

Park County Commission Meeting Minutes
Week of January 17 – 21, 2011
Park County, Montana

January 17, 2011

Martin Luther King, Jr. Holiday Observed – All Offices Closed

January 18, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:34:17 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Raea Morris, executive assistant; Philip Fletcher and Mike Inman, community development; 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. maintenance request
- Memo re. Cooperative Weed Management Area meeting agenda - To Commissioner Durgan for review
- Memo re. draft proposed incident communications plan
- Memo re. Law and Justice Interim Committee
- Memo re. farmer/rancher risk workshop - To Durgan for review
- Memo re. Board of Adjustment members
- Memo from Paradise Valley Fire Dept re. Eagle's Bluff cul-de-sac and fill site
- Memo re. Feb 2 notice of applications/operating authority hearing
- Memo re. Jan 20 Area IV Agency on Aging meeting - To Commissioner Taylor for review
- Memo re. Cooke City Resort Tax contracts
- Memo re. Angel Line van reimbursement request
- Memo re. road crewman call-out list
- Memo re. 2011 Airport Board meeting schedule - To Durgan for review
- Citizen memo re. status of roads
- Memo re. Jan 6 Fire Council minutes
- Memo re. March 7 OIG audit
- Memo from Park County Community Foundation re. presentation request
- Memo re. Parks Board student representative
- Memo re. Jan 18 Interoperability MT meeting
- Memo re. draft lease for county property

Commissioner Malone reported on congressional hearings he attended on January 17 in Helena.

Community Development Director Philip Fletcher said he will give resource information to the Gardiner Chamber of Commerce regarding operation of Arch Park, a citizen requested a webcam on the 9th Street Bridge Replacement Project, he will attend a Fair Board meeting to discuss the county capital improvement plan, and the county needs to make a decision on the electrical quote for a City/County Building retrofit.

Fletcher said Senior Planner Mike Inman is getting educated in economic development, and he and Fletcher will participate in a web conference on January 19. He said Inman will take a test March 8 to become a certified floodplain manager.

Fletcher said the idea of hiring a grants person came up last week, which at this stage is an overall strategy to get information and assess cost benefits for such a hire. Fletcher said that hire is not in the budget right now but it will be discussed. He said his department will create a planning consultant pool for backup, temporary planning resources.

@9:02:55 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

January 18, 2011 County Road Updates

@9:02:59 a.m., Chairman Taylor 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; Ed Hillman, road; Erica Hoffman, GIS/IT; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said a road grader is down with maintenance issues.

GIS/IT Manager Erica Hoffman said a citizen inquired about the status of Myers Lane on the south side of BLM Section 17 between Sections 17 and 20. The Commission said it will contact the county road historian on the matter.

There was discussion as to why the supervisor's daily road log becomes disorganized. Hoffman asked what her department can do to help Hillman rectify the issue. There was discussion about entering data into a database to avoid errors in an Excel spreadsheet. Hoffman said she will look into converting existing data into a database as a preliminary effort.

@9:29:58 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 18, 2011
Department Head Meeting

@9:35 a.m., Chairman Taylor called a meeting to order in the Community Room. Present were Commissioners Durgan, Malone and Taylor; Ed Hillman, road; Lani Hartung, finance; Bruce Martin, maintenance; Shannan Piccolo, civil deputy county attorney; Tracy Mosley, Extension; Barbara Woodbury, environmental health; Clay Williams, weed; Jill Ouellette, HR; Raea Morris, executive assistant; Suzanne Brown, health department; Erica Hoffman, GIS/IT; Philip Fletcher; community development; Ed Barich, superintendent of schools; Paul Shea, YGM; and John Mueller, minutes clerk.

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

Legislative Calendar: The commissioners said department heads and elected officials can follow legislation online and can testify in Helena on behalf of the county if need be after consulting with the Commission. The Commission said it can testify on behalf of department heads if asked.

Commissioner Malone reported on a January 17 congressional session he attended.

Employee Parking: Taylor said two-hour parking will be enforced in the back parking lot, and county employees are not to park in that lot to leave room for citizen parking. He said an email will be sent out to employees notifying them of the issue.

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

Other Business/Comment: None

The next department head meeting is scheduled for February 15, 2011, at 9:30 a.m.

@10:13 a.m., the meeting adjourned.

January 18, 2011
Human Resource Updates

@10:32:07 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jill Ouellette, HR; 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 a change of status form for an Angel Line driver and a homemaker position for signature. Ouellette said banning of distracted

driving/using a cell phone while driving is being considered in Montana; she will attend five of six Job Service-sponsored work sessions; and she submitted an OSHA 300 report filed last week. Ouellette provided the commissioners with updated courthouse contact telephone numbers.

Ouellette said she can provide a one-day Robert's Rules of Order and open meeting laws training for near \$1,000 and she is willing to ask board members if they are interested in the training. Commissioner Malone said to ask if MSU Extension and MACo have resources for such trainings.

Ouellette provided the Commission with accurate information about the number of hours a three-quarter-time Commission Office employee works. She said she will process Angel Line driver position applications and continues to work with PCRFD#1 to upgrade job descriptions. Ouellette said two deputies have pending worker's compensation cases and will be out of work for 30 days as standard procedure for officers in their specific situation.

@10:56:03 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

January 18, 2011

Consideration of a Possible County Noise Ordinance

@11:04:46 a.m., Chairman Taylor 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; Wes Venteicher, Livingston Enterprise; Citizens Kevin Funk and Rick Adams; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a possible county noise ordinance.

Citizen Kevin Funk said he would like to see a countywide noise ordinance effort move forward. Funk said he is in an unusual situation in Pine Creek with the Pine Creek Café and he understands what it is like to have one's rights somewhat violated. He said a lot of landowners just put up with the noise in Pine Creek, but he would like due process to take effect as the Commission would have to move an ordinance effort forward and hold two public meetings. He said the county attorney's office would then review a draft ordinance. Funk said he is not trying to take away the Café's rights as a business, but he just wants to be fair to the citizens and the business. He said the frequency of the music at the cafe makes it difficult to live in Pine Creek and he wants to draft something that is fair to the whole county and does not want to shut down any outdoor music events. Funk said possibly a music permit program could be implemented. Funk said parking issues in Pine Creek continue to be a problem as a result of cafe events, but he is more focused on the noise ordinance and getting back his citizen rights.

Referencing a waiver and agreement to defer prosecution document dated November 7, 2008, Commissioner Taylor said the only thing the county currently has in black and

white is Funk is against the music. He said a citizen petition would give more credit to Funk's argument and would be the logical next step to show an entire community would like something stopped. Taylor said he thinks it would be difficult to draft a fair, comprehensive county noise ordinance.

Commissioner Durgan said he understands a lot of counties do not have noise petitions because noise is hard to define. He said the county would have to be careful how it approached and defined the issue of "noise."

Civil Deputy County Attorney Shannan Piccolo said the county could regulate noise by noise volume or time.

Citizen Rick Adams said he believes it would be a start for Funk to generate a citizen petition.

@11:29:43 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 18, 2011

11:30 A.M. - Claims Review - Commissioners Chambers

January 18, 2011

Final Consideration on Solid Waste Proposals

@1:01:06 p.m., Chairman Taylor 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, community development; Lani Hartung, finance; Raea Morris, executive assistant; Wes Venteicher, Livingston Enterprise; Citizens Jim Taylor, Gay Juhnke, Dick Juhnke and Jim Hunt; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to make a final determination on a solid waste study request for proposal.

Civil Deputy County Attorney Shannan Piccolo provided the Commission with individual evaluations from a five-member evaluation committee established to review a solid waste proposal from Bell and Associates, Inc. The Commission distributed the evaluations to meeting attendees for review.

Park County Concerned Citizens (PCCC) Member Jim Hunt said one thing that stuck out to the PCCC was an individual involved with a Zia Report on county solid waste and a City of Livingston transfer station project works for Bell and Associates. Hunt asked how objective that individual would be in a new study.

PCCC Member Dick Juhnke said he has concern that less than eight percent of the RFP cost is dedicated to incineration, so it does not look like incineration is getting a fair look in the study.

Community Development Director Philip Fletcher said the county should be interested in the job being done on the complete study. He said he would not look at how many hours are spent on each task but ensure the firm is qualified to do the job and the overall scope of services is well-enough defined that the study is completed to the manner desired.

Piccolo said the county can verbally state within the contract what it wants done with the project, and holding public meetings for public input on that issue may be negotiated. Piccolo said the RFP process is being done as part of a lawsuit settlement agreement. She said she feels contract negotiations can determine what hours will be spent on various project objectives, such as incineration, but the issue comes down to whether the firm is capable of completing the study. She said if Bell and Associates is deemed qualified to do the report, the county would ensure and discuss what the county would want to see regarding the incineration, and nothing keeps the Commission from inviting PCCC in discussions with Bell in developing the contract. She said the county must understand the price may go up if it requests more in-depth analysis than is currently proposed. Commissioner Taylor said he would have another expert evaluate Bell and Associates incineration proposal once completed.

Commissioner Malone asked Piccolo if Bell and Associates proposal meets the settlement agreement. Piccolo said she thinks the proposal met everything in the RFP. Malone said he feels the firm is capable of completing the study. Juhnke said he also feels the firm is capable. Fletcher said the firm is qualified from everything he has read and from his experience.

Citizen Jim Taylor said he does not think any other firms will bid on the proposal if the county re-advertised it.

Commissioner Malone made a motion to accept Bell and Associates to conduct the study. Commissioner Durgan seconded that motion. Motion passed.

@1:48:03 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

January 18, 2011

2:00 P.M. - Weed Management Meeting - USDA Office, Livingston

January 18, 2011

Final Consideration of Eagles Bluff Subsequent Minor Subdivision

@2:00:35 p.m., Chairman Taylor 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; Mike Inman and Philip Fletcher, community development; Greg Coleman, Paradise Valley Fire, Hertha Lund, attorney; Kathleen Rakela, citizen; Rik Pittendorfer, citizen; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to make a final decision on an Eagles Bluff Subsequent Minor Subdivision final plat.

Civil Deputy County Attorney Shannan Piccolo said the applicant just submitted two memorandums to the county from a contractor who did road work on the subdivision. She said one of the memos was dated in November and she has not reviewed the documents. Piccolo said she requests the Commission decide whether it will consider work been done on the subdivision after September 15, 2010, and if it will consider the work, she advises the Commission to reschedule the meeting for staff to review that work. Piccolo said the Commission can also choose to hear work Senior Planner Mike Inman viewed on the September 15 subdivision deadline date. Applicant Attorney Hertha Lund said the applicant's contention is all work was done prior to September 15, but Inman has treated Ms. Rakela unfairly and has erred in his conclusion work was not completed on time.

Inman provided a timeline of the subdivision from preliminary approval to present as follows:

The Commission reviewed and approved the Eagle's Bluff Subdivision on January 18, 2007, and as a condition of final plat approval, the applicant was given two years until January 18, 2009, to complete all requirements of final plat and submit a final plat application. The applicant submitted a final plat application and paid required fees on December 17, 2008, that application was determined to be incomplete, and the applicant was notified of all deficiencies on February 5, 2009. The applicant submitted additional information to the Planning Department on June 22, 23 and July 23, 2009. Inman inspected the site on July 21, 2009, and he, Road Supervisor Ed Hillman and then-Paradise Valley Fire Chief Mike Graham inspected the site on July 27, 2009. The final plat application was reviewed and determined to be insufficient and the applicant was notified in writing of all deficiencies on August 5, 2009. The applicant was notified of the expiration as part of that notification and subsequently requested and was granted a one-year extension to January 18, 2010, to complete all required conditions of final plat. The applicant submitted additional information, including an appeal to the governing body, on January 15, 2010, and more information was submitted on January 22, 2010, just prior and after the three-year time limit. The Commission met on March 9, 2010, to review final plat information at which time Inman submitted a report. The applicant requested an extension at the March 9 meeting as part of a subdivision improvement agreement. The Commission met again on the subdivision on May 3, 2010, at which time the applicant proposed a subdivision improvement agreement to be completed by August 5, 2010. The Commission went through each unmet condition and made a determination to allow the applicant until September 15, 2010, to meet all required and unmet conditions of final plat. The applicant's attorney Bob Planalp said the applicant

would provide a guaranteed plan and guaranteed Ms. Rakela would comply with all requirements and all work would be completed by September 15, 2010. Rakela submitted final plat information on September 15, 2010, including video cassette tapes the county did not have ability to view. That material and additional affidavits were resubmitted on October 4. Inman and Hillman conducted a site visit inspection October 20, 2010, and Hillman submitted an email to the Commission identifying a cul-de-sac was not built to county standards after that visit. Inman conducted a site inspection on November 4 with Paradise Valley Fire Chief Greg Coleman at Piccolo's request, and Coleman subsequently submitted email correspondence to the Commission about his review of the fire apparatus and cul-de-sac turnaround. The applicant canceled Commission meetings scheduled on the subdivision for November 19, 2010, and January 11, 2011, which leaves the issue at today's meeting.

There was discussion about how to proceed on the issue, as well as yet-to-be-reviewed information the county just received from a contractor regarding road work completed either before or after the September 15, 2010, work deadline. Commissioner Durgan said and he does not feel prepared to go through a packet of information he received that morning.

@2:14:52 p.m., the meeting recessed due to a fire alarm drill. @2:22:10 p.m., the meeting resumed.

Piccolo said Lund requested postponement of the meeting until time all issues before the Commission can be discussed to help streamline the process.

Commissioner Malone said the Commission gave the applicant generous time to complete the final plat requirements, and he does not think the Commission should consider any work completed beyond September 15, 2010. Lund said to her knowledge at this point all work was completed by that date. Commissioner Taylor said Planup made it perfectly clear September 15 was the drop dead date. Durgan said Planup and the applicant were in total agreement with that date.

The Commission said it will reschedule a meeting on the matter when all parties are available.

@2:26:11 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 18, 2011

Discussion of Loss Runs and Stewardship Reports with Taylor-Leavitt Insurance

@3:05:33 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jill Ouellette, HR; Dan Gutebier and Krista Auger, Taylor-Leavitt Insurance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss loss runs and stewardship reports with Taylor-Leavitt Insurance.

Dan Gutebier and Krista Auger provided the Commission with county worker's compensation claims, loss run and stewardship reports for review. There was discussion about holding an employee safety day.

@3:54:53 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 18, 2011

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

January 19, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:33:40 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Raea Morris, executive assistant; Philip Fletcher, community development; Lani Hartung, finance; Ed Hillman, road; 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. Jan 27 Gardiner School Sidewalk Project scope of work meeting
- Memo re. March 31 EOP grant deadline
- Memo from sanitarian re. Cooke City PER
- Memo re. draft EOP Warning Annex
- Memo from MT DNRC re. \$12,325 9th Street Bridge legal easement
- Memo from community development re. city/county building specifications
- Memo from planning board chairman re. election of officers

Commissioner Malone said a former Sweetgrass County Commissioner will visit Park County to discuss maintenance of Boulder Road. Malone said the Commission has requested updates of bison hazing efforts in the Gardiner/Tom Miner area.

Road Supervisor Ed Hillman said a water pump failed on a road grader.

Finance Director Lani Hartung said she sent the Commission a draft letter for the Park County Genealogical Society. The Commission said the letter is acceptable for mailing.

Commissioner Durgan reported on a January 18 Fair Board meeting.

@9:15:55 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 19, 2011

9:00 A.M. – Review of Minutes for Week of January 10-14 – Commissioners Chambers
– Canceled

January 19, 2011

Appointing of Museum Board Applicants

@10:03:02 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Paul Shea, museum; Bob Ebinger, museum board; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to appoint museum board applicants.

Museum Director Paul Shea said the Museum Board recommends appointing Kerry LaDuke, George Bornemann and Matt Smith to the board after review of four applicant applications.

Commissioner Durgan made a motion to accept the three applicants recommended by the Museum Board based on their resumes and the Museum Board's recommendation. Commissioner Malone seconded that motion. Motion passed.

@10:06:52 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

January 19, 2011

Discussion with HRDC Regarding Commuter Transit Bus Services

@1:01:24 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jeff Rupp, HRDC; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a commuter transit bus service with the Human Resource Development Council (HRDC).

Jeff Rupp of HRDC said his office assists Meagher, Park and Gallatin Counties with such efforts as Head Start in Livingston and Galavan in Bozeman. Rupp said he fears Montana State University will pull \$85,000 from the Streamline bus service and HRDC will struggle to find funds to maintain daily routes from Livingston to Bozeman.

There was discussion as to whether matching state funds with county mill levy funds for transportation services is legal. Commissioner Malone said Park County legal counsel says such match is not legal.

Rupp said he wants to hear the Commission's thoughts on keeping the Livingston-Bozeman commuter run connected by making Angel Line as a financial partner to pool funds and double up on matching state funds to protect the two commuter runs. Commissioner Taylor said Angel Line funds are provided by Park County taxpayers to pay for a transit service for elderly individuals in the community, and he is not sure the Commission should take those funds as credit for other services. Taylor said he does not want to put the county at risk in the event the Bozeman service folded.

@1:21:47 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 19, 2011

2:00 P.M. – Transportation Advisory Committee – Community Room – Commissioner Durgan attended

January 20, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:31:02 a.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, executive assistant; Philip Fletcher, community development; Lani Hartung, finance; 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 county attorney re. employee parking lot parking issue
- Memo re. Bannock Trail cross-country skiing
- Memo from Hawley Ranch re. refuse assessments
- Memo from MSU Extension re. interim MSU Extension office chair
- Memo from Hard Drives Construction re. Rock Creek road pavement bid

Commissioner Durgan reported on a January 19 Transportation Advisory Committee.

Community Development Director Philip Fletcher said, RGO, the air balancing and conditioning contractor for a building energy efficiency retrofit project discovered large holes in the HVAC ducting system, thus air balancing cannot be completed. Fletcher said RGO will inventory ducting holes using building blueprints, and Tri-County Sheet Metal was contacted to assist with rectification of the issue. Fletcher said arrangements were made to patch the holes with two days of work. He said RGO suggested it will come in

to a public meeting with the Commission on January 25 with a revision of the cost for completing its portion of contract work. Fletcher said he put the project on hold at this time.

Fletcher received a telephone call from grant representatives who said the patching work can be paid with grant funds, but no additional grant funds will be awarded. Fletcher said as-built building plans have not been updated in the past 25 years of building revisions, but plans will be updated throughout the retrofit project.

Commissioner Durgan said he cannot understand why the county's maintenance personnel did not detect the ducting holes, some which were patched with duct tape. Durgan said hiring Tri-County Sheet Metal was done in an emergency situation, RGO said it had worked with Tri-County, and therefore the decision was made to hire Tri-County to address duct holes for a \$2,500 not-to-exceed contract.

Commissioner Malone said Fletcher should check with the civil deputy county attorney to see whether it is legal to have Tri-County Sheet Metal patch the holes while the county has an HVAC contract with another contractor.

In other discussion, Fletcher said his department researched Commission meeting minutes for a Yellowstone River Ranch Estates fund and the only thing found on the subject was on March 13, 2007, when the Commission held discussion and minutes reflect exactly how the MOU reads.

Finance Director Lani Hartung said the AP clerk looked into building vending machines as there have been complaints of the machines not being stocked. She said the county makes 1.5 cents on each container of soda sold and pays the vendor upon machine restocking. Hartung said the distributor said it will no longer continue with the current arrangement. There was discussion about vending machine options.

@9:23 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 20, 2011

10:00 A.M. – Agency on Aging – Helena, MT – Commissioner Taylor attended

January 20, 2011

Reappointing of Board of Adjustments Applicants

@10:31:11 a.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Jeri Stevens and Mike Inman, community development; Raea Morris, executive assistant; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to reappoint Board of Adjustments applicants.

Assistant Planner Jeri Stevens said Todd Quisel and Mike Adams submitted applications for three expired board seats, and the Community Development Department recommends reappointment of those applicants. Stevens said board member Chuck Donovan did not reapply for his expired seat and was notified of its expiration. Senior Planner Mike Inman said the Community Development Department will continue to advertise for that open seat.

Commissioner Durgan made a motion to reappoint the two applicants that reapplied for two-year terms. Commissioner Malone seconded that motion. Motion passed.

@10:35:04 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

January 20, 2011

Consider Decision on the EECDBG Electrical Retrofit Contract

@2:31 p.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Philip Fletcher, community development; Lani Hartung, finance; Raea Morris, executive assistant; David Martyn, Beartooth Electric; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a decision on an Energy Efficiency Community Development Block Grant electrical retrofit contract.

Community Development Director Philip Fletcher said legal counsel is currently determining whether the building retrofit RFQ was appropriately advertised, but he thinks the central question the Commission needs to address is what it wants to do about electrical work quotations that exceed available grant funds by \$12,000. Fletcher said the Commission can 1) chose to complete work as per specifications and recommended by a Northwestern Energy audit report and the county pays the \$12,000 difference; 2) reduce the scope of services to bring it in line with the \$12,000 difference; 3) ask Montana DEQ if the county can reallocate budget lines by not doing all air balancing to meet the high electrical bids in light of building ducting having holes and air balancing and commissioning of controls not being done. Fletcher said DEQ may not agree with the third option, which would free up \$9,000.

Finance Director Lani Hartung said she talked with Northwestern Energy and according to the audit the building already has T8 ballasts, so electrical quotes may be less than those submitted by contractors.

Commissioner Malone said he feels the county should go out for additional quotes with the new information it has. Malone asked Fletcher to check with the County Attorney's Office as to whether it is legal to reject all RFQs received and re-advertise the bids.

@2:58 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 20, 2011

3:30 P.M. – Planning and Community Development Board – Community Room – Meeting minutes available in the Community Development Department

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

7:00 P.M. – Solid Waste Board – West Room – Meeting minutes available in the Community Development Department

January 21, 2011

No Commissioner Meetings Scheduled

8:00 A.M. – Mandatory ICS 402 Training for Elected and Appointed Senior Officials – Community Room – Commissioners Durgan, Malone and Taylor attended

Randy Taylor, R.S.
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana