

Park County Commission Meeting Minutes  
Week of November 22 - 26, 2010  
Park County, Montana

November 22, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

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

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

Correspondence included:

- Memo from City of Livingston sergeant re. employee parking in rear parking lot
- Memo from Concerned Citizens attorney re. draft Zia Report update comments
- Memo from civil deputy county attorney re. review of Cooke City snow removal bids RFB
- Memo from Livingston Roundup Association re. rodeo seats
- Memo re. Parks and Recreation Board vacancy recommendation
- Memo from community development director re. Historic Preservation Fund
- Citizen memo re. real-estate assessment grievance – To Assessor’s Office for review
- Memo re. Cooke City sewage survey results
- Memo re. RC&D Board packet – To Commissioner Durgan for review
- Memo from Kerry Fee re. withdrawal of planning board seat application
- Memo re. JPIA risk management meetings
- Memo from Oasis Environmental re. \$280 invoice
- Memo from RC&D re. extended leave of absence

Commissioner Durgan said the Commission met with Gardiner citizens on November 19 to collect public input on issues. Durgan said Angel Line Transportation Coordinator Barbara Williams said board member Kevin Funk purchased a bus for Angel Line at a reasonable price, but Funk said the bus can be returned if the county does not want to keep it.

@9:02 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

November 22, 2010

Appointing of Applicant to Parks and Recreation Board

@1:30 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, community development; and Martha Miller, auditor. No public comment made.

The meeting was scheduled to appoint an applicant to the Parks and Recreation Board.

Commissioner Malone said one application was submitted by Citizen Martha Miller. Community Development Director Philip Fletcher said Miller met with the board selection committee and all six board members, in addition to the Community Development Department staff, supported Miller's application and recommend Miller fill the vacant board position.

Commissioner Durgan made a motion to accept Miller as an appointee to the Parks and Recreation Board. Commissioner Taylor seconded that motion. Motion passed.

@1:36:20 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

November 22, 2010

Consider Decision on Sheriff's Office Deputy Longevity Pay

@2:00 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Allan Lutes, sheriff; Scott Hamilton, undersheriff; and Jill Ouellette, HR. No public comment made.

The meeting was scheduled to consider a decision on Sheriff's Office longevity pay.

Commissioner Malone said the previous meeting on the issue held on November 17, 2010, was incorrectly advertised, thus the current meeting was scheduled and all meeting minutes from November 17 meeting are to be included as part of the current meeting record.

Meeting minutes from the November 17, 2010, are as follows:

Sheriff Allen Lutes said granting longevity pay will affect two staff sergeants and all deputies. Undersheriff Scott Hamilton said a pay freeze will cause deputies to miss that year as part of the longevity retirement package, and adding only one cent to a deputy's annual salary makes that deputy eligible for longevity pay. Hamilton said a regular deputy has a salary of \$18.53 per hour and an annual salary of \$38,542. He said for the current fiscal year, only deputies with one or more years of service would be eligible for

longevity, and a couple of employees have higher wages. Hamilton said the cost to the county would be \$3,521.58 or less, plus ten cents, which is one cent per deputy.

Commissioner Malone said he thinks all Sheriff's Office employees are underpaid, but he does not like the one-cent deal because not every Sheriff's Office employee receives it, and his feeling is someone should get paid only if he/she substantially changes his/her job description. Malone said the Commission needs to look at the base salary to determine if employees are underpaid and compare those salaries to other agencies.

Hamilton said Sheriff's Office staff jobs change all the time and responsibilities only increase and not decrease. He said Park County Sheriff's Office personnel are way underpaid, as some jailers make more money in other counties than he does as the undersheriff in Park County. Hamilton said it comes down to retention of employees, and wage amount is a contributing factor to personnel leaving Park County. He said the county must make an effort to pay personnel what it is worth or it will spend seven months of hiring efforts, wages, training and paying the academy, which equates to tens of thousands of dollars, to go work for someone else. Hamilton said he does not want to lose any more employees, as the county Sheriff's Office now has the best staff ever.

Commissioner Taylor said he is concerned the Commission is micromanaging the Sheriff's Office, as Lute's budget is healthy and can cover the requested longevity funds. Taylor said Lutes and Hamilton are present to argue for their employees to retain them. He said he is in favor of granting the necessary funds for the longevity.

Commissioner Durgan said the discussion is about longevity, not base salary, as the longevity is part of the benefits, which are what retain county employees. Durgan said the county used to be a revolving door in the planning department and lost many employees in that department after training. Hamilton said sheriff's longevity in state law is a unique situation, as most entering law enforcement intend to make a career of it.

Commissioner Taylor made a motion to authorize Allen and Scott to talk to Lani (Hartung) and Jill (Ouellette) to arrange for the minimal amount or whatever it takes to restore the longevity to the deputies. Commissioner Durgan seconded that motion. Motion passed. Commissioner Malone voted in opposition to the motion.

@2:00 p.m., the meeting adjourned.

Commissioner Taylor made a motion to increase the pay line for current sworn deputies only on longevity by the minimum amount necessary to ensure longevity for this year. Commissioner Durgan seconded that motion. Motion passed. Commissioner Malone voted in opposition to the motion.

Sherriff Lutes said he appreciates the prompt action by the Commission on the matter to get it off the table.

@2:04:45 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

November 23, 2010

8:30 A.M. – Daily Correspondence/Agenda and Briefing on Current County Projects – Commissioners Chambers – Canceled

November 23, 2010

9:00 A.M. – County Road Updates – Commissioners Chambers – Commissioner Malone attended – No quorum of commissioners

November 23, 2010

Human Resources Updates

@9:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Jill Ouellette, HR. 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 evaluation from the community development department; job posting for a landfill equipment operator position; and change of status forms for an airport maintenance employee, road department employee and new Angel Line driver. Ouellette said a merit increase will come through for a YGM officer employee, the cell phone and computer use policy are being reviewed by the civil deputy county attorney, she attended a webinar on equal opportunity employment, and a final version has been distributed to the Commission for a community development director job description,

Ouellette said a group of employees has set up a fundraising event for a county coworker on payitforward.com, and she will send out an email blast to employees with county attorney permission.

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

November 23, 2010

12:30 P.M. – Airport Board – Best Western, Livingston, MT

November 23, 2010

1:30 P.M. – Review of Boulder River Waste Management Services – Commissioners Chambers – Canceled

November 23, 2010

5:00 P.M. – Museum Board – Yellowstone Gateway Museum

November 24, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

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

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

Correspondence included:

- Memo from Angel Line Chairman re. board member seat
- Memo from HR re. employee fundraiser
- Memo from county auditor re. quarterly examination of county books
- Memo re. Russ Miller parcel donation
- Memo re. MACo risk management conference
- Memo re. responsive janitorial bids
- Memo re. SWB applications
- Memo re. employee grievance lawsuit

Commissioner Durgan said the Stafford Animal Shelter expressed interest in conducting a rescue operation for multiple cats and dogs housed near Harvat's Flat. Durgan said he will discuss the issue with Stafford and the Sheriff's Office.

@9:03 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

November 24, 2010

Consider Decision on Mitchell Ranch Road Capital Improvements

@9:30 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Mike Inman, community development; Philip Fletcher, community development (via telephone); and Chuck Donovan, citizen.

The meeting was scheduled to consider a decision on Mitchell Ranch Road capital improvements.

Citizen Chuck Donovan said he contacted the Community Development Department Director about the need to address a Mitchell Ranch Road capital improvements clause by the first of December or it will expire due a Sunshine Clause. Donovan said the road extends from 9<sup>th</sup> Street to Meigs Road.

Commissioner Durgan made a motion to postpone the meeting until the county has time to look the clause over and determine what the Commission is to decide. Commissioner Malone seconded that motion. Motion passed.

@9:38:30 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

November 24, 2010

Review of RFQ for Update of Zia Report

@10:30 a.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 Courtney Lawellin, attorney. No public comment made.

The meeting was scheduled to review a Request for Qualifications (RFQ) for update of the Zia (solid waste management) Report.

Commissioners Durgan and Malone, Civil Deputy County Attorney Shannan Piccolo and Park County Concerned Citizens Attorney Courtney Lawellin discussed language each party would like to add to, omit from and revise in the draft RFQ.

@11:23:40 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

November 24, 2010

11:30 A.M. – Consider Decision on Cooke City Snow Removal Bids Contract – Commissioners Chambers – Canceled

November 24, 2010

Discussion of Designated Surveillance Area

@1:30 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Citizens Alan Redfield, Tom Lane, Rachel Kinkie, Sky Anderson, Jay Bailey, Rick Gibson, Sandy Rahn-Gibson, Roger Nelson and Tucker Nelson.

The meeting was scheduled to discuss a Designated Surveillance Area.

Citizen Jay Bailey said he asked for the meeting to discuss concerns and possibilities to stop the forward motion of a Department of Livestock rule that agency is intending to put into place.

Citizen Rachel Kinkie said there is a strong likelihood that draft legislation may ban or make difficult a Designated Surveillance Area, but a preliminary injunction may be the best tool to stop the Board of Livestock from making a decision on the surveillance area rule. Kinkie said she thinks citizens now have options since the Board of Livestock did not conduct a MEPA process.

There was discussion about implementing an injunction against the Department rule as a means to stop it.

@3:00 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

November 25, 2010

Thanksgiving Day Holiday – All offices closed

November 26, 2010

No meetings scheduled

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana