

Park County Commission Meeting Minutes
Week of June 1 – 5, 2009
Park County, Montana

June 1, 2009

Review Daily Agenda and Correspondence

@8:36:27 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Bill Hurley, director of operations; Raea Morris, Commission executive assistant; Ed Hillman, road supervisor; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo re. June 16 MACo Oil, Gas and Coal Counties Golf Tournament in Sidney
- Memo re. survey evaluation of MACo executive director
- Memo re. July 14 management training seminar in Helena
- Citizen memo re. Hammond Creek and Rock Creek Road conditions
- Memo re. June 4 Upper Yellowstone Watershed meeting in Emigrant
- Citizen road abandonment petition for Strickland Creek Road
- Memo re. June meeting for funding for children and family health program - To public health nurse for review
- Citizen memo re. fuel trucks
- Memo re. state land easements

Commissioner Durgan said Francis Stewart on 9th Street Island needs a septic tank pumped. Commissioner Taylor provided the name of a septic pumper with a single axle truck. Durgan will telephone the citizen on the matter.

Commissioner Malone said two counties submitted an application and map approved by Montana DNRC regarding county easements on state lands.

@9:00:25 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 1, 2009

Personnel Meeting

@9:05:20 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor 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.

Human Resources Analyst Jill Ouellette requested the meeting be closed to the public. Commissioner Durgan made a motion to close the meeting. Commissioner Taylor seconded that motion. The meeting closed.

@9:52:15 a.m., the meeting adjourned.

June 1, 2009

9:30 A.M. – Review of Minutes for Week of May 25 – Commissioners Chambers –
Postponed

June 1, 2009

Discussion of Loss Control with MACo

@10:10:58 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Greg Jackson and Jack Holstrom of JPIA; Keith Stapley and Fred Hansen, MACo; Jill Ouellette, human resources; Brett Linneweber, county attorney; Dan Gutebier and Krista Auger of Swanson-Leavitt Insurance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Park County loss control issues with the Montana Association of Counties (MACo).

Commissioner Malone said the meeting was scheduled to hold a frank discussion on where Park County ranks with other counties and how it can correct any problems associated with its insurance claims.

Greg Jackson of the Joint Powers Insurance Authority (JPIA) provided the Commission with a five-year summary report of Park County property and liability claims losses from June 1, 2004 to June 1, 2009. Jackson said Park County's errors and omissions were over \$600,000 in that five-year period and represent the county's worst area of liability. He said errors and omissions include personnel issues, wrongful termination, civil rights actions taken to court, and defense costs for subdivision cases. Jackson said 70 percent of claims were law enforcement-related in the past, and two types of defensive driving courses are available for transit and emergency vehicles and law enforcement. Jackson said the county may experience increased potential for loss claims since taking over the Angel Line transit service, which has been the case in other Montana counties with public transit services. Jackson said he would concentrate on auto liability and errors and omissions, and he will send out a schedule of training sessions in early August.

There was discussion about jail standards and the importance of following adopted policies.

Jack Holstrom of JPIA said personnel claims reported against Park County were solely associated with the sheriff's office, but they have risen in other county departments in the recent past. Holstrom said he recommends looking at county policies and procedures and make certain they are understandable and defensible without wiggle room by using appropriate and specific wording. Holstrom said he will provide Jill Ouellette, human resources, with human rights training opportunities so she is up on all requirements regarding hiring, discrimination, and Equal Opportunity employee laws. Holstrom said department heads need to understand such laws as well.

Ouellette said the county needs to review employee files front to back in the event of an employee personnel issue, and the Commission needs to consult her to review and help it with any personnel issue investigation. Ouellette said that ensures all information and the entire story is provided to MACo. Ouellette said she provides a summary of an entire employee file to Holstrom for his review when a personnel issue arises.

There was discussion about conducting accurate employee performance reviews. Holstrom said he recommends Park County adopt much of the MACo-drafted personnel policy.

Fred Hansen of MACo said MACo will be providing a training course on the basics of internal audit controls and fraud protection, which he encourages department heads and the Commission to attend.

Jackson reviewed the premise behind MACo's county safety committee program. He said county safety committees review filed claims and come up with an action plan to eliminate and mitigate injuries over time. He that is done through training and establishing safety goals and objectives, but the committee only needs to know basics of an investigation. He said MACo recommends developing an action plan to reduce the county's 207 percent loss ratio over the last three years.

@11:40:03 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 1, 2009

Archive Road Data Power Point Presentation

@2:20:03 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Jerry Brekke, historian; Carol Woodley, PCGS; Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Jack Luther, public citizen; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as a Power Point presentation on archived road data.

Jerry Brekke, Park County Historian, and Carol Woodley, Park County Genealogical Society, provided a presentation of a road archive database index and reviewed its search

capabilities. Brekke said the database consists of scanned road petition documents that created county roads.

The Commission and Deputy County Attorney Piccolo said the searchable database looks like a helpful tool, and it just needs to become accessible on all county computers.

@3:25:38 p.m., the meeting adjourned.

June 2, 2009

7:30 A.M. – Job Service Employers Committee – Bittersweet Café

June 2, 2009

Review Daily Agenda and Correspondence

@8:40:56 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor 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:

- Confidential legal advice to Commission from deputy county attorney - To Commissioner Taylor for review
- Memo from MACo re. property and liability renewal invoice
- Memo from NRM RC&D re. Commissioner signatures
- Memo from Yellowstone Business Coalition.org
- Road crewmen motor grader certification certificates
- Memo from treasurer re. delinquent personal property tax audit report
- Research and Analysis newsletter
- Memo from Extension re. weed management area grant availability - To Commissioner Durgan for review
- Memo from transportation committee - To Durgan for review
- Memo from Bob Evanoff re. Gardiner Sewer District issues

Commission Executive Assistant Raea Morris said she notified Road Supervisor Ed Hillman about a downed road sign on Miller and Shamrock Lanes. Morris reminded the Commission about building cleaning service bids.

Commissioner Malone said Cooke City residents asked him about a snow removal contract; a shared road use policy; concern with a land swap between the Forest Service and a private landowner; and a cooperative road maintenance agreement with the Forest Service for Lulu Pass.

@9:06:31 a.m., the meeting adjourned.

June 2, 2009

Park County Road Updates

@9:10:14 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Ed Hillman, road supervisor; Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Raea Morris, Commission executive assistant; Kevin Bales, public citizen; Glenn Howie, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said he came up with price estimates for road patching and millings work per request of Kevin Bales of Crazy Mountain Ranch. Hillman said millings would cost between \$30,000 and \$34,000 per mile of road, and a cold patch job on Rock Creek Road last year cost \$5,000. Bales said he would like to know the cost to the county for grading Hammond Creek Road.

Hillman said two individuals will be interviewed for the open road crewman positions this week.

Commissioner Durgan asked about signs on Miller and Shamrock Lanes. Hillman said he understood GIS/IT Manager Marc Richards takes care of such signs now. Durgan said Trail Creek Road was reworked so parking will now be at least 35 feet off the county road and not encroaching on the county right of way.

Commissioner Malone said a citizen was concerned with one-lane passage on Strickland Creek Road.

Public Citizen Glenn Howie asked about a catch basin in Gardiner, saying a ditch placed in a road gets deep and makes a mess. He said placing a catch basin on one side and running the water under the road would be better. Hillman said he has a catch basin and design for that project.

Hillman said there is a controversy over permitting work on Mill Creek Road, as MDT said it is a state highway and Park Electric does not want to buy permits to work under that road.

Hillman said the road crew will get gravel on a Pine Creek cutoff road culvert today or this week, and the road crew needs to put gravel on Cokedale and Trail Creek roads.

Director of Operations Bill Hurley said a guardrail on Suce Creek Road is still in need of repair. Hillman provided Hurley with the telephone number of the appropriate individual to contact.

@9:42:47 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 2, 2009

Discussion of Human Resources and Accounting Department Job Description and Duties

@9:49:07 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Bill Hurley, operations; Bernadette Rambow, AP clerk; Jill Ouellette, HR; Lani Hartung, finance; Marilyn Hartley, finance; Martha Miller, auditor; Denise Nelson, clerk and recorder; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Human Resources and Accounting department job descriptions and duties.

Commissioner Malone said the meeting was scheduled for the Commission to gather information about what each employee does and gain suggestions. Durgan said the Commission needs to establish who is doing what and designate duties where things are overlapping.

Finance Director Lani Hartung said she and Jill Ouellette, human resources, reviewed the 2007 finance director job description and she is happy with that description. Hartung said the finance director should maintain the general ledger and post adjustments. She said the county HR Department was given the task of monitoring the budget in June 2008, but she sees that task as an accounting office function and she has taken over that work. She said she feels anything that hits the general ledger, including accounts payable work, needs to have oversight by the accounting department, and she would like to have some oversight control of those functions.

Assistant Finance Director Marilyn Hartley said she enters timesheets, cuts payroll checks, handles employee accruals and adjustments, distributes payroll, enters payroll data into the CSA software program, troubleshoots for Ouellette in the CSA system, balances payroll clearance accounts, balances payroll to the general ledger, processes payroll vendor payments and payroll benefits, does journal and general ledger entries, administers a DES Grant, Gardiner Sewer, and landfill trust, and conducts chart of accounts work. Hartley said payroll is at least a half-time position.

Accounts Payable Clerk Bernadette Rambow said she enters all accounts payable information and processes checks, does billing for refuse and reports daily transmittals. Rambow said she currently conducts HR work on a one-quarter-time weekly basis. She said she could do more in HR to free up Ouellette if time were granted. Rambow said her AP responsibilities require three-quarters-time to complete at some times and not at others, depending on what comes in. She said summertime workload is heavier with refuse and some accounts payable.

Rambow said she had done receivables per her job duties until Auditor Miller took over that function the last two weeks. Miller said receivables have been taken out of the AP Clerk office. Commissioner Durgan asked whether a problem exists legally with the county auditor doing county accounting work instead of straight oversight. Miller said she is not making any decisions. Ouellette said the only issue would be Miller auditing her own work. Hartung said the independent auditor would audit that work. Ouellette said it is important to remember job descriptions are in place and unauthorized individuals cannot change other employee's job descriptions.

Ouellette said she agrees the budget should not be done in the HR Department. Ouellette said she handles coordination of the recruitment and selection process; develops job descriptions and job postings; maintains employee personnel files including periodic auditing of those files per state and county policy and procedures; administers FLEX reimbursement authorizations from AFLAC; conducts verbal/written verifications of employees; files workers compensation and accident claims; enters and performs payroll functions; proofs accuracy of timesheets; conducts benefit administration; serves as a member on the county safety committee and fills out incident/accident reports for that committee; researches, organizes and documents other projects at the Commission's request; fills in for Commission Executive Assistant Morris, Rambow and at the landfill when needed; works directly with the Job Service and county attorney and MACo with personnel issues; works with AFLAC, worker's compensation and other insurance issues; works with time cards; and hopes to set up an orientation for new employees.

Durgan asked how many hours Rambow could pick up with extra HR duties. Ouellette said Rambow reviews I-9 forms, files copies of weekly timecards and pay stubs, helps with open enrollment, conducts phone calls and follow-up, and is being trained on employee benefits and entering pay and pay lines.

Hartung said she referenced a Society for Human Resource Management website and provided the Commission with a handout of what that society states an HR Department does. Hartung said that website does not talk about payroll processing and she would like to see HR time freed up by the accounting department taking over all payroll functions.

Hartung said the accounting department is responsible for the general ledger, claims approval, verifying timesheet entry, budget updates, resolution amendments, calculating levies and budget reports to the Commission and state of Montana, deals with independent auditors, does monthly reconciliations, and oversees budget and payroll.

Durgan said the Commission encouraged employees to check with the HR Department to see if various issues could be resolved there when the HR Department was established. Ouellette said she has read at least three memos stating employees need to go directly to HR and not accounting for various issues. Hartley said employees come to her when they have a problem with their paycheck since she is the person producing the check.

Auditor Martha Miller said there is an issue with who is doing what, and she thinks the current system is extremely inefficient and wastes time. She said as auditor she is to

make sure taxpayers are getting the most efficient system for their money. Miller said she has been balancing the health insurance payroll account and doing functions not done in the past. She said the dynamics of offices change with Hartung back as a full-time employee. Miller said she would move the payroll duties the HR Department is currently handling back to where it was before the accounting office was fractured in order to allow the HR person more time to do HR work. She said there is no reason for Hartley to train another person when Hartley is a backup in place with five years of institutional HR knowledge. Miller said she feels the accounts payable position needs supervision by the accounting office. She said perhaps then Ouellette would have more time for HR duties and HR duties do not need to fall to the AP clerk. Miller said the current setup may not have been devised with the best interest of the county in mind but by an individual formerly employed in the HR department.

Hartley said her frustration is in balancing payroll and clearing accounts with an increase in the number of instances where benefits are not started or stopped on time and she has to fix that since the duty went to HR. Hartley said the responsibility for payroll falls to her in the accounting office. She said things would flow easier for her if she entered employee benefits into the payroll system and she would have a better idea where to look if she needs to do reconciliations. Hartley said she recommends the HR Department create a comprehensive form of new employee information, provide that to Hartley, and she would enter it into the system. She said personnel pay slips and copies of payroll serve as her backup reference, which are currently in the HR office. She said she believes copies of timesheets and payroll information belongs in the payroll office and with the person doing payroll.

Rambow said she agrees with the accounting issue, and she is capable of doing HR duties as well. She said she was hired with the title of HR attached and she is capable of helping Ouellette. She said she does her AP duties the best possible way she can, and she said as AP Clerk she does what needs to be done as far as accounts payable goes. She said Miller audits the accounts paid, and she can take them to Hartung first if she wishes.

Durgan said Rambow has done a great job with accounts payable, as no vendors have come back demanding payment, which was a problem in the past.

Ouellette said Hartley had an astronomical amount of work to do in the time the county was without a finance director, which Hartley made the Commission aware of asking for help numerous times. Ouellette said it was her impression it had been such a long time without extra help with only 1 ¾ people in the accounting office, the backlog required assistance with getting accounting functions up and going. Ouellette said it is not her job to tell Hartung how her department is to be set up. She said after talking with HR departments from other counties across the state she learned there are a number of ways to structure the accounting and HR departments, and she is proud to say Park County has very few employees coming back with inaccuracies on paychecks.

Ouellette said she researched other counties to see the evolution of the HR Departments there. She said that evolution depends largely on workforce size and needs, and the

larger counties have their payroll specialist is in the HR office, not the accounting office. Ouellette said she is not in favor of changing anything in her department, and she does not feel anything is broken from an organizational perspective. She said her professional opinion is to keep HR the way it is, as it is consistent with how Park County has grown.

There was discussion about CSA software and switching to Black Mountain. Rambow said Black Mountain works better for AP work.

Hartung said the general fund is \$500,000 from balancing, and from a fiscal perspective and to give the taxpayer the best value, she thinks consolidating departments will eliminate duplication of duties, as the HR and accounting departments are in the general fund. Hartung said payroll is an accounting function and it should stay that way. She said Miller has been helpful and willingly jumps in to help, and $\frac{3}{4}$ time is more than enough for AP Clerk work, thus that position could be lowered to a half-time position. Hartung said refuse billing should be less than a day a month, and she can speak well to what an AP clerk does because she developed many of the processes Rambow works with. She said it would give the taxpayers the best value and streamline functions if the AP clerk was back in Hartung's office.

Hartung said the finance department and auditor, clerk and recorder and treasurer offices have talked about setting up a teamwork approach similar to Gallatin County's in order to find the best solutions that work for the county and understand what each department or office is doing and how things work. She said that would make the county more efficient and her recommendation is to pull the accounting office back together.

Malone said the Commission may meet again on this matter.

@11:09:53 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 2, 2009

Fiscal Year 2010 Special Revenue Funds

@1:28:32 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Lani Hartung, finance director; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review Fiscal Year '10 special revenue funds.

Finance Director Lani Hartung and the Commission reviewed special revenue funds for the Cooke City resort tax; Gardiner and Livingston Airports; predatory sheep and cattle grants; compensatory insurance; library; ambulance; emergency services; senior citizens center; Angel Line; rodent control; permissible medical levy; CBDG; YRRE; Green Acres; record preservation; Glenn Addition street lights; Gardiner #1 street lighting utility services; Gardiner Sewer District; alcohol rehabilitation professional services;

Fridley weed control; 911 Emergency; Gardiner 911; hard rock mining; metals mines license; vending machines; PILT; Forest Title Reserve Act; federal HOME grant; and crime victims assistance.

@3:56:47 p.m., the meeting adjourned.

June 3, 2009

City/County Meeting

@4:06:00 p.m., City Commissioner Vicki Blakeman called a meeting to order in the Community Room of the City/County Complex. County Commissioners Durgan and Malone and City Commissioners Rick Van Aken, Mary Beebe, Vicki Blakeman, and Juliann Jones were present. Also present were Bill Hurley, operations; Marc Richards, GIS/IT; Erica Hoffman, GIS/IT; Shannan Piccolo, deputy county attorney; Camden Easterling, Livingston Enterprise; Kevin Funk, public citizen; and Commission Minutes Clerk John Mueller.

City Commissioner Blakeman opened the floor to public comment. Citizen Kevin Funk said he thinks Mystery Backpacks is a great opportunity for the city and county to bring in a really good business and he would like to see the private sector get involved and carry the ball accompanied by financial backing from the city and county. Funk said he would like to see development of a presentation for Mystery Ranch Backpacks for use with other companies that may be pulled into Park County and Livingston.

City Commissioner Mary Beebe said the Livingston Chamber of Commerce was first contacted about the company's interest in putting a manufacturing facility in Park County, and thus the private sector was the first contact by Mystery Ranch. County Commissioner Durgan said a recent tour taken at the Bozeman facility was an exploratory/informational tour. Blakeman said the company said it would be up to a year before it could come to the county, but the city is putting together a package for the company to meet with the county in a month's time.

1. Parking Spaces where Basketball Hoops are Located: Durgan said this issue keeps coming up, and a proposal has been to move the basketball hoops to east side of East Side School to open the current court to more parking. Director of Operations Bill Hurley said he thinks the primary pressure is coming from the Park County Sheriff's Office and Livingston Police Department, as some law enforcement vehicles were vandalized and parked too far from the safety surveillance mechanism. The County Commission said it would have no problem with moving the basketball hoops.

City Commissioner Rick Van Aken said the basketball hoops may be included in the RFP for the sale of the East Side School property, which may complicate the proposal. Commissioner Malone said encouraging more county employees to park in the city/county lot between D and E Streets may help. The commissions said they would look into the matter further.

2. City/County Joint IT Proposal: GIS/IT Manager Marc Richards said city and county representatives met to talk further about the proposal and Deputy County Attorney Piccolo and City Attorney Becker drawing up an interlocal agreement for the joint IT program proposal. Richards said he hopes to present that agreement to the two commissions within a couple of months.

3. City Swimming Pool Fees: Blakeman said the city pool costs the city approximately \$70,000 each season above and beyond revenue taken in. She said the city is seeking county financial support for pool use by county residents in the amount of \$28,000. Blakeman said the city estimates county users comprise 40 percent of total pool users. Malone asked for a letter detailing the \$70,000 cost, as well as how many county residents use the pool. Blakeman said the leak in the pool is fixed, the city was mandated to put new filter covers on the pool, and the pool will be open this summer.

Additional public comment: Funk said public concern exists regarding a proposed location for an ice skating rink in Livingston. Funk asked if any county space may be available and whether the county would entertain that idea in the event it does not work at the city water treatment plant. Blakeman said a citizen committee researched this issue and brought it to the city commission and she assumes they looked at many possible rink locations. Blakeman said the committee likes the property on South 10th Street because of the shade and wind breaks there. She said the city may try the rink at that location for a year and see how it works.

Agenda Items for Next Meeting: Items to discuss may include budget talks between city and county finance directors; reviewing a joint IT program contract; talking to the city fire chief about county emergency services issues; and discussing a building evacuation plan and fire drills.

Next meeting is scheduled for July 7, 2009 at 4 p.m. in the Community Room.

@4:40:42 p.m., the meeting adjourned.

June 3, 2009

Review Daily Agenda and Correspondence

@8:36:21 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor 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 re. Gallatin County comments on Park County solid waste board bylaws
- Memo re. fair board member recommendation to Commission

- Agenda for June 5 MACo meeting in Dillon
- County attorney review of solid waste board bylaws
- Memo re. Quality Recycling Garbage into Energy program - To solid waste file
- Memo re. historical agriculture building grants
- Memo re. June Montana legislative branch newsletter
- Memo re. Yellowstone Clean Energy Coalition newsletter - To Commissioner Durgan for review

Commissioner Malone said Commission Executive Assistant Morris will submit a letter to department heads instructing them to cut budget line items in advance of budget meetings with the Commission.

@8:43:38 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 3, 2009

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

10:30 A.M. – Signing of Open Cut Mining Agreement – Commissioners Chambers – Canceled

June 3, 2009

Fiscal Year 2010 Debt Funds and CIP Funds

@1:44:25 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Bill Hurley, director of operations; Lani Hartung, finance director; Martha Miller, auditor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review Fiscal Year '10 debt funds and CIP funds.

Finance Director Lani Hartung reviewed debt and CIP funds with the Commission, including revolving, Gardiner, and Cooke City debt funds; and road and bridge, junk vehicle, fair, law enforcement, facility improvements, Burlington Northern, complex HVAC, and search and rescue capital projects.

The Commission granted Hartung permission to transfer excess cash in the revolving fund into the general fund per the budget and MCA 7-12-2186.

@4:10 p.m., the meeting adjourned.

June 3, 2009

3:00 P.M. – Parks and Recreation Board – West Room – Meeting minutes available at www.parkcounty.org and in the Planning Department

June 4, 2009

Review Daily Agenda and Correspondence

@8:41:41 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor 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 Stafford Animal Shelter re. county portion of funding - To deputy county attorney for review
- Memo from Forest Service re. Big Timber Canyon timber sale
- Memo re. June 23 job resource fair
- Memo from Northland Surveying requesting placement on bidder list
- Memo from Bearcreek Council Member re. lighting guidelines for Gardiner, MT
- Memo from Nittany Grantworks re. Energy Efficiency Community Block Grant - a meeting will be scheduled
- Memo requesting Commission letter of support for Community Assistance Grant proposal - To Commissioner Durgan for review
- Price quote from Call the Carpenter for board work in Commissioners Chambers
- Memo re. Montana Water Trust Board meeting - To Durgan for review
- Memo re. Montana Legislative Branch newsletter online
- Memo from MACo re. MT Dept of Revenue property reappraisal numbers
- Citizen memo re. poor condition of Gardiner streets
- Proposed photos from Museum Director Sparks for Commission review for Commission Chambers

Director of Operations Bill Hurley said a power outage in Gardiner on June 3 did not affect new Gardiner Sewer District equipment.

Commissioner Malone said the Commission inspected the Myer's Flat radio tower work, and that inspection failed. Hurley said the issue is the responsibility of Interoperable Montana, and that entity will fix the problem.

Commission Executive Assistant Morris said she talked with DES Coordinator Van Nurden about an emergency evacuation plan for the building. Malone said that issue was discussed at the June 1 City/County meeting.

@9:10:22 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 4, 2009

Selection and Approval of Applications for Board of Adjustments

@9:41:27 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Philip Fletcher, planning director; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to select and approve applicants for the board of adjustments.

Planning Director Philip Fletcher said the county advertised for five or six months for members for the county board of adjustments, and five applications were eventually submitted. Fletcher said the county attorney advised the planning department it is important to get the board seated to address any gap development that occurred during the time the donut zoning district was determined to be unenforceable.

Fletcher said the selection committee felt board of adjustment applicants should have diverse backgrounds, but the general consensus of the committee is the five applicants are relatively homogenous. Fletcher said that consensus was waived and the committee recommends the Commission appoint all or some of the applicants.

Commissioner Taylor made a motion to accept the applicants and let them create their bylaws and Fletcher can report back to the Commission regarding member terms. Commissioner Durgan seconded that motion. Motion passed.

@9:53:55 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 4, 2009

Discussion of Gardiner Parking Issues

@10:02:27 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Allan Lutes, sheriff; Scott Hamilton, undersheriff; Shannan Piccolo, deputy county attorney; Rob Bukvich and Ray Stocks of MDT; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss parking issues in Gardiner.

Undersheriff Scott Hamilton said a problem with parking exists in Gardiner due to curb cuts, yellow paint prohibiting parking in places parking needs to be, and citizens painting over yellow paint or erecting signs on their property to alleviate their individual inconveniences caused by the parking issues. Hamilton said he would like Montana Department of Transportation (MDT) to view the issue and see if the yellow paint can be eliminated where possible.

Hamilton presented photographs he took in Gardiner of the yellow paint. There was discussion about whether mimicked “No Parking” and “Resident Parking Only” signs in front of private residences are legal. Deputy County Attorney Piccolo said she will review whether such signs should be taken down.

Rob Bukvich of MDT said yellow paint near driveways is not prescribed in law. Ray Stocks said MDT has already decided to remove yellow paint, but taking out curb cuts would be cost prohibitive at this point. He said the law regarding parking addresses driveways, but not curb cuts. Stocks said it looks like MDT can do a lot to alleviate the issue by repainting the town according to state statute. Bukvich said MDT will lay out curb paint locations in Gardiner according to the law and Hamilton can review the layout.

@10:41:12 a.m., the meeting adjourned.

June 4, 2009

Review Minutes for Weeks of May 18 and 25

@10:44:10 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review Commission meeting minutes for the Weeks of May 18 and 25, 2009.

Reviewing meeting minutes for the Week of May 18, 2009, Commissioner Malone requested a revision to Page 4 of 20, noting the correct spelling of “Shorthill” Cemetery. On Page 5 of 20; second to last paragraph, the last sentence should read, “Malone said the bid does not include delivery to Clyde Park, Gardiner or Wilsall.”

Commissioner Durgan requested a revision to Page 6 of 20; adding as the first paragraph, “The Commission will evaluate bids and make a decision at a later date.”

Commissioner Taylor requested a revision to Page 2 of 20; second to last paragraph, the last sentence should read, “Brekke said his research services are ordered on a case-by-case, as-needed basis, and the county is billed at a \$46 per hour professional competitive rate for those services.”

Commissioner Durgan made a motion the minutes for the Week of May 18 be accepted as corrected. Commissioner Taylor seconded that motion. Motion passed.

Reviewing meeting minutes for the Week of May 25, 2009, Taylor requested a revision to Page 10 of 14; the fifth from last paragraph should read, “Commissioner Taylor said he will attend a July 30 Agency on Aging meeting in Augusta, Montana.”

Durgan requested a revision to Page 3 of 14; third from last paragraph, the third sentence should read, “Durgan asked if the crew can put gravel in a soft spot near the Gallatin

County line.” In the second to last paragraph, the second sentence should read, “Hillman said he does not feel that offer is a good idea due to logistics of whether the road crew can use an PCRFD#1 fire truck during the fire season.”

Malone requested a revision to Page 4 of 14; third paragraph, the second sentence should read, “Ouellette said the county’s AFLAC representative said some Park County employees have told her they do not want anyone to know what prescription medications they receive.” In the fifth paragraph; the third sentence should read, “Hartley said she has heard complaints from some employees with getting reimbursements to claims with the current AFLAC service.”

Commissioner Taylor made a motion to accept the minutes from the Week of May 25 as corrected and amended. Commissioner Durgan seconded that motion. Motion passed.

@10:57:54 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 4, 2009

Discussion of Exchange of Services with Park County Rural Fire District #1

@11:37:40 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Dann Babcox, PCRFD#1; Shannan Piccolo, deputy county attorney; Chuck Donovan, public citizen; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss exchange of services with Park County Rural Fire District #1 (PCRFD#1).

Dann Babcox of PCRFD#1 said the district had an agreement with Park County for putting out of green box fires in exchange for discarding trash at the landfill, transfer station or green boxes at no charge. Babcox said that agreement was done away with in a public meeting in August 2008 through the Fire Council per a signed agreement between Bob Fry and Larry Lahren.

Babcox said PCRFD#1 fought a fire at an expense of \$500 and now has a bill from the landfill for \$13. Babcox said in the busiest year PCRFD#1 may spend \$200 to \$300 going to the landfill, so the agreement was a better deal for the county to be in. Babcox asked the Commission to draft an agreement he can present to his board to squash confusion about swapping of services for green box fire fighting and garbage dumping. He said he would like to have some kind of agreement in advance of fighting county building fires. Babcox said in his opinion it is in the county’s best interest do an even swap for services with PCRFD#1.

Commissioner Taylor asked how many dumpster fires occur on average per year, and Babcox said there are an average of two fires per year. Taylor asked if the county and PCRFD#1 could keep track of the cost of services each provides all year long and divvy

up the cost at end of the year in order to make a better decision on who owes what. Babcox said he is very happy with that proposal, and the Commission said it would draft such an agreement. Taylor said all other county departments are now paying for trash disposal services and the landfill is running at a deficit. Commissioner Malone said the transfer station and the landfill are enterprise funds.

Deputy County Attorney Piccolo said she will draft an agreement where a running tab of all county and PCRFD#1 services is kept, and the difference will be paid by the entity with the highest tab at each year's end.

@12:06:42 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 4, 2009

2:00 P.M. – Inspection of Anzick Subdivision – On Site – Commissioner Taylor attended

June 5, 2009

8:30 A.M. – Review Daily Agenda and Correspondence – Commissioners Chambers – Canceled

9:00 A.M. – MACo District Meeting – Dillon – Commissioners Malone and Taylor attended

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana