

Commission Meeting Minutes; Park County, Montana  
Week of July 7 – 11, 2008

July 7, 2008

County Road Updates

@8:31:48 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Present was Ed Hillman, road foreman; Don Holland, auditor; Polly Miller, human resources; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to update the Commission about county road issues.

Lahren told Ed Hillman he is not to make any decisions regarding 9th Street Island Bridge or authorize anyone to do any kind of work on the bridge. Lahren said he is the point man for all 9th Street Island Bridge issues.

Hillman said Scott Opitz of MT Fish, Wildlife & Parks is drafting a 124 permit for dropping rock into the river. Hillman said Opitz approved the work and said the permit could be done after the fact.

Hillman said Winn Treible is conducting 9<sup>th</sup> Street Island Bridge maintenance and is filling out maintenance checklists. Hillman said he will check off on the lists and they will be submitted to Lahren.

County Attorney Linneweber told Hillman he needs to provide plenty of notice to residents on 9<sup>th</sup> Street Island if the bridge is to be closed for any reason, because there are people on the island with medical needs. Linneweber said a reverse 911 may need to be considered for any bridge closures.

Hillman said the entire road crew is working this week on the Five-Acre Tracts millings work, which commenced this morning. Hillman said citizens were notified of that work.

@8:38:02 a.m., Lahren adjourned the meeting.

July 7, 2008

9:00 A.M. – Consider Approving Minutes – Commissioner's Chambers – Rescheduled for July 10 at 4 p.m.

July 7, 2008

Gallatin Area Planning Grant

@10:02:07 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Philip

Fletcher, planning department, Mike Inman, planning department; Hillary Taylor, planning department; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a Gallatin Area Planning Grant application.

Mike Inman presented the Commission with a proposed grant application for a Sonoran Institute Montana Smart Growth Coalition grant opportunity dealing with long range planning issues known as the Gallatin Area Planning grants program. Inman said the grant would help fund establishment of an education program for the suspended Park County growth policy to be voted on in the November general election. Inman presented the Commission with a descriptive summary of the project to be funded, issues being addressed, relevance to local growth policy and planning goals, desired project outcomes, challenges to the success of the project, and how the Gallatin Area Planning funds would be used.

Philip Fletcher said the planning department budget has been amended to fund a proposed growth policy education program. Fletcher said the total program cost is \$9,400. The grant would provide \$5,000, in-kind contribution would amount to \$3,000, and the county planning department would fund the remaining \$1,400. Fletcher said the county's growth policy educational program will be small if the grant is not awarded. Fletcher said it is his opinion applying for and receiving the grant would be all benefit and no cost.

The Commission will ask County Attorney Linneweber to double check with the attorney general as to whether residents in the city of Livingston and the town of Clyde Park can vote on the growth policy.

Lahren made a motion to approve the grant application as presented. Durgan seconded that motion. Motion passed.

Fletcher said the planning department will submit the application and can withdraw it if Linneweber has an issue with it.

@10:18:11 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 7, 2008

1:30 P.M. – Review Correspondence, Public Contacts and Determine Action Plan – Commissioner's Chambers - Canceled

July 8, 2008

Federal Emergency Management Agency and Montana State Disaster and Emergency Services Present to Discuss Funds and Other Concerns Associated with the 9<sup>th</sup> Street Island Bridge

@8:04:43 a.m., Chairman Lahren called a meeting to order in the Community Room of the City-County Building. Commissioners Durgan and Lahren were present. Also present was Larry Ross, MT-DES; Tim Thennis, MT-DES; Roger Jones, FEMA; Jerry DeFelice, FEMA; Kris Farquhar, FEMA; Harry Strong, FEMA; Polly Miller, human resources; Dann Babcox, PCRFD#1; Belinda Van Nurden, DES; Kim Gentry, human resources; Don Holland, auditor; Jerry Brekke, commissioner consultant; Ed Hillman, road foreman; Scott Hamilton, PCSO; Jim Mastin, Livingston fire; Wendy Wood, PCSO; Mike Waite, Denny Rehberg representative; Marilyn Hartley, accounting; Jennifer Madsic, Jon Tester representative; David Cobb, Max Baucus representative; Shirley Ewan, city of Livingston; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss funds and other concerns associated with the 9<sup>th</sup> Street Island Bridge incident.

Lahren said Park County Historian Jerry Brekke generated a report verifying the origin and ownership of the 9th Street Island Bridge. He said the county owns the bridge and has rights-of-way on the mainland side and the island. Lahren said the report is available for review.

Tim Thennis of Montana Department of Environmental Quality (DEQ) said the Federal Emergency Management Agency (FEMA) is in Livingston today at the request of the state of Montana to conduct a Preliminary Damage Assessment (PDA) to estimate damages and expenditures of emergency work associated with the 9<sup>th</sup> Street Island Bridge incident. Thennis said 9<sup>th</sup> Street Island Bridge damage, associated road damage, and any other sites that can be identified as part of the bridge incident need to be documented. County Road Foreman Ed Hillman and FEMA will tour sites, take measurements and put together estimates on damage that has occurred. Thennis said the incident needs to hit a dollar threshold of \$1,118,000 for the Department of Emergency Services to request a presidential declaration to receive FEMA monies. Thennis said that request would be made to the president through the governor's office.

Roger Jones of FEMA said work today will only entail gathering as much information as possible from city and county personnel regarding damages associated with the 9<sup>th</sup> Street Island Bridge and any other subsidiary costs incurred by the city, county or state. He said it is very important for the county and city to capture all eligible costs today. He said no decisions will be made today as to whether FEMA or the president will grant a disaster declaration for the 9<sup>th</sup> Street Island Bridge incident. Jones said only costs incurred from June 19 when the bridge began to fail will be eligible for FEMA monies - nothing prior to that date can be considered in the cost analysis.

Shirley Ewan of the City of Livingston said the city incurred overtime wage hours from bridge work, specifically for the fire department, which maintained a command post and assisted with bridge construction. Ewan said the city swimming pool is cracked due to high water and ground water pressure. Jones said the city needs to provide an estimate of all overtime costs and an estimate of what personnel working overtime hours were working on. He said the county sheriff's office, Search and Rescue and road crew need to do the same thing because overtime work is the only work time eligible for FEMA monies in this situation. Jones said if other counties charged a FEMA rate on equipment used on the bridge under a mutual aid, that equipment and the man hours used to operate it is eligible for FEMA monies, but fuel costs are rolled into equipment costs. Jones said the county needs to provide cost data for its work on the bridge. He said repair of the levy road between 9<sup>th</sup> Street and Siebeck Islands is eligible for FEMA monies because that work will be necessary as a result of flooding that occurred at the same time as the bridge incident. Jones said FEMA needs to know today if the Montana Department of Transportation charged the county on a reimbursement basis for bridge work, as well as an estimate for helicopter time. Jones said construction of a heated building on 9<sup>th</sup> Street Island to protect a fire truck there would not be covered in the PDA

Jones said FEMA does not allow for reimbursement for loss of income, fees or increased operational costs, such as revenue lost by the city for the pool closure. He said the city and county can only report damage caused by the immediate event of high water on July 19 and after, such as the second pier and bridge deck spans adjoining it. Prior year compromise of the 9<sup>th</sup> Street Island Bridge cannot be considered because it did not occur as part of this specific event. Jones said he is hopeful an estimate for replacing the second bridge pier and repairing or replacing the bridge decking on either side of that pier can be generated today with the help of the state and the county road crew. Jones said a formal engineering study to determine specifics of completing bridge repair will be completed at a later date when a determination is made to repair or replace the bridge. He said the intent today is to conduct a preliminary assessment and estimate of bridge damage and associated costs, and those costs need to be based on some level of reality.

Belinda Van Nurden of Park County DES said she spoke with Kent Barnes of the Montana Bridge Bureau who said repairing the 9<sup>th</sup> Street Island Bridge was not an option. Jones said that may be the case, but that does not make replacement of the entire bridge eligible for FEMA monies. He said should a disaster declaration be granted, any funds received for the specific damage of the second pier and adjoining decking received on July 19 could be used toward a full bridge replacement should that option be chosen. Van Nurden will obtain a written description of how Barnes came up with the cost to repair the second pier and two decking spans of 9th Street Island Bridge.

Jones said the dollar figures contained in the PDA report may not be the final dollar figures the incident would be awarded if it were to receive a presidential declaration. He said the PDA is a tool to help FEMA estimate what it thinks the financial impacts are to the community and state of Montana to assist the governor in compiling his request for a declaration of disaster.

Jones said after data is collected today and should the incident reach the dollar threshold, FEMA will compile data and complete its preliminary assessment analysis. That data will then be provided to the state of Montana and the state will determine how it wishes to proceed. The governor may choose to contact the president and request a major disaster declaration to help cover a portion of the costs. Jones said should that happen, FEMA regional offices will write up a summary document and submit it to FEMA headquarters in Washington D.C., which will conduct its own evaluation and make recommendations and forward those onto the Department of Homeland Security which will write a final recommendation to the White House. If the president refuses to declare the incident a major disaster, the state has rights of appeal it can exercise through FEMA headquarters. If a presidential declaration is granted, FEMA personnel will conduct applicant briefings and kickoff meetings to explain the public assistance program.

Jones said it is unlikely Rock Creek Bridge damage that occurred in early spring will be eligible for FEMA monies under this assessment, but that data will be collected. He said the KPRK Bridge over the Yellowstone River is a Federal Highway Association (FHA) bridge, so the FHA will work through the state highway department to address damage to that bridge.

@8:55:01 AM Lahren adjourned the meeting.

July 8, 2008

2:00 P.M. – Information Technology Advisory Committee – Durgan – West Room

7:00 P.M. – Board of Health – Durgan – West Room

July 9, 2008

Review Hogenson First Minor Subdivision

@9:07:57 a.m., Chairman Lahren called a meeting to order in the Community Room of the City-County Building. Commissioners Denton, Durgan and Lahren were present. Also present was Mike Inman, planning; Philip Fletcher, planning; Public Citizens Jim Gelhaus, Jeb Hays, George Borneman, Troy Rasmus, and Calvin Sarvin; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to review a Hogenson First Minor Subdivision application.

II. No conflict of interest was reported by Commission members.

III. Mike Inman provided the Commission with a report about the planning board review process for the Hogenson First Minor Subdivision application. He said there has been no additional public comment since the planning board reviewed the application and nothing has changed with the application. Inman said the planning board accepted all

recommended findings of fact from the planning staff. The Commission reviewed the planning board report.

The Commission opened the floor to public comment on water and sanitation. No public comment was made.

There was discussion about a road approach on the backside of the property and a culvert that was removed there. John Hogenson said that access is an agriculture access. Inman said Road Foreman Ed Hillman was mistaken the access was for vehicle access, which is why he told Hogenson the culvert and road overtop it had to be built to Park County standards. Inman said if a road access is constructed it must be constructed to county road standards.

Inman provided the Commission with an update on an applicant variance request. The applicant for Hogenson First Minor Subdivision requested a variance from section VI-Q(D)(1) of the Park County Subdivision Regulations, which states: "For a one (1) lot minor subdivision, the subdivider shall provide: An underground tank of 10,000 gallons capable of delivering 1,000 gallons/minute from an approved fire hydrant with a maximum approved travel distance from the furthest lot line to the hydrant of 1,000 feet."

Inman said the planning board denied the variance request. Inman presented to the Commission a letter from Surveyor Shannon Marinko proposing a mitigation strategy. The letter offers \$10,000 to the Wilsall Fire Department from the applicant to purchase equipment to be on the ready to fight rural structure fires. That payment would be made in lieu of the applicant installing an underground, 10,000-gallon water storage tank on the subdivision site. Commissioner Durgan asked if the fire department has specific equipment to purchase in mind with the \$10,000. Calvin Sarvin said the fire department has discussed buying a water tanker truck with the money. Sarvin said \$10,000 would only pay a portion of the cost for a 4,500 gallon truck. He asked how long the fire department would have to purchase the truck. Hogenson said the Wilsall Fire Department has wanted to improve and add additional fire fighting equipment for a long time. He said the \$10,000 will give the fire department a push in getting a tanker truck purchased. He said even if the department does not have the truck immediately, the demands on the fire department with the subdivision remain the same. Sarvin asked who would maintain an underground water tank at the subdivision property to make sure it has water in it. Inman said the applicant would be required to maintain the tank in perpetuity.

The Commission reviewed the planning board's findings of fact supporting its denial of the variance request.

Durgan noted for the record receipt of a letter from the Wilsall Fire Department dated June 18 regarding the Hogenson Subdivision signed by Wilsall Fire Chief Sarvin and Vice President Joe Scott. Durgan said he agrees with the developer that if the fire department had to go to the site to fight a fire, it would be better off with a tanker truck than an underground water tank.

Addressing the requested variance, the Commission stated the following, “Variance 1: The Commission approves the request for variance of Section VI-Q(D)(1) of the Park County Subdivision Regulations based on the applicant's proposed mitigation strategy and the following findings of fact and determinations.”

Under A. of Section XI-B-1 of the Hogenson First Minor Planning Staff Report, the Commission stated, “The Commission determines the granting of the variance with the inclusion of the applicant's mitigation strategy will not affect the public health, safety, or general welfare or be injurious to other adjoining properties.”

The Commission made the following findings of fact:

- With the inclusion of the applicant's mitigation strategy of a \$10,000 donation to the Wilsall Fire Department for the purchase of fire protection equipment and the inclusion of fire suppression water supply systems in any new or modified structures on the property, a water supply will be available for fire suppression on this proposed one lot subdivision.
- Requiring an onsite water supply will further delay the response capabilities of the Wilsall Fire Department. A tanker truck will increase the response capabilities of the Wilsall Fire Department.

The Commission defined the term “modifications” as “major structural modifications.”

Under B. of Section XI-B-1 of the Hogenson First Minor Planning Staff Report, the Commission stated, “The Commission determines due to the physical surroundings, shape, or topographical conditions of the property involved, strict compliance with the regulations will impose undue fire response hardship on the owner. Undue hardship does not include personal or financial hardship, or any hardship that is self imposed.”

The Commission made the following findings of fact:

- The property is located approximately five miles from the nearest fire station and is accessible via county roads.

Under C. of Section XI-B-1 of the Hogenson First Minor Planning Staff Report, the Commission stated, “The Commission determines the variance will not cause a substantial increase in public costs”

The Commission made the following findings of fact:

- With the inclusion of a voluntary donation of \$10,000, public costs will be decreased as they relate to fire protection in the area.

Durgan made a motion the Commission approve the variance. Lahren seconded that motion. Motion passed.

IV. Public comment was made by Calvin Sarvin. Sarvin said the structures on the subdivision property have been there 60+ years. He asked why the subdivider is asked within the county subdivision regulations to install a 10,000 gallon tank. He said that is forcing the little guy to not subdivide his property.

Lahren said that issue needs to be addressed by the legislators. Inman said the state requires subdivided properties be reviewed by the Commission for the sake of public health and safety for fire issues. He said existing structures on a subdivided property does not negate the need for fire protection and fire protection standards. He said the county has no authority to require fire protection utilities for new property purchases.

Public comment was made by Jim Gelhaus. Gelhaus asked if a pumper truck has to be purchased by the Wilsall Fire Department before final plat is granted to the subdivision applicant. Durgan said no conditions were put on the purchase of the water truck.

Lahren made a motion the Commission accept the body of the planning staff report with the approval of the variance the Commission reviewed. Denton seconded that motion. Motion passed.

Addressing Item VI of the planning staff report - Impacts on Public Health and Safety - under A. Recommended Findings, #25 Recommended Conditions, the Commission stated, "The local Fire Protection Authority (FPA) shall review and approve any fire protection features relative to the approved variance prior to final plat approval. The local FPA shall submit, in writing to the Subdivision Administrator, verification of receiving the proposed \$10,000 donation prior to final plat approval." Under B. and C. of Recommended Findings, text will read, "See Approved Variance."

Commissioner Denton made a motion to approve the Hogenson First Minor Subdivision with the findings and conditions as amended. Durgan seconded that motion. Motion passed.

@10:23:06 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 9, 2008

Fiscal Year 2009 Budget Workshop

@1:07:57 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, operations; Polly Miller, human resources; Marilyn Hartley, accounting; Don Holland, auditor; and Commission Minutes Clerk John Mueller. No public comment was made.

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

@1:08:04 p.m., Durgan made a motion to recess the meeting for an hour until Polly Miller's laptop computer is fixed. @2:09:34 p.m., the meeting was reopened.

Polly Miller and Marilyn Hartley provided the Commission with a summary report of Fiscal Years '06 – '08 General Fund budget. Miller, Hartley and Don Holland worked with the Commission to determine preliminary, proposed FY '09 budget figures.

The Commission authorized Miller to pay outstanding mental health treatment bills.

@4:02:58 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 9, 2008

Consider a Resolution Prohibiting Open Burning on 9<sup>th</sup> Street Island and Siebeck Island

@4:03:42 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Dann Babcox, PCRFD#1; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a resolution prohibiting open burning on 9<sup>th</sup> Street Island and Siebeck Island.

Lahren read Resolution #1029 into the record - A Resolution Prohibiting Open Burning on 9th Street Island and Siebeck Island.

Durgan made a motion to approve the resolution. Lahren seconded that motion. Motion passed.

@4:10:41 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 10, 2008

8:30 A.M. - Safety Meeting – Durgan – Community Room

July 10, 2008

Open and Consider Rabbit and Poultry Barn Bids

@9:34:27 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Kim Knutson, fair manager; Public Citizens Ken Walker, Adam Maher, Kurt Behrendt, Jeremy Maus, Myron Kovash, Eric Roset, Ken Lahaye, Mike Adams, Dan Nelson, Jim Snyder and Jeremy Shea; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to open and consider rabbit and poultry barn bids.

Durgan said the Commission received a letter from Clerk and Recorder Denise Nelson in which Nelson wrote she previously requested the Commission in a letter dated May 15, 2008, any future RFPs or bids done by county departments no longer be distributed from the Clerk and Recorder's office. The letter stated proper forms required to be submitted to the Clerk and Recorder's office were not received, so two rabbit and poultry barn bids received were not documented but were stored in the vault. Nelson wrote because one of the bids was not marked as a bid, one unmarked contractor bid was received by her office and was opened by a staff member. The letter stated such an occurrence places Nelson's staff in a situation of seeing the bids and places the office staff in a situation of seeing what is being submitted and puts the bid process in question.

Commissioner Denton asked whether all individuals who bid received the project manual. Jim Snyder said everyone who picked up drawings received a project manual. He said others could have seen the drawings at the Builder's Exchange in Bozeman. Denton said the Commission needs to see what was posted as bidding requirements in the newspaper. Snyder said all bidders received the project manual at the Billings Exchange, Bozeman Exchange or Belgrade Exchange. Snyder said the project manual is part of the drawings or the construction documents. He said there was also an announcement for bids advertised in the paper which informed the contractors to go to Snyder to get drawings or go to the six building exchanges to get drawings or construction documents, which are the drawings and the project manual.

Durgan said he determined the unmarked, opened bid as a non-responsive bid because it was not marked as specified in the project manual. He said he will consult with the county attorney on that decision. A bid from Walker Construction received at 9:13 a.m. on July 10 was determined to be nonresponsive because the bid submission deadline was 9:00 a.m. on July 10.

Fourteen bids were submitted of which two were determined to be unresponsive. Durgan opened sealed bids. Bids were as follows:

- Kovash Enterprises bid received at 8:33 a.m. on July 10 in the amount of \$137,456.58.
- Diamond D Construction received at 4:20 p.m. on July 9 in the amount of \$177,800.00.
- Kemp O'Neill Construction received at 3:45 p.m. on July 9 in the amount of \$204,050.00.
- Roset Associates received at 8:55 a.m. on July 10 in the amount of \$129,924.00.
- Mitch Scidmore Construction, Inc. received at 8:02 a.m. on July 10 in the amount of \$231,460.00.
- Building Dimensions, Inc. received at 8:58 a.m. on July 10 in the amount of \$254,486.00.
- Door Tech, Inc. received at 2:25 p.m. on July 8 in the amount of \$2,035.00 for installing an overhead door.

- Shea Homes and Construction received at 4:15 p.m. on July 9 in the amount of \$200,000.00. A second bid was submitted on July 10 requesting the Commission to deduct \$12,340.00 from the first bid.
- Maus Construction Inc. received at 8:05 a.m. on July 10 in the amount of \$159,850.00.
- RMR (Rocky Mountain Rustics) Group received at 8:42 a.m. on July 10 in the amount of \$192,652.00.
- Bozeman Builders Group received at 8:44 a.m. on July 10 in the amount of \$182,085.00.
- KB Building received at 8:53 a.m. on July 10 in the amount of \$162,578.00.

Durgan recommended postponing a decision on awarding a bid until the Commission is able to do a more complete review of bids. Denton said she agrees with that recommendation in order to make sure everything that was supposed to be submitted was submitted.

Denton made a motion to postpone a decision on awarding a bid until the Commission is able to do a more complete review of bids. Durgan seconded that motion. Motion passed.

Durgan said the Commission will send a letter to the successful bidder and all bidders can check with the Commission office about a decision by the close of business July 15.

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

July 10, 2008

10:00 A.M. – Local Emergency Planning Committee – Durgan – Community Room

July 10, 2008

Park County Payroll Procedures and Accountability

@1:05:33 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Marc Richards, GIS/IT; Kim Gentry, human resources; Bernadette Rambow, accounting; Kevin Larkin, treasurer; Shirley Ross, justice court; Polly Miller, human resources; Don Holland, auditor; Marilyn Hartley, accounting; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss Park County payroll procedures and accountability.

Polly Miller said she booked the meeting because last week a lot of things about the payroll procedure were being speculated and assumed and done incorrectly or not done at all. She said she wants checks and balances and a timeframe established so this situation

with payroll won't happen again. Miller read a report she generated of actions she said were taken last week by various Park County personnel regarding payroll procedures and her opinion of how and why inaccuracies in payroll occurred. She said there was speculation she rolled CSA with the current fiscal year to create a new database for FY '09. She asked why employees waited until the last minute to update fiscal year information and why wasn't she informed of the glitch in the system when it was noticed. Miller said the 9<sup>th</sup> Street Island Bridge incident caused more work last week.

Marilyn Hartley said she did not catch the accrual issue and Miller informed her about that issue. She said what happened on Wednesday is the main issue that caused payroll problems. Hartley said she has been doing payroll for over five years and she has not had any question as to whether it was appropriate for her to send over the file. She said it is not outside the realm of conceivability that American Bank processed the payroll later in the day. She said she made the best call she could given previous issues with payroll and she thought the issue could be fixed in the morning. She said she thought it was better for employees to have some money in their bank accounts on Friday rather than employees having no money at all. She said she did what she felt was the best thing to do and this was the first time payroll failed to be completed properly.

Larkin said the year-to-date figure on last week's pay stubs was incorrect. He said that is unacceptable because he could not put out some of his taxes because of that error. Larkin said he partially blames the Commission for the issues with payroll because the Commission has no idea what is going on between the accounting and human resource departments. He said there is no structure whatsoever, and employees are misled on whom to ask for information because paystubs say at the bottom to ask Hartley about payroll questions but people have been told not to ask Hartley anything about payroll issues so it is difficult for them to get information. He suggested the Commission put Auditor Holland in charge of the finance department, because currently there is no control whatsoever and it's getting worse and worse. He said the county should redo last pay period's payroll to reflect accurate leave accruals on paychecks.

Durgan said he agrees the situation is getting worse and worse, but it would be a waste of man hours to redo payroll to reflect the correct numbers. Polly Miller said it would take a lot of time and money to redo payroll and it would not be in the best interest of Park County. She said employees will get 25 more pay stubs this fiscal year. Durgan said the Commission has known for some time there has been a lack of communication and cooperation between the treasurer's office, accounting department, and human resources department.

Larkin said the treasurer's office has had no issues with communicating with the human resources and accounting departments. He said he for one would like to have his paystub redone because it was done wrong. He said he finds it a complete disgrace of the way the county is going. He said the leadership is atrocious. He said there's no communication whatsoever and too many people are power hungry and he is fed up with it. Durgan said department head meetings are held every month where county personnel are supposed to

work this out. Larkin said half the people don't show up for those meetings and they are worthless.

Durgan said the Olness and Associates accounting firm recommends putting the accounting office under the supervision of the Clerk and Recorder. Commissioner Denton said she agrees someone needs to be put in charge of the accounting office to give it some structure.

There was discussion about how files, which may have caused the payroll glitch, were saved and transferred to CSA. Miller said CSA is 100% certain the fiscal year rollover did not cause the payroll problem. Miller read an email message from a CSA representative stating this type of payroll issue has happened with CSA before.

Miller read into the record a list of former and current employees who were underpaid or overpaid last week due to the payroll glitch. John Mueller stated for the record he received his direct deposit paycheck on 7-3-08 and asked his name be withdrawn from a list of individuals Miller said did not receive a paycheck. Hartley said employees who bank at American Bank, the credit union and First Interstate Bank received paychecks on Thursday and the credit union and First Interstate Bank are by far the two most popularly used banks by county employees.

Marc Richards said CSA updates were not being sent directly to him, but they are now. He said it is his job to update the CSA software, so he rectified that problem. He said he can provide a log of all files and accounts produced last week that show who was working in CSA last week and at what time.

Bernadette Rambow read a memo she produced into the record regarding a direct paycheck deposit that was not made to her bank account until the current week. She read from her memo that this problem is about communication. She said employees need to ask questions if they have them and just get the job done.

Larkin said his personal opinion to resolve the payroll matter is too many people are involved in the payroll operation. He said in the past one person handled payroll activities and there were no problems. He said he does not think the county should have so many people involved in payroll, which may possibly be stretching people out too far when coupled with their other job responsibilities.

Kim Gentry said she worked for the US Government for 12 years and asked why so many people in the county are not balancing and why do they think things not being balanced is not a big deal.

Hartley said she resents the implication this is a pattern for her. She said she has always been very detailed in her work. She said had her son not been home from the military and had she not had the opportunity to walk in the parade with him, she would have remained at work on Wednesday during the parade. Miller said if she were \$3,900 off,

whether it was CSA's fault or not, she would not have walked out the door. She said the problem needed to be handled that day.

Richards said it appears there is a lack of planning. He said with it being a short week, departments needed to communicate and plan. Hartley said she and Miller had a plan to complete payroll with scheduled time out of the office and the week being a holiday week.

Denton said this was an isolated incident with payroll in the time she's been with the county. She said payroll is working better than it did. She asked how the mix up happened last week. Durgan asked how the county will avoid getting into the same situation again. He said this was not an isolated case, saying the bridge incident has caused accounting issues too. He said he is not pointing fingers at anyone and he just wants to know how to get the job done.

Shirley Ross said the problem sounds to be a lack of communication. She said perhaps human resources and accounting should be in the same office. She said when her office requested corrected timesheets to reflect leave accruals, all information was submitted on one sheet of paper and she doesn't feel it should have been submitted that way. Miller said that information is not private information. Ross said perhaps employees should be required to turn in timesheets by Friday afternoon.

Larkin said the Commission needs to know what's going on with the payroll process because it currently is not in the loop. He said he knows the Commission is busy, but he knows it has no idea whatsoever goes on in his office and he's invited them there.

Durgan asked Miller if a paper trail can be made in the next paycheck to show employees this problem has been corrected. Miller said CSA assured him the next paychecks will be correct with dates and vacation/sick leave accruals. She said everything on last week's pay stubs was right except leave accruals. Durgan asked each accounting employee and Auditor Holland to put together a memo on how they propose to fix the problem.

Hartley said she worked for Golden Ratio and its 100 employees for seven years prior to working at the county and she handled the payroll task fine there. She said she worked closely with the human resources manager to complete payroll. Hartley said employees are told timesheets are to be in by Monday at noon but some come in on Wednesday. Durgan said everyone has to take ownership and responsibility of what's going on here and employees and department heads need to submit timesheets on time. Rambow said timesheet deadlines help.

Richards said the county may want to consider using electronic timesheets without a CSA interface. Rambow said electronic timesheets can accurately log each individual's time worked and not worked. Durgan asked Richards to provide a ballpark sketch of how electronic timesheets might be used by the county.

@2:23:36 p.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

July 10, 2008

1:30 P.M. - Review correspondence, public contacts, and determine action plan-  
Commissioner's Chambers - Canceled

July 10, 2008

Discussion about Finishing Chicory Road

@3:31:44 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Commissioners Denton and Durgan were present. Also present was Ed Hillman, road foreman; Public Citizens Leane Hansel-Hayes, Maryann Case, Mike Hennessey, Jeannie Tatum, Charles Mathwig, and Ruth Mathwig; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss options of finishing Chicory Road.

Ed Hillman presented Chicory Road citizens with a memo from Mark Redfern from Brenntag Pacific. Hillman said Redfern and another individual said Chicory Road was sealed. Durgan said there are a few pock marks in Chicory Lane and something is making that road start to break up.

Public comment was made by Mike Hennessey. Hennessey said the road is beginning to crumble at the edges in front of his house and weeds are growing through the 3 mile length of the road. He asked Hillman and Durgan to visit his house to view the road. He said the first part of the road is acting differently than the middle and end of the road. He said there isn't much traffic at his place, so it's not sealed as well as the first part of the road. He said the road needs to be sealed. Hennessey said he was told the road would be chipped and sealed last year. He said he would like to get a date on paper when the chip seal will be done. Hillman said he told him it would be chip sealed at some point. Hillman said the Swingley Road was just chip sealed this year and was paved two years ago. Hillman said the city told him it costs \$22,000 a mile to chip seal a road. Hillman said the county owns a chipper with the city.

Durgan said it is well worth that amount to chip seal Chicory Road since the county has \$100,000 in it. He said the county cannot afford not to chip seal it. Durgan said the Commission needs to keep its investment but he does not know when the county will start work on Chicory Road. Durgan said the county is in its budgeting process, but Chicory Road would not be worked on until August or September and the county will fund the project. Durgan said the Commission received correspondence from Ross Gammon of the Montana Department of Transportation and estimates from Clyde Bainter and a few other contracts regarding sealing Chicory Road. One contractor estimated a cost of \$29,700 per mile for the first two miles and then \$28,300 for the third mile of road.

Public comment was made by Jeannie Tatum. Tatum said she lives at the 3.1 mile mark on Chicory Road, which is where the pavement ends. Tatum said she feels the road is not sealed because county road workers told her last year it would be chip sealed this year. She said citizens along the road have policed each other to ensure irrigation water is not landing on the road.

Hennesey said Hillman did a good job with paving the road and the county and the citizens did more than they expected to do on the road. He said the road is two-thirds of the way finished and needs to be sealed.

Public comment was made by Maryann Case. Case said citizens are taking care of the road and going the speed limit.

@3:59:13 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 10, 2008

Consider Minutes for the Week of June 30, 2008

@4:15:14 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 consider approving meeting for minutes for the Week of June 30, 2008.

Commissioner Denton requested a revision to Page 4 of 17, second paragraph, first sentence should read, "Commissioner Denton said Park County Rural Fire District #1 has requested a meeting to discuss a resolution to ban fireworks on 9th Street Island."

On Page 15 of 17, Durgan noted the correct spelling of Ed "Barich." On Page 17 of 17, the second paragraph should read in entirety, "Road Foreman Ed Hillman said the road crew will start on millings work on Billman Lane and Paradise Lane on Monday. Hillman said IronWolf would be in the county the week of July 8 to work on the designated roads in the Five Acre Tracts - Billman Road, Canyon View and Paradise Lane. Hillman said the entire road crew will be needed for that work. No one will be available to grade county roads. It was suggested Hillman check with Job Service to hire temporary flaggers. Hillman said he does not have the crewmen or time to get to all the bad roads in the county."

On Page 1 of 17, County Attorney Linneweber noted the correct spelling of Arnold "Hoyem."

Denton made a motion to approve the minutes for the Week of June 30, 2008 with amendments and corrections made today. Durgan seconded that motion. Motion passed.

@4:30:01 p.m., Durgan made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

July 11, 2008

No Scheduled Meetings

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana