

Park County Commission Meeting Minutes  
Week of April 27 – May 1, 2009  
Park County, Montana

April 27, 2009

Review Daily Agenda and Correspondence

@8:35:11 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Bill Hurley, director of 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:

- Agenda for May 15 Forest Service agency administrator meeting
- Newsletter from Representative Denny Rehberg
- Memo from 9<sup>th</sup> Street Island resident requesting Bailey bridge use restrictions
- Memo from OSHA re. landfills - To Commissioner Taylor for review
- Announcement of May 6 Forest Service prescribed burn treatment meeting at Emigrant Community Center
- Citizen "Thank you" for 9<sup>th</sup> Street Bridge work
- Memo from Representative Rehberg re. post-traumatic stress syndrome funding - To Taylor for review
- Memo re. changes to CFR regulations
- Memo re. fairgrounds inspection of kitchen - To Taylor for review
- Memo from fair manager re. fairgrounds inspection
- Every Child Matters newsletter - To public health nurse for review
- Memo re. May 13 Special Area Management Plan meeting
- Memo from DES coordinator re. DES budget grants
- Announcement of May 7 weed education meeting in Emigrant
- Memo re. energy stimulus funds
- Memo re. airport board member list - To Durgan for review
- Memo re. Montana Water Trust - To Commissioner Durgan for review
- Memo from MT Dept of Commerce re. 9<sup>th</sup> Street Bridge TSEP preliminary engineering grant application - To file
- Montana and the Sky newsletter - To Director of Operations Bill Hurley
- Prevention Connection newsletter - To Taylor for review
- Memo from MACo re. legislative update
- Memo from Disability Rights Montana.org re. HB 130-132 - To Taylor for review
- Email from teamsters union re. road supervisor conducting work

There was discussion about Envirocon recycling services.

Commissioner Durgan said a citizen requested historical trial material from the clerk of court office and wondered if Bruce Martin would move materials in the vault to provide access. Durgan said he will talk to Clerk of Court June Little about the matter.

Sheriff Lutes said a national emergency has been declared on the Swine Flu and he feels it is important for DES and public health officials to know how to address the illness. He said he spoke with the county DES coordinator and will talk to Public Health Nurse Suzanne Brown about the matter.

@9:03:14 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

April 27, 2009

Discussion with Friends of the YGM regarding Capital Improvements to Building

@9:06:27 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Pat Miller, Friends of YGM; Rick Van Aken, Friends of YGM; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss capital improvements to the museum building with the Friends of the Yellowstone Gateway Museum.

Pat Miller, vice president of the Friends of the Yellowstone Gateway Museum, said the Friends need to take a cursory look of what can be done with the current museum or with finding or building a new building. Rick Van Aken, Friends president, said the Friends earmarked about \$6,000 in a cd for a new HVAC system, and the Friends would like to know if they can use the county grant writer to research some grant opportunities for landscaping, HVAC and other capital improvements.

Commissioner Malone said the energy stimulus package is grant driven and the Commission will be asking Benner to seek that money for the courthouse and other county buildings. Commissioner Taylor said he will talk to Lori Benner of Nittany Grantworks about the matter.

@9:52:01 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

April 27, 2009

Review of Minutes for Weeks of April 13 and 20, 2009

@11:02:07 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 Commission meeting minutes for the Weeks of April 13 and 20, 2009.

Reviewing meeting minutes for the Week of April 13, 2009, Commissioner Malone requested a revision to Page 7 of 18, noting the correct spelling of "Richard Klingler." The second paragraph should read, "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." On Page 15 of 18; second to last paragraph, the second sentence should read, "Richards said each desk would have a new phone."

County Attorney Linneweber requested a revision to Page 4 of 18, the second paragraph should read, "The Commission decided to take the bids under advisement and schedule another meeting to make a decision." On Page 9 of 22; third paragraph, the seventh sentence should read, "He said that ex parte communication with the Commission between the time bids were opened and considered was inappropriate." On Page 11 of 22; third to last paragraph, the second sentence should read in part, "Linneweber said by state statute, the Superintendent's salary can be increased if he has a Master's degree..." and the last sentence should read, "Linneweber said the state pays one half of 85 percent of a district judge's salary for county attorney services."

Reviewing meeting minutes for the Week of April 20, 2009, Malone requested a revision to Page 5 of 22; last paragraph, the first sentence should read, "Ed Hillman, road supervisor, said a temporary road crewman is on the job and water trucks are being prepared today."

Commission Durgan requested a revision to Page 18 of 22; last paragraph, the fourth sentence should read, "Durgan said he directed a county citizen to turn off the water."

Deputy County Attorney Piccolo requested a revision to Page 7 of 22; third from last paragraph, the first sentence should read, "Deputy County Attorney Shannan Piccolo said the amendment will enable the Park County Senior Center to receive and expend funds from HOME and CDBG grants for Fiscal Year 2009." On Page 19 of 22, the ninth paragraph should read, "Deputy County Attorney Piccolo said this is a legal issue she will have to look into, which includes the county entering into contracts with minors."

Commissioner Malone made a motion to approve the minutes. Commissioner Taylor seconded that motion. Motion passed.

@11:16:39 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 27, 2009

Discussion of Appeal of Denied Glastonbury Family Conveyance

@1:34:12 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Inman, planning; Philip Fletcher, planning; Kathleen Rakela, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss an appeal of a denied Glastonbury family conveyance.

Senior Planner Mike Inman said the planning department was never notified of this meeting and Kathleen Rakela never notified the planning department of the appeal. Inman said he is not prepared for this exemption because he was not aware of the meeting. Inman said in a normal appeal procedure, a family usually has other information it provides with the appeal, which is normally provided to the planning staff and the Commission 72 hours in advance of a meeting. He said the planning staff would review that information and give the Commission a presentation of the history and background of the issue at a scheduled meeting. He said the Commission would take into account any additional information from the applicant at that meeting and make a decision. Inman said any family conveyance application goes through a review by him, the deputy county attorney, clerk and recorder, sanitarian, and the planning department then processes all information.

Commissioner Malone said the Commission needs background information on why the family conveyance was denied in the first place. Rakela said she has information with her from previous meetings on the matter. Malone said the Commission relies on a staff report.

Rakela said her previous family transfer request was denied because of her business. Commissioner Durgan said it was denied because it was out of compliance and against the county's subdivision regulations. Inman said rebuttable presumptions exist within subdivision regulations when a family transfer or boundary relocation is reviewed. He said if a situation involving a specific exemption being reviewed triggers one of those rebuttable presumptions, the planning staff has to deny the request. He said the applicant then has to rebut that presumption and decision based on information it provides. Inman said in Rakela's case, she had two subdivisions in the review process, one was approved and one was not resubmitted. He said Rakela submitted an application for a family transfer to her husband in the same area, but was denied based on her prior work done as a developer. Inman said Rakela appealed that denial and was asked by the Commission her purpose in transferring the parcel to her husband, and she said it was to sell the parcel to buy other property. Inman said the Commission said an applicant cannot do a family

transfer to avoid going through subdivision review. Inman said Rakela is back with the same family transfer, but to her son. He said Rakela can go through the subdivision review process if she would like to develop her properties.

Rakela said she should have a right to convey property to her family members according to subdivision law 76-3-207 if it does not evade the county subdivision laws. She said she is a little person trying to survive here, and she is not a big developer.

Commissioner Taylor said the Commission needs to be provided with information from the record to review the history of the issue.

Inman told Rakela he will present any additional information to the Commission she wishes to submit in advance of the next meeting so the Commission can review it.

@1:52 p.m., the meeting adjourned.

April 27, 2009

Appoint Private Sector Members to Compensation Board and Compensation Board Recommendation of Elected Officials' Salary

@4:05:00 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Board of Compensation Members Steve Woodruff, Denise Nelson, Hannibal Anderson, and Brett Linneweber; Jill Ouellette, human resources; Martha Miller, auditor; Marilyn Hartley, accounting; Camden Easterling, Livingston Enterprise; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to appoint private sector members to the compensation board and for the compensation board to recommend elected officials' salaries.

Hannibal Anderson, citizen board member, said he will continue on the board. Stephen Woodruff, citizen board member, said he would continue on the board at the board's April 21 meeting.

Commissioner Taylor made a motion to appoint Stephen Woodruff for two years and Hannibal Anderson for a three-year term. Commissioner Durgan seconded that motion. Motion passed.

County Attorney Brett Linneweber summarized the board's discussions from its April 21 meeting for Hannibal Anderson, who was absent from that meeting.

Human Resources Analyst Jill Ouellette read into the record a summary from a letter from the director of the local Job Service. Ouellette said the letter stated most newly created jobs are being filled by employees promoted from within, and there is significant evidence very few people are receiving raises this year. Ouellette said the letter stated the

state employees in the local Job Service office will not receive an increase this year, and the state will use raise money to cover increases in employer-provided healthcare costs.

Anderson said Livingston School District teachers are getting raises this year because of union negotiations done two years ago. He said the teachers are experiencing lowered monthly health benefit payments of \$576/individual per month for the next year, which will increase to \$600/individual/month the second year.

Linneweber said he is recommending elected officials receive at least the 3.8 percent MACo-recommended Cost of Living Adjustment (COLA), and any COLA increases to elected officials have traditionally been given to county employees. Linneweber said everyone's cost did go up, and he recommends a flat 3.8 percent COLA for all employees. He said he will recommend the county level match the state level paid toward the county attorney's salary and he will freeze his salary again next year.

Clerk and Recorder Denise Nelson said she thinks the county should do the 3.8 percent COLA increase if possible. Linneweber said Sheriff Lutes is in favor of the 3.8 percent COLA. Linneweber said he recommends the permitted extra \$2,000 be provided to the qualifying elected officials. Linneweber said the commissioner's salaries should be set at the clerk and recorder base rate, as they may be below that at present due to past commissions waiving COLA.

Commissioner Malone said he has called other counties, and they are saying they are following MACo's recommendation, but he said he has not talked to enough counties to get a feeling. He said Treasurer Larkin is looking at the amount of expected tax income to the county.

Marilyn Hartley, accounting, said the undersheriff is paid at 95 percent of the sheriff's salary, the captain is paid at 90 percent of the sheriff's salary, all deputies are under union contract with the lowest-paid deputy receiving 80 percent of the sheriff's salary, and the detectives are currently at 83 percent of the sheriff's salary.

Commissioner Durgan said department heads should make allowances in their budgets if they feel they should have increases in their departments above the COLA. He said the county still does not have the evaluation of the mill, and the reappraisal process will determine some revenue available to the county.

Hartley said perhaps a pot of available funds can be set aside for increases department heads would like give within individual departments.

Malone said the Commission will wait on making a decision on the recommended COLA until it talks to other counties and gets county budget figures.

Durgan said the compensation board is comfortable with the 3.8 percent increase, and unless circumstances prove otherwise, the Commission can conditionally accept that recommendation, partially since the county really held the line on last year's budgets.

Durgan said he highly recommends the employees receive the 3.8 percent increase, because he thinks it is fair for department heads and employees to receive the same increase.

Commissioner Taylor said he thinks the 3.8% is appropriate, but if things change the Commission can drop that down. He said he wants to know what the options are, and he does not think the Commission should be giving out a bunch of raises this year with the state of things.

There was discussion about Linneweber's salary in comparison to the private sector and other Montana county attorney's salaries.

Linneweber made a motion elected county officials receive an increase of 3.8 percent as based on the base salary of the clerk and recorder, and in addition the treasurer and clerk and recorder have the option to accept an optional \$2,000 above and beyond the base salary, state law mandates for a specific amount for the sheriff and the Commission, and the superintendent have the option to accept a \$2,000 increase to his salary with his master's degree. In addition, anyone serving five or more years in one position is entitled to one percent per year longevity pay, however that cannot back date prior to 2007. Durgan seconded that motion. Motion passed

Woodruff said at some point he would think about capping the longevity because it will continue to compound.

@5:16:15 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting was adjourned.

April 28, 2009

Review Daily Agenda and Correspondence

@8:36:10 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Bill Hurley, director of 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:

- Memo from PCEC re. Upper Rainbow Road house remodel and asbestos
- Memo re. insurance policy for Bailey bridge value of \$273,000 effective July '08
- Memo re. 30-day extension comment period for Upper Yellowstone Special Management Area
- Airport board meeting minutes - To Commissioner Durgan for review
- Memo re. mine monitoring report

- State electronic board advisory council position vacancy
- Memo re. May 12 and 13 training for contemporary writing skills
- Announcement of Livingston Area Chamber of Commerce dance
- Public meeting May 6 at Emigrant West Paradise prescribed burn project - To Durgan for review
- Memo re. paving of 12.2 miles south of Carter's Bridge on East River Road
- Memo re. April 29 and 30 closing of Fiddle Creek Road for culvert work
- Memo re. resurfacing of Highway 89 for 8.6 miles north of Emigrant

Director of Operations Bill Hurley discussed Myer's Flat radio work and what it will do for the county.

@9:02:29 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 28, 2009

Park County Road Updates

@9:06:42 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Ed Hillman, road supervisor; Bill Hurley, director of operations; Shannan Piccolo, deputy county attorney; Kevin Funk, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman reviewed road crewmen work schedules and said all crewmen are grading roads today.

Hillman asked about a Fleshman Creek annexation request made to the city. Deputy County Attorney Piccolo said she thought the ball is in the city's court. Hillman said he would like the Commission to ask the city to annex Fleshman Creek Road from the end of the oil at the cemetery to Meredith Ranch Road.

Hillman said a citizen on Sunset Lane said he would remove a culvert from the county roadway. Hillman said the individual said he got an approach permit from the Commission for the work, but Hillman cannot find that permit.

Hillman said he called MDT about seven plow trucks it has for sale at fixed surplus prices with local governments having the first option of purchase. He said he would like to take Mechanic Dan Hackman to view the equipment. Hillman said an old Ford water truck can be used in Gardiner, and Clyde Park and Wilsall will use the new water truck.

Commissioner Malone said the Commission needs a wish list of materials and equipment Hillman needs before the end of the fiscal year to submit to the finance director for

budgeting for the next fiscal year. Hillman said it would be good to consider the two-cents-per-gallon fuel tax in Park County.

Malone asked Hillman to talk to the telephone man to see if the cable on Pine Creek Road can be rerouted.

Citizen Kevin Funk said public auction sales are coming up in Los Angeles and Bozeman for water trucks. He said he has a dump truck for sale. Hillman said he and Hackman viewed that truck and it is in excellent condition.

Hillman said Divide Road from the green boxes to the oil is not repairable and Rock Creek Road is totally destroyed. The Commission said a public meeting needs to be held to inform citizens before any work commences on that road. Hillman said Old Clyde Park Road and oil areas of Convict Grade are breaking up badly and something will have to be done with those roads.

The Commission asked Hillman to record his activities on the audio log he submits of road crewmen schedules.

Hillman said a track is still off the dozer and it has been too muddy to get to gravel pits to finish reclamation. Hillman said the crew needs to finish filling one hole on that project.

Malone said Terry Brack telephoned about a concern on Trail Creek Road with bed and breakfast patrons parking between West Pine and Divide. The Commission asked Hillman to determine whether the cars are parking on the county right-of-way.

Hillman said the crew will start a culvert project on Fiddle Creek April 29 and Falls Creek Road will be the alternate route.

Durgan said he viewed Fridley Creek last weekend and the edge of the road is sloughing off and narrowing the road where a bottomless culvert was put in.

@9:41:38 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 28, 2009

Discussion of Disposal Options at Transfer Station

@11:25:02 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Roger Bridgeford, Montana Waste Systems; Bill Hurley, director of operations; Shannan Piccolo, deputy county attorney; Richard Wright, transfer station; Marilyn Hartley, accounting; Richard Juhnke, public citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss disposal options at the transfer station.

Roger Bridgeford said Montana Waste Systems currently handles the city of Livingston's solid waste services and is now PSC authorized. Bridgeford said he spoke with the city of Livingston, which said it would charge county residents \$53/ton to use the city transfer station.

Bridgeford said the company took over Cascade County's solid waste services in July and implemented a pay-as-you-throw program, as well as revised operations of the rural collections sites, which stopped a lot of the illegal dumping that was taking place. Bridgeford said Montana Waste Systems offered employment to all employees who could not be absorbed by the county, but a lot of Cascade County and Whitefish employees got on with the road departments. Bridgeford said Cascade County's rural collections sites were unmanned, and only six of the eight sites were gated with two sites open 24 hours a day, seven days a week. He said there was a lot of abuse at the sites. After overhauling the service, Bridgeford said all eight sites are manned, and every citizen with a tax assessment receives a punch card with money value for trash disposal that is punched at rural sites. He said the county tracks the yardage of citizen trash coming in, and if a citizen runs over the allotted amount he/she must get a new card or pay cash. He said overages in Lincoln were addressed by billing more on tax assessments.

Bridgeford said six Cascade County rural sites now run from 9 a.m. to 4 p.m. Tuesday, Wednesday, Saturday and Sunday; and the two powered sites with compactors are open 7:30 a.m. to 4:00 p.m. on the same days. He said the county pays for the electric at the compactor sites. He said Montana Waste Systems helped the county put in safety handrails at sites per MACo insurance underwriters, and put a recycling roll off at every site for all white goods, which thus is not assessed toward the garbage volume. He said the county is considering putting recycling bins for all recyclable materials at a couple of sites. Bridgeford said there is a \$25 fee if a white good is brought in without paperwork certifying Freon removal, but there is no charge for certified Freon-free and all other white goods.

Bridgeford said the city of Livingston will take tires for a separate fee, and one or two tires in a load will be accepted as incidental.

Bridgeford said yardage, not weight, is used at each site to assess garbage volume. He said Cascade County residents pay \$90 per year for two punch cards for a total of 26 cubic yards of volume. He said a full-size pickup truck box measures at two cubic yards of garbage and is assessed four card punches. He said he errs on the side of the citizens when charging by volume, as small garbage is eyeballed on the low end, and punch cards are not punched should a citizen bring in a single bag of household garbage.

Bridgeford said a scale could be purchased to weigh solid waste in Wright's garbage trucks if the county entered into a long-term contract with the city. Bridgeford said he usually enters into five-year contracts with five-year option years, but that may be negotiable.

Bridgeford said Montana Waste Systems has a set-aside for post-closure monies and those monies come from solid waste operations.

@11:50:38 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 28, 2009

12:00 P.M. – Airport Board – Bittersweet Café

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

April 29, 2009

Review Daily Agenda and Correspondence

@8:35:22 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were 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 the daily agenda and correspondence.

Correspondence included:

- Memo re. road supervisor list of needed equipment and materials
- Representative Rehberg newsletter
- Proposed fuel bid for Commission review
- Memo from MACo re. BLM livestock grazing regulations
- Montana DNRC High Ground newsletter link
- Memo from Montana DEQ re. underground storage tanks
- Memo re. Stillwater Mine mineral mines license tax allocation
- DUI Taskforce newsletter
- Memo re. Duane Hodgkinson family conveyance request for hearing
- Citizen memo requesting waiver of taxes on mobile home
- Memo re. amended award letter for Myer's Flat

@8:48:55 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting was adjourned.

April 29, 2009

9:00 A.M. – Approval of Department of Natural Resources and Conservation Grant – Commissioners Chambers – Canceled

10:30 A.M. – Onsite Inspection of Fleshman Creek and Irrigation Ditch – Fleshman Creek Road above Meredith Ranch Road

April 29, 2009

Signing of Contract with MACo Health Insurance

@3:06:40 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Owen Voigt, MACo Health Care Trust; Brett Linneweber, county attorney; Jill Ouellette; human resources; Marilyn Hartley, accounting; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to sign a contract with MACo Health Care Trust insurance.

Owen Voigt of MACo Health Care Trust said MACo HCT has been the county's employee insurance provider for the last three years per an initial three-year membership requirement, which will end June 30, 2009. He said the county can enter into one-year agreements with MACo HCT starting July 1, 2009.

Voigt reviewed an unaudited financial summary of MACo HCT through February 2009. Voigt said the trust began on May 15, 2005, and today's membership includes 23 counties and 35 special districts. Voigt said HCT has \$2.8 million in reserves, collected \$9.4 million in premium contributions and gained \$37,000 in investment income last year.

Commissioner Durgan said the whole MACo HCT program speaks for itself, and Voigt will present membership information for consideration to nine more Montana counties.

Voigt said employees within the county have four different health insurance plans from which they can choose. Park County provides one contribution amount to employees regardless of the plans employees pick. Voigt said more family members of county employees are under the county healthcare plan, which is good for employee morale and reduces turnover. He said a couple of years ago, 90 employees were enrolled in the healthcare plan with nine dependents on the plan, and last year there were 105 employees enrolled on the plan with 35 dependents. He said that has resulted in younger members on the premium, and Park County's premium will increase approximately 3.4 percent with the national average at a nine-plus percent increase.

Voigt said MACo HCT has the best wellness package of any carrier in the state. He said the HCT board passed a program to allow county employees to voluntarily participate in a wellness test where a phlebotomist and healthcare staff will come to the courthouse and take height, weight, waist measurements, blood pressure, flexibility measurements, and PSAs. He said a wellness profile report will be created on each employee from that data to identify whether an individual is at risk for disease, and HCT will then compare that

data to prescriptive drug data to create a model to predict who is at high risk. Employees will be notified if they are at risk and HCT will work with them to get appropriate help.

Voigt said open enrollment will be May 1 - June 15, during which employees can change health insurance plans or add dependents.

Commissioners Durgan, Malone and Taylor signed the contract renewing MACo Health Care Trust as the county's employee health insurance provider.

@3:31:51 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

#### April 30, 2009

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

#### April 30, 2009

##### Discussion of Loss Control with Insurance Service Agent

@2:04:58 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Dan Gutebier, Swanson Leavitt; Chuck Vancura, ALPS; and Commission Minutes Clerk John Mueller. No public comment was made.

The meeting was scheduled to discuss loss control issues with the county insurance agent.

Dan Gutebier of Swanson Leavitt said he is working toward establishing a program for the county before Swanson Leavitt assumes insurance services on July 1. Gutebier said he met with DES and Safety Committee Coordinator Belinda Van Nurden about the county's current accident investigation procedure, and it sounds like there may be some procedural and communication issues. Gutebier asked what the Commission would like to see from its insurance service.

Commissioner Malone said he would like 10-minutes safety reminder trainings for the transfer station, landfill, and road department, and ensure employees have an outlet to discuss an issue with an unsafe piece of equipment with a supervisor in order to solve worker's compensation issues. He said he would also like proper flagging and signage trainings for the road crew. Malone said the county may need to update its CDL and equipment operation inspection forms.

Chuck Vancura of ALPS Services said a protocol needs to be established outlining high-level management procedures and who conducts and follows up on accident inspections. Vancura said he can help facilitate establishing an overall guidance document with the procedure for who fills out accident reports, where they are kept and for how long. Vancura said the county needs to determine what policies and procedures exist in writing

and develop a protocol from there. He said the next step would be to train whoever will conduct accident inspections.

Gutebier asked for a list of fairground activities held in the last year to determine what type of insurance policy the county needs for fairgrounds events.

Malone said the Commission would like a visit from Greg Jackson of MACo at some point to see if the county is making any progress on rectifying its safety issues.

@2:33:17 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 30, 2009

Discussion with Island Residents about Traffic Issues and Property Under the Interstate

@2:36:17 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, deputy county attorney; 9<sup>th</sup> Street Island Residents Margot Aserlind, Mary Lennan, and Brad Shepard; Camden Easterling, Livingston Enterprise; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss traffic issues and property under the interstate with 9<sup>th</sup> Street Island residents.

Citizen Brad Shepard said he has conducted research and determined property between Margot Aserlind's place and underneath the interstate bridge is deeded state land. He said island residents agree they would like to get public access to that land and provide signage for parking there. He said island residents do not mind the public visiting the island for legitimate river-based recreation, but drinking, partying and drug dealing is a problem. He said island residents would eventually like to meet with the Commission, Sheriff's Office and Livingston City Police about creating a legitimate access to the river from the state property.

Discussing the Bailey bridge, Shepard asked whether the sheriff's office will patrol the bridge. He said he thinks people are figuring out no one is being cited for illegal use of the bridge, and on nice days there are many people on the island without proper permission. He said island residents would like to explore the possibility of having walking and biking access on the Bailey bridge, and if that isn't possible, they would like the current ordinance to be enforced.

There was discussion about delivery truck, UPS and utility services needs to cross the Bailey bridge.

Commissioner Malone said perhaps the resolution can be rewritten to increase the bridge load limit. The Commission said it will talk to the sheriff about illegal access to the islands, and Shepard said he may speak to the sheriff about the issue as well.

@3:00:38 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

April 30, 2009

Discussion of Finance Director Job Description

@3:04:39 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jill Ouellette, HR; Martha Miller, auditor; Denise Nelson, clerk and recorder; Camden Easterling, Livingston Enterprise; Kevin Larkin, treasurer; Lani Hartung, public citizen; Brett Linneweber, county attorney; Shannan Piccolo, deputy county attorney; Bill Hurley, operations; Marilyn Hartley, accounting; Bernadette Rambow, AP clerk; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss the finance director job description.

County Attorney Linneweber said Lani Hartung will be coming back to work at the county as the finance director as part of a lawsuit settlement. Linneweber said the position is effective May 1, 2009. Linneweber said this meeting serves as a workshop so Hartung will know what is expected of the position by the Commission.

The Commission reviewed finance director job descriptions from 2004 and 2007. Linneweber said the Commission is not bound by those descriptions and can revise them.

Commissioner Malone said he would like a periodic review of budgets, revenue, projected revenue, and projected expenditures from the finance director.

There was discussion about auditor responsibilities as they relate to the finance director position. Hartung said she suggests she sit down with the human resources department to work on the job description in detail. Hartung said she meets the education requirements for the finance director position per the job description and will graduate on May 2 with a Bachelor's of Science in liberal studies with concentrations in organizational communications and accounting.

@3:22:27 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting was adjourned.

May 1, 2009

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

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

10:00 A.M. – Commissioner in Cooke City to Hear Area Residents Concerns – Cooke City Fire Hall

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

2:00 P.M. – Commissioner in Gardiner to Hear Area Residents Concerns – Gardiner Community Center

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana