

Commission Meeting Minutes; Park County, Montana
Week of October 27 – October 31, 2008

October 27, 2008

Park County Road Updates

@9:00:13 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Ed Hillman, road supervisor; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Commissioner Lahren said Wall Rock Road is a county road for five miles to the Gallatin County line. Road Supervisor Ed Hillman said gravel was put down on O'Rea Creek Road and Brad Wilson fixed a culvert on that road.

Durgan said the road crew needs to get an extension on a culvert on Fleshman Creek. Durgan said the culvert poses a safety hazard as it is now. Hillman said the road crew will get to that culvert.

Hillman said the road crew worked on a plugged culvert on F Street, but there is something in the culvert that will not come out with a hook.

Commissioner Durgan asked if Hillman spoke with the Montana Department of Transportation about scouring underneath Ninth Street Bridge piers and the potential of those falling into the river. Hillman said he had not.

Hillman said road crewmen are putting up snow fence on Swingley near Beaver Creek. Hillman said snow fence will be erected at the Five Acre Tracts, Stolies Corner and on Swingley Road.

Durgan said Bill Hoppe said Jardine Road is terrible and an ambulance had to go up that road over the weekend and barely could make it. Hillman said a grader and water truck are working there today and will be on Old Yellowstone Trail and Cinnabar Basin Roads after that.

The Commission discussed the option of outsourcing road maintenance work on the Main Boulder Road.

Durgan said he and Commissioner Denton viewed the Bannock Trail Road in Cooke City last Friday. He said he doesn't see how the county can maintain that road. Durgan said the road needs to stay open, but the county cannot maintain it. Hillman said the county has always hired a private individual to maintain that road. Hillman said the county only maintains the road from Monument Street to the overhead arch.

Hillman said he talked with MDT about load limits on the Six Mile and Deep Creek Bridges. He said the Deep Creek Bridge load limit will remain at 15 tons, and MDT will provide a load limit for the Six Mile Bridge.

@9:17:18 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 27, 2008

Discussion of Agenda and Review Minutes for Week of October 20, 2008

@9:28:48 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Raea Morris, Commission executive assistant and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss the Commission's upcoming agenda and review Commission meeting minutes for the Week of October 20, 2008.

Raea Morris presented the Commission with its upcoming meeting agenda through October 31. The Commission had no revisions to the agenda.

Reviewing Commission meeting minutes for the Week of October 20, 2008, Lahren requested a revision to Page 1 of 14; the last paragraph should read, "Lahren said bridge timbers from Whispering Pines will be cut to three inches thick and 12 feet wide and to random lengths." On Page 2 of 14; first paragraph, the second sentence should read, "Lahren said people cutting and hauling logs out of Deep Creek will need to get a county road work permit to work off the county road." On Page 6 of 14, the fourth complete paragraph should read in entirety, "Lahren made a motion, based on the testimony heard today and the factual presentations, the Commission deny the Rakela Family Transfer Exemption because it does not fit the criteria of the current Park County subdivision regulations. Denton seconded that motion. Motion passed."

On Page 14 of 14, Durgan noted he and Commissioner Denton attended an October 24th 10:00 a.m. meeting to accept applications for resort tax funds and hear area resident concerns at the Cooke City Fire Hall.

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

@9:42:33 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 27, 2008

Review of Correspondence, Public Contacts and Determine Action Plan

@10:01:29 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Bernadette Rambow, accounts payable clerk; 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.

Accounts Payable Clerk Bernadette Rambow presented the Commission with an invoice for \$20,000 as the county's portion of an Angel Line contribution. The Commission said it does not want to take credit out on a fund and will wait until the tax money comes in before it pays the contribution. The Commission directed Rambow to give notice to the city about the Angel Line payment.

Rambow and the Commission said they have not heard from the county attorney regarding an invoice from Attorney Mark Hartwig regarding professional time he claimed and billed to the county for dealing with Deep Creek Bridge issues.

The Commission signed off on a Newman Signs invoice submitted by Road Supervisor Ed Hillman. The Commission signed off on a number of outstanding invoices.

The Commission reviewed a memo from Rambow regarding outstanding road department invoices, some of which need purchase order signatures. Rambow said the road department budget will be 25 percent short for Fiscal Year 2009 if Hillman continues to submit invoices as he has.

The Commission reviewed and signed off on outstanding road department purchase orders submitted to the Commission by Hillman. Rambow said the purchase was made or a service received by the county before Hillman presented the Commission with the purchase orders. POs totaled \$24,465.63 toward the Road Department account #2110 and included: Ken's Equipment Repair, MACO Claims; MMC Inc; Tractor & Equipment; Carquest; Brenntag; ABC Rental; N.R. Halsey; NorMont Equipment; TireRama; and All Service Tire.

Bridge budget invoices submitted without POs totaled \$2,030.61 and included Triple L Lumber and High Country Rental.

Gas Apportionment Tax invoices submitted without POs totaled \$2,646.24 and included Knife River and Fisher Industries.

The Commission did not sign off on an estimated \$5,300 from Roscoe Steel for a Fiddle Creek Road culvert or for 9,000 yards of gravel from the Jesson pit. Lahren said there are no specifications on the gravel.

@10:52:16 a.m., Lahren made a motion to recess the review of correspondence until after the 11 a.m. meeting. Durgan seconded that motion. The meeting was recessed.

@11:19:28 a.m., Lahren reopened the meeting.

Correspondence included:

- Memo re. AFLAC insurance form
- Agenda for October 28 City/County meeting
- Draft resolution for designation of Park County as a Class II county
- Memo from Park County public administrator re. coroner's office fund - To county auditor for review
- Situation report re. vandalism to city water tower – To Durgan for review
- Memo from MT DEQ re. overages in chemical readings in June and July for Gardiner Sewer District - To file
- Memo re. Montana Clean accident in men's restroom - To building maintenance file
- Memo re. vandalism to sheriff's patrol vehicle in rear parking lot
- Letter to Commissioner Lahren re. Fleshman Creek project
- Memo from MACO re. 2009 limits on deferred employee compensation - To human resources for review
- Memo from MACO re. Secure Rural Schools payment formula - To superintendent of schools for review
- Memo from MACO re. criticism of discount prescription programs - To human resources and public health nurse for review
- Museum director time log - To human resources and Commissioners for review
- Memo re. Montana Water Trust - To Durgan for review
- Memo from MT DEQ requesting line item comments on Fleshman Creek/Voyich Ranch project contract - To Fleshman Creek file
- Memo from MACO re. geothermal energy exploration on federal lands
- Memo from justice court re. justice of peace heading to training - To Durgan for review
- Montana Interoperability updates - To Hurley for review
- America Land Rights Association comments on EPA Clean Air Act
- Citizen comments on Fleshman Creek project - To Grants Coordinator Lori Benner for review
- Memo re. loan and grants applications for public use airports - To Hurley for review
- Memo re. Montana Mental Health Association Warm Line - To Denton for review
- Memo re. electric power conference in Seattle on Jan. 15 and 16- To Durgan for review
- Memo from Center for Health Transformation - To Lahren for review
- Memo from MACO requesting reduced use of bandwidth during election season
- Memo re. windpower - To Durgan for review

- Memo re. Clyde Park subdivision viewing by Commission scheduled for November 25
- Yellowstone Gateway Museum October 28 board meeting agenda - To Commission for review. Lahren said the job title of catalogue assistant apparently has been changed to archaeology curator, which puts the county at risk since the museum is falsely advertising it has an archaeologist on staff and does so without sufficient facilities.
- Memo from Surveyor Barney Hallin re. survey of relocation of common boundaries for two lots

Lahren said he advised Planning Director Philip Fletcher to proceed with the process of advertising for planning board applicants.

@12:10:06 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 27, 2008

Consider Planning Board's Recommended Triennial Report 2006-2008

@11:00:31 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Philip Fletcher, planning; Mike Inman, planning; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a planning board recommended triennial report for 2006-2008.

Commissioner Lahren said he had two suggestions for the report. He suggested the report have a one-page abstract/summary of document contents and include a short retrospective/prospective section of issues the planning department sees for the county in the future. Lahren said the idea is to use a model of past and present land uses to predict the future.

Commissioner Durgan said he would like to see discussion on the limitations voters may force upon themselves if they vote down the county growth policy and various issues the county may face by not having a growth policy.

Planning Director Philip Fletcher said the contents of the report are spelled out in detail in the growth policy. He said the report is supposed to be a strategic document for the planning department. Inman said state statute and the county growth policy require submission of a planning department annual report each year. He said the report will be done annually and coincide with the end of each fiscal year. Inman said the report will be widely distributed throughout the county.

Inman said 43 percent of Park County's residential growth between 1970 and 2000 occurred in rural areas and 2 percent occurred in incorporated areas of Livingston and

Clyde Park, which extends county services requirements, especially fire and emergency services. Inman said that growth demographic is quite different from the types of growth seen in Gallatin County, where Belgrade has grown perhaps 300 percent in the same time period.

Inman said one goal of the report is to look at where subdivisions are and where development can occur in the future. He said the county GIS department will help with mapping of that type of information. Durgan said a statistic of how many undeveloped lots exist in Park County may help the planning department in planning, strategy and planned development.

Lahren said the report might want to acknowledge the Stillwater Mining Company may be on its way out and 1,565 jobs could be at risk, which may influence demographics.

Planning Mike Inman said the planning staff will address the Commission's recommendations and schedule a meeting for Commission approval of the triennial report.

@11:19:05 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 28, 2008

Fiscal Year 2009 Budget Public Hearing

@9:00:09 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Clay Williams, weed/junk vehicle; Don Holland, auditor; Bill Hurley, operations; Mary Anne Anderson, Extension; Marilyn Hartley, accounting; Mark York, Livingston Enterprise; Robert Halaja, public citizen; Marty Malone, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled as a public hearing for the preliminary Fiscal Year 2009 budget.

Marilyn Hartley, accounting department, said a few positive revenue increases have occurred to final budget numbers from tax revenues since the last Fiscal Year 2009 budget workshop meeting. Hartley said those increases come from a certified value calculation, by which the county is permitted to levy a maximum amount without going out for voter approval. Hartley proposed changes to the preliminary budget to reflect the revenue increases.

Public comment was made by Marty Malone. Malone asked how long the PILT fund will last at the county's current funding rate. Durgan said it is being funded at full funding until 2012 for the first time in the history of PILT. Malone said it looks like the county is spending twice as much money as it is expecting from PILT.

Hartley said the county budgeted \$830,000 from PILT for the current fiscal year and the county received \$840,000 from PILT for the last fiscal year.

Malone said it looks like the county is budgeting \$1.7 million from PILT and is thus spending twice as much as it will take in from PILT. Malone said it looks like last year the county budgeted twice as much from PILT as it will take in, and his concern is in two years the PILT fund will be depleted and the county will have to make up \$1.7 million.

Hartley said the road and sheriff's departments took the most from PILT this last year. She said a bad year for bridges and culverts depleted the road department. She said the county has taken all wages out of the PILT fund and is making a transfer from PILT to cover those wages, which are now coming out of the general fund. Durgan said taking wages from the general fund will be a permanent thing.

Durgan said part of the dilemma is the county does not have enough money coming in from taxes to cover expenses, so it has been using PILT to balance the budget for the last three years. He said every time the Commission has proposed a mill levy for law enforcement or roads, the voters have voted it down. He said that is a dilemma and the Commission is not sure how to convince the public the county needs to have more funds available to provide the services the public is demanding.

Malone said the county is taking \$88,000 from PILT for the planning department. He asked if increased subdivision fees were to cover planning department expenses. Durgan said the idea was to increase those fees for that reason, but now no subdivisions are coming in due to economic changes and a downturn in homebuilding.

Extension Agent Mary Anne Anderson asked how long the county anticipates receiving Forest Title 3 funds, as \$25,000 of those funds are included in the Extension budget. She said Extension received \$23,000 of those funds last year. She asked where the Commission will get the budgeted funds if the Forest Title 3 monies are not granted by Congress. Durgan said the Commission does not know where it will get the money if the funds are not approved. Hartley said the county anticipates revenue of \$10,500 for Forest Title 3 funds and has almost \$80,000 coming in this year.

Lahren said the county is facing the problem of deficit spending, facing greater need than there is money to meet those needs.

Malone asked if the Commission plans to do anything this year with Community Development Block Grants. Durgan said several projects such as the senior citizens center are funded through CDBG grants. He said RC&D has proposed taking over the CDBG program, but the Commission has not passed a resolution enabling that.

Durgan said he would like to run through proposed budget changes with Hartley and see a clear copy of the budget after she makes changes.

Durgan made a motion to accept changes the accounting office has proposed as far as mill values that need to be changed. Lahren seconded that motion. Motion passed.

@9:29:46 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 28, 2008

12:00 P.M. – Airport Board Meeting – Clarks Crossing

October 28, 2008

City County Meeting

@4:09:49 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Present was Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Ed Meece, city manager; Bruce Becker, city attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss city/county operations.

Addressing the Angel Line service, City Attorney Bruce Becker said he spoke with the Angel Line board and was told that board hired the current Angel Line bus driver. He said that board should not be taking on such duties if it is in fact an advisory board. He said that duty should fall to the city or county. Becker said the driver is on the city's payroll, and the county is a major funder of Angel Line.

Lahren asked the current ratio of cost sharing between the city and county regarding the Angel Line service. Becker said the county contributes \$84,000 to the service. Meece said the city contributes more in-kind-type contributions with accounting services and has in the past done some maintenance on the Angel Line vehicles. Meece said Angel Line has been covered by the city's vehicle insurance.

Lahren said it sounds like Angel Line currently is a joint management situation between the city and county, it has no structure, and termination of employees could be a liability issue. Meece said the city has advised Angel Line on one employee discipline issue.

Meece said perhaps the city and county should think about putting Angel Line under one set of purchasing guidelines, city or county, in order to avoid creating a hybrid system. Meece said at minimum there should be a city and county representative on the Angel Line board.

Meece said it appears the Angel Line service just evolved at some point. He said the bus driver is on the city payroll and in the city's budget, but it is the county's \$84,000 funding the service through the city budget. Meece and Becker said they do not know how the city ever got involved with the service.

Lahren said the county needs to run the operation since it is funded by the county. Lahren said the county needs to take over the vehicle insurance, human resources responsibilities, payroll accountability, assets and maintenance of vehicles. He said the county needs to design the service as a regular county entity with a budget and code number the same as all other county departments.

Meece said he is almost certain the city holds the title to the three Angel Line vehicles because it insures them. He said he will double check that. Meece said the Angel Line board has a meeting of six or seven people who meet once a month, and he recommends leaving them in place as an advisory board. He said they should not be performing administrative duties. Lahren said the county may have to properly advertise for the board positions.

Becker said the city recently entered into a PACE contract with Billings Deaconess Clinic through Angel Line. He said that arrangement would have to be assigned to the county as well.

Lahren asked Deputy County Attorney Piccolo to work on designing the Angel Line program.

Addressing vandalism to a Sheriff's cruiser and the DARE car, there was discussion about relocating the basketball courts that are behind the city/county building. Director of Operations Bill Hurley said the courts currently restrict parking for the city/county building, and kids with vehicles that use that court sometimes park vehicles in a manner that city/county employees cannot get in and out of the building parking lot. He said moving the court back would be advisable for safety reasons.

Lahren said the proximity of the court to the building and operations is a liability for the city and county. He said right now it does not fit with the facility and potential problems could arise if something goes wrong at the city/county building such as an emergency or an escaped prisoner. Meece said the courts get a lot of use in the spring. Lahren said perhaps the best idea would be to move the courts to the southeast side of the school property.

Meece said there were two windows broken out of East Side School around the time the Sheriff's cruiser was damaged. Meece said he and the sheriff have talked a few times about realigning the parking lot and assigning public safety parking spots. He said the city continues to go back and forth between selling the East Side School or using it at some point.

Meece said the sheriff's been talking about this for some time and the city and county probably need to force the issue instead of just talking about it. Lahren said the issue then likely is the relocation of the basketball goals. He said it is up to the city to decide what it wants to do with the issue. Meece said the city may meet with the sheriff to discuss options.

No other business was discussed.

No public comment was made.

@4:35:08 p.m., Lahren adjourned the meeting.

October 28, 2008

5:00 P.M. – Museum Board Meeting – Yellowstone Gateway Museum

6:30 P.M. – Fair Board Meeting – Fairgrounds Office

October 29, 2008

Consider a Resolution to Adopt the Final Fiscal Year 2009 Budget for Park County
Establishing a Tax Levy and Authorizing Appropriations

@9:01:06 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Don Holland, auditor; Marilyn Hartley, accounting; Mark York, Livingston Enterprise; Kelly Ziebarth, public citizen; Marty Malone, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a resolution to adopt the final Park County budget for Fiscal Year 2009 establishing a tax levy and authorizing appropriations.

Marilyn Hartley, accounting department, reviewed with the Commission an updated levy matrix from the October 28 budget public hearing. Hartley said after carrying cash over from FY '08, the cash available balance for the general fund increased to \$896,976. Hartley said the new matrix includes additional property taxes discussed at the October 28 meeting and a decrease of 0.2 mills given to the weed fund to maintain a weed grant.

Hartley said the airport board requested additional funds for office supplies and utilities for the Gardiner Airport at its noon meeting on October 28. Hartley said appropriations for those items were increased \$1,200 and proposed appropriations for the airport total \$44,200. Hartley said other revenue was increased to \$21,150 due to FAA revenues.

Hartley said a change to the PILT fund reflects re-rolling of funds from the last fiscal year, which increased the PILT fund beginning balance by \$3,700. Hartley said the Burlington Northern Cleanup fund beginning balance was reduced by \$6,962 based on auditor corrections and the Landfill Trust account beginning balance was reduced by \$351.

Hartley said the Mechanic fund of \$88,000 was zeroed out and funds supporting that position have been transferred to the Road Department budget.

Commissioner Durgan said an \$88,000 transfer to the planning department budget was incorrect and, upon discussion with the planning director, it was determined that department will need a \$49,000 draw from PILT as a result of staff reduction.

Public Comment was made by Marty Malone. Malone asked why some account line items were left blank. Hartley said that prevents spending funds from those line items without a budget resolution.

Malone asked about a YRRE Interpretative 2399 account. Commissioner Lahren said those funds are one half of \$63,000 a developer paid for the appraised value of land deemed to be a historic county road, a road from Carter's Bridge to Chico bisecting the old Pierce place that was going to be subdivided. Lahren said the county made an agreement with the developer to abandon that road to allow the county to erect interpretive displays, which included work at the Chico Cemetery. Lahren said the funds are external money and are not tax monies. He said the county is subject to the terms of the agreement with YRRE.

Durgan made a motion to accept the budget for Fiscal Year 2009. Denton seconded that motion. Motion passed.

Durgan said the deputy county attorney will draw up an effective resolution on the budget for the Commission to sign.

@9:18:25 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 29, 2008

10:00 A.M. – Claims Review – Commissioner Chambers

October 29, 2008

Discussion of Satellite Phone for Public Health and Emergency Preparedness

@1:29:26 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Lahren were present. Also present was Suzanne Brown, public health nurse and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss obtaining a satellite phone for public health and emergency preparedness.

Public Health Nurse Suzanne Brown said Gerry Wheat of the Montana Department of Health and Human Services Health Alert Network System purchased 16 satellite phones for use in Montana health departments. Brown said Park County qualifies for one of the phones because its Dispatch 911 has a backup generator. Brown said the phone and installation would be free and any telephone could be used in the satellite phone jack.

Brown said the satellite phone would be located at 911 Dispatch. She said a monthly fee of \$29.95 would apply, but that fee is supposed to drop to \$19.95 per month. Said her Emergency Preparedness grant would cover the monthly fee.

Commissioner Durgan made a motion the Commission authorize Brown to go through the Emergency Preparedness grant to make arrangements to have the satellite phone installed and the monthly service charge covered by the grant. Lahren seconded that motion. Motion passed.

@1:37:02 p.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 30, 2008

Resolution Reappointing Special Deputy County Attorney for Conflict of Interest Case

@11:07:54 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a resolution to reappoint a special deputy county attorney for a conflict of interest case.

Commissioner Lahren read Resolution #1034 into the record.

The resolution states Park County seeks special deputy attorney assistance for a State vs. Jeff Barnes case.

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

@11:11:22 a.m., Durgan made a motion to adjourn the meeting. Lahren seconded that motion. The meeting was adjourned.

October 30, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@1:39:18 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Bill Hurley, director of operations; Raea Morris, Commission executive assistant; 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 deputy county attorney re. review of a contract for professional janitorial services and a hanger model addendum - To Director of Operations Bill Hurley for review
- Memo from supplier re. adding doors to the rabbit and poultry barn at the fairgrounds - To file
- Memo re. law seminars
- Memo re. wind power - To Durgan for review
- Memo from Montana Rail Link re. work at a crossing at O'Rea Creek - To Durgan for review
- Memo from Clerk of Court re. jurors and juror pay
- Memo re. justice of the peace out of the office
- Memo re. state workforce investment board meeting
- Carbella Bridge Vehicle Damage and Incident Report re. procedures and expenditures in repairing damaged Carbella Bridge - To Road Book
- Memo from JSEC/Job Service - To Denton for review
- Memo from Van Jamison re. wind power - To Durgan for review
- Elevator inspection report - To file
- Memo re. grant programs – To Grants Coordinator Lori Benner for review
- Memo re. Bearthooth Highway work - To Denton for review
- Memo re. Livingston Area Chamber of Commerce Halloween event on October 28
- Memo from Bresnan Communications re. exceeded capacity - To IT Department for review
- Memo from Disaster and Emergency Services coordinator re. replacement and repair of Ninth Street Bridge and FEMA's denial of funding due to pre-existing conditions and current options.

Commissioner Denton said in order for the county to get reimbursement emergency funding for the Ninth Street Island Bridge incident every county employee must complete ICS - 100 Emergency training.

Denton said she was contacted by Peggy Tombre who asked if the Commission could serve at a senior breakfast on November 8.

@1:54:35 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 30, 2008

Hearing to Lift a Portion of an Agricultural Exemption from Kamps Property

@2:00:15 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Bill Hurley, director of operations; Philip

Fletcher, planning department; George Kamps, public citizen; Gayle Kamps, public citizen; Stephen Woodruff, attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a hearing to lift a portion on an agricultural exemption from Kamps property.

Planning Director Philip Fletcher said the purpose of the public hearing is to hear a citizen request to lift an agricultural exemption from one lot and aggregate two lots into a single lot. Fletcher said the planning board reviewed the request, considered the possibility of subdivision, and had no objection to it. Fletcher said the county attorney's office also reviewed the request.

Steve Woodruff said the total acreage in question is 25 acres, which would be formed by aggregating two lots, Certificate of Survey #445 and Certificate of Survey #300. Woodruff said the request to lift an agricultural exemption pertains to COS #445. Woodruff said should the Commission grant the request, a new COS would be drawn up to reflect the aggregate lot, the new plat would supercede survey plats #300 and #445, and the new plat of the 25-acre parcel would be free and clear of agricultural exemption. Woodruff submitted a draft COS of the aggregate lot to the Commission for review.

Lahren made a motion to lift the agricultural exemption from Certificate of Survey #445. Denton seconded that motion. Motion passed.

Lahren made a motion to aggregate the two remaining parcels to be recorded under a new Certificate of Survey that will supercede the current lot Certificates of Survey. Denton seconded that motion. Motion passed.

Deputy County Attorney Piccolo said the county suggests having a signed letter of the Commissions decision from the applicant for the books. The Commission told Woodruff he can draft such a letter, sign off on it, and submit it to the county attorney's office for review.

@2:10:52 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

October 30, 2008

Meeting to Hear Citizen Concerns from Boulder River Area

@2:32:02 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Public Citizens Ellen Freed, Denny Freed, Bill Hobert, William July, Doug Lowry, Elaine Swartz, John Munis, and Ron Freund, and Commission Minutes Clerk John Mueller.

The meeting was scheduled to hear citizen concerns from the Boulder River Area.

Commissioner Lahren said the residents had two issues of concern, refuse service and road conditions. He said the county refuse fee is not a tax but a membership fee for service from Refuse District #1. Lahren said the county attorney's office will have to define "service." He said there is a Montana Attorney General opinion stating everyone within a refuse district that provides service must pay into the district.

Public comment was made by Denny Freed. Freed said his refuse fee was \$555 but only lives in his residence part time. He asked why he is charged that much. The Commission said the fee is based on the number of dwellings at the residence and not the number of months out of the year a resident lives there. Freed said he has one cabin, a guest cabin with a toilet and another cabin with an outhouse. He said the fee has been reduced to \$285 but that is an extraordinary amount of money.

Commissioner Denton said three livable dwellings cost \$555, and that number is divided by two due to the distance Freed lives from the nearest green box. Lahren said the county would be better off paying BFI to collect the residents' garbage than to put a green box in the area due to the distance, fuel costs, bear problems, and county man hours.

Discussing roads, Lahren said the county now knows where the county road is in the Whispering Pines area. He said citizens are concerned with the poor condition of the Main Boulder Road. Lahren said said Park and Sweetgrass Counties used to trade road maintenance in that area, but Park County did recently hire IronWolf to grind up a road there to improve its surface. Lahren said the problem with the Main Boulder Road is its far distance and it is not cost effective for the county to regularly maintain it. He said 99 percent of the traffic on the road is not from residents who live there.

Lahren said his recommendation is to get the Main Boulder Road in the road department budget and outsource the work so the road can be maintained twice a year, spring and fall.

Public comment was made by John Munis. Munis said he has lived in the Main Boulder area for 15 years, and for 14 years the individual grading the road did a good job. He said the road is lacking gravel but it would remain passable for maybe two months after being maintained. He said this spring the individual on the grader literally destroyed the road, and the road near Natural Bridge is so bad people drive through the parking lot of Natural Bridge to avoid it. He said the grading this spring literally ruined the smooth surface from the dust control put down by the ranch at Natural Bridge. Munis said rocks six to seven inches in height were graded to the surface and he cannot go over them in his Honda. He said the good work of the IronWolf is by the wayside too because the grading pulled up rocks.

A resident said Vic Rue was the Sweetgrass County road man who did a great job on the Main Boulder Road all those years. He said Rue is now retired from road work.

Resident Bill Hobert said Park County graded the road once this year and he already has bought new tires for his vehicle for \$700 because the road destroyed his tires. Ellen Freed said she got a flat tire driving her vehicle home on the road with brand new tires.

Public comment was made by Elaine Swartz. Swartz asked why Park County graded the road when Sweetgrass County had been doing it all the years prior.

Lahren said the Park County Commission met with the Sweetgrass County Commission and Sweetgrass County did not want to continue the trade-off agreement due to liability issues, timing and scheduling. Lahren said the Commission also tried to give the entire road to Sweetgrass County in terms of maintenance, but Sweetgrass County rejected that offer.

Public comment was made by Ron Freund. Freund said he has had a place on the Main Boulder for 35 years and money is always the issue. He said there are 60 homes there, each paying taxes into Park County and getting no services back from it. He said all the residents are asking is for the county to fix the roads and pick up the garbage. He said the residents think their tax money should be put into a special account so they get something in return. He said if the county has to pay Sweetgrass County to fix the road then take the money out of their taxes.

Lahren said the Commission needs to get together with Sweetgrass County and the Forest Service to get a plan and work with the road supervisor to at least maintain the road twice a year.

Munis asked if the county can research the issue in such a way to get someone with a grader who knows what he is doing at Natural Bridge this fall so the citizens do not have to tolerate the current road conditions any longer. He said there is a horrendous pothole at Alders Guest Ranch, as well.

Lahren said he will check into outsourcing costs and get down there to look at the swale and have the road work done this fall. He said in the future he wants to make sure application of magnesium chloride dust control is coordinated with a county grader because the residents pay for the magnesium chloride.

The residents said gravel came down yesterday to Whispering Pines and is being spread today.

At Munis' request, Lahren said he will use Munis as a contact person to inform the residents of what will go on.

@3:04:32 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 30, 2008

Park County Road Updates

@3:04:43 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Ed Hillman, road supervisor; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said he just got the bridge planking from the Whispering Pines area. Commissioner Lahren said the planking needs to be bound together so it does not twist when it dries.

Reviewing the weekly road crew work schedule, Hillman said Jardine Hill is completed after three days of work and the crew is now on Old Yellowstone Trail in the park. He said John Young put up snow fence and cleaned culverts on Flathead Road. Hillman said road work on Shields River Road East was finished and the crew is on Bracket Creek and then will do Cottonwood Creek Road.

Commissioner Durgan said a few purchase orders need discussion and determination as to what account funds will be taken out of. Durgan said according to budget figures the road budget is over 30 percent depleted and the county is only a quarter of the way through the fiscal year. Durgan said three-inch minus gravel can be purchased for cheaper at another pit than the pit listed on one of the invoices.

Hillman said one purchase order is for plow shoes and delineator posts. He said two culverts for Fiddle Creek and Fridley Creek Roads are coming out of the bridge budget, but nothing has been ordered. He said the culvert on Fridley Creek needs to go in before the spring.

Durgan said Hillman better talk to the citizens on Fiddle Creek Road about monetary participation for the culvert because it is an irrigation ditch. Durgan said the county would put in the culvert to the correct specifications, but the adjacent landowners would be responsible for the cost of the culvert.

Hillman said the road crew did some mowing for winter on South Fork of Deep Creek Road, but it has not been bladed because the road crewman is currently working roads on the other side of the river. Commissioner Lahren said the next step is for the landowners on that road to come to the county with a petition to make the road a county road.

Deputy County Attorney Piccolo said the road must be established by petition if the county did not originally construct the road. She said a Commission resolution cannot be used to make it a county road if the county did not originally build it.

Durgan said as of October 27 Montana Rail Link has completed work per the agreement at the O'Rea Creek Road railroad crossing and now it is up to county to put in gravel per the agreement. Hillman said the road crew will do it probably next week. Durgan said the remainder of the agreement is for the county to put on millings in the next warm season.

Lahren said Citizen Jackie Shiplet phoned him about the Castle Mountain Road. Hillman said that road is a low priority road and the road crew usually only maintains it once a year.

@3:28:08 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

October 31, 2008

No Meetings Scheduled

9:00 A.M. – Commissioner Denton in Wilsall to Hear Resident Concerns – Senior Center

11:00 A.M. – Commissioner Denton in Clyde Park to Hear Resident Concerns – Town Hall

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

Denise Nelson
Clerk & Recorder
Park County, Montana