

Commission Meeting Minutes; Park County, Montana
Week of January 28 – February 1, 2008

January 28, 2008

Road Issues

@8:39:12 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present was Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

There was no road crew personnel available for the meeting. Murphy gave a report on Cooke City roads. The town has a few speed limit signs facing the wrong direction that need attention. A few citizens requested that the road crew plow the city's roads earlier this year. There are large snow humps in the roads. There was discussion as to whether the county or the Forest Service is responsible for clearing those roads.

@8:53:01 a.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 28, 2008

Review and Approve Minutes

@9:08:27 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Lahren and Murphy were present. Also present were Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to review and approve Commission meeting minutes from the Week of January 21, 2008.

Lahren requested a revision to Page 1 of 4; eighth paragraph – after last word of sentence, “paragraph,” insert a comma and the following text: "namely, that the Commission needs to know about and approve any major road projects before they happen."

Lahren made a motion to approve the minutes for Week of January 21 as read and corrected. Murphy seconded that motion. Motion passed.

@9:11:15 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 28, 2008

Review Correspondence, Public Comment and Determine Action Plan

@10:07:29 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present

were Bill Hurley, director of operations; Marc Richards, GIS; Ed Meece, city manager; Denise Nelson, Clerk & Recorder; Brad Wilson, road crew; Jerry Brekke, contractor; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

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

There was discussion about an issue with the Bresnan Communications server line that crosses under Callender Street in front of the city/county building. The county server has gone down a few times over the last few months. Bresnan says it might be a faulty splice underneath the road, and fixing that splice will require the road to be dug up. Meece said the city plans to repave Callender Street in May. DePuy is researching whether the line is a city, county or Bresnan's responsibility to address.

Richards recommended that the city/county building contract with WispWest as a broadband internet backup system. The install fee would be \$99, and a monthly fee would range between \$39 and \$300 depending on the amount of service purchased. Nelson said Montana Votes is an internet-based program, and her office's ability to complete its voting work would be severely limited should the building's internet capabilities go down during a critical voting time. Meece commented it's a good idea to have a permanent backup system for emergency issues, such as Sheriff Dispatch and Clerk & Recorder.

Lahren commented on Bullis Creek and will contact Susan Kraft re. response of role of museum on collecting items from state land. There will be a Citizen Proclamation for Joe Gaab on Feb. 5 at 9 a.m. Citizens are inquiring about temporary closure of Old Yellowstone Trail South where Stevens Creek is flooding the road. The road is temporarily closed for safety reasons.

Murphy reported on the Wilsall Senior Housing Committee. Murphy said RC&D is in the process of meeting to discuss the issue. The committee is looking into USDA grants. Murphy gave an update on Cooke City. Randy Taylor sent out a memo to an individual parking cars on a septic system drain field. Linneweber is looking into records on businesses not paying resort taxes. Some citizens have asked if the county can maintain city streets before June or July this year. EMS personnel asked about \$3,000 budgeted to them they haven't yet received. A few speed limit signs are down and need to be fixed. Murphy may contact Chips, Clay Herbst, or fix them himself. Murphy gave an update on Gardiner. Merv Olson will resign within a month or so, so a new appointee to Yellowstone Country board is needed. Murphy was given the name of one recommended individual. The final Commission-sponsored resort tax public meeting was held. There have been citizen complaints about speeders in Gardiner, particularly in summer months, and citizens inquired into how many speeding tickets have been issued. Citizens requested more speed patrol. Murphy spoke to Sheriff Lutes who said Greg Todd has been doing more patrolling. Murphy reported on the wind seminar he attended in Helena. NW Energy is proposing to build a natural gas generator site in Anaconda for wind

backup. A proposed transmission line would be built between Townsend and Idaho. They are looking into running a line from Ringling to enable plug-ins from eastside towns like Livingston and White Sulphur Springs. NW Energy acknowledged support for the Park High wind project.

Durgan said an advisory team was set up to identify and map weeds in the county

Brad Wilson gave an update on road crew work.

Jerry Brekke gave an update on the Park County Guide. A draft will likely be ready for review next week.

There was discussion about a road crew equipment maintenance schedule. A meeting with the county mechanic might need to be set up to reiterate the need to keep such a schedule.

Correspondence included:

- Fair Labor Standards handbook - To Miller for review.
- Fair Labor Standards subscription voucher
- NARC newsletter - To Durgan for review.
- MDOT flagger training brochure
- MT Conservation Voters - re. invitations to 2008 Your Energy Can Make a Difference program in Helena and Bozeman - To Commissioners for review
- Update from Mental Health Recovery - To Murphy for review.
- Malone and Anderson progress report
- JSEC meeting minutes
- Planning Academy News - To Planning Department for review.
- Livingston's Vision Downtown minutes - To Commissioners for review.
- Memo from June Little - out of office dates and personnel in charge
- Grants information - To Benner for review.
- DePuy weekly schedule
- Memo from Ed Meece re. city will address garbage can safety issue in back of city/county building parking lot
- Memo from MACo re. legislative issues and Farm Bill - To Durgan for review.
- Preconference seminar from MACRS - To Commissioners, DePuy and Hillman for review.
- Heard Across Montana newsletter - To Hurley for review.
- Memo from MACo re. Secure Rural Schools request to contact congressmen to support Secure Rural Schools monies
- Memo from Moore, O'Connell & Refling re. Logan boundary adjustment request - To Lahren and DePuy for review.
- Memo from Hillary Taylor re. Feb. 6 CHDO Commission meeting agenda item removed - re. St. Francis Senior resource - To Durgan for review.

- Letter from Hurley to Murtagh re. remove Park County references from letter. Letter was drafted and submitted.
- Letter from Mr. Collier re. issues with planning board membership and possible conflict of interest - To Commission for review.
- Elevator inspection canceled
- Letter from citizen Byron Beck re. refuse permit question. Denton gave an update on letter. Beck received out of county refuse tags and signed off on them. Denton will draft an explanation letter to Beck, and the Commissioners will sign off on it.
- Health Care Trust memo - To Durgan for review
- Memo from Destin Erickson re. removing item from Avalon PUD
- Invite to Clyde Park Volunteer Fire Department community dinner
- Weed meeting memo - To Durgan for review
- MDOT Environmental Assessments for Yellowstone River - Hurley reported MDOT will do a single pier option for bridge near KPARK

@11:39:27 a.m. Murphy made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 28, 2008

Interstate Highway Chain of Command meeting - Canceled

January 28, 2008

AngeLine meeting – West Room – Commissioner Murphy

January 29, 2008

Staffing, Budgeting and Fringe Benefits

@9:05:18 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Denise Nelson, Clerk & Recorder; Kevin Larkin, treasurer; Marilyn Hartley, accounting; Tara DePuy, civil attorney; Marty Malone, Extension; Linda Budeski, justice court; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss staffing, budgeting and fringe benefit issues.

There was discussion about the Commission appointing a party to assume responsibility of directing and assisting department budgetary processes. The Commission directed department heads to begin planning their annual budgets at the last department head meeting. Department heads must meet with the Commission before budgets are approved. Miller suggested that the Commission set budget draft deadlines. Miller reported that some department heads are not properly coding some budgeted items, which

makes it difficult to budget line items accurately. Bernadette Rambow began notifying heads of miscodings. Lahren said department heads should put budget line item justifications in a written memo to explain budget codes used.

Miller provided handouts on expenditures and revenue for PILT and the general fund. She said many important county programs are being supported by PILT funds. There is a legitimate threat of losing PILT funds, so department heads need to consider that when budgeting. DePuy said the county will lose 45% of its annual PILT funds, and Title 3 money is no longer available. Murphy recommended that the county begin to plan and budget in a manner that PILT won't go through and announce that possibility to department heads before they begin on their budgeting. Some departments, currently funded by PILT, such as accounting and Rural Addressing/GIS, will need to be moved around within the county's operating budget. Some department heads have requested expenditure and revenue reports by the middle of each month to give them more time to review them.

Discussing staffing issues, Miller said three departments are over their payroll budgets at this point in time. She said department staffing levels need to be reassessed, as employees in some departments reported they are short on work, where other departments need staffing help.

Discussing fringe benefits, the fair employee occupying the onsite house does not have to pay housing costs per IRS guidelines. Miller said employees who drive county vehicles to and from personal homes must pay for that mileage. A beginning and ending monthly mileage balance will be recorded on employee paychecks, and the number of miles driven within each month will be deducted from employee paychecks. Miller reported that many department head employees are taking compensatory time, which is not permitted per the county policy manual. Exempt department heads must work a minimum of 40 hours per week. Any hours less than 40 must be taken as sick or vacation leave. Lahren advised Miller to type up a memo and submit it to department heads who have been taking compensatory time.

@9:39:40 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 29, 2008

Employee Tracking/Electronic Time Clock

@9:39:56 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Polly Miller, human resources; Denise Nelson, Clerk & Recorder; Kevin Larkin, treasurer; Marilyn Hartley, accounting; Tara DePuy, civil attorney; Marty Malone, Extension; Linda Budeski, justice court; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to discuss a proposed software package enabling employee tracking and electronic time clock capabilities.

Miller reported that a few department heads raised concern that some employees arrive late to work and are taking long lunches and not documenting that time off. The software would enable department heads to better track employee work hours, as well as employee sick and unpaid leave hours. The software can process open enrollment for health insurance benefits, provide employees with paycheck receipts and MACo flex and claims forms, electronically approve purchase orders, and enable vendors and contractors to track claim submittals and payments.

Hartley suggested appointing an individual who will correct employee log-in/out errors before software is implemented. Learning about and remembering to use a new system may require a significant amount of time for employees, and errors may result. There was discussion about security measures of where to place time clock machines or if a swipe identification card would be used.

The purchase cost of the software package is \$19,451; \$5,900 of which is allocated for training; and the recommended annual support fee would be \$5,665. Payments can be made in increments. Murphy will talk to MACo and other counties to see if they are using the software and how they handled purchase of it.

@10:00:09 a.m. Lahren made a motion to adjourn the meeting. Murphy seconded that motion. The meeting was adjourned.

January 29, 2008

5:00 P.M. – Yellowstone Gateway Museum Board Meeting – Yellowstone Gateway Museum

January 30, 2008

Resolution on Old Yellowstone Trail South

@8:39:15 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to consider a resolution to temporarily close a portion of Old Yellowstone Trail South until repairs are completed. Lahren read Resolution #1009 into the record.

Durgan made a motion to pass Resolution #1009 to close a portion of Old Yellowstone Trail South until repairs are completed. Lahren seconded that motion. Motion passed.

@8:41:31 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 30, 2008

Review for Public Meeting on Senior Center HOME Grant Application

@9:14:25 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present were Lori Benner, grant coordinator; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

Lori Benner gave an update on the Senior Center physical upgrade project and public meeting scheduled for Jan. 31. At the Jan. 31 meeting, Benner will give a PowerPoint presentation update on the HOME Investment Partnerships program grant and other monies that will fund the improvement project. There will be a public comment session.

@9:19:24 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 30, 2008

Proposal to Change Element Minor Subdivision Preliminary Plat

@10:05:54 a.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present were Michael Inman, planning department; Joel Shouse, engineer; Diane Papineau, research assistant; Tara DePuy, civil attorney; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to consider a proposed change to the Element Minor Subdivision preliminary plat.

Mike Inman gave an update on requested changes to the preliminary plat of the Element Minor Subdivision made by the developer. Those requested changes include waiving or removing Original Conditions #5 and #6 and modifying #10 to allow waiver to be filed with the final plat rather than being delineated on the final plat.

Regarding conditions #5 and #6, Inman stated those requests can be considered nonmaterial changes. Joel Shouse said the developer cannot satisfy conditions #5 and #6, because he does not know who the buyers will be and whether or not buyers will want water rights on the property.

Durgan commented there should be text within the findings and conditions to protect potential buyers. That text would notify buyers before purchase whether or not water rights go with the land or a provision can be made to transfer water rights. Durgan also

mentioned difficulties with properly maintaining a parcel via irrigation if water rights are not included in a parcel's sale. DePuy said Montana water right laws allow water to be severed from the land, and Park County subdivision regulations require allocating water rights if subdivision tracts average less than 5 acres. Shouse said the developer wants the option of offering water rights or not offering water rights on the two lots.

The Commission agreed to postpone a decision on the request to waive conditions #5 and #6 until time that Shouse can talk with the Element developer about the Commission's concerns with potentially restricting water rights from a parcel.

Regarding condition #10, DePuy clarified that state law does not specify whether a waiver of protest to create a Rural Improvement District or Special Improvement District must be on a final plat as a condition of final plat approval. Park County can require it be there as long as it doesn't go against state law. The county requires the waiver on the final plat to make a buyer aware of the relevant improvement district provision when they buy a parcel of land.

@10:35:55 a.m. Durgan moved to postpone a decision on proposed changes to the Element Minor Subdivision preliminary plat until the developer addresses the Commission's concerns. Lahren seconded that motion. Motion passed.

@10:36:17 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 30, 2008

Planning Board Interview Research Summary

@1:08:39 p.m. Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present were Diane Papineau, research assistant; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

The meeting was scheduled to hear a progress report of Research Assistant Diane Papineau's recent work.

Papineau informed the Commission that a calendar of planning staff schedules is now available on the county web page. Papineau reported that two public comments were received about the document posted on the county web page regarding planning board member interviews. Papineau read citizen comments and the former Planning Board Chairman's comments into the record. There was discussion about the comments.

Papineau discussed the direction in which the process to create the final report will take from this point forward, and she presented ideal and staff-perceived current flows of information between the public, Commission, planning department staff, and planning board members. Papineau discussed an option of hosting a "roles" meeting between the

Commission and the planning board to discuss the responsibilities and activities of the two entities in the overall planning process.

Papineau reported there is a news link on the county web page about the growth policy and the growth policy vote on Nov. 11. She discussed available information dissemination processes, resources, and types of messages possible to promote and market the growth policy before November. Two options include a succinct, one-page fact sheet or a postcard.

@1:50:50 p.m. Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

January 30, 2008

Fleshman Creek Study Responder Conference - 1:30 p.m.

Brucellosis Update – St. John’s Church - 6:30 p.m.

January 31, 2008

IT Invoice

@9:04:43 a.m. Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Present were Marc Richards, GIS department; and Commission Minutes Clerk John Mueller. No public citizens were present, and no public comment was made.

Richards presented IT department bills and purchase orders to the Commission and explained the items those purchase orders covered. Richards will use department budget numbers to pay for departments’ share of the cost for Microsoft Office Manager software.

@9:09:11 a.m. Lahren adjourned the meeting.

January 31, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@9:59:58 a.m. Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Commissioners Durgan, Lahren and Murphy were present. Also present were Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No members of the public were present, and no public comment was made.

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

Durgan noted for the record that a citizen phoned about Old Yellowstone Trail South. There is no “Road Closed” sign on Old Yellowstone Trail South from the Corwin Springs side.

The Commission agreed it does not have money in its budget at present to assist Vision Livingston in its request for county funds for printing costs.

Correspondence included:

- Memo from NACo re. campaign against sexual exploitation - To Durgan for review.
- Memo from MACo re. pre-register for MACo conference
- Memo re. registration for website management conference in Orlando, FL
- Papineau work progress synopsis - To file.
- Montana Economy at a Glance - To Lahren for review.
- Verizon bill for Dec. – Jan. 15 - To Hurley for review.
- Vision Livingston minutes
- Letter to MSU from Marty Malone re. Malone’s resignation - To file
- Fire Suppression System re. record of completion
- JPIA minutes - To Durgan for review.
- MT Dept of Commerce re. confirmation of match eligibility for Park County re. Senior Citizen upgrade project – To Lahren for review.
- Memo from MT Dept of Commerce re. certification of consolidated plan submittal - Murphy read into the record - To Lahren for review.
- JSEC and ADA restoration meeting announcement
- Emergency appropriations request deadline Feb. 27 - To Denton for distribution
- Fire systems sprinkler inspection report from Fire Suppression Systems, Inc. - To Durgan for review
- Memo re. CREBS workshop on Feb. 28 - To Denton to schedule
- Invitation to Community Network meeting on Feb. 4 - To Denton to schedule
- Memo from Mental Health re. workshop on individuals in recovery
- Memo from Benner re. removed RFQ from city/county, Feb. 5 meeting agenda
- Letter from Tester re. contacting him re. RC&D appropriations funding - To Durgan for review.
- Memo from Rick D'Hooge re. Garrity Rights
- Memo from NACo re. survey questions of MACo assistance
- MT Dept of Transportation announcement of public hearing for EA on Yellowstone River bridge project at Livingston - To file.
- GOP of Montana newsletter
- Memo re. MACo Health Care Trust JPIA meeting Feb. 11 @ 6 p.m. - To Durgan for review.

The Commission determined it does not need to continue paying for appraisal and evaluation services from Northwest Appraisal Services. Durgan will notify Miller to stop services.

Lahren will attend a Montana Liquid and Gas Pipeline Association conference in Bozeman on Feb. 5.

@10:52:59 a.m. Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

January 31, 2008

HOME Grant Public Meeting – Livingston Senior Center - 1:00 p.m.

Voided Checks

Payroll #s: 42602; 42615; 42625; 42633

Claims #s: 61922; 62311

February 1, 2008

Sign Claims – 11:00 a.m.

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

Denise Nelson
Clerk & Recorder
Park County, Montana