

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

July 13, 2009

Review Daily Agenda and Correspondence

@9:33:58 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Bill Hurley, director of operations; and Raea Morris, Commission executive assistant. No public comment made.

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

Correspondence included:

- Janitorial bid advertisement
- Citizen memo re. condition of Gardiner street
- Memo re. 2009 -2013 MDT draft statewide transportation improvement program report – To file
- Memo from Montana DEQ re. distributed wastewater discharge permits including Crazy Mountain Ranch
- Memo from Hank Rate re. road abandonment of Old Highway 10
- Memo re. transfer of entitlement between Livingston and Big Timber airports
- Memo from Sixth Judicial Court re. juvenile detention payments
- Invoice for Cutler Lake cell tower location on Slip N Slide Ranch
- Memo requestbg county elected officials – To Commissioner Malone for review
- Cooke City and Silvergate resort tax remittance letter
- Memo re. GIS/IT contact telephone numbers

@10:01:36 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 13, 2009

Discussion with Congressman Rehberg Representative

@10:39:46 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Bill Hurley, director of operations. No public comment made.

The meeting was scheduled to discuss Park County issues with a Congressman Rehberg representative.

There was discussion about the Crown Butte Mine above Gardiner and the Otter Creek Tracts near Decker, Montana and Park County costs for a 9th Street Bridge project.

@11:07:42 a.m., the meeting adjourned.

July 13, 2009

Review of Minutes for Week of July 6, 2009

@2:34:25 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider approval of Commission meeting minutes for the Week of July 6, 2009.

Commissioner Malone requested a revision to Page 4 of 14, noting the correct spelling of the term “spreading.”

Commissioner Durgan made a motion the minutes stand approved as corrected. Commissioner Malone seconded that motion. Motion passed.

@2:35:51 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 13, 2009

3:00 P.M. – Angel Line Board Meeting – West Room

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

July 14, 2009

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

July 14, 2009

Park County Road Updates

@9:04:53 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Present were Ed Hillman, road supervisor; Shannan Piccolo, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman asked Civil Deputy County Attorney Piccolo whether speed limit signs are required on both sides of each intersection in the Five Acre Tracts. Piccolo said she will research that issue.

Hillman said he determined what needs to be done to fix a reclamation site disturbed by a county grader. Hillman said the county will seed the site and be required to spray it for possibly two years, the time period to be determined by the Forest Service.

Hillman said the road crew had a staff meeting this morning, millings will be put down on Willow Creek Road starting July 21, a culvert will be installed on a Boulder River Ranch washout on July 16, and the road crew will fix the streets in Gardiner this fall.

@9:45 a.m., the meeting adjourned.

July 14, 2009

10:00 A.M. – Consider and Select Solid Waste Board Applications – Commissioners Chambers – Canceled due to Commissioner's schedule

July 14, 2009

10:00 A.M. – Union Negotiations for Sheriff and Road and Bridge – West Room

1:00 P.M. – Senior Center Meeting – Livingston Senior Center

2:00 P.M. – I.T. Advisory Committee – Community Room

2:30 P.M. – Yellowstone Gateway Museum Collections Committee – Yellowstone Gateway Museum Conference Room

July 15, 2009

8:00 A.M. – Mandatory Safety Management Leadership Class – Community Room

9:00 A.M. – Park County Claims Review – Commissioners Chambers

10:00 A.M. – Mandatory Safety Management Leadership Class – Community Room

July 15, 2009

Consider Signing a Resolution of Intent for Financing Cooke City Community Center

@1:20:42 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider signing a resolution of intent for Cooke City Community Center financing.

Commissioner Malone postponed the meeting until 3 p.m. @3:06:05 p.m., the meeting reopened.

Civil Deputy County Attorney Piccolo said the resolution was prepared by Attorney Mae Nan Ellingson retained by Park County to say the Commission intends to sign a resolution to fund a Cooke City Community Center project. Piccolo said the resolution of intent is not binding.

Commissioner Durgan made a motion to accept the resolution of intent, Resolution #1059. Commissioner Malone seconded that motion. Motion passed.

@3:09:06 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 15, 2009

1:30 P.M. – Mandatory Safety Management Leadership Class for Supervisors – Community Room

July 16, 2009

Review of Daily Correspondence and Agenda

@9:07:03 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Citizen memos re. Flying Pig bus complaint in Gardiner
- RYO meeting - To Commissioner Durgan for review
- Daily status report from PCRFD#1
- Memo from Historian Brekke re. documentation of Travertine Road
- Memo re. employee out-of-office schedule
- Memo re. commissioner deposition
- Citizen memo re. Boulder River Road
- Certificate of liability insurance for Mountain Sky Guest Ranch
- Memo from planning director re. planning for people and wildlife workshop
- Memo re. planning department annual work program - To Commission for review
- Memo from undersheriff re. MACo reimbursements
- Legal advice to Commission from civil deputy county attorney - To Commissioner Durgan for review
- Memo re. July 27 Heart K Ranch Floodplain tour @ 10:30 a.m.
- Memo re. reimbursement prices for county meals

Commissioner Durgan said a Gardiner citizen telephoned about road issues on Water and 4th Streets. Durgan said he informed the citizen a catch basin is being proposed. Durgan said a citizen called about graveling Crazy Bear Road off of Pepper Lane and whether a county road work permit is needed. The Commission said it will request Historian Jerry Brekke to provide information on the issue.

@9:32:14 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 16, 2009

Opening of Janitorial Service Bids

@9:42:05 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Kurt and Nicole McClain of Montana Clean; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to open bids for janitorial services.

Commissioner Malone opened a sealed bid from Montana Clean as submitted to Clerk and Recorded Nelson in advance of bid period closure. Malone said the monthly bid totaled \$3,420 and included a workers compensation notice, city license, and commercial general liability considerations.

Nicole McClain said Montana Clean is interested in entering into a longer term contract with the county for janitorial services. McClain said the company could better address janitorial needs with storage space in the courthouse.

Commissioner Durgan made a motion to accept the bid and move toward negotiating a contract with Montana Clean upon review and approval by the civil deputy county attorney. Commissioner Malone seconded that motion. Motion passed.

@9:56:30 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 16, 2009

Consideration of Amending Approved Preliminary Plats before Final Plat Approval for Yellowstone Stage Stop Estates Minor Subdivision

@10:35:00 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Mike Inman, planning; Philip Fletcher, planning; Shannan Piccolo, civil deputy county attorney; Karl Knuchel, attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider amending approved preliminary plats before final plat approval for Yellowstone Stage Stop Estates Minor subdivision.

Senior Planner Mike Inman said a Commission finding of fact condition for Yellowstone Stage Stop Estates Minor Subdivision required the applicant to enter into agreement with Montana Fish, Wildlife and Parks (FWP) to sell or permanently lease water rights 43-B195264 and 43B-195465 to FWP or form a water users association. Inman said the condition also requires the applicant apply for a water right update and water right transfer certificate for an approved water right to be filed and approved by Montana Department of Natural Resources and Conservation (DNRC) prior to final plat. Inman said the applicants are requesting to delete the words "and approved" from the condition. Inman said the applicant filed the water right but does not want to wait the time necessary for DNRC approval.

Inman said a granted request would not constitute a material change provided the applicant is willing to sign an agreement with the county agreeing to obtain approval from DNRC regarding water rights transfer before any lots are sold. Inman said his recommendation is to grant the request as long as the applicant is willing to enter into such an agreement.

Inman said the application is well within requirements of filling final plat provisions, and the Commission can insert agreement text stating it can grant the applicant more time to reach final plat approval than the allotted two years. Inman said granting the request with written applicant agreement will enable the applicant to receive final plat approval, may enable the applicant to enter into contract of sale on lots after final plat approval, but the applicant cannot sell lots and must finish with approval from DNRC.

Commissioner Durgan made a motion to approve the recommendation of the senior planner. Commissioner Malone seconded that motion. Motion passed.

@10:42:12 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 16, 2009

Budget Review for Fire Warden

@1:39:07 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Bob Fry, county fire warden; Marc Richards, GIS/IT; Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review a proposed county fire warden Fiscal Year 2010 budget.

Park County Fire Warden Bob Fry said he is requesting an additional \$5,000 through Title III funds for community wildfire protection planning. Fry said risk assessment

Wildland Urban Interface maps will be posted to the county website for public viewing of risks in living in various areas within the county.

There was discussion about a possible temporary hire with available funds for subdivision reviews, mitigation work, and other. Fry said the county should consider making the temporary hire position a full-time position.

Commissioners Durgan and Malone said there is consensus to spend \$5,000 in Fry's professional services budget.

@2:12:18 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 16, 2009

Consider Appointing Solid Waste Board Applicants

@2:40:11 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider appointing Solid Waste Board applicants.

Commissioner Durgan said the Commission received one application from Bill Moser of Pray on May 18, 2009. Durgan said all board members serve at the pleasure of the commissioners, and a board member can be removed without cause if there is displeasure.

Commissioner Durgan made a motion to accept the application for the Solid Waste Board and instruct Commission Executive Assistant Raea Morris to inform Mr. Moser via letter he has been appointed to the Solid Waste Board. Commissioner Malone seconded that motion. Motion passed.

@2:45:42 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

July 16, 2009

3:30 P.M. – Planning Board – Community Room – Cancelled on 7-8-09

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

4:00 P.M. – Library Board – Park County Library

6:00 P.M. – Solid Waste Board – West Room – Canceled due to no quorum

6:30 P.M. – Park County Republican Central Committee – Community Room – Cancelled

July 17, 2009

Review Daily Agenda and Correspondence

@8:52:25 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Present were Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- CTA Engineering 9th Street Bridge replacement invoice for \$40,000 - To Civil Deputy County Attorney for review
- Estimate from CTA Engineering for \$230,000 re. culvert installation at museum - To Commissioner Taylor for review
- Announcement of Snow Rodeo in Billings - To road supervisor for review
- Memo re. Phillip Morris corporate fleet registration - To civil deputy county attorney for review
- Memo from Montana FWP re. July 23 Park County Yellowstone Cutthroat trout projects tour
- July 21 Fair Board meeting agenda - To Commissioner Durgan for review

Commissioner Malone said Director of Operations Bill Hurley received an invoice from Sabre Communications' work on a Myer's Flat radio tower permitting payment transactions between Sabre Communications, Montana DES and Park County prior to the July 31 deadline.

@8:57:50 a.m., the meeting adjourned.

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana