

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

March 8, 2010

Review Daily Correspondence & Agenda

@8:34:21 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Raea Morris, executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo re. Park County maintenance work request
- Memo re. March 16 Yellowstone Country meeting
- Memo from Granite Enterprises re. Community Room projector
- Memo re. cooperative weed management - To Commissioner Durgan for review
- Memo from Roscoe Bridge re. bridge leasing
- Citizen memo re. Mt. Baldy and Felix Lane potholes
- Memo re. Carbella Bridge listing on historical registrar
- Memo re. March 9 JSEC meeting - To Commissioner Malone for review
- Memo from Jerry Brekke re. historical research services invoice
- Legal advice to Commission from civil deputy county attorney
- Memo from planning director re. Eagle's Bluff Subdivision opinion

Executive Assistant Raea Morris said Sanitarian Barbara Woodbury will conduct a meeting about a proposed Cooke City sewer system on March 12 at 1:00 p.m. and requested Commissioner Malone attend.

Commissioner Taylor said he toured the county road shop at 7:00 a.m. on March 5.

@8:53:13 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 8, 2010

Review Meeting Minutes for Weeks of February 15 & 22 and March 1, 2010

@9:56:53 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.

Reviewing meeting minutes for the Week of February 15, 2010, Commissioner Taylor requested a revision to Page 5 of 14; fourth paragraph, the last sentence should read, "The Commission and Hillman reviewed and reclassified the list of county roads and changes will be published at a later date."

Commissioner Malone requested a revision to Page 3 of 14; second paragraph, the second sentence should read, "County Attorney Brett Linneweber said claiming three meals in one day is more appropriate for a work day that starts at 4:00 a.m. and ends at 10:00 p.m." On Page 6 of 14; first paragraph the third full sentence should read, "Hartung said the county could put on a \$12 million bond levy, and the high school needs a minimum of \$7 million for a new roof and deferred maintenance issues and up to \$14 million to remodel the current building."

Commissioner Taylor made a motion to approve the minutes for the Week of February 15, 2010 as corrected. Commissioner Durgan seconded that motion. Motion passed.

Reviewing meeting minutes for the Week of February 22, 2010, Commissioner Durgan made a motion to approve the minutes for the Week of February 22, 2010. Commissioner Taylor seconded that motion. Motion passed.

Reviewing meeting minutes for the Week of March 1, 2010, Durgan requested a revision to Page 4 of 16; second to last paragraph, the third sentence should read, "O'Connor said he suggests the county stop ditching the side of the road against the bank to provide another foot of road."

Commissioner Taylor made a motion to approve the minutes for the Week of March 1, 2010 as corrected. Commissioner Durgan seconded that motion. Motion passed.

@10:04:44 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 8, 2010

Signing of Resolution for Establishing a 2010 Fire Season

@10:16:04 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 a resolution to establish a 2010 fire season.

Commissioner Malone said the Commission is permitted to establish a fire season per MCA 7-33-2205 and the 2010 fire season will run from March 1 to August 31, 2010.

Commissioner Taylor made a motion to sign Resolution #1076, Establishment of a Fire Season for the 2010 Season. Commissioner Durgan seconded that motion. Motion passed.

@10:17:20 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 8, 2010

Decision on Engineering Firm for Professional Engineering Report for Fairgrounds Sewer Project

@10:30:52 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Barbara Woodbury, sanitarian; Wendy Wood, Search and Rescue; Scott Nelson, CTA Engineering; Kim Knutson, fair manager; Mike Adams and Ed Flatt, fair board; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to decide on an engineering firm for a professional engineering report for a fairgrounds sewer project.

Sanitarian Barbara Woodbury said the fair board is interested in going forward with a proposed fairgrounds sewer project after meeting with Woodbury and Commissioner Durgan. Woodbury said the fairgrounds is in a desperate situation now and cannot wait several years to remedy its sewer issues. Durgan said an interim system or phasing of a comprehensive sewer system is needed to solve current fairgrounds sewer problems.

Scott Nelson of CTA Engineering said he spoke with the city of Livingston about a central lift station for St. Mary's School, Sleeping Giant Middle School, the school bus barn, football field, S Bar S Trailer Park, Park High School and the Civic Center through a proposed fairgrounds sewer system. Nelson said the city would like to maintain a single pump station for all those entities. He said a Professional Engineering Report (PER) would look at alternatives for the entire area and include cost estimates. Woodbury said Robert Peccia and Associates is conducting the environmental aspect of a Fleshman Creek Restoration Project and she does not know if that project design includes a fairgrounds sewer design.

Malone said the county needs to determine if a lift station is included in a Fleshman Creek Restoration Project design. Woodbury said the county needs a PER before it can apply for any funding, and she will verify whether the Fleshman Creek project includes a pump station and whether station size and location is flexible. She said she will email the Commission with her findings. The Commission said it will make a decision on the PER after receiving that data at a later date.

@11:12:34 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 8, 2010

2:30 P.M. – Claims Review – Commissioners Chambers

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

3:00 P.M. – Angel Line Board – Commission Chambers – Commissioner Malone attended –
Meeting minutes available at www.parkcounty.org and in the Commission Office

March 9, 2010

Review Daily Correspondence & Agenda

@8:32:20 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:

- Legal advice to Commission from civil deputy county attorney
- Memo from DES Coordinator re. March 11 Safety and LEPC meetings - To Commissioner Durgan for review
- Memo from MACo re. best management riparian area listening sessions - To road supervisor for review
- Memo from Yellowstone Gateway Museum re. March 16 gift shop meeting
- Invoice from DOWL HKM Engineering re. landfill monitoring - To Commissioner Taylor for review
- Memo from Montana DEQ re. landfill design changes - To Taylor for review
- Invoice from Tri-County Sheet Metal re. Commission office damper
- Memo from Glastonbury Landowner Association re. use of road - To file
- Citizen application for Solid Waste Board - To file
- Memo re. March 11 Northern Rocky Mountain RC&D - To Durgan for review
- Memo from Park County fair board re. fairground septic system issues
- Memo re. Army Corps of Engineers levy regulations - To Taylor for review
- Confidential memorandum for Commission review

Commissioner Malone reported on a March 8 meeting he attended in Bozeman about Montana's livestock/wildlife brucellosis issue.

@8:56:05 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 9, 2010
County Road Updates

@9:02:26 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; Raea Morris, executive assistant; Citizens Joe Lawellin, Kevin Bales, Katie Hale, Matt Cocharo and Kevin Funk; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Citizen Joe Lawellin asked the status of Willow Bend Drive in the Five Acre Tracts and said that road needs to be graveled. Road Supervisor Ed Hillman said it is a county road to the cattle guard and the county has not put gravel on the road or graded it for a long time, but the county will maintain that road in the spring.

Citizens Katie Hale and Kevin Bales of Crazy Mountain Ranch said they will email a draft agreement to the county attorney's office for Rock Creek Road and Hammond Creek Road.

Citizen Matt Cocharo said nothing has been done with signage and reduction in the speed limit in the Five Acre Tracts after his requests over the last eight months. Cocharo said Merrill Lane has no signage from Canyon View to Highway 89, and a 25 MPH sign is on the west side of Merrill Lane and one sign going eastbound says "Reduce Speed Ahead." Hillman said he can put up advisory signs, but the speeds are not enforceable. He said he will talk with Sheriff Lutes and erect speed limit signs on the roads.

Citizen Kevin Funk said he heard there was a problem with a county road grader. Hillman said there are no problems with the graders that he has heard of. Commissioner Durgan said Caterpillar installed new engines in the CAT graders at no charge to the county.

Funk said he is wondering if the county knows the cost of road projects. He said he asked for a total cost breakdown of the Carter's Bridge loop road from Hillman, the information he received was vague, and he does not think he got the response he was looking for. Hillman said he provided Funk with hours of dump trucks, graders, costs of gravel hauled and grader operations to rebuild the road. Hillman said county road crewmen fill out time and activity cards every day and that information is available as public record.

The Commission reviewed a crewman work log submitted by Hillman. Commissioner Taylor said Citizen Matt Ricketts asked why the county road department put a ditch across O'Rea Creek Road near his property.

@9:52:09 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 9, 2010

10:00 A.M. – Signing of Title for Gardiner Sewer District – Guardian Title – Livingston
– Commissioners Durgan, Malone and Taylor attended

March 9, 2010

Consideration of Eagles Bluff Subsequent Minor Final Plat Application

@10:41:59 a.m., Chairman Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Inman, planning; Philip Fletcher, planning; Shannan Piccolo, civil deputy county attorney; Kathleen Rakela, citizen; Warren Latvala, citizen; Bob Planalp, attorney; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider Eagle's Bluff Subsequent Minor final plat application.

Senior Planner/Subdivision Administrator Mike Inman provided a history of the Eagle's Bluff Subsequent Minor subdivision, stating that subdivision falls under review of the *2005 Park County Subdivision Regulations*. Inman said the subdivision's preliminary plat was approved by the county commission on January 18, 2007, and the applicant was given two calendar years (January 18, 2009) to complete all requirements as condition of final plat approval and submit a final plat application. Inman said the applicant submitted a final plat application and paid associated fees on December 17, 2008, that application was determined to be incomplete, and the applicant was notified of that determination on February 5, 2009. Inman said a site inspection occurred on July 21 and 27, 2009 with Road Supervisor Ed Hillman, Fire Chief Mike Graham and Planning Director Philip Fletcher to look at road conditions, road approaches, fire protection features, a fire-fill site, cul-de-sac and emergency turnaround. Inman said he wrote a report after those visits highlighting ongoing deficiencies with the final plat application. Inman said the applicant did not request an extension beyond the January 18, 2009 deadline date, but he granted the applicant a one-year extension, which was included in a subsequent final plat report submitted to the applicant on August 5, 2009. Inman said the applicant submitted an appeal to the governing body on January 15, 2010 prior to the expiration of the third year. He said he conducted a subsequent site inspection after that point and recommends denying final plat approval based on ongoing deficiencies, conditions of approval that have not been met, and the expiration of the three-year approval period.

Inman said the Commission has two components to consider for today's meeting: 1) time period of the final plat application, and 2) deficiencies of final plat. Inman read into the record preliminary and final plat approval provisions from the 2005 county subdivision regulations. He said allowing the applicant to correct deficiencies in the final plat application would require the Commission to extend the application beyond the maximum three-year approval period, and the 2005 regulations state the county is required to deny the application if application procedures are not followed.

Attorney Bob Planalp submitted a packet to the Commission on behalf of the subdivision applicant, Kathleen Rakela. Planalp said Exhibit One in the packet shows Rakela submitted a request for four things on January 15, 2010: 1) all conditions for the subdivision she perceives were added by the administrator were unlawful and for the reasons therein should be stricken; 2) asked that a subdivision improvement agreement for the remaining improvements be entered into between the subdivider and the county; and 3) asked for the extension of the preliminary plat approval period to August 5, 2010, which Planalp said Rakela obviously meant to request an extension of the final plat approval. Planalp said Rakela had thus complied with Section V.A., which allow the Commission to grant an extension beyond one year through a subdivision improvements agreement. He said the 2005 county subdivision regulations do not state the Commission can reject an applicant for not being compliant with time deadlines.

Inman said the provision Planalp referred to permits the Commission to grant a subdivision a one-year preliminary plat approval extension period through a subdivision improvement agreement. He said in the current case the one-year period was already granted and the applicant is now asking for an extension of the one-year extension period through a subdivision improvement agreement. Inman said, according to the regulations, the only way a third year can be extended is if at the end of the two-year approval period, the applicant requested an extension as part of a subdivision improvement agreement that outlines specifically why the extension needs to go beyond the one year.

Civil Deputy County Attorney Shannan Piccolo said the applicant has stated conditions were placed on the final plat after preliminary plat approval. Piccolo said the Commission could deem the application complete if, after review of the alleged conditions, it determined those conditions were not part of the preliminary plat approval. She said, in contrast, the Commission could deny the application for being incomplete should the Commission decide the conditions were part of the preliminary plat approval and Rakela was required to meet them prior to the final plat approval period running out.

Inman said his report specifically addresses the conditions of final plat and the county subdivision regulations and whether those conditions were met. He said the passed deadline is one issue, and his report speaks to conditions of final plat approval that he found were not met. Inman said Rakela argues some of those conditions have been met and some should not be required; thus in making a determination the Commission must consider Inman's report and speak to the time period and whether conditions of final plat approval have been met.

Commissioner Durgan said every required condition of final plat approval was reviewed by staff, the planning board and Commission, and the Commission is now dealing with the developer questioning whether that is legal or not. He said the process is way past the time for that, as the subdivision has already gone through a three-review phase and there has been plenty of time for legal review. Commissioner Taylor said three years is a long time, there has been a lot of inactivity, and then the applicant came in at the deadline for a final year and argued about conditions agreed to. Taylor said he cannot get past the timeline. Commissioner Malone asked if the Commission would set precedent with

awarding a final plat approval extension. Durgan said the county has responded to two extensions and still sees no progress with meeting final plat conditions and may be setting precedence now if it approves the final plat. Durgan said he would like Piccolo to look into the county regulations on the matter.

Planning Director Philip Fletcher asked Piccolo if she would like time to research and provide a written legal opinion on the legality and interpretation of the 2005 subdivision regulations deadline criteria as presented by the applicant's attorney.

Commissioner Durgan made a motion Planup submit the applicant's list of issues and requests in writing to the planning department. Commissioner Taylor seconded that motion. Motion passed.

@11:19:32 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 9, 2010

Human Resources Updates

@11:27:34 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 said she has been finishing up a Sheriff's Office retroactive longevity pay issue; is addressing a wage and hour request for redetermination issue and received personnel board of appeals questions on that matter; discussed Emigrant census personnel driver insurance policies with Swanson-Leavitt Insurance; worked with PCRFD#1 on administration staff job descriptions; is assisting PCRFD#1 with a pressing issue to be resolved by March 12; addressed an issue of adult declaration to get non-married couples on county health insurance policies; and is working on a county personnel investigation as her top priority.

Commissioner Malone said he will talk with the county attorney about a longevity pay issue formula.

@11:36:34 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 9, 2010

1:00 P.M. – Senior Citizens Meeting – Livingston Senior Citizens Center – Commissioner Taylor attended

2:00 P.M. – I.T. Advisory Committee – Community Room – Commissioner Malone attended

March 9, 2010

Discussion on Contract to Prepare TSEP Grant Application

@3:05:59 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 director; Lori Benner and Breanna Polacik of Nittany Grantworks; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a contract to prepare a Treasure State Endowment Program grant application with Nittany Grantworks.

Lori Benner of Nittany Grantworks said CTA Engineering asked Nittany Grantworks to provide a proposal for services as a subcontractor. Benner provided the Commission with her quote to CTA on that issue. Benner said she is present today to get direction from the Commission whether it wants Nittany to prepare a Treasure State Endowment Program (TSEP) construction grant application.

Planning Director Philip Fletcher said he met with CTA Engineering's Kevin Feldman and the two agreed Fletcher and Benner would work with CTA and get things moving forward on Nittany's subcontract work with CTA. Fletcher said Feldman and Fletcher agree Park County can directly contract with Nittany or Nittany can subcontract with CTA for grant writing services, however the Commission decides to go on the issue.

Commissioner Malone said the TSEP grant is backup funding if necessary and it is important to have Nittany's professional expertise with the TSEP effort. Civil Deputy County Attorney Shannan Piccolo said the Commission can draft a separate contract with Nittany specifically for the 9th Street Bridge TSEP grant efforts if it wishes.

Commissioners Durgan and Malone said Nittany has the Commission's approval to move forward with a contract to be drafted by Piccolo and then presented to the Commission.

@3:17:35 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 9, 2010

Discussion of Nittany Grantworks General Services Contract

@3:30:58 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 director; Lori Benner, Nittany Grantworks; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a general services contract with Nittany Grantworks.

Lori Benner of Nittany Grantworks said Nittany contracted with the county for 480 hours for Fiscal Year 2010, and Nittany fulfilled the hours of that contract last month. Benner said she understands the county's funds are limited and appreciates the Commission's concerns with county funding and consideration of using county staff grant writing and exploration expertise. She said she is present to propose Nittany provide 40 hours of grant services for the rest of the fiscal year not to exceed \$9,600 to be billed monthly. Benner said she is open to options and would like clear direction from the Commission on what should be done at this time. She said Nittany is not in the process of submitting or preparing any grant applications at this time, but grant administration needs exist for Department of Energy funds Nittany is hoping to combine with State Historic Preservation funds for upgrades to the Yellowstone Gateway Museum. Benner provided names of other grants the county has received and are active to-date.

Planning Director Philip Fletcher said he feels comfortable with extension of the Nittany contract on a not-to-exceed basis. Commissioner Malone said he agrees with Fletcher. Commissioner Durgan said he thinks there is room for both the planning department's grant efforts and Nittany's grant services. Fletcher said his focus for the planning department is taking advantage of grant funding to support existing budgets, such as capital improvement, economic development and planning grants. Fletcher said he wants to work with various departments to get a jump on projects that will take years to implement, such as a justice center, Cooke City emergency center, and shooting range upgrades. He said he also will work on projects the Commission assigns as priority, such as the 9th Street Bridge Replacement Project.

Commissioner Durgan made a motion for the county to enter into a contract with Nittany Grantworks not to exceed 160 hours and for the Commission to direct the civil attorney to draft such a contract. Commissioner Malone seconded that motion. Motion passed.

@3:52:57 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 9, 2010

7:30 P.M. – Paradise Valley Fire Service Area Awarding of Construction Bids – Paradise Valley Fire Station

March 10, 2010

Review Daily Correspondence & Agenda

@8:32:24 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 from RC&D re. RC&D boards - To Commissioner Durgan for review
- Memo from accounts payable re. Whispering Pines properties
- Memo from Church Universal and Triumphant re. petition to abandon Cinnabar Basin Road
- Memo re. March 19 state veteran's affairs committee
- Memo from sanitarian re. Fleshman Creek lift station funds - To Durgan for review
- Memo re. Weed Management Area - To Durgan for review

Commissioner Malone reported on a March 9 IT Advisory Committee meeting.

Commissioner Taylor reported on March 9 Senior Citizens Center and Local Advisory Committee meetings.

@8:37:25 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 10, 2010

9:00 A.M. – Claims Review – Commissioners Chambers

March 10, 2010

Discussion of Refuse and Property Assessment

@9:30:57 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; Matt Ridgeway and Dave Cobb, citizens; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss a citizen refuse and property assessment.

Citizen Matt Ridgeway said he and Dave Cobb are co-owners of buildings in the industrial park east of town, and he is concerned about inconsistencies in refuse assessments of buildings in that park after pulling square footage and tax information of those buildings. Ridgeway said he is present to appeal to have things made fair after visiting with the county Solid Waste Board (SWB) twice and not receiving a good answer to how it would like to deal with refuse assessment inconsistencies.

Ridgeway said the business worst hurt by the county's assessment procedure is a 600-square foot storage unit that is being taxed 93 cents a square foot for shop space regardless of what refuse it produces. Ridgeway said he owns half of his buildings, Cobb owns one third of the building, and his is the only building in the business park that has

been split into business condominiums. Ridgeway said he has six business spaces and one sat vacant for the full year last year, and Cobb has two spaces with one vacant since he bought it. He said a 2,400-square foot business in the industrial park is not being taxed for refuse, and other building owners have five separate businesses in one building they are leasing. He said each of those businesses are light industrial businesses that are only being assessed one business refuse assessment based on one building. He said the county refuse assessments are not tied at all to how much refuse is being generated at businesses.

Commissioner Durgan said the refuse assessment is not a tax but an assessment for a refuse district, and the district ties the assessment to each business and residence accordingly per the rules and regulations of the refuse district. He said the Commission understands the system is flawed. Commissioner Malone said the refuse assessment procedure is an issue the county has to address, but he does not know how the county can keep track of all the businesses and buildings. Civil Deputy County Attorney Shannan Piccolo said each building is to be assessed by the state assessor's office, the county does not have the manpower to police refuse assessments, and it sounds like the SWB will begin looking into buildings if it appears they are not properly assessed.

Ridgeway said the county may generate more revenue by assessing refuse assessments from square footage, but paying as you go by weighing refuse would be most fair. Commissioner Taylor said Ridgeway can bill his tenants appropriate refuse charges, and he then can approach the SWB with empty business space and perhaps the board can decide to remove or adjust assessments.

Malone said Ridgeway can reference the resolution and relevant laws that set the current county refuse assessment fees. He said the county does not have or require business licenses, which would be a good way to track refuse assessments and capture home businesses and bed and breakfasts. Malone said the county needs to look at the resolution and may need to do so each year. He said perhaps the county could look at the type of business and base assessments accordingly, and perhaps that should be an agenda item for businesses to come to be reclassified.

The Commission told Ridgeway it will work on the issue and asked Piccolo to research the resolution and how rental units are assessed for refuse.

@10:02:19 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

March 10, 2010

Discussion with Representative Ebinger

@10:16:18 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; Representative Bob Ebinger; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss issues relevant to Park County with Representative Ebinger.

Representative Ebinger said the state of Montana is currently losing \$27 million a month, mainly because revenues are down. There was discussion of entitlement funds and Park County's need to retain all such funding. The Commission said the family transfer exemption, attorney/client privilege between the Commission and county attorneys to obtain legal advice, and not cutting Agency on Aging funds are important issues for the next legislative session. Ebinger said he will defend those funds. Commissioner Durgan said he will be disappointed if the legislature does not discuss Montana's livestock/wildlife brucellosis issue.

In other discussion, Ebinger said he understands closure of the Otter Creek Mine was part of a Crown Butte Mine closure negotiating element. He said he wants to be sure negotiations are benefiting Montana and all extraction money is not taken out of state. Ebinger said the legislature may look again into the Driving Under the Influence problem in Montana. He said it might behoove the Commission to let citizens know discussion is ongoing about plans for public access and parking on 9th Street Island after the new 9th Street Bridge is constructed. Planning Director Philip Fletcher said a citizen on 9th Street Island is in serious negotiations with the state hazard mitigation officer for relocation of the 9th Street Island Trailer Park, and the property would be turned over to the county, which could possibly become a public park.

@11:01:00 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 10, 2010
Personnel Meeting

@11:04:43 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 Durgan made a motion to close the meeting to the public. Commissioner Taylor seconded that motion. The meeting closed.

@11:20 a.m., the meeting adjourned.

March 10, 2010

2:00 P.M. – Weed Management Meeting – USDA Office, Livingston, MT –
Commissioner Durgan attended

March 11, 2010

Review Daily Correspondence & Agenda

@8:39:13 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:

- Citizen memo re. support for community center - To file
- Memo from Montana GOP re. newsletter
- Memo from Nittany Grantworks re. resolution signature
- Memo from civil deputy county attorney re. Rakela subdivision - To file
- Memo re. final settlement statement for Gardiner Sewer District transfer – To file in clerk and recorders office
- Memo re. Montana homeless
- Legal advice to Commission from civil deputy county attorney
- Memo from planning director re. department budgets
- Memo from JSEC re. Montana economy report
- Memo re RAC addresses
- Memo re. Montana Medicaid grants

@8:51:54 a.m., Taylor made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

March 11, 2010

9:00 A.M. – Safety Meeting – Commissioners Chambers – Commissioners Durgan, Malone and Taylor attended

10:00 A.M. – Local Emergency Planning – Community Room – Commissioner Durgan attended

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

March 11, 2010

Presentation of Online Fire Risk Assessment Tool

@1:33:53 p.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; Marc Richards, Erica Hoffman and Reluka Vandergrift of the

GIS/IT Department; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to present an online fire risk assessment tool.

GIS/IT Manager Marc Richards said the county GIS/IT Department completed an online fire risk assessment tool with \$5,000 from Fire Warden Bob Fry. Richards, Erica Hoffman and Reluka Vandergrift presented the tool to the Commission. Richards said any citizen can conduct a fire risk assessment for their personal property using the tool, and the state of Montana showed interest in Park County's GIS/IT Department creating such a tool for the entire state.

@2:04:45 p.m., the meeting adjourned.

March 12, 2010

Review Daily Correspondence & Agenda

@8:44:54 a.m., Commissioner Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan 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. Yellowstone Gateway Museum Board of Trustees draft resolution
- Memo from planning re. RC&D economic development program - To Commissioner Durgan for review
- Memo re. March 16 department head meeting agenda
- Legal advice to Commission from civil deputy county attorney
- Citizen memo re. Paradise Valley Fire Service area trustees
- Memo from Nittany Grantworks re. list of county bridges under 20 feet in length - To road supervisor for review
- Memo from DES Coordinator re. employee training tracking
- Memo re. March 18 Solid Waste Board meeting agenda
- Memo re. Countywide Weed Management Area input - To Durgan for review
- Memo re. March 15 Shields Valley Watershed District meeting - To Commissioner Taylor for review
- Memo re. thank you letters for unsuccessful bidders
- Memo re. April 1-2 JSEC conference
- Memo re. David Bushnell Construction Company successful bid letter
- Memo re. \$1,674 telephone book phone number listing draft invoice
- Memo re. newspaper advertisement for landfill hours of operation changes
- Memo re. gravel crushing contract

Commissioner Durgan reported on a March 11 Rocky Mountain RC&D meeting.

Commissioner Taylor said he will visit with DOWL HMK Engineering in a few weeks to discuss landfill issues and possible operations changes.

Executive Assistant Raea Morris provided ideas for listing Park County government telephone numbers in the telephone books.

@9:24:49 a.m., Taylor made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

March 12, 2010

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

10:30 A.M. – Commissioner in Clyde Park to Hear Area Resident Concerns – Clyde Park Town Hall – Canceled due to commissioner’s schedule

1:00 P.M. – Commissioner at Cooke City Sewer System Meeting – East Room – Commissioner Malone attende

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana