

Commission Meeting Minutes; Park County, Montana
Week of May 12 – 16, 2008

May 12, 2008

County Road Updates

@8:37:24 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Present was Ed Hillman, road supervisor; Polly Miller, human resources; Don Holland, auditor, and Commission Minutes Clerk John Mueller. No public comment was made.

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

Hillman reported the Clyde Park polling place work is finished. Work on the Emigrant polling site will start May 13. Lahren phoned Kurt Thompson of Gardiner to okay a proposed sidewalk encroachment. Thompson has an encroachment permit.

Hillman reported Matt Jesson has offered the county gravel from a new pit for \$5 per yard. The road department will either buy it by the yard or buy it after being weighed. Lahren informed Hillman he will need a contract and an agreement with Jesson for the gravel.

Hillman reported the Six Mile Bridge has been damaged, likely by an oversized load. A stringer was broken and is impeding water flow under the bridge. The road crew will have to take the deck off of the bridge to fix the structure. A bottomless culvert would cost around \$30,000 to install. Hillman noted safety is not an issue at this time, but the bridge needs to be fixed.

@8:47:35 a.m., Lahren adjourned the meeting.

May 12, 2008

Canvass Park County Rural Fire District #1 Election

@10:00:56 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Present was Denis Nelson, clerk and recorder; Ronda Winge, clerk and recorders office; Kevin Larkin, treasurer; Chris Schleining, PCRFD#1; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to canvass Park County Rural Fire District #1 trustee election results.

Ronda Winge opened sealed election results for the PCRFD#1 trustee election. A total of 251 votes were recorded. Kevin Larkin and Denise Nelson reviewed and verified vote counts. Nelson noted a one vote tally difference in the tally sheets of the two election judges. That difference was 58 and 59 total votes for Charles Donovan. Nelson noted

the difference did not affect overall election results. Election results were as follows: Charles Donovan: 59 votes; Courtney Lawellin: 63 votes; Larry Blakely: 92 votes; and Ray R. Sundling: 123 votes.

Per election results, Larry Blakely and Ray Sundling are the new PCRFD#1 trustees.

@10:10:09 Lahren adjourned the meeting.

May 13, 2008

7:30 A.M. – Job Service Employers Committee – Job Service

8:00 A.M. - Climate Change in Montana: Impacts and Opportunities for Agriculture and Energy Conference – Durgan – Bozeman Wheeler Center

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

1:00 P.M. – Senior Citizen’s Meeting – Senior Center

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

May 14, 2008

Consider Minutes for Week of May 5, 2008

@8:00:59 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 review and consider approving Commission meeting minutes for the Week of May 5, 2008.

Durgan noted the Commission will schedule a meeting with staff once County Attorney Linneweber submits a memo of proposed office space needs. Durgan noted a meeting on Metal Mines license taxes will take place May 14 at 1:30 p.m.

On Page 13 of 13, Durgan noted the 3 o’clock p.m., “County Road Updates” meeting was canceled because no representative from the road department was present.

On Page 10 of 13, Lahren noted the correct spelling of “Rosen” Brothers.

County Attorney Linneweber submitted the following revision requests:

On Page 2 of 13; last paragraph, the second sentence should read, “The proposal will be reviewed by Linneweber prior to Inman presenting it to the planning board and Commission before submittal.” On Page 5 of 13; the fourth paragraph should read, “The Commission signed a bid proposal from Olness & Associates following legal review by

the auditor and county attorney.” On Page 8 of 13; the fifth paragraph should read, “There was no quorum of commissioners. Durgan recessed the meeting until May 9, 2008, at 1:30 p.m.”

Durgan made a motion to accept the minutes with corrections noted. Lahren seconded that motion. Motion passed.

@8:10:40 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 14, 2008

Discuss Park County Concerned Citizens v Park County DV #07-49 – To Be Closed for Litigation Strategy

@8:59:45 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 and Susan Swimley, attorney; via telephone. No public comment was made.

Susan Swimley telephoned the Commission to discuss Park County Concerned Citizens v. Park County DV #07-49. Swimley requested the meeting be closed for litigation discussion.

@9:01:18 a.m., Durgan made a motion to close the meeting. Lahren seconded that motion. Motion passed.

@9:30 a.m., the Commission adjourned the meeting.

May 14, 2008

Review Correspondence, Public Contacts, and Determine Action Plan

@10:01:59 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, director of 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 Carol Davidson re. new services update for mental health - To Linneweber for review
- Memo re. Soda Butte Lodge cancelation for non-payment of premium - To finance department
- NACo memo for second vice president
- Memo re. Friends of the Library book sale
- Memo re. Shield's Valley Watershed Group May 19 meeting reminder

- Memo re. Gardiner Sewer District transfer - To Gardiner Sewer file
- Road Crew work schedule for Week of 5-12 - To Road Book
- Road crew fender purchase order
- Memo from Blaze Striping re. striping of parking lot - To Commission for review
- Memo from Harold Blattie re. PILT reduction will not affect June '08 or '09 county payments. The county will receive a reduced Title 3 forest payment in '08 - To Commission, Hillman and budget committee for review
- Memo from MACo re. landfill rules hearing May 14 - To Durgan for review
- Memo from Lainey Reynolds re. health care insurance 6 month contract proposal - To Miller for review
- Memo re. National Transportation Week May 19
- District 8, 9 and 12 meeting agenda; Whitehall May 15 at 10 a.m.
- Memo re. 10 Weaknesses in Government Contracting
- Van Jamison wind energy report - To Durgan for review
- Memo re. City/county Livingston Flood Awareness Day on June 11
- MACo 2009 Worker's Compensation rates - To Miller for review
- Big Brothers Big Sisters May 22 @ 5 p.m., afterhours
- Department of Natural Resources and Conservation meeting May 29 re. wind energy proposal from Coyote Wind LLC in Sweetgrass County
- Certificate of Liability Insurance for Archie Mann - To Road Book
- Memo from Bill Hurley re. Myer's Flat issue - To Road Book
- Memo from MACo re. retirement and employee group info request - To Miller for review
- NACo newsletter - To Hurley for review
- Memo re. Governor's Drought Advisory Committee meeting May 21 in Helena
- Memo from county AP clerk re. submit claims by May 16
- Memo re. drought conditions and participation maps east of Continental Divide
- Memo re. EPA brownfield reclamation training May 29 - To sanitation for review
- Interoperability report - To Hurley for review
- Memo from Missoula County re. proposed Forest Service road easement for Plum Creek Timber Company
- Memo from Dept for Public Service Regulation re. change in methodology for computing fuel surcharges - To Linneweber for review
- Fiscal year 2009 budget request from Area 4 Agency on Aging - To Durgan for review
- Governing Magazine

Durgan reported a citizen requested information as to why Mr. Allison has a gate on Willow Bend Road and when permission was granted for that gate. The county GIS department is researching the right-of-way on that road.

@10:30:46 a.m., Lahren made a motion to adjourn. Durgan seconded that motion. The meeting was adjourned.

May 14, 2008

Metal Mines License Tax 2008 Annual Allocation

@1:26:03 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was John Beaudry, Stillwater Mining Company; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss metal mines license tax 2008 annual allocation.

John Beaudry provided the Commission with Appendix A of a 2008 Annual Allocation of Metal Mines License Tax Revenue to Eligible Counties report. Beaudry noted Park County will receive 20.7% of allocated revenue in 2008. Allocation is dependent on economic impact and residence location of employees. Currently, 172 employees reside in Sweetgrass County; 171 employees reside in Park County; and 70 reside in Stillwater County.

The Commission signed off on the tax allocation form titled, *Purposes of the Allocation of Metal Mines License Tax Revenues Received and Allocated by the Montana Department of Revenue in Calendar Year 2008.*

@1:40:26 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 14, 2008

Mosquito, Weed, and Junk Vehicle Fiscal Year 2009 Budget

@2:28:50 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Clay Williams, Weed/Junk Vehicle director; Marilyn Hartley, accounting; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a proposed Mosquito, Weed and Junk Vehicle Department fiscal year 2009 budget.

Mosquito/Weed/Junk Vehicle Director Clay Williams reviewed his proposed Fiscal Year 2009 budget with the Commission. Williams explained how he determined proposed line item numbers within the budget. The proposed draft FY '09 budget includes a Cost of Living Adjustment (COLA) and a comprehensive benefit package. William's current budget is at the permitted 33% reserve amount.

@2:58:14 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that meeting. The meeting was adjourned.

May 14, 2008

Superintendent of Schools Fiscal Year 2009 Budget

@3:01:51 p.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Ed Barich, county superintendent; Marilyn Hartley, accounting; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a proposed Superintendent of Schools fiscal year 2009 budget.

Barich reviewed his proposed Fiscal Year 2009 budget with the Commission. Barich explained how he determined proposed line item numbers within the budget. The proposed draft FY '09 budget is \$3,300 more than last year's budget. The budget includes a projected 2.8% COLA increase and increased travel expenses.

@3:24:31 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 16, 2008

Open and Consider Rabbit/Poultry Barn Bids

@9:30:12 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Kevin Larkin, treasurer; Tyler Heupel, Building Dimensions, Inc.; Dani Fisher, Dick Anderson Construction; Jim Tholt, Dick Anderson Construction; Luke Frazier, public citizen; Kemp O'Neil, public citizen; Myron Kovash, public citizen; Leann Pipinich, public citizen; Jeremy Maus, public citizen; Eric Roset, Roset and Associates; Mike Adams, public citizen; Jim Snyder, public citizen; Kim Knutson, fair manager; and Commission Minutes Clerk John Mueller.

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

There was discussion about confusion among contractors when bidding on barn specifications included within an advertised bid.

Public comment was made by Jim Tholt. Tholt asked that all bids include specifications and schedules listed in the advertised bid. Public comment was made by Myron Kovash. Kovash asked that all bids follow advertised bid specifications. Public comment was made by Kemp O'Neil. O'Neil commented bid specifications were difficult to follow and were the hardest set of plans he has dealt with. He said there will be a huge dollar difference in the contractor bids submitted for the project because contractors were unclear of requested bid specifications. Public comment was made by Jeremy Maus. Maus said electrician subcontractor bid specifications he received varied greatly because of confusion about bid specifications and addendums added to the advertised bid.

Jim Snyder said he knew of questions contractors had about 26 versus 29 gage steel, paint color, and concrete specifications in the advertised bid. Snyder said contractors were able to provide alternative design bids within the advertised bid.

Lahren recommended the advertised bid include a date by which construction is to be completed and no alternative designs should be permissible in bids.

Lahren said he is concerned with the amount of expressed contractor confusion about the advertised bid. Lahren recommended postponing opening of bids to accept written comments from bidders about concerns and questions that led to their confusion when bidding on the advertised bid. Lahren commented those comments would be reviewed by the county attorney to ensure specifications are clear in a re-advertised bid. The Commission will meet with the fair board and Snyder once bidder comments and questions are received. The bid will be redrafted and re-advertised.

Lahren said 11 sealed bids submitted by contractors will not be opened, will be returned to the Clerk & Recorder, and the county attorney will be consulted for legal advice on handling the sealed bids. Bidder comments are due to the Commission by 5 p.m., May 20. A projected timeframe of the re-advertised bid was provided. Bids will be re-advertised around June 2, and a projected date to open sealed bids was set for June 23.

Durgan made a motion to postpone the bid opening until plans are redone and a new bid date of June 23 is set. Lahren seconded that motion. Motion passed.

@10:19:50 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 16, 2008

Liability & Casualty Insurance Proposal

@11:01:05 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Alice Senter, public citizen; Bill Hurley, director of operations; Chuck Vancura, Swanson Leavitt; Dan Gutebier, Swanson Leavitt; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a liability and casualty insurance proposal.

Chuck Vancura and Dan Gutebier of Swanson Leavitt provided a review of the Leavitt Group and the liability and casualty insurance services it can provide to the county.

@11:23:26 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 16, 2008

County Attorney Fiscal Year '09 Budget

@1:11:14 p.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; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review a proposed county attorney Fiscal Year 2009 budget.

Brett Linneweber presented a draft proposed budget for Fiscal Year 2009. Linneweber noted the budget committee reviewed the draft proposed budget prior to the meeting with the Commission and had no immediate recommended changes.

@1:12:47 p.m., Durgan made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 16, 2008

Planning Department Fiscal Year 2009 Budget

@1:31:48 p.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 department; Philip Fletcher, planning department; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review a proposed planning department Fiscal Year 2009 budget.

Philip Fletcher handed out an Annual Budget Request FY 2009 for the planning department. That request includes a budget for FY 09 with the current planning department staff and a reorganized department budget including a change of a current half-time position to a full-time position. The budget reflects a proposed 2.8% Cost of Living Increase for eligible employees. Fletcher reported increasing the half-time position to a full-time position would enable the planning department to address the following planning department activities: 1) code enforcement; 2) floodplain management planning; 3) fire hazard mitigation planning; 4) improve the department's coordination and contact with the county's communities; 5) actively work on achieving long-range planning goals.

Fletcher said he would like to increase the half-time position to a full-time position and complete the above-mentioned activities. Fletcher encouraged the Commission to agree to the budget option of creating a full-time position, noting funds will need to be generated to meet that budget.

@2:05:46 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 16, 2008

Review Correspondence, Public Contacts, and Determine Action Plan

@2:09:39 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, director of 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:

- Angeline meeting minutes
- Yellowstone Gateway Museum director time sheet
- Letter from Susan Swimley re. proposed modification of solid waste lawsuit injunction - To file
- Memo re. Gateway Hose Company expansion - To Miller for review
- Memo re. allocation of metal mines tax - To file
- Memo from police department re. ongoing building security issue - To Denton to agenda
- Memo re. PILT funding status
- Airport Board meeting minutes - To Durgan for review
- Letter from Clerk and Recorder re. requesting RFPs and bids by county departments be distributed by the Commission and not the Clerk and Recorder's office. - The Commission will amend Resolution #905 to enact the request

Bill Hurley updated the Commission on the May 15 Solid Waste Board meeting. The Commission will request the county attorney brief the board on its role and powers as a board.

@2:39:08 PM Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 16, 2008

County Road Updates

@2:53:18 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner's Chambers. 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 update the Commission on county road issues.

Hillman provided a project estimate for the Six Mile Bridge Repair. Hillman and Durgan listened to a telephone voice message from Debra Mackey of Six Mile Creek Road. She said she needs to get in and out of her residence on that road. Hillman said he has to close the road to fix the broken Six Mile Creek Bridge. The road department will fix a ford to enable crossing of Six Mile Creek for emergency use only. Hillman said MT Fish and Game will not permit normal travel through the creek. Hillman said bridge repair work will take 2 days and he will have bridge closure announcements on KPRK.

Hillman said grading of Meigs Road, Divide Creek and Trail Creek Road was completed this week. The road crew is also working on the Billman, Canyon View and Shamrock Roads in the Five Acre Tracts. Swingley Road was completed to Mission Creek Road. The remainder will be finished next week.

Hillman said IronWolf will be through on May 25 to finish work on Billman Creek Lane. He said the Airport Road needs to be milled and that Clint Tinsley told him the city has no money to contribute to that project.

Hillman reported Clyde Park and Emigrant Hall voting place work is completed. The signs and painting at the fairgrounds needs to be completed.

Durgan said he was phoned by a citizen asking why grading on Swingley Road was not finished. Hillman said the road got too dry to grade. Durgan said he received a call from a citizen on Deep Creek Road who was told by Hillman that road is not a county road. Hillman said an individual called him and wanted to know when the county would grade the South Fork of Deep Creek Road. Durgan said he received a citizen call that Willow Bend Road is a county road and has a gate across it now. Hillman said the road has never been maintained, but there is a county right-of-way along the road. Hillman said no T turn-around has been installed on Suce Creek Road.

Hillman said a culvert near Dick Payne's place near Love's Lane is not plugged or damaged.

@3:21:02 p.m., Durgan closed the meeting.

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

Denise Nelson
Clerk & Recorder
Park County, Montana