

Park County Commission Meeting Minutes
Week of December 13 – 17, 2010
Park County, Montana

December 13, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:33:17 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, executive assistant; Ed Hillman, road; Lani Hartung, finance; Philip Fletcher, community development; and Commission Minutes Clerk John Mueller.

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

Correspondence included:

- Memo re. \$1,020 invoice form CTA Engineering for 9th Street Island Bridge
- Memo re. August 19 Standish Excavation contract
- Memo re. refuse tag process revision
- Memo re. Angel Line van vehicle inspection
- Memo re. panic button in district court offices
- Memo re. community development report for Woodson Family Transfer
- Citizen memo re. Wineglass snow plowing invoice
- Memo re. SAR water leak
- Memo re. Extension Noxious Weed Trust Fund education grant

Commission Executive Assistant Raea Morris said she is now scanning all daily correspondence to ensure complete filing.

Finance Director Lani Hartung provided the Commission with an invoice from Montana Clean. Hartung said she reviewed cleaning bids submitted by each vendor, and Montana Clean was the lowest bidder over Dust Bunnies by \$10,000 based on square footage bids. She said a third bidder was the lowest bidder, and she recommends the Commission limit the equipment rental time if considering that bid.

Road Supervisor Ed Hillman said he and Hartung have questions about some snow removal invoices submitted by private citizens during a large snow event over Thanksgiving. Hillman said some people charged \$85 per hour for Bobcat work. Hartung said it is unknown whether all individuals who submitted invoices were called out to work by county personnel. Commissioner Malone asked Hillman to telephone those individuals with invoices in question to determine what work was completed and whether invoice amounts are accurate or appropriate.

Community Development Director Philip Fletcher said a 9th Street Island Reconstruction Project preconstruction meeting will be held on December 13 at CTA Engineering. Fletcher said the regional detention/law and justice center taskforce will meet on December 14 at 9:00 a.m.

Citizen Carlo Cieri asked who the individual was who cleared snow in Green Acres over a Thanksgiving snow event. Cieri said that individual is now asking for money donations. Hillman said he is unaware who that individual is.

@9:06:39 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 13, 2010

Appointing of Solid Waste Board Applicants

@10:35:34 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to appoint Solid Waste Board applicants.

Commissioner Malone said Dennis H. Dodge and Allen R. Carter submitted applications for two open Solid Waste Board seats.

Commissioner Taylor made a motion to accept the two applicant's applications and appoint Mr. Dennis Dodge and Mr. Allen Carter to the Solid Waste Board. Commissioner Durgan seconded that motion. Motion passed.

@10:37:07 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 13, 2010

Review of Minutes for Weeks of November 22 and December 6, 2010

@11:02:46 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review Commission meeting minutes for the Weeks of November 22 and December 6, 2010.

Reviewing meeting minutes for the Week of November 22, 2010, Commissioner Malone requested a revision to Page 7 of 8 noting the correct spelling of Rachel "Kinkie."

Reviewing meeting minutes for the Week of December 6, 2010, Commissioner Taylor requested a revision to Page 2 of 6; first full paragraph, the last sentence should read, "The Commission said it will have the road foreman verify if a gate was erected on the county road and have it removed if so."

Commissioner Taylor made a motion to accept minutes for the Weeks of November 22 and December 6 as corrected. Commissioner Malone seconded that motion. Motion passed.

@11:05:20 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 13, 2010

Consider Decision on Gardiner Sidewalk Project

@1:04:18 p.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 made.

The meeting was scheduled to consider a decision on the Gardiner Sidewalk Project.

Commissioner Taylor said a Community Transportation Enhancement Program (CTEP) representative encouraged the Commission to spend available CTEP funds appropriated to Park County for the project before the funds are taken back. Taylor said perhaps the county should put a price to the original sidewalk design.

The Commission reviewed an original project design with a \$203,500 total estimated cost and \$50,000 in Safe Routes to School funds; \$132,901 CTEP funds; and \$20,599 to be committed by Park County. Malone said \$30,000 has already been spent on engineering services.

Taylor said the county can obtain a Montana Department of Transportation-approved list of three prequalified engineers to avoid an RFQ process and other prequalification requirements. Taylor said he will discuss retaining a project engineer with the civil deputy county attorney and expenditure of CTEP funds with the community development director and report back to the Commission.

@1:21:37 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 13, 2010

3:00 P.M. – Local Advisory Committee – Mental Health Drop-In Center, Livingston MT
– Commissioner Taylor attended

December 14, 2010

8:00 A.M. - Wilson v. Park County Wage & Hour Claim Hearing - Community Room –
Postponed to January 24-25

8:00 A.M. – City/County Meeting - East Room – Commissioner Taylor attended

December 14, 2010

County Road Department Updates

@9:01:35 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Ed Hillman, road; Raea Morris, executive assistant; Lani Hartung, finance; Lauren Oswald, USFS; Ed and Toby Harris, citizens; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said he attended an emergency snow operations planning session with law enforcement and emergency services personnel on December 13. Commissioner Malone asked how the county can effectively ensure all snow plow equipment is being used during a high snowfall event and said Hillman needs to have a plan in place so personnel are available at all times. Commissioner Durgan said he thinks Hillman needs to have a call-out list so crewmen are available for 12 hours on/12 hours off shifts to ensure snow plowing occurs around the clock. Hillman said an “emergency” needs to be defined. Malone asked Hillman to work with DES and draft a written response plan. Hillman said a plan is being devised. Finance Director Lani Hartung said she will offer Hillman finance department assistance in devising a snow operations plan.

Hillman said the road crew replenished its salt sand reserves in Wilsall, Gardiner and Livingston after a big snow event. Hillman said the contractor for the 9th Street Bridge Replacement Project said the bridge will not be permanently closed at any time during construction, which will commence on January 3 and will be completed in April.

Executive Assistant Raea Morris said two citizens telephoned about slush on Deep Creek Road. Hillman said he received a telephone call from a citizen there yesterday.

Durgan asked if snow fence can be erected in Green Acres. Hillman said snow fence was not erected there because road crewmen were told not to erect it.

Malone asked Hillman to telephone contractors who cleared snow over Thanksgiving to ask what services were performed and whether invoices submitted have appropriate dollar amounts.

Citizen Bill Harris provided the Commission with diagrams of Billman Lane. He said surveyor pins exist on a private citizen’s property and he would like to identify the location of the survey pins to determine if the fence is 15 from or on the section line. The Commission said it will check with Surveyor Hank Rate about the issue.

Lauren Oswald of the Forest Service said she is present to discuss an issue with the county stating it will no longer plow snow the last quarter mile of Mill Creek Road from a private property to the turnaround. Hillman said dog sled vehicles were parked across the road, so the road crew did not plow the remaining road. Oswald said she thinks she can work with the dog sled individuals to rectify the parking issue. Oswald provided documentation of a 1977 agreement in which a partnership with state, county and the Federal Government built a recreation parking lot facility at the end of the road. She said in 1998 the county widened the road to standards and agreed to make the road a county road to the end of the parking lot.

Malone said the county will stop providing service to the Forest Service when Payment in Lieu of Taxes funds go away. Oswald said she is asking for the county to plow the remaining quarter mile on Mill Creek Road from the Fullers to the end of the road. She said the Forest Service would like to meet again with the county after the first of the year to discuss joint maintenance agreements with the county on various county and Forest Service roads. Malone said the county will be glad to sit down with the Forest Service to discuss that issue.

Hillman said the county will plow the remaining quarter mile of Mill Creek Road if people stop parking across the road.

Hillman said a rancher on 12 Springs Ranch has put posts and rails next to the county road. Hillman said the rancher said the posts will not be removed, so he will ask the civil deputy county attorney to submit a letter to have them removed.

@9:46:56 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 14, 2010

9:30 A.M. - Human Resources Updates - Commissioners Chambers – Cancelled

December 14, 2010

Consider the Woodson Family Transfer

@10:06:40 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Inman, community development; Glenn and Pam Woodson, applicants; John Payne, realtor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a Woodson Family Transfer application.

Senior Planner Mike Inman provided background of the Woodson Family Transfer application. Inman said a family transfer for the property was originally submitted by Sharon Noble, and he informed the Woodsons they cannot use approval from a previous

applicant to get final approval. He said the sanitarian, county attorney, and the Planning Division of the Community Development Department reviewed and recommended approval of the application. Inman requested the applicant provide a quick claim deed and final review of mylars if approved.

Commissioner Durgan said he had an informal conversation with Payne and Glenn Woodson last week, was told the exemption was coming before the Commission and told the two parties they need to abide by all regulations. Woodson and Payne said they had no problem with Durgan voting on the exemption.

Applicant Glenn Woodson said it is the hope one day one of his three sons would be able to use the property, as he has no intention of moving again. He said a lot of the family transfer process had been done before the property was purchased and the realtor recommended they follow through with that process.

Commissioner Taylor made a motion to approve the Woodson Family Transfer with findings of fact the Commission has reviewed the information and deems the application an appropriate use of the family transfer exemption, it provides for provisions delineated in Chapter 5 of the 2010 subdivision regulations and the application has received approval from Environmental Health Department, County Attorney's Office and Planning Division of the Community Development Department. Commissioner Durgan seconded that motion. Motion passed.

@10:18:12 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 14, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

@10:25:38 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, 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. employee requests for leave
- Memo from MT Secretary of State re. certificates of fact or existence for JBarJ Enterprises
- Memos from Forest Service re. county and state plowing of Forest Service access roads
- Memo from PCSO re. draft emergency operations plan
- Memo re. CDBG meetings - To Commissioner Taylor for review
- Memos re. maintenance request forms

- Memo from Shawn Titeca re. five hours of Swingley road backhoe snow removal on Nov 26 and 27
- Memo from Water Environmental Technologies re. landfill methane monitoring
- Memo re. Board of Health quarterly schedule
- Memo re. county auditor semiannual report of county books

@11:00:56 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 14, 2010

Consider Extension of Advertisement for Planning and Development Board Seat

@11:06:36 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Inman, community development; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider an extension of an advertisement for a Planning and Development Board seat.

Senior Planner Mike Inman said the Planning and Development Department met a timeline for board seat applications, but at least two applications were received after the deadline. Inman said it is a Commission decision to run the advertisement for one calendar week to permit the two late applications and anyone else who wants to serve on the board. Inman said he does not think the Commission would be setting a precedent, but giving people the benefit of the doubt. Inman said the application session would close next Monday, and the department will schedule interviews with hopes to have a recommendation to the Commission by the end of 2010.

The Commission said it had no objections but does not want to set precedence for other boards.

Commissioner Taylor made a motion to extend the planning board seat applications for another week to allow all interested individuals to apply. Commissioner Durgan seconded that motion. Motion passed.

@11:10:56 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 14, 2010

1:00 P.M. - Senior Citizens Meeting - Livingston Senior Center

1:00 P.M. - Wilson v. Park County Wage & Hour Claim Hearing - West Room – Postponed to January 24-25

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

December 15, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:32:28 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, executive assistant; Bruce Martin, maintenance; Ed Hillman, road; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo from clerk and recorder re. mail ballots
- Memo from community development re. Great West Engineering Gardiner Sidewalk Project contract
- Memo from MACo re. January 18 loss control conference

Bruce Martin, maintenance, provided the Commission with email correspondence from the Gardiner Chamber of Commerce requesting Park County pay for the last two years of Arch Park maintenance costs. Martin asked if the Commission could make arrangements with the city to repair a trench that fills with water in the rear parking lot.

Julianne Brown of Rocky Mountain RC&D obtained Commission signatures for the last CDBG and HOME grant draws for the Senior Center rehabilitation project.

Finance Director Lani Hartung said she is working with the civil deputy county attorney on janitorial bids.

Commission Executive Assistant Raea Morris said she was told by a transfer station employee the finance department will help with mailing out refuse tags in an effort to save money. Morris said the refuse tags are distributed from the Commission Office. Commissioner Taylor said he will bring the issue up at the next Solid Waste Board meeting.

@9:29:54 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 15, 2010

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

December 15, 2010

Signing of 2011 Cooke City Snow Removal Contract with Asplund Enterprise

@11:02:20 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 made.

The meeting was scheduled to sign a 2011 Cooke City snow removal contract with Asplund Enterprises.

Commissioner Malone said the contract with Asplund Enterprises extends from December 15, 2010, for one calendar year.

Commissioner Taylor made a motion to sign the contract with the successful bidder, Matt Asplund. Commissioner Durgan seconded that motion. Motion passed.

@11:03:26 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 15, 2010

1:00 P.M. – Employee Safety Tape Viewing - Community Room

December 15, 2010

Selection of Request for Qualifications (RFQ) for Museum HVAC Upgrade

@1:31:41 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Paul Shea, interim museum director, Mr. and Mrs. Richard Leckner, citizens; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to select request for qualifications for a Yellowstone Gateway Museum HVAC upgrade.

Commissioner Malone said RFQs were submitted by KMA Construction and CTA Engineering. Interim Museum Director Paul Shea said the YGM board reviewed both RFQs and voted to recommend KMA Engineering to conduct project work. Shea said the board felt both firms would do a good job, but KMA has done some work on the building in the past and worked on historical buildings.

Commissioner Taylor made a motion to accept Kirk Michaels and KMA as the Commission choice with following the board's recommendation. Commissioner Durgan seconded that motion. Motion passed.

@1:38:02 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

December 16, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:37:03 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Raea Morris, executive assistant; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Philip Fletcher, community development; Ed Hillman, road; Dan Gutebier, Taylor-Leavitt (via telephone); 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. Cinnabar Basin Road road crew commendation
- Memo re. Gardiner Chamber of Commerce members
- Memo from PCRFD#1 Chief re. EOP planning
- Memo re. Kelly Anderson Excavation certificate of liability insurance
- Memo from CTA Engineering re. contract amount increase request
- Memo from FHWA re. December 20 meeting
- Memo from SW Juvenile Detention Board re. monitoring funds
- Memo re. emergency operations funds and Cooke City and Fairgrounds Sewer Treatment funds
- Memo re. Park County EOP updated public information annex

Dan Gutebier of Taylor-Leavitt Insurance said he spoke with the Commission and Fair Manager Kim Knutson about insurance requirements at the Fairgrounds.

Finance Director Lani Hartung provided the Commission with a revised contract from external auditors for signature. Civil Deputy County Attorney Shannan Piccolo said she will not grant County Attorney Office approval to sign the contract, as that office has not seen the original contract.

Community Development Director Philip Fletcher said courthouse energy efficiency retrofitting will be completed by the end of January.

Road Supervisor Ed Hillman presented snow plowing invoices submitted by private citizens for work completed over the Thanksgiving Holiday snow event.

@9:21:04 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 16, 2010

Signing of Memorandum of Agreement with Yellowstone Park for 911 Services

@9:32:31 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Peggy Glass, Dispatch 911; Shannan Piccolo, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a Memorandum of Agreement (MOA) with Yellowstone National Park for Emergency 911 Services.

Peggy Glass, 911 Dispatch, said Livingston, Gardiner and Cooke City/Silver Gate each have individual plans with the state for Emergency 911 services. Glass said Yellowstone National Park is requesting the MOA because it operates Dispatch 911 services for the Gardiner and Cooke City/Silver Gate areas.

Commissioner Taylor made a motion to sign the memorandum of agreement with Yellowstone National Park for 911 Services. Commissioner Malone seconded that motion. Motion passed.

@9:37:50 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

December 16, 2010

Signing of Contract with Standish Excavation for Road Grading

@11:36:13 a.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Chad Standish, contractor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a contract with Standish Excavating for road grading.

Commissioner Taylor said Chad Standish does a great job on the Five Acre Tracts for the county and the county appreciates that work.

Commissioner Taylor made a motion to sign the contract with Standish Excavation. Commissioner Durgan seconded that motion. Motion passed.

@11:37:10 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

December 16, 2010

3:30 P.M. - Discussion/Decision of Copy Room Copier - Commissioners Chambers –
Postponed to December 20 @ 2:00 p.m.

3:30 P.M. – Planning Board- Community Room – Meeting minutes available in the Community Development Department

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

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

6:00 P.M. – Agriculture Policy Comment Forum with State Legislators – Community Room

7:00 P.M. – Solid Waste Board – West Room – Meeting minutes available in the Commission Office

December 17, 2010

No Commission Meetings Scheduled

10:00 A.M. – Cooke City for Resort Tax Allocations – Cooke City Community Center – Commissioners Durgan and Taylor attended

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana