

Commission Meeting Minutes; Park County, Montana  
Week of October 6 – October 10, 2008

October 6, 2008

Park County Road Updates

@9:02:15 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Brad Wilson, road crew; Shannan Piccolo, deputy county attorney and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Road crewman Brad Wilson provided the Commission with a weekly road crew work schedule. Wilson said the road crew put some gravel down on Willow Creek Road and is mowing high areas around the county in the event of snow. Wilson said the road crew will be back on Willow Creek Road today and maybe tomorrow and will repair an area with gravel after the pavement ends on the road.

Wilson said he has been proactive with grading roads by grading roads instead of waiting for the phone to ring with a complaint. Wilson said his philosophy is a grader should never be sitting idle unless it is being maintained.

Wilson said Kenny Youngberg is mowing in Paradise Valley.

Wilson said he does not know if the road crew plans to be in Cooke City or Silvergate to grade roads. There was discussion about where millings would be stored for surfacing a road there. Commissioner Durgan said it is important a contractor knows exactly where to place millings.

Commissioner Denton said Monument Street culverts in Silvergate are plugging up and work needs to be done there before winter. Denton said potholes on Main Street in Gardiner near Kovash's gift shop needs patchwork.

Durgan said residents on Miller Drive have been calling complaining about a new three-way stop at Billman Lane and Canyon View. The Commission said a resident telephoned about a downed stop sign on Miller Lane.

@9:25:37 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 6, 2008

Discussion of Agenda and Review Minutes for Weeks of September 15, 22, and 29, 2008

@9:38:57 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Raea Morris, executive assistant; Kim Gentry, human resources; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the Commission's upcoming agenda and meeting minutes for the Weeks of September 15, 22 and 29, 2008.

Raea Morris provided the Commission with its upcoming agenda. The Commission reviewed that agenda and provided revisions. Morris reminded Commissioners Denton and Durgan about a safety meeting on October 9 at 8:30 a.m. Morris said Durgan is to meet with Joe Disaro on October 7.

Reviewing meeting minutes for the Week of September 15, 2008, Durgan noted on Page 7 of 16 Denton attended a Park County Senior Citizens Center meeting. On Page 7 of 16, Department Head Meeting, Durgan noted the correct spelling of the word "refuel." Durgan requested the second to last paragraph on the page read in entirety, "Addressing the Status of a New Employee Pay Grade Scale, Mary Anne Anderson of Extension inquired as to the status of that grade scale matrix and whether the resignation of the county human resource manager will delay completion of that matrix. Durgan said he is unsure of the completion status of the matrix at this time." On Page 9 of 16, the last sentence of the fourth paragraph should read, "The email stated the state will not pose a penalty on any county not meeting the informal 30-day deadline, however an audit finding may be made."

On Page 12 of 16, Denton noted the correct spelling of Kenny "Youngberg."

On Pages 2 and 3 of 16, Lahren noted the correct spelling of "Jean" Ramer.

Durgan made a motion to accept the minutes for the Week of September 15 as corrected. Denton seconded that motion. Motion passed.

Reviewing meeting minutes for the Week of September 22, 2008, on Page 2 of 11; second to last paragraph, Durgan noted the correct spelling of "Michele" Strong. On Page 3 of 11; third full paragraph, the last sentence should read, "Lahren said citizens would work on roads at that time in lieu of taxes." On Page 4 of 11, the second to last paragraph should read in entirety, "Swindlehurst said clearly there has been a common-law dedication of the road as a public road. Swindlehurst said there is no difference between a county road and a public road. He said a county surveyor surveyed the road. Lahren said a public road is not necessarily a county road." On Page 6 of 11; last paragraph, the first sentence should read, "Hillman said he continues to receive citizen complaints about the poor condition of pavement on Willow Creek Road."

On Page 10 of 11, Denton noted she was in Cooke City on September 26 from 10:30 A.M. – 12:00 P.M. and in Gardiner from 2:00 P.M. – 3:00 P.M.

Denton made a motion to accept the minutes for the Week of September 22, 2008 with changes made. Durgan seconded that motion. Motion passed.

Reviewing meeting minutes for the Week of September 29, 2008, on Page 3 of 9, Lahren said he adjourned a Medical Facility near Yellowstone National Park meeting at 3:30 p.m. On Page 3 of 9, Personnel Meeting, Lahren requested adding the following text, “Some discussion occurred, but based on county attorney’s advice the meeting was canceled.” Lahren said he adjourned that meeting at 3:46 p.m.

On Page 4 of 9, Cooke City and Water District Resort Tax Legal Issues meeting, Durgan requested the second sentence of the fourth paragraph read, “Ellingson said there is 84% of resort tax available to the district and of that 84 percent the district proposes \$20,000 be set aside each year for the Shoofly Center.” Durgan requested the last sentence of the fifth paragraph read, “She said the terms, collections and conditions of the original resort tax are not at risk if the ballot is voted down.” On Page 6 of 9, Park County Road Updates Meeting, Durgan requested the fifth paragraph read in entirety, “Durgan provided Hillman with a memorandum stating any work to be completed on county road equipment or for county road work must be pre-approved by the Commission. Hillman signed the memorandum. Hillman said the memo says all expenditures must be pre-approved by the Commission. Durgan said the Commission needs a purchase order for expenditures and the Commission must sign off on those purchase orders before work can be done. Durgan said county policy requires preauthorization for any amount over \$500.” On Page 7 of 9, last paragraph, Durgan requested the last sentence read, “Durgan said the museum mills are floating mills and the Commission has the discretion to redistribute those floating mills to any department authorized to use them.” On Page 8 of 9, Durgan requested the second paragraph read in entirety, “Kraft reviewed the board's priority list of projects. Sparks said there are concerns about seepage from the Livingston Ditch behind the museum property and he suggests a concrete retaining wall estimated to cost \$35,000. Commissioner Durgan said he suggests Sparks check with a hydrology/engineering firm to gain a more accurate estimate of what fixing the problem may cost.”

Denton made a motion to accept the minutes for the Week of September 29, 2008 with corrections made. Durgan seconded that motion. Motion passed.

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

October 6, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:41:25 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was

Bill Hurley, operations; Polly Miller, human resources; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

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

Commissioner Lahren said he talked to Rick D'Hooge regarding road crew unionization issues. Lahren said D'Hooge said the road crew should continue doing the same tasks it performed in the six months prior to the vote to join the teamsters union. Lahren said he was told by county road crewman Winn Treible today his union representative told him not to conduct Bailey bridge inspections. Lahren read into the record a chronology of discussions between the road crew, the Commission and union representatives regarding the road crew's inspection of the Bailey bridge. He said he is completing a formal report of the chronology. Lahren said the bridge was inspected on July 24 and August 7 and has not been inspected since. He said an August 14 Commissioner-memorandum regarding Bailey bridge inspections has not been adhered to and inspections have ceased. Lahren said the county was to inspect the Bailey bridge beginning July 1, 2008 and only one of four required weekly inspections for July and August was completed.

Lahren said Treible told him in mid September he was told by his union representative not to continue inspecting the Bailey bridge. Lahren said the Commission now does not have anyone inspecting the bridge as the road supervisor and the road crew member tasked with inspecting the bridge refuse to do the inspections. Deputy County Attorney Shannan Piccolo said from a liability standpoint the Commission needs to find a way to get the bridge inspected. She said if no one is willing to do it from the county road department, the Commission may want to research having another individual inspect the bridge.

Lahren said the Commission needs to know how to require the road crew to conduct the inspections. Piccolo said County Attorney Linneweber handles all personnel issues. The Commission asked Piccolo to inform Linneweber about the issue and that there has been non-compliance with a Commission directive to inspect the bridge.

Durgan said the Commission received no official notice that the union is advising the road crew at his point about work it should and should not conduct.

Lahren told Human Resources Manager Polly Miller he needs to see Hillman's annual leave request.

Polly Miller said the Commission needs to give Winn Treible a directive to continue inspections on the Bailey bridge. She said she just spoke with Rick D'Hooge on the telephone and D'Hooge said Treible did not speak with any union representative. Miller said D'Hooge will submit to the Commission an email regarding the issue.

Durgan asked why the county has not been notified the road crew is unionized. Miller said she is 95 percent sure the road department is unionized and the union and road crew

have 90 days after vote results are received to approach the Commission with a contract. Durgan said there has been no communication with the Commission from the road crew regarding union issues and county road work issues.

Miller said backlogged longevity for the Sheriff's office looks to be between \$100,000 and \$125,000. Miller said D'Hooge said he will be in the office in the near future to discuss the issue.

@11:19:40 a.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 6, 2008

Discuss a Federal Emergency Management Agency Property Acquisition Program

@11:19:56 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Lori Benner, grants coordinator; Belinda Van Nurden, DES manager; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a FEMA property acquisition program.

Lori Benner updated the Commission about a Federal Emergency Management Agency grant buyout program to buy properties in the floodplain. Benner said one property owner on Ninth Street Island is interested in selling his property through the program. Benner said she and DES Manager Belinda Van Nurden have researched possible nonprofit funding sources to buy out properties on Ninth Street and Siebeck Islands. Benner said she was told by a parks nonprofit group that interest from a number of property owners is needed in order for buyout funds to turn areas such as Ninth Street and Siebeck Islands into community parks.

The Commission directed Benner to draft a letter for submission to all island residents explaining the grant buyout program to gauge island resident sentiments of the buyout program. The Commission said the letter is to state the county is following up on a federal and state directive to research a buyout option, and the county is not pushing a proposal to buyout citizens from the island. Benner said the letter will be signed by the Commission and mailed through the Department of Emergency Services office.

@11:33:46 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 6, 2008

Fiscal Year 2009 Budget Workshop

@1:17:10 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was

Marilyn Hartley, accounting; Bill Hurley, operations; Don Holland, auditor and Marty Malone, public citizen. No public comment was made.

The meeting was scheduled as a Fiscal Year 2009 budget workshop.

@3:27:42 p.m., Lahren adjourned the meeting.

October 7, 2008

City/County Meeting

@4:01:01 p.m., Commissioner Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was City Commission members Mary Beebe, Juliann Jones, and Rick VanAken; Ed Meece, city manager; Bruce Becker, city attorney; Marc Richards, GIS/IT; Bill Hurley, operations; Shannan Piccolo, deputy county attorney; and Peggy Glass, Emergency 911. No public comment was made.

Addressing a Sheriff's Office server project, GIS/IT Manager Marc Richards said the law enforcement server is out of server space. Richards said four gigabytes of space was freed up and he received a quote of \$9,950 plus \$3,200 for labor for a new server. Richards said the IT Department is going to purchase the server at a total cost of \$9,150 split three ways between the county, city and Emergency 911. The city said it has its share of the funds in its budget.

Addressing concerns with Angel Line organizational structure, City Manager Ed Meece said the city has been working with Angel Line to set up an agreement with the PACE Organization, a pilot program from Billings Clinic designed to keep senior citizens in their homes instead of nursing homes. City Attorney Bruce Becker said Angel Line's board members are not insured, minus the city manager and the sitting county commissioner. Meece said the city and county attorney will need to discuss the situation to form an interlocal agreement or formalize the Angel Line board, as it may never have been created by the city or county. Meece said board members at this time may be personally liable for actions they've taken in the past. Becker said he has received telephone calls from board members saying they may abandon the board after its November meeting if nothing is resolved. Lahren told Deputy Attorney Piccolo and Becker the Angel Line issue is a priority issue to work on.

Addressing the funding of the maintenance position, mosquito spraying and Green Acres mowing, Durgan said the county is not sure whether the 50-percent maintenance funding paid for by the city includes the mosquito spraying and Green Acres mowing. Denton said the county is considering cutting the maintenance position to a half-time position. Meece said the county needs to submit to the city an invoice for maintenance funding payment and the city will assist with whatever needs to be done.

The next meeting is scheduled for October 28, 2008 to discuss the Angel Line issue.

@4:24:40 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 8, 2008

9:00 A.M. – Review Claims – Commissioners Chambers

October 8, 2008

Rakela Family Transfer Denial Appeal

@10:04:40 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Mike Inman, planning; Philip Fletcher, planning director; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to address a Rakela family transfer denial appeal.

Planner Mike Inman recommended the Commission postpone the meeting since the appellants were not present. He said it is part of the appeal process for them to be present and present their case of appeal to the Commission. Inman said Kathleen and Rick Rakela have been actively subdividing in Glastonbury and currently have two subdivisions in the review process. He said his reason for denying the family transfer was the Rakelas have two subdivisions in the review process and this family transfer comes in as a transfer from Kathleen to Rick. Inman said he is not denying Kathleen Rakela's ability to divide the property, but if she wants to do that then she should go through the Montana Subdivision Platting Act as everyone else must do. Inman said as far as the planning department is concerned the Rakelas are active developers.

Inman said he emailed and left voice messages for the Rakelas for the last month and a half regarding the family transfer denial appeal meeting date.

Commissioner Durgan made a motion to postpone a decision on the Rakela family transfer denial appeal, reschedule the meeting for a later date, contact the Rakelas via certified mail informing them of the date of the rescheduled meeting and that the Commission will make findings and a decision on the family transfer denial appeal at that meeting. Commissioner Denton seconded that motion. Motion passed.

@10:18:12 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 9, 2008

8:30 A.M. – Safety Meeting DES Department – Community Room

October 9, 2008

Fiscal Year 2009 Budget Workshop

@9:18:11 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Marilyn Hartley, accounting; Bill Hurley, operations; Don Holland, auditor; Polly Miller, human resources; Bernadette Rambow, accounts payable; Allan Lutes, sheriff; and Scott Hamilton, undersheriff. No public comment was made.

The meeting was scheduled as a Fiscal Year 2009 budget workshop.

The Commission reviewed the Sheriff's Office budget for FY '09.

@12:00:27 p.m., Lahren adjourned the meeting.

October 9, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@1:38:39 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, operations; Bernadette Rambow, AP clerk; Robert Queen, Shields Valley TV District; and Commission Minutes Clerk John Mueller.

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

Accounts Payable Clerk Bernadette Rambow presented the Commission with a bill from Mark Hartwig. That bill requests payment for Hartwig's fees as an attorney regarding the Deep Creek Road Bridge repair project. Commissioner Durgan said the bill will not be paid until County Attorney Linneweber reviews it and determines whether or not that bill should be paid. Rambow said a first-quarter Angel Line bill for \$20,951.50 is due prior to the county collecting tax money to cover that bill. Durgan said he feels the Commission should meet with the Angel Line board about the issue. Lahren said he sent an internal memo to the deputy county attorney, human resources manager, and Rambow to collect information about the Angel Line board confusion. The Commission directed Rambow to submit correspondence to the city letting it know the county will hold onto the bill while information is gathered about the issue.

Correspondence included:

- Memo from Peggy Glass re. dispatch equipment bill
- Memo from Deputy County Attorney Shannan Piccolo re. sale of county property on north side suggesting the Commission go ahead with quiet title action - To Piccolo for review
- Bills from the road department lacking purchase orders

- Direct deposit for interoperability account from MT State of Commerce - To Hurley for review
- Elevator inspection code form - To maintenance personnel
- Road department list of costs for projects
- Memo re. government cost accounting seminar
- Memo re. meth forum in Boise
- Memo re. Community Network meeting
- Minutes from local emergency planning committee
- Memo re. MACO news link
- Memo re. interlocal sheriff's agreement for St. Regis and Cooke City Water District bond - To Denton for review
- Memo re. PILT funds
- Memo re. VanJamison wind power - To Durgan for review
- Memo re. MACO legal update
- Memo re. budget management seminar
- Memo re. vendor registration
- Memo re. airport board asking for assistance with a hanger contract submitted to the county attorney's office for legal review - To Durgan for action
- Memo re. water law seminar
- Memo re. landfill monitoring - To file
- Memo re. citizen complaint about dust control on Six Mile Road
- Memo re. Community Block Housing Grants - To grants coordinator for review
- Weekly road crew work schedule - To Road Book
- Memo re. architect report and approved invoices for fair rabbit/poultry barn construction - To file
- Memo re. NACO newsletter
- Memo re. city/county meeting agenda for October 7 meeting
- Memo re. electrical issue at fairgrounds - To fair board for review - Durgan said a contractor Ray Richards of Tech Electric telephoned him asking if the Commission wants to authorize change in the fairgrounds electrical service. Durgan said the contractor will install a 200-amp underground service at no extra contract charge. Durgan said Fair Manager Knutson is supportive of the new service.
- Memo re. refuse fee waiver request from citizens in the Boulder area. Lahren said the deputy county attorney is researching the type of service the county is required to provide to residents
- Memo re. South Fork of Deep Creek Road - To County Historian Brekke for review
- Memo re. lease agreement for green boxes at the Mission Ranch
- MACO claims quarterly report - To file
- Memo re. Red Cross classes to be held
- Memo re. 89 North closure in Wilsall for mural dedication
- Memo re. clean energy bulletin
- Memo re. Forest Service list of projects

- Memo re. trans-Canada pipeline
- SOURCE magazine
- Racial equality newsletter
- Memo re. wildfire training DVD available
- Heard Across Montana newsletter - To Hurley for review
- Memo re. Center for Healthy Transformation project conducted in Georgia
- Memo re. MACO proportion tax shares
- Memo re. Forest Counties and School Coalition and PILT funds - To Durgan for review
- Memo re. Montana Water Trust - To Durgan for review
- Memo re. consulting management services for performance management training of county department heads and elected officials on October 20 and 21
- Memo re. change of department head meeting time
- Memo re. City of Livingston business owners
- Invoice for \$180 for a building permit at Myers Flat - To Hurley for review
- Red Lodge newsletter for problem solving tools
- Memo from human resources manager re. procedure for reporting accidents at work
- Memo re. wind energy - To Durgan for review
- Memo from PCRFD#1 suggesting county fire marshal may not be a paid position

Durgan said the fair board has not fixed a water leak at the fairgrounds despite him telling the fair manager to fix the problem. The Commission will authorize the fair board to have the electric service upgraded and the water problem fixed. The Commission signed off on the authorization.

Durgan said he spoke with road crewman Brad Wilson before today's meeting. Durgan said Wilson is finishing on Willow Creek Road and will not make today's road updates meeting. Durgan said Wilson said work on Willow Creek Road is completed from Old Clyde Park Road out to Harm's. Durgan said Wilson said he will place 15 mph signs on Miller Road next week, a school bus sign will be put up on Old Clyde Park Road, Tom Miner Road is finished today and graders are being serviced and moved as needed, everything is mowed at Jardine, Deep Creek South will be mowed on Monday, and sander trucks in Wilsall and Livingston will be available in case of a snow storm this weekend.

Lahren said the county attorney has not reported to the Commission about the liability of maintaining Deep Creek South Road. Lahren said the Commission will keep that road on the road crew maintenance schedule in the meantime.

Public comment was made by Robert Queen. Queen said he is a member of the Shields Valley TV District and the district's engineer said someone is building a shack on condemned land. Lahren said the land was condemned for Park County use. Hurley said the documentation from the court taking says Park County is taking the property by and through the television district. He said it is very clear Park County owns the property and

the TV district was involved with those proceedings. Hurley said the building in question is part of a large project going on across the United States designed to improve emergency communications. Queen asked if the building on the land in question is legal and he wants assurance the work will not interfere with the television's operations. He said the board was in no way informed of the building and the line of communication from the Commission was poor.

Lahren said the property was taken as an eminent domain condemnation for public services.

Lahren asked how the county will determine whether the television operations will be impacted. Hurley said the equipment is existing equipment across Montana and there should not be interference with how the two services will work.

Hurley said the board's engineer can contact him for information about the issue.

@2:49:07 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

#### October 9, 2008

3:00 P.M. – Park County Road Updates Meeting – Commissioners Chambers – Canceled due to road crew work schedule

7:00 P.M. – Local Emergency Planning Committee – Gardiner Fire Station – Canceled due to weather

#### October 10, 2008

##### Fiscal Year 2009 Budget Workshop

@9:17:40 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Marilyn Hartley, accounting; Bill Hurley, operations; Don Holland, auditor; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a Fiscal Year 2009 budget workshop.

@12:02:34 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

#### October 10, 2008

##### Extension Office Monthly Report

@1:33:10 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Mary Anne Anderson, Extension; Tracy Brewer, Extension; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a monthly MSU Extension Service update.

Extension Agents Mary Anne Anderson and Tracy Brewer presented the Commission with Extension Service trainings and activities conducted for August and September 2008.

Anderson said the Park County Fair had 1,000+ entries this year and 500 hours of volunteer time. She said she will attend the LINKS program on October 15 and work with the Children, Youth and Families at Risk grant, which has to be a 4-H project per the federal government. Brewer said that program will focus on water quality. Anderson said she and Brewer attended an MSU Skills Leadership Team training in September. She said she will attend a Strong Women training program, and that program is a 12-week strength training program designed to increase bone and muscle strength for women over 20 years of age.

Brewer said she attended a pesticide applicator update training in Bozeman, and she will hold two continuing education pesticide applicator trainings at the Park County Fairgrounds on November 20. The trainings will be three credits apiece. Brewer said the Montana Fish Wildlife and Parks will implement an elk surveillance program through blood sampling to determine where the brucellosis disease is present within the Greater Yellowstone Ecosystem. She said ranchers are encouraged to provide hunters on their property with blood sampling kits. Brewer said she will have kits available from Extension as well. Brewer said she has been asked to sit on a new Park County Cooperative Weed Management Area board. She said she will conduct a micro-hydroelectric tour on October 23 at Strawberry Creek and Mill Creek, and tours will be held on solar and wind energy in the future.

The Commission said it will review the Extension budget on October 16.

@2:04:26 p.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana



Commission Meeting Minutes; Park County, Montana  
Week of October 13 – October 17, 2008

October 13, 2008

Columbus Day Holiday – All County Offices Closed

October 14, 2008

7:30 A.M. – Job Service Employers Committee Meeting – Job Service

October 14, 2008

Park County Road Updates

@9:38:16 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton and Lahren were present. Also present was Ed Hillman, road supervisor; Winn Treible, road crew; Dan Gravage, Montana Department of Transportation; Shannan Piccolo, deputy county attorney and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Road crewman Winn Treible asked Montana Department of Transportation (MDT) bridge specialist Dan Gravage about monitoring the settling of the old Ninth Street Island Bridge under the Bailey bridge. Gravage said he took shots last week and the old bridge has not settled. Gravage said he would monitor the settling of the Bailey bridge.

Treible said the bridge is bearing on the center cribbing as of a month and a half ago and it is not supposed to be doing that. Gravage said he will send an email to Dave Crumley of MDT and ask him about that concern.

Treible said he has tightened transom clamps and asked how tight those clamps need to be tightened. Gravage said he will address that question to Crumley as well. Treible said some transom clamps are bent and thus are not tightening down on the actual bridge. Treible said the clamps were bent from the start and came out of the box that way.

Treible said two cord bolts on the west end of bridge appear to be cross threaded and galled to the point Treible cannot tighten them, and the bolts are not tight. Gravage said MDT may have two replacement bolts on hand at a shop.

Gravage said he will provide a written reply of all of Treible's issues and concerns. The Commission asked Gravage to ask Crumley about winter maintenance of the bridge, specifically sanding the bridge with a non-salt sand.

Treible said the bridge has moved within only an eighth or 3/16 of an inch. Gravage said that is correct, and the bridge has barely moved since being erected.

Treible said running planks are shrinking and he spent two hours tightening down lag bolts. Treible said he twisted a few bolts off as a result, and it is hard to work on the middle of the bridge with traffic using the bridge. Treible said he needs the bridge closed when he is maintaining it. Lahren said anytime Treible is in the drive way of the bridge, the bridge needs to be closed and the proper signage erected a day or so in advance listing the time of bridge closure. Lahren told Treible to notify Disaster and Emergency Services Manager Belinda Van Nurden of any bridge closure and have flaggers available. Treible said it should not take longer than two hours to replace and tighten necessary lag bolts.

Hillman asked the Commission about a memo he signed requiring Commission pre-approval of all road work and road department purchase expenditures. Lahren said expenditures over \$500 must be pre-approved and changed the language on the memo to reflect that dollar amount.

Lahren said the county will keep Deep Creek South Road on the maintenance list during time its status is being researched. Treible said the road crew will probably be mowing on that road today.

@9:54:39 a.m., Denton made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 14, 2008

Discussion of Agenda and Review Minutes for Week of October 6, 2008

@9:54:49 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton and Lahren were present. Also present was Raea Morris, Commission executive assistant and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss the Commission's upcoming agenda and review Commission meeting minutes for the Week of October 6, 2008.

Raea Morris presented the Commission with its upcoming meeting agenda through October 24. Morris and the Commission revised the agenda.

Reviewing Commission meeting minutes for the Week of October 6, 2008, Denton requested a revision to Page 1 of 12, the third from last paragraph should read in entirety, "Commissioner Denton said Monument Street culverts in Silvergate are plugging up and work needs to be done there before winter. Denton said potholes on Main Street in Gardiner near Kovash's gift shop needs patchwork." On Page 5 of 12, Denton noted the correct spelling of the word "gauge."

Lahren requested a revision to Page 4 of 12, second complete paragraph; the second sentence should read, "Lahren said D'Hooge said the road crew should continue doing the same tasks it performed in the six months prior to the vote to join the teamsters union." In that paragraph Lahren noted the correct spelling of the word "adhered."

Denton made a motion to accept the minutes for the Week of October 6, 2008 with changes made today. Lahren seconded that motion. Motion passed.

@10:09:07 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 14, 2008

Consider Appointments to the Park County Solid Waste Board

@10:09:31 a.m., Chairman Lahren called a meeting to order in the Commissioners 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 appointments to the Park County Solid Waste Board.

Commissioner Denton said an advertisement for a seventh board member was run for almost two months and only one individual applied then reapplied for the open board position.

Denton made a motion to appoint Sue Martin to the solid waste board and accept the recommendation from the town of Clyde Park for Duane Mathews to sit on the board. Lahren seconded that motion. Motion passed.

The Commission addressed term limits of board members. Denton said all term dates started January 1, 2008. Denton made a motion Dick Juhnke, John Schuler and Norbert Herauf serve one-year terms; Joe Skaggs and Sue Nelson serve two-year terms; and Sue Martin and Duane Matthews serve three-year terms. Lahren seconded that motion. Motion passed.

@10:14:44 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 14, 2008

11:00 A.M. – Montana Association of Counties Health Care Trust Policies Meeting – Commissioners Chambers – Canceled due to employee illness

11:30 A.M. – Discussion of Reporting Accidents – Commissioners Chambers – Canceled due to employee illness

October 14, 2008

Review of Correspondence, Public Contacts and Determine Action Plan

@1:33:03 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton and Lahren were present. Also present was Bill Hurley, director of 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 from Kovash Enterprises re. required installation of additional bolts and building equipment on fairgrounds rabbit/poultry barn as required per the building inspector. The additional cost will be \$166.70 - To fair board for review
- Internal routing sheet from MDT motor services division requesting Commission signature to move a double wide trailer from Gardiner to Highway 89 North - The Commission signed and filed the document
- Agenda of full-day performance management and leadership training for Park County department heads and elected officials
- Memo re. Olness and Associates to be present at the county Week of October 13
- Notice of direct deposit from State of MT Department of Administration for \$165,760 re. Ninth Street Island costs - To file
- Memo from supervisor of county maintenance re. damage to sidewalk and sign by Knife River during paving of Callender and adjoining streets - To file
- Memo from human resources manager re. review of worker's compensation and reporting accidents immediately
- Governing Magazine news items
- Memo from MACO re. correction of inaccurate email data
- Memo from deputy county attorney re. county and private road designation research issue for Deep Creek South Road - To file
- Memo from deputy county attorney re. violation of weight restriction on Carbella/Tom Miner Bridge - To Road Book
- Memo from Montana Public Service Commission re. Bitterroot Taxi business in Helena
- Memo from MT DEQ re. methane monitoring review for Park County Class II Landfill - Results are within regulatory limits - To landfill manager and file
- Reminder from Erica Hoffman re. courthouse bandwidth limitations during the election season
- Email from Grant Writing USA president re. Billings grant writing workshop invitation
- Agenda for SAA summit meeting in Bozeman
- Memo from MT LTAP to county road supervisors re. SRCA and national forest counties funding - To Grants Coordinator Lori Benner for review

- Memo from Van Jamison re. schedule for wind working group in Montana - To Durgan for review
- MACO informational re. Madison County ruling on fences attached to bridges and public stream access - To Road Book
- Memo re. change to Secure Rural Schools funding equation
- Memo from deputy county attorney re. mowing of Silvergate Park - To Denton for review
- Memo from deputy county attorney re. South Fork of Deep Creek maintenance issue - To Road Book
- Memo from MACO re. pre-building operator training offered by NW Energy
- Memo from DES manager re. briefing materials for weekend's snowstorm
- Memo re. Common Sense Agenda for Middle Class Prosperity - To Durgan for review
- Memo from MACO re. instructions to obtain Secure Rural Schools funding following congress passage
- Extension agent activity reports for months of August and September
- Heard Across Montana newsletter - To Hurley for review
- Memo from Gallatin Solid Waste Management District re. Logan Landfill operations - To Denton for review
- Memo from AP clerk requesting submission of gasoline receipts
- Memo from Job Service re. October 14 meeting - Denton attended the meeting

Denton said adult probation has dead files and has asked to have space in the courthouse vault. Lahren said that information needs to go into the quansot hut because there is no space in the vault.

Lahren said he has a memo from Tech Electric saying there will be no cost to go underground with electricity for the rabbit/poultry barn at the fairgrounds. Lahren telephoned Tech Electric and Mike Adams of the fair board to schedule the work. Adams gave Lahren a verbal okay via telephone to go ahead with the underground work.

@2:15:04 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 14, 2008

3:00 P.M. – Personnel Meeting – Commissioner's Chambers – Canceled due to employee illness

7:30 P.M. – Board of Adjustments Meeting – Community Room

October 15, 2008

No Meetings Scheduled

October 16, 2008  
Fiscal Year 2009 Budget Workshop

@9:06:47 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Marilyn Hartley, accounting; Bill Hurley, operations; Philip Fletcher, planning; Don Holland, auditor; Polly Miller, human resources; Mark York, Livingston Enterprise; Marty Malone, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a Fiscal Year '09 budget workshop.

The Commission addressed the planning department budget and a budgeted wage increase for an existing planning department employee, as well as the termination of an existing part-time position during FY '09. The Commission finalized other county department budgets.

@12:09:15 p.m., Denton made a motion to recess the meeting until 2 p.m. Lahren seconded that motion. The meeting was recessed. @2:04:59 p.m., the meeting reopened.

The Commission finalized the bridge, road, vehicle maintenance and repairs, and sick and annual leave payout budgets.

Denton made a motion to accept the preliminary budget with exception of a few items accounting personnel still needs to research, including the revolving fund, Cooke City debt line item, fire department items and the county portion of the ambulance mill. Durgan seconded that motion. Motion passed.

@3:30:37 p.m., Durgan adjourned the meeting.

October 16, 2008  
Review Correspondence, Public Contacts and Determine Action Plan

@1:48:24 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, director of 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 a county fuel tank at the county shop at the Gardiner airport is unlocked and it seems to be commonsense to have a lock on a county fuel tank.

Correspondence included:

- Written opinion from Deputy County Attorney Shannan Piccolo and Surveyor Hank Rate about the status of South Fork of Deep Creek Road - To Road Book
- Original copies of grader leases from Caterpillar - To Clerk and Recorder for file
- Memo from MACO re. road maintenance agreements on BLM and federal lands
- Memo re. notice of Extension micro-hydroelectric tour
- Memo from Senator Jon Tester re. passage of PILT and Secure Rural Schools funding

@1:58:20 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 16, 2008

3:00 P.M. – Park County Road Updates Meeting – Commissioners Chambers – Canceled due to employee illness

October 16, 2008

3:30 P.M. – Planning Board Meeting – Community Room – Minutes available in the Park County Planning Department and on the Park County website at [www.parkcounty.org](http://www.parkcounty.org)

October 16, 2008

6:00 P.M. – Solid Waste Board Meeting – East Room – Minutes available in the Commission office and at [www.parkcounty.org](http://www.parkcounty.org)

October 17, 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 October 20 – October 24, 2008

October 20, 2008

Park County Road Updates

@9:01:17 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton and Lahren were present. Also present was Ed Hillman, road supervisor; Dan Gravage, Montana Department of Transportation; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Dan Gravage, Montana Department of Transportation bridge inspector, said he had answers to road department questions regarding Bailey bridge inspections from Dave Crumley and the MDT Bridge Bureau in Helena. Regarding monitoring of the settling of the old Ninth Street Bridge, Gravage said he would continue to monitor the settlement of the pier with elevation shots per MDT. Regarding the Bailey bridge resting on wood cribbing, Gravage said Crumley said that is not an issue. Regarding tightening of transom clamps, Gravage said hand tightening the bolts is sufficient. Gravage said the road department can put Loctite on the bolts if they keep loosening. Gravage said Crumley will bring replacement transom clamps on October 23. Regarding snow removal from the Bailey bridge, Gravage said the road department can use shovels, snow blowers, or possibly a four-wheeler with a sanding apparatus. Gravage said salt-sand cannot be applied to the bridge.

Gravage said he and Crumley will be onsite at the Bailey bridge at 9:30 a.m. on October 23 and the Commission and the road department are invited to join them.

Road Supervisor Ed Hillman provided the Commission with a weekly road crew work schedule. Hillman said the road crew is back working five eight-hour shifts.

Lahren said he will check on the status of Wall Rock Road as a county road.

Lahren said people are complaining about the Main Boulder Road between natural bridge and two mile bridge. He said the issue with maintaining that road is the far distance from Livingston. He said citizens there will come in for a meeting with the Commission and Hillman should attend that meeting.

Hillman said he ordered materials last week to put a steel top on the bridge on Miller Drive. Hillman said he was told it will take 10 days to receive the materials.

Lahren said bridge timbers from Whispering Pines will be cut to three inches thick and 12 feet wide and to random lengths.

Hillman said he was told by Dan Gravage that the 15-ton load limit on the Deep Creek Bridge likely will remain. Lahren said people cutting and hauling logs out of Deep Creek will need to get a county road work permit to work off the county road.

Hillman said he has not received a load limit for the Upper Six Mile Bridge after new decking was placed on that bridge.

Lahren said a draft Environmental Impact Statement regarding using a portion of the county Old Yellowstone Trail right-of-way as a buffalo corridor is out for public comment.

Hillman reviewed a citizen letter handed to him by Lahren regarding a pot hole on Old Clyde Park Road before the 89 Bridge. Hillman said that road was just patched.

Denton said Upper and Lower Brackett Creek Roads are bad. Hillman said he thinks the road crewman will finish Shield's River East and come back to Brackett.

@9:14:21 a.m., Denton made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 20, 2008

Discussion of Agenda and Review Minutes for Week of October 13, 2008

@9:44:42 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton and Lahren were present. Also present was Raea Morris, Commission executive assistant and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss the Commission's upcoming agenda and review Commission meeting minutes for the Week of October 13, 2008.

Raea Morris presented the Commission with its upcoming meeting agenda through October 31. The Commission had no revisions to the agenda.

Reviewing Commission meeting minutes for the Week of October 13, 2008, Denton requested a revision to Page 2 of 7 noting the correct spelling of the word "planks." On Page 5 of 7 Denton noted the correct spelling of the name "Van Jamison."

Denton made a motion to accept the minutes with changes noted. Lahren seconded that motion. Motion passed.

@9:47:11 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 20, 2008

Review of Correspondence, Public Contacts and Determine Action Plan

@10:02:52 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton and Lahren were present. Also present was Bill Hurley, director of 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.

Commissioner Denton said Cooke City residents living near the transfer station would like to expand the site to include a recreation ball field. Denton said Dessa Dale of the Forest Service said the Commission would have to add an amendment to a special use permit to allow for the field. Lahren said the county attorney should review that proposal for liability issues.

Denton said RC&D is asking the Commission to write a letter of support for brownfield assessments in order to apply for a grant. Denton will use a template to draft the letter.

Correspondence included:

- Memo re. deputy county attorney review of request for qualifications - To Senior Citizens Center file
- Draft bylaws of Park County Solid Waste Board - To Solid Waste Board
- Memo from citizen re. backup of Fleshman Creek
- Memo from Park County Concerned Citizens attorneys re. objection to any motion made by Park County Commissioners involving solid waste issues
- Memo from Van Jamison re. wind power - To Durgan for review
- Memo from NACO re. conservation award entries

@10:11:08 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 20, 2008

Rakela Family Transfer Exemption Appeal Hearing

@11:00:03 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Mike Inman, planning; Philip Fletcher, planning; Brett Linneweber, county attorney; Kathleen Rakela, public citizen; Rik Rottendorfer, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled as an appeal hearing for a Rakela family transfer exemption denial.

Park County Planner Mike Inman said Kathleen Rakela submitted a family transfer exemption to the planning department on July 14, 2008, which he denied citing Section 5.B. of the 2006 Park County Subdivision Regulations. Inman said that section states the planning department must take into account the nature of a claimant's business, surrounding circumstances, and prior history of a tract of land in question when considering family transfers. Inman said Rakela has two subdivisions in Glastonbury, Eagle's Bluff and Eagle's Nest, currently under review by the Park County Planning Department. Inman said he denied the Rakela family transfer based on the fact Rakela has two subdivisions currently under review, and other information was brought out in an appeal letter from the applicant and in the current meeting.

Inman said the letter from Rakela to the planning department states her business is a dance school, and she is not a surveyor or developer. Inman said Rakela wrote in the letter Inman gave no precautions or warnings of problems with a family transfer at a meeting in March between Inman, Rakela and her husband. Inman said discussions with the applicants at that meeting were about fire protection standards and a current subdivision, and there was no discussion about a family transfer regarding Parcel #53. Inman said he did not give his blessing for the family transfer, as Rakela said he had. Inman said the letter specifically identifies the original intention of obtaining Parcel #53 was not for a family transfer. Inman said his recommendation is for Rakela to go through the Montana Subdivision and Platting Act review process if she wants to divide the parcel.

Rakela presented the Commission with a map of the lots in question. She said she is not in the business of subdividing and making money from that. She said she is trying to save the properties near her home to preserve the land near her home. She said she wants to take the parcel in question out of subdivision by relocating boundaries to maintain the area's pristine integrity as houses are being built all around her.

Durgan asked Rakela if she intends to put the lot into a conservation easement. Rakela said that would be a great thing to do and she is sacrificing two pieces to hold onto one. She said the family transfer would be 2 ½ acres of Lot #53 and her husband would be accepting the 2 ½ acres so he could purchase adjacent land that has gone on the market.

Durgan said he recalls a family transfer is one way a rancher can transfer a portion of his land to his offspring in order to preserve the ranch and not have to sell it off in a subdivision. Durgan said the Rakela exemption does not look like that and he understands what Rakela is trying to do is sacrifice one piece of land through sale to get another piece of land.

Lahren asked Inman the legislative attempt of family transfers. Inman said the statement of intent of the family transfer specifically is to allow a landowner to convey one parcel outside of a platted subdivision to each member of his or her immediate family without local subdivision review. Inman said one of the difficulties in reviewing exemptions is the planning department is supposed to review whether the applicants are using the exemption for its intended purpose. Inman said if the purpose of the exemption is to

allow someone to transfer a parcel to an immediate family member and the intent then is to sell that parcel, then that gets away from the original intent of the family transfer.

County Attorney Linneweber said if the Commission was to deny the appeal the parcel could still go through subdivision review, be approved, and be sold by the applicant. Linneweber said the purpose of the family transfer is to ensure there is not a multiple divide and sell of property without review.

Inman said looking at Chapter 5 - Divisions of Land Exempt from Subdivision Review, which includes family transfers, "The Montana Subdivision and Platting Act provides that certain division of land, which would otherwise constitute subdivisions, are exempt from local subdivision review and approval, unless the use of the exemption is an attempt to evade the Montana Subdivision Platting Act." Inman said what Rakela is proposing to do is a subdivision by definition, so she is not being denied her ability to divide her property, but what she is doing does not fit the purpose or intention of a family conveyance. Inman said Rakela has identified the purpose for giving the parcel to her family member is to sell it for another parcel.

Inman said the purpose of this appeal is to specifically identify if the appeal is an attempt to evade the Montana Platting Act. Inman said the final goal of the applicant regarding the family transfer is not relevant to his review, the criteria of his review process being black and white per Chapter 5.

Planning Director Philip Fletcher said the exemption appeal denial is a departmental recommendation to the Commission. Fletcher said he reviewed Inman's initial analysis of the exemption appeal, did an independent review, and concurred with Inman's analysis and conclusion for reasons stated. Fletcher said what he heard from the applicant at the present meeting was the purpose of the family transfer application was that the county subdivision regulation process is expensive and difficult. Fletcher said that is not the intent of the family transfer, and the intent is to pass property down to family members to keep it in the family without forcing them to go through subdivision review.

Lahren said it appears to him based on facts the Commission has no other alternative than to deny the family transfer. He said it does not comport to the county planning department structure and function and laws. Denton said she echoes that opinion and the applicant admitted the purpose of the family transfer exemption is to sell off the parcel. Lahren said the Commission can set a proverbial precedence that is contrary to the code, which is not good. Lahren said if there was any possible way the Commission could work around this, or if the Commission did not have confidence in its planning department staff, the Commission would seek other options. Lahren said the planning department has done its homework and the Commission has to follow the rules. He said the rules are black and white and there is no way for the county to be flexible in this situation.

Rakela's husband, Rik Rottendorfer, said he is curious as to the percentage of family transfers within the original intent of family transfer rules. He said he would venture a

significant number of family transfers never fulfill any intent. He said if the Commission is attempting to prevent setting precedence with today's decision that precedence was already set, because he knows people around him who have not followed any rules regarding family transfers, and subdivision covenants have not been enforced.

Durgan said the Commission is being careful because incidences have occurred where decisions were used against the Commission and where decisions ultimately do not serve the intent. Durgan said two wrongs do not make a right and it is not right for the Commission to pass something along if it can clearly see the intent does not match the definition.

Inman said the planning department will propose amendments to Chapter 5 in a planning board public hearing next month to avoid this very thing. Inman said he agrees with Rakela that honest people can get punished and dishonest people can get away with not following intent when applying for family transfers. He said the proposed subdivision amendments look to get away from that problem in the future.

Durgan said he sees no reason to overturn the departmental appeal denial decision based on the intent of the family transfer exemption in the subdivision regulations. He said the intent of Rakela was to find some means to sell that property without going through subdivision review.

Lahren made a motion, based on the testimony heard today and the factual presentations, the Commission deny the Rakela Family Transfer Exemption because it does not fit the criteria of the current Park County subdivision regulations. Denton seconded that motion. Motion passed.

@11:52:52 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 20, 2008

Communication and Management Services Salary Matrix Meeting

@1:31:48 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Bernadette Rambow, accounts payable; Bill Hurley, operations; Marilyn Hartley, accounting; Drew Geiger, CMS; Jim Kerins, CMS; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a Communication and Management Services salary matrix plan.

Drew Geiger and Jim Kerins of CMS presented the Commission with a summary report and other analyses of a proposed job classification and pay plan schedule for Park County employees. Geiger said interviews were conducted with Park County employees and county jobs were classified by job description. Geiger provided the Commission with an

overview of the pay plan and how to implement it throughout the county government. He said jobs at Park County are far less defined than in other counties as Park County employees do a variety of tasks not listed in their job description.

Geiger said CMS was looking at internal equity and external competitiveness when determining a salary matrix of county employee wages. He said a matrix forces a scientific dialogue enabling a human resources manager and department heads to go through a system to determine what an employee's salary could or should be, which also can protect a county legally. Geiger said a pay plan also gives employees a road map or understanding of how they can earn a certain wage they may not be currently earning, as well as understand why one employee is compensated at a certain level when another is not.

Commissioner Durgan asked how to deal with union employees. Kerins suggested the county invite union representatives to deliberations.

Kerins provided the Commission with a report *Park County Classification System Overview*, which includes seven factors considered for all positions that garner a point total to result in a pay grade. Those factors were: complexity of work; knowledge; accountability; independence of action; personal contacts; supervision exercised (pay add-on); and work environment/physical demands (pay add-on).

Kerins provided the Commission with a report *Park County Broadband Pay Plan Draft - October 2008*. Kerins said he proposes the county has fewer grades and broader pay ranges, as well as a possible lump sum or bonus pay based on performance. He said CMS compared the salary ranking of Park County employees to the national market rate. Kerins said CMS recommends average and good employees should be paid at the market rate and exceptional employees paid above market rates. Geiger said he recommends counties tie employee pay levels to the level of public impact their work may have, such as saving taxpayer money or positively influencing the community.

Commissioner Denton said the report is food for thought for this year and once a human resources person is hired the county could then consider whether to implement the pay scale. Geiger said CMS recommends the county consider a holding pattern with the plan/system at this time given the county currently has no human resources manager.

Kerins said CMS will be training department heads the next two days about the particulars of the payment scale and will discuss attainment of goals and compensation during that training.

@2:57:00 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 20, 2008  
Personnel Meeting

@4:04:37 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Marilyn Hartley, accounting and Brett Linneweber, county attorney. No public comment was made.

The meeting was scheduled to address a personnel meeting.

Marilyn Hartley requested the Commission close the meeting for discussion. Lahren closed the meeting.

@3:30 p.m., Lahren adjourned the meeting.

October 21, 2008  
Department Head Meeting

@8:31:34 a.m., Chairman Lahren called a meeting to order in the Community Room of the City/County building. Present was Brett Linneweber, county attorney; Ed Barich, county superintendent; Clay Williams, weed/junk vehicle; Brian Sparks, museum; Tracy Brewer, Extension; Bruce Martin, maintenance; Suzanne Brown, health department; Richard Wright, transfer station; Ed Hillman, road department; Lois Hatfield, landfill; Linda Budeski, justice court; Belinda Van Nurden, DES; Philip Fletcher, planning; Marc Richards, GIS/IT; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a county department head meeting.

Addressing flu shots, Public Health Nurse Suzanne Brown said flu shots will be offered at the county flu clinic on October 27 from 9 to 12 and 1 to 4, and a mass immunization exercise will take place as a mock emergency. A mass emergency operations center will be set up as if a mass flu outbreak were occurring. Brown said the county's participation in the exercise will make it NIMS compliant

Addressing dogs in the building, Lahren said the county policy states only service dogs for the blind and law enforcement are supposed to be in the building.

Addressing the county purchase order policy, Lahren said POs must be signed and approved before anything is purchased, not after something is purchased. Lahren said POs must be specific as to the service to be obtained or amount of supplies/materials to be purchased. Lahren said if a PO is approved for a specific amount, the service or individual contracted with cannot go beyond that amount unless the overage is approved by the Commission.

Accounts Payable Clerk Bernadette Rambow said two copies of a PO must be signed. She said a yellow copy has to stay in the black book and does not go to Commission. She said the yellow copy is signed in addition to the log sheet in the accounts payable office. In an emergency situation, such as hypothetically at 4:30 p.m. on a Friday, Rambow said a department head can phone the Commission about the emergency situation and get a verbal approval of the purchase and follow up with a PO the next business day.

Suzanne Brown asked about request for leave forms. She said it is impossible to know whether leave requests were approved by the Commission since they go to the human resources office. Brown asked if employees can receive back leave request forms after approval.

GIS/IT Manager Marc Richards asked if the final county budget will be approved on Friday, October 24. Lahren said the Commission hopes to pass the budget that day.

Department of Emergency Services Director Belinda Van Nurden said DVDs can be made from the training video recording.

@8:40:40 a.m., Lahren adjourned the meeting.

October 21, 2008

9:30 A.M. – CMS Performance Appraisal Training – Community Room

12:00 P.M. – Airport Board Meeting – Clarks Crossing – Canceled

1:00 P.M. – Senior Citizens Meeting – Livingston Senior Center

October 21, 2008

Personnel Meeting

@3:00:46 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Jill Ann Ouellette, public citizen; Bernadette Rambow, accounts payable; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to address a personnel issue.

Jill Ann Ouellette requested the Commission close the meeting for discussion. Lahren closed the meeting.

@3:30 p.m., Lahren adjourned the meeting.

October 21, 2008  
Personnel Meeting

@4:04:40 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Kim Gentry, human resources assistant; and Brett Linneweber, county attorney. No public comment was made.

The meeting was scheduled to address a personnel issue.

Kim Gentry requested the Commission close the meeting for discussion. Lahren closed the meeting.

@4:30 p.m., Lahren adjourned the meeting.

October 22, 2008

9:00 A.M. – Claims Review Meeting – Commissioners Chambers

October 22, 2008  
Consider Appointment of Fair Board Members

@10:10:16 AM Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Mike Adams, fair board and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider appointments of fair board members.

@10:10:33 a.m., Commissioner Durgan recessed the meeting until approximately 3:00 p.m., at which time Commissioner Denton has returned from a mental health committee meeting in Butte. @2:59:22 p.m., Durgan reopened the meeting with Commissioner Denton present.

Durgan said the Commission received four applicants for three fair board seats needing appointment. Durgan said two terms are up, and one application is to fill a vacancy from a board member who resigned. Fair board member Mike Adams said the fair board reviewed the four applications October 20 and made a recommendation to the Commission of the following three individuals for the fair board: Mike Adams, Kelli Parker, and William Rambow.

Commissioner Denton made a motion to follow the fair board's recommendation to appoint Kelli Parker, William Rambow and Mike Adams as needed to fill the Park County Fair Board. Durgan seconded that motion. Motion passed.

@3:02:35 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 23, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@1:29:51 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Bill Hurley, director of operations; Philip Fletcher, planning; 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:

- ACTION ITEM - request for bid from deputy county attorney for recovery and recycling of metal from Park County Landfill. The Commission said it wants to wait until the metal prices are higher and the recommended time to pursue that is six to 12 months. Durgan said Landfill Manager Lois Hatfield said she can stockpile the metal at the landfill in the meantime.
- ACTION ITEM - Memo re. proposal to build a ball field at that Cooke City transfer area on Forest Service property - The Commission will talk with Cooke City residents about the matter at its scheduled visit on October 24
- Memo from deputy county attorney re. reduction of speed limit near the school on Miller Drive. Durgan read the resolution request into the record. Director of Operations Bill Hurley will ask the deputy county attorney to check into an urban routes study done in that area
- Memo requesting county signature for a MSU Extension agent salary scale to be based on a percentage of the county clerk and recorder salary - The Commission signed the memo
- DEQ violation letter of unacceptable Biological Oxygen Demand levels from Gardiner Sewer District. Hurley said the county needs to respond to the letter and he is in the process of doing that
- Memo from Governor Schweitzer re. amendment of a public law addressing secure rural schools funding - To Superintendent of Schools Ed Barich for review
- MACO health and safety license and cost survey - Hurley has completed the survey
- Memo from Montana Clean re. upstairs men's restroom drain cover missing. A Montana Clean employee claims to have stepped in the drain hole, fallen and obtained a concussion. Maintenance technician Bruce Martin said the replacement part is on order - To deputy county attorney for review
- Memo from deputy county attorney re. Ibex Ranch fire protection bond extension request - Commissioners Denton and Durgan authorized the 15-year extension and submitted it to the deputy county attorney

- Memo from deputy county attorney re. county designation - Commissioner Denton will follow up on the issue
- Report from undersheriff re. parking lot cruiser vandalism damage
- Memo from city of Livingston re. urban transportation committee meeting on October 29
- Machinery and Equipment catalogue - To road department for review
- Montana and Sky newsletter - To Hurley for review
- Memo re. Bearthooth Highway public information program
- Memo re. Upper Yellowstone Watershed Basin wildlife meeting on October 30 - To Durgan for review
- Brochure for a mobile command unit - To county sheriff for review
- Memo re. demonstrations on roundabouts
- Memo re. next JSEC meeting on November 18 - To Durgan for review
- Memo re. Emergency Management Program funding formula
- Memo re. no dogs permitted in the city/county building except service and police dogs
- Payment from city of Livingston for county administration of city special election
- Memo re. wind power - To Durgan for review
- Memo from Montana Fish, Wildlife and Parks inviting the Commission to an informational meeting in Helena to discuss FWP's comprehensive fish and wildlife strategy - Durgan will take the memo to the Yellowstone Watershed Basin wildlife meeting
- Memo from Cooke City resident stating Yellowstone National Park has no vault toilets for use at a proposed Cooke City ball field

Hurley said a draft of the preliminary Fiscal Year 2009 budget is in the clerk and recorder's office and the accounting office. Hurley said three citizens have viewed the budget in the accounting office. Durgan said no budget is available in the clerk and recorders office due to voter traffic.

Planning Director Philip Fletcher said the planning department is making another push to get applicants on the county park board. Fletcher asked the Commission the process of appointing board members to a new board with no sitting members and whether applicants are to be interviewed. The Commission said the applicants may or may not be interviewed.

@2:33:17 p.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 23, 2008  
Park County Road Updates

@3:02:46 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Ed

Hillman, road supervisor; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Commissioner Denton said citizen Frank O'Connor is concerned about the muddy condition of O'Rea Creek Road during another wet season. Hillman said he would like to put 200 yards of gravel on O'Rea Creek. He said he would like to get the gravel from Jesson and turn in a purchase order of \$1,000 for the gravel. Hillman said the gravel money would come out of the 2820 gas tax budget.

Durgan said the Commission will have to do some research on available road funds before it approves the gravel PO because the road department has a number of unpaid purchase orders at this time. Durgan told Hillman to submit a purchase order for the gravel. Hillman said he needs to get the work finished tomorrow because three crew members will be out next week.

Durgan said a citizen complained about the condition of Z-Hill from the pavement on. Hillman said the crewman will be there next week to maintain that road. Hillman said he has gotten a lot of complaints about Tom Miner and Cinnabar roads so the crew has been working there.

Hillman said Scott Fletcher did not get to Trail Creek Road this week because the crewmen have been putting wings and blades on the new graders this week.

Hillman said maintenance work on Wall Rock Road should be completed today. He said he cleaned culverts on Cokedale and O'Rea Creek Roads this week.

Durgan said the road crew will need to install a culvert on Fleshman Creek Road near Sandy Wulf's house.

Hillman said the road crew cannot get a culvert on F Street cleaned. He said the culverts are too small for the amount of water in the creek there. Hillman said the corrugated galvanized bridge deck for Miller Drive is ordered. He said that cost will be around \$3,300 and millings will be put on top.

Hillman said he, road crewman Winn Treible, and Commissioner Denton met with MDT bridge specialists this morning at the Bailey bridge. Hillman said Dave Crumley of MDT said salt-sand can be put on the bridge with DEQ approval. Denton said Crumley said the county needs to establish a high water plan prior to next spring. Hillman said the individual with the truck and long boom may be a help in retrieving logs from the bridge during high water. He said a crane could retrieve logs from the center of the bridge. Hillman said Crumley said MDT does not expect the county to paint the Bailey bridge. He said there was discussion the bridge load limit will remain at 6 tons and the Commission must be contacted by anyone interested in crossing the bridge with a vehicle weighing more than 6 tons.

Hillman said Treible received Bailey bridge monitoring instructions from MDT. Hillman said MDT is okay with Treible monitoring the bridge and Treible is okay with doing the monitoring. Monitoring is to be conducted once a month. Hillman said MDT replaced bent transom clamps today. He said MDT said it has no problem with altering the bridge to enable foot traffic.

Hillman said mowing on South Fork of Deep Creek Road is completed and Scott Fletcher will grade it one time before winter. Durgan said a lot of tall weeds remain on Old Yellowstone Trail, which is going to cause a problem this winter.

Hillman said the crew had a discussion and decided it will not put up as much snow fence as it usually does. He said the crew agreed snow berms work better than snow fence.

Hillman said crewman Troy Amunrud is on Shields River East this week and will work on Cottonwood and Brackett Creek after that.

Durgan said he had a comment from a resident on Six Mile Road complaining about a citizen putting magnesium chloride on the road, causing breathing and vehicle damage problems.

@3:35:20 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 24, 2008

No Meetings Scheduled

10:00 A.M. – Meeting to Accept Application for Resort Tax Funds and Hear Area Residents' Concerns – Cooke City Fire Hall – Commissioners Denton and Durgan attended

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 October 27 – October 31, 2008

October 27, 2008

Park County Road Updates

@9:00:13 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Ed Hillman, road supervisor; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Commissioner Lahren said Wall Rock Road is a county road for five miles to the Gallatin County line. Road Supervisor Ed Hillman said gravel was put down on O'Rea Creek Road and Brad Wilson fixed a culvert on that road.

Durgan said the road crew needs to get an extension on a culvert on Fleshman Creek. Durgan said the culvert poses a safety hazard as it is now. Hillman said the road crew will get to that culvert.

Hillman said the road crew worked on a plugged culvert on F Street, but there is something in the culvert that will not come out with a hook.

Commissioner Durgan asked if Hillman spoke with the Montana Department of Transportation about scouring underneath Ninth Street Bridge piers and the potential of those falling into the river. Hillman said he had not.

Hillman said road crewmen are putting up snow fence on Swingley near Beaver Creek. Hillman said snow fence will be erected at the Five Acre Tracts, Stolies Corner and on Swingley Road.

Durgan said Bill Hoppe said Jardine Road is terrible and an ambulance had to go up that road over the weekend and barely could make it. Hillman said a grader and water truck are working there today and will be on Old Yellowstone Trail and Cinnabar Basin Roads after that.

The Commission discussed the option of outsourcing road maintenance work on the Main Boulder Road.

Durgan said he and Commissioner Denton viewed the Bannock Trail Road in Cooke City last Friday. He said he doesn't see how the county can maintain that road. Durgan said the road needs to stay open, but the county cannot maintain it. Hillman said the county has always hired a private individual to maintain that road. Hillman said the county only maintains the road from Monument Street to the overhead arch.

Hillman said he talked with MDT about load limits on the Six Mile and Deep Creek Bridges. He said the Deep Creek Bridge load limit will remain at 15 tons, and MDT will provide a load limit for the Six Mile Bridge.

@9:17:18 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 27, 2008

Discussion of Agenda and Review Minutes for Week of October 20, 2008

@9:28:48 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Raea Morris, Commission executive assistant and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss the Commission's upcoming agenda and review Commission meeting minutes for the Week of October 20, 2008.

Raea Morris presented the Commission with its upcoming meeting agenda through October 31. The Commission had no revisions to the agenda.

Reviewing Commission meeting minutes for the Week of October 20, 2008, Lahren requested a revision to Page 1 of 14; the last paragraph should read, "Lahren said bridge timbers from Whispering Pines will be cut to three inches thick and 12 feet wide and to random lengths." On Page 2 of 14; first paragraph, the second sentence should read, "Lahren said people cutting and hauling logs out of Deep Creek will need to get a county road work permit to work off the county road." On Page 6 of 14, the fourth complete paragraph should read in entirety, "Lahren made a motion, based on the testimony heard today and the factual presentations, the Commission deny the Rakela Family Transfer Exemption because it does not fit the criteria of the current Park County subdivision regulations. Denton seconded that motion. Motion passed."

On Page 14 of 14, Durgan noted he and Commissioner Denton attended an October 24<sup>th</sup> 10:00 a.m. meeting to accept applications for resort tax funds and hear area resident concerns at the Cooke City Fire Hall.

Durgan made a motion to accept the minutes with corrections. Lahren seconded that motion. Motion passed.

@9:42:33 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 27, 2008

Review of Correspondence, Public Contacts and Determine Action Plan

@10:01:29 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Bernadette Rambow, accounts payable clerk; Bill Hurley, director of 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.

Accounts Payable Clerk Bernadette Rambow presented the Commission with an invoice for \$20,000 as the county's portion of an Angel Line contribution. The Commission said it does not want to take credit out on a fund and will wait until the tax money comes in before it pays the contribution. The Commission directed Rambow to give notice to the city about the Angel Line payment.

Rambow and the Commission said they have not heard from the county attorney regarding an invoice from Attorney Mark Hartwig regarding professional time he claimed and billed to the county for dealing with Deep Creek Bridge issues.

The Commission signed off on a Newman Signs invoice submitted by Road Supervisor Ed Hillman. The Commission signed off on a number of outstanding invoices.

The Commission reviewed a memo from Rambow regarding outstanding road department invoices, some of which need purchase order signatures. Rambow said the road department budget will be 25 percent short for Fiscal Year 2009 if Hillman continues to submit invoices as he has.

The Commission reviewed and signed off on outstanding road department purchase orders submitted to the Commission by Hillman. Rambow said the purchase was made or a service received by the county before Hillman presented the Commission with the purchase orders. POs totaled \$24,465.63 toward the Road Department account #2110 and included: Ken's Equipment Repair, MACO Claims; MMC Inc; Tractor & Equipment; Carquest; Brenntag; ABC Rental; N.R. Halsey; NorMont Equipment; TireRama; and All Service Tire.

Bridge budget invoices submitted without POs totaled \$2,030.61 and included Triple L Lumber and High Country Rental.

Gas Apportionment Tax invoices submitted without POs totaled \$2,646.24 and included Knife River and Fisher Industries.

The Commission did not sign off on an estimated \$5,300 from Roscoe Steel for a Fiddle Creek Road culvert or for 9,000 yards of gravel from the Jesson pit. Lahren said there are no specifications on the gravel.

@10:52:16 a.m., Lahren made a motion to recess the review of correspondence until after the 11 a.m. meeting. Durgan seconded that motion. The meeting was recessed.

@11:19:28 a.m., Lahren reopened the meeting.

Correspondence included:

- Memo re. AFLAC insurance form
- Agenda for October 28 City/County meeting
- Draft resolution for designation of Park County as a Class II county
- Memo from Park County public administrator re. coroner's office fund - To county auditor for review
- Situation report re. vandalism to city water tower – To Durgan for review
- Memo from MT DEQ re. overages in chemical readings in June and July for Gardiner Sewer District - To file
- Memo re. Montana Clean accident in men's restroom - To building maintenance file
- Memo re. vandalism to sheriff's patrol vehicle in rear parking lot
- Letter to Commissioner Lahren re. Fleshman Creek project
- Memo from MACO re. 2009 limits on deferred employee compensation - To human resources for review
- Memo from MACO re. Secure Rural Schools payment formula - To superintendent of schools for review
- Memo from MACO re. criticism of discount prescription programs - To human resources and public health nurse for review
- Museum director time log - To human resources and Commissioners for review
- Memo re. Montana Water Trust - To Durgan for review
- Memo from MT DEQ requesting line item comments on Fleshman Creek/Voyich Ranch project contract - To Fleshman Creek file
- Memo from MACO re. geothermal energy exploration on federal lands
- Memo from justice court re. justice of peace heading to training - To Durgan for review
- Montana Interoperability updates - To Hurley for review
- America Land Rights Association comments on EPA Clean Air Act
- Citizen comments on Fleshman Creek project - To Grants Coordinator Lori Benner for review
- Memo re. loan and grants applications for public use airports - To Hurley for review
- Memo re. Montana Mental Health Association Warm Line - To Denton for review
- Memo re. electric power conference in Seattle on Jan. 15 and 16- To Durgan for review
- Memo from Center for Health Transformation - To Lahren for review
- Memo from MACO requesting reduced use of bandwidth during election season
- Memo re. windpower - To Durgan for review

- Memo re. Clyde Park subdivision viewing by Commission scheduled for November 25
- Yellowstone Gateway Museum October 28 board meeting agenda - To Commission for review. Lahren said the job title of catalogue assistant apparently has been changed to archaeology curator, which puts the county at risk since the museum is falsely advertising it has an archaeologist on staff and does so without sufficient facilities.
- Memo from Surveyor Barney Hallin re. survey of relocation of common boundaries for two lots

Lahren said he advised Planning Director Philip Fletcher to proceed with the process of advertising for planning board applicants.

@12:10:06 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 27, 2008

Consider Planning Board's Recommended Triennial Report 2006-2008

@11:00:31 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Philip Fletcher, planning; Mike Inman, planning; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a planning board recommended triennial report for 2006-2008.

Commissioner Lahren said he had two suggestions for the report. He suggested the report have a one-page abstract/summary of document contents and include a short retrospective/prospective section of issues the planning department sees for the county in the future. Lahren said the idea is to use a model of past and present land uses to predict the future.

Commissioner Durgan said he would like to see discussion on the limitations voters may force upon themselves if they vote down the county growth policy and various issues the county may face by not having a growth policy.

Planning Director Philip Fletcher said the contents of the report are spelled out in detail in the growth policy. He said the report is supposed to be a strategic document for the planning department. Inman said state statute and the county growth policy require submission of a planning department annual report each year. He said the report will be done annually and coincide with the end of each fiscal year. Inman said the report will be widely distributed throughout the county.

Inman said 43 percent of Park County's residential growth between 1970 and 2000 occurred in rural areas and 2 percent occurred in incorporated areas of Livingston and

Clyde Park, which extends county services requirements, especially fire and emergency services. Inman said that growth demographic is quite different from the types of growth seen in Gallatin County, where Belgrade has grown perhaps 300 percent in the same time period.

Inman said one goal of the report is to look at where subdivisions are and where development can occur in the future. He said the county GIS department will help with mapping of that type of information. Durgan said a statistic of how many undeveloped lots exist in Park County may help the planning department in planning, strategy and planned development.

Lahren said the report might want to acknowledge the Stillwater Mining Company may be on its way out and 1,565 jobs could be at risk, which may influence demographics.

Planning Mike Inman said the planning staff will address the Commission's recommendations and schedule a meeting for Commission approval of the triennial report.

@11:19:05 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 28, 2008

Fiscal Year 2009 Budget Public Hearing

@9:00:09 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Clay Williams, weed/junk vehicle; Don Holland, auditor; Bill Hurley, operations; Mary Anne Anderson, Extension; Marilyn Hartley, accounting; Mark York, Livingston Enterprise; Robert Halaja, public citizen; Marty Malone, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled as a public hearing for the preliminary Fiscal Year 2009 budget.

Marilyn Hartley, accounting department, said a few positive revenue increases have occurred to final budget numbers from tax revenues since the last Fiscal Year 2009 budget workshop meeting. Hartley said those increases come from a certified value calculation, by which the county is permitted to levy a maximum amount without going out for voter approval. Hartley proposed changes to the preliminary budget to reflect the revenue increases.

Public comment was made by Marty Malone. Malone asked how long the PILT fund will last at the county's current funding rate. Durgan said it is being funded at full funding until 2012 for the first time in the history of PILT. Malone said it looks like the county is spending twice as much money as it is expecting from PILT.

Hartley said the county budgeted \$830,000 from PILT for the current fiscal year and the county received \$840,000 from PILT for the last fiscal year.

Malone said it looks like the county is budgeting \$1.7 million from PILT and is thus spending twice as much as it will take in from PILT. Malone said it looks like last year the county budgeted twice as much from PILT as it will take in, and his concern is in two years the PILT fund will be depleted and the county will have to make up \$1.7 million.

Hartley said the road and sheriff's departments took the most from PILT this last year. She said a bad year for bridges and culverts depleted the road department. She said the county has taken all wages out of the PILT fund and is making a transfer from PILT to cover those wages, which are now coming out of the general fund. Durgan said taking wages from the general fund will be a permanent thing.

Durgan said part of the dilemma is the county does not have enough money coming in from taxes to cover expenses, so it has been using PILT to balance the budget for the last three years. He said every time the Commission has proposed a mill levy for law enforcement or roads, the voters have voted it down. He said that is a dilemma and the Commission is not sure how to convince the public the county needs to have more funds available to provide the services the public is demanding.

Malone said the county is taking \$88,000 from PILT for the planning department. He asked if increased subdivision fees were to cover planning department expenses. Durgan said the idea was to increase those fees for that reason, but now no subdivisions are coming in due to economic changes and a downturn in homebuilding.

Extension Agent Mary Anne Anderson asked how long the county anticipates receiving Forest Title 3 funds, as \$25,000 of those funds are included in the Extension budget. She said Extension received \$23,000 of those funds last year. She asked where the Commission will get the budgeted funds if the Forest Title 3 monies are not granted by Congress. Durgan said the Commission does not know where it will get the money if the funds are not approved. Hartley said the county anticipates revenue of \$10,500 for Forest Title 3 funds and has almost \$80,000 coming in this year.

Lahren said the county is facing the problem of deficit spending, facing greater need than there is money to meet those needs.

Malone asked if the Commission plans to do anything this year with Community Development Block Grants. Durgan said several projects such as the senior citizens center are funded through CDBG grants. He said RC&D has proposed taking over the CDBG program, but the Commission has not passed a resolution enabling that.

Durgan said he would like to run through proposed budget changes with Hartley and see a clear copy of the budget after she makes changes.

Durgan made a motion to accept changes the accounting office has proposed as far as mill values that need to be changed. Lahren seconded that motion. Motion passed.

@9:29:46 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 28, 2008

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

October 28, 2008

City County Meeting

@4:09:49 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Present was Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Ed Meece, city manager; Bruce Becker, city attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss city/county operations.

Addressing the Angel Line service, City Attorney Bruce Becker said he spoke with the Angel Line board and was told that board hired the current Angel Line bus driver. He said that board should not be taking on such duties if it is in fact an advisory board. He said that duty should fall to the city or county. Becker said the driver is on the city's payroll, and the county is a major funder of Angel Line.

Lahren asked the current ratio of cost sharing between the city and county regarding the Angel Line service. Becker said the county contributes \$84,000 to the service. Meece said the city contributes more in-kind-type contributions with accounting services and has in the past done some maintenance on the Angel Line vehicles. Meece said Angel Line has been covered by the city's vehicle insurance.

Lahren said it sounds like Angel Line currently is a joint management situation between the city and county, it has no structure, and termination of employees could be a liability issue. Meece said the city has advised Angel Line on one employee discipline issue.

Meece said perhaps the city and county should think about putting Angel Line under one set of purchasing guidelines, city or county, in order to avoid creating a hybrid system. Meece said at minimum there should be a city and county representative on the Angel Line board.

Meece said it appears the Angel Line service just evolved at some point. He said the bus driver is on the city payroll and in the city's budget, but it is the county's \$84,000 funding the service through the city budget. Meece and Becker said they do not know how the city ever got involved with the service.

Lahren said the county needs to run the operation since it is funded by the county. Lahren said the county needs to take over the vehicle insurance, human resources responsibilities, payroll accountability, assets and maintenance of vehicles. He said the county needs to design the service as a regular county entity with a budget and code number the same as all other county departments.

Meece said he is almost certain the city holds the title to the three Angel Line vehicles because it insures them. He said he will double check that. Meece said the Angel Line board has a meeting of six or seven people who meet once a month, and he recommends leaving them in place as an advisory board. He said they should not be performing administrative duties. Lahren said the county may have to properly advertise for the board positions.

Becker said the city recently entered into a PACE contract with Billings Deaconess Clinic through Angel Line. He said that arrangement would have to be assigned to the county as well.

Lahren asked Deputy County Attorney Piccolo to work on designing the Angel Line program.

Addressing vandalism to a Sheriff's cruiser and the DARE car, there was discussion about relocating the basketball courts that are behind the city/county building. Director of Operations Bill Hurley said the courts currently restrict parking for the city/county building, and kids with vehicles that use that court sometimes park vehicles in a manner that city/county employees cannot get in and out of the building parking lot. He said moving the court back would be advisable for safety reasons.

Lahren said the proximity of the court to the building and operations is a liability for the city and county. He said right now it does not fit with the facility and potential problems could arise if something goes wrong at the city/county building such as an emergency or an escaped prisoner. Meece said the courts get a lot of use in the spring. Lahren said perhaps the best idea would be to move the courts to the southeast side of the school property.

Meece said there were two windows broken out of East Side School around the time the Sheriff's cruiser was damaged. Meece said he and the sheriff have talked a few times about realigning the parking lot and assigning public safety parking spots. He said the city continues to go back and forth between selling the East Side School or using it at some point.

Meece said the sheriff's been talking about this for some time and the city and county probably need to force the issue instead of just talking about it. Lahren said the issue then likely is the relocation of the basketball goals. He said it is up to the city to decide what it wants to do with the issue. Meece said the city may meet with the sheriff to discuss options.

No other business was discussed.

No public comment was made.

@4:35:08 p.m., Lahren adjourned the meeting.

October 28, 2008

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

6:30 P.M. – Fair Board Meeting – Fairgrounds Office

October 29, 2008

Consider a Resolution to Adopt the Final Fiscal Year 2009 Budget for Park County  
Establishing a Tax Levy and Authorizing Appropriations

@9:01:06 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Don Holland, auditor; Marilyn Hartley, accounting; Mark York, Livingston Enterprise; Kelly Ziebarth, public citizen; Marty Malone, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a resolution to adopt the final Park County budget for Fiscal Year 2009 establishing a tax levy and authorizing appropriations.

Marilyn Hartley, accounting department, reviewed with the Commission an updated levy matrix from the October 28 budget public hearing. Hartley said after carrying cash over from FY '08, the cash available balance for the general fund increased to \$896,976. Hartley said the new matrix includes additional property taxes discussed at the October 28 meeting and a decrease of 0.2 mills given to the weed fund to maintain a weed grant.

Hartley said the airport board requested additional funds for office supplies and utilities for the Gardiner Airport at its noon meeting on October 28. Hartley said appropriations for those items were increased \$1,200 and proposed appropriations for the airport total \$44,200. Hartley said other revenue was increased to \$21,150 due to FAA revenues.

Hartley said a change to the PILT fund reflects re-rolling of funds from the last fiscal year, which increased the PILT fund beginning balance by \$3,700. Hartley said the Burlington Northern Cleanup fund beginning balance was reduced by \$6,962 based on auditor corrections and the Landfill Trust account beginning balance was reduced by \$351.

Hartley said the Mechanic fund of \$88,000 was zeroed out and funds supporting that position have been transferred to the Road Department budget.

Commissioner Durgan said an \$88,000 transfer to the planning department budget was incorrect and, upon discussion with the planning director, it was determined that department will need a \$49,000 draw from PILT as a result of staff reduction.

Public Comment was made by Marty Malone. Malone asked why some account line items were left blank. Hartley said that prevents spending funds from those line items without a budget resolution.

Malone asked about a YRRE Interpretative 2399 account. Commissioner Lahren said those funds are one half of \$63,000 a developer paid for the appraised value of land deemed to be a historic county road, a road from Carter's Bridge to Chico bisecting the old Pierce place that was going to be subdivided. Lahren said the county made an agreement with the developer to abandon that road to allow the county to erect interpretive displays, which included work at the Chico Cemetery. Lahren said the funds are external money and are not tax monies. He said the county is subject to the terms of the agreement with YRRE.

Durgan made a motion to accept the budget for Fiscal Year 2009. Denton seconded that motion. Motion passed.

Durgan said the deputy county attorney will draw up an effective resolution on the budget for the Commission to sign.

@9:18:25 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

#### October 29, 2008

10:00 A.M. – Claims Review – Commissioner Chambers

#### October 29, 2008

##### Discussion of Satellite Phone for Public Health and Emergency Preparedness

@1:29:26 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Suzanne Brown, public health nurse and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss obtaining a satellite phone for public health and emergency preparedness.

Public Health Nurse Suzanne Brown said Gerry Wheat of the Montana Department of Health and Human Services Health Alert Network System purchased 16 satellite phones for use in Montana health departments. Brown said Park County qualifies for one of the phones because its Dispatch 911 has a backup generator. Brown said the phone and installation would be free and any telephone could be used in the satellite phone jack.

Brown said the satellite phone would be located at 911 Dispatch. She said a monthly fee of \$29.95 would apply, but that fee is supposed to drop to \$19.95 per month. Said her Emergency Preparedness grant would cover the monthly fee.

Commissioner Durgan made a motion the Commission authorize Brown to go through the Emergency Preparedness grant to make arrangements to have the satellite phone installed and the monthly service charge covered by the grant. Lahren seconded that motion. Motion passed.

@1:37:02 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 30, 2008

Resolution Reappointing Special Deputy County Attorney for Conflict of Interest Case

@11:07:54 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a resolution to reappoint a special deputy county attorney for a conflict of interest case.

Commissioner Lahren read Resolution #1034 into the record.

The resolution states Park County seeks special deputy attorney assistance for a State vs. Jeff Barnes case.

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

@11:11:22 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 30, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@1:39:18 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, director of operations; Raea Morris, Commission executive assistant; 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 from deputy county attorney re. review of a contract for professional janitorial services and a hanger model addendum - To Director of Operations Bill Hurley for review
- Memo from supplier re. adding doors to the rabbit and poultry barn at the fairgrounds - To file
- Memo re. law seminars
- Memo re. wind power - To Durgan for review
- Memo from Montana Rail Link re. work at a crossing at O'Rea Creek - To Durgan for review
- Memo from Clerk of Court re. jurors and juror pay
- Memo re. justice of the peace out of the office
- Memo re. state workforce investment board meeting
- Carbella Bridge Vehicle Damage and Incident Report re. procedures and expenditures in repairing damaged Carbella Bridge - To Road Book
- Memo from JSEC/Job Service - To Denton for review
- Memo from Van Jamison re. wind power - To Durgan for review
- Elevator inspection report - To file
- Memo re. grant programs – To Grants Coordinator Lori Benner for review
- Memo re. Bearthooth Highway work - To Denton for review
- Memo re. Livingston Area Chamber of Commerce Halloween event on October 28
- Memo from Bresnan Communications re. exceeded capacity - To IT Department for review
- Memo from Disaster and Emergency Services coordinator re. replacement and repair of Ninth Street Bridge and FEMA's denial of funding due to pre-existing conditions and current options.

Commissioner Denton said in order for the county to get reimbursement emergency funding for the Ninth Street Island Bridge incident every county employee must complete ICS - 100 Emergency training.

Denton said she was contacted by Peggy Tombre who asked if the Commission could serve at a senior breakfast on November 8.

@1:54:35 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 30, 2008

Hearing to Lift a Portion of an Agricultural Exemption from Kamps Property

@2:00:15 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Bill Hurley, director of operations; Philip

Fletcher, planning department; George Kamps, public citizen; Gayle Kamps, public citizen; Stephen Woodruff, attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a hearing to lift a portion on an agricultural exemption from Kamps property.

Planning Director Philip Fletcher said the purpose of the public hearing is to hear a citizen request to lift an agricultural exemption from one lot and aggregate two lots into a single lot. Fletcher said the planning board reviewed the request, considered the possibility of subdivision, and had no objection to it. Fletcher said the county attorney's office also reviewed the request.

Steve Woodruff said the total acreage in question is 25 acres, which would be formed by aggregating two lots, Certificate of Survey #445 and Certificate of Survey #300. Woodruff said the request to lift an agricultural exemption pertains to COS #445. Woodruff said should the Commission grant the request, a new COS would be drawn up to reflect the aggregate lot, the new plat would supercede survey plats #300 and #445, and the new plat of the 25-acre parcel would be free and clear of agricultural exemption. Woodruff submitted a draft COS of the aggregate lot to the Commission for review.

Lahren made a motion to lift the agricultural exemption from Certificate of Survey #445. Denton seconded that motion. Motion passed.

Lahren made a motion to aggregate the two remaining parcels to be recorded under a new Certificate of Survey that will supercede the current lot Certificates of Survey. Denton seconded that motion. Motion passed.

Deputy County Attorney Piccolo said the county suggests having a signed letter of the Commissions decision from the applicant for the books. The Commission told Woodruff he can draft such a letter, sign off on it, and submit it to the county attorney's office for review.

@2:10:52 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 30, 2008

Meeting to Hear Citizen Concerns from Boulder River Area

@2:32:02 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Public Citizens Ellen Freed, Denny Freed, Bill Hobert, William July, Doug Lowry, Elaine Swartz, John Munis, and Ron Freund, and Commission Minutes Clerk John Mueller.

The meeting was scheduled to hear citizen concerns from the Boulder River Area.

Commissioner Lahren said the residents had two issues of concern, refuse service and road conditions. He said the county refuse fee is not a tax but a membership fee for service from Refuse District #1. Lahren said the county attorney's office will have to define "service." He said there is a Montana Attorney General opinion stating everyone within a refuse district that provides service must pay into the district.

Public comment was made by Denny Freed. Freed said his refuse fee was \$555 but only lives in his residence part time. He asked why he is charged that much. The Commission said the fee is based on the number of dwellings at the residence and not the number of months out of the year a resident lives there. Freed said he has one cabin, a guest cabin with a toilet and another cabin with an outhouse. He said the fee has been reduced to \$285 but that is an extraordinary amount of money.

Commissioner Denton said three livable dwellings cost \$555, and that number is divided by two due to the distance Freed lives from the nearest green box. Lahren said the county would be better off paying BFI to collect the residents' garbage than to put a green box in the area due to the distance, fuel costs, bear problems, and county man hours.

Discussing roads, Lahren said the county now knows where the county road is in the Whispering Pines area. He said citizens are concerned with the poor condition of the Main Boulder Road. Lahren said said Park and Sweetgrass Counties used to trade road maintenance in that area, but Park County did recently hire IronWolf to grind up a road there to improve its surface. Lahren said the problem with the Main Boulder Road is its far distance and it is not cost effective for the county to regularly maintain it. He said 99 percent of the traffic on the road is not from residents who live there.

Lahren said his recommendation is to get the Main Boulder Road in the road department budget and outsource the work so the road can be maintained twice a year, spring and fall.

Public comment was made by John Munis. Munis said he has lived in the Main Boulder area for 15 years, and for 14 years the individual grading the road did a good job. He said the road is lacking gravel but it would remain passable for maybe two months after being maintained. He said this spring the individual on the grader literally destroyed the road, and the road near Natural Bridge is so bad people drive through the parking lot of Natural Bridge to avoid it. He said the grading this spring literally ruined the smooth surface from the dust control put down by the ranch at Natural Bridge. Munis said rocks six to seven inches in height were graded to the surface and he cannot go over them in his Honda. He said the good work of the IronWolf is by the wayside too because the grading pulled up rocks.

A resident said Vic Rue was the Sweetgrass County road man who did a great job on the Main Boulder Road all those years. He said Rue is now retired from road work.

Resident Bill Hobert said Park County graded the road once this year and he already has bought new tires for his vehicle for \$700 because the road destroyed his tires. Ellen Freed said she got a flat tire driving her vehicle home on the road with brand new tires.

Public comment was made by Elaine Swartz. Swartz asked why Park County graded the road when Sweetgrass County had been doing it all the years prior.

Lahren said the Park County Commission met with the Sweetgrass County Commission and Sweetgrass County did not want to continue the trade-off agreement due to liability issues, timing and scheduling. Lahren said the Commission also tried to give the entire road to Sweetgrass County in terms of maintenance, but Sweetgrass County rejected that offer.

Public comment was made by Ron Freund. Freund said he has had a place on the Main Boulder for 35 years and money is always the issue. He said there are 60 homes there, each paying taxes into Park County and getting no services back from it. He said all the residents are asking is for the county to fix the roads and pick up the garbage. He said the residents think their tax money should be put into a special account so they get something in return. He said if the county has to pay Sweetgrass County to fix the road then take the money out of their taxes.

Lahren said the Commission needs to get together with Sweetgrass County and the Forest Service to get a plan and work with the road supervisor to at least maintain the road twice a year.

Munis asked if the county can research the issue in such a way to get someone with a grader who knows what he is doing at Natural Bridge this fall so the citizens do not have to tolerate the current road conditions any longer. He said there is a horrendous pothole at Alders Guest Ranch, as well.

Lahren said he will check into outsourcing costs and get down there to look at the swale and have the road work done this fall. He said in the future he wants to make sure application of magnesium chloride dust control is coordinated with a county grader because the residents pay for the magnesium chloride.

The residents said gravel came down yesterday to Whispering Pines and is being spread today.

At Munis' request, Lahren said he will use Munis as a contact person to inform the residents of what will go on.

@3:04:32 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 30, 2008  
Park County Road Updates

@3:04:43 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Ed Hillman, road supervisor; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said he just got the bridge planking from the Whispering Pines area. Commissioner Lahren said the planking needs to be bound together so it does not twist when it dries.

Reviewing the weekly road crew work schedule, Hillman said Jardine Hill is completed after three days of work and the crew is now on Old Yellowstone Trail in the park. He said John Young put up snow fence and cleaned culverts on Flathead Road. Hillman said road work on Shields River Road East was finished and the crew is on Bracket Creek and then will do Cottonwood Creek Road.

Commissioner Durgan said a few purchase orders need discussion and determination as to what account funds will be taken out of. Durgan said according to budget figures the road budget is over 30 percent depleted and the county is only a quarter of the way through the fiscal year. Durgan said three-inch minus gravel can be purchased for cheaper at another pit than the pit listed on one of the invoices.

Hillman said one purchase order is for plow shoes and delineator posts. He said two culverts for Fiddle Creek and Fridley Creek Roads are coming out of the bridge budget, but nothing has been ordered. He said the culvert on Fridley Creek needs to go in before the spring.

Durgan said Hillman better talk to the citizens on Fiddle Creek Road about monetary participation for the culvert because it is an irrigation ditch. Durgan said the county would put in the culvert to the correct specifications, but the adjacent landowners would be responsible for the cost of the culvert.

Hillman said the road crew did some mowing for winter on South Fork of Deep Creek Road, but it has not been bladed because the road crewman is currently working roads on the other side of the river. Commissioner Lahren said the next step is for the landowners on that road to come to the county with a petition to make the road a county road.

Deputy County Attorney Piccolo said the road must be established by petition if the county did not originally construct the road. She said a Commission resolution cannot be used to make it a county road if the county did not originally build it.

Durgan said as of October 27 Montana Rail Link has completed work per the agreement at the O'Rea Creek Road railroad crossing and now it is up to county to put in gravel per the agreement. Hillman said the road crew will do it probably next week. Durgan said the remainder of the agreement is for the county to put on millings in the next warm season.

Lahren said Citizen Jackie Shiplet phoned him about the Castle Mountain Road. Hillman said that road is a low priority road and the road crew usually only maintains it once a year.

@3:28:08 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 31, 2008

No Meetings Scheduled

9:00 A.M. – Commissioner Denton in Wilsall to Hear Resident Concerns – Senior Center

11:00 A.M. – Commissioner Denton in Clyde Park to Hear Resident Concerns – Town Hall

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana