

Commission Meeting Minutes; Park County, Montana
Week of May 5 – 9, 2008

May 5, 2008

County Road Updates

@8:30:14 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Present was Brad Wilson, road department, Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public citizens were present, and no public comment was made.

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

Brad Wilson updated the Commission on the projected road crew work schedule for the week. Wilson provided a project estimate for handicapped-accessible polling work to be completed at the Clyde Park Community Hall, the county fairgrounds, and in Emigrant. Completing polling place work is a top priority.

There was discussion about project estimates. Lahren directed the road department to use commercial rates when filling out road project estimates to enable cost comparisons of road projects completed by the road crew and a commercial firm. Project estimates should include the cost of all materials necessary to complete a project, such as the cost of millings and gravel. Lahren stated project estimates submitted with that information, along with a priority plan of work, will help in planning out the annual road department budget.

Wilson reported citizen complaints and amount of traffic a road receives dictate how frequently a road is graded. Wilson estimated it would take 2 to 3 days to complete a Sacajawea Park bridge project. He said it has not been completed to-date because other road work was given priority.

@8:55:50 a.m., Lahren adjourned the meeting.

May 5, 2008

Consider Minutes for Week of April 28, 2008

@9:04:02 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioner Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public citizens were present, and no public comment was made.

The meeting was scheduled to review and consider approval of Commission meeting minutes for the Week of April 28, 2008.

John Mueller commented his computer is not functioning correctly and he cannot access the draft minutes on the county server. The county IT Department has been notified of the issue.

Lahren made a motion to recess the meeting until the minutes are fully prepared and reviewed. Durgan seconded that motion. Motion passed.

@9:04:53 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 5, 2008

Planning and Informational Updates

@10:00:16 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioner Durgan and Lahren were present. Also present was Philip Fletcher, planning department; Hillary Taylor, planning department; Diane Papineau, planning department; Ann Hallowell, city planning department representative; and Commission Minutes Clerk John Mueller.

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

Addressing the second agenda item, Legal Update, County Attorney Linneweber was present in court and unavailable for a legal update. Fletcher commented he and Linneweber discussed the role the county attorney will play in planning department business.

Addressing the third agenda item, Planning Board's Approval of Fire Standards, Fletcher commented he provided the planning board with a synopsis of transcribed public comment from six public meetings during which fire standards were discussed. The planning board also received the 60 pages of public comment from which the synopsis was drafted. The planning board reviewed the comments and drew findings of facts and recommendations and voted to submit those to the Commission. Upon Commission review, a public hearing will be held.

Addressing the fourth agenda item, Update on Planning Board's Progress on Recommendations to Amendments to the 2006 Subdivision Regulations, Fletcher commented he provided the planning board with a synopsis of transcribed public comment from six public meetings during which subdivision regulations were discussed. The planning board also received the 60 pages of public comment from which the synopsis was drafted. The planning board will review public comment at its May 15 meeting.

Addressing the fifth agenda item, Status of Growth Policy Public Education Program, Inman will prepare a grant proposal to help fund that program. The proposal will be

reviewed by Linneweber prior to Inman presenting it to the planning board and Commission before submittal.

Addressing the sixth agenda item, 2008-2009 Proposed Planning Office Work Program, Fletcher will have a draft program proposal for Commission review by the end of the week. The program will primarily address the planning department, but the planning board will be a part of the program when appropriate.

Addressing the seventh agenda item, Staff Reports, Hillary Taylor reported no applications had been received for two vacancies on the park board as of April 25. Vacancy announcements have been made on KPRK. There was discussion about the legality of county commissioners filling the park board vacancies and revising the park board to a three-member board. There was discussion about the goals of the park board. Taylor encouraged maintaining a supportive relationship between the park board and the planning department.

Public comment was made by Ann Hallowell. Hallowell asked if a county planning board member sat on the park board to provide planning issues expertise. She said most parks in the county were created by state subdivision requirements, so park board members will need knowledge of subdivision regulations.

Lahren commented the park board needs to exist as an entity separate from the county planning department. The park board would obtain knowledge of subdivision regulations from the planning department and county attorney, but would come up with its own recommendations to the planning department, planning board, and the Commission. The overall function of the park board will be determined per Montana Code Annotated. The board will function with three members until a five-member board is established. A meeting will be agendad with the Commission to formally appoint applicants as board members and provide the board with its role and function and how to manage the park fund.

Taylor reported Treasurer Kevin Larkin would like to move park fund monies into a Short Term Investment Pool (STIP) account with a higher interest rate. Hallowell expressed concern with moving funds into a STIP account due to volatility of such an account. The Commission requested Larkin meet with the Commission and explain the parameters of a STIP account the benefits of moving funds into such an account.

Hallowell commented the city growth policy was not changed, but the growth policy map was changed. She asked whether Fletcher and City Planner Jim Woodhull could discuss differences in city and county planning and zoning verbiage and issues to make it easier for citizens to understand each entity's issues.

Fletcher commented such an effort between the county, city of Livingston and Clyde Park is included in his draft proposed work program.

No additional public comment was made.

@10:53:02 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 5, 2008

12:00 P.M. – Community Network Meeting – Job Service

May 5, 2008

1:30 – 3:00 P.M. – Review correspondence, public contacts, and determine action plan – Commissioner’s Chambers – Canceled

May 5, 2008

Consider Franzen-Davis Contract

@4:01:23 p.m., Chairman Lahren called a meeting to order in the Commissioner’s Chambers. Present was Brett Linneweber, county attorney; Tom Davis, Franzen-Davis; and Commission Minutes Clerk John Mueller. No public citizens were present, and no public comment was made.

The meeting was scheduled to discuss a county/Franzen-Davis contract for funeral services.

Tom Davis and Brett Linneweber reviewed discrepancies between county-authored and Franzen-Davis-authored drafts of a professional services contract between Park County and Franzen-Davis Funeral Home for funeral services. Linneweber will create a final draft with agreed-upon revisions and provide it to Davis for review. A meeting will be scheduled with the Commission to sign the final contract.

@4:22:47 p.m., Lahren closed the meeting.

May 6, 2008

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

May 6, 2008

Open and Consider Audit Request for Proposals

@9:00:19 a.m., Commissioner 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 citizens were present, and no public comment was made.

The meeting was scheduled to open and consider audit requests for proposals.

The Commission received one bid and opened a sealed bid from Olness & Associates, P.C. Bid amounts were as follows: \$14,750 for initial (or sole) audit covering 7-1-07 to 6-30-08; \$14,850 for subsequent audit covering 7-1-08 to 6-30-09; and \$14,950 for subsequent audit covering 7-1-09 to 6-30-10.

@9:04:53 a.m., Lahren made a motion to recess the meeting until the county auditor and county attorney review the bid. Durgan seconded that motion. Motion passed.

@4:53:03 p.m., the meeting reopened.

The Commission signed a bid proposal from Olness & Associates following legal review by the auditor and county attorney.

@4:55:16 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 6, 2008

Consider Information Technology Advisory Committee FY 2009 Budget Changes

@10:04:39 a.m., Commissioner Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Marc Richards, GIS/IT; Erica Hoffman, GIS/IT; Colleen Singer, sheriff's office; Marilyn Hartley, accounting; Bill Hurley, operations; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public citizens were present, and no public comment was made.

The meeting was scheduled to consider Informational Technology Advisory Committee FY '09 budget changes.

Richards provided an IT committee budget summary for fiscal years 2006 through 2008 and noted a reduction in PILT funds will cause changes in the IT Committee budget. Ten computers will be purchased by the IT committee as replacement computers by the end of the current fiscal year. The Commission suggested limiting IT committee trainings and travel to mandatory, functional trainings to assist with a projected reduced budget. Computer services from Granite will be limited to issues the county IT department cannot resolve. A notification memo will be distributed to department heads to contact the IT department and not Granite when having computer issues.

@10:30:48 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 6, 2008

2:00 P.M. – Health Insurance Committee – Durgan – Community Room

May 6, 2008
City-County Meeting

@4:01:17 p.m., Commissioner Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Durgan and Lahren were present. Also present was Marc Richards, GIS/IT; Colleen Singer, sheriff's office; Marilyn Hartley, accounting; Bill Hurley, operations; Sandy Wulf, city of Livingston; Rick VanAken, city commission; Steve Caldwell, city commission; Ed Meece, city manager; Mary Beebe, city commission; Larry Teeter, public citizen; Jim Benvenga, Park High School; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss joint city-county issues.

The city and county are in discussions about the parameters and continuation of various shared-services budgets. Ed Meece is in discussions with Peggy Glass regarding an upgrade to Sleuth law enforcement software and respective city/county costs.

City Attorney Bruce Becker drafted a City-County 911 Agreement. Meece submitted that to the Commission, which will submit it to the county attorney for his review.

Larry Teeter gave a Tennis Court Rehab Presentation. Teeter addressed the need to repair and maintain city tennis courts. Two existing courts are beyond repair and need to be rebuilt, and four others can be resurfaced for \$45,000+ apiece plus a yearly maintenance cost of \$5,000. The cost to rebuild six new courts was quoted by a contractor as \$360,000+. Teeter inquired into the ability of the city, county and schools to finance necessary repairs and rebuilds, saying the county and Livingston School District have partnered with the city of Livingston on this type of tennis court project in the past.

There was discussion about US Tennis Association grants, a capital improvement fund, private donations, and a user-fee system to help pay for the cost of rehabilitating the tennis courts. Mary Beebe recommended consulting the local soccer association for insight on how it tackled a similar endeavor with soccer field needs.

Lahren suggested Teeter devise a comprehensive plan that includes a cost estimate, court locations, possible funding sources, and projected clientele using the courts and present that to the city and county governments to enable them to assess how they can assist with the effort. Steve Caldwell recommended Teeter organize a community tennis association to guide a proposed tennis court project.

Jim Benvenga said the school district is battling its own tennis court finance issue. He said the high school needs a minimum of six courts for school district teams. Having eight courts would enable the school district to host a district or state tournament.

In Other Business, Lahren reported the county will finish its work on the Sacajawea Bridge within a few weeks. The city will need to reseed and address sitting benches for the site.

The next city-county meeting is scheduled for June 3.

No public comment was made.

@4:44:41 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 7, 2008

Consider Missouri River Drug Task Force Local Drug Task Force Agreement for Fiscal Year 2008-2009

@8:30:54 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; Brett Linneweber, county attorney; Peter Vandergrift, Livingston Enterprise; and Commission Minutes Clerk John Mueller. No public citizens were present, and no public comment was made.

The meeting was scheduled to consider a Missouri River Drug Task Force local drug task force agreement for fiscal year 2008-2009.

Sheriff Allan Lutes reported the Missouri River Task Force handles 33% of the workload experienced by all seven state task forces. Participation in the task force benefits Park County through federal aid in narcotics control efforts and gives the county eligibility for forfeiture benefits. Seventy-five percent of the cost is paid by federal Byrne and Justice Assistance Grants (JAG). The county is responsible for the remaining 25% of the cost.

@8:45:24 a.m., Lahren made a motion to recess on the issue until 1 o'clock. Durgan seconded that motion. The meeting recessed. @12:58:10 p.m., Lahren reopened the meeting.

Lutes explained the particulars of the agreement.

Durgan made a motion to accept the Missouri River Task Force Local Task Force Agreement for Fiscal Year 2008-2009. Lahren seconded that motion. Motion passed.

@1:01:59 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 7, 2008

9:00 A.M. – Conference Call to Discuss Park County Concerned Citizens v Park County DV 07-49 – To be Closed for Litigation Strategy – Commissioner's Chambers - Canceled

May 7, 2008

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

May 8, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@1:29:30 p.m., Vice-Chairman Durgan called a meeting to order in the Commissioner’s Chambers.

There was no quorum of commissioners. Durgan recessed the meeting until May 9, 2008, at 1:30 p.m.

@1:30:26 p.m., Durgan closed the meeting.

May 9, 2008

Consider Approving Minutes for the Week of April 28th, 2008

@10:01:54 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 citizens were present, and no public comment was made.

The meeting was scheduled to consider approving Commission meeting minutes for the Week of April 28, 2008.

Lahren requested revisions to: Page 1 of 20; the third paragraph should read in entirety, “The Commission requested Hillman be more specific with his road crew weekly work schedule as to where and when the road crew will be working in order to better inform citizens of work to be completed.” Page 18 of 20; Lahren noted the correct spelling of “acclamation” in the May 2, 2008, Paradise Valley Fire Department Appointments meeting. Page 18 of 20, the last paragraph should read in entirety, “There was discussion about the intended role of the Budget Committee. The committee was created to provide preliminary review of department budgets before Commission review. The goal of that review is to avoid significant, last minute changes to department budgets before those budgets are approved by the Commission. Department heads will submit draft budgets to the committee. Department heads will explain the reasons for any major budget changes from the previous year, and the committee will submit a cover letter to the Commission notifying it of its review and what changes if any the Commission should expect to see upon review of individual department budgets. Brett Linneweber said the committee can recommend changes to department budgets but not veto proposed budgets. Department heads still must present fiscal year budgets to the Commission for approval.” Page 18 of 20, the fifth paragraph should read in entirety, “The Commission will direct all department heads and elected officials to draft one preliminary budget with all expected PILT funds included and one budget with possible cuts in PILT. The Commission

indicated there may need to be a 10% across-the-board cut in department budgets. The Commission requested submittal of preliminary budgets from department heads by May 20. The county attorney suggested department heads may factor into budget proposals a 2.8% wage increase with the understanding personnel wage raises may not be feasible if money does not exist within the budget.” Page 20 of 20; first paragraph, the first sentence should read in entirety, “Hillman provided a list of roads road crew personnel are assigned to maintain under regular circumstances.”

Durgan requested revisions to Page 6 of 20; second to last paragraph, Durgan noted the correct spelling of Ed “Carrell.” Page 7 of 20; second paragraph; first sentence, Durgan noted “Dan” Karell gave public comment. Page 16 of 20; a bullet point should read in entirety, “Preliminary estimate from Chappell’s Body Shop re. Dodge Intrepid. To be paid or filed with Key Insurance. (Durgan researched and determined damage wasn’t significant enough to file an insurance claim.)” Page 18 of 20; third paragraph, strike third paragraph from record, “A meeting will be scheduled for May 9, 2008, to further discuss the issue.” Page 20 of 20; first paragraph, add as the second sentence, “Durgan noted Scott Fletcher was not included on that list.”

County Attorney Linneweber provided the following revision suggestions:

Page 4 of 20; third to last paragraph, the second sentence should read, “Durgan said he did not check to see if insurance and all things were lined out when he received the invoice.” Page 8 of 20; third paragraph, the second sentence should read, “The Commission informed Juhnke Fry resigned from Rural #1, but he remains the appointed county fire warden.” Page 9 of 20, information within the fourth paragraph is attributed to Lahren. Information within the second sentence of the fifth paragraph is attributed to Mike Inman. Page 11 of 20; fourth paragraph, the second sentence should read, “Morelock said he has no documentation that the graders are insured.” Page 15 of 20; third to last bullet point, the correct spelling is “Dailey” Lake. Page 20 of 20, add as the fourth paragraph, “The proposed leases were not accepted and a decision on the leases will be made following review by the county attorney.”

Durgan made a motion the minutes be approved with corrections, additions and amendments that were made. Lahren seconded that motion. Motion passed.

@10:29:48 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 9, 2008

Consider Franzen-Davis Contract

@1:03:22 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 citizens were present, and no public comment was made.

The meeting was scheduled to consider a Franzen-Davis contract.

Linneweber compared language within contract drafts. Tom Davis agreed to the contract language and signed the contract before the meeting.

Durgan made a motion to accept the professional services contract from Franzen-Davis Funeral Home and Crematory for a two year contract. Lahren seconded that motion. Motion passed.

@1:11:26 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 9, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@1:33:46 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 citizens were present, and no public comment was made.

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

Durgan reported the existing Rosen Brothers agreement for scrap metal recycling services at the landfill ends June 1, 2008. The county will advertise for bids for the service. The Commission noted Hatfield needs to draft a list of specifications and an operational plan for scrap iron services and have that reviewed by County Attorney Linneweber before the county goes out for bids.

Linneweber will submit to the Commission a draft proposal for meeting county attorney office space needs. A meeting will be scheduled with department heads affected by any proposed office moves.

The Commission will fill out a NACo government survey.

The Commission discussed a citizen complaint of a road approach issue at a county green box site at Corwin Springs.

The county will not submit an insurance claim for minor body damage to a county Dodge Intrepid vehicle.

Former Civil Attorney DePuy submitted a memo listing pending civil attorney issues before leaving her position. The Commission will discuss the issues with County Attorney Linneweber.

Correspondence included:

- Transportation Commission awards for highway projects. No awards were granted in Park County
- Memo re. MT Water Trust meeting May 29 in Missoula - Durgan may or may not attend
- Park High School awards ceremony invite - To Lahren for review
- Memo re. Budget Committee FY '09 budget worksheets approved and available from Polly Miller 1:48:35 PM YG Museum director's time log sheet - To Miller for review
- NACo Legislative bulletin - To Hurley for review
- Big Bear Electric bid for road shop generator - Hurley will contact Big Bear to inform them the Commission is not acting on the issue at this time
- Correspondence from Archie Mann re. road work permit for Old Yellowstone Trail waived by Commission - To file
- Memo re. Stillwater County proposed resolution to MACo for statutory appropriation of metaliferous mine license tax - To Durgan for review
- Memo from RC&D re. East Gallatin River noxious weed project update - To Lahren for review
- Memo re. request for support of proposed hardrock mine legislative change - To file
- Invite for free monthly Government Customer Support Update - To Hurley for review
- Montana Republican convention invite
- Invite from Gallatin Valley Land Trust for Trails Days and Longest Days of Trails in June
- Notice of application from Office of Public Service Commission
- Center for Rural Affairs newsletter - To Durgan for review
- Fiscal Year '08 Commission budget update
- Memo from Lands Rights Network
- Memo from MACo re. greenbox container sites in Park County. MACo Risk Management Department is evaluating its liability exposure with container sites. MACo requested # of container sites in Park County, name of each container site, and location of each container site. - Lois Hatfield has completed and submitted that request to MACo.
- Memo re. information on Byrne grants and JAG program - To Singer for review
- Memo from Larkin and Hartley re. personal recommendations for Olness & Associates, P.C., as independent auditor for Park County
- Memo from Clay Williams re. no violations noted during county motor vehicle graveyard inspection - To Williams and file
- MDT authorization to proceed with consultant selection with Great West Engineering for Gardiner sidewalk project. TSEP grant awarded in the amount of \$18,500. - To file
- Memo from CBDG manager re. grant administration workshop May 28-29 in Helena - To Benner for review

- Memo from Gallatin National Forest re. Livingston Ranger District Impact Statement in Wicked Creek drainage re. proposed trail plan - submit public comments by June 28, 2008
- Memo from Marc Richards re. IT Committee budget for computers will remain constant - Commission will reiterate at department head meeting
- Memo re. pre-sentencing investigation for legal case against Julie LaDuke - To Linneweber for review
- Memo re. Floodplain management training - To Van Nurden, Randy Taylor, and Philip Fletcher for review
- Memo re. Mental Health Oversight Advisory Council on May 15-16 - To Linneweber for review
- Memo from detention office personnel re. proposal of moving county attorney's office into the probation office - To Linneweber for review
- Yellowstone Gateway Museum Board of Trustees minutes
- Northwester Energy newsletter and project update - To Hurley for review
- Memo from BLM re. Forest Service land endurance race held between June 23 and July 2nd - To public bulletin board
- Memo from road department re. Fiddle Creek culvert replacement project estimate and worker road list - To Road Book
- Montana Interoperability report - To Hurley for review
- Memo from MT Dept. of Commerce re. Senior Center rehab project conditionally selected for \$500,000 - To file
- Airport safety newsletter - To Hurley for review
- MACo information re. district court ruled in favor of Gallatin County gravel pits - To Road dept
- BLM News re. Park County filed gravel pit withdrawal request - To Road dept
- County employee appreciation dinner invite on May 22
- Network Solutions newsletter - To Hurley for review
- Memo re. Transportation Commission conference call on May 5
- Memo from LTAP - To road department
- Memo from MACo re. CTAP subdivision law - To planning department for review
- Memo re. block mandatory collective bargaining legislation opposed by NACo
- Memo from BLM re. recreational sites on Holter and Hauser Lake open May 8 - To public bulletin board
- Gallatin Valley Trust newsletter - To bookshelf for public review
- American Farmland Trust newsletter - To bookshelf for public review
- Memo re. Forest Service roads easement amendment - To bookshelf for public review
- Memo from Allan Shaw re. Corwin Springs green box access road issue - The county will not build a road to green boxes. - To Hillman for review
- Memo re. Jerry in planning has an inkjet printing cartridge available
- Memo re. JSEC meeting on May 13 @ 7:30 a.m.
- Certificate of Substantial Completion from Frontier West, LLC., re. completion of Carbella Bridge repair work - To Road Book

- Kara Stermitz resignation letter from RC&D
- Memo from Harold Blattie re. no new information on status SRS funding. Blattie said Park County PILT payment should be as much as last year - Durgan will discuss the matter with Blattie

@2:40:58 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

May 9, 2008

3:00 P.M. – County Road Updates – Commissioner’s Chambers – Meeting was canceled due to no road department personnel present.

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

Denise Nelson
Clerk & Recorder
Park County, Montana