

Park County Commission Meeting Minutes
Week of March 15 – 19, 2010
Park County, Montana

March 15, 2010

Review Daily Correspondence and Agenda

@8:30:44 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; 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 planning director re. CTEP application
- Memo re. witness and juror warrants
- Memo from accounting re. month-end financial report
- Memo from Montana Department of Housing - To planning director for review
- Memo re. Senator Tester newsletter
- Citizen memo re. refuse assessment request
- Memo from Nittany Grantworks re. proposed news release
- Memo from Park County Community Foundation re. March 26 meeting
- Legal advice to Commission from civil deputy county attorney
- Memo re. gravel crushing contract - To executive assistant for action
- Memo re. courthouse telephone list

Commissioner Malone reported on a March 12 proposed Cooke City Sewer project meeting he attended with Sanitarian Barbara Woodbury.

@8:47:44 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 15, 2010

Review Meeting Minutes for Week of March 8, 2010

@9:47:25 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 review and approve Commission meeting minutes.

Commissioner Durgan requested a revision to Page 5 of 16; third paragraph, the first sentence should read, "Citizen Joe Lawellin asked the status of Willow Bend Drive in the Five Acre Tracts and said that road needs to be graveled."

Commissioner Durgan made a motion to accept the minutes as corrected. Commissioner Taylor seconded that motion. Motion passed.

@9:50:27 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 15, 2010

Signing of Landfill Scrap Metal Recycling Contract

@10:02:02 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Adkins, Mike Adkins Construction; Shannan Piccolo, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a landfill scrap metal recycling contract.

Mike Adkins of Mike Adkins Construction reviewed the contract for content.

Commissioner Taylor made a motion to sign the contract with Mike Adkins to salvage metal at the landfill. Commissioner Durgan seconded that motion. Motion passed.

@10:07:54 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 15, 2010

Presentation of First Draft Rewrite of a Museum Resolution

@10:31:31 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; Paul Shea, interim museum director; Bob Jovick, attorney; Museum Board Members Pat Davidson, Bob Ebinger and Bruce Graham; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to present a first draft rewrite of the resolution establishing the Yellowstone Gateway Museum (YGM) Board of Trustees.

Attorney Bob Jovick said a special committee met three times to review the existing resolution and create the existing working draft of a resolution establishing the museum board of trustees. Jovick said the committee discussed a reduced level of expense in retirement and insurance compared to the county level of employee benefit expense, and the museum would have director and registrar positions.

Commissioner Malone said he feels the YGM board has a better ability to select and evaluate employees and apply for grants and decide how many employees the museum needs than the county commission can. Civil Deputy County Attorney said issues must be addressed, such as whether the county can hand over the ultimate authority of various issues to the museum board. Jovick said the committee understands a number of legal questions will need to be answered.

Jovick, Piccolo, and the Commission reviewed the draft resolution. Jovick said he and Piccolo will work further on the draft resolution and address authority and district creation issues.

@11:07:59 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 15, 2010

1:00 P.M. – T.V. District Meeting – West Room – Commissioner Malone attended

March 15, 2010

Signing of Amendment to MOU for Senior Center Rehabilitation Project

@1:31:14 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, civil deputy county attorney; Julianne Brown, Rocky Mountain RC&D; Barb Williams and Rick VanAken, senior center; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign an amendment to the memorandum of understanding for a senior center rehabilitation project.

Julianne Brown of the Rocky Mountain RC&D said the amendment would change the affordability of the senior center's 24 apartments from a term of 15 years to 10 years.

Commissioner Taylor made a motion to accept the amendment to the memorandum of understanding between Park County and the Park County Senior Citizen's Center Corporation. Commissioner Durgan seconded that motion. Motion passed.

@1:37:12 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 15, 2010

Litigation Strategy for Luder vs. Wagman

@2:03:45 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, civil deputy county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss litigation strategy.

Commissioner Durgan made a motion to close the meeting to the public. Commissioner Taylor seconded that motion. The meeting closed.

@2:15 p.m., the meeting adjourned.

March 16, 2010

Review Daily Correspondence and Agenda

@8:34:01 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 the daily agenda and correspondence.

Correspondence included:

- Memo re. resignation letter from health board from Citizen Carlos Cieri
- Memo from planning director re. 9th Street Island update - To Commissioner Taylor for review
- Memo from planning director re. revolving loan fund - To Taylor for review
- Citizen memos re. support for 9th Street Bridge project - To file
- Memo from planning director re. county self administration of 9th Street Bridge project and funding priorities
- Memo re. Rock Creek Road/Hammond Creek Road improvement agreement
- Memo re. March 16 Fair Board agenda - To Commissioner Durgan for review
- Confidential memorandum - To Commission for review

@8:39:03 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 16, 2010

County Road Updates

@9:01:56 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; Gary Barnhardt, citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said the road crew is finishing work on Elbow Creek Road, graveling various roads, will use an excavator to conduct an O'Rea Creek Road widening project in a few weeks, and will repair a broken loader.

Civil Deputy County Attorney Shannan Piccolo said a gravel crushing contract is completed and a public meeting is scheduled for approval.

Citizen Gary Barnhardt asked why a fence on the upper end of the Shields River Road was moved. Hillman said he thinks the fence was put on the county right-of-way. The Commission said it will look into the issue and provide Barnhardt with a Forest Service survey map.

@9:27:35 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 16, 2010

Department Head Meeting

@9:33 a.m., Chairman Malone called a meeting to order in the West Room of the City/County Complex. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Clay Williams, weed/junk vehicle; Ed Hillman, road; Martha Miller, auditor; Jill Ouellette, HR; Paul Shea, interim museum director; Ed Barich, county superintendent of schools; Marc Richards, GIS/IT; June Little, clerk of court; Linda Budeski, justice of peace; Philip Fletcher, planning; Barbara Woodbury, environmental health; Belinda Van Nurden; DES; Suzanne Brown, public health nurse; Kevin Larkin, treasurer; and Commission Minutes Clerk John Mueller.

Commissioner Malone opened the floor to public comment. None made.

Employee of the Quarter: Human Resources Analyst Jill Ouellette said Sanitarian Rachael Lewis was nominated by Barbara Woodbury as Employee of the Quarter for her positive and flexible work ethic.

MACo Insurance and Training Seminars: Commissioner Malone said it is important for all county employees to track safety, working condition and all other training classes in attempt to reduce the county's worker's compensation rates. Ouellette said tracking trainings can also assist employee evaluations and certifications.

Capital Improvements Planning for FY 2011: Planning Director Philip Fletcher said he is working on a countywide capital improvement program for next year to include equipment, machinery or facility upgrades in excess of \$5,000. Fletcher told department heads to bring needed improvements to his attention as soon as possible.

Fiscal Year 2011 Budget Worksheets: Finance Director Lani Hartung distributed budget worksheets with data as of February 28 for review. Malone asked department heads to

submit proposed budgets in a timely manner as last year to ensure the county budget is approved on time.

Discussion of Phone Book Listing: Malone said the county must pay \$4.50 per telephone book number listing per month. He said the county paid \$1,674 last year for that service, and is down to \$500 this year. He said department heads will pay for their telephone number in the phone book this year and need to request a listed number by April 1.

Roundtable Discussion of Activities: Department heads and elected officials reported on recent and ongoing activities and projects.

The next department head meeting is scheduled for April 20, 2010, at 9:30 a.m. in the Community Room.

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

March 16, 2010

Human Resources Updates

@10:37:38 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jill Ouellette, human resources; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss activities in the Human Resources Department.

Human Resources Analyst Jill Ouellette provided the Commission with an explanation of language used in a personnel issue memorandum; an invoice for her work with PCRFD#1; paperwork for vacation hour carry-overs for two employees in the Sheriff's Office; revised job descriptions for museum employees; and Employee Emergency Information, Employee Termination/Exit, Equipment Loan Agreement and Employee Leave Request forms for input and review.

Ouellette presented the Commission with a CancerCare Plus cancer insurance program brochure from an entity that provides supplemental insurance. The Commission said Ouellette can notify employees the entity will be present in the courthouse to present its services to county employees.

Ouellette said she has been consistently working 40 hours per week for more than one calendar year and is running into issues with using her vacation and sick leave benefits. She asked the Commission to consider increasing her position to a 40-hour FTE, and said the Commission could reduce her hours back to 30 hours per week in the future. The Commission asked Ouellette to budget for the increased hours for Fiscal Year 2010 and it will consider the issue at budgeting time.

@11:00:48 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 16, 2010

Litigation Strategy regarding Concerned Citizens vs. Park County

@11:01 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; Shannan Piccolo, civil deputy county attorney; Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss litigation strategy regarding Concerned Citizens vs. Park County.

Commissioner Taylor made a motion to close the meeting to the public to discuss litigation strategies. Commissioner Durgan seconded that motion. The meeting closed to the public.

@11:35 a.m., the meeting adjourned.

March 16, 2010

1:30 P.M. – Construction Progress Meeting for Senior Center Rehabilitation Project – Livingston Senior Center – Commissioner Taylor attended

March 16, 2010

Signing of Resolution to Authorize Submission of a Treasure State Endowment Program Application for Financial Assistance on 9th Street Bridge Project

@2:32:16 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; Philip Fletcher, planning; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider signing a resolution to authorize submission of a Treasure State Endowment Program (TSEP) application for financial assistance on the 9th Street Bridge Replacement Project.

Commissioner Malone said the resolution would authorize Nittany Grantworks to prepare and submit a Treasure State Endowment Program grant through the Montana Department of Transportation. Malone said the TSEP funds would serve as backup funding in case the county cannot start the 9th Street Bridge Replacement Project in fall 2010.

Commissioner Durgan made a motion to sign Resolution #1077. Commissioner Malone seconded that motion. Motion passed.

@2:37:59 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 16, 2010

Decision Concerning Online Burn Permits

@3:01:19 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, civil deputy county attorney; Dann Babcox and Chuck Donovan of PCRFD#1; Greg Coleman, Paradise Valley Fire; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to make a decision on an online burn permit system.

Paradise Valley Fire Representative Greg Coleman said he feels the online burn permits will become the future of burn permitting in the state, but the question is whether Park County is ready for it at this time. Coleman said Dispatch 911 and the county fire departments think the county is ready for the online system, as Dispatch 911 expressed issues with being bothered by non-emergency telephone traffic. He said statistics show Lewis and Clark and Gallatin counties using the online system have relieved its Dispatch 911 calls by 50 percent. Park County Rural Fire District Representative Chuck Donovan said most people are prepared to pay for a burn permit.

Commissioner Malone said he has greater concerns with implementing the online system now that the county IT manager is leaving his position. Commissioner Taylor said he was not for the proposal before and he is less for it now with the resignation of the county's IT manger. Taylor said he thinks the paper forms have a purpose and there needs to be a place for them in the online proposal. He said he could see waiting a year for the program. Commissioner Durgan said he was in favor of having the online system because the internet is the wave of the future and courthouse employees could enter online data for citizens. Durgan said there have also been concerns about the current burn permit book, because it is harder to access information and know what is going on compared to instant access via computer. Durgan said he agrees with the other two commissioners regarding a lack of staff with the departure of the county IT manager.

Commissioner Taylor made a motion to keep the permits as they currently are and not hook into the online permit system with Lewis and Clark and Gallatin counties. Commissioner Durgan seconded that motion. Motion passed.

@3:21:20 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 16, 2010

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

March 17, 2010

Review Daily Correspondence and Agenda

@8:42:18 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 from DES Coordinator re. training opportunities
- Memo re. March 18 Dispatch 911 meeting - To Commissioner Malone for review

Commissioner Durgan reported on a March 16 Fair Board meeting.

@9:01:22 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 17, 2010

Consideration of Resolution to Ban Fireworks within Five Miles of City Limits

@9:35:07 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; Dann Babcox, Park County Rural Fire District #1; Matt Dettori, Livingston Enterprise; Citizens Rick Adams, Kitty Krohne, Darrin Krohne, Gia Holiway, D Holiway, Matthew Christian, Dave Carter, Carlos Cieri, Gail McCormick, Patti Peterson, and Misty Raney; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a resolution to ban fireworks within five miles of the city limits.

Dann Babcox of Park County Rural Fire District #1 (PCRFD#1) said he would like to have designated areas where citizens can shoot off fireworks, which would enable fire personnel to monitor those sites. Babcox said the July 4 Holiday fireworks show at the fairgrounds requires a lot of fire personnel and it becomes a safety issue for them when responding to fires in the county.

Citizen Rick Adams said his concern is places around the county are becoming too crowded and fire departments are short-handed around July 4 if a fire were to break out.

Citizen Kitty Krohne said she has owned a fireworks stand for 20 years and has issue with not being notified of the meeting as a long established business owner in the county. Krohne said she opposes a resolution that bans the use of fireworks five miles around the

city limits, but as a business owner she is willing to work hand in hand with fire departments on having a volunteer destination to fireworks use, even though there were issues with a similar effort in past years. She said she supported an effort for designated fire areas in the county a few years ago with fliers, safety punks and classes, and a cash donation for overtime cleanup efforts, but she thinks it will be more expensive for firefighting services to travel five miles further to put out fires with a ban within five miles of city limits. Krohne said she feels a ban would take her property rights away as a Park County landowner.

Citizen Dave Carter said citizens do not have the right to shoot off fireworks in their home atmosphere in the city where they are comfortable with a hose and can be responsible. Carter said he owns a fireworks stand and opposes a ban because it does not solve a problem, but just moves it to a different location. He said a ban would scatter people more and they will end up on private property and escalate the problem. He said people who buy from him ask where they can let off fireworks, and he thinks designated areas are a good proactive idea, but a ban is a property rights violation.

Citizen Carlos Cieri said he lives in Green Acres and fireworks had been a problem in Green Acres Park for years until the county banned fireworks there last year. Cieri said people are still shooting off fireworks around the perimeter of the park and fireworks that go into the air and drift are the biggest problem. Cieri said he thinks the city has the right idea of banning fireworks, and Babcox has the right idea to establish designated areas.

Citizen Patti Peterson said she lives in the Northern Lights Subdivision and totally respects the fire issue and having a designated area is a great idea, but the city cannot enforcement its own ban. Peterson said she is worried about sending kids five miles further into the county. She said the county needs to take peoples' land rights into consideration, because she is a responsible landowner. She said there is a place for education and proactive efforts on the issue from fireworks sellers.

Citizen Gail McCormick of North 3rd Street said it is wrong to take away people's rights to celebrate Independence Day and putting more pressure on fire department's to go further out will be a huge policing effort. She said fireworks have never been a big issue in Montana, citizens shooting off fireworks responsibly are not hurting anyone, and she would like statistics of the percentage of structure fires caused by fireworks compared to the number of people using fireworks.

Citizen Darrin Krohne said he opposes a ban on fireworks and a ban will not stop teenagers from shooting them off.

Citizen Misty Raney of North E Street said she opposes a ban because she sees how banning fireworks in the city limits does not work. Raney said a ban will encourage trespassing on private property out of town and she sees an issue with more field fires. She said she thinks the county will find no one wants a designated shooting area near their home.

Citizen D Holiway of Callender Street said he opposes a ban because what is right for some is not necessarily right for him. Holiway said government bureaucracy telling him he cannot do something makes him want to do civil disobedience and buy as many fireworks as he can and shoot them off. He said he is not opposed to designated areas.

Citizen Gia Holiway said she is opposed to a ban but understands Babcox's concerns. She said it is ridiculous to designate firework areas because that will result in copious amounts of people shooting fireworks off in one place. Holiway said she does not want any more laws imposed on her and there will be a spiral effect of putting people out of business with a fireworks ban. She said better education is needed, and a ban may increase drinking and driving five miles further out of town.

Citizen Matthew Christian of North K Street said he is strongly opposed to a ban because it will not stop teenagers from shooting off fireworks. Christian said he personally knows the effects of sending people five miles further out of town to shoot off fireworks, and 100 families shooting off fireworks on 100 acres will not work, may increase drinking and driving, and he does not think the designated areas are sensible.

Commissioner Malone said seven citizens telephoned the Commission today expressing opposition to a fireworks ban.

Babcox said designated fireworks areas could be anywhere, such as Mayor's Landing Fishing Access Site or a donated field in Green Acres, so fire crews could be present to prevent fire spread. Babcox said today's meeting is just an information gathering session and there is no resolution on the table.

Malone said it appears Babcox can work with retailers to address safety considerations. Commissioner Taylor said he thinks Krohne has shown a willingness to cooperate with the fire departments. He said one answer will not make everyone happy, but the Commission must consider public health and safety. Taylor said he is not in favor of a resolution at this point. Commissioner Durgan said designated areas can serve a purpose for tourists visiting the area and citizens without property. He said the Commission is willing to cooperate, but it is up to all citizens to inform others when one does not approve of what another is doing or someone is breaking the law. Durgan said the county has a parks and recreation and trails committee, and everyone is encouraged to attend meetings to provide input for possible appropriate designated fireworks areas along a hiking or biking trail.

Civil Deputy County Attorney Shannan Piccolo said the Commission does not have the authority to prohibit fireworks in the county. She said the county can only prohibit fireworks in county-owned parks, such as Green Acres Park, through cooperation with the county parks and recreation board. Piccolo said the county, by law, would be required to provide numerous public notice and comment periods in order to consider passage of any ordinance, including a fireworks ordinance.

Malone said the Commission encourages PCRFD#1 to work with retailers to come up with a plan on the issue.

@10:33:51 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 17, 2010

Discussion of Search and Rescue Building Proposals

@10:40:18 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Wendy Wood, search and rescue; Allan Lutes, sheriff; Scott Hamilton, undersheriff; Shannan Piccolo, civil deputy county attorney; Mike Adams and Bob Skillman, fair board; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a Search and Rescue (SAR) building proposal.

Search and Rescue Coordinator Wendy Wood said the proposed SAR building would be used for equipment and dry storage. Wood provided an aerial photograph for reference and said the proposed location is the less intrusive to fairgrounds property. Wood said she received bids for a 30-foot by 40-foot building and a 40-foot by 60-foot building. Wood said the sheriff's office prefers the larger building to avoid expanding in the future. She said a quoted building cost of \$28,345 includes cement footings, overhead garage doors were estimated at \$4,058 and \$5,076, and the highest total bid cost is approximately \$35,600. Wood said three bidders said the quotes may increase as much as 25 percent with new quarter costs as of April 1. She said Public Health Nurse Suzanne Brown offered between \$25,000 and \$30,000 H1N1 funds, which must be dedicated to a project by June 30, 2010, and SAR budgeted \$10,000 toward the project.

There was discussion with fair board members about a former road shop building returning to fair board control after the road department moved out years ago. Mike Adams, fair board, said the understanding was the ground and building would revert back to the fair, but it never did.

There was discussion about going out for bids with uniform bid specifications. The Commission said it will get back to Wood on how to proceed with the proposal.

@11:14:26 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 17, 2010

Discussion of Outlying Office Telephone Issues

@1:06:51 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Marc Richards, GIS/IT; Shannan Piccolo, civil deputy county attorney; Raea Morris, executive

assistant; Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss outlying office telephone issues.

GIS/IT Manager Marc Richards asked the Commission what it wants to do with outlying office telephones that are not working properly after installation of a new telephone system. Richards said he is unsure if any other fixes are available, as the county has tried all options to rectify the issue.

Commissioner Malone said the Commission will discuss the issue with Cerium Networks tomorrow and review Cerium's testing data. Malone said the county will go back to analog phone systems in outlying offices if Cerium does not come in tomorrow with something solid.

Richards said it would take only a few days for Qwest to turn back on analog phone lines. Civil Deputy County Attorney Shannan Piccolo said there may be discussion about who should pay for that work if the county chooses to go that route per the request for bids. Malone asked Piccolo to review that document before tomorrow's meeting.

@1:14:24 p.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 17, 2010

Discussion and Update on Coyote Energy Wind Farm

@3:02:58 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, civil deputy county attorney; Daniel Abelson, Enerfin Energy Company; Philip Fletcher, planning; Raea Morris, executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as an update to a proposed Coyote Energy Wind Farm.

Daniel Abelson of Enerfin Energy Company provided the Commission with an update of the planning process for a proposed Coyote Energy Wind Farm near Springdale. Abelson said Enerfin submitted a proposal to Puget Sound Energy on March 2 to sell the project's energy after being denied proposals to Pacific Power, Avista and Northwestern Energy. Abelson said Enerfin signed a lease agreement with the state of Montana in January, an environmental impact statement is completed with a favorable decision from Montana Department of Natural Resources, and the project obtained a storm water discharge permit from Montana Department of Environmental Quality. He said Enerfin is working with Park Electric Cooperative and Northwestern Energy to sign a large generation interconnection agreement to use their lines. Abelson said Puget Sound Energy is looking to sign an agreement by summer 2010 and the project is aiming to begin operation by December 2012.

Commissioner Malone said the county's concerns are condition of county roads when wind farm construction commences. Abelson said he does not have the civil designs to show the Commission at this time and is still working out shipping logistics of train or truck. Civil Deputy County Attorney Shannan Piccolo said Enerfin will need to determine the width of a county easement at a 90-degree turn in Springdale and whether obtaining easements from private landowners will be necessary.

Abelson said Enerfin will hold a public construction specifications meeting in the area to accept resumes and statements of qualifications. Planning Director Philip Fletcher said he can assist Abelson in Enerfin's workforce recruitment process.

@3:43:42 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 18, 2010

Review Daily Correspondence and Agenda

@8:37:58 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; 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. Commission agenda for March 22
- Memo re. loading zoning ordinance request
- Memo re. MDT newsletter
- Memo from MACo re. state special districts
- Memo from RC&D re. board member
- Memo re. April 15 employee mandatory HAZMAT safety training
- Memo re. Montana Community Development - To Commissioner Durgan for review
- Memo from Forest Service re. new land management planning rules
- Memo re. Gallatin Solid Waste Management information - To Commissioner Taylor for review

Commissioner Malone said the GIS/IT Department is undergoing position job descriptions.

Commissioner Taylor said the county needs to talk to Tech Electric about a proposed ADA courthouse door.

@8:50:50 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 18, 2010

Briefing on 9th Street Bridge Project

@9:33:11 a.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; Shannan Piccolo, civil deputy county attorney; Matt Dettori, Livingston Enterprise; Margot Aserlind, citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to update the Commission on the 9th Street Bridge Project.

Planning Director Philip Fletcher said five issues must be addressed in order for the county to go out to bid for the 9th Street Bridge Replacement Project: 1) complete a Preliminary Engineering Report - a public meeting on recommended design and alternatives will be held on April 1; 2) Fletcher is working with Oasis Environmental and making necessary changes to a National Environmental Protection Act study; 3) the Federal Highway Administration will be present March 24 to evaluate the county for certification to locally administer the project; 4) Montana Department of Transportation is working on submitting the 9th Street Bridge Replacement Project to the Statewide Transportation Improvement Program list by mid April; and 5) Nittany Grantworks is working on Treasure State Endowment Program backup funding for submittal by April 16. Fletcher said he thinks all issues will be completed by early June.

@10:10:17 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 18, 2010

Status Update of Revolving Loan Fund

@10:37:54 a.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; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as a status update of a county revolving loan fund program.

Planning Director Philip Fletcher said Prospera Business Network has agreed on a contract to assist the county in administering a county business revolving loan fund. Fletcher said the contract may be written so Prospera could enforce loan defaults. Commissioner Malone said he would like the contract to include marketing compensation for Park County's efforts.

Fletcher said he would like to travel to towns around the county to announce the revolving loan fund's availability to county businesses in late April or early May, and the county needs an agreement with the city of Livingston on oversight of the revolving loan fund. He said he will talk with City Manager Ed Meece on that issue, and the loan committee may be composed of two county-appointed members, two city-appointed members and one local business person.

Fletcher provided the Commission with a draft of Prospera's prediction of loan fund activity through April for review.

@10:59:55 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 18, 2010

Discussion of Budget to Actual Expenditures and Revenues

@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 Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county budgeted to actual revenues and expenditures.

Finance Director Lani Hartung provided the Commission with a year-to-date budget to actual comparison as of February 28, 2010, which Hartung said is 66 percent through the county's fiscal year.

@11:52:58 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 18, 2010

Discussion of Emergency Detention Contract and Processes

@1:33:56 p.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; Scott Malloy, Gallatin Mental Health Center; John Beck, Livingston Mental Health Center; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss an emergency detention contract and process.

County Attorney Brett Linneweber said the contract involves the emergency detention of involuntary placements in Bozeman instead of a facility in Warm Springs. Linneweber said he approves of the contract language after his review.

Commissioner Taylor made a motion to accept the service agreement for the jail diversion emergency detention and jail diversion process. Commissioner Malone seconded that motion. Motion passed.

The Commission said the contract would be effective immediately.

Scott Malloy, director of the Gallatin Mental Health Center, said the Hope House has video services for initial client hearings, and the county would be billed every 30 days for detention services per the contract. Malloy said he will meet with sheriff's office personnel about client pickup and drop-off procedures.

@1:43:13 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 18, 2010

Discussion of Cerium Telephone Issues

@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 Marc Richards, GIS/IT; Erica Hoffman, GIS/IT; Liz Suniga, Granite Enterprises; Shannan Piccolo, civil deputy county attorney; Raea Morris, executive assistant; Mark Vogl and Bill Junkermier of Cerium Networks; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Cerium Networks telephone issues.

GIS/IT Manager Marc Richards said possible solutions to the failed outlying office telephone services are connecting VPN tunnels and reconfiguring sonic walls so outlying offices can talk to one another via telephone and addressing latency in the connection of the network, which may be done using a courthouse antenna. Mark Vogl of Cerium Networks said he cannot guarantee those proposed solutions would solve the outlying office phone problems. He said a Wisptest option is a possible solution, but returning outlying office phones to analog lines is a definite solution. Vogl said he will provide a write up of Cerium Networks' recommended coordination changes. Richards said he suggests the county choose to use the transfer station as a test site in the interim, and the county will not need to spend funds on hardware for the test. Bill Junkermier of Cerium Networks said a lot of time can be spent on troubleshooting the current problems, and he cannot 100-percent guarantee the test will work and returning to analog lines may be the final action.

Vogl said he would submit a proposal to return analog services to outlying offices to Junkermier for review and Cerium Networks will proceed from there.

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

March 18, 2010

2:30 P.M. – Renewable Natural Resources Subcommittee – Community Room – Meeting minutes available at www.parkcounty.org and in the Planning Department

3:30 P.M. – Planning Board – Community Room – Meeting minutes available at www.parkcounty.org and in the Planning Department

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

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

7:00 P.M. – Solid Waste Board – West Room – Meeting minutes available at www.parkcounty.org and in the Commission Office

March 19, 2010

8:30 A.M. – 11:30 A.M. – Employee Safety Tape Viewing – Community Room

March 19, 2010

Review Daily Correspondence and Agenda

@8:33:22 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; 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 Solid Waste Board member re. communications issues - To Commissioner Taylor for review
- Legal advice to Commission from civil deputy county attorney
- Memo re. March 19 Veteran's Affairs Committee meeting - To Commissioner Durgan for review
- Memo from Bob Evanoff re. Gardiner Sewer District
- Memo from MACo re. private ambulance services
- Memo from Park County Board of Health re. member resignation
- Memo from Senator Rehberg's Office re. FY 2011 appropriations process
- Memo from Paradise Valley TV District re. contract review
- Memo from DOWL HKM re. landfill gas monitoring results - To Taylor for review
- Memo re. March 30 Economic Affairs Committee Meeting - To Commissioner Malone for review
- Memo from JSEC re. supervisor bootcamp training and meeting minutes

@8:46:03 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 19, 2010

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

March 19, 2010

Discussion of Treasurer’s Cash Report

@9:46:42 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county budgeted to actual revenues and expenditures.

Finance Director Lani Hartung provided the Commission with a Treasurer’s Cash report, and the Commission reviewed that report and bank reconciliation.

@10:08:04 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 19, 2010

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

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana