

Commission Meeting Minutes; Park County, Montana
Week of December 15 – 19, 2008

December 15, 2008

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

Park County Road Crewman Brad Wilson checked in with Commissioner Taylor and notified him all crewmen were out working on roads or working on getting frozen equipment running after the weekend sub-zero temperatures.

December 15, 2008

9:30 A.M. – Discussion of Agenda and Review Minutes for Week of December 8, 2008 – Commissioners Chambers – Postponed until 2:00 P.M. due to no quorum of Commissioners

December 15, 2008

10:00 A.M. – Planning and Zoning Commission Cooke City Request for Zone Change – Community Room – Minutes available at www.parkcounty.org and in the planning department

December 15, 2008

Review of Correspondence, Public Contacts and Determine Action Plan

@2:03:41 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Taylor were present. Also present was Raea Morris, Commission executive assistant, and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review correspondence, public contacts and determine action plans.

Correspondence included:

- Memo re. viewing for abandonment request of Shamrock Lane set for 12/23/08 at 3 p.m.
- Memo from accounting personnel re. request for part time help – Lahren said he has submitted a response to Marilyn Hartley in accounting on the matter
- Legal advice to Commission from deputy county attorney
- Legal advice to Commission from deputy county attorney
- Legal advice to Commission from deputy county attorney
- Memo from Logan solid waste district - To landfill manager for review
- Memo from AP clerk requesting submission of county gas receipts ASAP
- Memo from MACo re. closure of courthouse during holidays - To be reviewed at department head meeting

- Memo from Department of Commerce re. infrastructure projects in Montana – To file
- Memo from superintendent of county schools re. Sweetgrass County layoffs
- Memo from Van Jamison re. wind power - To Durgan for review
- Employee out of the office notice
- Safety Committee minutes - To Commission office for review

Reviewing Commission meeting minutes for the Week of December 8, 2008, Commissioner Taylor noted the correct spelling of Brenda “Quillen” on Page 3 of 12.

There was discussion about the county policy of sanding gravel roads for safety reasons on a case by case basis only. Referencing a proposal to stop snowplowing Cottonwood Bench Road, Commissioner Lahren said the county does not stop maintaining a road based on employee recommendation. He said changing maintenance services is a Commission decision to be made by resolution. Lahren said his problem with the issue is a proposal to stop plowing that road was made without Commission authorization because a county employee said no one is living up the road. Lahren gave the example of someone having a snowmobile accident and an ambulance not being able to access the Forest Service land if the road was not plowed.

Lahren said department heads are not to make arbitrary decisions on changes in service. The Commission said it will talk about it with the road crew tomorrow at a scheduled meeting, and then submit a memo on the matter.

Durgan made a motion to accept the minutes as presented. Lahren seconded that motion. Motion passed.

@2:30:27 p.m., Lahren made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

December 15, 2008

Discuss Auditor’s Tasks and Schedule

@3:01:29 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Taylor were present. Also present was Martha Miller, auditor; Bill Hurley, operations; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss the auditor’s tasks and schedule.

Commissioner Lahren provided an overview of how the county came to have an auditor position after the county reached 17,000 residents. Lahren said the temporary auditor who served before the elected position, Don Holland, was working primarily in an advisory/monitoring capacity checking purchase orders, working on coding, and working on budgets and deficiencies in budgets. He said the Commission worked up a work list

or areas they wanted the temporary auditor to address, and molded it into a document of suggested job duties they provided to Auditor Martha Miller.

Lahren said the Commission had no idea what the auditor position is supposed to do, and Commissioner Taylor said this is a learning curve for everyone, as the county has never had an auditor before. He said Miller may discover some tasks take more or less time to complete than previously predicted.

Miller said she does not see how she can complete a Management Discussion and Analysis (MDA) report by December 28 as presented on her work list, since the report period occurred before she was employed by the county. Miller asked if the Commission is giving her the MDA report as a fix for this year or if it intends to have her complete it each year. Miller said she feels it is a Commission duty. The Commission said it figured the auditor should complete the report as an elected, independent position. Miller asked the Commission if it expected her to sign off on the report. County Attorney Linneweber said it is standard practice to insert language stating based on information provided to an author, to the best of his or her knowledge information within the report is accurate. Lahren said such a disclaimer may be appropriate for a lot of Miller's reporting work.

Commissioner Durgan said Holland was supposed to be getting the numbers for the MDA report from the budget, and Director of Operations Bill Hurley was working on the written narrative. Durgan said completing the report is a matter of picking the numbers out of the budget and putting them in the correct place in the report. The Commission said it is not a data gathering assignment. Lahren said he suggests Miller team with Hurley, change numbers and events experienced in Fiscal Year '08 within the '07 report to complete the report. Lahren said the text has been highly edited already.

Hurley said he estimated it will take 10 working days to complete the MDA. Hurley said the deadline can be extended for an additional month after the December 28 deadline without penalty, and submitting the report by the first of February 2009 will be fine. Hurley said it is a good idea to call the Montana Department of Administration about the need for an extension. Lahren told Miller to come back to the Commission in one week with a written memo if she feels she cannot complete the MDA by the December 28 deadline. Lahren said the best thing is to be able to justify to the Department of Administration the county has made an honest attempt to complete the report.

Addressing other list items, Miller said she cannot speak to the other list items because she has no information or files from Holland and she does not have access to Holland's computer. She said she sent the Commission a memo to have IT provide her with access to Holland's computer files. Commissioner Taylor said he will contact IT on the matter.

Miller said the timelines of list items will be difficult to meet if she must complete the MDA. She said according to discussion with the auditor in Hill County completing quarterly reports within 15 days of quarter end is impossible and completion dates may need to be staggered. Miller said she is not sure whether some of the suggested tasks are her job.

Lahren told Miller he expects she will learn timeframes as she gets immersed in the job and that she will add and delete tasks accordingly. He said the Commission empathizes with her going into the unknown and the list the Commission provided contains working, tentative guidelines and the Commission is not holding her feet to the fire. He said Miller can modify the list and come back to the Commission and recommendations can be considered by the Commission and the county attorney. Durgan said the dates on the list are not an ultimatum and are what the Commission saw as a possible guideline. Durgan said it may be wise to have monthly Commission/Auditor meetings at first to learn how things are going and whether something is or is not working and if a new approach or assistance is necessary.

Linneweber said Miller should remain in contact with the Commission as she learns and prioritizes her job and tell the Commission what timeframes she needs to complete things.

Miller said she thought there was something she needed to clear with the Commission from the initial memo she received asking her to log the hours she spent on each job task. Lahren said the Commission was not looking over Miller's shoulder with that request, but was attempting to quantify the auditor's tasks and how much time it takes to complete them in order to get a grasp on what the position physically can and cannot do and where outside assistance may be necessary. Lahren said such qualification may be helpful in justifying wage increases.

@4:01:10 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

December 16, 2008

Opening of Bids for Recovery and Recycling of Metal Waste

@9:00:26 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Taylor were present. Also present was Bill Hurley, operations; Lois Hatfield, landfill; Raea Morris, Commission executive assistant; Mike Adams, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

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

Commissioner Lahren opened sealed bids from Pacific Recycling of Billings Montana, received at 2:48 p.m. on 12/15/08 by the Clerk and Records Office and Rosin Brothers, Inc. of Butte, Montana, received at 1:20 p.m. on 12/10/08.

Lahren read into the record the bid proposals. Lahren said Pacific Recycling bid to pay Park County \$100 per ton minus \$88.50, equaling \$11.50 per ton. Lahren said the bid states the pricing structure will follow the scrap market conditions. Lahren said Rosin Brothers, Inc. bid to pay Park County a minimum of \$15 per net ton for recyclable

material and that price may change according to markets. The Rosin Brothers, Inc. bid is good for one year from January 1, 2009 to December 31, 2009.

Public comment was made by Mike Adams. Adams said he is representing Pacific Recycling, and its price is based off of an American Metal Market Report that comes out every month. He said the monthly price is based off the market price at time of quoting.

Lahren said based on what he is seeing here, he recommends the county go with Rosin Brothers because it is a straight \$15 per ton that will last one year and price adjustments won't require change to the county accounting system, and the county has a good track record with Rosin.

Taylor said he suggests Rossin Brothers because of its track record and the market can go up just as easy as it can go down. Taylor said it is a one-year contract and with county budgets with county as they are, he looks at it as a bird in the hand.

Lahren made a motion to accept Rossin's bid as read into the record at \$15 per ton. Taylor seconded that motion. Motion passed.

@9:08:56 a.m., Lahren made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

December 16, 2008

Discuss Reorganized Operations of the East Boulder Mine

@10:04:33 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Taylor were present. Also present was Bruce Gilbert and John Beaudry, Stillwater Mining Company; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss the reorganized operations of the East Boulder Mine.

Commissioner Lahren provided background on a baseline anthropology/cultural resource evaluation in the portions of the East Boulder area completed in 1982 and in 1990. Lahren provided John Beaudry and Bruce Gilbert of the Stillwater Mining Company with the two reports.

Beaudry said a November 17, 2008 press release clearly stated the Stillwater Mining Company's intent was not to shut down the mine, but to reorganize operations and come back at a different level, which is what has occurred. Beaudry said 250 people are currently physically employed at the mine. Beaudry said the price of metals dropped 60 percent in a three-month period of time, which is what triggered the restructuring of operations at East Boulder, although all operations have been affected he said.

Beaudry said Park County receives a share of metal mine license tax money each year, which is based on the number of people living in Park County and working at the mine in proportion to Sweetgrass and Stillwater Counties. He said he does not think Park County has experienced any greater decrease in worker numbers compared to Sweetgrass and Stillwater counties. Beaudry said the county can access a metal mines trust fund if employee numbers drop more than 50 percent, and he said he suggests the Park County Commission wait until early to mid May, which is in time for county budgeting purposes, to assess the numbers of Park County mine workers at the East Boulder mine and whether the trust fund needs to be accessed.

Gilbert said metal prices have been so fluid the company cannot predict the number of employees that will be needed and employed at the mine site. He said with the drop in metal prices, Stillwater Mining Company is attempting to make decisions early enough to restructure and maintain capital instead of burning it, which it was doing at \$25 million per quarter. He said both mine sites have trimmed development work, which is conducting drilling to delineate where ore is in order to determine how many ounces are available for extraction in the future. Gilbert said a company shoots for two or three years of mining in reserves. He said the Stillwater Mining Company this year has spent about \$40 million in capital expenditures compared to an average of \$90 million to \$100 million in other years.

Beaudry said every Stillwater employee, whether currently physically working at a mine or not, will continue to earn salary and health benefits through January 16, 2009, after which date employees will be gone from the company or employed at the Stillwater or East Boulder mines. He said the company is training employees, working with Job Service, and available type services to connect employees with other possible employers. Gilbert said the company does not have a handle yet on how many individuals were displaced from the Livingston area. He said 40 to 45 were redeployed to the Stillwater mine and some individuals went to other Stillwater Mining Company mines.

Beaudry said Stillwater Mining Company is submitting an application for Trade Adjustment Assistance through the U.S. Department of Labor, which provides additional support for health insurance such as COBRA, makes up the difference in pay between old and new jobs, and provides position trainings. He said the assistance program will lessen demand on social services in the community, and the company is trying to minimize the boom and bust cycle of the mining industry. Beaudry said the company will send the Commission a letter for signature in support of the assistance program.

Beaudry said the restructuring plan is designed for an 18 to 24 month time period, and if it is successful the company will have the same amount of or more cash than it had going into the restructuring period. He said the company will be monitoring the auto industry, exports from Russia, the situation in South Africa and global markets during that time. Beaudry said Russia and South Africa are the only other producers of platinum and palladium, and Ford and General Motors make up 100 percent of the company's palladium buyers from the Stillwater and East Boulder mines.

@10:50:43 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

December 16, 2008

Review of Gardiner School Sidewalk Survey Results and Project Options

@11:00:49 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Taylor were present. Also present was Bill Lloyd and Jason Knopp, Great West Engineering; Bill Hurley, operations; Lori Benner, grants coordinator; Joseph Gross, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review Gardiner School sidewalk survey results and project options.

Grants Coordinator Lori Benner provided the Commission with a review of the project proceedings to date and handed out a report of secured money and grant funds retained and approved by the county to complete the project. Commissioner Durgan said the project came about from a Safe Routes to Schools grant.

Benner said a Certificate of Survey of both sides of Stone Street was completed by Hank Rate. She said Gardiner residents expressed interest in the Commission researching whether the sidewalk could be constructed to run along the county right of way and property lines to gain full use of the county's 60-foot right of way and maintain parking and two lane traffic on Stone Street; jogging the sidewalk in some spots to allow for parallel parking; and moving the sidewalk to the south side of the street.

Bill Lloyd of Great West Engineering said the firm will present the Commission with three viable sidewalk layout options, each of which meets ADA requirements. He said Great West is looking for guidance from the Commission as to how it would like the company to proceed.

Lloyd presented the Commission with a base alternate plan. Lloyd said the base plan locates the sidewalk on the north side of Stone Street, and at an estimated \$175,230, fits within the project budget as it currently stands.

Engineer Jason Knopp said the idea behind the base plan was to get the sidewalk from 2nd Street to the school via the north side of Stone Street. He said the benefits of the plan include a wider sidewalk at six feet, and the drawbacks are losing on-street resident parking on Stone Street. He said the plan minimizes the need to construct retaining walls and maintains the existing street width.

Knopp presented the Commission with Alternate Plan #1 with a total estimated cost of \$421,279.50. Knopp said Alternate Plan #1 consists of a five-foot wide sidewalk located on the north side of Stone Street, widens Stone Street to include two 12-foot traffic lanes, and enables on-street parking on both sides of Stone Street. Knopp said the plan's design

results in steep downhill grades and the need for retaining wall construction and higher keystone block walls to include fences for safety, which results in part in the higher project cost. Knopp said the plan will require road approach work and will increase steepness of 3rd and 4th Street road approaches.

Knopp presented the Commission with Alternate Plan #2 with a total estimated cost of \$438,092.50. Knopp said Alternate Plan #2 consists of a sidewalk on the south side of Stone Street for a majority of the street length. He said there are issues on the south side of the street with resident structures encroaching on the county right of way. Knopp said the plan will require construction of a concrete barrier on the north side of Stone Street for vehicular safety, but allows for parking the entire length of Stone Street. Knopp said a pedestrian crosswalk across Stone Street would be required with this alternative.

Commissioner Lahren said Alternate Plan #1 appears to be the best option for safety reasons, will be working 100 years from now, won't duplicate retaining walls on the south side, the county needs to get its right-of-way back, the kids need to be safe and you get what you pay for. Lahren asked Lloyd, as engineers without a financial interest in the project, which project plan he would recommend. Lloyd said Alternate Plan #1 or #2 widen the street and sidewalk and provide for on-street parking. He said he feels better about keeping the sidewalk on the north side of the entirety of Stone Street, and in order to eliminate the pedestrian crosswalk it might be a good idea to go with Alternative Plan #1. Durgan said he has reservations about a crosswalk for kids if the sidewalk were constructed on the south side of the street. Commissioner Taylor said he likes the design where pedestrians would not have to cross the street.

Benner said the county raised \$220,000 for the sidewalk project. She said Park County has about \$346,000 for the project at this point, which includes \$126,000 from the Community Transportation Enhancement Program (CTEP) by spring 2009, which must be matched at 14 percent by the county.

The Commission said PILT, Secure Rural Schools (SRS), and option tax funds are three resources that may be available for the project. The Commission directed Benner to check whether Gardiner is a rural school qualifying for SRS funding. Director of Operations Bill Hurley said the county could possibly consider a Rural Special Improvement District program for funding.

Lloyd said obtaining soils evaluation information from a geo-technologist may be necessary if the county selects an alternate plan that will widen the road. He said that service may cost \$10,000 or \$15,000 that was not accounted for in the Great West cost estimates. Lahren said Great West needs to come up with a cost estimate to include geotech work.

Hurley said for \$421,000 the county could build a bridge across Yellowstone River with sewer and water pipes attached.

The Commission said it will have another meeting to discuss funding sources. It said it will find the source of money first and then present the project to residents at a public meeting. Durgan said if the county cannot find the money, he does not want to step back to the base plan because of the likelihood of resident complaints with that option.

@11:54:37 a.m., Lahren made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

December 16, 2008

1:00 P.M. – Senior Citizens Meeting – Livingston Senior Center

December 16, 2008

Department Head Meeting

@1:32:08 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Bill Hurley, operations; Brett Linneweber, county attorney; Marc Richards, GIS/IT; Suzanne Brown, health department; Belinda Van Nurden, Department of Emergency Services; Tracy Brewer, Extension; Lois Hatfield, landfill; Clay Williams, weed/junk vehicle; Ed Barich, county superintendent of schools; Kim Knutson, fair manager; Philip Fletcher, planning; Allan Lutes, sheriff; Brian Sparks, museum; Bruce Martin, maintenance; Jill Ouellette, human resources; Bernadette Rambow, HR/accounts payable; Barbara Woodbury, sanitarian; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county issues among department heads.

Addressing the first agenda item, Consideration of Dedicated Phone Line in Community Room, DES Coordinator Belinda Van Nurden said the county has a dedicated phone line and number in the EOC in case of wildfire or other emergency, onto which a message can be recorded for public information. Van Nurden said that also helps keep non emergency calls from coming into Dispatch 911.

GIS/IT Manager Marc Richards said the county has no more phone numbers to distribute, but he can order a line and number which will take two or three weeks. He said he would have to check on cost, and a service person would charge to come in and install the line.

Director of Operations Bill Hurley said the county is in the process of overhauling its telephone system, which will give the county many lines. He said a completely different telephone setup should be installed within 60 to 90 days. Van Nurden said having the dedicated emergency line by the middle of May and flood season should suffice.

Public Health Nurse Suzanne Brown asked how the new telephone system will affect the county's priority restoration service.

Addressing the possibility of seeking legislation to authorize a county to have an early retirement program, Commissioner Lahren said the issue is a Montana State Legislature issue and of no concern to Park County at this time.

Addressing MACo rules associated with closure of county offices for all or a portion of the day on December 24 and 26 and New Years Day, Lahren said the Commission received information from Jack Holmstrom of MACo that partial or all-day closure of offices on those days is not permitted per Montana Code Annotated. Commissioner Durgan said MACo's stance on the issue is what the county is following. The Commission offered for Justice of the Peace Linda Budeski to telephone Holmstrom if she has a question on the matter.

Addressing Employee of the Month, there was no nomination for this month. Budeski and Sheriff Lutes said they volunteered to be on the nomination committee but have never received any information about the committee. Human Resources Assistant Jill Ouellette said perhaps department heads should send nominations to HR and Ouellette can submit them to the Employee of the Month committee.

Barbara Woodbury introduced herself as the new sanitarian.

@1:45:01 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

December 16, 2008

Road Department Meeting with Commission

@2:15 p.m., Lahren called a meeting to order in the conference room at the County Road Shop. Commissioners Durgan, Lahren, and Taylor were present. Also present was Bill Hurley, operations; Dan Hackman, mechanic; and Road Department Crewmen Winn Treible, David Amunrud, Troy Amunrud, Scott Fletcher, Brad Wilson, Jay Dixon, Mark Smith, Skip Ehret, and John Young; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a new road maintenance operation plan.

Commissioner Durgan said the Commission is looking to the road crew as to how to continue moving smoothly and getting road work completed with the recent elimination of the road supervisor position.

Commissioner Lahren said the road crewmen have each worked for the county on roads for X number of years and thus know the roads and each situation on them. He said the idea is for each road crewman to be an individual meister or boss of roads and situations in his work region. Lahren said each crewman would design a work plan for the portion of roads each is responsible for maintaining and submit that to the Commissioner who represents that district. Plans would contain what crewmen need for the next year, such as culverts, gravel, and cattle guards, and the cost of each. Lahren said work should be

prioritized by materials, length of project, cost and completion timeframe. Lahren said citizen calls to road crewmen should be reported to the appropriate commissioner, and the commissioners in turn will telephone the relevant road crewman when they receive citizen complaints about roads. Once work is completed, the crewman notifies the commissioner via telephone.

Crewmen Brad Wilson and Mark Smith asked the Commission how crewmen are to complete road work within their regions and also complete bridge and culvert work that requires multiple men. There was discussion about how such team projects would be completed. The Commission said such team projects would require coordination the Commission should be included in, and contracting out work may be a necessary option.

Crewmen asked how they will get road supplies if the Commission is unavailable via telephone and whether they would be authorized to obtain needed supplies or services if the Commission is not available. The Commission said road crewmen would be authorized to do such, and leaving a phone message with the Commission office of the needed supplies and any purchases would be the protocol to follow. Lahren said crewmen already make onsite decisions in order to rectify a situation that may be unplanned, and the protocol discussed is how such situations will be handled. He said the only time a crewman could run into troubles is when he purchases materials at a high price in a non-emergency situation when there was enough lead time to make a lower-cost purchase. Smith asked if all crewmen will be recognized by vendors as authorized signatories. Lahren said that is something the Commission can easily take care of within the county accounting department.

Lahren said crewman need to bring purchase orders to the Commission for authorization of needed materials or services in normal project situations. Lahren said the road crew should engage in universal tight spending, but funds will have to be found within the county budget for road work that must be completed.

Discussing obtaining necessary Army Corps of Engineers or Montana Fish, Wildlife and Parks permits for road work projects, the Commission said it would handle that task, but road crewmen need to approach the Commission with what permitting is necessary for each project.

There was discussion about road approach permits and subdivision road application reviews within individual crewman regions. Lahren said it can be coordinated in a way that a road crewman could review such permits and applications when it best fits his schedule.

The Commission said the crewmen should provide it with a list of five or 10 priority spring projects so work can commence on those in a timely manner. He said crewman should approach the Commission now if they know they need X amount of gravel in their region. He said there needs to be discourse between the crewmen and the Commission as to cost and amount of needed supplies now and such supplies should be obtained so crewmen do not run out of them.

There was discussion about crewmen recommendations of how the road department can be improved. Crewman Scott Fletcher said a lack of manpower/crewmen is the biggest issue for him, saying the road crew used to consist of 14 members. Crewman John Young said perhaps four part time temporaries can be hired for the summer season with the knowledge that perhaps two will be retained full time. Smith said it may be practical to have a dispatcher for the road department to document calls and completed work, as well as provide safety to crewmen in event of equipment breakdown. Smith said anyone entering the county shop would have to check in with the dispatcher. The Commission said the road crew should make a laundry list of such recommendations, needs and solutions and submit it to the Commission.

There was discussion between the Commission and Mechanic Dan Hackman about purchase orders and authorization procedures. The Commissions said it will handle claims, and perhaps Hackman and Director of Operations Bill Hurley can tandem on gravel and culvert purchase orders. The Commission said Hackman needs to use his discretion in determining what county equipment he can and cannot safely work on.

There was discussion about the Oshkosh truck and whether the county should try to sell it, scarifying icy roads, the policy on sanding gravel roads, why county departments are charged for use of the landfill, charging for road crew maintenance of green box sites, charging the GIS/Rural Addressing department for road crew assistance in address sign work, the road shop obtaining a power supply separate from the landfill's, markup costs for the landfill for mechanic work and supplies, and authorized personnel access in the county shop.

@3:48 p.m., Lahren adjourned the meeting.

December 16, 2008

6:30 P.M. – Park County Fair Board Meeting – Fairgrounds

December 17, 2008

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

December 17, 2008

Discussion of Potential Cattle Guards on Yellowstone Trail South near Corwin Springs

@10:01:46 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Taylor were present. Also present was Tom Lemke and Pat Flowers, Montana Fish, Wildlife and Parks; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss potential cattle guards on Yellowstone Trail South near Corwin Springs.

Pat Flowers, FWP, provided a general overview of the proposed project. He said FWP operates under an interagency bison management plan adopted in 2000, and FWP will be moving to Step 2 of the plan for the north side of Yellowstone Park which requires FWP to buy grazing rights from the Royal Teton Ranch. He said the plan permits a limited number of bison out of the park up to Yankee Jim Canyon, and FWP has reached an agreement with the Royal Teton Ranch and received permission from the FWP Commission and land board to move forward with the bison plan. He said details of buying the grazing rights include installing fencing at the ranch to protect structures, county roads and personal property agriculture from bison.

Flowers said FWP needs to install five cattle guards on ranch roads and key points on county roads in order to control the movement of bison and prevent them from going over the Corwin Springs Bridge, up Cinnabar Road and north of Yankee Jim Canyon on the county road. Flowers said Cutler Lake on Forest Service land is the targeted forage site for the bison.

Tom Lemke, FWP, provided the Commission with a map showing where the proposed fence would be constructed and where cattle guards are needed on Old Yellowstone Trail per FWP. Lemke said he looked at sites and types of cattle guards needed with former Road Supervisor Ed Hillman and Road Crewman Brad Wilson. He said selected cattle guards meet county road load limits. Lemke said the cattle guards will cross the entire width of the roads and will be 16 feet wide to keep bison from jumping over the guards. FWP will have a contractor install the cattle guards. He said plates will be installed over cattle guards in Yankee Jim Canyon in the warm season to permit migration and movement of area wildlife.

Lahren provided Lemke with road work permit applications for each proposed cattle guard. He said each guard application requires a plan view and cross sectional view and elevation. Lahren told Lemke to work directly with the Commissioners on the cattle guard installation effort, and design plans should include guard dimensions and GPS locations. He said Lemke will submit the work permit applications to the Commission for approval.

Flowers said FWP may get financial assistance from Montana Department of Transportation, which is interested in making certain no wildlife gets onto U.S. 89. He said temporary cattle guards will be used in the interim at Yankee Jim Canyon and Corwin Springs Bridge. Lahren told Flowers to include the interim guard plans in the overall work permit applications.

Flowers said he spoke with Citizen Bruce Biehl about a life estate cabin Biehl has above Cutler Meadow on Forest Service property. Flowers said FWP agreed to fence Biehl's half acre to keep bison out of it. Flowers said Biehl also expressed concern bison will create impacts on the road due to the lack of grading maintenance that road receives. Flowers said if impacts occur to the road from bison, FWP will fix it.

@10:24:11 a.m., Lahren made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

December 17, 2008

Landfill Employee Performance Appraisals

@10:30:44 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Taylor were present. Also present was Lois Hatfield, landfill; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review landfill employee performance appraisals.

@10:30:53 a.m., Commissioner Lahren closed the meeting to the public to review confidential employee performance evaluations.

@11:00 a.m., Lahren adjourned the meeting.

December 18, 2008

9:30 A.M. – Discuss Issues of Medication Dispensing and Medical Procedures in Jail System – Commissioners Chambers - Canceled

December 18, 2008

Discussion with Assessor's Office about Address Change Issue

@10:02:20 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Taylor were present. Also present was Marc Richards, GIS/IT; Kevin Larkin, treasurer; Mark Olson, Department of Revenue; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss an address change issue with the assessor's office.

Commissioner Lahren said the Commission wants each department and office doing the work they are to do, and this meeting was scheduled to discuss how address changes will be addressed.

Commission Executive Assistant Raea Morris said she is not familiar with the CSA software system used to update citizen address changes, and she was told the task to do those changes is no longer going to be completed by the assessor's office.

Mark Olson, Department of Revenue, said the maintenance of the county's CSA system with address changes is the responsibility of the county treasurer's office. He said the county CSA system is a county system and the assessor's office is a state office. Olson

said his office provides a download tape for mobiles, personal property and real estate with current addresses.

Larkin said his office has had the assessor's office change addresses on the county system. Olson said he was not aware of that and his staff should not be maintaining the county CSA system.

Durgan said address changes have never been the responsibility of the executive assistant. Lahren said Morris needs an updated master list of county addresses to update refuse tags. Durgan said Larkin and the assessor's office have updated the address list, and if someone falls through the cracks citizens will come in to get their garbage tags.

The Commission said permanent address changes need to go to the treasurer's office when received by Morris in the Commission office. Treasurer Larkin said he and the assessor's office share address changes with one another so everyone is informed and addresses are updated.

Discussing citizen requests for refuse fee waivers, Larkin said the process used to require citizens to pay the refuse fee, and then submit a letter to the refuse board, which approved or denied the waiver and a warrant was issued. Larkin said that way he does not have to readjust citizen tax bills. He said citizens need to pay taxes first and then it can be determined if that payment is reimbursed. Olson said the treasurer's and assessor's offices are trying to get away from readjusting tax bills.

Durgan said the solid waste was disbanded for a time so the Commission began addressing refuse fee waivers. Durgan asked how the Commission is to determine whether or not a building is habitable, saying he does not feel the refuse board or the Commission have the expertise to do that. Lahren said the Commission in the interim has been looking at requests on a case by case basis until the solid waste board is up to speed, which he said remains a long way out.

Olson said refuse districts usually appoint someone to visit properties to determine whether a garbage fee should be assessed to a dwelling, and that would make the assessor feel better as the most fail-safe method when assessing refuse fees.

The Commission said refuse fee waiver requests need to come to the Commission.

@10:24:20 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

December 18, 2008

Discussion of Castle Mountain Road

@10:30:49 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Taylor were present. Also present was Shannan Piccolo, deputy county attorney; Philip Fletcher, planning director; Mike Inman,

planner; Jerry Brekke, Park County historian; Ann Schilling, public citizen; Jim Taylor, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss the Castle Mountain Road.

Planning Director Philip Fletcher said the county planning department is creating and activating a parks board in January 2007 and part of its mission will have to do with creating hiking and mountain biking trails. Fletcher said the 2006 growth policy mentions hiking and biking as economic development and recreation assets in Park County and the park board will be looking for projects, feasibilities and building projects within the county trails plan. Fletcher said Park County can create interesting activities here and people may choose to stay here to recreate and spend money instead of going into the park. He said the board may work with Park County Historian Jerry Brekke to identify roads like Castle Mountain Road to determine if they can serve as an integrated system of trails and pathways for county residents.

Fletcher said he would like to broaden how the Commission examines the abandonment of county roads by running such potential abandonments through the park board as procedure. He said he is asking the Commission to give the park board a chance to do a feasibility study of Castle Mountain Road if it comes before the Commission for abandonment.

Jerry Brekke provided a brief history of the Castle Mountain Road in Park County. He said the road was one of the first major arteries into the Shield's Valley in 1888, serving as a county road until 1977 when a petition for abandonment was denied, but the county closed the road because of vehicular traffic safety issues. Brekke said the road was petitioned for to serve as an artery for the Castle Mines in Meagher County and to serve proposed smelters in Livingston serving the Castle, Boulder and Emigrant mines. He said the road became a stage coach road with a daily stage to Castle and the Castle Mines, and it follows in part the historic Old North Trail.

Brekke said county roads can be a resource and need protection before historical and recreational resources are lost. Brekke said he advocates history because it provides community identity for a place, which he said he thinks has value and can be carried on. Brekke said recreational users often take ownership and oversee conditions of recreational resources.

Lahren said the Castle Mountain Road is more than a county road, but a county register to the development of the early county area. He said part of the reason people are attracted to Park County is for recreation, and a county road is a public resource that belongs to 17,000 people and it needs to be thought of that way.

Planner Mike Inman said the cities of Belgrade, Bozeman, and Four Corners have a group working on connectivity of trails there, and their biggest challenge is finding a route of connectivity. He said if you look at Park County, it does not have half the population as Gallatin County, so to look at connectivity of trail resources before land

subdivisions come up is important to identify how to maintain connectivity. He said one area that prohibits connectivity can shut down an entire trail. He said the current Castle Mountain Road takes you all the way from Livingston to Clyde Park.

Public comment was made by Anne Schilling. Schilling said she rides the closed Castle Mountain Road on horseback, riding a circuit of Castle Mountain Road, Bracket Creek and Canyon Creek Road, and she would like to see horse back recreation considered when developing recreation trails. She said she cannot imagine Castle Mountain Road would ever be abandoned by the county because it provides a needed travel route for access if a bridge on another road in the area washed out. She said it would be a disaster for the development in that area if the Castle Mountain Road were abandoned and something happened requiring closure of existing county roads.

Lahren said interest in horse back riding in this area has become significant and using old county roads as recreation ways is another concept and the idea is to get the information out to the public as to how and why proposed recreation would operate on those roads.

@10:54:42 a.m., Lahren made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

December 18, 2008

Review of Correspondence, Public Contacts and Determine Action Plans

@1:43:36 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Taylor were present. Also present was Raea Morris, Commission executive assistant; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review correspondence, public contacts and determine action plans.

Correspondence included:

- Legal advice to Commission from deputy county attorney
- Legal advice to Commission from deputy county attorney
- Legal advice to Commission from deputy county attorney
- Memo re. MACo registration deadline for NACO meth forum in Little Rock, AR - To health department and law enforcement for review
- Memo from Stillwater County commissioner re. contact information for Hardrock Mine counties board members - To file
- Memo re. citizen has a broken meter under home - To Gardiner Water District file
- Memo from MT Department of Military Affairs re. veteran burial - To county coroner
- Memo from MT Historical Society re. Chicken Creek Farmstead Historic District listed on National Register of Historic Places on December 12, 2008

- Memo re. National Multiple Sclerosis Society accessibility adjustments - To maintenance for review
- Announcement of Clean Energy conference in Billings
- Memo re. Central Service Authority webmaster change
- Memo from NACo re. meeting activities - To Commissioner Taylor for review
- Memo from MACo re. NACo comment on President-Elect Obama's appointment of Interior Secretary - To Durgan for review
- Legal advice to Commission from deputy county attorney
- Memo re. HRDC Neighborhood Stabilization Grant and partnering with Park County
- Memo from undersheriff re. Lt. Doug Wonders in charge of training for Park County Sheriff's Office - To file
- Notification of water running over Old Yellowstone Trail and Eight Mile - Durgan said he checked on that problem last night and the road crew is rectifying the situation today
- Memo from University of Montana flagger certification training in March - To road department for review
- Memo from undersheriff re. garbage truck tailgating complaint from citizen and law enforcement action addressing the issue
- Memo from MT Spay and Neuter Taskforce re. compilation of surgeries performed during 2009 fiscal year to date
- MSU Western Transportation Institute newsletter - To Taylor for review
- Memo from union rep Rick D'Hooze re. court order regarding longevity - To Human Resources for review
- Memo from IT Manager re. county policy on accessing former elected officials' computer files - To Commission for review
- Legal advice to Commission from deputy county attorney
- Memo re. Secretary of Interior designated 258 million BLM acres as the National System of Public Lands - To file
- Memo from MACo re. retiring Montana county commissioners
- Memo from Stillwater Mining Company re. letter supporting Trade Adjustment Assistance program
- Memo from MACo re. NACo survey and creating jobs
- Montana Public Health newsletter - To Taylor for review
- Agenda of joint governing board for Agency of Aging
- Park and Rec Trades magazine - To planning for review
- Legal advice to Commission from deputy county attorney
- Memo re. MCA defining "following too closely" in a vehicle - To file
- Memo re. Sleuth program being transferred from old to new law enforcement server

@2:35:28 p.m., Lahren made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

December 18, 2008

3:00 P.M. – Road Updates – Commissioners Chambers – Canceled

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

6:00 P.M. – Solid Waste Board Meeting – East Room - Minutes available at www.parkcounty.org and in the Commission office

December 19, 2008

No Commission Meetings Scheduled

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

Denise Nelson
Clerk & Recorder
Park County, Montana