

Park County Commission Meeting Minutes
Week of December 14 – 18, 2009
Park County, Montana

December 14, 2009

Review Daily Correspondence and Agenda

@8:44:41 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. replacement maintenance personnel
- Memo from DES Coordinator re. revised LEPC bylaws
- Memo re. Livingston beer and liquor license
- Invoice from Tri-County Sheet Metal re. building HVAC system part
- Memo from Neighbor Works Montana re. foreclosure prevention
- Memo re. Cooke City Community Center construction

@8:51:21 a.m., the meeting adjourned.

December 14, 2009

Discussion of Clerk and Recorder Print Management Program

@9:00:44 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Denise Nelson, clerk and recorder; Lani Hartung, finance; Mary Brydich, Terrell's Office Machines; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a clerk and recorder print management program.

Mary Brydich of Terrell's Office Machine's said Terrell's program costs less than \$.02 a copy and includes maintenance services, as well as a single invoice, which lists usage for each printer, eliminating monitoring of that data by employees. Brydich said the county currently has 12 printers that qualify for the program.

There was discussion about photocopy machines and a possible print management program through Terrell's Office Machines. Clerk and Recorder Denise Nelson asked Finance Director Lani Hartung to compare costs of Nelson's current copy machine and that of the proposed print management program. Nelson said her current DELL printer does not have a service agreement.

Brydich said the Clerk and Recorder's Office cost for the lease program would be \$1,250 or \$1,136 depending on the copier selected. Nelson said she is interested in the program. The Commission asked Hartung to verify the quoted costs.

@9:19:40 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 14, 2009

Discussion of Budget to Actual Revenues and Expenditures and Annual Financial Report

@10:31:43 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Lani Hartung, finance; Denise Nelson, clerk and recorder; Martha Miller, auditor; Camden Easterling, Livingston Enterprise; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss budgeted to actual revenues and expenditures and an annual financial report.

Finance Director Lani Hartung said she completed the county's annual finance report, including a draft MD&A of county finances, which is due December 31. Hartung presented the Commission with a budgeted to actual revenues and expenditures report.

@11:19:51 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 14, 2009

3:00 P.M. – Local Advisory Committee – Park County Mental Health

December 15, 2009

Review of Daily Correspondence and Agenda

@8:35:18 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; Allan Lutes, sheriff; Ed LaCombe, undersheriff; 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 Terrell's Office Machines re. Clerk of Court copy machine
- Memo re. Solid Waste Board meeting agenda

- Memo re. RC&D board meeting agenda - To Commissioner Durgan for review
- Memo re. Solid Waste Board Clyde Park representative newspaper advertisement
- Legal advice to Commission from civil deputy county attorney
- Memo re. Special Solid Waste Board meeting minutes
- Memo re. HVAC service bid proposal
- Invoice from Energy Labs re. Gardiner Sewer District
- Memo from MT DEQ re. discharge monitoring reports - To Commissioner Taylor for review
- Memo from clerk and recorder re. metal recycling bid
- Memo from planning director re. county board code of conduct bylaw
- Memo from DEQ re. energy efficiency grants
- Memo from Teamsters Local union re. after-hours call out of road crewman - To Commissioner Durgan for review
- Memo from Solid Waste Board member

Deputy Sheriff Ed LaCombe said he received a complaint about a starving horse and asked the Commission how it wishes to handle the issue.

Commissioner Taylor said the LAC Board will dismiss two board members for attendance reasons.

@9:01:47 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 15, 2009

9:00 A.M. – Park County Road Updates – Commissioners Chambers – Postponed to December 18 at 9:00 A.M. - (Road Crew at Training in Billings)

December 15, 2009

Department Head Meeting

@9:31:17 a.m., Chairman Malone called a meeting to order in the Community Room. Commissioners Durgan, Malone and Taylor were present. Also present were Marc Richards, GIS/IT; Denise Nelson, clerk and recorder; Barbara Woodbury, environmental health; Kathy Carrick, deputy county attorney; Lani Hartung, finance; Clay Williams, weed/junk vehicle; Philip Fletcher, planning; Ed Hillman, road; Martha Miller, auditor; Raea Morris, commission executive assistant; Jill Ouellette, HR; Belinda Van Nurden, DES; Allan Lutes, sheriff; Linda Budeski, justice of peace; Bruce Martin, maintenance; Paul Shea, museum director; June Little, clerk of court; and Tracy Mosley, Extension.

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

Employee of the Month: Human Resources Analyst Jill Ouellette said Jay Dixon of the Road and Bridge Department was nominated by Road Supervisor Ed Hillman as

employee of the month for his positive attitude, processing of sign inventory, and maintenance of roads in a timely manner.

Ouellette asked department heads if they would like to change the award to an Employee of the Quarter instead of Employee of the Month. There was discussion about the award, and Ouellette said she will send an email to department heads for final comments.

Records Retention Committee Formed: Commission Executive Assistant Raea Morris said a county records retention committee has been reformed to meet once or twice a year and discuss retaining and destroying records per state statute. Morris said the Committee consists of GIS/IT Manager Marc Richards, Clerk and Recorder Denise Nelson, Clerk of Court June Little, Civil Deputy County Attorney Shannan Piccolo, and Morris, and questions and concerns about records retention can be brought to any committee member. Nelson said a records retention schedule is available for viewing on the Secretary of State website.

Creation of County Grants Committee: Planning Director Philip Fletcher said the purpose of resurrecting the grants review committee is to review grant applications and make suggestions and recommendations to the Commission and possibly assist applicants in filing better applications. Fletcher said the committee is comprised of Extension Agent Tracy Mosley, Auditor Martha Miller, Finance Director Lani Hartung, Nelson, and Fletcher. Fletcher said Lori Benner of Nittany Grantworks will attend meetings in an advisory capacity.

Updated Telephone List: Finance Director Lani Hartung said a county phone list was disseminated and asked heads and elected officials whether they want their names and telephone numbers listed. Richards said he suggests listing the 222-4100 number in the phone book and give that number to citizens who telephone the courthouse seeking a specific employee extension. The Commission said Ouellette will generate a telephone list of courthouse office numbers and put it on the (P) Public drive and provide the list to offices and departments.

Round Table Discussion of Department/Office Activities: Ouellette said a Genetic Information and Non-Discrimination Act is in effect, changes were made to the Fair and Standard Labor Act, and discussed a whistle blower settlement. DES Coordinator Belinda Van Nurden said she is working on quarterly reports for the state DES, is waiting on grants and is updating a resource list. Clerk of Court June Little said her office is getting a new copier, an individual visits the courthouse each Wednesday from 10 a.m. to 2 p.m. in the jury room for pro se litigants, only two jury trials occurred lately as many cases are being settled out of court, and citizens can get pro se assistance from Montanalawhelp.org. Nelson said she and her chief deputy clerk attended election training on updates for the Montana Votes program, and many foreclosures are coming into her office. Commissioner Taylor said he has attended state and local mental health meetings, the senior center upgrade project is progressing, and an interim museum director was hired. Deputy County Attorney Kathy Carrick said the county attorney's office has been busy with court cases. Fletcher said Civil Deputy County Attorney

Shannan Piccolo is a great value and provides good input and helps the planning department stay on the straight and narrow. Miller said she is working on balancing issues. Interim Museum Director Paul Shea said he came from West Yellowstone where he assisted in putting together a historical exhibit, the museum is doing well as it goes through reorganization from a county entity, and the native cultures room is getting a complete makeover with new graphics and a storyline. Fair Manager Kim Knutson said 92 vendors and 991 people attended the Christmas Fair, and she has been working on small building projects and preparing for the 2010 county fair. Sanitarian Barbara Woodbury said Environmental Health continues with a cleanup project from building water damage, Sanitarian Rachael Lewis was accepted to attend an International Food Protection Training Institute in January in Battle Creek, MI, and Woodbury will attend a training put on by CDC. Fletcher said monthly activities continue in the planning department. Weed/Junk Vehicle Manager Clay Williams said 241 junk cars were crushed at the landfill and he has been assisting the Commission with small projects. Bruce Martin, maintenance, said he has been removing snow, working on heating problems in the building, and Kelly Johnson will fill in for him in late December. Hartung said she has been working on a Montana Department of Administration Annual Report, received the draft audit report, the color copier will be moved to the accounting office, and she will try to hold a workshop on how to read county monthly CSA financial reports. Sheriff Allan Lutes said deputy and Search and Rescue training is underway and the jail is almost at maximum capacity with the majority of current jail inmates as felons. Tracy Brewer of Extension said she will serve as the department head in the interim while Mary Anne Keyes is on maternity leave, she has been serving as the liaison between the Commission, government agencies and public regarding the brucellosis issue. Commissioner Malone said department heads and elected officials are welcome to attend budget meetings, the Commission has been working on a refuse issue of losing money and needing to cut costs, he and Commissioner Taylor will talk to Montana DEQ in Helena about the issue on December 16, a 9th Street Bridge project is being funded by the federal government with hopes of having construction completed before spring high water, and a Cooke City Community Center project is progressing and the building is closed in for construction in winter. Malone asked department heads to consult with Richards before buying desktop printers, which are expensive to operate. Commissioner Durgan said he has been attending public meetings about a county brucellosis issue, the Commission continues to address a Safe Routes to Schools issue in Gardiner and Clyde Park, and the Commission is working transparently on streamlining the county solid waste operations and duplicate services with the city.

In other discussion, Nelson said any contracts may be left in her office for official recording.

@10:43:08 a.m., the meeting adjourned.

December 15, 2009
Weekly Human Resource Updates

@10:54:49 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, HR; Martha Miller, auditor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss activities in the Human Resources Department.

Human Resources Analyst Jill Ouellette presented the Commission with an employee change of status form for an interim museum director position. Ouellette said she analyzed MACO's temporary and interim employment criteria. She said she attended a MACo training on December 11 with 15 other county HR representatives and will present the Commission with MACo forms next week for review.

There was discussion about Cost of Living Adjustment increases for employees in probationary periods and wage increase language to include in a revised employee policy handbook.

@11:14:18 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 15, 2009
Review of Minutes for Weeks of December 7, 2009

@11:14:46 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 and approve Commission meeting minutes for the Week of December 7, 2009.

Commissioner Durgan requested a revision to Page 3 of 22, noting the correct spelling of Camden "Easterling." On page 8 of 22; fourth full paragraph, the third sentence should read, "Blank said February is aggressive in getting permits approved, but it may be possible if all paperwork is approved in the immediate future."

Commissioner Malone requested a revision to Page 8 of 22; second to last paragraph, the third and fourth sentences should read, "Malone said his concern is there are 37 homes on 9th Street Island. He said other project proposals would require the county to come up with \$400,000 and 25 percent of market value if island residents were to sell out."

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

@11:28:48 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 15, 2009

1:30 P.M. – Construction Progress Meeting regarding Senior Center Rehabilitation Project – Livingston Senior Center – Commissioner Taylor attended

4:00 P.M. – Commissioner at Livingston Community Trust Meeting – The Livingston Enterprise, Livingston, MT – Commissioner Malone attended

6:30 P.M. – Fair Board Meeting – Park County Fairgrounds Office – Commissioner Durgan attended

December 16, 2009

Review of Daily Correspondence and Agenda

@8:38:28 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, 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. Livingston ice skating rink construction
- Memo re. JSEC meeting minutes
- Memo from Nittany Grantworks re. CTEP grant funds
- Memo from National Park Service re. parks supplier permit renewal

Commissioner Durgan reported on the December 15 Fair Board meeting. Durgan said the fair board discussed two differing lease agreements with the Livingston Round Up Association; the Christmas Fair was successful; the rabbit and poultry barn has heat and concrete sealing issues; new fair board members were present at the meeting; and the board received a proposal from the martial arts club to hold a martial arts competition at the fairgrounds. Durgan said there was concern about installing open bleachers at the event with beer sales, the board will request no bottled beverages be sold at the fairgrounds and will request a clean-up deposit from renters. Durgan said County Sanitarian Barbara Woodbury has discussed a proposed sewer system for the fairgrounds in the interim with hopes of ultimately hooking into the Livingston sewer system. He said board discussed who would feed a starving horse housed at the fairgrounds, and the board wants a veterinarian to look at the horse and ensure it has its shots. The fair board said it does not want to house horses on a permanent basis and does not want to house horses that may be ill because it houses 4-H horses that are current on all shots.

Executive Assistant Raea Morris said she submitted Emigrant census language to the county attorney's office for review and has not received back a response. Commissioner Malone said he met with the two census takers to field questions they had about the effort.

Malone said he spoke with Tri County Sheet Metal about courthouse HVAC work. Malone said he was told by Tri County it has no contract with the county for the work, but Tri County worked on installation of the heating units. He said Tri County said rebalancing ductwork to make the HVAC system work correctly would cost \$30,000.

Malone reported on the Livingston Community Trust meeting on December 15. Malone said the Blue Slipper Theatre is looking for funds for wiring upgrades, and there was discussion about signage for Livingston's downtown business district.

Commissioner Taylor reported on a December 15 Senior Center Construction Update meeting. Taylor said the Senior Center is making progress on work in the basement and asbestos issues, and the center is considering sealing lead paint with paneling in the dining room, which will require a change order to the construction contract. Taylor said the entire project is on schedule for completion in May or June 2010.

@9:13:25 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 16, 2009

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

1:00 P.M. – Meeting with Montana Department of Environmental Quality – Helena, MT
– Commissioners Malone and Taylor attended

December 17, 2009

Review of Daily Correspondence and Agenda

@8:33:49 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners 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 review the daily agenda and correspondence.

Correspondence included:

- Memo from Park County Floodplain Administrator Office re. floodplain work decision
- Memo re. potential indoor horse arena donation to county

- Memo from Oasis Environmental re. December 21 meeting with permitting agencies for 9th Street Island Bridge Replacement project at CTA Engineering office
- Memo re. NW Energy Bill for 9th Street Island
- Memo from county attorney's office re. Emigrant incorporation census language
- Memo re. Shield's Valley Safe Routes to School issue

Civil Deputy County Attorney Shannan Piccolo said the Commission would have to sign off on Shield's Valley schools submitting a Community Transportation Enhancement Program in a public meeting, should the Commission decide to support such an application.

@8:48:50 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 17, 2009

Acceptance of Resignation Letter from Solid Waste Board Member

@9:36:59 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 accept a resignation letter from a Solid Waste Board member.

Commissioner Malone said Duane E. Mathews submitted a letter of resignation from the Park County Solid Waste Board on December 3 as the Clyde Park member, effective immediately.

Commissioner Taylor made a motion to accept the resignation of Duane Mathews from the Solid Waste Board effective December 3. Commissioner Durgan seconded that motion. Motion passed.

@9:38:33 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 17, 2009

Signing of Lease Agreement with Park County and Park Electric

@10:31:19 a.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 sign a lease agreement with Park Electric.

Commissioner Malone said the lease agreement would enable installation of a radio antenna at the Myer's Flat radio site. Malone said Park Electric would pay Park County \$900 for the term of the lease agreement, which is one year with an automatic renewal for up to five years. He said the purpose of the tower is to increase communication for public health and safety.

Commissioner Durgan made a motion to accept the lease between Park Electric Cooperative and Park County. Commissioner Taylor seconded that motion. Motion passed.

@10:36:06 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 17, 2009

2:30 P.M. – Meeting in Sweetgrass County to Discuss Gravel and Related Issues – Sweetgrass County Commission Office – Commissioners Malone and Taylor attended

2:30 P.M. – RC&D Board Meeting – Bozeman – Commissioner Durgan attended

December 17, 2009

3:30 P.M. – Planning Board Meeting – Community Room – Meeting minutes available at www.parkcounty.org and in the Planning Department

December 17, 2009

4:00 P.M. – Library Board Meeting – Livingston Park County Library

December 17, 2009

7:00 P.M. – Solid Waste Board Meeting – West Room – Meeting minutes available at www.parkcounty.org and in the Commission Office

December 18, 2009

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

December 18, 2009

Road Updates Meeting

@9:02:02 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; Ed Hillman, road supervisor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said road crewmen have been plowing snow and grading roads. Finance Director Lani Hartung presented a draft resolution to move road department funds within the road budget.

Malone said he and Commissioner Taylor met with Sweetgrass County commissioners and Forest Service personnel to discuss improving Boulder River Road. Malone said a RAC Committee intends to ensure the road is accurately located on the ground and other location surveys may be completed.

Hillman said the county auditor said inventory will need to be conducted for the county shop.

@9:21:37 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 18, 2009

Consider Signing Contracts with CTA and Oasis for 9th Street Island Bridge Replacement

@9:39:05 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; Mike Cox, Oasis Environmental; Kevin Feldman, CTA Engineering; Kevin Funk, citizen; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider signing contracts with CTA Engineering and Oasis Environmental for a 9th Street Bridge Replacement Project.

Civil Deputy County Attorney Shannan Piccolo said she made language changes to contracts for Oasis Environmental and CTA Engineering per discussion with those organizations. There was discussion about those and other requested revisions.

Citizen Kevin Funk said taxpayers have paid \$111,000 for the 9th Street Bridge project for just Oasis and CTA with the signing of the contracts. He said he is worried about the final price tag of the project that may be an estimated \$1.4 million. Funk said he still wants to hear if the county can attach some of the cost to the landowners on 9th Street Island. Commissioner Malone said he has not yet discussed the issue of Rural Special Improvement Districts, but the county attorney's office may say the county is replacing access to the island and not improving it. Malone said he believes the Commission did the right thing this spring to address debris buildup on the bridge because no plans had been made to remove debris from the bridge during high water. Malone said the decision to spend funds was made in an emergency situation.

Funk asked how the county can keep money expended for the project within the local community. There was discussion about local companies working on the project and bidding parameters the county must follow.

Commissioner Durgan made a motion to sign two separate contracts with CTA Engineering and Oasis Environmental to move forward with the 9th Street Bridge Replacement Project. Commissioner Malone seconded that motion. Motion passed.

@10:30:55 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana