

Park County Commission Meeting Minutes
Week of June 20 – 24, 2011
Park County, Montana

June 20, 2011

Review Daily Agenda/Correspondence and Current County Projects

@8:35:06 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, administrative assistant; Lani Hartung, finance; Ed Hillman, road; and Minutes Clerk John Mueller. No public comment made.

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

Correspondence for June 16 included:

- Memo email re. RC&D office space update
- Memo email re. Jardine Road condition and potholes
- Memo email re. June 10 Burton Minor Subdivision onsite visit
- Memo document re. citizen refuse assessment
- Memo email re. per diem calculation and reimbursement
- Memo email re. Gardiner sidewalk project logistics
- Memo email re. Public Administrator comments
- Memo document re. June 20 Shields Valley Watershed meeting notice

Correspondence for June 17 included:

- Memo email re. PILT information
- Memo email re. Public Administrator mailbox
- Memo email re. county historian Springdale 3rd Street research
- Memo fax re. Hard Drives Construction RID and Rock Creek proposal
- Memo document re. June 29 MACo board of directors agenda
- Memo email re. floodwater well contamination
- Memo email re. RC&D board resignation
- Memo document re. Tom Roe and Construction certificate of liability
- Memo email re. request for county engineer bid invoice
- Memo email re. Gardiner school fence quote
- Memo email re. GASB 54
- Memo document re. Dodge Durango maintenance issues

Road Supervisor Ed Hillman said two loads of gravel are being applied to a washout on Trail Creek Road this morning. Hillman said he has five employees on sick or annual leave, so he will not start a 10-hour per day crewmen work schedule.

@9:03:32 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 20, 2011

Department Head Meeting

@9:06 a.m., Chairman Taylor called a meeting to order in the Community Room. Present were Commissioners Durgan, Malone and Taylor; Tracy Mosley, Extension; Erica Hoffman, GIS/IT; Ed Barich, superintendent of schools; Craig Caes, environmental health; Philip Fletcher, community development; Lani Hartung, finance; Raea Morris, administrative assistant; Suzanne Brown, public health; Scott Hamilton, PCSO; Belinda Van Nurden, DES; Denise Nelson, clerk and recorder; Clay Williams, weed; Kelly Johnson, maintenance; Ed Hillman, road; Paul Shea, museum; Brett Linneweber, county attorney; and John Mueller, minutes clerk.

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

Motor Pool Vehicle Use: Commissioner Taylor said motor pool cars need to be used when possible, and keys need to be turned in after use and gas tanks filled up. Taylor said the Community Development Department and museum have Durangos that can be used when available. Administrative Assistant Raea Morris said the department responsible for failing to fill up tanks will be charged for fill up. Kelly Johnson, maintenance, asked for vehicles to be cleaned of litter after use.

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

Other Issues: Taylor said the city will erect two-hour parking signs around the courthouse, and the code enforcer will begin enforcing parking zones.

The next department head meeting is scheduled for June 21, 2011, at 9:30 a.m.

@9:52 a.m., the meeting adjourned.

June 20, 2011

Consider Decision of FY2012 Court Appointed Special Advocates Funding

@10:32:00 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Ann Schilling, Don Gimbel and Dude Tyler, CASA; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a decision on Fiscal Year 2012 CASA funding.

Ann Schilling, CASA said the major increase in the proposed FY 2012 CASA budget is to wages in attempt to get in line with other non-profits and the private sector. Schilling said she is asking for \$10,000 from the county, which is the same amount as last year. Don Gimbel, CASA, said economy issues have increased participants.

Commissioner Malone moved to provide \$10,000 to CASA for FY 2012. Commissioner Taylor seconded the motion. Motion passed.

@10:40:00 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 20, 2011

Signing of Agreement with Gallatin County WIC Program

@11:10:50 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign an agreement with the Gallatin County WIC program.

Commissioner Durgan said the WIC agreement between Park and Gallatin Counties will run from July 1, 2011, through June 30, 2012, and funds will be disbursed through the Gallatin County Health Department.

Commissioner Durgan moved to sign the agreement. Commissioner Malone seconded the motion. Motion passed.

@11:13:02 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 20, 2011

Signing of Memorandum of Understanding for GPS and Alcohol Monitoring Services

@11:31:52 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Sue Chvilicek, juvenile probation; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a Memorandum of Understanding for GPS and alcohol monitoring services.

Chief Juvenile Probation Officer Sue Chvilicek said the MOU is between Park County and the Court Administrator's Office to reimburse the county for GPS and alcohol monitoring devices. Chvilicek said the county is already utilizing the GPS device at this

time for a youth in Park County's system, which saves the county funds by not having to incarcerate offenders while wearing a GPS monitor.

Commissioner Durgan moved to sign the memorandum of understanding for the GPS and alcohol monitoring services. Commissioner Malone seconded the motion. Motion passed.

@11:39:40 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 20, 2011

Review of Minutes for Week of June 13, 2011

@1:19:29 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review Commission minutes for the Week of June 13, 2011.

Commissioner Malone requested a revision to Page 2 of 14, the third paragraph should read, "Malone said Gardiner High School is erecting a fence around the football field in Gardiner along a county road to keep bison off the field."

Commissioner Taylor requested a revision to Page 7 of 14, noting the correct spelling of Juhnke Country Living.

Commissioner Malone moved to accept the minutes as corrected. Commissioner Durgan seconded the motion. Motion passed.

@1:24:05 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 20, 2011

Budget Workshop FY2012

1:30 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Lani Hartung, finance; Raea Morris, administrative assistant; Ed Hillman, road; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as a Fiscal Year 2012 budget workshop.

Finance Director Lani Hartung presented the Commission with department budget to actual expenditures to-date.

Hartung and Road Supervisor Ed Hillman reviewed the Road Department's proposed FY 2012 budget. Hartung said that budget will need cash deposits by June 30 to cover line items over budget. Hartung also presented the Bridge budget.

@3:38:37 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 21, 2011

Review Daily Agenda/Correspondence and Current County Projects

@8:32:14 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Raea Morris, administrative assistant; Lani Hartung, finance; Greg Coleman, fire warden; and Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo email re. county budget
- Memo document re. reducing county expenditures
- Memo email re. Prospera efforts
- Memo letter re. Cooke City SAR building use
- Memo email re. water monitoring lab costs
- Memo email re. Daisy and Lulu Pass Roads

Interim Fire Warden Greg Coleman said he visited Cooke City on June 1 to discuss temporary emergency use of a Forest Service administration facility near the county Search and Rescue and Sheriff's Department building. Coleman said he drafted a letter of use parameters and provided it for Commission review.

Commissioner Malone said Representative Ron Arthun told him Dave Galt of an oil and gas company is available to give a presentation on hydrologic fracking.

Finance Director Lani Hartung provided the Commission with an outstanding invoice from CTA Engineering for 9th Street Bridge work

@8:58:07 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 21, 2011

County Road Updates

@9:02:47 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Ed

Hillman, road; Raea Morris, administrative assistant; Lani Hartung, finance; Greg Coleman, fire warden; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues.

Interim Fire Warden Greg Coleman said Daisy and Lulu Pass Roads are being rebuilt due to new mining activity and Cooke City citizens expressed concerns about the roads being maintained as low clearance roads, which may hinder ATV use. Road Supervisor Ed Hillman said the plans for those roads are a done deal as part of an agreement with the mine reclamation. He said the county maintains that road, and discussed maintenance of the road with the Forest Service. Hillman said the county has no plans for the Bannock Trail, which experienced some washout issues last year.

There was discussion about increasing fuel prices and fuel delivery charges incurred by the county.

@9:34:36 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 21, 2011

Human Resources Updates

@9:34:39 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Jill Ouellette, HR; and 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 a full-time employee changing to half time in the Clerk and Recorder's office; a fairgrounds worker; and a road department employee used to take down snow fence. Ouellette provided the Commission with an Angel Line driver resignation notice and job opening. Ouellette said a motor vehicle clerk and Angel Line driver positions are currently available with the county.

Ouellette said she has been proofreading open enrollment paperwork this week. She said she suggests the Commission hold a meeting within the next two weeks for direction for the Health Insurance Committee.

Commissioner Taylor asked how the Commission can excuse board members who are not performing to expectations, and asked Ouellette to conduct board member exit interviews in attempt to improve board relations and functions. Ouellette said she can do that.

@9:46:35 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 21, 2011

Consider Shields River Bluffs Subsequent Minor Subdivision Final Plat Application

@10:04:56 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Mike Inman, community development; Shannan Piccolo, civil deputy county attorney; Tom Moody, developer; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a Shields River Bluffs Subsequent Minor Subdivision Final Plat Application.

Subdivision Administrator Mike Inman said the subdivision in question was reviewed and approved on April 9, 2008, and an extension was granted until April 9, 2011. Inman said the final plat application was reviewed and approved by the Planning Division of the Community Development Department, Environmental Health Department and County Attorney's Office, as well as the road supervisor and fire chief. Inman said the applicant requested and was granted an amendment to the final plat application as a non-material change to move a cul-de-sac 80 feet to coincide with topography. He said covenants required in the findings of fact for final plat approval have been submitted and all other provisions met through review.

Commissioner Malone moved to accept the final plat for Shields River Bluff Minor Subdivision. Commissioner Taylor seconded the motion. Motion passed.

@10:08:47 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 21, 2011

2:30 P.M. – Onsite Review of Burton Minor Subdivision – Gardiner – Canceled due to applicant putting subdivision on hold

3:00 P.M. – Web Committee – East Room

June 22, 2011

8:30 A.M. - Review Daily Agenda/Correspondence and Current County Projects - Commission Chambers – Canceled due to commissioner schedule conflicts

9:00 A.M. – Western Montana Mental Health Meeting – Butte, MT – Commissioner Taylor attended

9:00 A.M. – Pre-Application Meeting for Rocky Mountain Campground in Gardiner – East Room – Commissioner Malone attended

10:00 A.M. – Agency Administrators Spring Meeting – Community Room –
Commissioners Durgan and Malone attended

June 22, 2011

Compensation Board

@2:04:16 p.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were board members Jill Ouellette, Denise Nelson, Kevin Larkin, June Little, Brett Linneweber, Steve Woodruff, Hannibal Anderson, and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled for Compensation Board discussions.

County Attorney Brett Linneweber said a statutory set of rules outline how elected official salaries are established, and statutes state a base salary must be set for elected officials. Linneweber said Sheriff Lutes will reach five years on the job and be eligible for county longevity after December 31, 2011. Linneweber said each deputy must get a corresponding percentage increase in relation to any longevity amount awarded Lutes. Linneweber said he thinks the county needs to end county longevity by December 31, and MACo attorneys share his concerns.

Steve Woodruff said perhaps a cleaner way to address the issue is to eliminate the longevity completely and give elected officials a larger Cost of Living Adjustment (COLA) than 1.6 percent. Hannibal Anderson said he does not see longevity itself as the issue, but rather getting longevity into a reasonable percentage of one or two percent each year, such as a cap, to avoid significant cuts to elected official salaries and sizeable wage increases as attempted relief of those cuts.

Clerk of Court June Little said she would experience a \$400 per month net reduction in wage if longevity were done away with. She asked why she has worked for Park County for 30 years if she is losing money each year.

Human Resources Analyst Jill Ouellette provided data that states, based on population, all Park County deputy sheriffs must be within 76 to 90 percent of the sheriff's salary, and the salary is defined as base pay plus a mandatory \$2,000. She said no county deputies would require an increase in pay if Sheriff Lutes were given a one-percent longevity increase starting this year, as each would be within the range. Ouellette said the deputies' collective bargaining agreement must be within the range defined in statute.

Linneweber said the danger begins this year in that deputy salaries will increase in time if the sheriff's salary increases beyond the 76- to 90-percent range. Anderson said he does not think any employee should take steps backward from longevity he/she has achieved.

Commissioner Malone said he feels any COLA given to elected officials should be given to county employees.

June Little moved the committee recommend elected officials receive a 1.6 COLA as per MACo's recommendation, excluding the county attorney. Denise Nelson seconded the motion. Motion passed.

Brett Linneweber moved to increase the county attorney's salary by the amount provided by the state of Montana, and the county does not add any additional funds. June Little seconded the motion. Motion passed.

Brett Linneweber moved that, for employees that take longevity, longevity be increased as per the last year and that it be enacted only if it does not trigger an automatic increase for the deputies, and amend the prior resolution to cap the percentage if possible at eight percent, basically eight years. Steve Woodruff seconded the motion. Motion passed.

@2:58:23 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 22, 2011

6:00 P.M. – Fair Board – Fairgrounds Office – Commissioner Durgan attended

June 23, 2011

Review Daily Agenda/Correspondence and Current County Projects

@8:35:24 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, administrative assistant; Shannan Piccolo, civil deputy county attorney; and Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo disc re. 9th Street Bridge pictures
- Memo email re. Livingston Roundup Committee fair board meeting guest
- Memo document re. Olig easement in Gardiner
- Memo letter re. CTA Engineering contract amendments
- Memo email re. infrastructure public assistance program
- Memo document re. Knife River airport project notice of award
- Memo email re. Montana Trust
- Memo document re. Western Mental Health contract
- Memo letter re. Glastonbury Landowners Association exemption

Commissioner Durgan said a citizen on Cokedale Road inquired about concentrated animal feeding operations, and he and Sanitarian Barbara Woodbury will make an onsite visit to the operation in question. Durgan reported on a June 22 Fair Board meeting.

@9:01:05 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 23, 2011

Budget Workshop FY2012

@9:08:03 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Lani Hartung, finance; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled as a Fiscal Year 2012 budget workshop.

Finance Director Lani Hartung reviewed proposed FY 2012 budget figures for a DUI drug taskforce, a Wildland Urban Interface project, moving floodplain management from the Community Development Department to the Environmental Health Department and GASP 54 funds. Commissioner Malone asked Hartung to include figures in budgets for health insurance costs and a 1.6 percent elected officials Cost of Living Adjustment.

Hartung said the Road Department budget is over budget by \$100,000; Missouri River Drug Task Force is over budget by \$2,000 and a victim witness budget is \$6,700 over budget.

Hartung said dollar figures need to be put into Fleshman Creek Restoration and Gardiner Sidewalk Projects budgets. There was discussion about timelines of DNRC and FEMA grants associated with the Fleshman Creek Project.

@9:40:42 a.m., the meeting adjourned.

June 23, 2011

10:00 A.M. – Discussion of Refuse Services with City of Livingston and Solid Waste Board Members – Commissioners Chambers – Commissioner Taylor attended

June 23, 2011

Consider Decision on Scanning Projects for Archives Volunteers

@1:34:22 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Erica Hoffman, GIS/IT; Carol Woodley, PCGS; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to decide on scanning projects for archives volunteers.

Carol Woodley, Park County Genealogical Society, said archive volunteers are available for document scanning now that all road data has been entered.

There was discussion about determining what archive records need to be scanned. The Commission said Woodley can work with maintenance personnel to begin sorting clerk and recorder archive data in cold storage to be moved to the courthouse for scanning.

@1:49 p.m., the meeting adjourned.

June 23, 2011

Decision on Elected Official FY2012 Compensation Wages

@2:07:53 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Compensation Board members Brett Linneweber, Jill Ouellette and Denise Nelson; Raea Morris, administrative assistant; Wes Venteicher, Livingston Enterprise; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to set Fiscal Year 2012 compensation wages for elected officials.

County Attorney Brett Linneweber provided the Commission with a proposed resolution with recommended elected official compensation figures for FY 2012. Those figures were recorded in a Commission meeting on June 22, 2011, at 2:00 p.m. Linneweber said they included approval of longevity pay for elected officials with a cap at eight percent.

Commissioner Malone moved to accept the recommendation of the Compensation Board and approve Resolution #1103 as presented. Commissioner Durgan seconded the motion. Motion passed unanimously.

@2:18:32 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 23, 2011

Signing of Agreement for Open Mining in Arthun Pit

@2:31:35 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign an agreement for open mining in the Arthun Pit.

Commissioner Malone said the agreement with Ken Arthun includes a price of \$1.50 per yard of material removed from the Arthun Pit.

Commissioner Malone moved to sign the agreement with Ken Arthun. Commissioner Durgan seconded the motion. Motion passed.

@2:35:18 p.m., the meeting adjourned.

June 24, 2011

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

10:00 A.M. – Commissioner in Cooke City to Hear Area Resident Concerns –
Community Center, Cooke City

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

2:00 P.M. – Commissioner in Gardiner to Hear Area Resident Concerns – Community
Center, Gardiner

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

Denise Nelson
Clerk & Recorder
Park County, Montana