

Park County Commission Meeting Minutes  
Week of September 7 – 11, 2009  
Park County, Montana

September 7, 2009

Labor Day Holiday – All Offices Closed

September 8, 2009

Review Daily Agenda and Correspondence

@8:31:38 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Raea Morris, 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. September 8 Transportation Commission meeting
- Cooke City newsletter
- Memo re. loan of laptop
- Memo re. Jesson road abandonment petition
- Memo re. department head meeting agenda item
- Memo from MACo re. MT land survey
- Memo from LTAP re. Oct 19 alternative design and pavement conference
- Memo from GIS re. telephone system training signup
- Memo re. department headless telephone system request

@8:51:09 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

September 8, 2009

9:00 A.M. – Park County Road Updates – Commissioners Chambers – Canceled

September 8, 2009

10:00 A.M. – Road and Bridge Union Negotiations – East Room

September 8, 2009

Discussion of Fiscal Year 2010 Budget

@10:07:21 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; Martha Miller, auditor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss the Fiscal Year 2010 county budget.

Finance Director Lani Hartung said she emailed the county attorney for an opinion on reducing the library's floating mills.

There was discussion about how a temporary employee will be funded and review of the permissive medical levy line item, a PILT telephone budget and the IT budget.

Hartung said a change was made to the accounting department budget to address employee PERS. She said the county has 13 percent of reserves in its general fund compared to 23 percent last year. Commissioner Malone requested a spreadsheet of PILT expenditures for the last two years.

@11:18:54 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

September 8, 2009

Review of Minutes for Week of August 31, 2009

@11:19:22 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 August 31, 2009.

Commissioner Durgan requested a revision to Page 5 of 16, noting Elecnor as the parent company of Enerfin from Spain. On Page 12 of 16, Durgan noted Commissioner Malone attended a 4:00 p.m. public hearing for a Springdale wind farm project and Durgan attended the same hearing at 6:00 p.m.

Commissioner Taylor made a motion to accept the August 31 minutes as accepted. Commissioner Durgan seconded that motion. Motion passed.

@11:24:19 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

September 8, 2009

Discussion with Montana Fish, Wildlife and Parks Regarding Buffalo Fence Project

@ 1:04:21 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Pat Flowers, Montana FWP; Allan Shaw, Royal Teton Ranch; Tracy Brewer, MSU Extension; Doctor Jerry Deamer of APHIS, Dr. Ryan Clark of USDA APHIS, Marty Zaluski state of Montana veterinarian, and Errol Rice of Montana Stock Growers Association (via telephone); Citizens Stacy Bragg, Justin O'Hair, Judy O'Hair, Richard Kinkie, Druska Kinkie, Jeanne-Marie Souvigney, Chad Mussetter, Tom Lane, Tom Lane Senior, and Lew Wilks; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss a buffalo fence project with Montana FWP.

Montana Fish, Wildlife and Parks (FWP) Representative Pat Flowers provided a background of a three-step Bison Management Plan signed by three federal and two state agencies in 2000. Flowers said Step I of the plan came to a close in January 2009 when FWP signed an agreement with the Royal Teton Ranch (RTR) to purchase its grazing rights for 30 years. Flowers said Step II can commence once all domestic cattle are cleared from RTR property. He said Step II will allow up to 50 Yellowstone National Park bison to exit the park on the west side of the Yellowstone River. Flowers said those bison will be tested, collared and females will receive vaginal implants in order to track aborted fetuses.

Flowers said the Park County Commission and FWP are working toward an agreement in which FWP would install bison cattle guards and fencing along a county roadway to facilitate the project, while absolving the county of liability associated with the guards and fencing and sharing in any needed road maintenance work necessary as a result of the project. Flowers said the Commission remains concerned some untested bison will be permitted to leave the park under Step III of the project if that step is achieved. Flowers said four things must occur before Step III can begin: 1) research focusing on fetal disappearance and viability/length of time brucellosis stays viable in the environment; 2) initiation of a vaccination program outside and inside the park with an effective remote delivery system. Flowers said the park service has not yet complete an Environmental Impact Statement (EIS) for this requirement; 3) demonstrated ability to enforce spatial separation from domestic cattle; and 4) demonstrated ability to manage a maximum number of 100 bison in the project area.

Commissioner Malone said he is concerned about potential brucellosis carriers outside of Yellowstone National Park. Montana State Veterinarian Marty Zaluski said a condition of Step III is allowance of untested bison into the project area, but so far agencies have been very successful in creating separation and avoiding comingling of livestock and bison. Zaluski said that fact, hazing, and a date of April 15 by which bison have to return to the park give him quite a bit of confidence that a disease transmission will not occur, but the next one to two years will be helpful in determining how bison will move and be

able to be moved and distributed on the Forest Service property. Zaluski said all mother bison will be brucellosis tested and receive vaginal implants and tracking collars.

Citizen Tom Lane Senior asked if Forest Service fencing is buffalo proof. Flowers said FWP used topography and fencing to design confinement of the bison. Flowers showed a map of the project area and proposed fencing. Lane asked whose agenda it was to allow buffalo to leave the park and why FWP is spending so much money to allow 25 head of bison to leave. Flowers said the project was created 1) with a fundamental mission to provide against comingling of domestic livestock and bison and avoid economic ramifications of Montana losing its brucellosis-free status, and 2) to provide for free-roaming bison.

Citizen Lewis Wilks asked which party will be responsible for river enforcement if bison cross the Yellowstone River and whether bison will be hazed back into the management area or eradicated. Flowers said the management decision in such instances will be made on a case-by-case basis, but FWP will likely have to do some hazing, trapping and removal under the proposed plan. Flowers said he thinks what is proposed in the plan and the expense of the cattle guards and fencing will provide more assurance bison will not pass further north through Yankee Jim Canyon and into the valley than currently exists.

Lane asked why a boundary fence cannot be erected across the north end of the park. Flowers said that option was considered, but a larger faction of people were interested in the broader proposed plan of allowing bison to freely exit the park. Lane said it seems to him bison management continues to expand and ranchers do not have any protection and no longer matter. He said he knows the county commissioners should have the authority to put a fence on the north end of the park or test or slaughter bison that leave the park.

Citizen Rich Kinkie asked for the definition of “spatial separation.” Ryan Clark, PhD, of the USDA Animal and Plant Health Inspection Service (APHIS) said no definition exists in the plan for “comingling” or “spatial separation.” He said what it comes down to is keeping bison separate from cattle so they do not interact or feed together. Clark said the majority of bison begin calving in May, but bison can abort calves at any time of year.

Commissioner Durgan said he maintains FWP has the testing facilities, personnel and finances and strongly questions why any bison that comes into Park County cannot be tested. Flowers said FWP is bound by the terms of a contract created after an EIS was conducted and public comment received. Flowers said the plan has gone through two lawsuits and the current agreement was fought for between five agencies and the public. Flowers said public who submitted comment on behalf of the current plan would be the next to sue if FWP does not follow the terms bound by the contract. Flowers said there will be untested bison north of the park every year, so an individual would be shooting himself in the foot if he did not go with the plan where bison are limited as to where they can roam by fencing and cattle guards. Flowers said untested bison currently roam outside the park through the proposed project area until discovered by the park service.

Citizen Justin O'Hair asked why FWP will vaccinate an animal that may already have brucellosis in Step III of the plan. Zaluski said reducing the chance of 50 of 100 bison getting brucellosis is still a worthwhile venture. Zaluski said ensuring only negative bison are in an area would require testing and killing those individuals with brucellosis, but those who signed the plan did so knowing brucellosis-positive bison may be released into Park County through the plan.

Durgan said to his knowledge no one from Park or Carbon Counties were invited to the table 10 years ago to discuss the plan and he maintains some compromise is possible.

Citizen Druska Kinkie said "adaptive management" was discussed at many of the Interagency Bison Management Plan (IBMP) meetings she attended last year. Kinkie said she would think knowing what is known about seropositive bison and with available facilities, the partners could come together and do adaptive management. She said the 100 bison leaving the park and traveling through the RTR should be tested. Flowers said he would argue his job is to look out for the livestock producer's interest, but he must advocate for wildlife as an FWP employee. Kinkie said if tested bison versus untested bison is the huge interest, she does not understand why there cannot be a compromise. She said the plan would still meet its goals while offering a tremendous amount of comfort to livestock producers in Park County.

Citizen Jeanne Marie-Souvigny asked about process and what would happen if the Park County Commissioners refused to sign the agreement. Malone said he must protect the health and safety of Park County citizens and the Commission will make a decision based on county citizen input.

Malone asked Zaluski whether he feels comfortable signing the plan as the state veterinarian. Zaluski said an alternative for the county is to sign a memorandum of understanding to provide for Step II and when the time comes to consider Step III and allow untested bison to occupy an area, agencies would have several years of data on managing animals on the landscape. Zaluski said with that in mind he would have much more confidence in knowing how the bison will behave and distribute over the landscape. He said the county can commit to a limited duration of use of grounds by seronegative bison under Step II. Zaluski said the IBMP partners plan to test sexually intact bison and breeding age females before turnout this year, but yearling bulls and non-pregnant females would not be tested.

Clark said adaptive management is change based on science, and as such he said to not put prohibitions on Step II of the plan, as it would be several years before Step III could be possible, and Step II would provide valuable information for Step III.

O'Hair said he is very concerned about the IBMP because it was created 10 years ago and before Park County lost then regained its brucellosis-free status. He said that situation put the area around Yellowstone National Park in a separate management area and gave it a black mark on its name and livestock. He said the plan now calls for expanded area in which bison can roam from the park, but Park County is different now than 10 years ago

when the plan was devised. He said the IBMP will not work if it goes through as written. He said the plan must be redone and revamped with consideration of Park County's brucellosis-free status.

Druska Kinkie said she agrees an MOU limiting the plan to Step II would settle the tested versus untested issue, after which time all parties can reassess the plan with the Park County Commission when proposing moving into Step III.

There was discussion about management of bison that may escape the management area and cattle producer rights as far as handling such situations. Clark said producers would call the Montana Department of Livestock (DOL) to haze the animals back into the park, and he thinks there may be a citation in the plan permitting a livestock producer to shoot a bison bull on his property while waiting for an authority.

Wilks asked about bison crossing over to Forest Service lease property and suggested a protocol is necessary similar to a 10 (j) in wolf management for bison directly adjacent to the RTR.

RTR Manager Allan Shaw said RTR, Montana DOL and Yellowstone National Park were very effective in maintaining spatial separation over the last four years between bison and cattle on the RTR.

Citizen Stacy Bragg said cattle producers are held to a black and white line regarding brucellosis testing, and this plan has a lot of grey in it with FWP's testing responsibilities. Bragg said there is no guarantee brucellosis will not be spread through the plan, and the bison using the county road may be used as precedence in the future. He said public opinion is based off of uneducated people from 15 years ago while the situation in Park County has completely changed with a whole new gamut of ideas and problems. Bragg said the current plan is obsolete and needs to be revisited and redone because things need to be upgraded.

Flowers said two groups of like-minded individuals often have 180 degree differences, with one group saying it wants more protections for bison and the other group saying it wants more protections for cattle producers. Flowers said stalling the plan now may result in another 10 years of environmental review with no guarantee of a better product.

Wilks said he agrees data gained in Phases I and II would be helpful in determining the parameters of Phase III. Wilks said everyone is saying the agencies must be willing to adapt the plan to analyzed data because that data may prove both sides wrong. He said the county must have the ability to protect the producers and people of Park County, so why would it enter into an agreement that would ignore what would be learned in the first two phases.

Flowers said he would love to compromise, and he is not trying to be hard nosed or stubborn, but a lot of compromise went into the existing plan initially. He said a lot of people feel FWP's ability to manage bison in the state of Montana has been significantly

reduced or is absent in the signed IBMP. Wilks said the cattle ranchers have been the ones who have compromised.

Bragg said brucellosis is not a native disease to wildlife, and FWP goes against its own mandate and APHIS' mandate/mission with the current plan. Flowers said the agencies do not have the ability to meet the missions and mandates laid out for them, and what they have created is a risk management plan. He said the challenge is figuring out how to get through the current impasse with the county and he will consider what was discussed.

@2:34:02 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

#### September 8, 2009

1:30 P.M. – Sheriff Union Negotiations – East Room

2:00 P.M. – I.T. Advisory Committee – Community Room – Canceled

#### September 8, 2009

##### Personnel Meeting

@3:07:33 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mark Smith, road; Ed Hillman, road; Jill Ouellette, human resources; Rick D'Hooge, labor representative; Jim Stone, teamsters representative; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to address a personnel issue.

Road Crewman Mark Smith requested the meeting close to the public with current meeting attendees remaining in the meeting. Commissioner Durgan made a motion to close the meeting with the exception of individuals currently in the room. Commissioner Taylor seconded that motion. The meeting closed.

@4:01:49 p.m., the meeting adjourned.

#### September 8, 2009

##### Discussion with Teamsters Union Regarding Longevity

@4:05 p.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 Rick D'Hooge, labor representative. No public comment made.

The meeting was scheduled to discuss longevity issues with the teamsters union.

There was discussion about paycheck and grievance issues for two individuals currently employed by the county and an individual no longer employed by the county.

@4:27 p.m., the meeting adjourned.

September 9, 2009

Review Daily Agenda and Correspondence

@8:31:07 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Raea Morris, 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 PCRFD#1 re. Miller Bridge condition
- Memo from PCRFD#1 re. daily status report
- Memo re. senior center project bid opening
- Employee public information request
- Contract between Montana Clean and Park County
- Memo re. Sept 29 - Oct 1 solid waste conference in Helena
- Memo from CAT re. MACo conference invitation
- Memo re. 4th quarter enhanced PSAP 911 distribution
- Memo re. application for Gardiner loading zone permit
- Memo from Yellowstone Gateway Museum re. Doris Whithorn Outreach Project
- Memo re. MACo conference
- Memo re. sanitary review of subdivisions
- Memo from undersheriff re. telephone system with caller ID
- Memo re. refuse assessment on a property - To Solid Waste Board for review
- Memo re. Sept 17 Revenue and Transportation Committee meeting - To Commissioner Durgan for review
- Memo re. Week of Oct 4 RC&D board meeting - To Durgan for review

@8:51:21 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

September 9, 2009

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

September 9, 2009

Discussion of Fiscal Year 2010 Budget

@10:06:24 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Lani Hartung, finance; Martha Miller, auditor; Philip Fletcher, planning; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss the Fiscal Year 2010 county budget.

Finance Director Lani Hartung presented the Commission with a PILT expenditures to revenue report for Fiscal Years 2008 and 2009, as well as the amount of PILT funds spent in those fiscal years.

There was discussion about a CAT payoff for formerly leased county road graders.

Planning Director Philip Fletcher said he and Hartung are discussing a consideration to partially reimburse a subdivision application withdrawn by the applicant and planning department policy questions on that matter.

@10:56:40 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

September 9, 2009

Discussion of Safe Routes to School Grant in Clyde Park

@1:02:26 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Lori Benner, Nittany Grantworks; Raea Morris, executive assistant; Liz Stone, Clyde Park resident; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss a safe route to school grant in Clyde Park and Wilsall.

Clyde Park Resident Liz Stone said evaluation, education, enforcement, encouragement and engineering must be completed before an entity can apply for grant funds through a federal Safe Routes to School program. Stone said a committee consisting of a teacher, crosswalk attendant, school board member, and Stone completed a survey of K-8<sup>th</sup> grade parents and teachers, and talked with Clyde Park and Wilsall school boards and the Clyde Park Town Council. She said the committee had an engineering study done by Alta Engineering and submitted that plan to the school board in May.

Stone provided the Commission with a list of requests the committee proposes as part of a safe route to school. Stone said the engineer recommended a radar sign on Rock Creek Road to inform motorists how fast they are traveling. Commissioner Malone provided

Stone with a letter from the Montana Department of Transportation that states some of the requested items may be completed in Wilsall. She said she will be in touch with Taylor about a speed limit sign.

@1:40:45 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

September 9, 2009

Consider Signing of Memorandum of Understanding and Resolution to Issue a Note to Finance the Cooke City Area Community Center

@1:41:44 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Cooke City Residents Donna Rowland and Bev Chatlain (via telephone); and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider signing an MOU and resolution to issue a note to finance the Cooke City Area Community Center.

Civil Deputy County Attorney Shannan Piccolo said the MOU is an agreement between Park County and the Cooke City/SilverGate/Colter Pass Council. Piccolo said the agreement states the county will hold the note to finance the Cooke City Community Center construction, the Council will reimburse the county with resort tax funds, the county will own the building and insure it until funds are reimbursed, the Council will maintain and operate the building and will enter into an operations agreement once the note is received. Piccolo said the Council will use a \$30,000 grant and \$283,522 in past resort tax funds to help finance the project's construction, and the county will pick up the remainder cost of construction up to \$300,000.

Commissioner Durgan made a motion to accept the memorandum of understanding noting it will include a note to finance the Cooke City Area Community Center. Commissioner Taylor seconded that motion. Motion passed.

Piccolo said the resolution would permit obtaining the note to help finance the community center.

Commissioner Taylor made a motion to accept Resolution #1065 authorizing the county to borrow up to \$300,000 in a note and put the project up for bid. Commissioner Durgan seconded that motion. Motion passed.

@1:53:04 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

September 9, 2009

Consider Signing Contract with Montana DEQ Regarding Sanitation in Subdivisions

@2:07:51 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor 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 with Montana Department of Environmental Quality regarding sanitation in subdivisions.

Commissioner Taylor said Sanitarian Barbara Woodbury's ability to conduct sanitation reviews of subdivision applications through the contract is a great advantage to Park County and its residents. Taylor said Woodbury can conduct onsite reviews of subdivision sanitation applications and applicants will not have to wait months for reviews in Helena.

Commissioner Taylor made a motion to accept and approve the agreement. Commissioner Durgan seconded that motion. Motion passed.

@2:11:35 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

September 9, 2009

Discussion of Quarterly Audit Reports

@2:31:21 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Martha Miller, auditor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss quarterly audit reports.

Auditor Martha Miller said as far as she can determine the external auditor looks for any funds held in trust in other departments. Miller provided the Commission with a progress report of her work as Park County auditor, and said she has reviewed four county departments to date: detention center, justice court, and sheriff's and county attorney's offices.

@2:51:58 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

September 10, 2009

8:30 A.M. – Safety Meeting – Commissioners Chambers

10:00 A.M. – Local Emergency Planning Committee – Community Room

September 10, 2009

Discussion with MACo and Commissioners

@10:01:11 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Martha Miller, auditor; Lani Hartung, finance; Marilyn Hartley, finance; Jill Ouellette, HR; Camden Easterling, Livingston Enterprise; MACo Representatives Sheryl Wood, Harold Blattie, and Jack Holstrom; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Human Resources and Finance Department functions with the Montana Association of Counties (MACo).

Montana Association of Counties Executive Director L. Harold Blattie said Commissioner Durgan asked MACo representatives to explain what MACo sees as appropriate functions and duties of a finance officer and a human resources (HR) position. He said MACo is not present to referee or deal with personnel matters of job performance.

Blattie said the idea is sufficient checks and balances and safeguards to know the county's books and affairs are in order. He said separation of duties in different departments provides the greatest amount of checks and balances. MACo Attorney Jack Holstrom said Park County has evolved toward the model seen with larger counties in having both finance and HR departments. Holstrom said he sees medium-sized counties such as Park County normally having a separate and distinct HR department that deals with employment law such as the American Disabilities Act, family and medical leave acts, selective bargaining, worker's compensation, the wrongful discharge act and Title 49 discrimination statues along with Title 7 of federal law. Holstrom said payroll functions in medium-sized counties are generally located somewhere other than HR in his experience, usually in a finance/accounting/clerk and recorder setting. Holstrom said there is a completely different skill set dividing the disciplines required by HR and accounting and payroll departments.

Commissioner Durgan said Park County's HR department is also involved with overseeing issues such as medical benefits, leaves of absence, and retirement pay, which also require some aspect of payroll.

Blattie said no one can assume HR and finance can exist with a shell over top of them and there has to be some free exchange of information between the two departments, but there must be separation of duties. Blattie said he thinks typical duties of an HR department is to develop and maintain position descriptions, advertise vacancy announcements, lead the entire position interview and selection process, assist with labor

negotiations and grievances, and assist with back pay and longevity issues. Blattie said MACo keeps a payroll file in the finance office and a personnel file in his office.

Holstrom provided the Commission with a MACo-generated form of essential information to be delivered to the finance office when an individual is hired or an employee's status changes. He said the form is used by management to convey necessary employee information to the finance department. Holstrom said no changes are made to employee information without filing of that form. Holstrom said HR does get involved in pay situations when a court case causes changes to the way payroll has to be calculated, but does not actually input data into the system. He said the finance and HR departments function separately but must work together.

Holstrom said HR is involved in PERS and some other types of benefits. Wood said the calculation of leave usage or accrual is a finance department function, but a policy decision about the type of usage of that leave is an HR decision based on the personnel policy of the county.

Assistant Finance Director Marilyn Hartley asked about the appropriateness of the finance or HR department answering employee questions about health benefits. Wood said Hartley is in a unique situation since she is part of the health benefits committee. Wood said Hartley should ask herself if her response would hold up if the employee's coverage were denied and appealed. Wood said Hartley can answer employee benefit questions if she is 100 percent confident and is willing to get in a position to defend her answer.

Blattie said in the example of a baby born to an employee and the employee needing to make a medical benefit change as a result, someone needs to know the policy end of such a coverage change, and ultimately finance should enter changes into payroll and handle the payroll end of things. Blattie said HR is responsible for recognizing a qualifying event and is responsible for health care benefits. He said the change of status form is then given to the finance department for financing. Blattie said that example provides good rationale for involvement of both departments.

Wood said she sends all HR questions to Holstrom even if she know the answer to the question, and Holstrom refers finance issues to Wood even if he knows the answer. Wood said MACo has dedicated staff to which to refer specific issues and questions, which avoids employee "answer shopping" and ensures everyone gets the same answers. She said MACo made an internal decision to structure things in that manner. Wood said it is a communication issue that each department know what question was answered or handled by whom, and MACo staff takes advantage of technology by using emails to explain conversations and share information that relate to each department.

Hartley asked where an employee goes if accruals are missing on a paycheck or pay was not caught in the editing process. Blattie said the accounting system should know how much an employee worked, so the accounting software can be accessed by payroll and the information conveyed back to HR so that department knows what leave accruals are

present. Holstrom said he would think the finance department would answer such a question.

Finance Director Lani Hartung said she is hearing HR is a distinct function with distinct skill sets and payroll and finance is a distinct function with distinct skill sets. She said she would like to use the change of status form and process presented by MACo as a model for Park County.

Human Resources Analyst Jill Ouellette said she has been tasked with talking with other Montana counties with an HR department regarding their payroll and related errors. Ouellette said she is proud to be part of a team, because Park County has few if any payroll mistakes on the employee side of things, and such mistakes hurt employee morale. She said she feels the county has a very successful system as it is currently set up.

Holstrom provided the Commission with a copy of the MACo finance officer position description.

@11:02:53 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

September 10, 2009

Discussion of Olness Recommendations

@11:17:28 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; Marilyn Hartley, finance; Jill Ouellette, HR; Denise Nelson, clerk and recorder; Kevin Larkin, treasurer; Ernie Olness, Olness and Associates (via telephone); Bill Hurley, citizen; Camden Easterling, Livingston Enterprise; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss recommendations of Olness and Associates auditing service.

Ernie Olness of Olness and Associates accounting agency said having a human resources (HR) person is a good idea in his opinion, as it is a very specialized field of specialized knowledge. Olness said he agrees there needs to be a process for employees to request a status change through the HR department and that information then goes to the payroll department which makes necessary changes in the employee database such as insurance, payroll wage, longevity, and name changes. Olness said he is sure most HR/payroll departments have the HR department doing hiring and firing of employees and answering the day to day employee questions and the payroll department literally processing payroll. Hartung said the county has a change of status form, but at this point the accounting office does not see that form as HR inputs the employee change of status information into the employee database.

Olness said he is making an assumption if a change of status form does not come from HR, there should be no changes to information on the/payroll accounting side. Hartung said she understood from her discussion with Olness changes to an employee file should be done by payroll and it is not necessary a payroll function. Olness said he agrees with that, but those changes must originate from HR.

There was discussion about Park County's protocol of keeping duplicate timesheet records in personnel and payroll files. Human Resources Analyst Jill Ouellette said having an employee's complete file in one location is helpful as she uses timesheet information on a daily basis to complete her job duties and answer employee questions. Olness said it is up to the county how it wants to do maintain that process, but he thinks having duplicates between two sets of files is a waste of time. He said a clear chain of command must be established so HR is not pointing to payroll and payroll is not pointing to HR.

Olness said everything must originate out of HR, and payroll must know if someone comes in to change their status that employee is to be directed down to HR. Olness said HR fills out the change of status form then forwards that information to payroll, and verification is made the information was transferred from HR to payroll. He said payroll then will sign the sheet, make the change in the payroll database and at that point take the form back to HR and have HR sign it. Olness said working out those types of logistics eliminates any finger pointing.

Olness said all employee timesheet questions should go to the appropriate department head, and department heads need to be held responsible for accurate and complete employee timesheets. Olness said payroll should be isolated from the whole timesheet process. He said once employee timesheets are turned into HR, a designated individual should go through and input timesheets into a spreadsheet to calculate employee gross payroll. Olness said completing that process will identify issues with timecards.

Olness said segregation of duties is important and HR completing a control spreadsheet with hours worked and payroll entering that information brings the process full circle and would free up a significant amount of time for payroll. Olness said the control spreadsheet is simply data entry and any designated person can enter that data. Ouellette said that process is creating more work for the purpose of checks and balances. Olness said he recommends taking one individual out of the process, since Ouellette, Assistant Finance Director Marilyn Hartley and Auditor Martha Miller now enter data and/or review entered data for errors. He said there currently is no segregation of duties as both Hartley and Ouellette can enter the payroll database and change information.

Commissioner Malone said the Commission will determine a process to create segregation of duties.

There was discussion about the clerk and recorder's responsibilities in overseeing county finances per Montana code.

@12:12:14 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

September 10, 2009

Discussion of Museum Fiscal Year 2010 Budget

@1:30:17 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Marilyn Hartley, finance; Friends of the Museum Members Pat Miller, Nancy Edwards, Charlie Rahn, and Rick Van Aken; YGM Board Members Pat Davidson, David DePuy, Susan Kraft, Donna Armentaro, and Vern LeDoux; Citizens Brian Sparks, Bob Moore, and Jack Lucas; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss a Yellowstone Gateway Museum FY '10 budget.

Assistant Finance Director Marilyn Hartley reviewed the museum's proposed budget for Fiscal Year 2010 with the Commission. The Commission said it proposed 1.95 mills for the museum's FY '10 budget compared to 1.4 mills last year.

Pat Miller said she is part of the Friends of the Museum and has been working in the museum for nine years making it better all the time. She said she feels the recession is hurting, but it appears the Friends have an opportunity to gain stimulus funds for an HVAC system in a building the county said may not be there in the future. Miller said it is very concerning and would be sickening to the Friends to create a fine building and not have a museum base in Park County. She said she feels the Friends are floundering without a museum director and the director's release should never have gone the way it did. Miller said the Friends must have absolute dedication and attention from the Commission. She said YGM is a county museum and the city should have been involved long ago and the Commission cannot go backward on the issue.

Bob Moore said the board has an energy he has not seen in six years. He said it would be unhealthy if the museum was not supported by the community and the museum needs the city's help.

Commissioner Durgan said the county asks the city each year if it can help with various endeavors and vice-versa, but so far the city and county have not come to terms on the museum.

The Commission said it will provide the museum board with additional information in order for it to complete the museum's proposed FY '10 budget.

@2:35:18 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

September 10, 2009

Discussion of Fiscal Year 2010 Budget

@2:54:53 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; Philip Fletcher, planning; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss the Fiscal Year 2010 county budget.

There was discussion about the county permissive medical levy line item and road grader payments, as well as review of a Gardiner debt fund and the county DES budget.

@3:25 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

September 10, 2009

6:00 P.M. – 4-H Council Meeting – Community Room

September 11, 2009

No Commission Meetings Scheduled

10:00 A.M. – Commissioners in Cooke City for the Cooke City Area Community Center Project Groundbreaking Ceremony – Cooke City

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana