

Park County Commission Meeting Minutes  
Week of January 31 – February 4, 2011  
Park County, Montana

January 31, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:30 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; 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 from Great West Engineering re. \$204,240 Gardiner sidewalk estimate
- Memo from Extension re. Public Administrator mailbox
- Memo re. EOP grant dollars DES final submission
- Memo from Airport Board re. airport CIP
- Memo from John Esp re. HB 130 vote – To Commissioner Taylor for review
- Memo re. Department of Revenue programs posters
- Memo re. distribution of oil and gas funds
- Memo from Bell and Associates re. 2006 Solid Waste Management Plan update

Road Supervisor Ed Hillman said tin was installed on Clyde Park road shops. He said the Park Service will blow snow from Cinnabar Road.

Commissioner Taylor said subcontractor payment issues exist with the 9<sup>th</sup> Street Bridge Replacement Project.

Commissioner Malone reported on January 31 site visits to Cooke City and Gardiner.

@8:22 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

January 31, 2011

Review of Minutes for Weeks of January 17 and 24, 2011

@10:20:50 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review Commission meeting minutes for the Weeks of January 17 and 24, 2011.

Reviewing meeting minutes for the Week of January 17, Commissioner Malone noted the correct spelling of “Meagher” County. Commissioner Taylor noted the correct spelling of “Bannock” Trail and Bob “Planalp.”

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

Reviewing meeting minutes for the Week of January 24, Commissioner Taylor noted the correct spelling of “Sharon Monrow.”

Commissioner Durgan made a motion to accept the minutes for the Week of January 24 as corrected. Commissioner Malone seconded that motion. Motion passed.

@10:29:08 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

January 31, 2011

Consider Decision of Funding for Interoperability Montana

@10:30:42 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Peggy Glass, 911; Greg Coleman, county fire; Lani Hartung, finance; Dann Babcox, PCRFD#1; Ian Marquand, IM; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a decision on Interoperability Montana funding.

911 Coordinator Peggy Glass said Interoperability Montana (IM) is visiting county commissioners across the state asking for funds to support the IM program.

Ian Marquand, IM, said IM service user fees of \$100 and reimbursement of the first 200 radios online through Homeland Security funds was proposed last summer as the long-term, sustainable financial health and viability of IM. Marquand said upper levels of Homeland Security rejected the reimbursement plan, so IM is now working to close the gap between anticipated expenses and existing funds for use, in part, for statewide administration functions, the executive director salary, accounting services and system benefits.

Marquand said IM wants to continue to have one point of contact around the state and is approaching counties and tribes for finances to cover an \$81,000 shortfall through June 2011. He said state and federal partners are providing another \$81,000 in either fiscal or in-kind contribution. Marquand said IM is asking for \$3,000 from counties and \$60,000 of the \$81,000 has been received. He said shortfall figures may be larger in Fiscal Years

2012 and 2013. Marquand said IM was seriously considering closing down the project but legal counsel said that would be an accounting nightmare. He said the state DES is holding back \$2,000,000 IM has earned and that money is at risk of being reallocated if IM fails. Marquand said Montana Highway Patrol and other state entities are spending funds toward IM, and 30 other entities put funds into the system other than the federal government through Homeland Security funds.

Commissioner Malone asked who owns IM property such as the Myer's Flat radio site if IM folds. Marquand said the award letter was an agreement between Park County and IM, so dissolution of IM may require negotiations with the state as to whether or not it would take back the system. He said there may be another question of who owns the equipment assets.

Marquand said 70 of 120 statewide planned IM sites have been constructed with towers and shelters. Commissioner Durgan said it seems like a shame to abandon the effort at this point and it seems the main communication loop is close to being connected. Glass said fire and law enforcement radio equipment has been at the Myer's Flat site since October 2110 and the system has helped Park County with radios, but two sites are still needed in the county to alleviate dead spaces. She said the Sheriff's Office is relying on the system to come into Park County.

Dann Babcox of PCRFD#1 said he agrees with Durgan's statement, but his concern is the quality of system maintenance the county has been getting from IM. Babcox said he thinks the county should go forward with the project until it is understood where the project is the next fiscal year and review the situation then.

Malone said he has real concerns about the future of IM and feels the fire agencies or PCRFD#1 should pay for the requested funds. Durgan said he would like the opportunity to explore the financial options with the city and fire operations regarding the request. The Commission said it will consider whether it will provide the requested IM funding.

@11:23:14 a.m., the meeting adjourned.

January 31, 2011

Consider a Decision of Mitchell Ranch Road Easement Extension

@11:33:54 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; Dann Babcox, PCRFD#1; Chuck Donovan, citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider a decision on a Mitchell Ranch Road easement extension.

Citizen Chuck Donovan said he and Wayne Peterson surveyed a jeep trail for a capital improvement fund to build a road around Livingston to serve as a secondary access after

a problem arose with easements in the Green Acres housing development. Donovan said the easement's sunset clause has expired and the Commission needs to determine whether it will abandon the infrastructure or continue the easement agreement. He said Park County may have to return \$21,000 collected from subdivision lot owners per contract if the Commission ends the agreement today.

Dann Babcox of PCRFD#1 said emergency services need to have two ways in and out of a housing subdivision.

Commissioner Malone made a motion to extend the agreement for six months pending legal review of rewriting the pending agreement between the current landowner and the county. Commissioner Durgan seconded that motion. Motion passed.

@11:44:50 a.m., the meeting adjourned.

#### Voided Checks

Claims #: 70919

Payroll #s: 46351; 46353; 46354; 46355; 46356; 46357; 46358; 46359; 46360; 46361; 46362; 46363; 46364; 46365; 46366; 46367; 46368; 46369; 46370; 46371; 46372; 46373; 46374; 46375; 46376; 46401

#### February 1, 2011

8:00 A.M. – City/County Meeting - Community Room – Commissioner Taylor attended

#### February 1, 2011

#### Daily Correspondence/Agenda and Briefing on Current County Projects

@8:52:32 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; Ed Hillman, road; Philip Fletcher, 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. Feb 22 Board of Health meeting
- Memo from sanitarian re. Cooke City sewer district meeting
- Memo from DES Coordinator re. flood and dam failure annex
- Memo from HR re. MACo Health Care Trust representative
- Memo re. Feb 7 Community Network meeting
- Memo from senior planner re. floodplain regulations request
- Memo from finance director re. Public Administrator IRS requirements
- Memo re. Gardiner schools road crew thank you

- Memo from community development re. historical preservation plan
- Memo from FWP re. Tom Miner Creek - To senior planner for review
- Memo re. HB 316 Commission letter
- Memo from City of Livingston re. zoning variance request
- Memo from PCGS re. \$61,000 request for funds
- Memo from Olness and Associates re. June 30, 2010 audit findings

Community Development Director Philip Fletcher said 9<sup>th</sup> Street Bridge progress meetings will be held every Wednesday at 2:00 p.m. at CTA's offices and he will write up a summary report for the Commission on Thursdays.

@9:10:19 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

February 1, 2011  
County Road Updates

@9:13:14 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Ed Hillman, road; Kevin Bales, Crazy Mountain Ranch; Matt Asplund, Cooke City (via telephone); Kevin Stump, Hard Drives (via telephone); 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 work locations of road crewmen. He said a local individual built a tow bar for \$250 for a road department vehicle, a crewman hit a deer with a road department pickup truck, and the parks service may provide a snow blower on Cinnabar Road for a cost, and an individual may help remove snow in Cooke City.

Matt Asplund of Cooke City said Cooke City is extremely overwhelmed with snow this year and he has always added an extra charge to snow removal when snow is in excess of one foot. There was discussion about where to put plowed snow and he said he charges \$90 per hour for a truck. Hillman said he has trucks to assist with snow removal.

There was discussion about overlay and paving options of Rock Creek Road with a Hard Drives representative. Kevin Bales of Crazy Mountain Ranch said he will work on a proposal and submit it to the Commission.

@9:52:10 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 1, 2011

Signing of Lease Agreement with Vision Livingston

@10:13:25 a.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present was Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a lease agreement with Vision Livingston.

Commissioner Malone said Vision Livingston would like to place a sign on Poor Farm Property near the shooting range and will enter into a lease agreement with Citizen Ray Sundling for that sign.

Commissioner Durgan made a motion to sign the lease agreement for ten years with Vision Livingston. Commissioner Malone seconded that motion. Motion passed.

@10:14:18 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 1, 2011

MSU Extension Updates

@11:03:49 a.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Tracy Mosley, Mary Anne Keyes and Dee McDonnell, MSU Extension; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as an MSU Extension updates session.

MSU Extension Agent Tracy Mosley said she and Mary Anne Keyes were trained to teach farm and ranch risk management workshops and she would like to put on another small acreage workshop this spring. She said she may hold another Level I Master Gardiners class, she has been editing *Big Sky Small Acres* and she may apply for an RC&D chairman position.

Dee McDonnell said she is conducting two nutritional classes for first grade classes in Winnans School and will do afterschool programs at Arrowhead and LINKS. McDonnell said there are other possibilities in the Shield's Valley schools. She said her curriculum is on food pyramid guidelines, food choices and food safety for first, third and fifth grade students.

Mary Anne Keyes, 4-H Extension agent, said Park County has 300 members in its 4-H program currently with the cooking classes and may have another 40 this summer with gardening programs. Keyes said 45 kids are participating in shooting sports and Extension received a \$5,200 grant from the NRA to purchase more air guns. Keyes reported on 4-H members with livestock projects, said she is working with the

fairgrounds on a master plan for year-round use, and will submit 300-word blurbs in a MSU newsletter.

Keyes submitted a check to the county for county overpayment of Extension personnel leave benefits. She said MSU Extension requests putting the funding into a capital improvements line item for a new vehicle when needed.

@11:48:31 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 1, 2011

Discussion of Quarterly Budget to Actual Comparison and Treasurer's Cash

@1:06:38 p.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Lani Hartung, finance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss quarterly budget to actual comparisons and Treasurer's cash reports.

Finance Director Lani Hartung presented the Commission with a budget to actual report for each county department and office.

@2:05:07 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 1, 2011

Signing of Cooperative Law Enforcement Agreement with U.S. Forest Service and Sheriff's Office

@2:10:56 p.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Scott Hamilton, undersheriff; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a cooperative law enforcement agreement with the U.S. Forest Service and the Park County Sheriff's Office.

Commissioner Durgan said Undersheriff Scott Hamilton approves of the agreement.

Commissioner Malone made a motion to sign the agreement as provided by the Sheriff's Office. Commissioner Durgan seconded that motion. Motion passed.

@2:11:23 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 2, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:30:58 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; Barbara Woodbury, sanitarian; Lani Hartung, finance; Sue Martin, public administrator; 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. HB 316 legislation
- Memo from MDT re. moving of house
- Memo re. February 4 Fire Council meeting
- Memo re. Montana DOC webinar HOME program
- Memo from Interoperability Montana re. legislative agenda
- Citizen memo re. 9<sup>th</sup> Street Bridge thank you
- Memo from MDT re. KPRK bridge utility plan
- Memo from Montana Clean re. flowerbed maintenance inquiry
- Memo from floodplain administrator re. citizen floodplain request
- Memo from community development re. February 25 onsite Cooke City Planning and Zoning Commission meeting

Commissioner Taylor said the county will hold a conference call with Bell and Associates to discuss a solid waste report update scope of services.

Public Administrator Sue Martin said she is not a contractor by statute and has received a W-2 with a fictitious number as to her earnings without accounting of numbers. Martin asked what the county will do to clear up the issue so she can complete her taxes. The Commission said they will turn the issue over to the finance director and county attorney's office for rectification. Finance Director Lani Hartung said perhaps she, Martin and HR should sit down and look into the issue.

Sanitarian Barbara Woodbury said Sanitarian Rachael Lewis is resigning from her position possibly as soon as February 11.

Finance Director Lani Hartung said Jeff Rupp of HRDC said he will no longer request Angel Line funds as matching funds for his transportation service.

Road Supervisor Ed Hillman said the road crewmen say this year has been a difficult winter in Gardiner regarding snowfall amounts, and two crewmen are needed in that area so he will continue to have two crewmen there.

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

February 2, 2011

MACo Health Care Trust Updates

@9:02:56 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; Barbara Woodbury, sanitarian; Pam Wallin, MACo; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Montana Association of Counties Health Care Trust updates.

Pam Wallin of MACo Healthcare Trust said MACo made changes to the county's plan she said resulted from healthcare reform changes. Wallin provided the Commission with 2010-2011 benefit summary reports for review.

@9:32:38 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 2, 2011

Human Resources Updates

@9:42:20 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 the Commission with change of status forms for an Angel Line driver, a green box attendant and a sanitarian position job posting. Ouellette said the commissioners need to complete a performance evaluation for GIS/IT Manager Erica Hoffman.

Ouellette said she is dealing with an internal PCRFD#1 job posting that was leaked externally.

There was discussion about a Public Administrator position.

@10:05:56 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

February 2, 2011  
Maintenance Department Updates

@10:07:06 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Kelly Johnson, maintenance; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss activities in the Maintenance Department.

Kelly Johnson said he will work full days on Mondays, Wednesdays and Fridays as part of his temporary maintenance work assignment. Johnson said he will replace burned out exit lights and move parking signs in the parking lots. Commissioner Malone said his idea is to use Johnson to repair courthouse HVAC ducting holes.

@10:27:19 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

February 2, 2011  
Consider Selection of Successful Bidder for Scrap Metal Recycling at Landfill

@11:05:28 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; Dick Juhnke, citizen; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to consider selection of successful bidders for scrap metal recycling at the landfill.

Commissioner Taylor said three bids were submitted to the county, and a bid from Steele Etc. Holding Company was unresponsive after review of the civil deputy county attorney. Taylor said a bid from Pacific Recycling was \$97 per ton and could increase if the price of steel goes up, and a bid from Mike Adkins was \$69.10 per ton.

Commissioner Malone made a motion to accept the bid from Pacific Recycling. Commissioner Durgan seconded that motion. Motion passed.

Solid Waste Board Member Richard Juhnke asked why the Solid Waste Board is not handling something as immaterial as the bid award since the Commission said the SWB would be given more responsibility. Malone and Taylor asked the SWB to submit a list of what it feels is appropriate for it to handle and the Commission will run that through the County Attorney's Office.

@11:17:49 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 2, 2011

1:00 P.M. – Weed Board Meeting – East Room

February 2, 2011

Signing of Contract with KMA for Yellowstone Gateway Museum HVAC Retrofit

@1:33:48 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Paul Shea, museum; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a contract with KMA for a Yellowstone Gateway Museum Heating, Air Conditioning and Ventilation retrofit project.

Civil Deputy County Attorney Shannan Piccolo said she drafted the contract with a KMA representative.

Commissioner Malone made a motion to sign the contract with Kirk Michaels and Associates for a Yellowstone Gateway Museum heating, air conditioning and ventilation retrofit. Commissioner Taylor seconded that motion. Motion passed.

YGM Director Paul Shea said he received correspondence from the National Coalition for Appropriate Technology (NCAT) that will provide engineering to review the museum HVAC system and recommend operating efficiency lighting and heating systems free of charge through Northwestern Energy. Shea requested the Commission sign a form permitting review of YGM HVAC billing and usage data.

Commissioner Malone made a motion Shea have permission to sign off on future NCAT documents without Commission approval provided there is no expenditure of funds involved. Commissioner Taylor seconded that motion. Motion passed.

@1:41:03 p.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned

February 2, 2011

Discuss Hiring of Training Consultant for Road Supervisor

@2:30:28 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Ed Hillman road; Jack Knorr, Montana Public Works Consulting, Inc; Citizens Jim Taylor, Garry Cotant, Jim Hunt, Chuck Donovan and Kevin Funk; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss hiring of a training consultant for the road supervisor.

Consultant Jack Knorr said Commissioner Malone contacted him and asked to visit the Commission to see if he could assist the county in improving its road maintenance operations. Malone said the issue is the county does not know what it costs it to maintain a mile of road, that cost consisting of snow removal and road grading. Malone said the Commission is looking for ways to better maintain county roads.

There was discussion about Rural Improvement Districts (RID). Knorr said the management of RIDs falls to the county. There was discussion about accountability, and Knorr asked how the county currently accounts for the hours of work done by department employees. Hillman said each road crewman fills out daily timesheets, but the Commission would like to know the distance of road each crewman maintains each day. Knorr said Stillwater County has a form that each crewman fills out daily, as well as a program that accounts for all activity of road crewmen and details equipment maintenance.

Malone said the county has classified its roads Class I through V as to how often roads are maintained. Knorr said having a maintenance plan based on that classification gives the Commission something to tell the public. Hillman said the road department has no long- or short-term plan of work. Knorr said he could start by creating a one-year plan for the county based on manpower and equipment. Hillman said he would like Knorr to view all equipment and buildings with Hillman to get an inventory of condition and give ideas where the county should go from this point.

Knorr said the Road Department is a maintenance-oriented department, but must budget for major road repair or reconstruction projects. Hillman said he does not know exactly how many miles of road the county maintains. Knorr said Hillman needs to have that information, have a map of roads maintained and know the number of miles each operator maintains.

Malone said the Park County Road Department budget is \$1.197 million with about \$368,000 going to wages and benefits. Knorr said he likes to maintain 30 percent in budget reserves. Malone said Park County has that amount in its road budget reserves.

Citizen Jim Hunt said the road department needs to budget for chip-sealing maintenance of roads on a rotating basis otherwise the roads will deteriorate beyond repair.

Malone said the county now has a snow removal plan. Knorr said he does not like having anyone work on county roads other than county road crewmen, but he will take cash donations for work. He said contractors who are given grading specifications are okay.

Knorr said a road supervisor can be a Commission's best or worst friend and can take a lot of road complaints off the Commission's back. He said the idea is to hire good people and get out of their way, and if an employee is not doing what you want him to do, then bring him in and tell him what you want done. He said if the employee still does not do the job, fire him and get the right guy in the job. Hillman said he and the Commission

have good communication and always come to a working agreement of some sort. Knorr said the job of road supervisor is not an easy job. He said a good road supervisor knows how to run a blade, handle the public, handle people, take orders, make plans, be a financial officer to budget out employees and be an expert on equipment for purchases.

Citizen Jim Taylor said the maintainer in the Shields is at the shop and off the job by 3:30 each afternoon and drives the road grader back to the shop each evening. He said there is not a rancher in the county who will not allow a road grader to park on his property for an evening. Hillman said road crewman often park on people's property overnight. Knorr said vandalism can be a problem if machinery is left along a road. Taylor said the maintainer in Wilsall is driving a county vehicle 16 miles to and from Clyde Park every day, which adds up over the course of a month. Commissioner Taylor said the Commission will look into that issue.

Malone said his idea is not to retrain Hillman, but to give the Commission advice on what other counties are doing and how to better spend funds. He said it never hurts to get a set of outside eyes to look at an operation. Hillman said he thinks Knorr needs to look at the overall operation including equipment and what the crew does. Knorr said he would like to meet with the county's HR person and review the budget and work with Hillman and learn how he dispatches his crew.

@4:08 p.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned

#### February 2, 2011

3:00 P.M. – Parks and Recreation Board – West Room – Meeting minutes available in the Community Development Department

#### February 3, 2011

8:30 A.M. – Southwest Regional Detention Board Conference Call – Juvenile Detention Office – Commissioner Durgan participated

#### February 3, 2011

##### Daily Correspondence/Agenda and Briefing on Current County Projects

@9:48:16 a.m., Commissioner Malone 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; Jill Ouellette, HR; and Commission Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo re. refuse assessment request form

- Memo re. citizen public information request
- Memo re. Feb 25 onsite Cooke City Planning and Zoning Commission meeting
- Memo re. IM interim study
- Memo from community development director re. resignation from grants review committee
- Memo re. Cooke City newsletter
- Memo re. solid waste study questions

Commissioner Durgan reported on a February 3<sup>rd</sup> Southwest Juvenile Detention Board conference call.

Human Resources Analyst Jill Ouellette provided the Commission with change of status forms for a roll-off truck driver in the refuse department.

There was discussion about having the county maintenance man or Tri-County Sheet Metal repair holes in the county's HVAC ducting system. Commission Malone said he thinks the Commission is in agreement for Tri-County Sheet Metal to conduct the work.

@10:24:30 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned

February 3, 2011

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

February 3, 2011

Signing of National Fish and Wildlife Foundation Grant for Fleshman Creek Project

@10:31:02 a.m., Commissioner 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, community development; Kerry Fee, PCEC; Sharon Sweeney-Fee, TU; Scott Nelson and Mark Westenskow, CTA Engineering; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a National Fish and Wildlife Foundation (NFWF) grant for a Fleshman Creek Restoration Project.

Commissioner Malone said the \$53,075 National Fish and Wildlife Foundation grant is to restore a two-mile reach of Fleshman Creek. Civil Deputy County Attorney Shannan Piccolo said the Commission was concerned with wording of the grant's termination clause stating the project may be stopped if the county does not conduct the fish habitat restoration portion of the grant or changes the grant scope of work. Piccolo said the concerns, in her opinion, have been put to rest after speaking with a NFWF representative in Washington, DC. Piccolo said she has email correspondence of her discussion with the representative detailing the termination clause.

Piccolo said the county could be subject to paying back grant funds if it bills toward the NFWF grant and then does not complete fish habitat restoration work.

Commissioner Durgan said the NFWF grant has been documented as part of the project funding through Community Development Director Philip Fletcher's documentation of how the project is going to be funded, he thinks the NFWF funding is an essential part of the overall funding, and he supports signing the agreement.

Commissioner Durgan made a motion to sign the agreement. Commissioner Malone seconded that motion with an amendment stating the contract contain a bailout clause if the county runs out of project funds. Motion passed.

Fletcher said a taskforce is working on public outreach associated with the project, one public meeting has been held and at least three other meetings are scheduled. He said one of those meetings will be held when the draft design is presented.

Sharon Sweeney-Fee of Joe Brooks Chapter of Trout Unlimited said there will be plenty of time and foresight into the project by the time the restoration portion of the project is reached, and therefore there will be no need to pay back funds.

Kerry Fee of Park County Environmental Council said there was no major concern voiced against the project at a January 27 public meeting on the project at the Elks Lodge and he thinks that is a good indicator there is no major opposition to the project. Sweeney-Fee said each landowner on the creek was mailed an invitation to the January 27 meeting and the invitations clearly defined that Fletcher would be discussing the Flesman Creek Project.

Malone said his concern is the city of Livingston needs to be involved in the project, specifically in providing storm water runoff filtration efforts.

Malone said he asked Fletcher to research whether the Federal Emergency Management Agency had a problem with changing the scope of the project length from the upper end of the lagoon to the confluence of the Yellowstone River to a stretch from 2<sup>nd</sup> to M Streets. Fletcher said he will get that permission from FEMA in writing.

@10:47:48 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

February 3, 2011

Discussion of Gravel Operation Approval in Paradise Valley

@11:30:45 a.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Citizens Janette and Andrew Barnes and Elizabeth Lahren; and Commission Minutes Clerk John Mueller.

The meeting was scheduled to discuss gravel operations in Paradise Valley.

Commissioner Durgan said Mr. Barnes contacted Durgan about his business endeavor because it deals with gravel operations in the county. Citizen Janette Barnes said the operation is on Betty Larhren's property. Andrew Barnes said the operation involves taking prescreened gravel from East Helena and separating it from five-eighths-minus to one-eighths-minus to remove sapphires. He said the remaining gravel will be discarded.

Durgan said there do not seem to be any concerns to the county with the operation because no mining of gravel is taking place and the endeavor is being conducted on private property. Barnes said the operation does not fall under DEQ either as far as he knows. He said one-inch-minus gravel would be a byproduct of the operation and he may be interested in making a deal with the county for that byproduct. The Commission said the road supervisor would be interested in meeting with Barnes about his possible gravel source.

@11:41:42 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned

February 3, 2011

Signing of City/County Airport Capital Improvements Plan Documents

@1:30:51 p.m., Commissioner Durgan 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, community development; Kerry LaDuke and Jerri Miller, Airport Board; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign City/County Airport Capital Improvement Program Plan (CIP) documents.

Airport Board Member Kerry LaDuke said the CIP plan is required for federal funding and ensures the FAA the airport has a plan in place. Community Development Director Philip Fletcher said the Airport Board has been cooperative in keeping him informed of their projects, and those projects are a chapter of the countywide CIP.

Commissioner Malone made a motion to approve the City/County Airport Capital Improvements Program plan. Commissioner Durgan seconded that motion. Motion passed.

@1:45:46 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned

February 3, 2011

Consider Decision of Capital Improvement Grant Monies for Engineering Firm on Cooke City Sewer Project

@2:03:14 p.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Philip Fletcher, community development; Barbara Woodbury, environmental health; Scott Nelson and Mark Westenskow, CTA Engineering; and Commission Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a decision of Capital Improvement grant monies for an engineering firm to work on a Cooke City sewer project.

Sanitarian Barbara Woodbury said it was her understanding the county is to provide the government with a more professional report for a proposed Cooke City sewer project with hopes of securing federal appropriations. Woodbury said Morrison-Maierle has been working with the county on the project to-date. Community Development Director Philip Fletcher said he talked with CTA Engineering about the proposed study.

Fletcher said the request is to allow commitment from a capital improvement grant to spend up to \$2,000 to give a baseline engineering study that will provide a chapter for the county's Capital Improvements Program grant.

Malone said Woodbury and Fletcher should interview CTA and Morrison-Maierle to see what each can provide for \$2,000 with each firm understanding the study may not lead to a professional engineering report.

Commissioner Malone made a motion Fletcher and Woodbury spend up to \$2,000 and select an engineering firm to do a quickie schematic that would help with the grant. Commissioner Durgan seconded that motion. Motion passed.

@2:32:49 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned

February 4, 2011

No Commission Meetings Scheduled

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana