

Park County Commission Meeting Minutes
Week of August 3 – 7, 2009
Park County, Montana

August 3, 2009

Review Daily Agenda and Correspondence

@9:20 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Raea Morris, commission executive assistant; and Bill Hurley, operations. No public comment made.

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

Correspondence included:

- Memo re. energy policy public comment
- Memo re. House Joint Resolution #27 – To Commissioner Durgan for review
- Memo re. requested payments to Slip-N-Slide Ranch
- Memo re. oil and gas producing counties payment
- Lease bill for Livingston Roundup Association – To Durgan for review
- Memo from County DES re. ongoing training
- Memo re. RAC members in Park County
- Minutes for Park County Safety Advisory Committee meeting
- Memo from MACo re. IRS newsletter
- Park Conservation District newsletter – To Durgan for review
- Memo re. Cooke City Community Center contract language
- Memo re. funds for 9th Street Bridge project
- Memo re. proposed winter use plan for Yellowstone National Park
- Memo re. loading zone in Gardiner
- Memo re. sheriff permission to purchase Dodge Durangos
- Memo re. international swine flu conference – To Commissioner Taylor for review
- Memo from Senator Tester re. GM palladium contract
- Memo re. Shamrock/Sunset Lane abandonment

@9:37 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

August 3, 2009

Discussion of Future Medical Facility

@10:00 a.m., Commissioner Taylor called a meeting to order in the Commissioners Chambers. Taylor postponed the meeting to August 4 at 11:00 a.m. due to no quorum of commissioners.

August 4, 2009

Review Daily Agenda and Correspondence

@8:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Raea Morris, commission executive assistant; Shannan Piccolo, civil deputy county attorney; and Bill Hurley, operations. No public comment made.

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

Correspondence included:

- Legal advice to Commission from civil deputy county attorney
- Memo from MACo re. state energy policy changes comment period
- Memo re. increase in hours of museum employee
- Announcement of August 11 Yellowstone Gateway Museum special meeting
- Memo from Bear Claw Petroleum re. payment – To finance for review
- Citizen memo re. Arrowhead School
- Memo from Sheriff's Office re. SW Juvenile Detention Grant funds
- Confidential letter to Commission from employee
- Memo re. Shamrock/Sunset Lanes abandonment request
- Invoice from DOWL HKM for landfill methane monitoring and consulting
- Memo from MT Dept of Revenue re. property tax appeals
- Memo re. janitorial services
- Memo re. DNRC current restrictions map
- Memo re. Yellowstone Tourism Company board of directors meeting
- Citizen memo re. Bannock Trail road grading
- September 24 Transportation Committee meeting agenda – To Commissioner Durgan for review
- Memo re. solid waste disposal inspection compliance
- August 5 Parks and Recreation Board agenda

@8:57 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

August 4, 2009

Park County Road Updates

@9:00 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; Shannan Piccolo, civil deputy county attorney; and Bill Hurley, operations. No public comment made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman presented the Commission with a proposal to purchase a grader walk-and-roll for \$18,100.

Hillman said the Bailey bridge needs some gravel at one end.

Hillman said road crewman flagger training will take place August 6.

Commissioner Malone said he drove Cokedale Road and it is rough on the edges. Hillman said the road crew hauled 1,790 yards of gravel from Siever's Pit to Cokedale, O'Rea Creek and Main Boulder roads. Hillman said he will review specifications for resurfacing an O'Rea Creek railroad crossing.

Hillman said Crewman Scott Fletcher is fixing an impassable area on Trail Creek Road. He said new millings will be put on Willow Creek Road today and reclaimite for that road will come in August 5. Hillman said the crew is putting a new deck on the Castle Mountain Bridge today.

@9:28 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

August 4, 2009

Discussion of Fish, Wildlife and Parks Buffalo Fence

@10:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Pat Flowers, FWP; Scott Blossom, FWP; and Matt Dettori, Livingston Enterprise. No public comment made.

The meeting was scheduled to discuss a Montana Fish, Wildlife and Parks (FWP) buffalo fence.

Commissioner Malone said Montana Fish, Wildlife and Parks proposes to place four buffalo guards on a county road north of Gardiner. Scott Blossom of FWP provided the Commission with a map of proposed locations of the guards. The proposed guards are 14 feet in length and range between 24 feet and 36 feet in width.

Malone said there are concerns about liability and maintenance issues with the bison being directed onto county roads with manmade and intentionally installed fences.

Blossom said Park County benefits by better mitigation of bison than provided by the current management plan, and having bison outside of the park in certain times of the year could be a tourist attraction and benefit Gardiner.

There was discussion about bison management issues. Commissioner Durgan asked how FWP will control bison numbers. Blossom said every bison that leaves the park will be

trapped, tested and released, and all other bison leaving the park will be hazed back into the park. Blossom said the proposal allows 25 bison to leave the park, but allows for up to 100 bison.

Durgan said the present condition of Old Yellowstone Trail South does not lend itself to sightseeing, and he said it would be an added burden to the county to have to maintain that road in the winter months. Durgan said he thinks FWP should help maintain the county road should bison cause a noticeable change in road maintenance needs. Blossom said FWP is willing to address that issue should it arise. Durgan said he would like to see such language in the final proposal.

@10:55 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

August 4, 2009

Discussion of Future Medical Facility

@11:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannon Piccolo, civil deputy county attorney; Terrance Young, citizen; and William Smith, citizen.

The meeting was scheduled to discuss a future medical facility in Park County.

Citizen Terrence Young said he would like to know whether the Commission will sign an industrial revenue bond to restore America's Health Incorporated to start a hospital in Park County. Young said he would hire at least 75 people to take care of patients with Alzheimer's disease. He said he agrees to get an insurance bond for the county to rid the county from financial liability, even though he has been told the county would not be liable. Young said he would like to have the hospital headquarters in Paradise Valley near Chico Hot Springs on one of two properties he is considering.

Commissioners Durgan and Taylor said they would like to see such a venture started with private firms and funds rather than committing the county. The Commission told Young it will not sign the bond.

@11:20 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

August 4, 2009

Discussion of Preliminary Budget for Fiscal Year 2010

@2:00 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Lani Hartung, finance. No public comment made.

The meeting was scheduled to discuss the preliminary FY '10 budget.

Finance Director Lani Hartung presented the Commission with a proposed general fund budget for FY '10. The Commission made recommended revisions to various general fund line items.

@3:26 p.m., the meeting adjourned.

August 4, 2009

City/County Meeting

@4:00 p.m., County Commissioner Randy Taylor called a meeting to order in the Community Room of the City/County Complex. County Commissioners Malone and Taylor were present. City Commissioners Rick Van Aken and Mary Beebe were present. Also present were Shannan Piccolo, county civil deputy county attorney; and Bill Hurley, county operations.

City/County Joint Telephone System: Commissioner Malone said a lowest responsive bid is approximately \$66,000 for 150 telephones. Malone said City Manager Ed Meece suggested having a city council meeting to discuss the city's costs to partner with the county for the new system.

Parking Situation with Sale of East Side School: the issue was tabled.

Community Center Feasibility Study Partnership with City and Livingston School District: City Commissioner Rick Van Aken read into the record information about possible design and construction of a new community center to serve Park High School and the community, stating the city is moving forward with a professional feasibility study. Commissioner Taylor said the county can consider joining in the effort as a third contributor.

@4:23 p.m., the meeting adjourned.

August 5, 2009

Review Daily Agenda and Correspondence

@8:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Raea Morris, Commission executive assistant; Bill Hurley, operations; and Brett Linneweber, county attorney. No public comment made.

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

Correspondence included:

- Memo from MACo re. Northern Border Prosecution Initiative

- Farmland Trust newsletter – To Commissioner Durgan for review
- Memo re. Livingston/Bozeman Streamline bus schedule
- Memo re. request for meeting for county spay/neuter payment
- Memo from treasurer re. county cash-on-hand report
- Memo from DEQ re. transfer station inspection report
- Returned certified mailings
- Memo from auditor re. itemizing Tracphone telephone calls
- Memo from FWP re. Fleshman Creek funds
- Memo from Mental Health America

@8:42 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

August 5, 2009

Consider a Resolution to Set Elected Officials' Salary for Fiscal Year 2009-2010

@9:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Brett Linneweber, county attorney; and Camden Easterling, Livingston Enterprise. No public comment made.

The meeting was scheduled to consider a resolution to set elected officials' salary for FY '10.

County Attorney Brett Linneweber said he made clarifications to the resolution to address union contracts, a commissioner cost of living adjustment, a county attorney payment scale, and issues of longevity.

Commissioner Taylor made a motion to accept the resolution with the longevity issue included. Commissioner Malone seconded that motion. Motion passed.

@9:23 a.m., Taylor made a motion to recess the meeting for Linneweber to make a clerical typo correction. Durgan seconded that motion. The meeting recessed. @9:35 a.m., the meeting resumed.

Commissioner Durgan made a motion to accept Resolution #1061 establishing a 2009/2010 elected officials compensation schedule. Commissioner Taylor seconded that motion. Motion passed.

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

August 5, 2009

Discussion of Back Taxes on a Trailer Home

@10:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Kevin Larkin, treasurer; Colleen Singer, PCSO; and Gene Budeski, citizen.

The meeting was scheduled to discuss back taxes on a trailer home.

Citizen Gene Budeski said the back taxes on a trailer home in question extend to calendar year 2000. Budeski said he has a tenant who would like to assume payments on the trailer if it has a clear tax record.

Treasurer Larkin said the Commission can waive tax penalties and interest, but Larkin must collect the base amount of taxes in the approximate amount of \$1,050 before the trailer can be moved.

Sheriff's Clerk Colleen Singer said Budeski has a buyer proposing a bonded title, which could save the county from owning the trailer and paying lot rent and for the sale of the trailer.

The Commission advised Larkin and Singer to consult County Attorney Linneweber on how to proceed on that matter.

@10:15 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

August 5, 2009

Discussion of Mental Health Issues in the Jail

@11:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jay O'Neill, PCDC; Allan Lutes, sheriff; Lani Hartung, finance; and John Beck and Paul Hansen of the Park County Mental Health Center.

The meeting was scheduled to discuss mental health issues in the jail.

John Beck of the Park County Mental Health Center said the Center provides mental health services to Park County jail inmates on a weekly basis without financial reimbursement and has averaged 14.5 hours of services per month over the last four months. Beck said Medicaid and the state Mental Health Services Plan pays for some of those services, but the Center is asking for \$4,000 to \$5,000 to support its services, requesting the money does not come out of and further limit the jail budget. Beck said the Center's services decrease recidivism, reduce lawsuits, reduce stress for jail employees, improve quality of life for inmates, improve mental health services for the

underserved, and provide services for people who otherwise may not be receptive to such care.

Jail Officer Jay O'Neill said he feels Park County Mental Health Center's inmate counseling services are preventative in nature and have been helpful. Commissioner Taylor said the services of the Center have been very valuable and he recommends the Commission look hard within the county budget to find \$5,000 for the service.

Commissioner Taylor made a motion to take up to \$5,000 per year from Budget Line Item #350, Professional Services, for Park County Mental Health Center in-house services. Commissioner Durgan seconded that motion. Motion passed.

@11:28 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

August 5, 2009

3:00 P.M. – Parks and Recreation Board – West Room – Meeting minutes available at www.parkcounty.org and in the Planning Department

August 6, 2009

Review Daily Agenda and Correspondence

@8:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Raea Morris, Commission executive assistant; and Bill Hurley, operations. No public comment made.

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

Correspondence included:

- Memo from sheriff re. mental health funding
- Memo re. LAC mental health meeting – To Commissioner Taylor for review
- Memo from Senator Tester re. GM/Stillwater Mine issue
- Citizen memo re. railroad line public easement in Wilsall
- Memo from U.S. Dept of Commerce re. homelessness
- Citizen memo re. Bannock Trail
- Memo re. HRDC Community Service Block Grant meeting

Commissioner Malone said a 1953 version of brucellosis rules are undergoing rewrite.

@8:15 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

August 6 2009

Public Hearing to Consider Resolution Amending Fiscal Year '09 Airport Budget

@10:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Bill Hurley, operations. No public comment made.

The meeting was scheduled as a public hearing to consider a resolution to amend the FY '09 airport budget.

Finance Director Lani Hartung said the airport board expended \$137.24 over its approved budget in Fiscal Year 2009. Hartung said the board has those funds in its reserve funds.

Commissioner Taylor made a motion to accept Resolution #1062 amending the airport budget in the amount of \$137.24. Commissioner Malone seconded that motion. Motion passed.

@10:33 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

August 6, 2009

1:30 P.M. – Heart K Ranch Presentation of Floodplain Permit Issues – Postponed to August 25 at 1:30 p.m.

August 6, 2009

Discussion of Preliminary Budget for Fiscal Year 2010

@2:30 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Lani Hartung, finance; Marilyn Hartley, finance; and Philip Fletcher, planning. No public comment made.

The meeting was scheduled to discuss a preliminary budget for Fiscal Year 2010.

There was discussion about the planning department's payroll budget line item with the reduction of the senior planner position to three-quarter time. There was discussion about supporting the department in the future through PILT and other funds.

The Commission made recommended revisions to various general fund line items.

@3:25 p.m., the meeting adjourned.

August 6, 2009

3:00 P.M. – Listening Session with Congressman Denny Rehberg – Community Room

August 7, 2009

Review Daily Agenda and Correspondence

@8:45 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, Commission executive assistant; and Bill Hurley, operations. No public comment made.

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

Correspondence included:

- Memo re. transfer of vehicles from sheriff's office to Commission
- July Park County LEPC meeting minutes
- Memo from MDT re. Bailey bridge inspections
- Memo from MACo re. Forest Jobs and Recreation Act concerns
- Memo from union representative re. overpayment of wages in sheriff's office
- Memo re. September 1 JSEC breakfast meeting
- Memo re. Cash for Clunkers program
- Memo re. clerk and detention manager wages
- Memo from MACo re. inmate medical program

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

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana