

Commission Meeting Minutes; Park County, Montana
Week of August 4 – 8, 2008

August 4, 2008

Park County Road Issues

@8:35:38 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Ed Hillman, road supervisor; and Don Holland, auditor. No public comment was made.

The meeting was scheduled to discuss Park County road issues.

Hillman provided the Commission with a weekly road crew work schedule. Durgan said Gail Anderson on Clyde Park Road telephoned and asked when Bangtail and Canyon Creek Roads will be maintained. Durgan said Hillman said those roads are maintained on an as needed basis.

Durgan said he spoke with Hillman about an invoice for a John Deere motor grader. Durgan said he verified on Friday the invoice for that grader signed off on by Denton and Durgan was for \$26,000. Durgan said he told Dennis Morelock of Caterpillar the county would make a decision at today's meeting about whether the county will purchase that grader.

Durgan said the road crew put reclamite on Billman and Paradise Lanes. Durgan said Hillman said a fog seal would be put on Chicory Road. Durgan said Kim Knutson requested a load of gravel for the fairgrounds entry way and a water truck for the demolition derby on August 10.

Durgan said John Lopez said there is grass up to his hips in Green Acres between Garnier and Chestnut. Hillman said the crew will start mowing now that mowers are repaired.

Denton asked about Shy Road from Ordway to Shy Road in Wilsall. Hillman said that road is maintained as needed. Denton said a citizen complained about that road and it has some large holes in it. Denton asked the average time to grade a road. Hillman said with the water trucks operating and pulling ditches the crewman can do about a mile and a half a day.

Hillman said he looked at a hump on lower Cottonwood. Hillman said the road crew will apply hot patch to Rock Creek Road.

Lahren asked why the oil in a road grader was not changed at the time CAT did a 500-hour inspection on Friday.

Hillman said main Mission Creek will be done as soon as the road is mown. Hillman said Van Nurden, Kim Gentry and he will finish the road logs today.

Hillman said the city of Livingston called him and told him signs on the Sacagawea Bridge have been taken down and kids are jumping off the bridge.

Hillman signed for an Eldridge Road report.

Hillman said a ranch operator on Willow Creek Road asked when that road will be graded. Hillman said the road isn't a priority and is usually maintained once a year.

Don Holland said he attempted to compare meter readings to the amount of fuel the road crew uses on road work but meter readings are not accurate. Holland said there needs to be a way to monitor fuel usage.

@8:57:01 a.m., Denton made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

August 4, 2008

Review Minutes for Week of July 28, 2008

@9:13:50 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. No public comment was made.

The meeting was scheduled to review meeting minutes for the Week of July 28, 2008.

Durgan made a motion to recess the meeting until August 5 when the minutes clerk is present. Denton seconded that motion. Motion passed.

@9:14:30 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

August 4, 2008

Meyers Flat Bid Decision

@10:01:10 a.m., Chairman Lahren reopened a meeting in the Commissioners Chambers recessed from a meeting on July 30 at 10 a.m. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, operations; Peggy Glass, Park County 911; and Brett Linneweber, county attorney. No public comment was made.

The meeting was scheduled to decide on a Myers Flat bid.

Peggy Glass provided the Commission with two bids. A bid from Northwest Tower Engineering was determined to be non-responsive because it did not meet requirements of the Request for Bid by failing to include a bid bond and including only a bid for tower construction.

Lahren made a motion to not accept the bid from Northwest Tower because it is not responsive to the RFB criteria and accept the bid from Saber Tower and Poles because it is responsive. Durgan seconded that motion. Motion passed.

@10:21:58 a.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

August 4, 2008

Fiscal Year 2009 Budget Workshop

@1:12:33 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Don Holland, auditor; Marilyn Hartley, accounting; Linda Budeski, justice court; Bill Hurley, operations; Marty Malone, public citizen; Kevin Larkin, treasurer; and Polly Miller. No public comment was made.

The meeting was scheduled as a Fiscal Year '09 budget workshop.

The Commission reviewed proposed Fiscal Year 2009 budgets for MSU Extension and the maintenance department.

@4:52:03 p.m. the meeting was adjourned.

August 5, 2008

Consider Resolution Establishing Park County Solid Waste Board

@8:07:32 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Moser, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a resolution establishing the Park County Solid Waste Board.

The Commission reviewed a resolution to establish the Park County Solid Waste Board containing proposed revisions by the solid waste board. Durgan noted the resolution was reviewed by the county attorney. The Commission said the revision involved changing the board to a seven member board from a five member board, decreasing the revision time of the resolution to 30 days, and revising the length of board terms.

Public comment was made by Bill Moser. Moser said he opposes the refuse board concept because per state statute all money taken in by the county associated with solid waste is to go to the refuse board. He said under the current legislature that would not permit the county and city of Livingston to join forces in dealing with solid waste. Moser said he feels the refuse board is a facade for the Commission because the Commission ultimately makes all decisions. He said empty roll-off trucks should not be going to green box sites and the county needs to cross-train its employees so gravel can be

distributed to roads for road maintenance with roll-off trucks. He said the county should have gravel piles at green box sites to improve productivity and use less fuel.

Lahren said the Commission is required to establish a refuse board per a lawsuit settlement.

Lahren made a motion to pass the Resolution #1031 in light of the two changes he outlined that were incorporated in the new resolution, which were seven board members and three-year terms. Durgan seconded that motion. Motion passed.

@8:26:15 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

August 5, 2008

Discuss Rural Special Improvement District Developments/Sonoran Institute Grant

@8:28:34 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Philip Fletcher, planning; Mike Inman, planning; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss rural special improvement district developments and a Sonoran Institute Grant.

Philip Fletcher said he has been contacted by two groups in the county who are interested in establishing Rural Special Improvement Districts (RSID). He said RSIDs are a tool to improve county roads that Park County currently does not have.

Fletcher said Montana legislation was changed in 2003 to require 100% participation from property owners within an RSID. Fletcher said he would like to submit a short resolution to the legislature amending the 100% participation requirement to 60% participation. The Commission told Fletcher he could take his proposal to the Montana Association of Planners and the Montana legislature.

Durgan said he would take Fletcher's idea to the MACo planning board meeting.

Mike Inman said the county received approval for a \$5,000 Gallatin Area Planning grant from the Smart Growth Coalition through the Sonoran Institute. Inman said the county planning department is required to submit a report before July 1, 2009 showing how funds were used and project successes and failures. Inman said the grant application states funds will only be used for producing and distributing non-biased information regarding the county growth policy.

Fletcher said the University Women have put together a neutral strategy in developing the materials. Fletcher said the Women have been working on the effort since May and

have been asking for input from the Park County Concerned Citizens, conservation groups and others in attempt to develop non-biased material.

@8:51:01 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

August 5, 2008

Fiscal Year 2009 Budget Workshop

@9:05:09 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Polly Miller, human resources; Marilyn Hartley, accounting; Bill Hurley, operations; Brett Linneweber, county attorney; Ed Barich, superintendent of schools; Don Holland, auditor; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

Brett Linneweber provided the Commission with a proposed Fiscal Year '09 budget for the county attorney's office. Ed Barich provided the Commission with a proposed Fiscal Years '09 budget for the county superintendent of schools office. Both budgets were approved.

@12:17:49 p.m., the meeting was adjourned.

August 5, 2008

Discuss Commissioner's Office Procedures

@1:07:47 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss Commissioners office procedures.

@1:08:52 p.m., Durgan recessed the meeting until Thursday at 1:30 p.m. until time all three commissioners are present.

August 5, 2008

Discuss and Possible Decision on Transfer of Assets to Gardiner Water/Sewer District

@1:38:26 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Susan Swimley, attorney; Tara DePuy, attorney; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss transfer of assets to the Gardiner Water and Sewer District.

Susan Swimley said compilation of the Gardiner sewer assets and easements is completed and a title company reviewed all easements. She said Park County can only give away easements it possesses and the new district as a government entity would have to clear up any issues it may have with easements.

Swimley said the Parelli property is a major sticking point with the district. Swimley said she does not see the Parelli property as integral to current waste water operations. Swimley said there is no infrastructure on the property and it is an asset of Park County, although it has limitations of what it is worth. Swimley said the district wants the property to be determined integral to operating the waste water treatment plant, specifically for expanding the system. She said the district claims due to health and safety issues, it needs to construct a head works system with a bar screen to avoid litter being removed from the system by ravens. She said the district said a lagoon pond will need to be expanded in the future on the Parelli property and a blower building would ideally be located there. She said the district asked whether it could have a right of first refusal on the property.

Tara DePuy said Title 7 states the county cannot give away property and must sell it for the appraised value.

Swimley said the counties options are to sell the property, lease it, or obtain easements on it. Swimley said she will tell the district the Commission considered its proposals regarding the Parelli property, and the district can follow Title 7 and have the property appraised and the county will follow Title 7 for purposes of sale, or the district can make an offer for a lease or make an offer for purchase of an easement.

@2:01:02 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

August 5, 2008

Discussion on Park County Concerned Citizens vs. Park County

@2:29:47 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Susan Swimley, attorney; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss Park County Concerned Citizens vs. Park County litigation strategies.

@2:30:01 p.m., Lahren made a motion to close the meeting for litigation strategy. Durgan seconded that motion. Motion passed.

@2:59:04 Lahren adjourned the meeting.

August 5, 2008

Review Minutes for Week of July 28, 2008

@3:19:31 p.m., Chairman Lahren reopened a meeting postponed from 9:00 A.M., on August 4. Commissioners Denton, Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review meeting minutes for the Week of July 28, 2008.

On Page 3 of 11, Commissioner Denton noted the correct spelling of Mike “Cretella” and Tim “McLaughlin.”

Lahren requested a revision to Page 7 of 11; fourth paragraph, the first sentence should read “Lahren said he has a problem with the WUI because its definition is supposedly scientific yet subjective.”

Lahren made a motion to accept the minutes as read. Denton seconded that motion. Motion passed.

@3:25:38 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

August 5, 2008

City/County Meeting

@4:05:08 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Bill Hurley, operations; Darren Raney, city of Livingston police; Steve Caldwell, city commission; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a city/county meeting.

Business

1) Headwaters Recycling Contract – Steve Caldwell said his recollection is the city approved participating in that contract for one more year. Caldwell said the city recycling committee has been dormant for a year and the city is waiting to purchase its glass pulverizer and finish its transfer station before its recycling committee becomes active again. Durgan said the county is interested in possibly joining forces with the city regarding recycling. Caldwell said the city and county joining forces makes sense. He said the city hopes to put recycling bins at Albertsons and Town and Country in the future as part of its recycling program.

2) Questions on 205 Study - Caldwell said the bill the county received was FY '07-'08 economic study and geotechnical work that has finally been billed. He said the city is

waiting on a FEMA response, which may determine whether or not the 205 Study will continue.

3) Callender Street Project Update - Raney said the entire project is to be finished by mid-September, but the priority is to finish the work around the courthouse first. He said curb and gutter work may begin Friday.

4) Parking Lots - There was no discussion about parking lots.

The next meeting is scheduled for September 2, 2008.

@4:20:43 p.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

August 6, 2008

Fiscal Year 2009 Budget Workshop

@1:04:59 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Polly Miller, human resources; Marilyn Hartley, accounting; Bill Hurley, operations; Don Holland, auditor; Marty Malone, public citizen; and Linda Budeski, justice court. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

The Commission reviewed proposed Fiscal Year 2009 budgets for the coroner, disaster and emergency services, justice court and county nurse offices.

@1:48:48 p.m., Lahren recessed the meeting until 3:00 P.M.

August 6, 2008

2:00 P.M. – Commissioners Pie Tasting – Park County Fairgrounds

August 6, 2008

Continue Fiscal Year 2009 Budget Workshop

@3:15:17 p.m., Lahren reopened a meeting from 1:00 P.M. @4:42:20 p.m., Lahren adjourned the meeting.

August 7, 2008

Fiscal Year 2009 Budget Workshop

@9:11:05 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was

Polly Miller, human resources; Marilyn Hartley, accounting; Bill Hurley, operations; Don Holland, auditor; and Randy Taylor, health department. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

The Commission reviewed proposed Fiscal Year 2009 budgets for the accounting and sanitarian departments and auditor, clerk and recorder, and Commission offices. The clerk and recorder budget included funds to hire one additional staff member.

@11:28:06 a.m., Lahren adjourned the meeting.

August 7, 2008

Discuss Commissioners Office Procedures

@1:31:54 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Raea Morris, administrative assistant; Polly Miller, human resources; Brett Linneweber, county attorney; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss commissioners office procedures.

Raea Morris presented the Commission with protocol she said she would like to implement in the Commission office to improve communication and keep all individuals informed of upcoming meetings.

Morris said she would like to begin holding a Monday morning meeting to communicate the upcoming meeting agenda and go over what meetings have been booked, posted, or canceled. She proposed those meetings begin on August 18. The Commission said those meetings would be booked in conjunction with Monday meeting minutes review meetings.

Morris said she is working with Marc Richards in IT to set up an electronic agenda with the idea to get away from the black scheduling book in order to have all meeting requests electronically documented. She said an electronic meeting calendar would enable her to know who scheduled a meeting and what the meeting is for. Linneweber suggested the electronic calendar be accessible by the Commission for review on a "view only" basis. Morris said she will work with Marc Richards on that issue.

Morris inquired about the legality of having a quorum of commissioners. Linneweber said there is no violation of law if two commissioners' conversations are not of significant public interest. He said a problem arises when someone accuses the commissioners of speaking about business issues outside of a posted public meeting and people can verify they saw two or more commissioners together outside of a publicly posted meeting. Lahren said two commissioners are not to be in the same room at one time outside of a publicly posted meeting.

Morris asked about building keys and whether she is responsible for organizing a key box in the Commission Chambers. Commissioner Denton said a key binder is with Bruce Martin who was tasked with organizing the building keys. Denton said she thought Martin would organize the keys in the Commission office after he organizes the binder downstairs.

Morris said she has placed a basket on her desk into which urgent items, such as time-sensitive contracts, will be placed for commissioners to periodically view as they pass by. Lahren said it is important Morris tell all three commissioners individually and prod each if Morris does not get a response from all three commissioners. Morris asked the commissioners to check the basket's content whenever they can.

Morris said she is reorganizing the Commission filing cabinets.

Morris asked about bid and proposal processes and procedures. Linneweber and the Commission said procedures need to be discussed at a department head meeting to determine the legal and county protocol of how the process should go.

Morris said there have been discrepancies in communications regarding follow-up meetings. Lahren said the lead person on a project is responsible for informing Raea about rescheduled or recessed meetings.

Durgan requested Morris monitor action items set by the Commission and whether those items have been scheduled and/or addressed.

@2:16:55 p.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

August 8, 2008
Fiscal Year 2009 Budget Workshop

@9:05:04 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Polly Miller, human resources; Marilyn Hartley, accounting; Marc Richards, GIS/IT; and Don Holland, auditor. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

Marc Richards presented the Commission with a proposed budget for Fiscal Year 2009 for the GIS/IT department. Richards said that department will assume budgetary supervision over road research and archiving activities.

@11:05:50 a.m., Lahren adjourned the meeting.

August 9, 2008

1:00 P.M. - Review Cokedale/Eldridge and O'Rea Creek RR Crossing Road Conditions -
Onsite

Larry A. Lahren
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana