

Commission Meeting Minutes; Park County, Montana
Week of June 2 – 6, 2008

June 2, 2008

County Road Updates

@8:30:41 a.m. Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Ed Hillman, road supervisor; Don Holland, auditor; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Lahren said a grader has been sitting at the Triangle 7 for a week, unlocked with the keys in the ignition. The fenders had been removed and were in the ditch, and a toolbox is sitting on the grader with tools in it on the edge of the county road. Lahren asked if it is normal practice to leave equipment unlocked and keys in the ignition. Hillman said that is not normal practice and that he will talk to Skip Ehert about the issue.

Hillman said he does not yet have the culverts on Pray Road marked. He said Scott Fletcher maintained his grader on Thursday. Winn Treible will be on Cokedale and will go to Old Yellowstone Trail today if moisture is right. Hillman said five road crew members worked on Six Mile Bridge repair work. Two hauled gravel.

Hillman said he talked with Matt Jesson on Thursday about a possible gravel contract. Lahren said he will get gravel tested if Hillman brings in two 5-gallon buckets of gravel.

Hillman said he submitted an invoice for work done by Ken Arthun that hasn't been paid. Lahren said Hillman needs to have a contract with Arthun with rate per yard included. He said the invoice is tied up in Accounts Payable because only an invoice for \$1,350 and no contract was submitted.

The Commission advised Hillman he and Department of Emergency Services Manager Belinda Van Nurden need to schedule a public meeting to discuss a protocol for disseminating information about emergency or proposed bridge or road closures or work.

Hillman handed out a list of roads assigned to road crew members for road work. He said the list is written in order of priority as weather and circumstances permit. Lahren said the Commission needs the list to tell it what road work will be completed within a give date range. That will help the Commission know what road work is planned when citizens call for information.

Human Resources Manager Polly Miller said Hillman's Project Manager computer program can easily group roads and prioritize them, as well as provide a time schedule of road crew work. Hillman said he will get that priority list from the program.

Lahren said he needs a summarization of who did work and the number of hours each worked on the Six Mile Bridge. Lahren said he wants to know exactly how much it cost to repair the Six Mile Bridge.

The Commission reviewed work crew time cards for May 27 and hours logged by the crew on that day. Hillman and the Commission said at least one crew member logged 11 hours on that day.

Lahren asked Hillman what he is to tell people who ask him why he signed the road grader leases. Hillman said when Lahren signed the proposal with CAT he thought it was a done deal and the amount of the lease agreement was on the proposal. Lahren said his signature was acceptance of a proposal and was not a lease agreement and it said nothing about release of the county's road graders. Lahren asked how the county releases county equipment to other parties. Hillman said through the accounting office. Lahren asked if the Commission signed off on that. Hillman said he did not know.

@8:54:18 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 2, 2008

Consider Approving Minutes for Week of May 26, 2008

@9:29:36 a.m. Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider approving Commission meeting minutes for the Week of May 26, 2008.

Lahren noted on Page 1 of 19; fourth full paragraph; the correct spelling of the word "charging," and in the last paragraph the correct spelling of "Don Franck." On Page 3 of 19; third paragraph, the last sentence should read, "A past attempt to widen the road resulted in a stream impact violation against the county." On Page 5 of 19, third paragraph, the last sentence should read, "Lahren said the correct process to apply gravel is to water the road surface and follow that with a grader with roller compacting wheels." On Page 13 of 19 Lahren noted the correct spelling of Jane "Jelinski." On Page 19 of 19, the third paragraph should read in entirety, "Sheriff Lutes requested the Commission accept the bid from Veto Enterprises. Durgan and Lahren noted the Yellowstone Country Ford and Whiting Chevrolet bids were unresponsive because they did not meet bid specifications."

Durgan requested a revision to Page 3 of 19. The fifth paragraph should read in entirety, "Durgan noted McDonald Creek Road to Shorthill Cemetery was partially washed out over the weekend due to blockage of a culvert. Durgan thanked Hillman for fixing the road on an off-work day to ensure the public could visit the cemetery over Memorial Day

weekend. Durgan noted it is a county road to the cemetery gate, and a resident living there obstructs the road at times.” Durgan asked John Mueller, minutes clerk, to add “Action Item” after each issue in correspondence review meetings where the Commission says it will schedule a meeting or act on an issue. On Page 11 of 19; the first paragraph should read in entirety, “The proposed budget includes a \$1.00 an hour wage increase request that includes a 2.8% Cost of Living Adjustment. Human Resources Miller said the wage increase will put the mechanic salary out of compliance with Resolution #837 and the Personnel Policy and Handbook regarding salary ranges for county employees. Miller will have further comment after she reviews the proposed salary matrix.”

Durgan said he will follow up with Polly Miller regarding a Page 13 of 19 bullet point regarding a six-month contract request by Lainey Reynolds-Keene and will check with accounting about a signed interlocal agreement for 2008 for Headwaters Recycling,

Addressing Linneweber’s comments, the Commission advised on Page 12 of 19 the sixth paragraph should read in entirety, “There was discussion about a problem concerning fundraisers and whether money is supposed to go to Park County or Cooke City Search and Rescue.” Linneweber suggested using full names of employees and employee titles in correspondence review meetings to help individuals who read the minutes.

Lahren recommended minutes be approved as written and corrected. Durgan seconded that motion. Motion passed.

@9:51:39 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 2, 2008

Review Correspondence, Public Contacts, and Determine Action Plan

@10:08:59 a.m., Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Commissioners Durgan and Lahren were present. Also present was 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.

Durgan said Bill Hurley will follow up on a Headwaters Recycling contract and the issue will be addressed earlier next year to determine whether the county wants to continue with that contract.

Correspondence included:

- Memo re. Yellowstone Days Celebration in Gardiner request for a press release and event schedule
- Memo from Climate Solutions re. US Senate national climate policy

- Memo from Robin Hoover re. Yellowstone Days event schedule and open containers permitted in Arch Park between 12 p.m., and 7 p.m., per the Park County Commission
- Memo from DNRC, Bozeman re. proposed state school land sale on 1299 Ellis Road in Gallatin County, Montana
- Memo from MT DEQ re. Park County license ground water monitoring review - To Landfill Supervisor Hatfield for review
- Memo to Clyde Park from Commission re. Solid Waste Board appointment - To solid waste board for review
- Memo from Mental Health Network - To County Attorney Linneweber for review
- Memo re. performance development using a logical model
- Memo re. qualified electors for November growth policy vote - To file
- Memo from PCRFD#1 re. proposed budget for FY '09
- County road crew work schedule for Week of 6-2-2008 and update of grader operators' maintenance territory including Scott Fletcher's territory

@10:23:29 AM Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 2, 2008

12:00 P.M. – Community Network Meeting – Cancelled - Next meeting 9/8/08

1:00 P.M. – 1) Consider Stafford Animal Contract 2) Consider Park County Spay/Neuter Task Force Contract – Commissioner's Chambers – Canceled

June 2, 2008

Yellowstone Gateway Museum Updates

@2:01:02 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Brian Sparks, museum director; Public Citizens Robert Park, Chris Bastian, Charlie Rahn, Pat Davidson, Rick VanAken, Bob Ebinger, Donna Armentaro, Bob Jovick, and Pat Miller; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss Yellowstone Gateway Museum activities and issues.

Donna Armentaro said the museum had its second highest opening day attendance ever and 32 kids participated in a children's treasure hunt.

Brian Sparks said the museum needs a new truck and would like to have another department trade-in if possible. Sparks asked the Commission to keep an eye out for such a truck. Sparks said the museum needs a forklift to lift a wooden, horse-drawn road scraper. Sparks will talk to Rich Wright about possibly borrowing a forklift from the transfer station.

Sparks provided the Commission with a proposed museum budget for FY '09. Bob Jovick said the budget was reviewed by the museum board, and the board is requesting establishment of a capital improvement fund for FY '09.

Sparks said the county is responsible for \$4,118 in benefits and \$5,000 in professional services toward a Whithorn technician salary as required matching funds for a federal Whithorn Collection grant. Durgan said the Commission will check with the finance department about those dollar amounts.

Jovick said FY '09 revenues are expected to be the same as last fiscal year's. Jovick said the museum may take an expanded billboard marketing approach in Montana and Wyoming, saying billboards are the museum's #1 marketing tool. He said the board asked the city for \$10,000 for that effort and has been invited back to the city budgeting meeting.

The Commission asked the museum board to draft a letter explaining the issue of a Sark letter regarding payment for mechanical documents. The Commission will respond to Sark once that letter of explanation is received.

Addressing action items, the Commission signed a Park's Photography contract and a Chris Bastian contract. Sparks said part of the Whithorn grant was to reproduce photographs as specified by the museum. Production of an archival print set of 6,700 images of the Whithorn Collection is to be made available to the public. Sparks said the proposed contract was submitted to the board executive committee, which had no additions to it beyond what the county attorney drafted. All funds for the project come from a federal Whithorn grant.

There was no additional public comment.

@2:40:17 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 2, 2008

Park County Rural Fire Council Budget and Operating Proposal Fiscal Year 2009

@3:01:14 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Amy Learn, Livingston Enterprise; Dann Babcox, PCRFD#1; Marc Richards, GIS/IT; Polly Miller, human resources; Bill Hurley, operations; Marilyn Hartley, accounting; Bob Fry, public citizen; Dan Karell, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss a Park County Rural Fire Council FY '09 operating budget.

Bob Fry provided the Commission with a proposed Rural Fire Council budget for FY '09. GIS/IT Manager Marc Richards reviewed a Wildland Urban Interface (WUI) map with the Commission. Fry said that map has been problematic for the planning department because citizens have trouble determining whether they are in the WUI.

Dann Babcox questioned budget line items and associated dollar amounts relating to repair and maintenance, equipment, overtime for the county road department, travel, training, office supplies, and professional services. Babcox said Title III and PILT monies fund the county fire warden position and many line items have cash associated with them without description. He said sending people out of the county that does not benefit the county is not fiscally responsible, and the county can downsize the Rural Fire Council budget since not all of last year's budget was expended.

Fry said the budget is reduced and part of the travel budget is for the fire chiefs who drive their own vehicles to fire council meetings. Also, Fry will speak at a conference in Jackson Hole, Wyoming. Under equipment costs, Fry said he bought road department radios in the past, supplied funds for a GIS department plotter for WUI map creation, computer equipment and software, and provided funds for Search and Rescue command center equipment. Fry said past professional services funds were used for contracting mitigation work, paying for contractors to assist fire departments with subdivision regulation review, special projects, and sometimes money from that budget is rolled into another line item.

Fry said with the proposed professional services budget he may update operating plans and zone and mutual aid, and the Community Wildfire Protection Plan with GIS possibly needs updated. Fry said since he is a volunteer, he contracts out a lot of work.

Dan Karrell said the Commission cannot answer the question of whether \$26,000 is a reasonable budget for a county fire warden until it knows what a county fire warden does.

@3:39:47 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 2, 2008

5:00 P.M. – Public Meeting to Obtain Citizen Comments Regarding the Design of the Gardiner School Sidewalk – Gardiner Public School Library

June 3, 2008

8:15 A.M. – Budget/Accounting Review Committee – East Room

June 3, 2008

Consider Appointment to Paradise Valley Fire Board

@9:09:21 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider an appointment to the Paradise Valley Fire Board.

Durgan read into the record a letter from Paradise Valley Service Area Board Chairman Burt Otis recommending Kenneth DeGraaff be appointed to the board to serve the remaining term of resigned board member Carl Brooke, term ending May 2010.

Durgan made a motion to accept the recommendation from the board for Kenneth DeGraaf. Lahren seconded that motion. Motion passed.

@9:11:59 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 3, 2008

County Commissioner Position Interview

@9:30 a.m., Chairman Lahren called a meeting to order in the East Room of the City-County Building. Present was Brett Linneweber, county attorney, and Chuck Donovan, interviewee. No public comment was made.

Donovan requested the meeting be closed to the public. The meeting was closed. The Commission asked Donovan a series of interview questions in regard to his application and the commissioner vacancy.

June 3, 2008

County Commissioner Position Interview

@10:30 a.m., Chairman Lahren called a meeting to order in the East Room of the City-County Building. Present was Brett Linneweber, county attorney, and Greg Strong, interviewee. No public comment was made.

Strong requested the meeting be closed to the public. The meeting was closed. The Commission asked Strong a series of interview questions in regard to his application and the commissioner vacancy.

June 3, 2008

County Commissioner Position Interview

@11:30 a.m., Chairman Lahren called a meeting to order in the East Room of the City-County Building. Present was Brett Linneweber, county attorney, and Mike Devine, interviewee. No public comment was made.

Devine requested the meeting be closed to the public. The meeting was closed. The Commission asked Devine a series of interview questions in regard to his application and the commissioner vacancy.

June 3, 2008

County Commissioner Position Interview

@2:00 p.m., Chairman Lahren called a meeting to order in the East Room of the City-County Building. Present was Brett Linneweber, county attorney, and Vicki Hoffman, interviewee. No public comment was made.

Hoffman requested the meeting be closed to the public. The meeting was closed. The Commission asked Hoffman a series of interview questions in regard to her application and the commissioner vacancy.

June 3, 2008

County Commissioner Position Interview

@3:00 p.m., Chairman Lahren called a meeting to order in the East Room of the City-County Building. Present was Brett Linneweber, county attorney, and Kris Denton, interviewee. No public comment was made.

Denton requested the meeting be closed to the public. The meeting was closed. The Commission asked Denton a series of interview questions in regard to her application and the commissioner vacancy.

June 3, 2008

City-County Meeting

@4:01:44 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Bill Hurley, operations; Belinda Van Nurden, DES; Mary Bebee, city commission; Ed Meece, city manager; Rick VanAken, city commissioner; Steve Caldwell, city commission; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss city and county issues.

Addressing a keypad for the district courtroom, Lahren said he met with a locksmith and is in talks with Judge Swandal on the matter.

Ed Meece said the city is looking into ways to implement its Trails and Greenways Study by extending the current bike trail at the railroad crossing at Washington Street to Printing for Less or possibly the Frontage Road. Meece said a contractor estimate for that trail was \$285,000 and the city has \$119,000 in CTEP money. Meece said the primary use for CTEP money has to be for transportation purposes. Meece asked if the county is interested in exploring the option of concentrating on the transportation aspect of that study. The Commission said it would be interested in looking further into the project.

Discussing a back-up electrical system in the courthouse, Lahren said the city-county building installed a new generator system in 2005 and at that time it was tested and working properly. There was discussion about a planning failure when the power went out and the generator failed to work properly the previous Friday. Belinda Van Nurden said the computer in dispatch overrode itself, and someone in dispatch turned down a volume alert notifying the battery backup was not working correctly. The computer overrode its ability to connect to the back up battery system as well as the generator. Van Nurden said systems are not tested on any routine basis and not all offices are hooked up to the generator. Bill Hurley said there needs to be at least three people capable of handling an electrical outage and generator issue in order to cover the courthouse during an event. Meece said the backup generator is only sized for DES, 911 type services. Meece said two dispatch computers were damaged due to the power outage and the repair costs will be at least \$12,000. He said moving dispatch 911 to Park Rural once the outage occurred went well and was done within 15 minutes.

It was determined three designated city/county personnel should be trained to assist with a power outage/generator event in the future, as well as one local electrical vendor who will ensure he will be on-call at all times.

No other business was discussed.

The next meeting date is scheduled for July 1.

@4:37:06 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 4, 2008

County Commissioner District #3 Appointment

@8:36:32 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Brett Linneweber, county attorney; Denise Nelson, clerk and recorder; Peter Vandergrift, Livingston Enterprise; Amy Learn, Livingston Enterprise; Polly Miller, human resources; Public Citizens Greg Strong, Kris Denton, Ed Schilling, Dan Gutebear, Jim Taylor, Hillary Taylor, Dan Dinsdale, Jim Hunt, Eric Newhouse, and Chuck Donovan; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider an appointment of a District #3 County Commissioner.

Commissioner Lahren opened the floor to nominations. Commissioner Durgan nominated Kris Denton. Lahren nominated Vicki Hoffman.

Lahren moved to close nominations. Durgan seconded that nomination. Nominations were closed.

The Commission reviewed each other's written comments about the two nominations taken during candidate interviews.

Durgan said he supports the Denton nomination because of Denton's experience in the County Commission office. He said Denton is familiar with the routine, knows the day-to-day operations well, has a good background in the Commission's interests, and shares similar interests of mental health, social, and senior citizens issues as former Commissioner Murphy. Durgan said Denton could fill the gap relating to those interests the Commission has been unable to maintain since Murphy's resignation. Durgan said Denton has a better idea of the workings of the county government and the learning curve would be less than that of the other applicants.

Linneweber said the Commission could vote on the nominations at that time or recess to think about a decision.

The Commission opened the floor to public comment. No public comment was made.

Durgan suggested the Commission vote on the two nominations. Durgan voted for Kris Denton as interim commissioner. Lahren voted for Vicki Hoffman.

@8:47:03 a.m., Durgan made a motion to recess until 1:30 p.m., to further think about a decision. Lahren seconded that motion. The meeting was recessed. @1:30:39 p.m., Lahren reopened the meeting.

Linneweber said he researched whether a Park County employee appointed to a temporary appointment can return to his/her current county position after the appointment expires. He said the county personnel policy does not prohibit that. The county personnel policy would enable an employee to request a leave of absence and reassume his/her former position after the appointment ends. Linneweber said case law from the Montana Supreme Court forbids such an action. Linneweber said state law states a vacancy is created if an employee takes an appointment for a position which has authority over the position for which he/she leaves but plans to return to. Such is prohibited because, in this case, if Denton was selected and accepted as a commissioner she would be able to benefit the vacated position in anticipation of her return to that vacated position by changing position wages, benefits, or hours.

Linneweber said if Denton were selected for and accepted the appointment, the county could not grant Denton a leave of absence and guarantee her a job once the appointment ended. He said Denton would have to resign her current position, and the county could create a temporary position that expires the same day the appointment ends. Denton would then be eligible to reapply for her current executive assistant position on a competitive basis.

Durgan asked Denton if she is comfortable with the situation that would be created if she accepted the commissioner appointment as described by Linneweber. Denton said she is comfortable with that scenario, she considered that before she applied for the position, and is very serious about applying for the job.

Durgan said his nomination still stands. Durgan moved to open nominations. Lahren seconded that motion. The floor was open to nominations.

Durgan nominated Kris Denton. Lahren nominated Vicki Hoffman. Nominations were closed.

The Commission voted on nominees. Lahren voted for Hoffman. Durgan voted for Denton.

Durgan made a motion to postpone a decision on appointing a commissioner for District #3. Lahren seconded that motion. Motion passed.

Public comment was made by Ed Schilling. Schilling asked if the Commission cannot agree on an appointee, does it go the rest of the year with two commissioners. Linneweber said that issue has been considered before today's meeting. Schilling said he thinks the Commission needs to move forward with an appointment so things don't come to a complete halt should one commissioner become ill or a stalemate on an issue occurs, such as today. Schilling said he is concerned a standoff may happen again with another issue. Schilling recommended appointing Denton because she is ahead of the learning curve.

Public comment was made by Jim Hunt. Hunt asked whether a statute exists of what the Commission does with this matter at this point.

Public comment was made by Eric Newhouse. Newhouse asked where such a statute exists so the public can review it.

Public comment was made by Hillary Taylor. Taylor asked if the Commission was willing to explain why each commissioner feels one nominee will do a better job than the other. Lahren said the commissioners commented on the nominees at the morning meeting.

@1:47:48 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 4, 2008

Sanitarian Fiscal Year 2009 Budget

@9:06:38 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Randy Taylor, health department; Doris Morgan, health department; Marilyn Hartley, accounting; Polly Miller, human resources; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a proposed Sanitarian FY '09 budget.

Sanitarian Taylor said a trainee is needed immediately to help with state required inspections. A hired trainee would work under Doris Morgan. There was discussion about passing a resolution establishing a fee for family transfer services.

Taylor will put together a proposal letter with documentation figures of gas, maintenance, paperwork time, travel miles and time, inspection time, etc., to support any proposed increase to septic system inspection fees. Taylor said he will have Auditor Holland review that proposal letter and included dollar figures.

@9:26:10 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 4, 2008

Planning Issues and Informational Updates

@10:00:25 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Mike Inman, planning; Diane Papineau, planning; Hillary Taylor, planning; Anne Hallowell, city planning board; Philip Fletcher, planning; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss planning issues and informational updates.

Addressing agenda item II, Update on the Planning Board's Progress on Recommendations to Amendments to the 2006 Subdivision Regulations and Fire Standards, Inman said the planning board completed the process of reviewing public comment at its May meeting. Inman said the planning board determined recommended changes to the subdivision regulations by the previous planning board were not justified per public comment received. Inman said the planning department will put together a formal report on the matter to present to the Commission by early next week. The Commission will also get all public comment and a planning staff synopsis of content within those comments. Inman said the next step will be a public process at the Commission level, as the Commission is required to have one public hearing legally noticed 15 days in advance to take comment.

Durgan said August 1 may be a target date to make a final decision on the subdivision regulations.

Addressing agenda item III, 2008-2009 Proposed Planning Office Work Program, Fletcher said there is a number of things the planning department should be active in and hasn't been, including code enforcement and floodplain management planning. Fletcher said those issues need to be put into a systematic work program and worked on routinely, and he plans to start working on such issues this next year.

Addressing agenda item IV. Staff Reports, Inman provided the Commission with a review of a "Designing the New West" conference he attended via scholarship. Inman said attendees were from all over the country and the conference discussed trends of growth of the Mountain West. Design standards and what types of subdivisions are being built were discussed. The implications of sprawl into the mountains were discussed, as well as what sprawl does to the sense of community, sense of place, and infrastructure needs. The conference group toured subdivisions to quantify those factors.

Inman said he noticed the importance of incentives and infrastructure planning, saying if no incentives are provided, contractors will build anywhere and the associated costs to taxpayers go up because services have to be provided.

Inman said Park County cannot consider or plan for Planned Unit Developments (PUD) or cluster developments because the growth policy is suspended. Inman said the conference discussed a national trend back to community-based developments and designs, but with big money coming into the state from outside, that trend of going back to group living is not happening in Montana. As a result Yellowstone Club-type developments are losing clientele and struggling. Inman said the county needs a growth policy in order to create an incentive program to encourage individuals to develop near existing infrastructure. Inman said currently in Park County it's actually easier to develop in the county, because the city and donut area have design and infrastructure standards.

Inman said mixed-use developments create competition, but Park County does not have mixed-use zoning, so it cannot consider that type of development. He said mixed-use development is a new paradigm and shift in development and growth, but without proper zoning, incentives, and legal framework the developer will recognize the cost is too high and will go back to ball and chain development that has always been used, even though that type of development is no longer attractive to homebuyers.

Public comment was made by Ann Hallowell. Hallowell said the Yellowstone Preserve development plan within the Livingston city limits was a mixed-use oriented plan, and some residents did not want that because it was "making a town that's not our town."

Inman said in those developments connectivity is the key with pedestrian access and travel. Inman said you do not want to create a town that separates itself completely, but

you want to provide basic needs so people don't have to drive to get those. Inman said neighborhood plans help with that type of issue.

Hillary Taylor provided an update to the Park Board. Taylor reported no applications were received for two vacant seats on that board. Advertisements for those seats went out in Cooke City, Gardiner, on the county website, and in the Livingston Enterprise. The Commission said the treasurer and Philip Fletcher should meet with the Commission to discuss an option of moving Park Fund money into a different account.

Inman said the planning department does not have the resources to enforce land use regulations it is implementing and administering, and he is working on strategies of how to implement enforcement policies. He said many people use family exemptions to evade subdivision review. He is looking into devising spreadsheet analysis where exemptions are documented and regularly checked with the Clerk and Recorder to see if a property is still under the same name or has been transferred out and sold. Inman said the planning department needs to come up with a way to follow up on and see if people complied with zoning and compliance permits. He said currently the staff only addresses those permits when it receives citizen complaints. Inman said any enforcement of land use regulations would not be retroactive, but would depend on staff and resources.

Inman provided a subdivision activity list to update the Commission where subdivisions are in the application and review process. Durgan requested application and approval dates be included for all items on the list.

Addressing agenda item V, Livingston Planning Board Report, Inman said Philip Fletcher attended a May Livingston Planning Board meeting. Inman said the county and city planning boards are interested in communicating with one another, specifically discussing municipal donut area planning.

There was no additional public comment.

@10:57:26 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 4, 2008

Review Renewal of Property and Casualty Insurance for Fiscal Year 2009

@11:03:43 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Present was Thomas Berry, public citizen; Alice Senter, public citizen; Dan Gutebier, public citizen; Marilyn Hartley, accounting; Polly Miller, human resource; Bill Hurley, operations; and Commission Minutes Clerk John Mueller.

Thomas Berry said Key Insurance would like to continue to be the county's insurance agent and presented the Commission with a renewal proposal. Key reviewed with the Commission its proposed renewal and provided responses to a competitor's comments and service claims provided at an earlier meeting.

Durgan said the Commission is obligated to accept other offers from other insurance providers. He said the county will further review the renewal proposal.

@11:20:39 a.m., Durgan adjourned the meeting.

June 4, 2008

1:00 P.M. – Sign Claims – Commissioner’s Chambers

June 4, 2008

1:30 – 3:00 P.M. - Review Correspondence, Public Contacts, and Determine Action Plan – Commissioner’s Chambers – Canceled – Commissioners were in a deposition

June 4, 2008

3:00 P.M. – County Road Updates – Commissioner’s Chambers – Canceled – Commissioners were in a deposition

June 5, 2008

Elected Officials Compensation Board

@8:01:02 a.m., Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Commissioners Durgan and Lahren were present. Also present was Allan Lutes, Sheriff’s department; Marilyn Hartley, accounting; Polly Miller, human resources; Ed Barich, county superintendent of schools; Brett Linneweber, county attorney; Kevin Larkin, treasurer; Steve Woodruff, public citizen; Hannibal Anderson, public citizen; June Little, clerk of court; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to address elected officials compensation board issues.

Marilyn Hartley handed out for board review financial information from FY '06 to present including revenue and expended to-date figures. Hartley said she obtained Clerk and Recorder salaries from all Class 1 and Class 1B counties for comparison.

Addressing an issue of adjusting the Sheriff’s salary to result in county deputies being paid comparably to the Livingston Police Department, County Attorney Linneweber said per Montana Code Annotated, a corresponding raise in the base salary must occur for every other elected official aside from the county attorney. Linneweber said the Sheriff’s salary is based upon the Clerk and Recorder salary and is to be \$2,000 above the Clerk and Recorder’s base salary.

Public comment was made by Steven Woodruff. Woodruff inquired about a \$400,000 increase in approved appropriations from the general fund from FY ‘06 to present. Human Resources Manager Polly Miller reported a 205 study and a jail study was

budgeted for in that line item, but those studies were not done. In addition, a IT and HR departments were created. Linneweber reported that change also resulted in a change in state funding of how the county attorney position is funded. Miller said the general fund will increase again this year because an auditor position was added to the county government per state law.

Public comment was made by Hannibal Anderson. Anderson asked if the county had information on the particular impact such changes have to the general budget. Miller said it does not.

Woodruff asked if there was potential of PILT funds decreasing. He also asked if a slow up in real estate might reduce the county attorney's workload. Linneweber said that would not reduce his office's workload, as his office workload is based on county civil matters, not outside matters. He said the criminal caseload has doubled in the last 13 years. Sheriff Lutes said court and law enforcement caseloads are increasing. Lutes reiterated if he freezes his salary, then everyone in his department is frozen, per state law. Lutes said he is aware of the county's money crunch issues, specifically based on possible PILT reductions and the amount of PILT funds that fund the Sheriff's department.

Linneweber recommended the board approve a 2.8% Cost of Living Adjustment (COLA) this year due to the county's financial crunch, with the Sheriff, Treasurer, and Clerk and Recorder receiving a \$2,000 increase in addition because studies show those elected offices are underpaid based on size and amount of workload. Treasurer Larkin said since the county is in a money crunch, he'd like to see the employees get a benefit and he is willing to waive the 2.8% COLA so the employees can get a 2.8% increase.

Miller said the Commission made it clear to department heads their FY '09 budgets were to remain constant or be smaller for the next fiscal year. Lahren said the Commission directive was a 10% budget cut and only mandatory travel was to be budgeted for. Durgan said most budgets received from departments have appeared to follow that directive.

Anderson said he appreciates the elected officials' comments and attempts to be fiscally responsible. He said a 2.8% COLA for employees and an option for elected officials to accept that increase or reject it this year is a good policy, saying that is a conservative approach at this point.

Lahren said he feels the county has increased efficiency of county government and it is functioning better contrary to some public opinion. He said the Commission was advised by its former civil attorney and Miller if it holds the line on the budget for a couple of years the county will be okay even with some added departments and positions. He said the county is not in a gloom and doom situation, but needs to watch the budget closely.

Woodruff asked if there was anything that could be done to raise revenues, possibly raising property taxes. He says it appears the county is not operating on a sound financial footing based on the same annual discussion of a lack of funds.

Lahren said he doesn't see a lot of real big deficits in the county government funds and said PILT funds aren't that vital to the county. He said more management by objective, watching costs and travel expenditures, and more quantification of where costs are going is the key. He said the more money you get, the more gets spent, and the county has enough money to run if it is managed effectively. Larkin said he agreed with Lahren, saying it's how you spend the money. He said having an auditor to watch departments more closely will help. Linneweber said PILT funds will not go away and there is a chance it will go back to previous levels. He said it being a political year, many threats to PILT funds is just politics.

Linneweber recommended the county compensation schedule for elected officials' base salary be increased by the 2.8% COLA with the addition the Clerk and Recorder and the treasurer receive up to \$2,000 a year, which can be declined by those officials, and the county attorney's salary remain frozen for the fiscal year.

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

@9:01:24 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 6, 2008

No scheduled meetings

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

Denise Nelson
Clerk & Recorder
Park County, Montana