed by the Commission for the sake of public health and safety for fire issues. He said existing structures on a subdivided property does not negate the need for fire protection and fire protection standards. He said the county has no authority to require fire protection utilities for new property purchases.

Public comment was made by Jim Gelhaus. Gelhaus asked if a pumper truck has to be purchased by the Wilsall Fire Department before final plat is granted to the subdivision applicant. Durgan said no conditions were put on the purchase of the water truck.

Lahren made a motion the Commission accept the body of the planning staff report with the approval of the variance the Commission reviewed. Denton seconded that motion. Motion passed.

Addressing Item VI of the planning staff report - Impacts on Public Health and Safety - under A. Recommended Findings, #25 Recommended Conditions, the Commission stated, "The local Fire Protection Authority (FPA) shall review and approve any fire protection features relative to the approved variance prior to final plat approval. The local FPA shall submit, in writing to the Subdivision Administrator, verification of receiving the proposed \$10,000 donation prior to final plat approval." Under B. and C. of Recommended Findings, text will read, "See Approved Variance."

Commissioner Denton made a motion to approve the Hogenson First Minor Subdivision with the findings and conditions as amended. Durgan seconded that motion. Motion passed.

@10:23:06 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 9, 2008

Fiscal Year 2009 Budget Workshop

@1:07:57 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, operations; Polly Miller, human resources; Marilyn Hartley, accounting; Don Holland, auditor; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

@1:08:04 p.m., Durgan made a motion to recess the meeting for an hour until Polly Miller's laptop computer is fixed. @2:09:34 p.m., the meeting was reopened.

Polly Miller and Marilyn Hartley provided the Commission with a summary report of Fiscal Years '06 – '08 General Fund budget. Miller, Hartley and Don Holland worked with the Commission to determine preliminary, proposed FY '09 budget figures.

The Commission authorized Miller to pay outstanding mental health treatment bills.

@4:02:58 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 9, 2008

Consider a Resolution Prohibiting Open Burning on 9th Street Island and Siebeck Island

@4:03:42 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Dann Babcox, PCRFD#1; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a resolution prohibiting open burning on 9th Street Island and Siebeck Island.

Lahren read Resolution #1029 into the record - A Resolution Prohibiting Open Burning on 9th Street Island and Siebeck Island.

Durgan made a motion to approve the resolution. Lahren seconded that motion. Motion passed.

@4:10:41 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 10, 2008

8:30 A.M. - Safety Meeting – Durgan – Community Room

July 10, 2008

Open and Consider Rabbit and Poultry Barn Bids

@9:34:27 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Kim Knutson, fair manager; Public Citizens Ken Walker, Adam Maher, Kurt Behrendt, Jeremy Maus, Myron Kovash, Eric Roset, Ken Lahaye, Mike Adams, Dan Nelson, Jim Snyder and Jeremy Shea; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to open and consider rabbit and poultry barn bids.

Durgan said the Commission received a letter from Clerk and Recorder Denise Nelson in which Nelson wrote she previously requested the Commission in a letter dated May 15, 2008, any future RFPs or bids done by county departments no longer be distributed from the Clerk and Recorder's office. The letter stated proper forms required to be submitted to the Clerk and Recorder's office were not received, so two rabbit and poultry barn bids received were not documented but were stored in the vault. Nelson wrote because one of the bids was not marked as a bid, one unmarked contractor bid was received by her office and was opened by a staff member. The letter stated such an occurrence places Nelson's staff in a situation of seeing the bids and places the office staff in a situation of seeing what is being submitted and puts the bid process in question.

Commissioner Denton asked whether all individuals who bid received the project manual. Jim Snyder said everyone who picked up drawings received a project manual. He said others could have seen the drawings at the Builder's Exchange in Bozeman. Denton said the Commission needs to see what was posted as bidding requirements in the newspaper. Snyder said all bidders received the project manual at the Billings Exchange, Bozeman Exchange or Belgrade Exchange. Snyder said the project manual is part of the drawings or the construction documents. He said there was also an announcement for bids advertised in the paper which informed the contractors to go to Snyder to get drawings or go to the six building exchanges to get drawings or construction documents, which are the drawings and the project manual.

Durgan said he determined the unmarked, opened bid as a non-responsive bid because it was not marked as specified in the project manual. He said he will consult with the county attorney on that decision. A bid from Walker Construction received at 9:13 a.m. on July 10 was determined to be nonresponsive because the bid submission deadline was 9:00 a.m. on July 10.

Fourteen bids were submitted of which two were determined to be unresponsive. Durgan opened sealed bids. Bids were as follows:

- Kovash Enterprises bid received at 8:33 a.m. on July 10 in the amount of \$137,456.58.
- Diamond D Construction received at 4:20 p.m. on July 9 in the amount of \$177,800.00.
- Kemp O'Neill Construction received at 3:45 p.m. on July 9 in the amount of \$204,050.00.
- Roset Associates received at 8:55 a.m. on July 10 in the amount of \$129,924.00.
- Mitch Scidmore Construction, Inc. received at 8:02 a.m. on July 10 in the amount of \$231,460.00.
- Building Dimensions, Inc. received at 8:58 a.m. on July 10 in the amount of \$254,486.00.
- Door Tech, Inc. received at 2:25 p.m. on July 8 in the amount of \$2,035.00 for installing an overhead door.

- Shea Homes and Construction received at 4:15 p.m. on July 9 in the amount of \$200,000.00. A second bid was submitted on July 10 requesting the Commission to deduct \$12,340.00 from the first bid.
- Maus Construction Inc. received at 8:05 a.m. on July 10 in the amount of \$159,850.00.
- RMR (Rocky Mountain Rustics) Group received at 8:42 a.m. on July 10 in the amount of \$192,652.00.
- Bozeman Builders Group received at 8:44 a.m. on July 10 in the amount of \$182,085.00.
- KB Building received at 8:53 a.m. on July 10 in the amount of \$162,578.00.

Durgan recommended postponing a decision on awarding a bid until the Commission is able to do a more complete review of bids. Denton said she agrees with that recommendation in order to make sure everything that was supposed to be submitted was submitted.

Denton made a motion to postpone a decision on awarding a bid until the Commission is able to do a more complete review of bids. Durgan seconded that motion. Motion passed.

Durgan said the Commission will send a letter to the successful bidder and all bidders can check with the Commission office about a decision by the close of business July 15.

@10:10:38 a.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 10, 2008

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

July 10, 2008

Park County Payroll Procedures and Accountability

@1:05:33 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Marc Richards, GIS/IT; Kim Gentry, human resources; Bernadette Rambow, accounting; Kevin Larkin, treasurer; Shirley Ross, justice court; Polly Miller, human resources; Don Holland, auditor; Marilyn Hartley, accounting; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss Park County payroll procedures and accountability.

Polly Miller said she booked the meeting because last week a lot of things about the payroll procedure were being speculated and assumed and done incorrectly or not done at all. She said she wants checks and balances and a timeframe established so this situation

with payroll won't happen again. Miller read a report she generated of actions she said were taken last week by various Park County personnel regarding payroll procedures and her opinion of how and why inaccuracies in payroll occurred. She said there was speculation she rolled CSA with the current fiscal year to create a new database for FY '09. She asked why employees waited until the last minute to update fiscal year information and why wasn't she informed of the glitch in the system when it was noticed. Miller said the 9th Street Island Bridge incident caused more work last week.

Marilyn Hartley said she did not catch the accrual issue and Miller informed her about that issue. She said what happened on Wednesday is the main issue that caused payroll problems. Hartley said she has been doing payroll for over five years and she has not had any question as to whether it was appropriate for her to send over the file. She said it is not outside the realm of conceivability that American Bank processed the payroll later in the day. She said she made the best call she could given previous issues with payroll and she thought the issue could be fixed in the morning. She said she thought it was better for employees to have some money in their bank accounts on Friday rather than employees having no money at all. She said she did what she felt was the best thing to do and this was the first time payroll failed to be completed properly.

Larkin said the year-to-date figure on last week's pay stubs was incorrect. He said that is unacceptable because he could not put out some of his taxes because of that error. Larkin said he partially blames the Commission for the issues with payroll because the Commission has no idea what is going on between the accounting and human resource departments. He said there is no structure whatsoever, and employees are misled on whom to ask for information because paystubs say at the bottom to ask Hartley about payroll questions but people have been told not to ask Hartley anything about payroll issues so it is difficult for them to get information. He suggested the Commission put Auditor Holland in charge of the finance department, because currently there is no control whatsoever and it's getting worse and worse. He said the county should redo last pay period's payroll to reflect accurate leave accruals on paychecks.

Durgan said he agrees the situation is getting worse and worse, but it would be a waste of man hours to redo payroll to reflect the correct numbers. Polly Miller said it would take a lot of time and money to redo payroll and it would not be in the best interest of Park County. She said employees will get 25 more pay stubs this fiscal year. Durgan said the Commission has known for some time there has been a lack of communication and cooperation between the treasurer's office, accounting department, and human resources department.

Larkin said the treasurer's office has had no issues with communicating with the human resources and accounting departments. He said he for one would like to have his paystub redone because it was done wrong. He said he finds it a complete disgrace of the way the county is going. He said the leadership is atrocious. He said there's no communication whatsoever and too many people are power hungry and he is fed up with it. Durgan said department head meetings are held every month where county personnel are supposed to

work this out. Larkin said half the people don't show up for those meetings and they are worthless.

Durgan said the Olness and Associates accounting firm recommends putting the accounting office under the supervision of the Clerk and Recorder. Commissioner Denton said she agrees someone needs to be put in charge of the accounting office to give it some structure.

There was discussion about how files, which may have caused the payroll glitch, were saved and transferred to CSA. Miller said CSA is 100% certain the fiscal year rollover did not cause the payroll problem. Miller read an email message from a CSA representative stating this type of payroll issue has happened with CSA before.

Miller read into the record a list of former and current employees who were underpaid or overpaid last week due to the payroll glitch. John Mueller stated for the record he received his direct deposit paycheck on 7-3-08 and asked his name be withdrawn from a list of individuals Miller said did not receive a paycheck. Hartley said employees who bank at American Bank, the credit union and First Interstate Bank received paychecks on Thursday and the credit union and First Interstate Bank are by far the two most popularly used banks by county employees.

Marc Richards said CSA updates were not being sent directly to him, but they are now. He said it is his job to update the CSA software, so he rectified that problem. He said he can provide a log of all files and accounts produced last week that show who was working in CSA last week and at what time.

Bernadette Rambow read a memo she produced into the record regarding a direct paycheck deposit that was not made to her bank account until the current week. She read from her memo that this problem is about communication. She said employees need to ask questions if they have them and just get the job done.

Larkin said his personal opinion to resolve the payroll matter is too many people are involved in the payroll operation. He said in the past one person handled payroll activities and there were no problems. He said he does not think the county should have so many people involved in payroll, which may possibly be stretching people out too far when coupled with their other job responsibilities.

Kim Gentry said she worked for the US Government for 12 years and asked why so many people in the county are not balancing and why do they think things not being balanced is not a big deal.

Hartley said she resents the implication this is a pattern for her. She said she has always been very detailed in her work. She said had her son not been home from the military and had she not had the opportunity to walk in the parade with him, she would have remained at work on Wednesday during the parade. Miller said if she were \$3,900 off,

whether it was CSA's fault or not, she would not have walked out the door. She said the problem needed to be handled that day.

Richards said it appears there is a lack of planning. He said with it being a short week, departments needed to communicate and plan. Hartley said she and Miller had a plan to complete payroll with scheduled time out of the office and the week being a holiday week.

Denton said this was an isolated incident with payroll in the time she's been with the county. She said payroll is working better than it did. She asked how the mix up happened last week. Durgan asked how the county will avoid getting into the same situation again. He said this was not an isolated case, saying the bridge incident has caused accounting issues too. He said he is not pointing fingers at anyone and he just wants to know how to get the job done.

Shirley Ross said the problem sounds to be a lack of communication. She said perhaps human resources and accounting should be in the same office. She said when her office requested corrected timesheets to reflect leave accruals, all information was submitted on one sheet of paper and she doesn't feel it should have been submitted that way. Miller said that information is not private information. Ross said perhaps employees should be required to turn in timesheets by Friday afternoon.

Larkin said the Commission needs to know what's going on with the payroll process because it currently is not in the loop. He said he knows the Commission is busy, but he knows it has no idea whatsoever goes on in his office and he's invited them there.

Durgan asked Miller if a paper trail can be made in the next paycheck to show employees this problem has been corrected. Miller said CSA assured him the next paychecks will be correct with dates and vacation/sick leave accruals. She said everything on last week's pay stubs was right except leave accruals. Durgan asked each accounting employee and Auditor Holland to put together a memo on how they propose to fix the problem.

Hartley said she worked for Golden Ratio and its 100 employees for seven years prior to working at the county and she handled the payroll task fine there. She said she worked closely with the human resources manager to complete payroll. Hartley said employees are told timesheets are to be in by Monday at noon but some come in on Wednesday. Durgan said everyone has to take ownership and responsibility of what's going on here and employees and department heads need to submit timesheets on time. Rambow said timesheet deadlines help.

Richards said the county may want to consider using electronic timesheets without a CSA interface. Rambow said electronic timesheets can accurately log each individual's time worked and not worked. Durgan asked Richards to provide a ballpark sketch of how electronic timesheets might be used by the county.

@2:23:36 p.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 10, 2008

1:30 P.M. - Review correspondence, public contacts, and determine action plan-
Commissioner's Chambers - Canceled

July 10, 2008

Discussion about Finishing Chicory Road

@3:31:44 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Ed Hillman, road foreman; Public Citizens Leane Hansel-Hayes, Maryann Case, Mike Hennessey, Jeannie Tatum, Charles Mathwig, and Ruth Mathwig; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss options of finishing Chicory Road.

Ed Hillman presented Chicory Road citizens with a memo from Mark Redfern from Brenntag Pacific. Hillman said Redfern and another individual said Chicory Road was sealed. Durgan said there are a few pock marks in Chicory Lane and something is making that road start to break up.

Public comment was made by Mike Hennessey. Hennessey said the road is beginning to crumble at the edges in front of his house and weeds are growing through the 3 mile length of the road. He asked Hillman and Durgan to visit his house to view the road. He said the first part of the road is acting differently than the middle and end of the road. He said there isn't much traffic at his place, so it's not sealed as well as the first part of the road. He said the road needs to be sealed. Hennessey said he was told the road would be chipped and sealed last year. He said he would like to get a date on paper when the chip seal will be done. Hillman said he told him it would be chip sealed at some point. Hillman said the Swingley Road was just chip sealed this year and was paved two years ago. Hillman said the city told him it costs \$22,000 a mile to chip seal a road. Hillman said the county owns a chipper with the city.

Durgan said it is well worth that amount to chip seal Chicory Road since the county has \$100,000 in it. He said the county cannot afford not to chip seal it. Durgan said the Commission needs to keep its investment but he does not know when the county will start work on Chicory Road. Durgan said the county is in its budgeting process, but Chicory Road would not be worked on until August or September and the county will fund the project. Durgan said the Commission received correspondence from Ross Gammon of the Montana Department of Transportation and estimates from Clyde Bainter and a few other contracts regarding sealing Chicory Road. One contractor estimated a cost of \$29,700 per mile for the first two miles and then \$28,300 for the third mile of road.

Public comment was made by Jeannie Tatum. Tatum said she lives at the 3.1 mile mark on Chicory Road, which is where the pavement ends. Tatum said she feels the road is not sealed because county road workers told her last year it would be chip sealed this year. She said citizens along the road have policed each other to ensure irrigation water is not landing on the road.

Hennesey said Hillman did a good job with paving the road and the county and the citizens did more than they expected to do on the road. He said the road is two-thirds of the way finished and needs to be sealed.

Public comment was made by Maryann Case. Case said citizens are taking care of the road and going the speed limit.

@3:59:13 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 10, 2008

Consider Minutes for the Week of June 30, 2008

@4:15:14 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider approving meeting for minutes for the Week of June 30, 2008.

Commissioner Denton requested a revision to Page 4 of 17, second paragraph, first sentence should read, "Commissioner Denton said Park County Rural Fire District #1 has requested a meeting to discuss a resolution to ban fireworks on 9th Street Island."

On Page 15 of 17, Durgan noted the correct spelling of Ed "Barich." On Page 17 of 17, the second paragraph should read in entirety, "Road Foreman Ed Hillman said the road crew will start on millings work on Billman Lane and Paradise Lane on Monday. Hillman said IronWolf would be in the county the week of July 8 to work on the designated roads in the Five Acre Tracts - Billman Road, Canyon View and Paradise Lane. Hillman said the entire road crew will be needed for that work. No one will be available to grade county roads. It was suggested Hillman check with Job Service to hire temporary flaggers. Hillman said he does not have the crewmen or time to get to all the bad roads in the county."

On Page 1 of 17, County Attorney Linneweber noted the correct spelling of Arnold "Hoyem."

Denton made a motion to approve the minutes for the Week of June 30, 2008 with amendments and corrections made today. Durgan seconded that motion. Motion passed.

@4:30:01 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 11, 2008

No Scheduled Meetings

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 July 14 – 18, 2008

July 14, 2008

8:30 A.M. – Budget and Accounting Review Committee – East Room

July 14, 2008

County Road Issues

@8:30:29 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Ed Hillman, road foreman; Don Holland, auditor; Brad Shepard, public citizen; Russ Viers, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss Park County road issues.

Commissioner Lahren said the Commission has a purchase order for a 1988 John Deere grader from Tractor and Equipment. The Commission said it will purchase back the grader for \$26,500. The Commission discussed a cost estimate dated July 15 from N.R. Halsey of IronWolf for crushing asphalt millings.

Commissioner Denton asked about a site visit Road Foreman Hillman and Commissioner Durgan made July 11 to view the condition of Chicory Road. Hillman said Durgan said the county will chip seal Chicory Road in August. Hillman said the road crew will finish Airport Road with remaining millings. He said a small piece on Canyon View and all of Paradise Lane will be completed after Airport Road work. Hillman said Crewman John Young will mow grass at the Wilsall Airport before a fly in.

Public Comment was made by Russ Viers. Viers said he was representing citizens living on Billman Lane. He said the citizens appreciate the county's road work there. He said everyone is happy and satisfied and the road crew is doing a wonderful job. He asked when Paradise Lane will be finished. Hillman said Airport Road work will be finished in possibly two days, and then the road crew will be back on Billman and Paradise. Hillman said reclamite will be applied to the Five Acre Tracts roads on July 31.

Public comment was made by Brad Shepard. Shepard said residents on Siebeck Island are willing to do road work there. He said the citizens need authorization to do it and assurances they won't be stuck with doing road work all the time. He said citizens want to haul gravel and break down edges on the isthmus between 9th Street and Siebeck Islands, because delivery drivers and the post office are complaining and saying they may not deliver there because of the road conditions. Shepard said the citizens planned to fill in potholes by hand.

Lahren said \$1,000,000 of insurance is necessary for any individual obtaining a county road work permit through the Commission to remove the county from liability. He told Shepard he recommends contacting Oasis Environmental because it is contracted with the county and the county could give a work permit through Oasis.

Shepard asked the chance of getting foot or bike traffic permissible across the Bailey bridge. Lahren said that issue is an issue of public health and safety and is up to the county attorney. He said the final Bailey bridge weight limit will be determined by engineers. Shepard said a lot of people were on the island this weekend who were not supposed to be there. He said his wife had someone follow her onto the bridge in a vehicle and crossed the bridge while she was crossing it in her vehicle. Shepard said he will contact the sheriff about bridge usage issues. Hillman said he saw someone ride across the bridge on a bicycle.

@8:44:17 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 14, 2008

Consider Minutes for the Week of July 7, 2008

@9:03:15 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider meeting minutes for the Week of July 7, 2008.

Commissioner Denton requested a revision to Page 13 of 17; second to last paragraph, the first sentence should state Kim Gentry said she worked for the US Government for "12" years. On Page 14 of 17, Denton noted the correct spelling of "Shirley" Ross. On Page 15 of 17; last paragraph, the last sentence should read, "One contractor estimated a cost of \$29,700 per mile for the first two miles and then \$28,300 for the third mile of road."

Lahren made a motion to pass the minutes as corrected. Denton seconded that motion. Motion passed.

@9:08:26 a.m., Denton made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

July 14, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:09:58 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

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

- Memo re. supervisory role in a bargaining unit and the county mechanic's involvement in a collective bargaining union
- Memo response from Marilyn Hartley of accounting to questions from Lahren re. county payroll procedures
- Memo re. wireless service potential in courthouse
- Memo re. wind energy - To Commissioner Durgan for review
- Analysis of Plum Creek land deal
- Memo from AP Clerk Bernadette Rambow requesting claims by July 10
- Memo from GIS/IT Technician Erica Hoffman re. computer training days in August
- Memo from County Attorney Linneweber re. gravel contracts - To Lahren for review
- Memo re. open container permit - The Commission already addressed that request
- Memo from GIS/IT Manager Marc Richards re. CSA updates finished at 11 a.m. Tuesday
- Memo from Richards re. personal injury
- Memo from Roto Rooter re. Gardiner Sewer District work - To Hurley for review
- Memo re. state of Utah going to a four-day work week
- Invoice dated July 7 for Week of June 30 road work from N.R. Halsey and a potential \$1,200 discount - To accounting office to submit payment. To Road Book.
- Memo re. County Attorney Clerk Sandy Gordon nomination for employee of the month
- Memo re. opening the Yellowstone River under the 9th Street Island Bridge - Lahren has resolved that issue
- NPDES monitoring report forms - To Contactor Bob Evanoff for review
- Memo re. software purchase order – The software has been purchased
- Memo re. review of fair contracts by the county attorney - To Fair Manager Kim Knutson for review
- Letter from surveyor re. Hogenson subdivision - The Commission has ruled on that subdivision application
- Memo from Disaster and Emergency Services Director Belinda Van Nurden re. failure to notify Bailey Bridge closure on Tuesday for gas line work
- Memo from Rambow requesting gas receipts this week
- MACo Newsletter
- Memo from HR Manager Polly Miller re. immigration laws and employee I-9 forms
- Memo re. email addresses for Dawson County Commissioners
- Memo to Grants Coordinator Lori Benner re. Gardiner sidewalk project
- Memo re. permanent ordinance for use of Bailey Bridge
- Budget meeting notice for July 15 in East Room

- Memo re. conference on wind power in Portland
- Bill from Headwaters Recycling – To Transfer Station Manager Rich Wright for review
- Memo re. Chicory Road school bus turnaround
- Memo re. Hazard Mitigation Grant program - To Lahren for review
- Memo from MACo re. youth court bill draft
- Memo re. Yellowstone National Park travel reports
- Memo from Hartley to Larkin re. county payroll issue
- LTAP workshop in Utah
- Memo from Citizen Mike Adkins re. use of roller for county road work - To Road Book
- Memo from Planning Director Philip Fletcher re. speaker on county growth policy
- Payment schedule of county attorneys - To Miller for review
- Memo from Clerk and Recorder Denise Nelson re. future bidding procedures
- Memo re. chip sealing roads - To Road Book
- Memo from Hartley re. certified warrants - To Hartley for revisions
- Memo from Justice of the Peace Linda Budeski re. leave request - To Miller for review
- Memo re. mental health - To Denton for review
- Invoice from PDRFD#1 for \$330 for smoldering fire 13 miles out of District
- Memo dated July 8 re. Attorney Susan Swimley scheduling a meeting to discuss litigation
- Memo re. flooding and farms
- Memo re. community food fesitval - To Denton for review
- Memo re. private roads - To Fletcher for review and Road Book
- Memo re. joint application for 310 permit and 9th Street Island Bridge - To Lahren for review
- Memo re. notification of citizen bankruptcy
- Memo re. road department and election and joining the union
- Memo from MACo re. porous strata under railways and carbon sequestration
- GPS requests re. 9th Street Island - To Lahren for review
- Agenda for Yellowstone Country Board of Directors meeting July 15 in Gardiner
- Memo from Linneweber re. out of the office notice
- Memo re. law seminars
- Scoping documents for grazing rights on Royal Teton Ranch
- Memo re. spay/neuter taskforce money request
- Memo from Pat Murtaugh re. Gardiner Sewer District - To Director of Operations Bill Hurley for review
- Memo re. Mechanic Dann Hackman out of the office
- Memo re. Fish and Game and safety issues in west channel of Yellowstone River under 9th Street Island Bridge - To Lahren for review
- Memo re. pre-award determination for Myer's Flat work - To Hurley for review

@10:46:24 a.m., Lahren adjourned the meeting.

July 14, 2008

Consider a Resolution for American Disability Act and Section 504

@1:05:24 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Brett Linneweber, county attorney; Lori Benner, grants coordinator; Rick VanAken, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a resolution for American Disabilities Act and Section 504.

County Attorney Linneweber said the county needs to pass this resolution to obtain the preliminarily approved grant monies for the senior citizens center upgrade projects. Lahren read Resolution #1030 into the record - A Resolution Adopting Complaint Resolution Forms and Procedures for Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

Lahren made a motion to pass the resolution as read. Denton seconded that motion. Motion passed.

Public comment was made by Rick VanAken. VanAken said he really appreciates the county doing this for the Senior Center and other interests in Park County.

@1:09:29 p.m., Denton made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

July 15, 2008

8:15 A.M. – Budget and Accounting Review Committee – East Room

9:00 A.M. – Fiscal Year 2009 Budget Workshop – Commissioner's Chambers – Canceled

1:00 P.M. – Park County Senior Center - Denton

1:30 P.M. – Department Head Meeting – ICS Incident Management Training – Community Room – Canceled

2:00 P.M. – Discussion of Job Description and Duties for Administrative Assistant Position – Commissioner's Chambers - Canceled

3:00 P.M. – Park County Bid and Proposal Process – Commissioner's Chambers – Canceled

3:30 P.M. – Discussion on Final Design of Gardiner Sidewalk Project – Commissioner’s Chambers – Denton

4:00 P.M. – Award Bid for Rabbit and Poultry Barn at Fairgrounds – Commissioner’s Chambers – Canceled

6:30 P.M. – Park County Fair Board Meeting – Park County Fairgrounds Dining Room

7:00 P.M. – Public Meeting to Consider Final Design of Gardiner Sidewalk Project – Gardiner School Multipurpose Room

July 16, 2008

9:00 A.M. - Fiscal Year 2009 Budget Workshop – Commissioner’s Chambers – Canceled

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

July 17, 2008

8:30 A.M. – Agency on Aging- West Yellowstone – Murphy

July 17, 2008

Park County Issues and Updates – Mike Waite of Dennis Rehberg’s Office

@10:29:54 a.m., Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Commissioners Denton and Lahren were present. Also present was Mike Waite, Dennis Rehberg representative; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss Park County issues and updates.

Mike Waite said he received a phone call from FEMA representatives telling him the estimated 9th Street Island Bridge damage cost was \$550,000. Waite asked where the county is in its assessment of handling the bridge incident.

Lahren said at the time he commented to the Livingston Enterprise, he told the paper the county did not know for sure what it will do with the bridge because not all data was gathered, other than knowing FEMA will not help with emergency disaster funds and a presidential disaster declaration will not be made. Lahren said since that time he has talked with Jeff Ebert of the Montana Department of Transportation (MDT). He has asked MDT how much it would charge the county to purchase the Bailey bridge and how much installation of a new bridge would cost. Lahren said Ebert told him a new bridge would cost between \$6,000,000 and \$8,000,000 and likely would take four years to build. Lahren said construction of a two-lane bridge is not conceivable because it would double the cost and environmental issues would arise. He said building a new bridge would

require removal of the existing bridge, which would increase the project cost and require environmental studies and associated costs.

Lahren said it may be possible the damaged 9th Street Island Bridge can be repaired. Lahren said he and Ebert discussed conducting an engineering study to determine the cost to repair the existing bridge. Lahren said Ebert estimated that study would cost \$200,000 and may take a minimum of one year, and an engineering study to replace the bridge might take two years. Lahren said the study would start immediately and the county would have to fund part of the study. Lahren said the county needs to use the Bailey bridge during the study and repair or replacement of the bridge, but the county does not know how long the Bailey bridge can stay in place, which is why Lahren asked MDT if the county may purchase it. Lahren said if 9th Street Island Bridge were repaired, it will be determined whether the Bailey bridge will be moved from its current location to enable access to the island, residents must come off the island, or a ferry system will be used. Lahren said repair was done in the past on the KPRK Bridge crossing the Yellowstone River when a pier on that bridge was scoured out underneath by the river. Fittings were poured around the existing failing piers.

There was discussion about funding options. Waite said a program exists in which the county may be able to partner with the state to share costs. Lahren said City Manager Ed Meece recommended a combination of an SID and other funds to pay for the engineering study. Lahren said the county will consult with MDT and the Federal Highway Association about getting started on the study of the 9th Street Island Bridge.

Bill Hurley said he recommends Dennis Rehberg look closely at a wind energy project funded by Community Renewable Energy Bonds. Hurley said those funds were intended for wind power in the eastern U.S.

@10:57:25 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 17, 2008

8:00 A.M. – Agency on Aging – West Yellowstone – Murphy

1:30 P.M. – Planning Board Meeting – Community Room – Meeting minutes available on www.parkcounty.org and in the County Planning Department

1:30 P.M. – Review Correspondence, Public Contacts and Determine Action Plan – Commissioner’s Chambers – Canceled

3:00 P.M. – Park County Road Updates – Commissioner’s Chambers – Canceled

4:00 P.M. – Communications – Denton did not attend

5:00 PM – Discussion of Property Purchase – N. Yellowstone – Commission Chambers - Canceled

6:00 P.M. – Solid Waste Board – West Room

July 18, 2008

No Meetings Scheduled

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 July 21 – 25, 2008

July 21, 2008

County Road Issues

@8:31:58 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Ed Hillman, road foreman; Don Holland, auditor; Marla Wagman, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss Park County road issues.

Hillman said the 164 permit for Fish, Wildlife, and Parks (FWP) is completed and said Scott Opitz (FWP) is going to write a letter for the county. Lahren said the county needs to submit a 310 permit to the Conservation District for rip-rap. He said he will consult Opitz on that issue.

Hillman said Winn Treible has been regularly checking the 9th Street Island Bridge and Dave Crumley called and told the road crew to take the chains off the bridge, which was done last week. Hillman said the bridge is stable.

Lahren said he viewed Castle Mountain Road. He said the soil is a sandy loam with little gravel and the road needs a new culvert. Lahren said a citizen letter from the Mingos said the Mingos would pay for the gravel and the culvert. Hillman will look at the road and Lahren will respond to the letter.

Hillman said he contacted John Payne to blade and put magnesium chloride on Old Yellowstone Trail North this morning.

Hillman said Scott Fletcher is blading Trail Creek today and then will be on Old Yellowstone Trail.

Hillman said the Five Acre Tracts and Airport Road are complete and reclamite will be applied on July 31. Hillman said Willow Creek Road is beyond repair and he would like to do the same type of work as was done on the Five Acre Tracts. Work on Willow Creek would be 9/10 of a mile and would cost \$11,000 for reclamite. He said IronWolf will be out to give a cost estimate.

Hillman said Rock Creek Road will be hot patched as soon as the road crew is caught up on grading.

Hillman said the road crew unplugged a culvert on Fleshman Creek and the water problem there is now gone. Treible fixed the Fleshman Creek Road Friday that had been damaged by the water problem.

@8:41:06 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 21, 2008

Consider Minutes for the Week of July 14, 2008

@9:01:20 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider meeting minutes for the Week of July 14, 2008.

Commissioner Denton requested a revision to Page 1 of 8; third paragraph of the County Road Issues meeting should state the Commission said it will purchase back the grader for "\$26,500." On Page 6 of 8, Denton said she did not attend the Agency on Aging meeting and Dick Murphy attended that meeting for the Commission. On Page 7 of 8; third paragraph, the first sentence should read, "Bill Hurley said he recommends Dennis Rehberg look closely at a wind energy project funded by Community Renewable Energy Bonds." On Page 7 of 8, Denton said she did not attend a Communications meeting but did attend the Solid Waste Board meeting.

County Attorney Linneweber requested a revision to Page 5 of 8; fourth paragraph, the first sentence should read, "County Attorney Linneweber said the county needs to pass this resolution to obtain the preliminarily approved grant monies for the senior citizens' center upgrade projects."

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

@9:04:27 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 21, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:02:18 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

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

Lahren said he directed Clay Williams to spray the Wineglass for weeds and the Wineglass Property Owners Association will pay for the spray.

Lahren said he phoned Dave Cobb of Senator Baucus' office to discuss possible 9th Street Island Bridge assistance.

Commissioner Denton said she called the Wilsall Senior Center to let them know she will visit. She said the center has \$3,000 worth of painting work that needs to be done. The Commission said it could assist with funding for that work under professional services in the Fiscal Year '09 budget.

Denton asked whether Wendy Wood's request for installation of a street light on the island side of the ramp to the Bailey bridge to 9th Street Island was addressed. Lahren said that work needs to wait until Clyde Bainter completes bridge approach work.

Director of Operations Bill Hurley said he is reviewing contractor applicants for Myer's Flat work and there has been a modification to the original statement of work.

@10:09:39 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 21, 2008

3:00 P.M. – Angeline – Denton

July 22, 2008

Consider Nittany Grantworks Contract

@9:34:40 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Lori Benner, Nittany Grantworks; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a Nittany Grantworks contract.

The Commission reviewed a proposed contract from Nittany Grantworks. Lori Benner said the contract is for 40 hours a month at \$50 an hour for project development, grant writing, and grant administration services. Lahren said the contract enables the Commission to obtain additional services from Benner with written approval from the Commission and Nittany Grantworks.

Polly Miller said funds to pay for the contract come from the option tax budget.

Denton made a motion to approve the Nittany Grantworks contract as presented for Fiscal Year '09. Lahren seconded that motion. Motion passed.

@9:43:38 a.m., Denton made a motion to adjourn the meeting. Larhen seconded that motion. The meeting was adjourned.

July 22, 2008

10:30 A.M. – Ninth Street Bridge County Team Meeting – Commissioner’s Chambers - Lahren

12:00 P.M. – Airport Meeting – Clarks Crossing –Durgan

1:00 P.M. – Fiscal Year 2009 Budget Workshop – Commissioner’s Chambers – Canceled

July 23, 2008

10:00 A.M. – Western Mental Health – Denton – Butte

1:30 P.M. – Sign Claims – Commissioner’s Chambers

July 23, 2008

GIS/IT Fiscal Year 2009 Projects

@2:00:57 p.m., Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Present was Marc Richards, GIS/IT; Erica Hoffman, GIS/IT; Philip Fletcher, planning; Mike Inman, planning; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss proposed GIS/IT Fiscal Year ’09 projects.

Marc Richards provided the Commission with a list of proposed work projects the GIS/IT department will perform in FY '09. Richards said each project was included in the GIS/IT proposed FY '09 budget already presented to the Commission. Richards and the Commission prioritized the proposed projects.

Commissioner Lahren said the Commission would like to incorporate road research including GPS data into the GIS/IT department to create one system containing all county road data. Lahren advised Richards to consult Park County Historian Jerry Brekke to coordinate how that effort can be done. Lahren said county road information request protocol would require a citizen to issue a public information request; the GIS/IT department, Brekke, and support staff will obtain road records and make determinations from previous research; the county attorney will review findings; and the public information request will be filled.

@2:14:24 p.m., Lahren adjourned the meeting.

July 23, 2008

3:30 P.M. – Meeting about Property Purchase on North Yellowstone Street – Commissioner’s Chambers – Lahren

July 23, 2008

Extension Office Update

@4:30:11 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Present was Mary Anne Anderson, Extension; Tracy Brewer, Extension; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to update the Commission on Extension activities, events and trainings for the month of June.

Tracy Brewer and Mary Anne Anderson presented the Commission with a list of activities, events and trainings each Extension agent conducted or participated in during the month of June.

Speaking on the brucellosis issue, Brewer said the Montana Department of Livestock initially opposed the idea of a split-state status for brucellosis, but recently recommended Governor Schweitzer consider that type of status as a potential option. Brewer said press releases refer to the Greater Yellowstone Region as a "hot spot" versus a split-state status, but she says a distinction has yet to be made. She said if an area were to be designated as a hot spot, there would be more restrictions and regulations for importing and exporting cattle in and out of that zone. Brewer said such designation may cause producers in the hot spot to experience a reduction in cattle sales, but she expects producers across Montana to experience a reduction in sales.

@4:40:00 p.m., Lahren adjourned the meeting.

July 23, 2008

7:00 P.M. – Public Meeting to Present and Discuss Fleshman Creek Flood Mitigation Projects – Community Room

July 24, 2008

Fiscal Year 2009 Budget Workshop

@8:37:51 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Polly Miller, human resources; Marilyn Hartley, accounting; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

Polly Miller and Marilyn Hartley provided the Commission with a summary report of Fiscal Years '06 – '08 Payment in Lieu of Taxes (PILT) budget. Miller and Hartley worked with the Commission to determine preliminary, proposed FY '09 budget figures.

Miller said the budget is due 30 days after certified values are ready and her goal is to have the final budget to the Commission by August 15.

@9:35:53 a.m., Denton made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

July 24, 2008

11:00 A.M. – Park County Museum Board Members Meeting – Commissioner’s Chambers – Denton

1:00 P.M. – Southwest Juvenile Meeting – Durgan

1:30 P.M. – Review Correspondence, Public Contacts and Determine Action Plan – Commissioner’s Chambers – Canceled

3:00 P.M. – Park County Road Updates – Commissioner’s Chambers – Canceled

4:00 P.M. – Tractor and Equipment Meeting – Commissioner’s Chambers – Canceled

July 25, 2008

9:00 A.M. – Wilsall Senior Center Area Residence Concerns Meeting - Denton

11:00 A.M. – Clyde Park Town Hall Area Residence Concerns Meeting- Denton

No Commission Meetings Scheduled

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 July 28 – August 1, 2008

July 28, 2008

8:30 A.M. – Park County Road Issues –Commissioner’s Chambers – Canceled

July 28, 2008

Review Minutes for Week of July 21, 2008

@9:02:36 a.m., Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Commissioners Denton and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider meeting minutes for the Week of July 21, 2008.

On Page 1 of 6, Commission Denton noted the correct spelling of “Mingos” and “John” Payne.

Lahren made a motion to approve the minutes as read. Denton seconded that motion. Motion passed.

@9:02:55 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 28, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:01:52 a.m., Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Commissioners Denton and Lahren were present. Also present was Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

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

Lahren said he received a phone call from a citizen in Gardiner concerned about a narrow sidewalk right-of-way for the proposed Gardiner sidewalk project.

Commissioner Denton said the Wilsall Senior Center submitted an invoice for \$4,500 requesting any possible financial assistance from the county. Denton said there was a lot of damage done to the building, and it now looks very good. Denton said she submitted a Commissioner-approved resolution to the solid waste board at its July 17 meeting and the board was okay with the resolution language. Denton said Linneweber reviewed that

resolution and the Commission will meet to consider passing it at a public meeting July 31 at 9 a.m.

Correspondence included:

- Letter from Brad Shepard re. 9th Street Bridge
- Heard Across Montana - To Director of Operations Bill Hurley for review
- Letter from Brenda Gilbert re. Hoyem's culvert - Lahren said the issue was resolved last week
- Invoice from IronWolf re. crushing millings on 7/16 @ the City Yard
- Citizen letter to donate two lots to the county at Park View Memorial Gardens
- Memo re. Undersheriff Gary Tanascu retiring July 31

@10:42:51 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 28, 2008

Fiscal Year 2009 Budget Workshop

@1:18:26 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Polly Miller, human resources; Marilyn Hartley, accounting; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

Polly Miller and Marilyn Hartley provided the Commission with a summary report of Fiscal Years '06 – '08 Commission general budget. Miller and Hartley worked with the Commission to determine preliminary, proposed FY '09 budget figures.

Miller read into the record Requests for Estimate of Taxable Values for the planning, road, county general, and ambulance taxing jurisdictions.

@2:17:49 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 28, 2008

3:00 P.M. – O'Rea Creek Railroad Crossing Meeting – Onsite

July 29, 2008

Consider Final Design for Gardiner School Sidewalk

@10:03:13 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Lori Benner, grants coordinator; Bill Hurley, operations; Bill Lloyd, Great West Engineering;

Public Citizens Joseph Gross, Tim McLaughlin, Mike Cretella, Aaron Suderman, and Barbara Read; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a final design for the Gardiner School Sidewalk Project.

Bill Lloyd of Great West Engineering presented construction plans for the Gardiner School Sidewalk project for review. Lloyd said there have been citizen concerns about parking and narrowing of a roadway regarding proposed sidewalk design plans.

Public comment was made by Mike Cretella. Cretella asked why the plans propose narrowing the road and why they do not propose locating the sidewalk in the county right-of-way. He said it makes no sense having a 60-foot road right-of-way and ending up with a 20 foot roadway after the sidewalk is built. He said that would result in a one-way street.

Lloyd said a professional survey was not done for this project because that survey likely would have exceeded Great West Engineering's budget for the entire project because more retaining walls would have to be built. Lloyd said he agreed the road would be a one-way road in a certain stretch because of car parking. He said the sidewalk has been narrowed from six feet to four feet in some areas to minimize narrowing the roadway.

Lahren said he has a problem with the proposed plan and that any construction needs to be done right. Lahren said narrowing the road will potentially create an unsafe situation for the public, and the Commission must address that. Lahren said more time and planning on the project will be a benefit in the long run. Lahren said his recommendation is to contact Hank Rate and have a survey done, which will likely put off the construction phase of the project to next year. Lahren said modification of the design plans and public input will be done after the survey is completed. Lahren tasked Lori Benner and Great West Engineering to contact Rate about the survey work.

Lloyd said Great West Engineering would need to define the county road right-of-way with a survey to ensure the sidewalk project was not encroaching on private property. Lloyd said he needs to know the project's desired minimum street width, minimum sidewalk width, and whether a shoulder is desired.

Benner said she will check with Safe Routes to Schools regarding the money the county has obtained for the project. Lloyd said those funds will not go away.

Public comment was made by Tim McLaughlin. McLaughlin asked if any criteria existed under which the Safe Routes to School money must be used. Benner said specific specifications, such as road and sidewalk widths, are not required to be met to receive the Safe Routes to Schools money.

Public comment was made by Barbara Read. Read said she wants to put in a duplex at the northeast corner of Stone and 3rd Streets in Gardiner. She said she is concerned with

limited parking because she would need four total parking spaces and it appears the proposed sidewalk design plans would not allow for that. She said there needs to be a safe place to park vehicles and she recommends putting the sidewalk as close to the right-of-way as possible.

@10:39:10 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 29, 2008

1:00 P.M. – Fiscal Year 2009 Budget Workshop – Canceled

July 29, 2008

Election/Selection of Successful Bidder for Rabbit and Poultry Barn

@3:01:35 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, operations; Kim Knutson, fair manager; Brett Linneweber, county attorney; Jim Snyder, architect; and Public Citizens Mike Adams, Ed Flatt, Myron Kovash, and Dan Nelson; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider election/selection of a successful bidder for the rabbit and poultry barn.

Commissioner Durgan said he and the fair board selected four bids deemed acceptable. Those bids were Kovash Enterprises, Diamond D Construction, KB Building; and Maus Construction. Durgan said three other bids were determined nonresponsive.

Kim Knutson said the committee eliminated the lowest and highest bids and four bids were determined to be beyond the project budget. Durgan said the committee selected Diamond D Construction as the recommended bidder at a bid of \$177,800. Knutson said Kovash's work schedule was not as detailed as the three other bidders.

Lahren made a motion to accept the bid of \$137,456.58 by Kovash because it is the lowest bid and he has to do what the specs are and if they can't do it for that price that is their problem as a bidder. Durgan seconded that motion.

There was discussion. Durgan said the bid of \$137,456.58 includes all bid and performance bond fees and there will be no deductions from that bid figure.

Lahren made a friendly amendment to the motion: Lahren made a motion to conditionally accept the bid of Kovash Enterprises for the construction of the Rabbit and Poultry Barn, with the condition that the successful bidder enter into a contract approved by the County Attorney and that ensures compliance with any required state or federal requirements, including any performance bond, Little Davis Bacon Act requirements, and any other Title 18, MCA, Public Contracts requirements. The motion includes the provision that

the successful bidder's failure to do so in a reasonable time (as determined by the Commission) will result in the County either selecting the next reasonable and responsible lowest bidder or re-advertisement of the bid at the Commission's discretion. Durgan accepted the amendment to the motion. Motion passed.

Kovash said he is okay with the specified construction deadline of December 31, 2008 as stated in the project manual.

Snyder said he will serve as the construction point person to make sure the building is built to specifications and the building schedule is maintained. Snyder will address contractor payment requests and approve them based on what percentage of work is completed. Lahren said all communication is to be only between the architect and the builder and the fair board or no other individual is to advise the builder about anything regarding a change in work plan. Snyder said he will draft an owner/architect agreement that pertains only to construction. Lahren said the agreement will ensure quality control of the construction work.

Knutson said the project is to commence September 2, 2008 and the fair board is responsible for the demolition of the existing building.

@3:36:26 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 29, 2008

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

July 30, 2008

9:00 A.M. – Exemption Appeal Tolmacheve Family Transfer – Commissioner's Chambers – Canceled

10:00 A.M. – Fiscal Year 2009 Budget Workshop – Commissioner's Chambers – Canceled

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

1:30 P.M. – Fiscal Year 2009 Budget Workshop – Commissioner's Chambers – Canceled

July 30, 2008

Public Hearing to Consider Planning Board Recommended Amendments to the Park County Subdivision Regulations Including Oral and Written Public Comment

I. Call to Order

@7:00:01 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Lahren were present. Also present was Mike Inman, planning; Philip Fletcher, planning; Public Citizens Don Wilson, Shirley Wilson, Mel Anzick, Helen Anzick, George Bornemann, Chuck Donovan and Marty Malone; and Commission Minutes Clerk John Mueller.

The meeting was scheduled as a public hearing to consider planning board recommended amendments to the *2006 Park County Subdivision Regulations* including oral and written public comment.

II. Discuss Conflict of Interest

The Commission reported no conflicts of interest.

III. Planning Department Presentation on Process and Planning Board Recommended Amendments to the *2006 Park County Subdivision Regulations*

Planner Mike Inman said the planning department presented recommended amendments to the planning board one year ago. The planning board conducted a public comment analysis and findings of facts with regards to recommended amendments. The Commission received all public comments, the planning board recommended amendments to the *2006 Park County Subdivision Regulations*, and a planning staff report on those recommendations at a public Commission meeting one month ago. Inman said at tonight's meeting the Commission can postpone a decision on accepting or denying the proposed amendments to analyze public comment or it can go through public comment and make a decision to adopt or deny the recommended amendments.

IV. Questions from the Commission

The Commission had no questions about recommended amendments.

V. Open Public Hearing: @7:08:54 p.m., Lahren opened the meeting to public comment

A. Public Comment on the Planning Board Recommended Amendments to the *2006 Park County Subdivision Regulations*

Public comment was made by Mel Anzick on behalf of George Bornemann. Addressing recommended amendment #27, Anzick said the text should state setback distances from the Yellowstone, Shields and Boulder Rivers should be a 150-foot "horizontal" distance from the mean high water mark. Anzick said adopting fire protection packages is a good idea and tanks and ponds are good, but for minor subdivisions that can be onerous and difficult to ensure they are being properly maintained. Anzick said the developer should be allowed to come up with other options. Regarding developing in the Wildland Urban Interface (WUI) Anzick said development near a highly wooded area should be more stringently viewed than development in or near a town. Anzick asked how a developer is to know if a proposed development area is in the WUI.

Public comment was made by Don Wilson. Wilson said the county is jumping the gun on the WUI. He said the county is heading in the right direction, but it must take the subjectivity out of defining where the WUI is. He said having subjectivity is not a good way to deal with the public and he does not want to rely on his local fire protection agent to determine the WUI because he does not feel that individual is qualified to make that determination. Wilson asked the difference in recommendation #40 relating to Parkland Designation. Wilson said he would like to know how the Commission feels about possible options when dealing with the fire regulations.

B. Close Public Hearing: @7:43:41 p.m., Lahren made a motion to close the public comment component of the meeting. Denton seconded that motion. Motion passed

C. Commission Discussion, Public Comment Analysis, Findings of Fact, Motion(s), and Determination

Lahren said he has a problem with the WUI because its definition is supposedly scientific yet subjective. Fletcher said the county has to come up with a WUI plan by next year per state law, and that project is in the planning staff's work program for FY '09. Fletcher said that work program will establish methodologies of how to determine the WUI and answer tough questions. Fletcher said a WUI map is not a state requirement and should not be the focus of a WUI definition because maps are visual images of a set of data figures, so if you have the definition from the figures you don't have to map out those data.

Inman said it is difficult to map a WUI because a local fire protection authority can look at a piece of property for slope, vegetation, access to roads, water features on the property, and distance from the local fire protection authority and come up with many different data sets on one property. He said to come up with that many detail data sets for the entire county would be impossible, and as soon as a map was made it would be out of date because as soon as someone builds a house the map would need to be updated. Inman said a map would be a generalized area, and so a fire protection authority would still have to go out and conduct a site visit to determine what is on the ground. He said a map is a good generalization tool but each development needs to be looked at on a case by case basis.

The Commission analyzed public comment.

Public Comment: Larry Lahren, citizen in Park County, requested that language in the *2006 Park County Subdivision Regulations* be modified so that the Planning Department will conduct a file and literature search for cultural resources (paleontological, prehistoric, historic and roads and trails).

Finding of Fact: Lahren said requested action takes the burden off of the subdivider and makes it more efficient to conduct a file and literature search through the planning

department. He said such activity is already administered by the planning department and this statement clarifies that fact in the subdivision regulations.

Motion: Denton made a motion to include language in the *2006 Park County Subdivision Regulations* that states: “The legal description of the proposed development area should be provided to the Park County Planning Department at the earliest time possible. The Planning Department will conduct a file and literature search at the State Historic Preservation Office and with the Park County Historian. Based on these findings and recommendations, the Park County Planning Office will make recommendations for the nature and type of cultural resource evaluations requirements for the proposed development area.” Lahren seconded that motion. Motion passed.

Public Comment: Mike Graham, Paradise Valley Fire Chief, offered comments pertaining to fire standards. As to Appendix B; Definitions; “Approved,” Graham questioned how “the other entity having jurisdictional authority” would be determined.

Finding of Fact: The Commission said this comment was addressed by a conversation with Planner Inman during a public meeting and does not need any further discussion.

Graham asked why the definition for “Driveway” was removed from the fire protection appendix.

Finding of Fact: The Commission said the definition of “Driveway” is included in the “Definition” section of the *2006 Park County Subdivision Regulations*.

Graham commented about Paradise Valley requiring all barrel style hydrants for drafting ease and dependability. He also questioned who appoints the Fire Protection Authority (FPA).

Finding of Fact: The Commission said the question was answered by Planner Inman during a public meeting.

Graham commented he would like fittings to be compatible countywide since different districts provide mutual aid to each other. He expressed support of much of the document, specifically page 8: 1. sub ii.; ‘Having a qualified expert certify bi-annually Fire Protection Water Supply Features’. He questioned page 10: C. 1, stating only five wells on the west side of Paradise Valley produce 100 gallons per minute. C. 2. takes away 50% of the resources required in option C. 1.

Finding of Fact: The Commission said the items raised by Mr. Graham are addressed in the draft fire protection standards, as identified by Planner Inman.

Public Comment: Dann Babcox, Park County Rural One Assistant Fire Chief, addressed Page 8 saying fire officials have no way to enforce this item as they are a volunteer agency.

Finding of Fact: The Commission said the restrictive covenants required by the County Commission shall address maintenance of fire protection features and systems.

Public Comment: George Bornemann commented about set-back distances from the Yellowstone, Shields and Boulder Rivers.

Finding of Fact: The Commission said the diagram included in recommendation #27 explains this comment and provides necessary clarification.

George Bornemann said it is difficult to maintain fire protection features and there needs to be more flexibility on the part of the developer. Addressing the WUI he said it is not defined and asked how a developer is to know if a property is in the WUI.

Findings of Fact: The Commission said flexibility is allowed under section II-E of the draft fire protection standards. Maintenance is specified in the draft fire protection standards and restrictive covenants. The Commission said development proposals in the WUI may be required to provide additional water supplies or a secondary access as determined by the fire protection authority and the County Commission. It said the WUI is defined but a map is not defined and a map is not required by the State. The WUI designation will be determined by local the Fire Protection Authority.

Public Comment: Don Wilson said he had concerns on the WUI and its lack of definition and subjectivity.

Finding of Fact: The Commission said it previously addressed that issue in the Commission Findings of Fact pertaining to Mr. Bornemann's comments.

Wilson asked the difference in recommendation #40 addressing a Park Board and Parkland dedication.

Finding of Fact: The Commission said that was clarified by Planner Inman in today's meeting.

Public Comment: Mardi Madsen commented on physical and legal access and private roads in Park County. She commented when subdivisions or larger parcels are sold with private roads, private roads must be dedicated to public use. Madsen cited the Meredith Ranch, saying it was built to subdivision regulations in 2002 and now six of the property owners are precluded from subdividing based upon the definition of physical and legal access. She said that decreases property values and creates hardships. She said the public does not know how to dedicate a private road to the public when it's owned by multiple people. She said to change the definition of physical and legal access back to the old definition in the 2005 subdivision regulations or create a method for declaring a private road for public access or design a variance provision.

Findings of Fact: The Commission said the issue of physical and legal access is adequately addressed in the Planning Board's analysis of public comment regarding

physical and legal access (dated May 15, 2008) and in the current definitions of physical and legal access in the *2006 Park County Subdivision Regulations*.

Determination: Commissioner Denton made a motion to accept the Park County Planning Board recommended amendments to the *2006 Park County Subdivision Regulations*, with the inclusion of the Findings of Fact and motions identified above. Lahren seconded that motion. Motion passed.

The Commission said the recommended amendments will take effect on September 1, 2008.

VI: Adjourn: @9:03:29 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

@9:04:12 p.m., Lahren reopened the meeting for public comment. Chuck Donovan asked what issues were accepted by the Commission that had been submitted by Bob Fry in April 2007.

@9:06:01 p.m., Denton made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

July 31, 2008

8:30 A.M. – Meeting at Montana Department of Transportation to Discuss 9th Street Island Bridge – Helena – Lahren

9:30 A.M. – Consider Resolution Establishing Park County Solid Waste Board – Commissioner’s Chambers – Canceled

10:00 A.M. – Fiscal Year 2009 Budget Workshop – Commissioner’s Chambers – Canceled

July 31, 2008

Myers Flat Radio Site Bid Opening

@10:31:47 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioner’s Chambers. Commissioners Denton and Durgan were present. Also present was Bill Hurley, director of operations; Peggy Glass, Park County 911; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to open Myers Flat radio site bids.

Commissioner Durgan opened two sealed bids. A bid was received by Northwest Tower for \$184,068.00 at 4:24 p.m. on July 28, 2008. A bid was received by Saber Communications Corporation for \$349,508.00 at 2:57 p.m. on July 28, 2008.

The Commission discussed postponing the bid on the Myers Flat radio tower site until it can consult with the county attorney and the state of Montana regarding bid criteria.

Denton made a motion to postpone the bid on the Myers Flat radio tower site until Monday, August 4 at 10 a.m. Durgan seconded that motion. Motion passed.

@10:45:35 a.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 31, 2008

1:00 P.M. – Rural Special Improvements Development Meeting – Commissioner’s Chambers – Canceled

1:30 P.M. – Review Correspondence, Public Contacts and Determine Action Plan – Commissioner’s Chambers – Canceled

2:00 P.M. – Meeting to Hear Public Concerns - Cooke City – Denton

3:00 P.M. – Park County Road Updates Meeting – Commissioner’s Chambers – Canceled

4:00 P.M. – Park County Fair Meeting Discussion on Budgetary Spending – Commissioner’s Chambers – Canceled

7:00 P.M. – Cooke City Water District Board Meeting – Cooke City – Denton

August 1, 2008

No Meetings Scheduled

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

Denise Nelson
Clerk & Recorder
Park County, Montana