

Commission Meeting Minutes; Park County, Montana
Week of September 1 – 5, 2008

September 1, 2008

Labor Day Holiday – All County Offices Closed

September 2, 2008

County Road Updates

@8:29:45 a.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 foreman; Don Holland, auditor; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss county road updates.

Commissioner Lahren asked Hillman about a Swingley Road approach permit. Hillman said that permit was for the road near the county line and he submitted it to Raea Morris.

Lahren said in a road meeting last Monday Hillman said Hillman did not follow Lahren's instructions to not start work on the Deep Creek Bottom Road before a legal survey was completed per an email request on August 19 at 2:52 p.m. Lahren said that email was sent because the county needed to know where the 60-foot right of way and metes and bounds was and what it can and cannot impact in terms of private land and what permits the county may need. Hillman said he did not have that road surveyed.

Lahren said in a petition for Writ of Mandamus # DV08133 filed on August 20, 2008 at 3:05 p.m., by Mr. Hartwig, Hartwig states on August 20, 2008 Hillman informed Hartwig that Lahren informed Hillman not to repair the bridge. Lahren asked if Hillman had a conversation with Hartwig about the bridge. Hillman said he told Hartwig he was not to start construction on the bridge until it was surveyed and he didn't remember whether or not he mentioned Lahren to Hartwig by name. Lahren said he will prepare an affidavit on the matter for Hillman to sign.

Lahren said after a verbal okay for a 124 permit about 10 a.m., on August 21 a temporary crossing was started on August 21, 2008 without a survey or contacting the landowner. Lahren said road records show crew members working on the project were Brad Wilson, Dave Amunrud, Skip Ehert, and Jay Dixon all who had worked 5 to 6 hours that day and then spent 7 hours on a temporary crossing.

Lahren asked when the eight-ton load limit was placed on the bridge. Hillman said it was placed on the bridge years ago when the deck was replaced. Hillman said there was an eight-ton sign on the bridge prior to the recent bridge work. Lahren asked if the eight-ton load limit sign was up when the logger entered the area. Lahren asked Hillman if he noticed any encroachments or temporary approaches on the county right-of-way on the

upstream side of the bridge such as log decks or areas where logging work was being conducted on the county road. Hillman said he had not seen any prior to that, but said he noticed it when he was up to help take a tree out.

Lahren said his summary observation and conclusion at this point are: under direction of the road foreman without authorization from the commissioners or landowners the county has operated and parked equipment off the county road right-of-way on the Tecca property; the county has created a temporary road and bridge off the road right-of-way on the Tecca property; the county has impacted and stored gravel off the road right-of-way on the Tecca property; as of September 1, 2008 the damaged bridge is not properly marked with detour, bridge out or bridge closed signs; and there are no barriers to keep people from crossing the bridge.

Lahren said in the present condition the impression is the bridge is open with a load limit of eight tons and it is still being used. Hillman said he does not know whether the bridge is still being used or not or if people are still crossing the bridge. Lahren said there is no indication for the public the bridge is closed. Hillman said no there is not.

Discussing an O'Rea Creek crossing, Lahren asked Hillman if he attended an onsite meeting with Montana Rail Link (MRL) and Montana Department of Transportation (MDT) with Commissioners Durgan and Murphy on March 21, 2006. Hillman said he does not know if that is the date or not but he met there. Hillman said MRL was going to rebuild the crossing at that time. Lahren asked if there was discussion of the plans and if he ever saw them. Hillman said he does not know whether they discussed those plans or whether he saw them or not. Lahren asked if he ever talked to Tom Benson, the former MRL road master, and agreed to change the plans and the width of the roadway. Hillman said "no" he had not. Lahren asked if Hillman ever talked to Steve Warner, the MRL roadway engineer. Hillman said he may have. Lahren asked what plans he followed when he completed the work. Hillman said he never completed anything. Lahren asked if Hillman did the approach. Hillman said nothing was done up there. Lahren asked if there was any reason why Hillman missed two scheduled meetings, one with MDT engineers and one with the Commission regarding Eldridge Creek and O'Rea Creek. Hillman said he did not know about those meetings and did not see them on the agenda.

Hillman said it is too wet today to work on Rock Creek Road. Hillman said Scott Fletcher is working on Pray Road and then will do Mill Creek Road and he worked on Elbow Creek on Friday. Hillman said the crew is on Six Mile today. Hillman said Mark went to the campground on Jardine Road because that is where the road is worse.

Lahren asked if the road crew will blade the Main Boulder anytime soon. Hillman said he drove that road and it didn't seem any worse than it ever does.

Lahren asked if IronWolf work usually has a top put on the road. Hillman said he was told on the Boulder it was just chewed up, graded and watered. Hillman said Sweetgrass County did the work and Park County paid for it.

Hillman said he is getting citizen complaints about Willow Creek Road and he needs to know what the Commission wants to do with that road. Hillman said the only thing he can do with that road this year is chew it up and put it to gravel. Denton said there is an estimate of \$18,600 to chew up Willow Creek Road and resurface it with reclamite.

Hillman said trees were cleared from Old Clyde Park Road.

@8:43:52 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

September 2, 2008

Review Commission Agenda and Meeting Minutes for the Week of August 25, 2008

@9:06:15 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the Commission's upcoming agenda and consider approving meeting minutes for the Week of August 25, 2008.

Commissioner Lahren made a revision request on Page 1 of 23; the first sentence of the second to last paragraph should read, "Lahren said he reviewed a bridge on Lazy Spear U Ranch on Hill Road." On Page 18 of 23, fourth paragraph, Lahren noted the correct spelling of Barney "Hallin."

On Page 2 of 23; Durgan requested the ninth paragraph read, "Lahren said the water on Hoyem's property is draining well as a result of the culverts that allowed the water to drain from the property to the wetland on the south side of the road."

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

@9:13:11 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

September 2, 2008

Fiscal Year 2008 Budget Workshop

@10:03:50 a.m., Chairman Lahren called a meeting to order in the Commissioner's Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Polly Miller, human resources; Bill Hurley, operations; Don Holland, auditor; and Marty Malone, public citizen. No public comment was made.

The meeting was scheduled as a FY '09 budget workshop.

@11:08:12 a.m., Lahren adjourned the meeting.

September 2, 2008

Research Results, Summary Discussion and Status Report for Ninth Street Island County Right-of-Way

@2:01:37 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; Jerry Brekke, county historian; Bill Hurley, operations; Marc Richards, GIS/IT; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss research results and a status report for the Ninth Street Island county right-of-way.

Park County Historian Jerry Brekke provided the Commission with a synopsis of his report, *Ninth Street Island Bridge and Drive - A County Road in Park County, Montana, Located in Sections 24 & 25, Township 2 South, Range 9 East, P.M.M.* Brekke said he researched the county right-of-way issue partially as a result of spring high water damage to the 9th Street Island Bridge. Brekke said, in addition, FEMA needed documentation of who owns the bridge.

Brekke said his report is broken out into bridge construction information and road information involved with the bridge. Brekke's report reviewed history of the bridge's construction and site history predating that construction. The report included a June 12, 2006 letter from county surveyor Hank Rate addressing a discrepancy between rights-of-way on the 9th Street Island and associated surveys.

Brekke said former Park County Citizen August Urbach gave to the County Commission a categorical grant of easement of 66 feet in width for the length of Ninth Street and Siebeck Islands in December of 1891. Brekke said that easement was not granted because Urbach owned only a small parcel of land immediately off the island side of the bridge. Brekke said a county right-of-way petition process in 1913-1914 established the existing 32-foot county right-of-way easement to the southerly point of Ninth Street and Siebeck Islands south of the 66-foot Urbach easement.

@2:49:37 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

September 2, 2008

City-County Meeting

@4:07:08 p.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton and Lahren were present. Also present was Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Steve Caldwell, city commission; Rich VanAken; city commission; Mary Beebe, city commission; Ed Meece,

city manager; and Commission Minutes Clerk John Mueller. No public comment was made.

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

There was discussion about the process of how the city could annex a portion of Fleshman Creek Road and what side of the road is owned by the city and county.

Denton said the county is not budgeting any 205 Study money for 2008-2009.

Bill Hurley provided a review of the financial agreement between the city and county to pay for Myer's Flat radio work. Hurley said the city, county, and Emergency 911 budgeted to pay for one-third each of the cost to complete the project in conjunction with state funds. Ed Meece said the city's one-third is budgeted correctly per conversations with Peggy Glass two weeks ago. Hurley said the county is in the progress of budgeting for the project.

Steve Caldwell asked when city/county joint project budgets need to be rectified. Meece said the city first needs to get its budgets straight. Hurley and Meece said they do not expect any surprises in the joint budgeted items, but both hope to look at them before finalizing the city and county budgets.

@4:19:25 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

September 3, 2008

Open and Consider Cooke City Snow Removal Bids

@9:06:19 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to open and consider Cooke City snow removal bids.

Denton said a newspaper advertisement for snow removal bid specifications in Cooke City were run twice and the specifications were posted in the Cooke City newsletter and physically in Cooke City.

Durgan said one bid was received on Sept 2, 2008 prior to the deadline. Robert Smith of Cooke City, Montana submitted a bid for \$71 per hour for snow removal in the Cooke City area per county-specified bid specifications. Durgan said the bid is not to exceed 100 hours without approval of two commissioners.

Denton made a motion to accept Bob Smith's bid for snow removal in the Cooke City area for the 2008 - 2009 snow season. Durgan seconded that motion. Motion passed.

@9:10:58 a.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. Motion passed.

September 3, 2008

Approval of Retirement and Transportation Mills Levies for School Year '08-'09

@10:01:59 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Ed Barich, superintendent of schools and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to approve retirement and transportation mill levies for School Year '08-'09.

Ed Barich provided the Commission with a Certificate of District and County Mill Levies for School Year 2008-2009 report and reviewed changes in mill figures between the past and present school year. Barich also provided a county transportation/retirement fund mill levy calculation worksheet for FY '08-'09.

Commissioner Denton made a motion to approve the retirement and transportation mill levies for school years '08 and '09. Durgan seconded that motion. Motion passed.

Commissioners Denton and Durgan signed the levy documents.

Durgan said he had a letter of support in need of Barich's signature as county superintendent to renew PILT and Secure Rural Schools funding. Barich said he would redraft and submit the letter.

@10:25:03 a.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

September 3, 2008

Federal Emergency Management Agency Property Acquisition Program Meeting

@10:35:57 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton and Durgan were present. Also present was Lori Benner, grants coordinator; Belinda Van Nurden, DES; Bill Moser, public citizen; Chuck Donovan, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss a FEMA property acquisition program.

Lori Benner said she and Van Nurden are present at the encouragement of the State Hazard Mitigation Officer who asked them to make the Commission aware of FEMA's pre-disaster mitigation grant program and the county's ability within that program to buy property in and move structures out of the floodplain. Benner said an eligible project within the grant program would be for Park County to buyout some property owners on

Ninth Street and Siebeck Islands if it desired. Benner said homeowners would have to voluntarily sell their property. Benner said the county's interest in getting people out of the floodplain is avoiding costs of installing sewer and water-type infrastructure.

Benner said Park County hosted a meeting on April 23, 2007 and invited property owners from Siebeck Island. She said no owners expressed interest in selling property at that meeting. Benner said the program has been in existence since Hurricane Katrina and it appears it will remain into the future. She said the program is a competitive award with application deadlines.

Belinda Van Nurden said an individual at #10 Ninth Street Island owns four condos has interest in selling his property. She said the individual was told the first step in the process would be to inform the Commission, which is what is being done today.

Benner said she researched that property through the tax assessor's office and learned FEMA would pay 75% and the county would pay 25% of the fair market value to buyout the property. Benner said the property in question, buildings and land, had a market value of \$439,920 as of January 1, 2002. Benner said new values are to come out in January 2009.

Benner said other costs, such as appraisals and moving of individuals, is permitted under the project and camping, grazing, and non commercial temporary storage of vehicles are some of the permitted land uses once buyouts occur.

Durgan said he would like to know whether citizens on the island would like to learn more about this program. Durgan said the question is does the county have money available for the matching funds. He said the county does not have money available at this time for this type of thing.

Public comment was made by Bill Moser. Moser asked if environmental groups can apply funds to the county's portion of the buyout cost. Benner said that likely is possible. Moser said he knows the Army Corps would like to clear the island and said the Corps has a lot of money that can possibly be put into mitigation for this type of thing. Moser asked where the funds for postage and man hours to contact homeowners for this effort would come from. Durgan said it would possibly come from the Commissioner's fund. Moser said the county should send a letter to stakeholder groups first to see if they can gather funds. He said a buyout situation is a far preferable option than FEMA coming in and condemning citizens' island properties.

Benner said she will research potential matching funds sources and meet again with the Commission with her findings.

@11:11:27 a.m., Denton made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

September 3, 2008

11:00 A.M. – Fiscal Year 2009 Budget Workshop – Canceled

September 4, 2008

Discussion of Forming a Park Board

@9:01:34 a.m., Chairman Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Hillary Taylor, planning; Philip Fletcher, planning; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss formation of a county park board.

Hillary Taylor provided the Commission with an update on planning department efforts to form a county park board. Taylor said three applications have been received for a five-member board and the planning staff would like to be more aggressive in its park board member recruitment. Taylor said the staff is seeking Commission permission to recruit a high school student to sit on the board and that student can be a Freshman through Senior in age. Philip Fletcher said no regulations exist prohibiting a high school student or individual under legal voting age to sit on a county board.

Lahren made a motion to accept the recruitment of a Park County youth to sit on the park board. Denton seconded that motion. Motion passed.

Durgan asked if the planning staff should extend the same offer to county senior citizens.

@9:06:52 a.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

September 4, 2008

10:00 A.M. – Personnel Meeting – Canceled

September 4, 2008

Review Correspondence, Public Contacts and Determine Action Plan

@2:06:21 p.m., Vice-chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Brett Linneweber, county attorney; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

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

Commissioner Denton said Cooke City residents expressed concern to her about the Bannock Trail and whether it is or is not a county road. Denton said she encouraged the citizens to relook at their deeds. Commissioner Lahren said Park County Historian Jerry Brekke may be ready to research that road in a week. The Commission said it will inform Brekke that this will be his next assignment. Lahren said the county needs to determine what authority the Commission has and then can determine what kind of travel restrictions can be put on the road.

Denton said Cooke City residents asked if the Commission will be in town October 24 and November 21 to accept and award resort tax bids.

Linneweber said he reviewed the language of a Livingston senior center housing rehabilitation contract and that contract is ready to go. Linneweber said at least two of three commissioners need to sign the contract to make it valid.

Denton said a county employee who was informed his position may be reduced to half time asked why that position may be reduced. Linneweber said that is a budgetary and not a legal issue and therefore it is the Commission's discretion as to whether it wants to answer the employee's question. Durgan said the employee is requesting the audio of the meeting with the Commission on the matter. The Commission said the request is of a personal nature, and thus the fee of \$3 will be assessed.

Lahren signed a letter for a disaster and emergency services grant for \$16,780 for an emergency management program. That letter will be returned to the state office.

Denton said she will not attend an Economic Development District meeting at 10 a.m. in Bozeman due to Commission scheduled meetings.

The Commission discussed a letter from the office of Karl Knuchel regarding the county solid waste board. The Commission said it will check with Susan Swimley about the letter and whether she will respond to incorrect content in the letter.

The Commission discussed a letter from Ken Britton of the Forest Service regarding an issue of legal access of Sin Nombre Road in the Crevasse Mountain area.

Correspondence included:

- **ACTION ITEMS:** Letter from city of Livingston re. the city participating in 37% of parking lot striping project. Denton said she thinks the city and county resolved that issue and the project is on hold due to budget review
- **ACTION ITEM:** Survey from Caterpillar to be filled out by Denton and Lahren
- The Commission determined a veteran memorial service bill will be held until the individual responsible for approving such bills returns to work
- Memo from Colter/Cooke City/SilverGate Chamber of Commerce requesting payment for FY '07 Shoofly Center for \$174,000 - Denton will research the issue

- Memo from MT Historical Society re. Chicken Creek Farmstead Historical District in Clyde Park and supporting its nomination to the National Registry of Historical Places - To Jerry Brekke for review
- Memo from Dann Babcox re. clarification on refuse billing meeting for county entities and whether charging PCRFD#1 for garbage disposal means that fire district will begin billing the Commission for green box, landfill and unprotected area fire fighting costs - The Commission will review the letter again on September 8
- Outdoor Recreation grant program brochure
- Memo from citizen re. child dropped out of 4-H after being denied selling swine at Park County 4-H Fair
- Memo re. O'Rea Creek Crossing construction plan - To Road Book
- Beartooth Highway road construction project
- Draft copy of legislation to create tax increment financial districts
- Vision Air newsletter
- Timesheet for Yellowstone Gateway Museum director - To HR Manager
- Memo re. Kamps agricultural covenant - To Linneweber for review
- Park Service response to supporting Gardiner projects - To Gardiner projects file
- MACO information re. law and justice subcommittee - To Linneweber for review
- Memo re. Fleshman Creek project on Voyich Ranch - To Lahren for review
- Memo re. special fire restrictions in Montana counties
- Memo re. local option tax summit on September 11, 2008

@3:00:01 p.m., Lahren made a motion to adjourn the meeting. Denton seconded that motion. The meeting was adjourned.

September 4, 2008

Park County Road Updates

@3:01:11 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; Brett Linneweber, county attorney; Shannan Piccolo, deputy county attorney; Morris Gullickson, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Public comment was made by Morris Gullickson. Gullickson asked what the county planned to do with Mill Creek Road. He said the county maintained that road well until this last year and right now it is horribly wash boarded past the pavement. He said the road used to be graded just before Memorial and Labor Days. He said speed is not causing the wash boarding as the county said, but it is the tandem-axle horse trailers going downhill that's causing it. He said he would like to see the road graded right now while it is wet and before snow falls. Hillman said the road crewman will be working on the road on Monday, September 8.

Lahren said a school superintendent in Jardine said a bus driver said Jardine Road is too dangerous to drive on. Hillman said a crewman maintained the road last week. Denton said she drove to Jardine and the road was good as far as the grader graded, and only a few washboards existed past that. Hillman said he thinks the crewman got to Hoppe's the last time it did Jardine Road before getting calls to grade on Six Mile Road.

Lahren said he drafted a Deep Creek Bottom Road situation statement for Hillman's signature. Lahren read the statement into the record. The statement read Hillman did not inform Mr. Hartwig on August 20, 2008 that Commissioner Lahren told Hillman to stop work on the Deep Creek Bottom Road Bridge.

Hillman said he told Mr. Hartwig Lahren told him to stop work on Deep Creek Road until it was determined to be a county road but he doesn't know what day that was. Lahren said Hartwig filed a writ of mandamus in the afternoon of August 20 so Hartwig would have spoken to Hillman in the morning of August 20. Hillman said he didn't know what day it was but it was after Monday, August 18.

Hillman said Lahren told him on a cell phone to not do anything on the bridge until it was decided it was a county road. Hillman said he does not know what day it was Lahren told him to stop work on the bridge but he knows it was the week of August 17 because he was onsite on the 17th to pull a tree off the bridge.

Lahren asked who told Hillman to start working on the bridge. Hillman said he did nothing until Jim Durgan told him to put in an emergency crossing.

Durgan said there was a verbal permit from Scott Opitz to work on the bridge. Durgan said Opitz left a telephone voice message at noon on August 21 to give verbal permission to start on the project at noon on August 21.

Hillman said he did not follow Lahren's instructions to have survey done before work was done on the bridge.

Lahren said the Commission directed Hillman to fix the county road on August 18 when Hartwig was present at a meeting that day. Hillman said it was the next day that event occurred when Mr. Hartwig brought information into the county.

Linneweber said Hillman is off by almost two weeks because Hartwig brought that information into the county on August 4 or 5. He said he used that information to research whether Deep Creek Road was a county road. Linneweber said absolutely nothing came into him after the 18th of August. Linneweber said by August 18 he had informed the Commission Deep Creek Bottom Road was a county road.

Lahren said the statement reads Hillman made a determination the Deep Creek Bottom Bridge was unsafe and did not obtain a secondary determination from Dan Gravage who is the Montana Department of Transportation bridge engineer. Lahren said Gravage is

responsible for inspecting all bridges for damage 20-feet or more in length. Hillman said he did not contact Gravage because the end of the bridge is bent and broken.

Lahren asked if Hillman submitted a detailed work plan to the Commission for approval for 124 and 404 permits. Hillman said he had and asked why he needed a 404 permit. He said he does not need a 404 permit. Hillman said he is getting a 124 permit from the state Fish and Game and a 124 permit from the Army Corps of Engineers.

Lahren said as of right now on September 4, 2008, neither 404 nor 124 permits are not needed based on Lahren's conversations with Scott Optiz today and consultation with the MDT Quick Guide to MDT Environmental Permitting. Lahren said the Commission needs a work plan to ensure banks are not disturbed, which will permit work without the permits. Lahren said Gravage inspected the bridge on September 4 and said the bridge is structurally sound. Lahren said Gravage should have been asked by Hillman to inspect the bridge and make a recommendation.

Lahren said the statement reads the Commission is directing the bridge be jacked up until level, which is probably 12 to 24 inches, and blocks or shims be placed on the banks of the west side of the bridge under the ends of the steel railroad car stringers until the bridge is level and stable. Lahren said the work is to be completed per recommendation from Dan Gravage. Lahren said the work is to be completed on September 8, 2008 under supervision and approval of Commissioner Durgan.

Lahren asked Hillman if he could conceptualize how the bridge was to be jacked up. Hillman said he could.

Durgan asked Hillman if he had concrete blocks to do that work. Hillman said he does not. Lahren said he can use concrete or wooden blocks. Lahren said the blocks need to be put into the existing footprint on the bank where the existing stringers are that collapsed without major disturbance to the bank or stream.

Lahren said 6-ton load limit signs will be placed on the bridge after construction is completed based on MDT communication of what type of bridge it is.

Hillman said he refuses to sign the document presented by Lahren because it is not correct based on the direction he was given to not do work on the bridge.

Lahren asked Hillman when he found out the bridge was a county road. Hillman said he found out the bridge was a county road from the Commission when Durgan told him to put in an emergency crossing. He said he got the direction to fix the bridge on August 21. Lahren asked Hillman if he got the direction on August 18 when Mr. Hartwig was present the bridge was a county bridge and the county would get started working on the bridge. Hillman said he did not get that direction to fix the bridge. Durgan said he recalls very distinctly in the meeting on August 18 it was said the Commission does not have much choice on the matter and the county must fix the bridge. Lahren said meeting individuals walked out the door from that meeting with instructions to fix the bridge.

Hillman said he was told by Durgan on August 21 to fix the bridge and Durgan did not say anything that day about Deep Creek Bottom Road being a county road but an emergency crossing was needed at the bridge.

Linneweber said the concern immediately at this meeting is the Commission giving Hillman the direction to get the bridge completed per MDT's recommendation. Linneweber said the county has until September 22 to get the work completed.

Hillman said the project should start on Sept 8 and the bridge can be done in possibly two days. Durgan said the project will be started and completed next week.

Hillman said he does not have blocks but he will jack up the bridge and put blocks under it to do the work.

Lahren said he suggested Scott Opitz and Dan Gravage be onsite with Durgan and Hillman on September 8 when work begins. Durgan phoned Dan Gravage and set up a time of 8:30 a.m., on September 8 to meet Hillman, Durgan, and Opitz at the Deep Creek Bottom Road bridge site. Hillman said he will round up jacks and timbers for the job.

Lahren reviewed the process the road crew will use to fix the bridge, specifically blocks and jacking up the bridge.

Discussing county road permits, Lahren said original copies of county road permit applications are to come directly to Raea Morris. He said work plans and schematics of what work will be completed has been missing from permit applications the Commission has received and that is a problem. Lahren asked Hillman why plans and schematics have not been included in work permits. Hillman said they have been but he gave the schematics back to the applicants. Hillman said he has the schematics in his possession and he can provide them if the Commission wishes. Lahren said the Commission requires a description of schematics so the county can go back to inspect work after completed to see if work done is compliant.

Hillman said he understands the process. Lahren told Morris Hillman will bring in an original road approach permit application, a payment check, and a schematic for each permit application but the check will not be cashed until the Commission approves the permit. After approval, permits will go back to Hillman.

Linneweber said it does not make sense for material providers to enter into contract agreements with the county. He said for suppliers, such as Jesson gravel, a purchase order can be used with Commission signature for orders over \$500.

Hillman said he just got cold patch yesterday and Rock Creek Road will be patched next week. He said it was too wet this week to apply cold patch. The Commission signed the cold patch and a snow plow transmission invoice.

Durgan said a citizen said someone designated \$9,000 to put a surface on Willow Creek Road years ago. The Commission said the county does not have the money to fix the road at his point. Hillman said the only way to fix it is to tear it up and put millings on it like was done on the Five Acre Tracts.

Hillman said "Bridge Closed" signs were put up this morning and gravel put at approaches on the bridge on Hill Creek Road.

Durgan said the Commission will have to apply dollar figures to and prioritize proposed county road crew work projects.

Hillman said a culvert on Fridley Creek is washed out and something will have to be done by next spring.

Denton asked the situation with the city possibly annexing Fleshman Creek Road from the end of the pavement to Meredith Ranch Road. Hillman said the city has annexed all of the property to Meredith Ranch Road but the county owns the road. Hillman said it is common practice for the city to annex roads in such situations and that the city said it would do that.

@3:55:13 p.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

September 5, 2008

Consider Selling Block #30; Lot 12, 13, 14 NE of Livingston Ditch

@9:00:03 a.m., Commissioner Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Jim Knoelke, public citizen; Shannan Piccolo, deputy county attorney; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss the potential sale of Block #30; Lot 12, 13 and 14 NE of the Livingston Ditch.

Deputy County Attorney Shannan Piccolo said the Commission has a legal right to sell the County's real property after the property has been appraised. Piccolo said the process for the sale will depend upon whether the property is worth more or less than \$2,500 and whether the property was acquired by tax deed. The Commission may sell the property either through a private sale or public auction if the property was not acquired by tax deed and is worth less than \$2,500. Piccolo said the Commission must hold a public auction if the property was not acquired by tax deed and is worth more than \$2,500, and the Commission must provided proper notice of the sale if a public auction will be held.

Lahren said the Commission needs to have the property appraised, determine the easement that may be attached to the property to the ditch, and determine whether or not

the county acquired the property through a tax deed. The Commission said it will get a certified appraisal of the property.

Durgan made a motion the Commission conditionally approve the potential sale of the lots after the Commission determines whether the property was acquired by tax deed, what the appraised value is, and what the easements are. Denton seconded that motion. Motion passed.

Jim Knoelke said collectively the lots are 6,100 square feet and likely smaller with canal easements.

Linneweber asked the Commission for permission the county attorney office gain assistance from Auditor Don Holland for title research on the property. The Commission granted that permission.

Piccolo said she will notify the Commission on the status of her work on the project.

@9:12:31 a.m., Lahren made a motion adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

September 5, 2008

Procedures for Processing of Claims and Payroll

@10:01:29 a.m., Commissioner Lahren called a meeting to order in the Commissioners Chambers. Commissioners Denton, Durgan and Lahren were present. Also present was Marilyn Hartley, accounting; Don Holland, auditor; Bill Hurley, operations; Bernadette Rambow, accounts payable; Polly Miller, human resources; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss procedures for processing claims and payroll.

Polly Miller said she scheduled the meeting to ensure everyone is on the same page with claims and payroll processes. Miller said Bernadette Rambow does not know who places claims in her in-box, as those claims go to Holland to check codes and then are date stamped and processed by Rambow. Miller said she wants the Commission to know how that process works in case department heads come to the Commission asking why it takes a few days to have their claims processed.

There was discussion about voucher sheet processes and vendor checks for payroll and taxes. Miller said her concern with that process is the Commission signs bills without invoices for healthcare, AFLAC, life insurance, union dues and other vendor checks. Marilyn Hartley said there is a voucher supplement but no invoice with those checks. Durgan said he thinks it would be a good filter for Auditor Holland to review those claims before they come to the Commission. Holland said the current process is being done per generally accepted accounting principles, so he does not see a problem with it.

Miller said paperwork will be turned into the Commission within 24-hours of cutting vendor checks.

@10:28:52 a.m., Lahren made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

September 5, 2008

11:00 A.M. – 5:00 P.M. – Fiscal Year 2009 Preliminary Budget Workshop –
Commissioners Chambers - Canceled

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

Denise Nelson
Clerk & Recorder
Park County, Montana