

Park County Commission Meeting Minutes
Week of November 8 – 12, 2010
Park County, Montana

November 8, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:31:36 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; Jill Ouellette, HR; 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 re. inclusive in-service project funding
- Citizen memo re. Silver Gate resort tax funds
- Citizen memo re. refuse assessment
- Memo re. Resolution #959 Chico Road abandonment
- Memo re. Nov 15 Weed meeting - To Commissioner Durgan for review
- Memo re. 9th Street Bridge application
- Memo re. Emergency Operation Plan emergency annexes
- Memo from floodplain administrator re. floodplain permit approval
- Memo re. John Hogenson certificate of liability insurance
- Memo re. Soda Butte Creek floodplain permit
- Memo from MACo re. DLI Serve

Commissioner Malone said a “No Trespassing” sign is placed on the county right-of-way on Old Yellowstone Trail South at the north end of Yankee Jim Canyon near a wooden arch over the county road. There was discussion the sign needs to be removed.

Road Supervisor Ed Hillman said the road crew will put a wider cattle guard on the West Boulder Road.

The Commission said it will split the cost of a metal detector with the Sheriff's Office.

Human Resources Analyst Jill Ouellette provided a confidential change of status form for an individual on the Family and Medical Leave Act. Ouellette said services are set for Wednesday, November 10 for a Park County employee who passed away November 5.

Executive Assistant Raea Morris said a citizen telephoned about a missing Miller Road sign.

@9:24:22 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

November 8, 2010

Signing of Contract with CTA for Construction Oversight of 9th Street Bridge Project

@10:03:14 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, community development; Lani Hartung, finance; Martha Miller, auditor; Kevin Feldman, CTA Engineering; Margot Aserlind and Amy Simpson, citizens; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a contract with CTA Engineering for construction oversight of the 9th Street Bridge Replacement Project.

Community Development Director Philip Fletcher said the contract was reviewed by the civil deputy county attorney. Kevin Feldman of CTA Engineering and Fletcher reviewed contract language with the Commission and discussed language additions. Fletcher said he thinks \$75,000 is a reasonable fee for CTA to charge for its administration services, but CTA's proposed fee is \$115,000.

Commissioner Durgan said rates were provided to the county by CTA and the county selected CTA as the oversight firm knowing those rates. Feldman said CTA usually charges eight percent for contract administration services for the City of Livingston, but the bridge project figure is higher at 10 percent because of cooperation CTA must maintain with the Federal Highway Administration (FHWA) throughout the project.

The Commission said Fletcher and Feldman will finalize contract language. Feldman said he will add a dollar breakdown of specific services to be performed.

Commissioner Durgan made a motion to sign the contract with CTA pending agreement between Feldman and Fletcher with FHWA concurrence. Commissioner Taylor seconded that motion. Motion passed.

@10:50:51 a.m., the meeting adjourned.

November 8, 2010

10:30 A.M. - Formal Award of Contract for 9th Street Bridge Project- Commissioners Chambers – Postponed to November 10

November 8, 2010

Review of Minutes for Week of November 1, 2010

@11:12 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 Commission meeting minutes for the Week of November 1, 2010.

Commissioner Durgan requested a revision to Page 4 of 10, noting a Bison Management meeting was rescheduled for December 7 and 8 at Chico Hot Springs.

Commissioner Malone requested a revision to Page 6 of 10, noting the correct spelling of Morgan and "Oswood."

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

@11:16:44 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

November 8, 2010

3:00 P.M. – Angel Line Board – East Room – Meeting minutes available in the Commission Office

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

November 9, 2010

7:30 A.M. - Job Service Employers Committee Meeting - Livingston Job Service – Commissioner Malone attended

November 9, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:38:12 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; Brett Linneweber, county attorney; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Fleshman Creek plan of work log
- Memo from RC&D re. November 10 meeting agenda
- Memo from Guardian Financial Services re. road designation as a county road
- Memo from DEQ re. Solid Waste Section Newsletter - To Solid Waste Board for review
- Memo re. Western Sustainability Exchange funding request
- Memo from MDT re. I-90 resurfacing
- Memo from sanitarian re. Board of Health appointment
- Memo from Airport Board re. Sagebrush Energy wind farm proposal
- Memo re. county balance sheet

Undersheriff Scott Hamilton asked whether the Commission has considered giving the Human Resources Department part-time help to wrap up the longevity issue. The Commission said it will discuss the issue with HR personnel at a 9:30 a.m. meeting.

Commissioner Malone said a resident near Carbella Bridge said he was told by a sheriff's deputy the deputy was to investigate people under or near the bridge at request of another resident who lived near the Carbella Bridge. Malone said he will discuss the issue further with the citizen.

County Attorney Brett Linneweber said he is reviewing a 9th Street Bridge contractor construction bid. He said he is awaiting a response to an Emigrant Census issue. Linneweber said he will address action to take on a Board of Health illegal septic system ruling.

@9:08:38 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

November 9, 2010
County Road Updates

@9:10:08 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; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said he and the county mechanic viewed trucks and pup trailers for sale in Bozeman. The Commission said it will discuss possible purchase with the finance director.

Hillman said seed has not come up at the reclaimed Mussetter's gravel pit.

Commissioner Durgan asked Hillman to review work done by a grader operator on Divide Road and whether washboards were cut out of that road.

@9:29:01 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

November 9, 2010

Human Resources Updates

@9:35:54 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, HR: Scott Hamilton, undersheriff; Martha Miller, auditor; Philip Fletcher, community development director; Raea Morris, executive assistant; 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 a change of status form for a promotion of a Sheriff's Office Deputy and an exit interview for a deputy who resigned.

Ouellette requested filing assistance from Commission Executive Assistant Raea Morris for a couple of hours a day over the next couple of weeks. Morris said she can find time to assist Ouellette. Ouellette asked the Commission for permission to work Tuesdays through Saturday for a couple of weeks in order to have one day without interruptions. The Commission said it does not have an issue with that request.

Ouellette said individual commissioners reviewed a Community Development Director Job Description and provided input. Ouellette said she will put together a personnel evaluation form for the Community Development Director for individual commissioner performance evaluation.

Ouellette said she is completing a county cell phone policy.

@9:52:34 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

November 9, 2010

Consider a Decision on a DNRC Easement Payment for 9th Street Bridge Project

@10:33:19 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, community development director; Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a decision on a Department of Natural Resources easement payment for the 9th Street Bridge Replacement Project.

Commissioner Malone said the state of Montana is requiring an approximate \$12,800 easement payment for an easement it owns underneath the Yellowstone River in order for the county to conduct the 9th Street Bridge Replacement Project.

Community Development Director Philip Fletcher said he has made all efforts on the matter to have the \$15,000 amount reduced by DNRC, and the figure was reduced to \$12,325.00, and it may behoove the county to accept the offer at this point in light of future negotiations it will have to conduct with the state on other projects.

Commissioner Durgan made a motion the county accept DNRC's offer of compromising settlement. Commissioner Taylor seconded that motion. Motion passed.

@10:57:05 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

November 9, 2010

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

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

2:00 P.M. - Weed Management Meeting - Livingston Forest Service Office – Postponed to November 15th

3:00 P.M. - Forum with Department of Livestock Regarding Brucellosis Designated Surveillance Areas - Park County Library – Commissioner Malone attended

3:00 P.M. – Board of Health – East Room – Meeting minutes available in the Commission Office

November 10, 2010

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:31:58 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; Ed Hillman, road; Lani Hartung, finance; Scott Nelson, CTA Engineering; 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 attorney re. Yellowstone View Condo meeting cancelation
- Memo re. December 2 Forest Highway Program meeting in Big Timber
- Memo re. October 2010 juror warrant list
- Memo from Airport Board re. FAA feasibility study for Sagebrush Energy
- Memo re. Oregon Valley Road

- Memo re. Ranching for Profit seminar
- Memo re. November 21 local vandalism dinner
- Memo re. CTA Bridge professional services invoice
- Memo re. national recycling day

Road Supervisor Ed Hillman said two road crewman will repair a plank on an Eight Mile Bridge this morning.

Finance Director Lani Hartung said she talked with the Federal Highway Administration on November 9 to answer financial questions, and FHWA reminded Park County federal highway appropriation money has not been received by Park County and there is a possibility Congress could reduce dollar amounts promised for the 9th Street Bridge Replacement Project.

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

November 10, 2010

Formal Award of Contract for 9th Street Bridge Replacement Project

@9:02:46 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Ed Hillman, road; Lani Hartung, finance; Martha Miller, auditor; Brett Linneweber, county attorney; Scott Nelson, CTA Engineering; Margot Aserlind, Ray Olson and Amy Simpson, citizens; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to award a contract for a 9th Street Bridge Replacement Project.

Commissioner Taylor said he has questions about the bid award and wants to receive legal advice and wait on a decision until he gets questions answered.

Commissioner Taylor made a motion to postpone a decision on the matter until Monday. Commissioner Malone seconded that motion. Motion passed.

@9:05:16 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

November 10, 2010

9:00 A.M. – Election Audit Committee – West Room – Canceled due to election recount

9:00 A.M. - County Employee Safety Tape Viewing - Community Room

November 10, 2010

Prioritize County Roads for Traffic Counter Studies and Capital Improvement Planning

@9:35:45 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Ed Hillman, road; Mike Inman, community development; William Smith, citizen; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to prioritize county roads for traffic counter studies and capital improvement planning.

Senior Planner Mike Inman and Road Supervisor Ed Hillman discussed the need for a protocol to determine what roads should get traffic counts. Inman said he needs to know the goals and objectives of the road department regarding road maintenance and traffic use to avoid duplication of efforts.

Hillman said high traffic roads are higher priority to him than high priority maintenance roads, which are school bus routes that may not receive as much traffic. Hillman said Rock Creek Road North is his highest priority road and he wants to prioritize high traffic roads to learn traffic volume to see if roads are correctly classified.

Inman said his department is looking for a list of roads and goals of the Road Department and Commission to combine information with a countywide capital improvements program to develop long-range planning issues. He said once the county can identify its roads usage and review road classifications and whether or not roads are deficient, it can potentially come up with impact fees for new development in the county. He said credible methodology and data is necessary for such an effort.

Inman said five years of data can show trends in traffic use, and needs of county roads will become more evident. He said the county's current effort on road issues stemming from traffic use is reactionary.

Inman said the Community Development Department will program the counters and train staff on use and coordinate counter locations prior to placement. There was discussion about capturing two weeks of traffic count data. Hillman said he and GIS/IT Manager Erica Hoffman will continue to map roads and road lengths and meet with Inman.

@9:59:03 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

November 10, 2010

10:30 A.M. – Discussion with MSU Extension Western Region Department Head and Review Extension Agent Salary and Benefit Partnership – Commissioners Chambers – Canceled due to memorial service

11:00 A.M. – Review/Consideration of Engineer Recommendations Regarding Condition 17 of the Yellowstone View Condominiums Major Subdivision – Commissioners Chambers – Canceled at request of client attorney

11:30 A.M. – RC&D and Economic Development Administration Meeting – Bozeman

1:30 P.M. – Consideration of Recommended Nominations for the City Parks Steering Committee – Commissioners Chambers – Canceled due to memorial service

6:30 P.M. – 4-H Lariat Meeting – East Room

November 11, 2010

Veteran's Day Holiday – All Offices Closed

November 12, 2010

No Meetings Scheduled

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana