

Park County Commission Meeting Minutes  
Week of July 20 – 24, 2009  
Park County, Montana

July 20, 2009

Review Daily Agenda and Correspondence

@9:22:36 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Bill Hurley, director of operations; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo from MSU Extension re. log of personnel information
- Memo re. Myer's Flat checklist
- Memo re. citizen "thank you" for Boulder River Ranch culvert project
- Daily status report from PCRFD#1
- Memo re. invoice from citizen for cell phone tower
- Memo from planning department re. annual plan of work
- Citizen request for public information
- Citizen memo re. county noxious weed management
- Two confidential worker's compensation claims

@9:35:05 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 20, 2009

Review of Minutes for Week of July 13, 2009

@11:03 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider approval of Commission meeting minutes for the Week of July 13, 2009.

Commissioner Durgan requested a revision to Page 1 of 8; the last paragraph should read, "There was discussion about the Crown Butte Mine above Gardiner and the Otter Creek Tracts near Decker, Montana and Park County costs for a 9<sup>th</sup> Street Bridge project." On Page 5 of 8; first paragraph, the second sentence should read, "Durgan said he informed the citizen a catch basin is being proposed."

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

@11:04 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 20, 2009

Consider Signing a Contract Between PACE and Park County Concerning Angel Line

@11:27:23 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider signing a contract between PACE and Park County concerning Angel Line.

Civil Deputy County Attorney Piccolo said the contract with PACE replaces a contract between PACE and the city of Livingston. Piccolo said the contract adds language enabling the Angel Line Board to lower fees charging PACE customers on a case-by-case basis when more than one rider is picked up from one location and taken to the same second location.

Commissioner Durgan made a motion to accept the contract. Commissioner Malone seconded that motion. Motion passed.

@11:31:35 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 20, 2009

Consider a Resolution to Amend FY '09 Budget for Road and Bridge CIP Fund

@11:41:34 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a resolution to amend the Fiscal Year 2009 Road and Bridge CIP fund.

Finance Director Lani Hartung said the amendment is necessary to cover \$5,000 spent from the Road and Bridge CIP Fund.

Commissioner Durgan made a motion to sign the resolution amending appropriations for the Road and Bridge CIP Funds. Commissioner Malone seconded that motion. Motion passed.

@11:45:21 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 20, 2009

1:30 P.M. – Museum Board Personnel Meeting – West Room – Closed Meeting

July 21, 2009

Park County Road Updates

@9:05:03 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Ed Hillman, road supervisor; Bill Hurley, operations; Jerry Brekke, historian; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues.

There was discussion about a slide at Triangle 7 Ranch on the Swingley Road. County Historian Jerry Brekke provided a history and status of Swingley Road and Mission Creek Road.

Commissioner Malone said a citizen telephoned about a cattle guard full of gravel and cattle walking over it at Little Mission Creek Road.

Road Supervisor Ed Hillman said he estimates it will cost \$5,000 to patch Convict Grade Road from Duck Creek Road to the Y. Hillman said Mill Creek Road needs to be sealed, and that job was estimated last year at \$25,000.

There was discussion about putting millings on Rock Creek Road. Hillman said crewmen are putting millings on Willow Creek Road this week, and he plans to have crew work on Eldridge Creek Road with 3-inch minus gravel and two culverts next week.

@9:33:50 a.m., the meeting adjourned.

July 21, 2009

Department Head Meeting

@9:36:36 a.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 were Lani Hartung, finance; Marc Richards, GIS/IT; Kim Knutson, fair; Martha Miller, auditor; Belinda Van Nurden, DES; Jill Ouellette, HR; Raea Morris, commission executive assistant; Bill Hurley, operations; Allan Lutes, sheriff; Brett Linneweber, county attorney; Philip Fletcher, planning; Rachael Lewis, environmental health; Clay Williams, weed/junk vehicle; Mary Anne Keyes, MSU Extension; Denise Nelson, clerk

and recorder; Ed Hillman, road; Kelly Johnson, maintenance; Lois Hatfield, landfill; and Commission Minutes Clerk John Mueller.

Commissioner Malone opened the floor to public comment. None made.

Employee of the Month: Human Resources Analyst Jill Ouellette said Jeri Stevens in the planning department was nominated by Planning Director Philip Fletcher as employee of the month for her willingness to work one and a half positions without complaint, work without supervision, complete work with timeliness and quality, and train to assist the health department.

Update on Courthouse Safety Plan: DES Coordinator Belinda Van Nurden said she will incorporate recommendations received and make a colored map of building layout.

Discussion of Asset Management: Malone said department heads should inform Finance Director Lani Hartung whenever anything is purchased in excess of \$5,000 or that has a five-year life so it can be added to the county insurance list. Hartung said an AP clerk will be hired and put in charge of assets and assigning an asset tag.

Discussion of COMDATA Gas Card Claims: Hartung asked department heads to print out gas card claims each month and submit them at one time. She said a charge report will be printed up with a signature line okaying payment in order to account for all claims.

City of Livingston/Park County Computer Days: GIS/IT Manager Marc Richards said computer training days will be held September 23 and 24. County Attorney Linneweber said training will include a legal update on retention of documents, and employees should attend if they did not last year.

Budget Process: Hartung said a preliminary budget for Fiscal Year 2010 is available in the accounting office, but it is still being updated. She said the last check run for FY '09 will occur today after which time Hartung will update books and payroll lines for the new fiscal year and to reflect the COLA.

Discussion of Motor Pool Vehicles: Malone said the county now has enough vehicles the policy of using personal vehicles when an employee attends trainings for more than three nights can be done away with if funds permit within individual department budgets.

Round Table Discussion of Department Activity Updates: Kelly Johnson, maintenance, introduced himself and told department heads to call him for assistance. Road Supervisor Ed Hillman said the road crew is putting millings on Willow Creek Road this week and completed a culvert project on the Main Boulder last week with private labor. Clay Williams, weed/junk vehicle, said he is spraying weeds and mosquitoes. Mary Anne Keyes, MSU Extension, said the Extension Office will be located at the Park County Fairgrounds during the fair August 3-7, Extension will host a training on July 30 with Job Service regarding a change of unemployment benefits while getting an education, and the

4-H auction and buyer's dinner will be held August 7. Sanitarian in Training Rachael Lewis said a public hearing of updated wastewater treatment regulations will be held August 29. Planning Director Philip Fletcher said the planning department is doing a lot of subdivision review but is receiving no new applications, is processing zoning compliance permits, revising the donut zoning area and setting up a city/county special committee for that effort, is busy with parks board issues, is acting as a resource and liaison to communities and residents, completing floodplain training and working with environmental health for permitting, and the planning board will tour the valley with an MSU expert. Sheriff Allan Lutes said the sheriff's office call load is increasing, two recently-purchased vehicles are in service, used vehicles will be specially modified for patrol and search and rescue purposes, a new deputy is in service and in 14 weeks of training in the south of the county, the office is preparing for fire season and meeting with outlying outfits, the office had two river rescues July 19, and department heads are welcome to ride along with deputies. Linneweber said county attorney conferences and vacations are requiring adjustments to schedules so he may not be drop-in available, and department heads can contact him for review of draft letters when delivering bad news to citizens. Richards said he will make a recommendation to the Commission about building phone bids on July 24, and the department is doing desktop support and networking. Fair Manager Knutson said the fairgrounds will host team roping on July 24 - 26, a lot of painting is going on at the fairgrounds, the county fair is August 5-8 with the crash-up derby on July 9, and the sound system is being upgraded. Van Nurden said she is working on an ADA plan. Landfill Manager Lois Hatfield said she is working on signage directing citizens to dump areas. Auditor Miller said she has been helping the accounting office until it is fully staffed. Ouellette said a study of MT healthcare statistics show 16% of people in Montana are uninsured and the percentage of people with employer coverage went from 56% to 53%, so county employees are blessed with the county benefit package, open county positions are an Angel Line driver, AP clerk, Cooke City green box manager, clerk of court opening, and a detention officer position. Director of Operations Bill Hurley said a Myer's Flat contract has been completed and accepted by the county. Commission Executive Assistant Raea Morris reported for Treasurer Larkin, saying the motor vehicle software system is still causing issues, but the department is now open at the noon hour.

The next department head meeting is scheduled for August 18 at 9:30 a.m. in the West Room.

@10:37 a.m., the meeting adjourned.

July 21, 2009

Review Daily Agenda and Correspondence

@11:16:06 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Bill Hurley, director of operations; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Expired lease agreement between fair board and Livingston Roundup Association
- Daily update from PCRFD#1
- Citizen memo re. Bannack Trail maintenance in Silvergate
- Memo from Miles Technologies re. road and weather technology evaluation – To GIS for review
- Memo from MT Mental Health - To Commissioner Taylor for review
- Memo from MT LTAP re. online newsletter
- Memo from MT DNRC re. senate bill legislative errors
- Memo from MT Dept of Commerce re. HB 645 9<sup>th</sup> Street Bridge local government infrastructure funds
- Memo re. Secure Rural Schools Act
- Memo re. 9<sup>th</sup> Street Bridge TSEP funds
- Memo re. contract bond general status inquiry
- Citizen memo re. Story Road
- Citizen memo re. Green Acres Park fireworks ban
- Certificate of Service for Cooke City Sinclair and Cabins
- Claim of \$100 from county health officer
- Memo from Lewis and Clark County re. online burn permit system survey
- Memo re. landfill methane monitoring report
- Invoice from Mountain Supply
- Citizen memo re. Gardiner Chamber of Commerce
- Memo re. county drug prescription card
- Citizen memo re. rock crushing bid

Commission Executive Assistant Raea Morris said adult probation complained about the cleaning crew leaving fans on in offices at night, and she left a message with Montana Clean about the issue.

Director of Operations Bill Hurley said he closed the file on a Myer's Flat radio tower project.

Commissioner Durgan made a motion to designate the disbursement of Secure Rural Schools funds as 85 percent of Title I; 8 percent of Title II; and 7 percent of Title III funds. Commissioner Malone seconded that motion. Motion passed.

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

July 21, 2009

Consider Extension Services Agreement Between Park County and MSU Extension Service

@1:42:28 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Mary Anne Keyes and Tracy Mosley of MSU Extension; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider signing an Extension Services agreement between Park County and MSU Extension Service.

MSU Extension Agent Mary Anne Keyes provided the Commission with an annual contract between MSU Extension Services and Park County. The Commission signed the agreement.

@1:48:38 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 21, 2009

Personnel Meeting

@2:00 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Jill Ouellette, human resources; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to address a personnel issue.

Commissioner Malone requested the meeting close to the public. Commissioner Malone made a motion to close the meeting. Durgan seconded that motion. The meeting closed.

@2:20 p.m., the meeting adjourned.

July 21, 2009

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

July 22, 2009

Review Daily Agenda and Correspondence

@10:02:24 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Present were Bill Hurley, director of operations; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Employee public information request
- Memo re. indirect costs for FY '09 SW Regional Youth Detention
- Memo re. Myer's Flat award letter
- Park County maintenance work request - Fulfilled by Maintenance Technician Kelly Johnson
- Daily status report from PCRFD#1
- Memo re. July 30 Russian Olive/Salt Cedar tour invitation
- Memo re. July 29 onsite buffalo guard location meeting
- Citizen request of Meredith Ranch Road issue
- Legal advice to Commission from civil deputy county attorney
- Memo from DES Coordinator re. closure of city streets
- Memo re. Montana Association of Oil, Gas and Coal Counties 2009 federal royalties
- Invoice from DOW HKM re. landfill monitoring services
- MDT aeronautics newsletter - To Director of Operations Hurley for review

Commissioner Durgan reported on the July 21 fair board meeting. Durgan said the fair board held a discussion with the Livingston Roundup Committee regarding use and maintenance of the sound system the Roundup Committee recently upgraded; the need to look into a lease agreement for use of the fairgrounds and arena by the Roundup Committee; and a five-year contract between the Roundup Association and fairgrounds to be upgraded after the fair and rodeo season concludes. Durgan said there was continuing discussion about fair board charges for Roundup waste material taken to the landfill, and the fair board will contact the Livingston transfer station about accepting that waste for compost. Durgan said the fair board is making preparations for the Park County Fair.

@10:28:34 a.m., the meeting adjourned.

July 22, 2009

1:00 P.M. – Missouri River Drug Task Force – Community Room

1:30 P.M. – Transportation Coordination Committee – West Room

July 23, 2009

10:00 A.M. – Juvenile Detention Meeting – Galen, MT – Commissioner Durgan attended

July 24, 2009

Consider Awarding City/County Complex Phone Bid

@9:36:24 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; Marc Richards, GIS/IT; Lani Hartung, finance; Martha Miller, auditor; Raea Morris, commission executive assistant; Bill Hurley, operations; Tom Lawrence, TCS, Inc; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider awarding a city/county complex phone bid.

GIS/IT Manager Marc Richards read into the record four telephone system bids, submitted to the Clerk and Recorder's Office prior to the bid deadline and opened in a public meeting on June 30, 2009.

Richards said TCS Industries' bid was the lowest bid, but was determined it failed for sufficiency, as the form was not correct and the bid was missing bid addendums # 2 and #3. Civil Deputy County Attorney said a county employee had a typo in TCS' email address when sending out all bid information, but the onus to receive all bid information is on the bidder and not the county.

Richards said Cerium Networks' bid met all bid requirements, was the next lowest bid, was well put together, and it is his recommendation to accept that bid for the phone system. Richards said he recommends the Commission accept the three addendums at this time as well because it will not get cheaper and may help in future integration of the system.

There was discussion about whether the city will pay for a share of the new phone system. Richards said he can ask city to pony up the money for its share of the system, or the county can recover system costs as it currently does through phone bill payments. Richards said he has been in discussion with the city about the new system. Richards said the county will own the phone system, and the city will pay for IT support and their phone bills. Richards said the Commission should discuss the recovery of costs of the phone system used by non-county offices. Commissioner Durgan said an advisory committee should be set up with Richards as the head to pick out major users and come to a memorandum of understanding of what is expected with the new phone system. Director of Operations Bill Hurley said it may be well to revisit an agreement between the city and county regarding shared expenses.

Tom Lawrence of TCS Industries said the Commission has the flexibility to choose any vendor it wants. He said TCS did not receive all RFB materials because of an email address typo, and the county put it on itself to send out a full RFB, thus some of the responsibility falls on the county. Lawrence said he asks the Commission to reconsider

the lowest bid for the system, and asked if the county has any responsibility to send out documents on emails correctly.

Durgan said he wonders if something can be worked out to consider TCS' bid. Piccolo said the Commission has the ability to waive the addendum requirements within the RFB. Durgan said the Commission does not want to get into a legal jam, but there is a considerable savings between the top and low bids. He said the Commission needs to approach the bid fairly.

Richards said he recommends redoing the entire process if it feels TCS did not get a fair shake.

Commissioner Durgan made a motion he does not feel the Commission has the information it needs, he does not feel comfortable making a decision now and he would like to postpone a decision in order to meet with Richards and other representatives and get a written opinion from the county attorney. Commissioner Malone seconded that motion. Motion passed.

@10:33:55 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 24, 2009

11:00 A.M. – Commissioner Deposition Meeting – West Room – Canceled

July 24, 2009

Review Daily Agenda and Correspondence

@12:03:01 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Draft CD of Forest Service trust lands
- Morrison-Maierle, Inc. annual report
- Memo from MDT re. septic pumper truck over Bailey bridge
- July 28 museum board meeting agenda
- PCRFD#1 daily update
- Memo from MACo re. statewide conference call
- Memo from treasurer re. cash-on-hand report
- Memo from Montana senators re. GM decision and Stillwater Mine

- Memo re. federal government Shields River Road bridge reconstruction and culvert replacement project
- Memo from finance re. June '09 expenditure report
- Memo from MDT re. 89 bridge 6 miles north of Livingston
- Citizen memo re. "thank you" for Willow Creek Road work
- Memo re. new RM RC&D coordinator
- Memo re. Stillwater Mining Company petition of GM decision

Commissioner Durgan reported on the July 23 Southwest Juvenile Detention Center meeting. Durgan said \$60,000 is available for Silver Bow, Gallatin and Park County from counties that did not exhaust their annual budgets. Durgan said the three counties were each allocated \$20,372, and indirect administrative costs were allocated to Park County in the amount of \$2,688.35 to be paid to the Gallatin County Treasurers Office. Durgan said Park County expended \$23,971.22 last year, and the nine counties in the Southwest region were collectively in the hole \$89,376 for last year. Durgan said the next meeting will be held via conference call on October 22.

@12:32:10 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana