

Park County Commission Meeting Minutes  
Week of February 1 – 5, 2010  
Park County, Montana

February 1, 2010

Review of Daily Correspondence and Agenda

@8:30 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 sanitarian re. fairgrounds sewer system PER – To Commissioner Durgan for review
- Memo re. February 11 brucellosis meeting 12:30 p.m. to 3:30 p.m. in Helena
- Memo re. TSEP workshop
- Invoice from Hogenson Construction re. Falls Creek Road
- Memo from undersheriff re. county gas cards at Town Pump
- Memo re. Council on Aging – To Commissioner Taylor for review
- Yellowstone View Condominiums findings of fact – To file
- Memo from Octagon Engineering re. Douglass Chandler proposal – To file
- Army Corps of Engineers permit re. 9<sup>th</sup> Street Bridge Replacement project
- Memo from Citizen Edwin Johnson re. Solid Waste Board issue – To Taylor for review

Commissioner Malone said he will attend a video conferencing with Senator Tester's office with Sanitarian Barbara Woodbury and Interim Museum Director Paul Shea.

@8:39:30 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 1, 2010

Review of Minutes for Week of January 18 and 25, 2010

@9:45 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 approve minutes for the Weeks of January 18 and 25, 2010.

Reviewing meeting minutes for the Week of January 18, 2010, Commissioner Durgan requested a revision to Page 15 of 20; second paragraph, the first sentence should read, "The applicant and Commission agreed to final amended language for Condition #17 as follows..."

Commissioner Taylor requested a revision to Page 17 of 20 noting the correct spelling of Golden Age "Village."

Commissioner Malone requested a revision to Page 2 of 20; fourth paragraph, the second sentence should read, "Malone said the intent of the committee is not to exhaust Nittany Grantworks' contract hours and ensure grants are appropriately filed with the clerk and recorder."

Commissioner Durgan made a motion to approve the minutes for the Week of January 18, 2010 as amended. Commissioner Taylor seconded that motion. Motion passed.

@10:32:14 a.m., the meeting recessed for scheduling purposes. @10:56:29 a.m., the meeting reconvened.

Reviewing meeting minutes for the Week of January 25, 2010, Commissioner Taylor requested a revision to Page 2 of 18; third paragraph, the first sentence should read, "Finance Director Lani Hartung said the building pop machine fund funding the employee of the quarter award is currently in the hole and the Commission may need to look into that fund."

Commissioner Durgan requested a revision to Page 13 of 18, a bulleted item should read, "Memo re. February 4 juvenile detention board conference call at 10:00 a.m."

Commissioner Malone requested a revision to Page 4 of 18; a sentence should read, "Commissioner Durgan reported on a January 25 informational meeting with the Montana Stockgrowers in Emigrant regarding the cattle/bison brucellosis issue." In the Road Updates meeting, a sentence should read, "Road Supervisor Ed Hillman said a pup trailer is being fixed in the shop, and Caterpillar continues ongoing grader engine replacement under recall." On Page 5 of 18; fourth paragraph, the second sentence should read, "She said she addressed an issue with refuse trucks not operating in extreme low temperatures." On Page 10 of 18; first paragraph, the last sentence should read, "Smith said Paul Buford now works and will hold the responsibility to pay the lot fees." On Page 12 of 18; fourth paragraph, the second sentence should read, "Linneweber said MACo is displeased with the amount of telephone calls and partial picture it is receiving from Park County and negotiators about the longevity pay issue."

Commissioner Taylor made a motion to accept the minutes for the Week of January 25 with corrections made. Commissioner Durgan seconded that motion. Motion passed.

@11:05:26 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 1, 2010

Signing of J&H Contract for Equipment Maintenance

@10:32:16 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; Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a contract with J&H for equipment maintenance.

Civil Deputy County Attorney Shannan Piccolo said the proposed contract is for the copy machine in the Clerk and Recorder's Office and includes a 30-day termination clause for the county and J & H. Commissioner Malone said the contract cost is for 2.3 cents per copy.

Commissioner Taylor made a motion to accept the contract. Commissioner Durgan seconded that motion. Motion passed.

@10:38:16 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

February 1, 2010

Discussion of GIS/IT Department Updates and Changes

@11:32:17 a.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were GIS/IT Manager Marc Richards; Erica Hoffman, GIS/IT; Jill Ouellette, HR; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss GIS/IT Department updates and changes.

GIS/IT Manager Marc Richards provided the Commission with an update of GIS/IT Department projects and a summary report of five talking points including reviewing Granite Enterprise's role; restructuring the GIS/IT Department; projects for next year; updates on the phone system; and other projects.

Richards said the county could possibly reduce Granite Enterprise's role to a minimum and hire an IT technician position, possibly at three-quarter time. Richards said he is comfortable with either option. Richards said he has received more citizen complaints with the county's GIS services, and he would like to have Erica Hoffman serve as the county's main GIS program contact and the backup IT professional. In prioritizing projects for next fiscal year, Richards said he recommends installing a switch in the janitor's closet for CAT 5 cable, which may cost \$10,000.

Richards said he will schedule a follow-up meeting on issues presented today. Commissioner Taylor said the Commission could consider hiring another IT specialist if finances are available with reducing Granite's contract amount.

@12:06:37 p.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

#### February 1, 2010

##### Litigation Strategy for Rom v. Hanser

@2:04:39 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 for Rom v. Hanser.

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

@2:30:02 p.m., the meeting adjourned.

#### February 2, 2010

8:30 A.M. – Review of Daily Correspondence and Agenda – Commissioners Chambers – Canceled due to Commissioners schedule

9:00 A.M. – Interagency Bison Management Plan Committee Meeting – Fish, Wildlife & Parks Office, Bozeman, MT – Commissioner Malone attended

1:00 P.M. – Montana Water Trust Conference Call – Commissioner Durgan participated

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

#### February 2, 2010

##### Discussion of Paradise/Shields Valley TV District and Myers Site Tower

@2:31:16 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; Raea Morris, executive assistant; Jeff Tong, Bridger Communications; Bill Burckhard, consulting engineer; TV District Board Members Billie Kaye Harms, Robert Queen, Stewart Sites, Thomas Serrazin, and Genevieve Essig; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a Paradise/Shields Valley TV District and Myers Site tower issue.

TV District Board Member Billie Kaye Harms said the Paradise and Shields Valleys TV Districts have concern with a public safety tower erected on Paradise Valley and Shields Valley TV District property. Commissioner Malone read into the record a summary of a letter outlining the history of installation of a radio tower on the Myer's Flat site, which included an upheld appeal to the Supreme Court regarding a judge's condemnation of property at the Myer's Flat site for \$65,000 paid by the TV District.

Commissioner Durgan said the Commission's legal counsel advised the Commission it had legal access to the Myers property when opportunity presented itself from a Homeland Security Grant through Interoperability Montana. Durgan said the Commission acted in good faith on information it received, and the tower belongs to the county and sits on county ground. Jeff Tong of Bridger Communications said the state put in 25 or 30 of the towers with Homeland Security funds to connect all emergency services in the state of Montana and then turned over ownership of the towers to counties for maintenance. Tong said the Myers site is the only site that any emergency service can talk on throughout the county.

Consulting Engineer Bill Burckhard said probability of interference with TV District towers is unlikely. Tong said there have been few instances where public safety towers interfere with television signals and usually the last repeater installed in a site is assumed to be the responsible party for interference and is responsible for mitigating it.

Harms said the board's number-one concern is ensuring people have television and her concern is interference when full power is turned on to the site. Malone said the TV District expended \$65,000 to obtain the Myer's Flat radio site, and it can ask for that money back if it wishes. Malone said the TV District is clear from property liability issues regarding the county's use of the property for radio towers and the county would have to address any landowner complaint the site is being used for more than agreed upon. Malone said the board can present the Commission with a letter of parameters of what the board wants for the site.

Harms said she thinks the board should be notified out of respect before such actions are taken by the county. She said the board questions why it exists if the Commission can do things without first conferring with it.

@3:17:57 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 2, 2010  
City/County Meeting

@4:02:10 p.m., County Commissioner Jim Durgan called a meeting to order in the Community Room of the City/County Complex. County Commissioners Durgan and

Malone were present. City Commissioners Rick VanAken and James Bennett were present. Also present were Ed Meece, city manager; Shannan Piccolo, civil deputy county attorney; Josh Pierce, Livingston Fire Department; Camden Easterling, Livingston Enterprise; Kevin Funk, citizen; and Commission Minutes Clerk John Mueller.

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

Recycling Containers at Livingston Public Works: City Manager Ed Meece said Assistant Public Works Director Sandy Wulf said the city added an extra roll off recycling container at the city transfer station to handle increased volume of recyclables after adding the county's recyclables to its services. Meece asked the county if it can participate in the cost of the additional container at \$200 per month. Malone asked Meece for a written proposal on the matter.

Update on Senior Center Rehabilitation Project: City Commissioner Rick VanAken provided a copy of the minutes and progress report from the January 19, 2010 Senior Center rehab project walk-through. VanAken said lead paint abatement has been an ongoing issue, a few work change orders have been made and some original work order items have been removed. Van Aken said the hope is to get the Thrift store opened by the first of March to generate revenue, and project funds remain a concern.

Solid Waste Fees/Update: Commissioner Malone said the county will soon publish a brochure of county solid waste fees and operating hours. Malone said the county is going to change county landfill dumping fees to \$55 for all city and county residents, and County Transfer Station Manager Richard Wright took over management of the landfill as of the February 1 retirement date of Landfill Manager Lois Hatfield. Malone said the county is looking at capping a portion of the Class II landfill cell with no more incinerator ash to dispose of, and glass recycling in outlying county areas remains an issue. He said the county is still considering taking trash to city landfill and is looking at all options to reduce costs. He said the landfill is accepting metal waste for recycling at no charge. Meece said the city would like to be involved in the county's solid waste handling discussions and consideration when the county's Envirocon contract expires this spring.

Additional Open Business: Malone said CTA Engineering held a bid walk-through today for the 9<sup>th</sup> Street Bridge project. He said the plan is to open bids on February 10 in the a.m. and the goal is to have the new bridge installed before spring high water. Malone said the bridge will have a 14-foot driving lane, an isolated 3-foot pedestrian lane, and double lane bridge approaches. Malone said the city and county will need to discuss 9<sup>th</sup> Street and River Drive public safety and traffic issues with city and county law enforcement services regarding bridge work. Meece said the city commission will consider an easement authorization for the project at its February 16 meeting.

Meece said the city received a request from Commissioner Spanning to restart the EMS Committee. Commissioner Durgan said he updated Firefighter Kevin Herrington about the history of that committee's past participants.

Meece said the city would like to turn the hallway to the Sheriff's Office into a public display area for KPRK bridge, FEMA flood maps, 9<sup>th</sup> Street Bridge and other ongoing project materials. Meece said the city will pay for that effort.

Malone said the county has a proposal to install a projector in the community room for meeting presentations. He said he would like to change light switches to create better lighting for presentations, and emergency services funds can be used for the project since the room serves as the county's EMS Center.

Public Comment: Livingston Fire Fighter Josh Pierce asked whether access across the 9<sup>th</sup> Street Bridge would be prohibited at any time during the replacement project. Malone said anything on the temporary bridge will be mobile in order for emergency services to access the island. Malone said perhaps the fire department can supply the contractor with a radio to increase mobile response time.

Citizen Kevin Funk asked if the city and county decided on hooking the fairgrounds into the city sewer system. Durgan said the Commission was looking into piggybacking a sewer system onto a Fleshman Creek restoration project, but that project is taking longer than predicted. He said the Commission authorized an engineering study to determine how much money it will cost to install a fairgrounds sewer system and is talking to the city of Livingston and the country club to possibly join in the effort. Durgan said the entire effort would be a full-scale project that is not yet designed or planned. He said the best long-range plan is to go with the city sewer for the fairgrounds. Meece said there is no political issue with the effort and it is an engineering issue at this point.

@4:56:46 p.m., the meeting adjourned.

#### February 2, 2010

4:00 P.M. – TV District Board Meeting – West Room

#### February 3, 2010

##### Review of Daily Correspondence and Agenda

@8:38:20 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 Airport Board re. geotechnical design report
- Memo from NPS re. scoping period for winter use plan and EIS

- Memo re. citizen public information request
- Park County weed board agenda - To Commissioner Durgan for review
- Memo from treasurer re. county balance sheet
- Memo re. Myers Flat tower site manager
- Memo re. Native American and Repatriation Act - To commissioners for review
- Memo re. February 3 Parks and Recreation Board agenda
- Memo from auditor re. quarterly/semi-annual financial report
- Memo from auditor re. review of justice court per MCA
- Memo re. February 4 special museum board meeting agenda
- Memo re. Community Trust Incorporated meeting minutes - To Commissioner Malone for review
- Memo from clerk and recorder re. oath of office for individuals on county boards - To executive assistant for action
- Citizen memo re. lawsuit against 9<sup>th</sup> Street Island Bridge Replacement project
- Memo re. alcohol license transfer for Two Bit Saloon
- Memo re. Spring 2010 TSEP funding webinar - To planning director for review
- Memo from Correctional Risk Services Incorporated re. jail camera system
- Memo re. February 4 JSEC workshop
- Memo re. Gardiner Sewer District citizen easement agreement
- Memo from DES Coordinator re. earthquake safety training
- Project manuals and design for 9<sup>th</sup> Street Bridge Replacement project

Commissioner Malone said he spoke with a CTA Engineering representative about funds for the 9<sup>th</sup> Street Bridge project and will discuss that issue with Montana Department of Transportation. He said the project bid deadline may possibly be extended.

Malone reported on an Interagency Bison Management Plan meeting he attended on February 2 in Bozeman. Civil Deputy County Attorney Shannan Piccolo said she will review the court order for the plan.

Commissioner Durgan reported on a Montana Water Trust conference call he participated in on February 2. Durgan said he will resign from that board because it does not have interest outside of Clark Fork Watershed.

Commissioner Taylor reported on a February 2 Senior Citizens Center rehabilitation project walk-through.

@9:15:45 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 3, 2010  
Road Updates

@9:16:47 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; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman provided the Commission with a to-date summary of the road and bridge department budget. The Commission reviewed that budget summary.

Hillman asked about a gravel contract with Steve Koontz. There was discussion about storage of millings the county may receive from MDT. Hillman said he would like to put millings on Swingley Road to the Livingston Peak road and Meigs Road from the oil to the end of the road. He said the county needs to address Shields River Road this year.

@9:36:17 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

February 3, 2010  
Human Resource Updates

@9:41:47 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 presented the Commission with employee change of status forms for signature. Ouellette said an Angel Line driver was hired on February 1 and an individual was hired for a clerk and recorder position to start February 16. Ouellette said she addressed delinquent MPERA bills, the employee of the quarter sign was removed instead of turned around, union negotiations took place on January 26 and it appears a tentative agreement for the sheriff's office will be signed soon, but road and bridge department wage issue remain. Ouellette said she addressed a FLEX payment issue with the accounting department, will submit an anonymous employee complaint to the county attorney for review, and the Park County Community Foundation requested an insert in employee paychecks to research an earned income credit. The Commission said Ouellette can include that mailer. Ouellette said a Valient Insurance representative will continue to visit the courthouse to field insurance questions.

@9:56:33 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 3, 2010

Signing of Agreement with City of Livingston and Park County for Culvert Maintenance

@10:02:54 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; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign an agreement with the City of Livingston for culvert maintenance.

Commissioner Malone said Montana Code Annotated requires the county board of commissioners to construct and maintain culverts and bridges in the county, and the county and city of Livingston determined it is more economically efficient for the city to clean culverts in the city. Malone said the proposed interlocal agreement with the city of Livingston is to maintain all culverts within the city limits for \$1,000 per month.

Commissioner Durgan made a motion to accept the interlocal agreement. Commissioner Taylor seconded that motion. Motion passed.

@10:06:28 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 3, 2010

Approval of By-Laws for Grants Review Committee

@10:35:46 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Martha Miller, auditor; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to approve Grants Review Committee by-laws.

Grants Review Committee Member Martha Miller presented the Commission with draft Grants Review Subcommittee by-laws for review.

Commissioner Taylor made a motion to accept the Grants Review Committees by-laws as presented. Commissioner Durgan seconded that motion. Motion passed.

@10:45:21 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

February 3, 2010

Discussion of a Park County Economic Development Plan Policy

@1:31:08 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Chris Mehus and Chuck Egan of Beartooth RC&D Area, Inc.; Sarah Hamlen, MSU Extension; Zanya Bethey and Zack Medina of Livingston Job Service; Stuart R. Leidner of Prospera Business Network; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a Park County economic development plan policy.

Commissioner Malone said the Commission requested the meeting to address a Park County revolving loan fund formerly managed by two different groups that has been inactive for four years. Malone said Park County needs to learn whether it can handle the entire revolving loan fund effort itself, take on the marketing element, or needs help from outside resources. Planning Director Philip Fletcher said he is interested in expanding the role of the planning department to include community development, and resources and grant opportunities exist for economic and public facilities development.

Chris Mehus of Beartooth RC&D Area, Inc. said that agency has \$2.3 million to lend in a five-county area including Bighorn, Carbon, Stillwater, Sweetgrass and Yellowstone counties. He said a revolving loan fund really is not self sustaining until it reaches about \$3 million. Mehus said the Beartooth's loan fund was first marketed as a low-interest, small business-friendly loan fund, but the agency now mostly administers partner loans from bank referrals. Mehus said Beartooth RC&D Area, Inc. could be a candidate in administering Park County's revolving loan fund to get it to a level where Park County can manage it itself. Mehus said his organization would look at outstanding accounts and likely come up with an administration agreement to provide for collection of loans and marketing efforts, and expects establishment of a local loan committee comprised of a banker or two is necessary to review loans. Mehus said he recommends using the SPAC and USDA loan programs as partners, and he strongly recommends the city of Livingston and Park County join efforts and funds if the county decides to use assistance of a sub-recipient.

Commissioner Durgan said local businesses need a source of funding to stay afloat in the poor economic times because they are having trouble obtaining loans from local banks. Durgan said the Commission owes it to county citizens to help local businesses remain afloat.

Sarah Hamlen of MSU Extension said she feels educating businesses benefits and has a place with the revolving loan program, and Park County can partner with existing outreach efforts or create new ones.

Stuart Leidner of Prospera Business Network said Prospera's administrative assistance services mirror those of the Beartooth RC&D Area, Inc.'s.

Fletcher said he set a personal timeline of a week before an informal subcommittee including the city and commissioners would begin reviewing loan fund applications after retaining a sub-recipient organization. Fletcher said Mehus and Leidner should submit a written proposal to the county within the next week outlining administrative services their agencies could provide.

@2:17:54 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

February 3, 2010

3:00 P.M. – Parks and Recreation Board – West Room – Meeting minutes available at [www.parkcounty.org](http://www.parkcounty.org) and in the Planning Department

February 3, 2010

Discussion with Concerned Citizens Concerning Green Box Sites

@3:30 p.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, executive assistant; Shannan Piccolo, civil deputy county attorney; Citizens Jim Taylor, Courtney Lawellin, Lorayne Stermitz, Jim Stermitz, Dick Juhnke, Jim Hunt, Bill Moser and Frank Rigler; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss green box sites with the Park County Concerned Citizens.

Commissioner Malone said the Park County Concerned Citizens have a settlement agreement with and injunction against the county. Malone said the Commission is considering changing the landfill operation hours to Tuesday through Saturday with operating hours from 8 a.m. to 4 p.m.; changing landfill dumping fees to \$55 per ton for all citizens within Park County; and changing the transfer station dumping fee to \$55 per ton to maintain uniform rates. Malone said the Commission is also considering permanently closing the Corwin Springs green box site.

Attorney Courtney Lawellin said the Park County Concerned Citizens would like the Commission to at least ask the Park County Solid Waste Board (SWB) to make the decision to change landfill dumping fees. Lawellin said the Commission has the right to veto the SWB's decision. SWB Member Dick Juhnke said the SWB voted to set landfill rates at \$49 per ton at its January 21, 2009 meeting. Lawellin said the Concerned Citizens do not have a problem with closing the landfill an additional day a week, but has concerns about closing on Mondays after reviewing six months of landfill revenue reports. She said the Concerned Citizens are not opposed to changing the landfill days of operation but would like the Commission to defer to the SWB to make the decision on the landfill schedule with the right to veto the SWB's decision.

Lawellin said the Commission's request is to close the Corwin Springs site states the county does not have a lease or easement to access the site and the county cannot access the site per the landowner's request. Lawellin said the Concerned Citizens would like the Commission to look for another suitable green box site in the Corwin Springs area for 90 days before closing the Corwin Springs site.

Citizen William Smith said the Church Universal and Triumphant would like to open a line of discussion on the Corwin Springs green site within the 90-day requested period. Smith said it would substantially increase the church's costs if it had to move its garbage to Gardiner or Carbella. Commissioner Malone said the site has a gate issue and the gates must be closed to make the site bear proof, which would have to be taken up with the Concerned Citizens. Malone said the Commission needs to reserve the right to close green box sites because of bears to address public health and safety reasons.

SWB Member Bill Moser said there is no economic benefit to Park County to close the Corwin Springs green box site. Moser said it appears to be a preference to close all but three of four of the green box sites across the county. Moser said the county could install a card lock pass system at green box gates far cheaper than closing sites one at a time until most are gone. He said Corwin Springs has 159 houses or businesses that supply the green box site, per county GIS data. Moser said the original idea was to have many county green box sites to continually feed the county incinerator and the county now needs to look at legitimate and not wishful ways to reduce costs, which could include doubling up on load units per truck trip. Moser said an undetected tax is put on citizens in an area when their green box site is removed.

Citizen Jim Hunt said the Commission should have a meeting with the citizens in an area before it arbitrarily decides to do something, such as close a green box site, which was the concept of the injunction.

Citizen Lorayne Stermitz said Cinnabar residents use the Corwin Springs green box site.

Malone said the Commission will agree to the 90-day period regarding the proposed closure of the Corwin Springs green box site, but wants the option to close the site for bears with a posted sign. Malone said the Commission needs a decision on the proposed \$55 dumping fees as soon as possible in order to print refuse services pamphlets.

@4:19:31 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 4, 2010

Review of Daily Correspondence and Agenda

@8:34:53 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 DES Coordinator re. safety advisory committee meeting minutes
- Memo re. HOME grant HUD regulations
- Memo re. Preservation 365 course - To interim museum director for review
- Memo from SWB chair re. February 9 special meeting
- Memo from city manager re. city cooperation with county solid waste efforts - To Commissioner Taylor for review
- Memo re. Secure Rural Schools funding for search and rescue services - To SAR Coordinator for review
- Memo from Minutes Clerk re. computer replacement request
- Memo re. US Forest Service EIS for Knutson-Callan family transfer
- Brochure re. desert mountain road maintenance
- Citizen public information request

Commission Executive Assistant Raea Morris said a Solid Waste Board member requested refuse tag information and special 2011 tags identifying commercial accounts.

The Commission asked Morris to ask the DES Coordinator to contact 9<sup>th</sup> Street Island residents about a delay in the bridge replacement project.

@8:54:35 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 4, 2010

Discussion of Burn Permits with IT Department

@9:29:31 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; Shannan Piccolo, civil deputy county attorney; Marc Richards, GIS/IT; Bob Fry, fire warden; Greg Coleman, Paradise Valley Fire; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss burn permits with the IT Department.

There was discussion about a proposed online burn permitting system.

@9:31:19 a.m., Commissioner Malone recessed the meeting for a scheduled 9:30 a.m. meeting. @9:40:06 a.m., the meeting reconvened.

Malone said he still has questions about the online burn permit proposal, and he is not ready to say “yes” or “no” to the proposal. Commissioner Durgan said a citizen in the Shields Valley had concerns about how the system would be set up. Malone said he and

GIS/IT Manager Marc Richards will call Helena to learn more about the program. Fire Warden Bob Fry said March 1 is the only timeline the proposal currently faces.

@10:02:09 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 4, 2010

Signing of Agreement Addendum for Professional IT Support Services with Granite TCS

@9:32:02 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, executive assistant; Shannan Piccolo, civil deputy county attorney; Marc Richards, GIS/IT; Betsy Taduch and Bill Procnier of Granite TCS, Inc.; Liz Sugina, IT contractor; Bob Fry, fire warden; Greg Coleman, Paradise Valley Fire; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign an addendum to an agreement for professional IT support services from Granite TCS.

GIS/IT Manager Marc Richards said the proposed addendum would make Granite TCS services available afterhours at department heads' request in the event Richards is not available to correct IT or computer issues. Richards said department heads need to realize it is more expensive to use Granite's services, and standard procedure has been to first call Richards for service.

Commissioner Durgan made a motion to accept a contract addendum between Granite TCS and Park County. Commissioner Malone seconded that motion. Motion passed.

@9:35:01 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 4, 2010

Personnel Meeting

@10:03:18 a.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; Jill Ouellette, human resources; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to address a personnel issue.

GIS/IT Manager Marc Richards requested the meeting close to the public. Commissioner Taylor made a motion to close the meeting to the public. Commissioner Durgan seconded that motion. The meeting closed.

@10:40 a.m., the meeting adjourned.

February 4, 2010

Discussion of FY 2011 Appropriations with Representative Rehberg's Office

@11:05:15 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 director; Maren Olsen, Representative Rehberg's Office; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss 2011 appropriations with Representative Rehberg's office.

Commissioner Malone said the county is looking into whether it can pay for the 9<sup>th</sup> Street Bridge Replacement project and be reimbursed by the appropriated stimulus funds in order to construct the bridge in spring 2010. Commissioner Durgan said the county may have to cancel bridge bidding after the Montana Department of Transportation (MDT) informed the Commission on February 3 all funding approval would have to go through MDT.

Planning Director Philip Fletcher said the county is looking to address three public safety issues involving capital expenditures. 1) Estimated \$8,000 to \$10,000 upgrades, improvements and expansion to a public shooting range owned by Park County and shared with the Montana Highway Patrol, Park County Sheriff's Office, Livingston Police Department and Montana Fish, Wildlife and Parks enforcement officials; 2) Estimated \$100,000 to \$200,000 for an interagency, secure emergency operations center and search and rescue facility in Cooke City; and 3) \$8 million to \$10 million for a regional detention/justice center for Park County, Sweetgrass County, and the National Park Service to address Park County's current jail situation that pose numerous potential violations, including overcrowding. Fletcher said he will have all appropriations detailed on appropriate forms before the March 1 deadline.

Commissioner Taylor said the Yellowstone Gateway Museum needs to upgrade infrastructure, specifically with a new heating, ventilation and air conditioning system at an estimated cost of \$360,000. Taylor said the museum submitted a grant for \$260,000 but has not heard back on that. He said the museum also seeks infrastructure improvements to bring the building into American Disabilities Act compliance at an estimated cost of \$150,000.

Commissioner Malone said he thinks it is time for Congress to make Payment in Lieu of Taxes (PILT) funding permanent. Malone said the federal government is a large landowner in Park County and that impacts the county sheriff's office and roads. He said by necessity the county uses PILT funds for at least 25 percent of the road and bridge, law enforcement, planning department and economic development program budgets.

In other discussion, Malone said a Cooke City water system is in, and the community is building a community center. He said a sewer system is needed in Cooke City at an estimated cost of \$5 million.

Commissioner Durgan said existing buildings at the Park County Fairgrounds have inadequate septic systems due to a high water table, and two new buildings recently erected have bathrooms that cannot be used because construction of new septic systems is not permitted in the floodplain. Durgan said the fairgrounds need a sewer system and the Commission was looking into piggybacking a sewer system onto a Fleshman Creek restoration project, but that project is taking longer than predicted. He said the Commission authorized an engineering study to determine how much money it will cost to install a fairgrounds sewer system and is talking to the city of Livingston and the country club to possibly join in the effort. Durgan said the fairgrounds system would need a lift station and the Commission needs funding for the project beyond the engineering study.

Maren Olsen of Representative Rehberg's office said she will submit the Commission's appropriations requests to Representative Rehberg.

@11:51:41 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

#### February 4, 2010

1:00 P.M. – RC&D Meeting – Montana Farm Bureau – Bozeman, MT – Commissioner Durgan attended

#### February 5, 2010

##### Review of Daily Correspondence and Agenda

@9:21:50 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone 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. Forest Service forest and grassland EIS changes
- Memo re. Feb 9 JSEC meeting - To Commissioner Malone for review
- Memo from Montana Water Trust re. Clark Fork Coalition positions
- Memo from Paradise Valley TV District re. Myer's Flat radio site electricity costs
- Memo from RC&D re. position changes - To Commissioner Durgan for review
- Memo re. February 11 Economic Affairs Interim Committee meeting for Brucellosis Designated Surveillance Area - To Commissioner Durgan for review
- Memo from MT DEQ re. landfill gas monitoring plan approval
- Invoice from Attorney Susan Swimley re. Gardiner Sewer transfer
- Memo re. beer and wine license for Gardiner K Bar

- Memo from Montana FWP re. project funding
- Memo from county auditor re. semi-annual report for sheriff's office accounts

Commissioner Durgan reported on a February 4 RC&D meeting he attended in Bozeman.

@9:45:29 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 5, 2010

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

February 5, 2010

Review Property Insurance Evaluations/Stewardship

@10:02:45 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Dan Gutebier, Swanson-Leavitt Insurance; Martha Miller, auditor; Marilyn Hartley, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review county property insurance evaluations and Swanson-Leavitt stewardship efforts.

Dan Gutebier of Swanson-Leavitt Insurance provided the Commission with a report of county buildings insured on the county's current policy. The Commission reviewed the report to determine whether buildings are insured at an appropriate dollar amount. Gutebier presented the Commission with a Swanson-Leavitt stewardship report detailing actions and services Swanson-Leavitt undertakes on behalf of Park County.

@11:47:28 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 5, 2010

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

February 5, 2010

Discussion Concerning 9<sup>th</sup> Street Island Bridge Project Delay

@2:00:22 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; Philip Fletcher, planning; Barbara Woodbury, sanitarian; Belinda Van Nurden, DES Coordinator; Jeannette Blank, Oasis Environmental; Citizens Shawn and Anne Hansard, Anna Cleek, Jane Ann Morris, Ray

Olson, Mary Lennan, Margot Aserlind, Amy Simpson, and Dale Matilda; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss a 9<sup>th</sup> Street Island Bridge Replacement Project delay.

Commissioner Malone said the 9<sup>th</sup> Street Bridge Replacement Project has hit a delay after the Commission learned from the Montana Department of Transportation (MDT) on February 2 that MDT must federalize and administer the appropriated funds because those funds were appropriated through the Federal Highway Administration. Malone said all permitting has been completed except for one permit, but the Commission has been advised by MDT to pull all bids and the likelihood of installation of the new 9<sup>th</sup> Street Bridge this spring is not good. Malone said the funds for the replacement project have been awarded to Park County and are not in jeopardy of being lost, but Park County was informed it may not receive those funds if it goes forward with the project after MDT advised it to delay. Malone said the project consulting engineer has concern a contractor would be put at some disadvantage and may charge an exorbitant rate should the delay hurry him to complete the project before spring high water.

Malone said the Commission will attend a public meeting with the MDT and Federal Highway Administration at the Montana Department of Transportation District Administration Building on Rouse Avenue in Bozeman on February 10 at 1:30 p.m. to learn where the project will go from this point.

Malone opened the floor to public comment.

Jeannette Blank of Oasis Environmental said no money has been wasted to this point in the project regarding permitting and contracted engineering services, the project is merely delayed.

@2:26:52 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

February 5, 2010

3:30 P.M. – Career Workforce Community Training Meeting – Bozeman Public Library, Bozeman, MT

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana