

Park County Commission Meeting Minutes
Week of December 28, 2009 – January 1, 2010
Park County, Montana

December 28, 2009

Review Daily Correspondence and Agenda

@8:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Raea Morris, executive assistant. No public comment made.

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

Correspondence included:

- Memo from HR re. sheriff's longevity issue
- Memo from Federal Energy Regulatory Commission re. Bear Creek Hydroelectric project
- Memo re. library board budget
- Memo re. county scale and storage tank licenses
- Memo re. February 10 Asphalt Institute Conference
- Memo re. 2009 Montana health profiles – To Commissioner Taylor for review
- Memo from Robert Peccia and Associates re. Mission Field improvements MAD grant proposal
- Memo from Career Community Training Center – To commissioners for review

@8:41 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 28, 2009

Review of Minutes for Week of December 21, 2009

@9:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. No public comment made.

The meeting was scheduled to review Commission meeting minutes for the Week of December 21, 2009.

Commissioner Malone requested a revision to Page 2 of 8, noting the correct spelling of the word "forestry."

Commissioner Durgan made a motion to approve the minutes. Commissioner Taylor seconded that motion. Motion passed.

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

December 28, 2009

Opening of Bids for Recovery and Recycling of Metal Waste at Landfill

@10:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Matt Dettori, Livingston Enterprise. No public comment made.

The meeting was scheduled to open bids for recovery and recycling of metal waste at the landfill.

Commissioner Malone opened three sealed bids submitted before bid deadline from Rossen Brothers, Inc.; Pacific Recycling; and Adkins Construction, Inc. Each bid stated the businesses would furnish labor and listed equipment to be used to remove metal from the Park County Landfill.

The Rossen Brothers, Inc. bid offered a minimum price of \$25 per net ton for recyclable materials good for one year January 1, 2010 to December 31, 2010 and the price may change according to markets.

The Pacific Recycling bid offered a minimum price of \$52 per ton and a pricing provision from American Metal Market report enabling a higher price if markets allow.

The Adkins Construction, Inc. bid offered a minimum price of \$31 per ton with a higher price of \$44 per ton if metal prices were over \$180.

The Commission said it will submit the bids to the county attorney for review and make a selection after that review.

@10:38 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 28, 2009

Discuss Action to Remove and Appoint Local Advisory Committee Members

@11:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Sue Chvilicek, chief juvenile probation officer. No public comment made.

The meeting was scheduled to discuss action to remove and appoint Local Advisory Committee (LAC) members.

Commissioner Durgan made a motion to accept the recommendation from Sue Chvilicek to remove two board members from the LAC Board, Sandy Granger and Brenda Mesh,

noting their terms were to expire December 2012 and 2011, respectively. Commissioner Taylor seconded that motion. Motion passed.

Sue Chvilicek said an application was submitted from Dan Krause of Southwest Chemical Dependency who would serve as that organization's seat on the board and an application from Tammy Kevwitch would fill a consumer seat on the board to expire in 2012.

Commissioner Taylor made a motion to accept Dan Krause's application to be the Southwest Chemical Dependency representative and Tammy Kevwitch to be the consumer on the LAC Board, noting Kevwitch's position will expire in 2012. Commissioner Durgan seconded that motion. Motion passed.

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

December 28, 2009

Consider Resolution to Enact \$5 Fee for Electronic and Paper Burn Permits

@1:30 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Gordon Rothe, deputy fire warden; and Matt Dettori, Livingston Enterprise. No public comment made.

The meeting was scheduled to consider a resolution to enact a \$5 free for electronic and paper burn permits.

Deputy Fire Warden Gordon Rothe said the proposed permit system was designed after Lewis and Clark County's online burn permit system adopted by the state of Montana. Rothe said the state provides the computer service for service login at a fee to the county, that fee would be \$1,200 divided by how many counties participated in the program, and the cost of the permits would be \$5 per permit. He said Gallatin and Yellowstone counties are interested in participating in and Madison County is considering the program.

Commissioner Malone said his opinion is the paper permitting process should continue if the online system is attempted. Rothe said the issue with the old paper system is the inability to track paper permits issued, and the purpose of the online system is to take non-emergency workload off of Dispatch 911 services.

There was discussion about the county GIS Department assisting in entering online burn permit data and issues that may cause with lack of personnel and other GIS workload. The Commission said it would like to schedule another meeting on the issue to speak with the county GIS/IT manager about that department's ability to assist with processing of online burn permits.

@2:13 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 29, 2009

Review of Daily Correspondence and Agenda

@8:30 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 Shannan Piccolo, civil deputy county attorney. No public comment made.

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

Correspondence included:

- Memo from solid waste board member re. business refuse assessment issue
- Memo re. January 11 Angel Line Board meeting agenda
- RY Timber Incorporated certificate of liability insurance for Boulder Road work
- Memo from state tax appeal board re. 2009 extension
- Memo from planning director re. RC&D draft document
- Memo from Hank Rate re. 2006 bridge work with mylar overlay

Civil Deputy County Attorney Shannan Piccolo said the Enterprise failed to publish the second notice of a bid for metal recycling at the landfill, so bids opened in a public meeting on December 28 cannot be accepted. Commissioner Malone said the Commission will rewrite the bid specifications. Piccolo said she will make requested changes to the bid language and contact bidders about the issue.

Commission Executive Assistant Raea Morris said rural address signs in the GIS/IT Department need to be erected in the county. The Commission said it will look into whether Bunny Lane is a public or private road and what the county's responsibility is with putting up rural addressing signs.

@8:44 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 29, 2009

County Road Updates

@9:00 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, civil deputy county attorney; and Lani Hartung, finance. No public comment made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said the road crew met that morning for its bi-monthly staff meeting and there was discussion about a policy for county road snow plowing. Hillman said he will work on a list of county personnel for emergency snow situation call-outs.

There was discussion about road conditions in Gallatin County across the Park County line on which Park County buses pick up kids for school. The Commission said that issue should be taken to appropriate school boards. The Commission said Hillman can have cars towed that are parked in a county right-of-way.

Hillman said crewmen are removing brush from the corner of Tobin Creek and Shields River Road East and will erect "Chains Required" signs on Brackett Creek Road today. He asked if the Commission has researched whether the county owns a right-of-way on Billman Lane regarding a private citizen's jackleg fence.

Finance Director Lani Hartung provided Hillman and the Commission with to-date Road, Bridge and Gas Tax budgets and estimates of those budgets if spending continues at the current rate.

@9:52 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 29, 2009

Weekly Human Resources Updates

@10:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Jill Ouellette, human resources; and Martha Miller, auditor. No public comment made.

The meeting was scheduled to discuss human resources department activities.

Human Resources Analyst Jill Ouellette presented the Commission with employee change of status forms for a funding issue for trash collection services. Ouellette said she addressed an issue of holiday pay for road crewmen and she has worked on employee PERS payment issues. The Commission asked Ouellette to respond to employee inquiries about the landfill manager position. Ouellette said she will generate another version of the building telephone list.

Ouellette said union negotiator Rick D'Hooge provided her with a longevity pay formula on December 24. She said she received an inquiry from an employee about a portion of sick leave for a reinstated employee.

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

December 29, 2009

11:00 A.M. – Discussion of Funding for Sewer System on Fairgrounds Property – Commissioners Chambers – Postponed to Week of January 4, 2010

December 30, 2009

Review of Daily Correspondence and Agenda

@8:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Raea Morris, executive assistant. No public comment made.

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

Correspondence included:

- Memo from MACo re. MACo stance on healthcare reform
- Memo from Tim Griffiths re. Voyich Ranch – To Commissioner Durgan for review
- Memo from Solid Waste Board member re. green box cameras
- Memo from SWB member re. condo refuse assessment issue
- January 11 Angel Line meeting agenda – To Commissioner Malone for review
- Receipt from Park Electric for \$900 re. sheriff's shack rental at Myer's Flat
- Memo re. national park vehicle supplier permit
- Memo from Montana Tax Appeal Board re. extension to May 31, 2010
- Memo re. May 2010 Innovation for Business conference

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

December 30, 2009

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

December 30, 2009

Discussion of Longevity Pay Issues with Sheriff's Office

@11:00 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; Brett Linneweber, county attorney; Allan Lutes, sheriff; Scott Hamilton, undersheriff; and Tony Steffins, sheriff's office. No public comment made.

The meeting was scheduled to discuss longevity pay issues with the Sheriff's Office.

Tony Steffins, Park County Sheriff's Office, said the target date for issuing longevity pay checks with figures in possession of Human Resources Analyst Jill Ouellette is January 8,

2010, and that would settle a Clouse Supreme Court case decision. Steffins said overtime pay is the other pending issue with the exception of two sheriff's officer personnel. He said three sheriff's office employees owe the county money because ending probation and commencement of longevity pay was not figured correctly.

Commissioner Taylor made a motion, based on represented good faith efforts by Doug Wonders to address alleged overpayment that was not pursued, there be no attempt now to retroactively collect overpayments that occurred from January 2004 to present contingent on any release. Commissioner Durgan seconded that motion. Motion passed.

The Commission said it would like a letter submitted from Wonders stating he made a good faith effort to attempt to rectify the pay issue, and it would like any additional supporting documentation of that effort.

Commissioner Taylor made a motion with respect to the determination of longevity for current undersheriff Scott Hamilton, it be determined to incur starting with his hire date of June 8, 1989 as a part-time deputy sheriff. Commissioner Durgan seconded that motion. Motion passed.

Commissioner Taylor made a motion the county acknowledges longevity is based on hire date as a part-time deputy sheriff with respect to both Undersheriff Scott Hamilton and Deputy Blake Blatter. Commissioner Durgan seconded that motion. Motion passed.

Commissioner Durgan made a motion contingent upon releases approving this settlement from the union, the county shall settle the grievance by making payments pursuant to Clouse requirements as well as based on deputy start date and annual pay. Commissioner Taylor seconded that motion. Motion passed.

@11:39 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 31, 2009

Review of Daily Correspondence and Agenda

@8:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Raea Morris, executive assistant. No public comment made.

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

Correspondence included:

- Memo re. status of Travertine Road
- Memo from Church Universal and Triumphant re. 2010 refuse permit list – To solid waste board for review
- Memo from planning department re. office hours

- Memo from union negotiator re. teamsters union negotiations
- Memo from MACo re. 2010 IRS standard mileage rates
- Memo re. revolving loan fund status
- Memo re. union Clouse agreement

@8:37 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 31, 2009

Appoint City/County Airport Board Applicant

@9:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Jim Hunt, citizen. No public comment made.

The meeting was scheduled to appoint a city/county airport board applicant.

Commissioner Malone said one application was submitted by Donald E. Wilson of Wilsall.

Commissioner Taylor made a motion to accept the application and appoint Wilson to the city/county airport board. Commissioner Malone seconded that motion. Motion passed.

@9:31 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

Voided Checks

Claims #: 68151

January 1, 2010

New Year's Day Holiday – All Offices Closed

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana