

Park County Commission Meeting Minutes
Week of June 22 – 26, 2009
Park County, Montana

June 22, 2009

Review Daily Agenda and Correspondence

@9:18:27 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan 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. Cooke City boil alert
- Memo from solid waste board re. amending resolution
- Memo from FWP re. Royal Teton Ranch Buffalo project proposed map
- Road crewman daily work schedule
- Memo re. list of sheriff's department vehicles
- Memo from Commission re. citizen tax waiver
- Memo from MACo re. insurance information
- Memo re. MDT Wilsall speed zone study
- Memo from Sabre Communications re. Myer's Flat radio site
- Memo from MACo re. annual conference
- Memo from Montana Water Trust - To Commissioner Durgan for review
- Memo from Farmland Trust - To Durgan for review
- Memo re. Every Child Matters - To public health nurse for review
- Memo re. Shield's Loop reconfiguration
- Memo re. Park County Fire Department budget - To Finance Department for review
- Memo re. Fourth of July float entry
- Memo re. Gardiner Sewer District budget
- Memo from finance department re. department monthly reports

Durgan said grading occurred on Trail Creek Road, and a culvert was moved to a location requested by a citizen there. Durgan said the Morrison Creek wetland was avoided.

Director of Operations Bill Hurley said a rebuilt pump failed at the Gardiner Sewer System on June 19.

@9:55:33 a.m., the meeting adjourned.

June 22, 2009

10:00 A.M. – County Transportation Meeting – West Room – Commissioner Durgan attended

June 22, 2009

Discussion of Approval for Nittany Grantworks Fiscal Year 2010 Contract

@10:48:06 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Lori Benner, Nittany Grantworks; Shannan Piccolo, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a Nittany Grantworks Fiscal Year 2010 contract.

Nittany Grantworks CEO Lori Benner provided the Commission with a proposed Fiscal Year 2010 contract for grants administration services from Nittany Grantworks for 480 hours of services, approximately 40 hours per month, with a monthly invoice distributed to the county in the amount of \$2,400 and a total annual contract amount of \$28,800. Benner said she and Civil Deputy County Attorney Piccolo drafted the contract according to county specifications.

Commissioner Malone asked about a Community Development Block Grant program. Benner said it is difficult for Livingston and Park County to take advantage of that project because the low-to-moderate income rate must be 55 percent or higher, and Park County does not have that percentage. Benner said a CDBG account exists with funds that can be loaned to businesses. The Commission said the planning director expressed interest in administering the CDBG fund and doing some grant writing work for planning and parks-related issues to avoid charging those hours to Benner's contract. Benner said it makes sense to conduct a disadvantaged business study in Livingston.

Commissioner Taylor made a motion to accept the contract with Nittany Grantworks for 2010. Commissioner Durgan seconded that motion. Motion passed.

@11:15:59 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 22, 2009

Review of Minutes for Week of June 15, 2009

@11:50 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 Week of June 15, 2009.

Commissioner Taylor made a motion to approve the minutes for the Week of June 15, 2009. Commissioner Durgan seconded that motion. Motion passed.

@11:55 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 22, 2009

11:00 A.M. – Personnel Meeting – Commissioners Chambers – Canceled

11:30 A.M. – Personnel Meeting – Commissioners Chambers – Canceled

June 23, 2009

Review Daily Agenda and Correspondence

@8:34:47 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners 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:

- Legal advice to Commission from civil deputy county attorney
- Daily road crewman work schedule
- June 18 Solid Waste Board meeting minutes - To Commissioner Taylor for review
- Citizen memo re. Arch Park reunion party
- Memo re. June 23 Montana Transportation Commission conference call - To Commissioner Durgan for review
- Memo from MACo re. June 25 property reappraisal process conference call
- Solid Waste Board member mileage log
- Memo re. Hazard Mitigation Assistance grant program - To DES coordinator for review
- June 23 Park County Board of Adjustments meeting agenda

Director of Operations Bill Hurley said a damaged guardrail was replaced at Suce Creek Road.

@8:47:35 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 23, 2009

Park County Road Updates

@9:10:33 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Scott Fletcher, road crew; Brad Wilson, road crew; Shannan Piccolo, civil deputy county attorney; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Park County road issues.

Road Crewman Brad Wilson asked if the Commission will hire more temporary workers this summer for hauling gravel and running water trucks.

Road Crewman Scott Fletcher said a Trail Creek Road culvert is installed but will need a few loads of gravel after the pit run dries. Commissioner Durgan asked if soft spots on Trail Creek Road can be repaired.

Commissioner Taylor asked if potholes on Rock Creek Road can be patched.

There was discussion about culvert issues on Eldridge Creek Road. There was discussion about patching holes and blading on Cokedale Road next week.

@9:28:50 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 23, 2009

10:00 A.M. – County Board of Adjustments – West Room

June 23, 2009

Commissioners Onsite Walk Thru at the Landfill

@10:00 a.m., Commissioners Durgan, Malone and Taylor toured the Park County Landfill's Class II and Class IV refuse facilities with Landfill Manager Lois Hatfield and DOWL HKM Senior Civil Engineer Ed Janney to discuss landfill longevity potentials. The Commission requested Janney produce a closure and post-closure cost scenario.

@11:35 a.m., the meeting adjourned.

June 23, 2009

12:00 P.M. – Airport Board – Bittersweet Café – Commissioner Durgan attended

June 23, 2009

Discussion of Justice Court Fiscal Year 2010 Employee Pay Increase Request

@1:34:22 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Linda Budeski, justice court; Lani Hartung, finance director; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a Justice Court Fiscal Year 2010 employee pay increase request.

Justice of the Peace Linda Budeski said she is proposing a 50-cents-per-hour pay increase in July 2009 and a second 50-cents-per-hour pay increase in December for two employees in her office. Budeski said she is proposing a pay increase of 25-cents-per-hour in December for a third employee, as well as an increase in hours worked for a part-time employee. Budeski said the proposed increases would be in addition to any Commission-awarded Cost of Living Allowance.

The Commission said it will consider the request.

@2:04:28 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 23, 2009

Discussion and Review of Fiscal Year 2010 Park County 911 Budget

@2:07:33 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Peggy Glass, 911; Bill Hurley, operations; Lani Hartung, finance director; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was schedule to review a Fiscal Year 2010 Park County 911 budget.

The Commission reviewed a Gardiner South budget from Yellowstone National Park and a Dispatch 911 budget presented by 911 Coordinator Peggy Glass.

@2:48:20 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 24, 2009

Review Daily Agenda and Correspondence

@8:58:12 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Bill Hurley, director of operations; Allan Lutes, sheriff; Scott Hamilton, undersheriff; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Road crewman daily work schedule
- Memo re. TSEP grant engineering section
- Memo re. rural fire grant funds
- Memo re. Department of Revenue office lease
- Memo re. Smith/Jesson Road viewing committee
- Citizen memo re. refuse reassessment request - To solid waste board for review
- Memo from transfer station re. mandatory safety meeting
- Memo from Montana FWP re. Royal Teton Ranch Bison Agreement map files
- Memo from MACo re. HB 645 infrastructure grant funds
- Legal advice to Commission from civil deputy county attorney
- Final approval document for Anzick Minor Subdivision
- Citizen public information request
- Memo re. Gardiner Sewer District loan default
- Memo re. Energy and Telecommunications Interim Committee meeting in Helena

Undersheriff Scott Hamilton presented the Commission with speed limit ordinance documents for Merrill Lane.

@9:36:11 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 24, 2009

Review of Park County and Stafford Animal Shelter Contract

@9:41:35 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Vicki Blakeman, Stafford Animal Shelter; Lani Hartung, finance; Martha Miller, auditor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review a contract between Park County and the Stafford Animal Shelter.

Vicki Blakeman of the Stafford Animal Shelter said last year's cost to the county for shelter services was \$7,400, and last year's maximum contract was \$8,000. Blakeman said the shelter is asking for an extra \$1,000 due the cost of vaccinations and euthanasia going up, for a maximum contract of \$9,000.

Commissioner Taylor made a motion to accept the contract and sign the agreement. Commissioner Malone seconded that motion. Motion passed.

@9:57:39 a.m., the meeting adjourned.

June 24, 2009

Meeting of Park County Viewing Committee for Sunset/Shamrock Road Abandonments

@10:39:23 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Stephen Woodruff, attorney; Hank Rate, surveyor; M. Sheridan, Rick Halloran, and Howard Alvenson, public citizens; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled for a Park County viewing committee to view Sunset and Shamrock Roads.

There was discussion about the status of Shamrock and Sunset Roads as county roads.

Attorney Stephen Woodruff said the citizen road abandonment petitions for Shamrock and Sunset Roads were submitted in November 2008, and he submitted concerns about the legal status of roads in the Five Acre Tracts in January 2009. Woodruff said the roads in question are unquestionably county roads per Commission dedication in the mid 1990s.

Surveyor Hank Rate said he feels the status of the roads west of the Five Acre Tracts needs to be resolved. Commissioner Taylor said he thinks it is very appropriate to do away with Sunset and Shamrock Roads, but he is concerned if the county does away with those roads it may take away access to other lots, and the Commission needs to get comments from some landowners beyond the proposed roads to be abandoned.

@11:04:48 a.m., the viewing committee left the courthouse to view the proposed abandoned roads.

June 25, 2009

Review Daily Agenda and Correspondence

@8:35:02 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Bill Hurley, director of operations; Raea Morris, Commission executive assistant; Shannan Piccolo, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Road crewman daily work schedule
- Memo from state of Montana re. free HR webcast
- Memo from DES coordinator re. emergency response procedures

- Memo re. Greater Yellowstone Business Coalition - To Commissioner Durgan for review
- Memo from Sonoran Institute - To Durgan for review
- Parks and Recreation Board agenda - To Commissioner Taylor for review
- June 18 library board meeting agenda - To Durgan for review

Director of Operations Bill Hurley said he recommends the county look into whether the MSU website has a recycling page to reference through the county web page.

Civil Deputy County Attorney Piccolo said she reviewed an office space lease contract with the Department of Revenue.

@8:57:27 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 25, 2009
Personnel Meeting

@9:06:45 a.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 address a personnel issue.

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

@9:51:25 a.m., the meeting adjourned.

June 25, 2009
Consider Signing an Interlocal Agreement between Park County and Cooke City Water District Regarding Allocation of Resort Tax Funds

@9:51:26 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Patti Smith, Cooke City Water District; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider signing an interlocal agreement between Park County and Cooke City Water District regarding allocation of resort tax funds.

Patti Smith of the Cooke City Water District said the Cooke City Water Board approved and signed the interlocal agreement at its last meeting, and the board is requesting the Commission sign the agreement. Smith said the agreement is for the construction of new water lines and a water tower.

Commissioner Taylor made a motion to accept the proposal for the resort tax. Commissioner Durgan seconded that motion. Motion passed.

@9:57:32 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 25, 2009
Personnel Meeting

@10:05:19 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; Undersheriff Scott Hamilton; GIS/IT Manager Marc Richards; Planning Director Philip Fletcher; Treasurer Kevin Larkin; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to address a personnel issue.

Human Resources Analyst Jill Ouellette said she would like the meeting closed to the public with Undersheriff Scott Hamilton, GIS/IT Manager Marc Richards, Planning Director Philip Fletcher, and Treasurer Kevin Larkin remaining in the meeting.

Commissioner Durgan made a motion to close the meeting with the stipulations requested by Ouellette. Commissioner Taylor seconded that motion. The meeting closed.

@11:13:06 a.m., the meeting adjourned.

June 25, 2009
Museum Board Officers Meeting

@11:15:05 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Brian Sparks, museum director; Donna Armentaro, museum board; Pat Davidson, museum secretary; Bruce Graham, Friends of the Museum; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as a museum board officers meeting.

Museum Director Brian Sparks reviewed a proposed FY '10 Yellowstone Gateway Museum budget with the Commission. Sparks presented different budget scenarios with \$4,000 in budget cuts and increasing the hours of an employee currently working 16 hours per week.

Friends of the Museum Treasurer Bruce Graham said the Friends paid \$6,337 for an upgraded HVAC system at the museum. Graham said the Friends are also funding a portion of a museum employee's salary.

There was discussion about Sparks' status as a contract employee versus a traditional county employee.

@11:53:06 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 25, 2009

Discussion of Inmate Insurance Policy

@1:34:49 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Undersheriff Scott Hamilton; Allan Lutes, sheriff; Jay O'Neill, captain; DJ Kreal, Correctional Risk Services (via telephone); and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss an inmate insurance policy.

DJ Kreal, Vice President of Correctional Risk Services (CRS), said CRS administers medical claims for inmates for outside medical providers and is endorsed by both MACo and NACo. Kreal said CRS serves 250 counties and municipalities across the United States, but does not serve any Montana counties. Kreal said CRS makes its money by keeping a percentage of the money it saves a county on inmate medical claims services. He said CRS requires no long term contract, and clients can cancel agreements with a 30-day written notice.

Kreal said CRS also provides insurance as a stop loss product with a \$10,000 deductible per inmate per policy year, and coverage will exist in the amount of \$250,000 per inmate per policy year minus the deductible. Kreal said the county would be charged at a rate per inmate per day based on the jail's average daily population each month.

Kreal said he will send the Commission more information on CRS. Commissioner Malone said the Commission will pass that information onto Captain Jay O'Neill.

@2:25:16 p.m., the meeting adjourned.

June 25, 2009

Consider Signing a Missouri River Drug Task Force Agreement; Consider a Resolution to Close a Portion of Depot Road for a Gardiner High School Reunion; Consider Lifting the Open Container Law for the Reunion Area

@2:40:16 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Scott Hamilton, undersheriff; Allan Lutes, sheriff; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a Missouri River Drug Task Force Agreement; consider a resolution to close a portion of Depot Road for a Gardiner High School reunion; and consider lifting the Open Container Law for the reunion area.

County Attorney Linneweber said the county signs the the Missouri River Drug Task Force agreement each year to remain in the taskforce. Linneweber said the county benefits by receiving funds to partially support a deputy salary, and the agreement is a boon to the county both financially and through law enforcement.

Commissioner Taylor made a motion to sign the agreement. Commissioner Durgan seconded that motion. Motion passed.

Undersheriff Scott Hamilton said over 200 people are expected at a class reunion in Gardiner's Arch Park on June 27. Hamilton said reunion organizers asked to close a portion of Arch Park Road to enable attendees to access restrooms, and the resolution would also allow open containers within the closed area accessing restrooms. Hamilton said he feels it is a good idea to pass the resolution for safety reasons.

Commissioner Durgan made a motion to accept the resolution to temporarily close Depot Road during the June 27, 2009 Gardiner All Class Reunion and temporarily lift the ban on open containers at the Arch Park location of the All Class Reunion. Commissioner Taylor seconded that motion. Motion passed.

@2:49:42 p.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 25, 2009

Discussion and Review of Fiscal Year 2010 Budget Levy Matrix

@3:09:04 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; Martha Miller, auditor; Bill Hurley, operations and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review the Fiscal Year 2010 Budget levy matrix.

Finance Director Lani Hartung said the Commission reviewed the revenues for the general fund, but she would like to talk about the entire matrix in detail today with updated figures as of June 11.

@4:32:30 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. Motion passed.

June 26, 2009

No Commission Meetings Scheduled

9:00 A.M. – Commissioner in Wilsall to Hear Area Residents Concerns – Vals’
Mercantile

10:00 A.M. – Commissioner in Cooke City to Hear Area Residents Concerns – Cooke
City Fire Hall

10:30 A.M. – Commissioner in Clyde Park to Hear Area Residents Concerns – Clyde
Park Town Hall

2:00 P.M. – Commissioner in Gardiner to Hear Area Residents Concerns – Gardiner
Community Center

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana