

Commission Meeting Minutes; Park County, Montana  
Week of June 9 – 13, 2008

June 9, 2008

Personnel Issue

@4:31:54 p.m. Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Bernadette Rambow, accounts payable; Polly Miller, human resources; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to address a personnel issue.

Bernadette Rambow requested the meeting be closed to the public. Lahren made a motion to close the meeting. Durgan seconded that motion. The meeting was closed.

@5:00:15 p.m., the meeting was adjourned.

June 10, 2008

County Offices Relocation

@8:03:11 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Present was Bernadette Rambow, accounts payable; Polly Miller, human resources; Brett Linneweber, county attorney; Marilyn Hartley, accounting; Don Holland, auditor; Bill Hurley, operations; Marc Richards, GIS/IT; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to address a county office relocation proposal.

Linneweber said he will be hiring a deputy attorney, and his current office does not have space for that position. Linneweber presented three written options to the Commission prior to today's meeting. One option is to partially move the present county attorney's office into the Extension office, but that option appears not to be good for Extension personnel or storage issues and would require a lot of construction. A second option is for the county attorney and MSU Extension to switch offices, but that would create a lack of sufficient office space and storage.

Linneweber recommended a three-way switch between the county attorney office, adult probation and juvenile probation, which would require the least amount of construction. Linneweber said he spoke with the adult probation supervisor in Bozeman and with all employees in the county's probation offices. Linneweber said all individuals are fine with the move. Juvenile probation would move into the present county attorney office. Civil Sheriff Clerk Colleen Singer would move into the present county attorney

receptionist area and Kim Lavender would move full time into the county attorney office. Adult probation would move into Singer's and Lavender's present offices.

Linneweber said a privacy wall would be installed in the present juvenile probation office to make it suitable for county attorney business. He said probation employees are state employees so the state would have to drop lines for the probation move at the county's expense, which may cost up to \$2,000. County attorney rewiring work will be completed by the county IT department. Linneweber said he would like to have the move completed before the new county deputy attorney is hired. Interviews for that position will be held June 16. Polly Miller said the Commission option tax budget may be used to pay for the move. Linneweber said no furniture should be needed. Marc Richards said he will put possible approval of a new computer for the deputy attorney from the computer committee budget on the June 10 computer committee meeting agenda. Richards and Erica Hoffman will assist with computer teardown and setup during the office moves.

A second county office relocation proposal was discussed. Linneweber said the proposal involves possibly moving Accounts Payable Clerk Bernadette Rambow either into Human Resource Manager Polly Miller's office or Auditor Holland's present office and move Holland into the accounting office. Rambow is solely supervised by Polly Miller, so the proposed move makes sense. Durgan said the Commission discussed the proposed move yesterday.

Bill Hurley recommended converting the large window in the accounting office facing the hallway into a counter so the public does not need to physically come into the accounting office except on exception. Hurley said the county could put a metal or secure drop down cover on the window, which would close at the close of business. Hurley said such a setup might increase efficiency in the accounting office and make that office more accessible to the public, county employees and elected officials.

Marilyn Hartley said the proposed move is not wise or justified and it will break up accounting functions between accounts payable and payroll functions. She said it is overkill to have a window in the accounting office as mentioned by Hurley. She said traffic in and out of the accounting office is sporadic and it would be a big mistake to totally de-unify the accounting functions on a permanent basis. Hartley said she had not heard about the proposed move before now and is disappointed she wasn't informed of the move. She asked why Rambow cannot work half of the day in the accounting office and half of the day with Miller. Holland also said it is the first he heard of the proposed move.

Durgan said the Commission first spoke about the proposed move yesterday, and it is not something the Commission has been trying to hide. Linneweber said the proposed move is under the advice of MACo. In light of new personnel changes, Richards asked Miller to give him an accurate update about computer purchase requests.

@8:31:17 a.m., Durgan recessed the meeting until 12:00 p.m., at which time Commissioner Lahren would be present, to make a decision on the proposed county

attorney move. @11:57:47 a.m., Durgan reopened the meeting with Commissioner Lahren present. A short review of the morning discussion was provided for Commissioner Lahren who was absent from the morning session of the meeting.

Linneweber asked the Commission to approve construction of a privacy wall in the present probation office that will become the county attorney office.

Durgan made a motion to authorize the project recommended by Mr. Linneweber to make the relocation. Lahren seconded that motion. Motion passed.

@12:06:05 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 10, 2008

Canvass Primary Election

@9:02:26 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Present was Kevin Larkin, treasurer; June Little, clerk of court; Denise Nelson, clerk and recorder; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to canvass primary election results. Treasurer Larkin was substituting for Commissioner Lahren who was in a deposition.

Canvassing Board Members Larkin, Little and Durgan canvassed and verified election results from each precinct by comparing M100 vote tapes to a summary printout. Upon comparison and review, Nelson said it appears everything shows there are no big discrepancies between what the election judges submitted to be counted and what was turned in at the polling places.

The canvassing board signed official and unofficial election results forms to be submitted to the state.

@10:24:40 a.m., Durgan closed the meeting.

June 11, 2008

Consider Approving Meeting Minutes for the Week of 6-2-08

@9:06:05 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review and consider approving meeting minutes for the Week of June 2, 2008.

Durgan recessed the meeting until time Commissioner Lahren was present. @10:42:29 a.m., Lahren reopened the meeting.

Durgan requested a revision to Page 7 of 17. Durgan noted each applicant interviewed during the June 3 county commissioner interviews asked that interviews be closed to the public.

County Attorney Linneweber requested the following revisions:

On 6/2 County Road updates - please identify "Jesson" by full name.

On 6/4 regarding the advice I gave – the key points for the minutes should reflect that case law states the vacancy is created because if an employee takes an appointment for a position which has authority over the position for which she leaves but plans to return to, such is prohibited because as a commissioner she would be able to benefit the vacated position in anticipation of her return to the vacated position. The changes I cited were prohibited because she could then reap the benefit of increased wages, benefits, hours, etc. Similarly, regarding the public comment aspect – I simply stated that the issue has been considered before this meeting.

On 6/5 Compensation Board meeting - regarding the Sheriff's salary – the comment regarding the Sheriff's salary can be \$2000 above should be changed to "is" to be \$2000 above the Clerk and Recorder's "base" salary. Similarly, this portion needs to reflect that the additional \$2,000 is for the Sheriff, Treasurer, and Clerk and Recorder only. Larkin did not say he is unwilling to accept the COLA, he stated he is willing to waive it.

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

@10:49:31 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 11, 2008

10:00 A.M. – Consider County Commissioner Appointment – Commissioner's Chambers - Rescheduled for June 16 @ 3:00 P.M.

June 11, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@10:49:42 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.

Commissioner Lahren reviewed the process that occurred with Resolution 1020 – closing a portion of the Whispering Pines Road. Lahren said the first page of the resolution was to be edited by Kathy Carrick and returned to the Commission. Lahren said that did not happen. The resolution would then be taken to Clerk and Recorder Nelson. Lahren said once the resolution returns from Carrick, Jerry Brekke's report will be attached to it and the report will be taken to Nelson.

Commissioner Durgan said he received a note from Lois Hatfield regarding a 755 landfill loader. Hatfield asked in her letter if a recycling contract was returned from Linneweber. Durgan will follow up with Linneweber on the issue. Durgan will also check with Linneweber about a draft resolution submitted by the solid waste board. Durgan said Nelson will check with Bruce Martin about storing voting machines at the fairgrounds.

Correspondence included:

- Letter from MT Public Service Commission re. increasing rates for household goods carriers and Tariff #1 - To file
- Memo re. metal mines license tax allocation criteria - To Marilyn Hartley, accounting, for review
- Heard Across Montana newsletter - To Director of Operations Hurley for review
- Memo from Denise Nelson re. observing “no electioneering” policy
- Memo from MACo re. Secure Rural Schools - To county superintendent of schools for review
- Bill Hurley weekly report
- Big Bear Electric invoice from the road department for wiring of a fuel tank in Clyde Park
- Proposed '09 budget from Gateway Hose Company - To Human Resources Manager Polly Miller for review
- Memo from Peggy Glass re. SMIC Consortium meeting held - To Hurley for review
- Memo from Harold Blattie of MACo re. failed public land community transition act
- Memo re. county open enrollment process in progress
- Memo from Barbara Hall re. a MT Water Trust retreat - To Durgan for review
- Memo from Mike Adkins re. notification of no responsibility for road maintenance on Eldridge Creek - To Road Book
- Road crew weekly work schedule - To Road Book
- YGM director timesheet - To Miller for review
- Claim from NW Energy re. a poll damaged by a road grader on the Five Acre Tract last month and no report was filed by the road department. Miller will follow up with Road Supervisor Ed Hillman about the matter

- Upper Yellowstone Water board volunteers for river cottonwood project - To Durgan for review
- Memo re. parks and recreation meeting at civic center - To Durgan for review
- Memo re. county attorney office relocation
- Rebuttal from Bill Moore re. letter from Chief Murray - To rural fire file
- Memo re. Beartooth Highway improvements
- Note from Mary Anne Anderson re. budget committee date change to June 16
- Note from Ed Meece re. city will provide \$1,500 for paving of Airport Road - To Kerry LaDuke, chairman of airport board, for review
- Veto Enterprises bid for Sheriff's vehicles - To file
- Commission postage meter log
- Memo from MT DEQ re. septic disposal - To Sanitarian Randy Taylor for review
- Letter of appreciation from Sheriff's office Wendy Wood and Gary Tanascu re. Polly Miller provided the most productive process seen in last seven years of the budgeting process
- Job Service updates
- RC&D memo - To Durgan for review
- Yellowstone Teton Energy Conference
- Heard Across America newsletter - To Hurley for review
- Upper Yellowstone Watershed meeting June 5
- Memo re. Stillwater County jail costs jumped re. safety levy on the ballot
- Memo from Dan Babcox re. point of contact - To Emergency Services Manager Belinda Van Nurden for review
- Memo re. wind power
- Safety meeting minutes - To Commission for review
- Road closure protocol from Van Nurden - To County Attorney Linneweber for review
- Contract for Matt Jesson for \$35,000 - Lahren said the road crew needs gravel specifications
- Email from Hillman to Linneweber re. a contract review request
- Purchase orders for gravel without contracts - The Commission will review the issue with Hillman at the next road update issues meeting
- IronWolf proposal for road work
- Memo re. emergency preparedness and First Responder Agencies and medication for children in event of emergency - To Public Nurse Suzanne Brown for review
- Memo re. water on O'Hair Lane
- Memo from Hillman re. Fisher gravel application – The Commission will review with Hillman at the next road update meeting
- Memo from Joe Hanser requesting a copy of resolution to close a portion of Whispering Pine Road
- Audit response - To Don Holland for review
- Local Government Firefighting Resource

@11:38:18 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 11, 2008

2:30 P.M. – Consider Contract for Managing Health Care – Commissioner’s Chambers – Canceled

June 12, 2008

Consider Releasing RFB for Building Myer’s Flat Site

@9:10:25 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; Dann Babcox, PCRFD#1; Jim Mastin, Livingston Fire; Peggy Glass, Park County 911; Marilyn Hartley, accounting; Bill Hurley, operations; Gary Tanascu, Sheriff’s office; Jeff Tong, Bridger Communications; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider releasing an RFB for building Myer’s Flat site.

Director of Operations Bill Hurley read his analysis of a Request for Bid (RFB) into the record. Hurley recommended the county issue the RFB and contract out the work to upgrade and build facilities at the Myer’s Flat site.

Park County 911 Director Peggy Glass said she talked to the Helena Department of Environmental Services office that handles the Homeland Security payments and was told payments are made to the county for Myer’s Flat type work in not more than three days. She said if a contractor is diligent, a site can be built in three weeks. Glass stressed the importance of getting the site construction going and getting equipment from the northside hill to Myer’s Flat to improve communications.

The Commission requested a memo from Glass with her comments for accounting office review. The Commission will sit in on an informational meeting with Glass and the Helena DES.

Lahren said explanation of the condition of the access road to Myer’s Flat should go into the RFB. The county will ensure access through the recreational development gate, but the road beyond that development exists as only a county easement and may not be easily passable. Hurley said the site is not classified a “hostile” site per definition.

Lahren said the statement of work must specify all work that needs to be done for the project. Additional comments from Hurley and Glass will be inserted in the RFB. The RFB will go to County Attorney Linneweber for review, and the county will go out for bids to complete the work.

Hurely said a pre-bid conference and tour of the site and access road will be conducted during the time bids are out. A tentative date to award bids is July 20, 2008 and construction may begin August 1.

Sheriff Lutes said he supports the project, as Sheriff's Office in-car computers currently don't always work and emergency services will greatly benefit from completion of the project.

Jeff Tong of Bridger Communications said teardown and reconstruction work needs to be completed at the same time or hospital and emergency services repeaters will be lost. He estimated teardown work as a four-day job. Glass said the statement of work includes teardown of the present building after the new facilities are installed.

@9:32:17 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

June 12, 2008

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

June 12, 2008

Review Correspondence, Public Contacts, and Determine Action Plan

@1:47:47 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; and Commission Minutes Clerk John Mueller. No public comment was made.

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

- Memo from Ed Coleman of DEQ re. plan in lieu of SEP fine. Lahren met with Ron Hoagland of the NRCS and rancher Dan Voyich to get a plan together and will get that plan back to Ed Coleman.
- Memo from Forest Service re. Big Timber Ranger District office and law enforcement contacts - To Sheriff Lutes, the Commission, Fire Warden Bob Fry, and DES Manager Van Nurden
- Memo from Northern Rocky Mountain RC&D re. defensible space program and wildfire fuels reduction around structures - To Commissioner Durgan for review
- Montana and the Sky newsletter - To Director of Operations Hurley for review
- Letter of recommendation for Kris Denton - To Commission for review
- Memo from Justice of Peace re. a substitute JOP will serve in her absence
- Shields Valley Watershed Group June 16 in Clyde Park to introduce Planner Philip Fletcher
- Memo from Human Resources Manager Miller re. benefits open enrollment
- Purchase Order for fire fighting equipment for county fire warden and deputy warden - The Commission will discuss the request with Bob Fry
- Memo re. Livingston Job Service jobs
- Memo re. MACRS rating request for gravel roads

- Memo from Auditor Holland re. stressing importance of privacy and security in his office. He would like to have an office with a lock and key that only he can access.

@2:03:29 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

June 12, 2008

County Road Updates

@3:32:42 p.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; Marilyn Hartley, accounting; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public comment was made.

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

Commissioner Durgan said a citizen complained to him about the condition of Fleshman Creek Road and asked why the road crew was putting gravel down and picking it back up. Durgan said he viewed the road and it wasn't that bad. Durgan said a citizen asked about a culvert on Fleshman Creek Road. Hillman said he told the citizen it is her responsibility to maintain that culvert. Durgan said he concurred with that answer because a former Commission said the county would not maintain irrigation culverts carrying water going to private individuals. Durgan said a citizen stopped in to ask when Chicken Creek Road will be bladed. Hillman said it is on the crewman's list, but he has been working on Brackett Creek Road until he got rained out.

Commissioner Lahren asked how often Canyon Creek Road is maintained. Hillman said it is only occasionally maintained. Lahren asked about Billman and Canyon View Roads. Hillman said the crew was going to work on those this week, but it was rained out. Lahren asked about Quinn Creek Road. Hillman said Gallatin County takes care of that road. Lahren said a citizen complained about the Deep Creek green box site on East River Road. Lahren asked about a Chicory Road project. Hillman said the trucking companies hauled millings for that project. Lahren provided Hillman with a request from the Montana Association of County Road Supervisors (MACRS) to rate Park County roads by August 15.

Lahren said the county has a public information request from Tim Watson about the Carbella Bridge project, various 2007 Commission/road supervisor meetings, and road grader bills of sale for former county road graders. Lahren asked who authorized the transfer of the grader equipment. Hillman said the accounting office and that he does not know who authorized it. Lahren said the accounting office pays bills and does not authorize transfer of county equipment. Hillman said he released the graders based on a proposal signed by Lahren. Lahren said a bill of sales does not exist and Caterpillar took possession of county graders without signed authorization from the Commission. Human

Resources Manager Polly Miller said according to the Department of Motor Vehicles, no title is required on motor graders. She said the Department of Motor Vehicles indicated there should have been a bill of sales done to define ownership transfer of the motor graders and absolve Park County of liability.

Lahren asked about an invoice from Big Bear Electric for rewiring a fuel tank. Hillman said that invoice was for work in Clyde Park. Lahren asked about a purchase order for grader fenders. Hillman said they have been delivered to the county. Lahren said the Commission did not approve that purchase.

Lahren asked Hillman if he was aware of the interoffice memo from the Commission directing department heads to first approach the Commission with requests for assistance from the county attorney. Hillman said he submitted an email to County Attorney Linneweber asking if he needs a contract for purchasing gravel. The Commission said Hillman needs to put in writing to the Commission requests for Linneweber's assistance.

Lahren asked about a price proposal for gravel from Matt Jesson and Steve Koontz. Lahren said the county has a standard contract format and the proposal from Jesson and Koontz is not in that format.

Lahren asked why Fisher is doing a credit check on the county when Hillman refused to buy gravel from the previous owner, STS. Hillman said he will not buy gravel from Fisher because it is not good gravel. Marilyn Hartley said she understood from Hillman the county had a credit account from STS, so since it was bought out by Fisher the county should get a credit application for that new company in case it needs to buy from it.

Lahren asked about an invoice for gravel from CIB for which a contract does not exist. Lahren told Hillman he and the Commission have been through this issue before, saying it is county protocol to have contracts and specifications of materials and projects within contracts. Lahren said the purpose of the contract is to establish the price, type, origin, and specifications of gravel, product or service being used or paid for. Lahren said an Arthun Pit Run invoice still needs to be paid, but a contract with Arthun still does not exist.

Lahren said Linneweber has a boilerplate gravel contract Hillman can use. Lahren reiterated the county has to have contracts for gravel suppliers noting what is being purchased, the amount, the rate and terms and conditions. Lahren said a contract will be needed for proposed IronWolf work.

Hillman said Chico and Arthun has gravel that meets county and LTAP specifications. Lahren said the gravel companies need to provide the county with proof that gravel meets specifications. Hillman said Conlin Road and Cottonwood and Porcupine Roads have held up better with use of Chico and Arthun gravel. Lahren said proving what roads hold up better with different gravels is hard to do because the amount of traffic varies on each road. Polly Miller said it would be nice to track what gravel is going on which roads.

Durgan asked if the road crew cuts through washboards before gravel is put down. Hillman said it does. Hillman said graders have wheel compacters on the back of graders and water is applied to roads when grading them when necessary.

@4:12:56 p.m., Durgan adjourned the meeting.

June 12, 2008

Road and Bridge Fiscal Year 2009 Budget

@4:13:07 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. Present was Ed Hillman, road foreman; Marilyn Hartley, accounting; Bill Hurley, operations; Polly Miller, human resources; Don Holland, auditor; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss proposed FY '09 Road and Bridge Department budgets.

Ed Hillman and Polly Miller provided the Commission with proposed FY '09 budgets for the Road and Bridge Departments. A 2.8% Cost of Living Adjustment is included in the budget for road crew personnel. Miller and Hartley will provide the Commission with updated budget information and another budget meeting will be scheduled.

@5:10:01 p.m. Durgan adjourned the meeting.

June 13, 2008

No meetings scheduled

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana