

Park County Commission Meeting Minutes  
Week of June 15 – 19, 2009  
Park County, Montana

June 15, 2009

Review Daily Agenda and Correspondence

@8:36:04 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 made.

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

Correspondence included:

- Newsletter from Rural Dynamics
- Memo from Great West Engineering re. Gardiner Sidewalk project
- June 15 road crew work schedule
- Memo re. Tri-County Network request for funds
- Memo from clerk and recorder re. Jesson Road abandonment petition
- Fridley Construction certificate of liability insurance
- Memo re. banning fireworks in Green Acres Park
- June 16 fair board meeting agenda - To Commissioner Durgan for review
- Memo from MDT re. speed zone reports in Corwin Springs and Gardiner - To executive assistant for action
- Citizen memo re. Eldridge Creek Trail road upgrade assistance
- Memo from city finance director re. payment for sanitarian
- Legal advice to Commission from deputy county attorney
- Memo re. weed management - To Durgan for review

@9:00:52 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 15, 2009

Review of Minutes for Weeks of June 1 and June 8

@9:38:34 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, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review meeting minutes for the Weeks of June 1 and 8, 2009.

Reviewing meeting minutes for the Week of June 1, 2009, Commissioner Malone requested a revision to Page 1 of 18; the fifth paragraph should read, "Commissioner Durgan said Francis Stewart on 9<sup>th</sup> Street Island needs a septic tank pumped. Commissioner Taylor provided the name of a septic pumper with a single axle truck. Durgan will telephone the citizen on the matter." On Page 2 of 18; second to last paragraph, the fourth sentence should read, "Jackson said 70 percent of claims were law enforcement-related in the past, and two types of defensive driving courses are available for transit and emergency vehicles and law enforcement."

Commissioner Durgan requested a revision to Page 5 of 18; sixth paragraph, the third sentence should read, "Durgan said Trail Creek Road was reworked so parking will now be at least 35 feet off the county road and not encroaching on the county right of way."

Commissioner Durgan made a motion to approve the minutes for the Week of June 1 as corrected. Commissioner Taylor seconded that motion. Motion approved.

Reviewing meeting minutes for the Week of June 8, 2009, Commissioner Malone requested a revision to Page 6 of 16, noting the correct spelling of "snowmobiles."

Commissioner Taylor made a motion to accept the June 8 minutes with changes. Commissioner Durgan seconded that motion. Motion passed.

@9:54:26 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 15, 2009

Discussion of Upcoming Fire Season and Park County Fire Fiscal Year 2010 Budget

@10:36:58 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Bob Fry, Park County Fire; Craig Campbell, MT DNRC; Lani Hartung, finance; Shannan Piccolo, deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss the upcoming fire season and a Park County Fire Fiscal Year 2010 Budget.

Bob Fry, county fire warden, reviewed a proposed FY '10 budget with the Commission. Fry presented the Commission with an online burn permit system used in Lewis & Clark County. There was discussion about a replacement for Fry when he retires from his position.

Craig Campbell of Montana DNRC explained the county cooperative agreement between the state and county regarding the relationship for wildland fire suppression on private lands not protected by a fire district or service area. Campbell said the agreement includes state training and equipment to counties.

@11:45:42 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 15, 2009

Discussion and Approval of Stafford Animal Shelter Contract for FY 2009 - 2010

@1:38:26 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; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a Stafford Animal Shelter contract for Fiscal Year 2009 – 2010.

Commissioner Malone read into the record specifics of the contract. Commissioner Durgan said he does not see the need to make any decision on the matter without information from Stafford Animal Shelter representatives.

Commissioner Taylor made a motion to reschedule a meeting until time Stafford Animal Shelter can justify its budget to the Commission. Commissioner Durgan seconded that motion. Motion passed.

@1:48:06 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 15, 2009

2:00 P.M. – Personnel Meeting – Commissioners Chambers – Canceled

June 16, 2009

Review Daily Agenda and Correspondence

@8:34:27 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 made.

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

Correspondence included:

- Legal advice to Commission from county attorney - To finance department for review
- June 16 road crewmen work schedule

- Memo from DEQ re. action for sewer spill
- Memo re. online burn permits
- Memo re. county fuel cards
- Memo re. HB 11 offer of \$15,000 TSEP bridge study - To file
- Memo re. April 28 meeting with Montana Waste Systems - To Solid Waste Board for review
- Memo from Arrowhead School District re. recycling boxes - To Solid Waste Board for review
- Gallatin Solid Waste Management District minutes - To Commissioner Taylor for review
- Legal advice to Commission from deputy county attorney
- Memo re. inmate insurance rates
- Memo re. Forest Service RAC candidate nomination form
- June 18 Solid Waste Board meeting agenda

Director of Operations Bill Hurley said 911 and mutual aid communications information will be discussed at a June 18 meeting.

@9:04:01 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 16, 2009

Park County Road Updates

@9:05:21 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Scott Fletcher, road crew; Shannan Piccolo, deputy county attorney; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road updates.

Road Crewman Scott Fletcher said today will be the last day crewmen work on the Main Boulder, three crewmen are installing a cattle guard on Suce Creek Road, he will check a culvert at F and G and Geyser Streets per a citizen request, and an excavator is needed for riprap work on Cinnabar Road to repair an area sloughing off. The Commission said it would contract out that work.

Commissioner Taylor asked Fletcher to view culvert work on Fleshman Creek Road near Kennedy's. Commissioner Durgan asked about a wet area and drainage at the upper end of Trail Creek Road near the Gallatin County Line.

@9:25:38 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 16, 2009

Department Head Meeting

@9:33:47 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; Raea Morris, Commission executive assistant; Martha Miller, auditor; Belinda Van Nurden, DES; Denise Nelson, clerk and recorder; Lois Hatfield, landfill; Ed Barich, superintendent; Kevin Larkin, treasurer; Bruce Martin, maintenance; Clay Williams, weed/junk vehicle; Lani Hartung, finance; Barb Williams, Angel Line; Jill Ouellette, HR; Philip Fletcher, planning; Bill Hurley, director of operations; and Commission Minutes Clerk John Mueller.

The meeting was scheduled as a department head meeting.

Commissioner Malone opened the floor to public comment. Treasurer Kevin Larkin asked about closing county offices during the Fourth of July parade and on Christmas Eve. He said he views the issue as a safety factor in the building because law enforcement is tied up with the parade. County Attorney Linneweber said elected official offices cannot close per state law, but department heads can do so if they choose. Linneweber said changing that law is something that has to be addressed at the legislative level. Commissioner Malone said the Commission will submit a letter before July 4 addressing the matter.

Selection of Employee of the Month: Human Resources Analyst Jill Ouellette said Vicki Peterson from the Treasures office was nominated as employee of the month by the Clerk of Courts office for her willingness to volunteer, professionalism, enthusiasm and reliability, and staying after hours if needed.

Discussion of Courthouse Safety Plan: Belinda Van Nurden, county DES, said all employees are to exit the building when the fire alarm goes off. Van Nurden distributed a courthouse fire evacuation plan and requested written suggestions.

Mandatory Safety Classes on July 15, 2009: Commissioner Malone said the Commission would like the entire staff present for July 15 mandatory safety training classes. Malone said the trainings will be videotaped for those who cannot attend.

Roundtable Discussion of Department Activities: Finance Director Lani Hartung said a preliminary budget public hearing is scheduled for June 17. Clay Williams, weed/junk vehicle, said he is currently spraying 89 South and hauling a few junk vehicles. Bruce Martin, maintenance, said he has started mosquito spraying this evening, which will occur every Tuesday and Thursday through November; Martin said the AC is fixed on the roof. Larkin said the motor vehicle computer system is still being adjusted. County Superintendent Ed Barich said he is helping in the search for a new superintendent at Arrowhead School and with interviews at Pine Creek, and is working on budgets. Landfill Manager Lois Hatfield said HKM engineering submitted a draft report of remaining landfill capacity. Clerk and Recorder Denise Nelson said her office continues

recordings in spite of the slow economy, and July 2 is the closing for filings for Livingston City Commission and town of Clyde Park. Van Nurden said she is working on an ADA Compliance plan and a mitigation grant. Auditor Martha Miller said she is helping the accounting office clean up issues in advance of the next fiscal year. Linneweber said the criminal rate and rage issues are still higher than in any year he has been with the county. Undersheriff Scott Hamilton said there has been an increase in violence, thefts, and rage and domestic issues, and he thinks it will get worse due to the economy. Director of Operations Bill Hurley said an inspection of the Myer's Flat Relay station took place. Commissioner Taylor said the county insurance rates increased, staff needs to take the safety issue seriously, and the county is trying to tie the fairgrounds sewer into the city sewer system. Commissioner Durgan said the fair board has new members. Malone said any employee discipline issued by department heads or elected officials not in a union must consult with the county attorney and MACo in advance. Ouellette said Job Service job postings have increased and are currently in the low 40s, she has temporary workers available for vacation periods, and open enrollment completed. Barb Williams said Angel Line is going fine. Planning Director Philip Fletcher said the planning department is seeing a slight upturn in the number of subdivisions coming in and 10 subdivisions are ready to move forward. He said the donut zoning regulations were rewritten and are undergoing internal review, a \$30,000 WUI grant has not yet been granted, the department is working on floodplain reviews, and the parks board will hold a special meeting June 17 to discuss rules of fireworks in county parks.

@10:27:18 a.m., the meeting adjourned.

#### June 16, 2009

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

6:30 P.M. – Fair Board Meeting – Park County Fairgrounds Office – Commissioner Durgan attended

#### June 17, 2009

##### Review Daily Agenda and Correspondence

@8:34:23 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 made.

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

Correspondence included:

- Memo re. housing community needs for state of Montana webinar
- Daily road crew work log

- Memo re. courthouse telephone system
- Memo re. Montana Mental Health.org - To Commissioner Taylor for review
- Yellowstone Gateway Museum budget proposal
- Legal advice to Commission from deputy county attorney - To Taylor for review
- Montana Department of Labor and Industry newsletter
- Public notice re. citizen irrigation request
- Memo from NACo re. Restore the Partnership campaign

@8:51:34 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 17, 2009

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

June 17, 2009

Discussion of Gardiner Volunteer Fire Department Proposed Budget for Fiscal Year 2010

@10:38:25 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Lani Hartung, finance director; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a Gardiner Volunteer Fire Department proposed budget for FY '10.

The Commission reviewed a Gardiner Fire board of trustees proposed budget for FY '10, and took no action.

@10:44:43 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 17, 2009

Discussion on Forest Service Plans to Acquire Land in Cooke City Area

@1:34:31 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Walt Allen, Sally Cifala, and Bob Dennee of the U.S. Forest Service; Philip Fletcher, planning; Mike Inman, planning; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Forest Service plans to acquire land in the Cooke City area.

Bob Dennee of the Forest Service said the Forest Service's program has been about land conservation and providing access to public lands for 30 years. Dennee said there are roughly 950,000 acres of Gallatin National Forest Land in Park County.

Dennee said the Margaret Reeb Estate consists of 1,469 acres of old patented mining claims near Cooke City. Dennee said Reeb's two nephews want to sell the acreage into public ownership to the Gallatin and Custer National Forests. Dennee said the Trust for Public Lands proposed to purchase the acreage over two years for \$4 million this year and \$4 million next year with Congressional approval. Dennee said the acreage is already in conservation easements, but could have been sold for housing development. He said the nephews are offering the sale for two years to TPL and government for purchase, after which time they will sell them to real estate interests. Dennee said the purchase has had strong, broad-based support, recognizing concerns in Cooke City over future management of the acreage. Dennee provided the Commission with maps of the acreage. Dennee said Park County Search and Rescue has a repeater station on a parcel of the Reeb property, and the Forest Service is willing to issue a special use authorization for continued use of that repeater with a fee permit waiver if the Reeb property is purchased. Dennee said he will provide a draft special use permit to the county attorney for review.

Walt Allen of the Forest Service said a travel plan was completed in the proposed acreage area with no intentions of the property to become wilderness. He said the area was always recognized with the desire of the Cooke City community to maintain ATV roads despite some wildlife species concerns, and all roads remain open today.

Dennee said an old TV translator station sits on a Shoofly patented claim formerly operated by Cooke City residents. Dennee said he was told by Fred Schilling of Cooke City the station should come down. Dennee said the Forest Service will research the situation, and Park County has no ownership interest.

Dennee briefed the Commission on three private/Forest Service land exchanges within Park County. He said Darrell Smith of DePuy Ranches proposed a land swap in the Trail Creek County Road/Newman County Road area within the Bear Canyon Watershed. Dennee said the primary concern with the land swap is improving the Bear Canyon Watershed, which is considered the most impacted watershed in the Gallatin National Forest. Dennee said DePuy Ranches granted the Forest Service trail access on swapped land.

Dennee said a second land swap is proposed by Wayne Hoppe, who owns property between Gardiner and Jardine. Dennee said the Forest Service will trade an in-holding with deed restrictions.

Dennee said a third land swap was proposed by Walt Weisman of Snowy Range Ranch at the east fork of Mill Creek. Dennee said that swap would change the public/private land boundary to the center line of Mill Creek. Dennee said Weisman will trade and donate a 20-acre parcel of elk winter migration land in the Big Sky area.

Commissioner Malone said the DePuy transfer may result in greater ability to subdivide the swapped property.

@2:31:52 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

June 17, 2009

Review of Tri-County Network Against Domestic and Sexual Violence Program

@3:05:00 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Angela Nelmark, Tri-County Network; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review the Tri-County Network Against Domestic and Sexual Violence program.

Angela Nelmark of the Tri-County Network said the county has been supportive of the Network in the past, and the Network is asking for support of \$10,000 from the county this year. Nelmark provided a written proposal and reviewed the Network's mission and how many victims of violence and sexual offenses it served in the last year, such as conducting a dating violence program in the local school districts for 1,000 students through an AmeriCorp Vista volunteer.

Commissioner Malone said the Commission will provide the information to the accountant, but it cannot give an answer at this time.

@3:15:40 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

June 17, 2009

Public Hearing on Preliminary Budget for Fiscal Year 2010

@3:34:26 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Philip Fletcher, planning; Mike Inman, planning; Jill Ouellette, HR; Bill Hurley, operations; Brett Linneweber, county attorney; Colleen Singer, Sheriff's office; Scott Hamilton, Sheriff's office; Martha Miller, auditor; Lani Hartung, finance; Marilyn Hartley, finance; Stephen Woodruff, public citizen; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as a public hearing on the FY '10 preliminary budget.

Finance Director Lani Hartung presented a FY '09 Year-to-Date Budget/Actual expenditures report. Hartung said a meeting will be scheduled for June 30 for final FY '09 budget amendments.

@4:38:19 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

June 18, 2009

Review Daily Agenda and Correspondence

@8:57:59 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Present were Bill Hurley, director of operations; Raea Morris, Commission executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo re. Montana Rural Education Association
- Memo from finance director re. change to claims process
- Road crewman daily work schedule
- Memo re. June 25 Livingston Roundup Association business after hours
- Citizen memo re. request for refuse assessment waiver – To Solid Waste Board
- Legal advice to Commission from civil deputy county attorney
- Request for bids for city/county complex telephone bids
- Memo from justice court re. employee increases

@9:10:30 a.m., the meeting adjourned.

June 18, 2009

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

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

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

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

June 19, 2009

Review Daily Agenda and Correspondence

@9:00:31 a.m., Vice-Chairman Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan 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 made.

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

Correspondence included:

- Legal advice to Commission from deputy county attorney
- Road crewman daily work schedule
- Memo re. airport board member resignation
- Agenda of June 16 Yellowstone Country meeting
- Memo re. county employee resignation
- Memo re. Gardiner Sewer trial balance
- Solid Waste Board bylaws
- Citizen construction agreement re. Gardiner Sidewalk project
- Memo re. CBDG program for recovery of wood products industry
- Memo from finance director re. end of month report
- Memo re. citizen tax penalty waiver request
- Memo re. CTA invoice

Commissioner Taylor reported on a June 18 solid waste board meeting. Taylor said he viewed Brackett Creek Road, which was maintained well.

Commissioner Durgan said Cinnabar Road work will commence next week.

Director of Operations Bill Hurley said Sabre Communications subcontractors are addressing issues noted in a state inspection.

@9:37:18 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana