

Park County Commission Meeting Minutes
Week of January 19 – 23, 2009
Park County, Montana

January 19, 2009

Martin Luther King, Jr. Day Holiday – All Offices Closed

January 20, 2009

8:00 A.M. – 3:00 P.M. – Mandatory Safety Training – Community Room

January 20, 2009

Review Daily Agenda and Correspondence

@8:48:41 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor 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 review the daily agenda and correspondence.

Correspondence included:

- Email from MACo re. economic stimulus package
- NACo e-news newsletter
- Minutes of Yellowstone County Montana Tourism meeting
- Memo re. Angel Line meeting quorum - To Commissioner Durgan for review
- Memo re. Thomas, Dean and Hoskins meeting request with Commission
- Angel Line board agenda and minutes - To Durgan for review
- Memo re. state investment board meeting on January 21 - To treasurer for review
- Heard Across Montana newsletter - To Director of Operations Hurley for review
- Memo re. DES coordinator out of office on January 23 for pipeline safety meeting
- Memo re. document retention training in Helena - To HR for review
- Memo re. Cooke City resort tax and Gardiner water and sewer financing - To deputy county attorney for review
- Memo re. legislative update scheduled for January 22 at 12:15 p.m.
- Memo from Job Service re. unemployment insurance for part-time employees - To HR for review
- Memo re. Stafford Animal Shelter raffle
- Memo re. natural resource and conservation newsletter
- Park County department head meeting agenda

@9:04:18 a.m., Commissioner Taylor made a motion to adjourn the meeting. Durgan seconded that motion. Motion passed.

January 20, 2009

Park County Road Updates

@9:04:31 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Road Crewmen Mark Smith, Brad Wilson and John Young; Shannan Piccolo, deputy county attorney; Public Citizens Bob Peterson and Jerry Brekke; and Commission Minutes Clerk John Mueller.

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

Commissioner Malone opened the floor to public comment. No public comment was made.

Malone said a citizen on Trail Creek Road expressed thanks to the road department for its work on that road this winter.

Crewmen Mark Smith, Brad Wilson and John Young provided the Commission with an update of their individual road work.

Wilson said it wouldn't hurt to train Crewman Dave Amunrud on the new graders. Smith said he thinks putting on a grader school would be beneficial for the crew and the county.

Smith said there needs to be discussion to know who is in charge of the road department. He asked if a meeting could be scheduled with at least the road crew to define an "emergency" situation.

There was discussion about pickup trucks with sanders and removable racks that would allow for road work in the summer. Smith said a one-ton pickup with a dual wing is a much better piece of equipment than the GMC 7000 with a fixed blade the crew has now. Malone said Madison County has one-ton trucks for the Commission to sand roads when needed and that is something the new Commission will consider.

Public comment was made by Bob Peterson. Peterson said satellite radios are the only way to go today, as are articulating loaders with snow blowers. Peterson asked about the status of the Deep Creek Road South Fork. Malone said he spoke with County Historian Jerry Brekke who informed him incomplete paperwork exists from Suce Creek Road to South Fork of Deep Creek. Malone said the county needs to clean up that paperwork and declare whether or not those roads are a county road. There was discussion about the history of origin of roads on the east side of East River Road. Peterson said many of those roads were put in with federal Farm-to-Market act funds in the 1930s. Malone said citizens need to submit a road petition and the Commission needs to take testimony and see what Brekke comes up with to determine whether the roads are county roads.

Peterson asked if a sign can be erected on a county road without Commission approval. Durgan said a sign can be erected, but it is not enforceable. Peterson said he would like a sign erected noticing there is no camping in the Forest Service property on South Fork of Deep Creek Road, as RVs with pull-behinds attempt to access that land and cannot turn around at the top. Peterson said “Not Passable Signs” need to be erected because people try to access roads that are not passable and he and his son are pulling a lot of people out. The Commission said it will take the issue up with the Forest Service.

Responding to a question about the status of the Bannack Trail, Brekke said he referenced a 2007 report in reporting the Bannack Trail ran from the Wyoming line though Cooke City to Daisy Pass and the other Wyoming line. He said a portion from the Wyoming line to Monument Street to the end of the extension of that street in Silver Gate was abandoned in 1976. Brekke said that left access on the Silver Gate side through Cooke City and down Monument Avenue to the bank of Soda Butte Creek. Brekke said the road that goes from the road and bridge across the creek, and the extension that goes down to Bannack Trail, is what he terms a “private/public” road, which is an un-conveyed tract of land that a roadway runs on and is used for public use, but is not a county road. He said thus the access to Bannack Trail would be on that public road and from that point to Cooke City it is a county right-of-way.

Brekke said he pulled an October 27, 2008 road update report completed by Commissioners Denton and Durgan. Durgan said that road is drivable under certain conditions, and it is a winter snowmobile route to provide access between Silver Gate and Cooke City, as well as a summer off road access route. He said the county has not maintained that road in its entirety for a long time, but has upgraded it periodically.

Brekke presented the Commission with the 2007 report and Denton’s and Durgan’s viewing report.

Young asked the status of the Hill Road at the end of the Shields because Bruce McLeod said he thought about having it abandoned. Durgan said the road was closed due to a bridge problem. Wilson said it is an option to abandon that road because it does nothing and is a headache. The Commission said Young can inform McLeod he can petition to abandon that road.

Smith asked if a road crewman is to continue inspections of the 9th Street Bridge. Durgan said the Commission needs to confer with Dave Crumley of MDT and State Bridge Inspector Dan Gravage to see if they think inspections are still necessary.

@9:57:24 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

January 20, 2009

9:30 A.M. – Review of Minutes for Week of January 12 - Commissioners Chambers – Minutes review was recessed until the 8:30 a.m. meeting on January 21

January 20, 2009

Meeting with Field Representative David Fine of Jon Tester's Office

@10:37:52 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Camden Easterling, Livingston Enterprise; Public Citizens Kevin Funk, Jake Hewuse, Larry Mainor, Mark Westenskow, Daniel R. Peterson, Eleanor Wend, Barbara Lewis and Kristina Salvador; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to meet with a field representative of Jon Tester's office.

Jon Tester Field Representative David Fine said he was present to learn about issues affecting Park County.

Commissioner Malone said the 9th Street Bridge was damaged by last year's floods, and there was discussion about the bridge issue. Malone said the goal is to have an engineering study completed in two months and to create a shovel-ready project. Commissioner Taylor said the project needs to be completed before high water in May-June.

Malone said Park County faces a bison and elk brucellosis issue. Commissioner Durgan said there is a continuing problem in dealing with wolf issues in a three-state area. Durgan said he appreciates the extension of the PILT program but feels it needs to be longer than through 2012. Durgan said he appreciates SRS funds. Malone said the county faces road, bridge, and equipment issues and a lack of funding. He said the federal government owns half the county so it should provide funds, citing search and rescue efforts.

Public comment was made by the following: Kevin Funk said he is concerned with the national bailout efforts. Funk questioned Fine about Senator Tester's opinion of the proposed automaker bailout. Jake Hewuse asked why the federal government can pass a huge bailout but Livingston can't fix its bridge. He said Americans cannot do things in local towns if the federal government is not helping. Christina Salvador said she would like to make Senator Tester aware that programs in place for people to retain homes are not working. Larry Mainor said his issue is with the VA and how to determine disability ratings with multiple service disabilities. Mark Westenskow said he is a civil engineer in town and the U.S. has a lot of unseen/buried infrastructure that needs attention and could be shovel-ready projects. Daniel R. Peterson said the bailout is socialism for the rich and capitalism for the poor. Barbara Lewis said she is thankful Senator Tester did not vote for the stimulus package. She said she has issue with the bailout and her concern is with subprime mortgages. Lewis said the government should give everyone their homes if they have a mortgage of \$140,000 or less, because then they would be homeowners. She said let the banks eat the mortgages and go back to 4% interest rates. Lewis said the unemployment insurance law is outdated and wants it revamped. Eleanor Wend said she is an unemployed workforce trainer. She said the biggest glitch she sees with the Job

Service work employment picture is there is a gap between a good education system and bad job creation.

Fine distributed business cards to all in attendance.

@11:29:22 a.m., Malone adjourned the meeting.

January 20, 2009

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

January 20, 2009

Department Head Meeting

@1:32:43 p.m., Chairman Malone called a meeting to order in the West Room of the City/County Complex. Commissioners Durgan and Malone were present. Also present was Clay Williams, weed/junk vehicle; Suzanne Brown, public health nurse; Marc Richards, GIS/IT; Mary Anne Anderson, Extension; Barbara Woodbury, environmental health; Raea Morris, Commission executive assistant; Michael Inman, planning; Allan Lutes, sheriff; Martha Miller, auditor; Jill Ann Ouellette, human resources; Scott Hamilton, undersheriff; Kim Knutson, fair manager; Marilyn Hartley, accounting; Brett Linneweber, county attorney; Bill Hurley, operations; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss staff issues with department heads.

Commissioner Malone opened the meeting to public comment. No public comment was made.

Addressing elimination of excess paperwork, County Attorney Linneweber said a computer/public information advisory committee provided the last commission with recommendations on how to reduce paperwork in county government operations. He said the committee would be happy to give a presentation to the new Commission.

There was discussion about changing county policy as it relates to providing a two-week notice when taking annual leave. Malone said the Commission would like department heads to handle leave requests from their employees. Jill Ouellette said the leave policy needs to include a provision for employees on-call 24 hours a day so they do not lose vacation at the end of the year. Barbara Woodbury said department heads should know what their department needs are and should determine if an employee can take time off. Malone said the Commission needs to know when a department head will take time off, but does not need to approve it. Durgan said the Commission will have a status board to know when department heads will be out of the office and contact information. Raea Morris said she has a personal leave calendar set up on her computer.

There was discussion about raising the county purchase order limit. Clay Williams asked if the PO limit could be increased to \$1,000. He said a set of tires can no longer be purchased for \$500. Marc Richards and Scott Hamilton said increasing the limit would help them out as well. Richards said new computers today run between \$600 and \$800.

Discussing the Employee of the Month award, Ouellette said she will resubmit a form to the Commission for feedback. Ouellette said she would help to bring the award to the forefront of the nominations committee by sending out an employee of the month reminder by the fifth day of each month and prepare nominations for the committee. Marilyn Hartley said it does not seem right for an employee to be selected for employee of the month while in the probationary period. Malone said the committee can review that. Linneweber said he nominates Karlin Swanson for employee of the month for her 30 years with the county. Meeting attendees agreed with the nomination.

Malone said reports of major happenings within departments may be implemented at the next department head meeting. He said department heads represent Park County in the community and should know what is going on.

Malone said the Commission is looking into the 9th Street Bridge; a building phone system with Marc Richard; implementing a dispatch system with the road crew; transfer of the Angel Line transportation service to the county; and transfer of the Gardiner sewer district to the Gardiner Water District.

Williams asked if the road mechanic is to work solely on road department equipment. Malone said mechanic work can be utilized for \$50/hour by appointment.

Martha Miller said she does not see a problem with department heads going back to using object codes used during the budgeting process. Miller said department heads should be responsible for codes they are tracking with. Malone said department heads are responsible for tracking their own expenses and budgets. Malone said his goal is to have a preliminary budget out for public review by June 10.

Mary Anne Anderson said it would be handy to have a schedule of who is using the Community Room. Richards said Morris' online scheduling calendar could be sent to department heads.

@2:03:42 p.m., Malone adjourned the meeting.

January 20, 2009

Discussion of Solid Waste Contract, Recycling of Cardboard and Possible Purchase of a Roll-Off Truck

@3:03:48 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Richard Wright, transfer station; Bill Hurley, operations; Shannan Piccolo, deputy county

attorney; Marilyn Hartley, accounting; Dave Duffy, Valley View Landfill; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a solid waste contract, cardboard recycling, and possible purchase of a roll-off truck.

Transfer Station Manager Richard Wright said the county's contract with Envirocon ends on January 17, 2010 per discussions former commissioner Kris Denton had with Envirocon. Director of Operations Bill Hurley said he was told by a former Envirocon employee the contract is due mid-April 2010. Hurley said the Commission may want to have the county attorney's office look into when the contract will end. Wright said his recommendation is to try to go another five years with EnviroCon to haul county garbage to Helena by rail. Wright said Envirocon owns the railroad cars and five of the garbage bottles used by the county for garbage transport. Wright said the county will have to go out for bids once the solid waste contract expires.

Wright said the bottles will fit on a truck, but the rail is far less expensive. He said the county's total liability ceases the second he sets the bottles on the rail cars. Dave Duffy of City/County Sanitation in East Helena said the reduction in the carbon footprint by sending garbage via rail is significant and it would take 2.1 semi trucks to replace one rail car. Duffy said Broadwater, Jefferson and Park Counties contract with City/County Sanitation and Park County without question has the best refuse transport system in using the rail. Duffy said one of those counties brings in 24 tons of garbage per trip with trucks where Park County averages 53 tons per load. Duffy said his recommendation is for City/County Sanitation to take over the rail operations if Envirocon is looking to get out of the business.

Commissioner Taylor asked when the transfer station lease is up. Wright said possibly April 17, 2009.

Commissioner Durgan made a motion to send out a request for a proposal for a five- and ten-year solid waste contract with a Consumer Price Index adjustment. Commissioner Taylor seconded that motion. Motion passed.

Discussing cardboard recycling, Wright said cardboard recycling is worth nothing right now with the economy and he got indications from Full Circle Recycling in Four Corners it would accept only two more months of cardboard. Wright said he does not want to go back to stockpiling cardboard and asked the Commission for permission to pull cardboard recycling roll-offs from county green box sites and put the cardboard back into the waste stream. The Commission gave Wright permission to do that. It said not to dismantle the cardboard recycling operation and to run the request by the solid waste board.

Wright asked the Commission if it is willing to pay \$28,000 a year for 200 tons of recyclables, which is down from 400 tons since the city pulled out to conduct its own recycling program. The Commission said it will take that question under advisement.

Discussing the possible purchase of a roll-off truck, Wright said his Freightliner roll-off truck has over 900,000 miles on it and the International truck has been dollaring his department to death with needed repairs. Wright said you can find a decent used truck from between \$30,000 and \$40,000 and there will be a cost of \$5,000 to \$7,000 to transfer the roll-off box hook between trucks. Wright said he has the money for a truck in his budget. Malone said Wright knows what his budget is and told him to bring a purchase order into the Commission.

Malone opened the floor to public comment. No public comment was made.

@3:47:21 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 20, 2009

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

January 21, 2009

Review Daily Agenda and Correspondence

@8:45:38 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Raea Morris, Commission executive assistant; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the daily agenda and correspondence.

Correspondence included:

- Announcement of public hearing for Park County subdivision regulation amendments on Feb 4 at 9 a.m. - To file
- Memo re. road abandonment and surveyor meeting for Shamrock and Sunset Lane
- Minutes from Gallatin Solid Waste Management District - To Commissioner Taylor for review
- Memo re. Feb 18 Commission meeting with FEMA - To Commissioner Malone for review
- Memo re. Horse Butte Bison Capture Facility renewal
- Memo from Angel Line solid waste board re. quorum question - To deputy county attorney for review
- Memo re. Bullis Creek Land Banking Project comment period
- Memo re. Title III Forest Service release of payments - To file
- Citizen application for Paradise TV Board - To Raea Morris to telephone Billy K. Harms with citizen's information
- Memo re. Cooke City Shoofly Center meeting request with Commission and viewing on January 27

The Commission told Commission Executive Assistant Raea Morris she could order bathroom supplies during the absence of maintenance personnel.

There was discussion about clarifying the county's efforts in transferring the Gardiner Sewer District to the Gardiner Water District. The Commission directed Director of Operations Bill Hurley to submit a memo in those regards to the Commission for the Gardiner Sewer District file.

Reviewing Commission meeting minutes for the Week of January 12, 2009, Commissioner Durgan requested a revision to Page 1 of 24; sixth paragraph, the last sentence should read, "Wilson said single-axle plow trucks are absolutely not to be used on icy mountain roads." On Page 5 of 24, Durgan noted the correct spelling of Bob "Skillman." On Page 16 of 24, Durgan noted the correct spelling of "Parelli."

Commissioner Malone requested a revision to Page 7 of 24, the second paragraph should read in entirety, "Malone said the county needs to get the Army Corps of Engineers back in to reevaluate the situation with the county." On Page 9 of 24 Malone note the correct spelling of Josh "Kellar." On Page 12 of 24 Malone noted a 1:00 P.M., meeting was canceled due to Sheriff's Office schedule conflicts.

Durgan made a motion to accept the minutes as corrected. Taylor seconded that motion. Motion passed.

@9:10:59 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

January 21, 2009

Analysis of Human Resource Department by New Commission

@9:14:32 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Jill Ouellette, human resources; Denise Nelson, clerk and recorder; Bernadette Rambow, AP clerk; Martha Miller, auditor; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to analyze the Human Resources Department.

Human Resources Analyst/Assistant Jill Ouellette provided the Commission with her written summary of the state of the HR department. Ouellette said she reiterates the need for HR offices to be keyed off a master system because of confidentiality issues with personnel files and to maintain privacy when meeting with employees. Ouellette said an appropriate, professional setup for the HR department would include a reception area for employees and an inner office that provides a private and confidential setting. Ouellette said the HR offices should be inside the courthouse to best serve employees.

Discussing staffing needs, Ouellette said staffing needs correlate directly to what the Commission wants done in house. Ouellette said she is a three quarter-time employee and her work days are full. She said it would help if Bernadette Rambow could help with clerk level work and smaller projects without blocking her accounts payable responsibilities. Ouellette said she needs the Commission's thoughts on staffing, whether it wants a bare bones effort to ensure legal issues are covered or to expand HR efforts into working on staff morale. Ouellette said she would need training for employee investigation; the county could implement organizational charts and written, posted mission statements within county offices and departments; and the county could stop fillers in paychecks and offer employees a \$7.50 lunch voucher for birthdays or random \$25 gift certificates to a local restaurant.

Ouellette provided the Commission with a list of things not currently being met by the county HR department. She said she stresses the need to work on the county personnel and policy handbook because that sets the tone and sets up hiring and employment practice and how the county works with its employees. She said that handbook not being straight is a reason why the county can be subject to legal action. Ouellette said the handbook formatting needs to be changed to allow for legislature updates, and she has received employee feedback commenting on the handbook's lack of clarity. Ouellette said she was shocked when she discovered no OSHA logs or 300A reports were completed last year. She said the county's workers compensation files are not organized or complete. Ouellette said the county has an incident reporting form, but it is not always filled out. Malone said all employees need to be familiar with procedure and paperwork filing.

Ouellette provided the Commission with a written memo of recommendations for the HR department. Ouellette said she is not receiving ADA updates and does not have access to the HR department budget. Ouellette said companies exist that will charge a fee to translate legal updates into layman's terms. She said the county could consider outsourcing for updates at a quoted cost of \$500 to \$1000 per month. She said that would ensure the county remains in compliance.

Ouellette said the county does not have an employee census and does not have accurate records of which employees have CDL operating licenses. Ouellette said the Commission needs to be willing to make the investment to get people in the department to do the work if the Commission wants files in tip top shape. She said a former HR employee conducted an audit of department files and generated a list of her findings and inconsistencies with county personnel files, which included: 95 percent of I-9 Homeland Security forms are not signed by county authorized personnel; determination needs to be made whether W-4s need to be updated every year in personnel files; voided checks were found in personnel files without direct deposit authorization for the county to access employee accounts; paperwork was found for previous employees in the wrong employee files; required confidential EEO information was contained on the back of Park County job listings and some EEO surveys on job applications were opened which opens debate for possibly discriminating against applicants; some job postings were posted without authorization signatures; some personnel files contain no applications for jobs accepted;

some EEOC surveys are not properly identified on the outside of personnel files as required; and some personnel information was not properly organized within file folders.

Malone asked Ouellette if the county needs an HR director in her opinion. Ouellette said a director is necessary for a serious amount of work to be pushed through the HR department and for the department to run in ship shape without issues. She said a director would work on needed items from a supervisory capacity. Rambow said she can help with getting personnel files updated. Malone asked if Ouellette thinks current staffing can meet the minimum of Park County's human resources needs. Ouellette responded that she does. Malone asked for a written memo from Ouellette of the minimum HR requirements required by law.

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

January 21, 2009

Consider a Resolution Designating the Environmental Certifying Official for Park County Senior Citizens Center Project

@10:01:07 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Shannan Piccolo, deputy county attorney; Julianne Brown, NRM RC&D; Martha Miller, auditor; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a resolution designating the environmental certifying official for the Park County Senior Citizens Center project.

Commissioner Malone read Resolution #1041 into the record – *Resolution Designating the Environmental Certifying Official for the Senior Citizens Center Corporation Rehabilitation Project.*

Commissioner Taylor made a motion to pass the resolution. Commissioner Durgan seconded that motion. Motion passed.

Malone opened the floor to public comment. No public comment was made.

@10:07:37 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

January 21, 2009

Signing of Cooke City Resort Tax Retainer Agreement and Conflict of Interest Waiver

@10:07:51 a.m., Chairman Malone reopened the meeting recessed from 9:30 a.m., due to a scheduling conflict. Commissioners Durgan, Malone and Taylor 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 sign a Cooke City Resort Tax retainer agreement and a conflict of interest waiver.

Deputy County Attorney Shannan Piccolo said County Attorney Linneweber had not reviewed the conflict of interest waiver, but the Commission previously voted to sign the waiver once it was reviewed.

Piccolo submitted to the Commission a retainer agreement which officially secured Mae Nan Ellingson to do bonding work with Cooke City resort tax issues.

Commissioner Durgan made a motion to sign off on the retainer agreement with the law firm of Dorsey and Whitney. Commissioner Taylor seconded that motion. Motion passed.

Commissioner Malone opened the floor to public comment. No public comment was made.

@10:11:09 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

January 21, 2009

Review of Health Insurance Portability Issues

@11:05:56 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Shannan Piccolo, deputy county attorney; Bernadette Rambow, accounts payable; Kim Lavender, county attorney's office; Marilyn Hartley, accounting; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review health insurance portability issues.

Marilyn Hartley said health insurance portability is a policy in which an employer agrees to accept health insurance premium payments from another employer in order for the spouse or family of an employee to take advantage of the best insurance plan. Hartley said the issue was discussed with the last Commission when it was agreed the county would agree to pay insurance premiums for employees to use insurance plans of a spouse's employer outside of the county government.

Hartley said the cost to the county in agreeing to the portability would be for administrative services. She said one county employee is currently interested in the program. Hartley said the downside of the program may be exposure for the county if another employer does not pay the insurance premium. She said the idea would be to require the employee to pay that premium if the employer fails to. Hartley said anyone taken onto an insurance plan is a risk of increasing others' premiums if a catastrophic illness occurred.

Commissioner Malone asked Hartley to obtain a letter from Owen Voigt of MACo Health Trust with more information on the proposal to include any downsides to the program. Hartley said she will contact Voigt for a letter to be submitted to the Commission and carbon copied to the county attorney's office.

@11:23:13 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

January 22, 2009

Review Daily Agenda and Correspondence

@8:50:48 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Raea Morris, Commission executive assistant; Bill Hurley, operations; Mike Inman, planning; Marilyn Hartley, accounting; Kevin Larkin, treasurer; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the daily agenda and correspondence.

Correspondence included:

- Memo re. Swanson and Levitt business after hours party
- Memo re. rescheduling of Commission meeting
- Memo from undersheriff re. Gallatin National Forest Avalanche Recovery Center
- Email re. hearing on House Bill 276
- Announcement of Park Electric Cooperative retirement open house
- Memo from MACo re. PERS 2008 comprehensive annual financial report - To HR for review
- Thank-you memo and board of directors request from NRM RC&D
- Agenda for MACo mid-winter conference
- Memo from MACo re. House Bill 217
- Citizen memo requesting a Commission meeting re. easements for county roads crossing private lands - Planner Mike Inman said he told the citizen to speak with the Commission about the request
- Memo from MACo re. forest payments
- Memo re. goal setting webinar
- Reminder from U.S. Department of Commerce re. voluntary census bureau inquiry
- Memo re. DES coordinator has reserved the Community Room on March 24 for mandatory staff safety training

Commissioner Durgan said Citizen Dan Karrell informed him a community meeting will be held at the Beavercreek School on January 30 at 7 p.m., to discuss the possibility of setting up a fire district there. Durgan said improvements are ongoing at the fairgrounds in addition to the rabbit and poultry barn construction, such as redoing some barn water

lines, and the fair board will advertise for bids for that work. He said those bids close on January 30. There was discussion about other improvements that may need to be completed at the fairgrounds.

Commission Executive Assistant Raea Morris said Nancy McCracken told her elderly people are having to park on the street and walk a long distance to the courthouse as some elected officials are parking in the back lot, which is not permitted per Commission policy. Malone asked Morris to submit a memo on the matter and the Commission will distribute it to courthouse staff.

Morris asked whether the weekly area legislator update meetings will be public meetings. The Commission said they would be.

@9:22:56 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 22, 2009

Conference Call with Area Legislators to Discuss Legislative Issues

@12:21:19 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Ed Meece, Livingston city manager; and Commission Minutes Clerk John Mueller. Representatives Joel Boniek and Bob Ebinger were present via telephone. No public comment was made.

The meeting was scheduled to discuss legislative issues with area legislators.

Commissioner Taylor said it would more helpful to hold weekly conference calls with Boniek and Ebinger while the Montana legislature is in session.

Commissioner Malone said he and Commissioner Durgan attended a brucellosis meeting at which a house or senate bill was discussed which provides \$2.5 million for mitigation under the Department of Livestock. Malone said that effort cannot go forward without legislative appropriations as the Department of Livestock cannot fund the bill. He said he thinks Boniek and Ebinger should support that bill.

Malone said Senate Bill 217 deals with reimbursement for livestock owners for livestock testing. He said livestock owners should not have to fund that testing.

Malone said he has concern with House Bill 183, which would modify land use so counties could not dictate any future land uses to land subdividers. Ebinger said the current draft of that bill will be thrown out, tabled and should be rewritten.

Malone asked the representatives to support House Bill 194 dealing with hardrock mining counties. Ebinger said he would look up that bill.

Commissioner Durgan said he had a meeting with law enforcement and a mental health representative regarding proposed House Bills 130, 131, and 132. Ebinger said he proposed HB 60 on suicide in local jails. Ebinger said all of those bills came out of a 14-month committee study and are under review, but are quite expensive.

Malone said the Commission plans to put out a request for engineering proposals for 9th Street Bridge work in the event a federal stimulus package can fund that project.

City Manager Ed Meece asked about Bill 228, which would allow concealed weapons in Montana cities. Ebinger said testimony was just taken on that bill and several amendments were stricken from it.

Meece asked about the progress of a stimulus list. He said the city has two projects on that list, one of which is an underpass. He said the big hang up with that project is having it shovel ready in 180 days. Meece said the city may be able to make that deadline as a design-build project with all environmental assessments completed, and that effort will require the city commission to approve use of mill money.

Boniek said HB 190, which puts Montana FWP in charge of supervising and implementing stream access at state bridges, will soon go to the House floor.

@12:46:20 p.m., Malone adjourned the meeting.

January 22, 2009

Discuss Funding for the Transportation Line from Bozeman to Livingston

@2:03:22 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Shannan Piccolo, deputy county attorney; David Kack, Chairman of Streamline Advisory Board; David Eaton, Livingston Area Transportation Committee; Zanya Betley, Job Service; Camden Easterling, Livingston Enterprise; Raea Morris, public citizen; Ed Meece, city manager; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss funding for the transportation line from Bozeman to Livingston.

Commissioner Malone opened the floor to public comment. No public comment was made.

David Eaton, Director of Counterpoint and Chair of the Livingston Area Transportation Committee, provided the Commission with a written proposal. He said the Streamline transportation service has been running since October 2008 and has gotten good use. He said he met with the city of Livingston which told them it does not have money in this year's budget for the Streamline service, but pledged to possibly include funds in the FY '10 budget and will work with them for private funding sources and grants.

David Kack, Chairman of Streamline Advisory Board, said the \$85,000 to start the route from Livingston to Bozeman and Bozeman Saturday service came from Montana State University. Kack said 50 percent of ridership has been affiliated with MSU faculty and staff and some Livingston residents who work at Bozeman Deaconess Hospital. He said Streamline is considering an additional run with different times that may encourage more people to ride the bus. Kack said MSU will determine whether it will continue the service at a February 10 meeting, and he hopes to find \$60,000 from the Livingston side of the pass for the service. Kack said any funds other than U.S. Department of Transportation funds can be accepted including private funds. He said the service is currently receiving about \$15,000 to \$20,000 per year from private donations. Kack said the service is fare-free in order to receive federal funding, but donations from riders are encouraged.

Kack said the city of Bozeman charges a one-mill property tax for the service that generates about \$73,000, Gallatin County gives \$40,000 to \$45,000, and the largest source of local match is from the Associated Students of MSU. He said some Title III funding is used as well.

Kack said the service usually departs Livingston at 6:45 a.m., and goes to Bozeman Deaconess and then to MSU by 7:30 a.m., and the bus usually returns to Livingston at 6:30 p.m. He said there are talks now about more of an 8 to 5 bus route. He said currently the service does not pick anyone up on its way to Livingston in the a.m. Kack said the service has heard desire for more routes and greater flexibility between Livingston and Bozeman.

Raea Morris said a lot of people interested in the service do not use it because of the route times currently offered.

Zanya Betley of Job Service said people need as many options as possible to work in Bozeman and Gallatin County in order to keep people living in Park County and the bus service can help that effort.

Malone said the county does not have funds for the service in this budget year. He said he would like to have a follow-up meeting at the end of March to discuss efforts of increasing rider money donation efforts; a survey of how many rides come from the county and city; approaching Printing For Less to see if such businesses will contribute funds; and discuss results of a survey of pent up demand for the service.

Taylor said the service should get in touch with the Bozeman and Livingston Chambers of Commerce.

Eaton said the next Transportation and Advisory Committee meeting will be held at Counterpoint at 4 p.m., on February 12 and the public is welcome to attend.

Malone opened the floor to public comment. No public comment was made.

@2:48:03 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

January 22, 2009

Annual Groundwater Summary and Recent Montana DEQ Monitoring

@2:59:04 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Camden Easterling, Livingston Enterprise; Elizabeth Erickson, Water and Environmental Technologies; Dave Erickson, WET; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss annual groundwater summary and recent Montana DEQ monitoring.

Dave Erickson said Water and Environmental Technologies (WET) was hired in 1994 to address solvents leaking from the Park County landfill. He said WET installed a system to capture solvents leaving the landfill in 1996.

Erickson said Martin Van Oort of Montana DEQ submitted a letter to him outlining changes to rules for sampling numbers on analysis forms. Erickson said the DEQ letter also referenced the landfill's remediation system, which has remained in compliance since 1996, asking the county to address options for expanding that system. Erickson said he does not think that is necessary.

Erickson asked the Commission for permission to meet with DEQ to discuss the rules changes and remediation issues. Commissioner Taylor said it would be appropriate for Erickson to attend that meeting and submit a report of meeting content to the Commission. The Commission said Taylor would review that report.

@3:12:59 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 23, 2009

Review Daily Agenda and Correspondence

@9:03:53 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Raea Morris, Commission executive assistant; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the daily agenda and correspondence.

Correspondence included:

- Memo re. January 27 meeting or museum board - Commission Taylor will attend

- Memo from MDT re. agreement with Park County for Bailey bridge - To deputy county attorney for review
- Petition to support Streamline transportation service between Livingston and Bozeman
- Five memos of legal advice to Commission from deputy county attorney
- Memo from MT Department of Commerce re. census - To GIS/IT for review
- Amended safety meeting minutes
- Memo from planner re. February 11 hearing for zone change
- Memo from Jerry Brekke re. historical consultant services - To file

The Commission reviewed its agenda for the Week of January 26.

@9:24:45 a.m., Sheriff Lutes entered the chambers. Lutes said he and the undersheriff will be in Helena on January 28 but will try to have a deputy attend a 2 p.m. meeting that day with the road crew to define an “emergency” situation

Commissioner Taylor said wording needs to be added to requests for proposals to state that all options for replacement and repair of the 9th Street Bridge are researched.

@9:28:45 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana