

Park County Commission Meeting Minutes  
Week of April 13 – 17, 2009  
Park County, Montana

April 13, 2009

Review Daily Agenda and Correspondence

@9:25:45 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Bill Hurley, operations; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the daily agenda and correspondence.

Correspondence included:

- Upper Yellowstone Watershed Basin meeting in Emigrant
- Citizen memo re. snow plowing in school areas in Cooke City
- Memo re. rescheduling of speed zone study meeting
- Paperwork for Bainter Construction John Deere dozer
- Cooke City Community Council minutes
- Memo from Community Counseling and Correctional Services Inc. re. youth offender rates
- Aging Horizons newsletter
- Memo from SW Chemical Dependency
- NW Energy emergency floodplain permit for 9<sup>th</sup> Street Bridge
- Memo re. Yellowstone Business Association - Meeting to be scheduled
- Memo re. FWP bison fencing issue meeting in Corwin Springs
- Memo re. closing of Park County Motor Vehicle office

There was discussion about efforts to transfer the Gardiner Sewer District to the Park County, Gardiner Water and Sewer District. Commissioner Taylor said he will contact Ron Shorter in attempt to create movement of the issue.

@9:42:59 a.m., Commissioner Durgan made a motion to adjourn the meeting. Commissioner Taylor seconded that motion. The meeting was adjourned.

April 13, 2009

Daily Updates on the 9<sup>th</sup> Street Bridge Project

@9:09:08 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Dann Babcox, PCRFD#1; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a daily update on the 9<sup>th</sup> Street Bridge project.

Commissioner Malone said COP Construction is pouring an abutment this morning for 9<sup>th</sup> Street Bridge work. He said Northwestern Energy is depressurizing the gas line and the gas will be turned off to the island by 10:30 a.m. Malone said the plan is to close the bridge at 12:00 p.m. today.

Deputy County Attorney Shannan Piccolo said all landowner signatures have been obtained from island residents permitting turning off the gas line.

There was discussion about putting up a warning sign at the fishing access adjacent to the 9<sup>th</sup> Street Bridge.

@9:20:41 a.m., Commissioner Taylor made a motion to adjourn the meeting. Commissioner Durgan seconded that motion. The meeting was adjourned.

April 13, 2009

Appointing of Applicant for Board of Health

@10:11:21 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Bill Hurley, operations; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to appoint an applicant for the City/County Board of Health.

Commissioner Malone said one application was submitted by Peggy O'Neil.

Commissioner Taylor made a motion to accept O'Neill's application and appoint her to the board of health. Commissioner Malone seconded that motion. Motion passed.

@10:12:29 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 13, 2009

Opening of Bids for Motor Graders

@10:34:19 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Brett Linneweber, county attorney; Shannan Piccolo, deputy county attorney; Chet Sharbono and Eric Bechtold of RDO Equipment; Dennis Morelock, Tractor & Equipment; Jim Taylor, public citizen; Jim Hunt, public citizen; Pete Knutson, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to open motor grader bids.

Commissioner Malone said two bids were received, one from Caterpillar Financial Services in Nashville, Tennessee, and one from RDO Equipment in Bozeman, Montana. Malone said both bids were received in the Clerk and Recorder's Office prior to the April 10 deadline.

At Chet Sharbono's request, Malone read a cover letter from RDO Equipment into the record. The letter said in part the bid specifics are slanted toward Caterpillar and eliminate competitive bids on used graders, and bids on newer graders are stymied even further.

Malone said RDO Equipment's bid contained a bid bond. Malone read the bid proposal into the record. Malone said RDO Equipment bid for four new 2009 John Deere 772D graders with a five-year/5,000-hour powertrain warranty excluding travel or mileage at \$226,200 per grader, for a total of \$904,800 for four graders.

RDO Equipment provided options for five-year/5,000-hour full warranty without travel or mileage for \$10,800; a five-year/5,000-hour full warranty including travel or mileage for \$16,133; and a six-year/7,000-hour full warranty including travel or mileage for \$21,500. The RDO Equipment bid also extends an additional offer to take in on trade four snow wings from the current 140M graders for four new Henke wings at a price difference of \$10,000 each.

Malone read into the record a cover letter from Caterpillar. The letter states in part Caterpillar Financial Services Corporation requests the cover letter be presented in lieu of a bid bond since Park County is currently in possession of similar Caterpillar units.

Malone read Caterpillar's bid into the record, saying the bid is for four used Caterpillar Model 140M motor graders already in the county's possession. A powertrain warranty will be offered at the remainder of total machine warranty. Three graders were bid at \$172,309.79 and a fourth at \$200,600 for a total bid of \$717,517.36.

Commissioner Taylor made a motion to review the bids and have the county attorney review the cover letter. Commissioner Durgan seconded that motion. Motion passed.

Malone opened the floor to public comment.

Chet Sharbono, of RDO Equipment, said he thinks there is a preference in Montana to have a Montana bidder, so he would like to have that considered in the process.

Eric Bechtold of RDO Equipment said the bid is required to have a bid securing with bid bond, so the Caterpillar bid is not compliant with the associated request for bids.

Dennis Morelock of Tractor & Equipment said speaking on behalf of Caterpillar, since the motor graders are already in possession of Park County, Caterpillar has already complied with delivery and guaranteed it can produce the machines.

Both CAT and RDO Equipment representatives said they would be willing to offer a repurchase option.

The Commission decided to take the bids under advisement and schedule another meeting to make a decision.

@10:49:46 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

#### April 13, 2009

#### Review Minutes for the Week of April 6, 2009

@11:17:58 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review and approve Commission meeting minutes for the Week of April 6, 2009.

Commissioner Taylor requested a revision to Page 6 of 22, last paragraph, noting the correct spelling of “minor.”

Commissioner Malone requested a revision to Page 4 of 22, replacing “brochures” with “posters.” On Page 5 of 22; first paragraph, the second sentence should read, “Malone said the county safety officer liked the idea of the alternate safety promotions and is very anxious to get more aggressive and get more assistance from the bidder as was proposed.” On Page 8 of 22, Malone noted the correct spelling of “Siever’s.” On Page 19 of 22, fourth paragraph, replace “bridge platforms” with “bridge decking.”

Commissioner Durgan requested a revision to Page 8 of 22; second paragraph, the second sentence should read, “Hillman said he needs to contact DEQ to find out the deadline situation with the gravel pit reclamation, but DEQ personnel will be out of the office this week.” The second to last paragraph should read, “Hillman said magnesium chloride needs to be applied to Jardine Hill, but the applicants need to have a contractor apply it because the county is not qualified to put down mag chloride.” On Page 9 of 22; third from last paragraph, the second and third sentences should read, “Hillman said it would be a 20 or 25 mile haul. Ryan said he will remove rock outcrops onsite that could be used for pit run.” On Page 11 of 22, Durgan noted the correct spelling of “totaling.” On Page 20 of 22; the third full paragraph should read, “There was discussion about possibly asking Montana FWP to close the west river channel to boaters/floaters during 9<sup>th</sup> Street Bridge project work.”

Commissioner Durgan made a motion to approve the minutes as corrected. Commissioner Taylor seconded that motion. Motion passed.

@11:30:08 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 13, 2009

Discussion of Delinquent Property Tax Review

@11:36:22 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Kevin Larkin, treasurer; Manny Goetz, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss delinquent property taxes.

Treasurer Kevin Larkin said Manny Goetz is present to request waiver of the penalty and interest on his back taxes. Larkin said Goetz has tried to work with past commissions, never got an answer, and did not pay taxes in the meantime.

Larkin said Goetz's deed of title was never submitted by a former title company in town. Larkin said since Goetz has proof of trying to gain assistance on the matter from the county commissioner for 12 years, the Commission could get rid of the debts because they are not as much as the taxes that would be collected and Goetz has a building for sale and the issue will be addressed upon sale.

Commissioner Taylor said he thinks it would be appropriate to waive the penalties and interest because Goetz has made an honest effort to rectify the situation and this has been going on for 12 years. Commissioner Durgan said he agrees.

Commissioner Taylor made a motion to forgive all the penalties and interest involved in Mr. Goetz's claim and he can be free to pay all the taxes without the penalties. Commissioner Durgan seconded that motion. Motion passed.

@11:44:10 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 13, 2009

1:00 P.M. – Mental Health Drop-In Center Open House – Park County Mental Health – Commissioner Taylor attended

3:00 P.M. – Local Advisory Committee Meeting – Park County Mental Health

April 14, 2009

7:30 A.M. – Job Service Employers Committee – Livingston Job Service – Commissioner Malone attended

April 14, 2009

8:30 A.M. – Review of Daily Agenda and Correspondence – Commissioners Chambers – Canceled

April 14, 2009

Park County Road Updates/9<sup>th</sup> Street Bridge Update

@9:03:54 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Dann Babcox, PCRFD#1; Scott Hamilton, undersheriff; Allan Lutes, sheriff; Ed Hillman, road supervisor; Belinda Van Nurden, DES coordinator; Raea Morris, Commission executive assistant; Bill Hurley, operations; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss Park County roads and daily updates on the 9<sup>th</sup> Street Bridge project.

DES Coordinator Belinda Van Nurden said a section of the bridge decking was removed last night. Van Nurden said a woman jogged behind the barricades on River Drive amongst heavy equipment and asked if more signage is needed to notify pedestrians River Drive is closed.

Sheriff Lutes said he talked with Gary of COP Construction last night about the need to cordon off the work zone. Road Supervisor Ed Hillman said he has one sign he will put onsite.

Commissioner Malone said he thinks COP Construction will set the bridge down and fill in a hole to make the Bailey bridge pedestrian-safe while a crane is in place, provided progress continues like yesterday. Malone said the gas will be shut off to island residents until Northwestern Energy completes boring under the river

Lutes said the Sheriff's Office has gotten no complaints about the project so far from island residents.

@9:17:10 a.m., emergency services and sheriff's office personnel exited the meeting.

Discussing county roads, Hillman reviewed his audio log of road crewman work for the last four days. The Commission said the audio log is working well and the more detail included the better. Hillman said a track adjuster on a dozer is bad and needs repaired. He said a representative from Montana DEQ is back in the office today and Hillman phoned her twice for a written direction on a gravel pit reclamation project. Commissioner Durgan said he would like to see something from DEQ to know what needs to be done at the pit.

Commissioner Taylor said Citizen Rick Adams came in about a road issue on Canyon View and Loves Lane, saying the pavement is broken off and a big hole needs to be

filled. Hillman said he will look into it. Taylor asked if Vaughn Johnson has a road work permit for Pinto Ranch. Hillman said he had a work permit and he will try to locate it.

Malone said Citizen Richard Klingler called about potholes in Billman Creek. Hillman said he is aware of the potholes and he called this morning about cold patch. He said JTL said they do not have enough orders to make cold patch at this time. Hillman said he told JTL the county needs 100 tons, which would cost \$67.50/ton delivered. Hillman said the county can haul it for \$57/ton. Hillman said he will also get some hot mix when it is available.

Hillman said he would like to finish Willow Creek Road at the end of July. He said the city may need the services of IronWolf at that time, and the county may share mobilization costs for work on the upper end of Rock Creek Road, which may be returned to gravel from Cooper Lane east to the crossroads.

Hillman said Crewman Mark Smith put in ditches with a backhoe in Tom Miner because a culvert partially plugged and the lack of a ditch was washing out the road.

Hillman said the road department bought a water truck for Clyde Park and Wilsall and is waiting on a title, but there still is not a truck for use in Gardiner. Hillman said he talked with Kevin Funk about a water truck that would work for the road crew but he needs a price quote on it. He said the truck would need to be re-plumbed for possibly \$500.

Commissioner Durgan said he received a call from a resident on Cokedale Road who said that road has no gravel, lots of potholes and mud, requires a four-wheel drive to go up and down it, and the county is doing a poor job of grading the road. Durgan asked if there was any long term plan to get gravel on county roads that need it, specifically O'Rea Creek and Cokedale Roads. Hillman said the county needs gravel, and it is helpful if it is crushed.

Hillman said he talked to Crewman Troy Amunrud about reshaping Falls Creek Road when the moisture is right and Amunrud agreed to do that.

Hillman said a temporary road crewman starts tomorrow as a utility man who can operate a blade and can fill in where needed.

Hillman said a Fiddle Creek culvert is still on order, and he talked to Montana FWP about Eight Mile and Horse Creek roads. Hillman said FWP said it is waiting on stimulus money.

Hillman said he would like to have magnesium chloride on hand so citizens can hire someone to apply it to the Jardine Hill. The Commission said it needs to review the road department budget before gravel, mag chloride or reclamite is purchased.

Durgan asked what will be done on Shields River Road. Hillman said the edges cannot be fixed, but the crew can save the center of the road from alligator cracking. He said the same problem exists on Pine Creek Road.

Hillman said the road department will have to apply 50 feet of asphalt to both sides of the O'Rea Creek railroad crossing this year. Durgan said he will contact the appropriate individual in regard to that work.

Hillman said he has not yet received Mission Creek Gravel and Mission Pit permits.

@9:48:00 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 14, 2009

Consider the Signing of Rental/Purchase Agreement with MDT for the Bailey Bridge

@10:06:20 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Shannan Piccolo, deputy county attorney; Marilyn Hartley, accounting; Camden Easterling, Livingston Enterprise; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider signing a rental/purchase agreement with Montana Department of Transportation for the Bailey bridge.

Deputy County Attorney Shannan Piccolo said the county attorney's office reviewed the agreement and is fine with its language.

Commissioner Malone said the agreement states Park County will make a \$27,377 down payment upon execution of the agreement, as well as monthly rental payments to MDT of \$1,500 due by the 15th day of each month beginning May 15, 2009 and running through July 15, 2011. Commissioner Durgan said a 30-day notice by either party is required to terminate the agreement.

Malone said funds for the agreement will hopefully come from House Bill 645, and if they do not they will come from the county bridge funds. Malone said Greg Jackson of MACo ensured him by telephone the Bailey bridge is fully insured.

Commissioner Durgan made a motion to accept the agreement from MDT. Commissioner Taylor seconded that motion. Motion passed.

@10:12:05 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 14, 2009

O'Connell vs. Park County Litigation Strategy

@11:03:06 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Brett Linneweber, county attorney; Shannan Piccolo, deputy county attorney; Mike Inman, planning; Philip Fletcher, planning; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss O'Connell vs. Park County litigation strategy.

Commissioner Taylor made a motion to close the meeting to the public for litigation strategy. Commissioner Durgan seconded that motion. The meeting was closed.

@11:48 p.m., the meeting was adjourned.

April 14, 2009

1:00 P.M. – Senior Center Meeting – Livingston Senior Center – Commissioner Taylor attended

2:00 P.M. – IT Advisory Committee – Community Room

7:00 P.M. – Board of Health – East Room

April 15, 2009

Daily Update on 9<sup>th</sup> Street Bridge Project

@9:08:14 a.m., Commissioner Taylor called a meeting to order in the Commissioners Chambers. Present was Shannan Piccolo, deputy county attorney; Allan Lutes, sheriff; Scott Hamilton, undersheriff; Belinda Van Nurden, DES; Dann Babcox, PCRFD#1; Jeff Tong, PCRFD#1; Chuck Donovan, public citizen; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss daily updates of the 9<sup>th</sup> Street Bridge project.

DES Coordinator Belinda Van Nurden said an island resident asked if the Commission thought about sheltering residents with a motel room who have to leave valuables in their cars parked on River Drive. The Commission has not responded to the request.

Commissioner Taylor said three bridge decks are down, two pillars have been removed and the Commission will meet with CTA Engineering tomorrow to determine additional work to be completed.

Jeff Tong of PCRFD#1 said he heard Northwestern Energy is finished boring a new gas line half way through the river to the island.

@9:13:25 a.m., Taylor adjourned the meeting.

April 15, 2009

9:30 A.M. – Claims Review – Commissioners Chambers

April 15, 2009

Consider Contract Renewal for MACo Health Trust Insurance

@11:01 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Brett Linneweber, county attorney; Marilyn Hartley, accounting; Martha Miller, auditor; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to consider a contract renewal for MACo Health Trust Insurance.

Marilyn Hartley, health insurance committee chair, said County Attorney Linneweber has given a written opinion that healthcare insurance provider services do not fall under statutory requirements that has to be bid, and the Commission can renew its contract with MACo should the Commission choose to do so. Hartley said the county's three-year contract with MACo Health Trust expires on June 30, 2009, and any future contract with MACo would be on a one-year basis.

Commissioner Malone asked whether county employees have made complaints about MACo's insurance services. Hartley said she has received no major complaints from employees, and employees like the options they have of tailoring their insurance needs through four different MACo healthcare plans free of administrative fees. Hartley said processing claims through MACo has gone smoothly, and MACo Representative Owen Voigt has been easy to work with and is always available. Hartley said the county would be hard pressed to go out for bids and find a company with the flexibility and service MACo has provided in the last three years, and from her perspective she sees no reason to change insurance providers.

Commissioner Taylor made a motion to renew the contract with MACo Health. Commissioner Malone seconded that motion. Motion passed.

Malone said Hartley and Mary Anne Keyes, Extension, have permission to use the Community Room for a woman's strength training program through MSU Extension.

@11:19 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 15, 2009

Review of Daily Agenda and Correspondence

@11:20 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor 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 review the daily agenda and correspondence.

Correspondence included:

- Memo re. rescheduling of HB 331 health inspections bill
- Memo re. Alert Securities Assets Protections
- Invoice from CTA Engineering for 9<sup>th</sup> Street Bridge work
- Memo re. Agency on Aging – To Commissioner Taylor for review
- Memo re. Upper Yellowstone Snowmobile Club request for snowplowing in Cooke City area – A meeting will be scheduled on the matter
- COP Construction performance bond for 9<sup>th</sup> Street Bridge work
- Memo from Forest Service re. cooperative weed management meeting scheduled for April 15 – To Commissioner Durgan for review
- Memo re. NACo E-newsletter – To Durgan for review
- April 14 ITAC meeting agenda
- Memo from MDT re. 9<sup>th</sup> Street Bridge permits
- Memo re. May 6 road asphalt web conference – To be scheduled
- Memo from undersheriff re. Bailey bridge safety issues
- Memo from Stillwater County commissioner re. RAC involvement
- Memo from Bainter Construction re. hiring of truck drivers and pricing of rock and small dozer
- Memo from Kinetic Industries – To road department for review
- Thank you memo from Falls Creek Road citizens – To Road Book
- Memo re. Snowy Range Ranch exchange
- Memo re. DNRC planning grant availability – To Nittany Grantworks for review
- Memo re. Big Timber Ranger District public comment period for East Boulder fuel reduction project
- Advertisement for Douglas County, Colorado assistant manager position

@11:33 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 15, 2009

Signing of Amendments to Ordinance #21 Regarding Access across Bailey Bridge

@1:11:23 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor 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 sign an amendment to Ordinance #21 Regarding Access across the Bailey bridge.

Malone said one of the 9<sup>th</sup> Street Bridge piers is down and a second will be down by four or five o'clock today. Malone said the commissioners will meet with CTA tomorrow at 8 a.m., to decide on whether a third pier will be removed. Malone said Bainter Construction is moving gravel from the downriver side of the bridge and stockpiling it because COP Construction is concerned about getting stuck in the middle of the river. CTA Engineering said it would like to dig a trench on the Livingston side and run culverts through them. Malone said the crane has been removed from the site, as three spans of bridge decking have been removed. Malone said the contractors should be out of the site by April 17.

There was discussion about possibly allowing limited vehicular traffic on the Bailey bridge during the same hours as permitted pedestrian traffic.

Commissioner Taylor made a motion to recess a decision to consult with the county attorney on the matter. Commissioner Malone seconded that motion. Motion passed.

@1:14:15 p.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 15, 2009

Signing of MOU for City/County Residents to have Equal Access to Recycling Facilities

@1:35:05 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor 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 sign a Memorandum of Understanding for city and county residents to have equal access to the city of Livingston recycling facilities.

Deputy County Attorney Shannan Piccolo said the MOU was prepared by the city of Livingston and states county residents can use the city's recycling facilities. Piccolo said the MOU was reviewed and approved by the county attorney's office.

Commissioner Taylor made a motion to sign the MOU. Commissioner Malone seconded that motion. Motion passed.

@1:37:19 p.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 15, 2009

2:00 P.M. - Signing of Contract with Montana Rail Link and Park County for Transfer Station – Commissioners Chambers – Canceled

April 16, 2009

Review of Daily Agenda and Correspondence

@8:37:05 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Bill Hurley, operations; Raea Morris, Commission executive assistant; Allan Lutes, sheriff and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the daily agenda and correspondence.

Correspondence included:

- Citizen memo re. request for appeal for family transfer denial - The meeting will be scheduled
- Livingston Enterprise advertisement for landfill hours
- Required information for COS for a family conveyance
- Memo re. April 22 meeting to change Commission meeting notice time from 72 to 48 hours
- Memo re. desktop monitoring review of Myer's Flat radio site
- Citizen memo re. building and construction in creek bottom of Trail Creek - To Commissioner Durgan for review
- Memo re. Job Service call for officers
- Memo re. 100<sup>th</sup>-annual MACo conference site
- Citizen "Thank You" memo re. 9<sup>th</sup> Street Bridge update website
- Announcement of April 20 Upper Yellowstone Watershed meeting in Clyde Park
- The National Catalyst newsletter
- Memo re. Shooting Star Trail abandonment request
- Memo re. building permit approved for Wilsall Senior Center bathroom
- Memo re. DEQ block grants - To file
- Contract re. amendment for partial payment to Sabre Communications
- April 14 meeting minutes for Yellowstone Country board meeting
- Memo from Mental Health America - To Commissioner Taylor for review
- Memo re. LEPC self evaluation document
- Memo from MACo re. workshop schedule for Neighborhood Stabilization program
- Memo from Montana Water Trust - To Durgan for review
- Memo from MACo re. HB 331 amended and passed on second reading

@8:59:48 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 16, 2009

Daily Update on 9<sup>th</sup> Street Bridge Project

@9:04:10 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Dann Babcox, PCRFD#1; Ed Hillman, road supervisor; Scott Hamilton, undersheriff; Allan Lutes, sheriff; Steve Potenberg, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled as a daily update on the 9<sup>th</sup> Street Bridge project.

Commissioner Malone said the Commission met with CTA Engineering last night to decide COP Construction will remove the next bridge pier and associated decking today. Malone said two decks and two piers will remain after work is completed, and the timeline is dependent on the river water level, which is expected to take a big jump in flow on Saturday.

Public comment was made by Steve Potenberg. Potenberg asked what the plan is regarding the dozers moving the rock in the river. Malone said the rock bar is being moved into the center of the river channel as part of a plan for the river to flow in the center of the river channel.

Road Supervisor Ed Hillman said he can use any 3-inch minus gravel from the river work platform.

@9:14:52 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 16, 2009

10:00 A.M. – Yellowstone River Conservation District Meeting – MSU College of Business, Billings – Commissioner Durgan attended

April 16, 2009

Discussion with IT Department regarding Phone Project, Purchase of Black Mountain Software, Schedule Changes and Upcoming Projects

@10:33:58 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Marc Richards, GIS/IT; Erica Hoffman, GIS/IT; Raluca Vandergrift, GIS/IT; Marilyn Hartley, accounting; Martha Miller, auditor; Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss a phone project, purchase of Black Mountain software, schedule changes and upcoming projects with the IT Department.

GIS/IT Manager Marc Richards introduced Raluca Vandergrift as the department's temporary technician for the next four months.

Discussing a Black Mountain Software purchase, Richards said the cost of the software would be \$34,000, which includes an accounting and payroll module. Richards said he suggests asking the human resources, accounting, and IT departments and the auditor to budget for the software at \$8,500 per department. Richards said the county could save \$9,000 a year in software support fees it currently pays to CSA, as well as save money in IT support fees. Richards said the frustration level of CSA is high, especially for the AP Clerk, and the software could pay for itself in three years with the cost savings. He said the software would include accounting, budget preparation, payroll, direct deposit and daily timecards, and the price includes annual fees and maintenance costs.

Richards said CSA's tech support is not good and can take between 30 minutes and five hours. Hartley said the Black Mountain reports are much cleaner and user friendly.

Marilyn Hartley, accounting, said she does not like the hours entry and payroll with the Black Mountain software as compared to CSA. Richards said Black Mountain provides for an electronic timesheet system in the quoted price, which can eliminate paper timesheets. Hartley said the downside of electronic timesheets is the number of issues she has to go back to department heads with in double checking and correcting employee timesheets. Richards said Hartley could gain access permission to the timesheet software to help with that issue. Richards said the only office not on the server is the museum and he is not aware of any employees who could not do an electronic timesheet at this time.

Richards said he recommends switching to Black Mountain software, but each department using the software needs to speak for itself. Commissioner Malone asked Richards to write up a cost savings comparison between the two software packages.

Discussing upgrading of the courthouse phone system, Richards said the best option is to go with a T1 line rented from Qwest, which would provide 25 DID rolling line accesses, add some phone lines inside the building, purchase a block of 200 numbers with an option to purchase more, and move the PBX to a county location from Qwest's location. Richards said each desk would have a new phone. Richards said the Commission will have to decide to either act as the custodians of the building in this situation and change phones for everyone and recoup the cost, or ask the other entities in the building to help support the cost upfront. Richards said he has received a rough bid and would like to have Doug Brekke take a look at that bid as an independent source. He said he needs to talk further with the city about the issue to see if it is willing to share in the service cost.

Discussing changing schedules, Richards said he would like to switch his department to four ten-hour work days, because he and Erica Hoffman end up working early and late without compensation. Richards said he would work Tuesday through Friday and Hoffman would work Monday through Thursday. Richards said the department has tried the arrangement for a few weeks and it has worked well. He said it is good for him to

have an hour before and after other employees come to and leave work to get things done. Richards said the GIS/IT department is a bit different than others as it is on-call, and he and Hoffman have come into work in the middle of the night a few times in the last year to address IT needs for the jail and other departments. He said anytime the department has to upgrade CSA it stays late, and anytime it must do something with the server it has to come in early. He said fieldwork requires driving to Cooke City and back, which cannot be done in an 8-hour day. He said the situation will get worse if the county enters into a joint IT program with the city. Richards said he ran the request past Human Resources Analyst Jill Ouellette, and she has no issues with it.

Malone said the Commission needs to look into the request so it does not open a can of worms. He said the Commission will consider the request and discuss it with Commissioner Durgan.

Discussing a joint IT program with the city, Richards said he will have a draft proposal to the Commission in a few weeks. He said picking up the city IT services does not necessarily require a full-time position and would likely be a half-time to two-thirds-time position. He said it will come down to whether the county can find someone willing to work part time or if the city will pay the other half of the salary. Richards said he and Hoffman do not have the time to take on the added IT work.

Discussing permission for Hoffman and Richards to access the law enforcement server, Richards submitted a memo addressed to Granite Enterprises Commission for signature that would allow Richards and Hoffman access to the law enforcement server to add users for approved employees and contractors.

@11:52:41 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

#### April 16, 2009

12:15 P.M. – Conference Call with Area Legislators to Discuss Legislative Issues – Commissioners Chambers – Canceled

3:30 P.M. – Planning Board Meeting– Community Room – Meeting minutes available at [www.parkcounty.org](http://www.parkcounty.org) and in the Planning Department

4:00 P.M. – 911 Communications Meeting – West Room

6:00 P.M. – Solid Waste Board Meeting – West Room – Meeting minutes available at [www.parkcounty.org](http://www.parkcounty.org) and in the Commission Office

#### April 17, 2009

##### Daily Update on 9<sup>th</sup> Street Bridge Project

@9:03:55 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Shannan

Piccolo, deputy county attorney; Dann Babcox, PCRFD#1; Ed Hillman, road supervisor; Allan Lutes, sheriff; Alan Davis, Livingston Fire; Belinda Van Nurden, DES; Raea Morris, Commission executive Assistant; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled as a daily update on the 9<sup>th</sup> Street Bridge project.

Road Supervisor Ed Hillman said one pier remains to be removed from the river. He said COP Construction said it would not enter the river in more than two feet of water.

Commissioner Malone said April 18 remains as the target date to open the Bailey bridge to regular island-resident vehicle access. Malone said CTA Engineering will devise a plan for a new bridge and funding will be sought after demolition work is complete.

There was discussion about leaving the current ordinance in place prohibiting all pedestrian traffic on the Bailey bridge.

Hillman said Montana Department of Transportation is inspecting the bridge for maintenance purposes. Dann Babcox of PCRFD #1 said he received email permission from Dave Crumley of MDT to drive an empty water tender across the Bailey bridge.

There was discussion about load limits on the Bailey bridge. The load limit will remain three tons. Hillman said width of wheel base, load distribution, and gross weight of the vehicle must be provided for case-by-case-basis requests to cross the bridge with vehicles in excess of three tons.

@9:16:12 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 17, 2009

Review of Daily Agenda and Correspondence

@9:53:09 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Bill Hurley, operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to review the daily agenda and correspondence.

Correspondence included:

- Email from Lori Benner of Nittany Grantworks re. press release for Fleshman Creek grant - Commissioner Malone will telephone Benner with permission to submit the press release
- Citizen memo re. Meredith Ranch Road issue
- Memo from MACo re. status of stimulus money bills

- Memos from Disability Rights Montana re. HB 132 for mental health - To Commissioner Taylor for review
- Memo from The Federal Contractor Network
- Memo state DES re. FY '08 emergency management fund reimbursement deadline of July 31, 2009
- Memo from RDO Equipment to county attorney re. motor grader bid process
- Vision Air newsletter - To Director of Operations Bill Hurley
- Memo from HR to road department re. safety issues
- Memo from accounting personnel re. interim job descriptions
- Memo re. Bailey bridge insurance information
- Memo from MACo re. U.S. Dept of Interior \$1 billion investment in Montana's water structure
- Memo from National Parks Conservation Association re. cell tower at Mile Post 11 in Gardiner, Montana
- Memo from Treasurer Larkin re. FY '08 audit findings

@10:16:34 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 17, 2009

9:00 A.M. – Commissioner Taylor in Wilsall to Hear Area Resident Concerns – Val's Mercantile

10:30 A.M. – Commissioner Taylor in Clyde Park to Hear Area Resident Concerns – Clyde Park Town Hall

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana