

Park County Commission Meeting Minutes  
Week of May 16 – 20, 2011  
Park County, Montana

May 16, 2011

Review of Daily Correspondence/Agenda and Briefing on Current County Projects

@8:40:13 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; and Minutes Clerk John Mueller. No public comment made.

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

May 12, 2011, correspondence included:

- Memo document re. NPS winter use plan
- Memo document re. Joe Brooks Chapter annual Yellowstone Clean-up
- Memo documents re. public information requests for YRRE funds expenditures
- Memo email re. Gardiner rafting company grievances
- Memo document re. rafting company
- Memo document re. e-recycling thank you
- Memo email re. Sweet Grass County weed coordinator
- Memo email re. Hwy 212 road plowing comment
- Memo email re. high water report
- Memo email re. restroom maintenance issue
- Memo documents public information requests

May 13, 2011, correspondence included:

- Memo email re. Hwy 212 snow plowing
- Memo email re. grant filing in clerk and recorder's office
- Memo email re. subdivision site visit
- Memo email re. May 17 IBMP meeting agenda
- Memo document re. NPS Grand Loop Road reconstruction
- Memo email re. May 25 adaptive management injunction
- Memo email re. TSEP bill 351
- Memo email re. projects funding prioritization
- Memo email re. May 20 Upper Yellowstone Watershed meeting - To Commissioner Durgan for review
- Memo email re. local flooding and bridge closure report

- Memo email re. cemetery funding potential
- Memo document re. RPA sewer PER report

Commissioner Malone said the residents of Loch Leven are interested in a special improvement district to maintain roads.

Commissioner Taylor said a commissioner will view water running over Wall Rock Road. Taylor said Five Acre Tracts flooding issues on Miller Drive were addressed again on May 21.

@9:15 a.m., the meeting adjourned.

May 16, 2011

Budget Workshop for FY 2012

@10:11:54 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; Martha Miller, auditor; Barbara Woodbury, sanitarian; PCSO personnel Allen Lutes, Scott Hamilton, Tom Totland, Wendy Wood, Jay O'Neill and Colleen Singer; and Minutes Clerk John Mueller. No public comment made.

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

Park County Sheriff's Office personnel reviewed its proposed Fiscal Year 2012 budget with the Commission. Undersheriff Scott Hamilton said PCSO would like the Commission to consider a half-time position to assist in the clerk office. Clerk Colleen Singer said she would like to attend Sleuth software training at \$1,000 per day if a half-time hire is not granted.

@12:42:48 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 16, 2011

Opening of Museum Bids for HVAC and Other Related Updates

@1:33:13 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Paul Shea and Laura McCarthy, YGM; Kirk Michels and Lucas Schad, KMA; Joey Mancuso, Think One; Melvin Schuman, Total Electric; Greg Parks and Michael Sullivan, Bio Seal; Mark Engle, Tri-County Sheet Metal; Kerry LaDuke, museum; Don Palmer, citizen; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to open Yellowstone Gateway Museum bids for HVAC work.

Commissioner Taylor opened sealed bids and read them into the record as follows:

- BioSeal with a total bid of \$172,817
- Think One with a total bid of \$213,000

Commissioner Malone made a motion to submit the bids to legal counsel and the architect for review. Commissioner Durgan seconded that motion. Motion passed.

@1:39:11 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 16, 2011

Update on County Economic Development Program and Decision on Gallatin-Park County Joint Application for Comprehensive Economic Development Strategic Planning Grant

@2:04:20 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Philip Fletcher, community development; Raea Morris, administrative assistant; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to update the Commission on a county economic development program and decide on a Gallatin-Park County joint application for a comprehensive economic development strategic planning grant.

Community Development Director Philip Fletcher said the proposed grant application is similar to a grant the Commission approved last year, but with Gallatin County written into the grant. Fletcher said the grant's scope of services is the same, but budget information has changed. He said the grant will provide financial support to resurrecting an economic development district and will enable completion of a Comprehensive Economic Development Strategy.

Fletcher said he will submit the grant on behalf of Park and Gallatin Counties, and Park County's share will be \$12,500, half of which is cash.

Commissioner Malone made a motion to approve the updated county economic development program, which is a joint application between Park and Gallatin Counties. Commissioner Durgan seconded that motion. Motion passed.

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

May 16, 2011

Review Minutes for Week of May 9, 2011

@2:26:49 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to review Commission meeting minutes for the Week of May 9, 2011.

Commissioner Malone requested a revision to Page 5 of 12; first full paragraph, the last sentence should read, "He said water is running over a bridge on Miller Drive." On Page 9 of 12; first full paragraph, the last sentence should read, "Park County has the greatest decrease in worker's compensation claims of any county in Montana."

Commissioner Malone made a motion to accept the minutes as corrected. Commissioner Taylor seconded that motion. Motion passed.

@2:32:16 p.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 16, 2011

Discuss Prioritization of Possible County Projects for Federal Funding Application

@3:33:52 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Barbara Woodbury, sanitarian; Kim Knutson, fair; Philip Fletcher, community development; Wes Venteicher, Livingston Enterprise; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to prioritize possible county projects for federal funding.

Community Development Director Philip Fletcher said Senator Tester's Office contacted Park County for a list of prioritized projects for possible federal funding. Fletcher said Kent Atwood of the Federal Emergency Management Agency said FEMA does not consider a fairgrounds sewer system lift station as part of the county's Fleshman Creek Project application.

Sanitarian Barbara Woodbury said she suggests the county submit paperwork that includes the dollar amount for a fairgrounds sewer system lift station. There was discussion to rate the fairgrounds sewer project as the top funding priority, and Woodbury said the Cooke City/Silvergate sewer system should be kept on the list for a later date. Fletcher said a Cooke City Emergency Operating Center (EOC) is another high priority project to fund.

Commissioner Durgan made a motion the Commission accept the fairgrounds sewer system and lift station, Cooke City sewer system and a Cooke City EOC as priorities, in that order. Commissioner Taylor seconded that motion. Motion passed.

Fletcher said he will submit the voted-upon priority list to Senator Tester's Office.

@4:08:03 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 16, 2011

Consider Decision on Restructuring of Angel Line Department

@4:08:06 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; Martha Miller, auditor; Angel Line personnel Crystal Young, Jim Hunt, Kevin Funk, Deanna Egeland, Ron Green, Lee Parriott and Barb Williams; Wes Venteicher, Livingston Enterprise; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider restructuring of the Angel Line Department.

Retiring Angel Line Site Manager Barb Williams said she thinks Angel Line's existing transportation coordinator could take on both manager and coordinator job responsibilities if the positions were combined, because that person has filled in for Williams in the past.

Human Resources Analyst Jill Ouellette said there is a significant difference in the level of work the transportation coordinator currently does and what she would be required to do as a department head. Ouellette said the department head must evaluate employee performance, create the budget, handle client complaints and attend transportation meetings.

There was discussion about melding the two positions into one department head position with the appropriate wage increase, maintaining the current two-employee structure or having an existing county department head take on oversight of the Angel Line Department as "other duties as assigned."

Angel Line Board Member Kevin Funk said he thinks an existing department head could take on the necessary supervisory job duties for Angel Line in five hours per week, and Angel Line could leave the current structure of a site manager and transportation coordinator. Funk said he thinks it would be easier for the board and Commission to manage the service with his proposed employee structure.

Williams said five hours per week would be sufficient for a department head to take on the Angel Line Department. The Commission asked the six of seven Angel Line Board members present at the meeting what type of personnel structure each preferred for Angel

Line. Each member said they would like to maintain the transportation coordinator position and have an Angel Line department head.

Commissioner Malone made a motion to use a current department head for evaluations, the accounting office for claims and budget, and HR Department for time slips. The motion died for lack of a second. Commissioner Durgan said he does not think the Commission needs to split responsibilities with the accounting department.

Commissioner Durgan made a motion the Commission have an existing department head assume the site manager job. Commissioner Malone seconded that motion. Motion passed unanimously.

@5:07:27 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 17, 2011

Review Daily Agenda/Correspondence and Current County Projects

@8:48:12 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; 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. floodplain program budget
- Memo email re. NW Energy for fairgrounds
- Memo email re. airport bids engineer tabulation
- Memo email re. bridge fill storage at Civic Center
- Memo document re. Park County refuse district comments
- Memo email re. SWB meeting cancelation

@8:55:59 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 17, 2011

County Road Updates

@9:01:21 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; Citizens Bill and Toby Harris, Bob and Lonie Oakland, Chad Lyon and John Lundberg; and Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Citizen Lonie Oakland provided the Commission with pictures of Miller Drive Bridge flooding. Citizen John Lundberg of Osen's RV Park said he has lost \$1,000 in business at his RV park because flooding contaminated his water well in the Five Acre Tracts. Citizens in attendance said they would like the bridge lifted before another high water event.

Citizen Bill Harris discussed survey pins on Billman Lane. Commissioner Malone said as far as he is concerned the county has completed its efforts on the issue.

@9:27:27 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 17, 2011

Department Head Meeting

@9:31 a.m., Chairman Taylor called a meeting to order in the Community Room. Present were Commissioners Durgan, Malone and Taylor; Mary Anne Keyes, Extension; Erica Hoffman, GIS/IT; Ed Barich, superintendent of schools; Barbara Woodbury, environmental health; Philip Fletcher, community development; Lani Hartung, finance; Raea Morris, administrative assistant; Jill Ouellette, HR; Suzanne Brown, public health; Scott Hamilton, PCSO; Belinda Van Nurden, DES; Denise Nelson, clerk and recorder; Linda Budeski, justice court; Clay Williams, weed; Brett Linneweber, county attorney; and John Mueller, minutes clerk.

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

Two-Hour Parking: Taylor said two-hour parking signs will be erected around the courthouse, except for in front of KMA Architects. He said the city parking enforcer will begin patrolling around the courthouse.

Flooding: DES Coordinator Belinda Van Nurden said the Yellowstone River at Livingston will reach 10.5 feet in 15 to 30 days per the National Weather Service. She said county tributary streams are full. Van Nurden asked department heads for employee names to assist with manning the county Emergency Operations Center (EOC). Undersheriff Scott Hamilton said the EOC generally operates with employees serving six-hour shifts.

Angel Line: Taylor said the Commission voted on May 16 to have an existing county department head assume supervisory responsibilities evaluating drivers and fielding rider complaints for the Angel Line Department for five to 10 hours a week in light of an employee retiring. Taylor said any interested department heads should approach the Commission and talk to Human Resources Analyst Jill Ouellette about the job description.

City/County Compact: Taylor asked department heads to search for any written agreements they may have with the City of Livingston for inclusion in a compiled city/county compact of contracts and agreements.

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

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

@10:50 a.m., the meeting adjourned.

May 17, 2011

Second Reading and Signing of Ordinance Repealing Ordinance #21 Regulating Use of Bailey Bridge

@11:04:18 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 as a second reading and signing of an ordinance to repeal Ordinance #21, which regulated use of the Bailey bridge.

As a second reading, Commissioner Taylor read into the record a proposed ordinance repealing Ordinance #21, which regulated use of the Bailey bridge to 9<sup>th</sup> Street Island.

Commissioner Durgan made a motion to pass the second reading and sign Ordinance #22 to repeal Ordinance #21 regulating use of the Bailey bridge. Commissioner Malone seconded that motion. Motion passed.

@11:07:42 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 17, 2011

Human Resources Updates

@11:10:20 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 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 an offer of employment for a Gardiner green box position. Ouellette said she discussed a vision benefit plan issue with the Health Insurance Committee on May 16. There was discussion about the county's employee healthcare benefits and possible changes to plans and Park County's membership in the MACo pool of insured counties.

@11:28:50 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 17, 2011

Discussion of Park County Transportation

@1:40:59 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Philip Fletcher, community development; David Kack, MSU; Kimberly Brown, Linx Transportation; Carrie Pintar, Amazing Taxi; Mark Lussier, citizen; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss transportation in Park County.

Community Development Director Philip Fletcher said a public transportation system is an important tool in economic development in integrating different communities and demographic sectors. Fletcher said it makes sense to coordinate with existing transportation systems, and a comprehensive plan is necessary with sample budgets and administrative diagrams.

Kimberly Brown of Linx Transportation Coop said Linx will conduct a pilot program for transportation to and throughout Yellowstone National Park and connecting to Jackson, Wyoming.

Fletcher said he thinks the consensus is public transportation is important and feasible enough to move forward with some aspect of a planned pilot program. Commissioners Taylor and Durgan said they would like to see more information on a proposed project.

@2:31:13 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 17, 2011

Discussion with Department of Revenue Director Dan Bucks Regarding Assessor's Office Moving Out of the City/County Complex

@2:33:40 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Kevin Larkin, treasurer; Erica Hoffman, GIS/IT; Denise Nelson, clerk and recorder; Lani Hartung, finance; Raea Morris, administrative assistant; DOR representatives Alan Peura, Dan Bucks, Mark Olson and Cynthia Monteau Moore; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss a possible move by the Department of Revenue (DOR) from the City/County Complex.

DOR Director Dan Bucks said his staff has approached him about the lack of available office space in the City/County Building necessary to efficiently and effectively do the job required of the DOR under the Montana Constitution. Bucks said the DOR is trying to properly use its scarce resources with increasing costs and do a better job of protecting taxpayer records as required by law and have a better venue to talk with taxpayers. Bucks said several counties have asked the DOR to leave the courthouse, which has led to more contact with the public. He said the City/County Complex does not have adequate space for the DOR to interact with the public in the way it feels it needs to best serve the public.

GIS/IT Manager Erica Hoffman said setting up an outlying DOR office with CSA software is possible without creating a security issue, but that effort would be time and labor intensive for the county's IT Department. Hoffman said it is easier to support the DOR staff in the building, but it is not impossible to do it on the outside.

Commissioner Taylor said Livingston is a small town and people here want one-stop shopping for all government assistance they need. He said the county will have a lot of work fall onto it if the DOR moves from the building, and going from individual contact with the public onsite to possible computer contact offsite would not be beneficial. Taylor said he has concerns about citizen convenience and the proposed location of the DOR move and county employees doing their jobs with a lack of personal interaction with state employees.

Bucks said the DOR will consider moving from the building, but he wants the county and DOR IT staffs to talk first, and he wants to consider the small-town human factor Taylor mentioned. Bucks said he hears what the county is saying, but thinks the state and county offices can figure out how to work together and minimize the burden to the county IT and other departments if the state offices move from the building.

@3:41:10 p.m., the meeting adjourned.

May 17, 2011

Discussion of Willow Creek Road Issues

@3:46:19 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Dann Babcox, PCRFD#1; Ed Lamb, Willow Creek Ranch; Dave Poncin, Northfork Ranch; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss Willow Creek Road issues.

Willow Creek Ranch Manager Ed Lamb said Willow Creek Road is in tough shape and asked the county what can be done to improve it. Lamb said he has concerns about safety on the road with a man having a heart attack there last year during hunting season. He said the road was impassible for 29 days this winter due to mud and ruts, but the road was properly maintained in the past as evidenced by culverts.

Commissioner Taylor said Willow Creek Road is not a high maintenance road. Taylor and Commissioner Durgan said they may be able to work with the citizens to repair the road in a joint effort.

PCRFD#1 Chief Dann Babcox said a road is needed from Willow Creek to Meigs Roads, because subdivisions are built there with no water sources. He said rural fire and emergency services needs two ways in and two ways out of developments and one-ways-in will result in loss of life or property damage.

Taylor said the Commission will work to make the road passable. Lamb said he suggests the county budget for structural improvements to the road so gravel improvements last over time.

@4:11:53 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

#### May 17, 2011

6:30 P.M. - Fair Board - Fairgrounds Office – Commissioner Durgan attended

#### May 18, 2011

##### Review Daily Agenda/Correspondence and 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 was Jill Ouellette, HR. No public comment made.

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

Correspondence included:

- Memo documents re. past and 2011 county fairground calendar of events and insurance
- Memo email re. Accounting Office offer to oversee Angel Line Department
- Memo email re. employee health insurance committee meeting
- Memo document re. Cooke City/Colter Pass/Silvergate resort tax letters
- Memo emails re. Hwy 212 snow plowing
- Memo email re. SOM 911 funding guidelines

Commissioner Durgan reported on a May 17 Fair Board meeting.

Commissioner Malone reported on a May 17 Bison IBMP meeting. Malone said he will attend an auction on May 19 for possible road department equipment purchase.

Human Resources Analyst Jill Ouellette discussed a scheduled MACo training she was not able attend due to illness.

@9:20:06 a.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 18, 2011

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

May 18, 2011

Consider Decision on Scope of Fleshman Creek Flood Mitigation and Habitat Restoration Project

@10:00 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Barbara Woodbury, environmental health; Philip Fletcher, community development; Kim Knutson, fair; Fair Board Members Ed Flatt and Mike Adams; Wes Venteicher, Livingston Enterprise; Tom Coleman and Mike Cox, Oasis Environmental; Scott Opitz, MT FWP; Kerry Fee, PCEC; Sharon Sweeney Fee, Trout Unlimited; Ted Madden, PCCF; Todd Wester, Livingston Public Schools; and Citizens Bob Wiltshire, Mark Westenskow, Nelson King and Gary Barnhart.

The meeting was scheduled to consider the scope of a Fleshman Creek Flood Mitigation and Habitat Restoration Project.

Commissioner Taylor said he thinks the Commission needs to define where the Fleshman Creek Project will start and finish and where project monies will come from. He said a PER was conducted, but he has questions about the FEMA grant application regarding project stretch/length.

Community Development Director Philip Fletcher said FEMA states the primary focus of the project is flood control, mitigation and public safety, and the project reach is from the lagoon to the Yellowstone River. Fletcher said the stretch from 2<sup>nd</sup> Street to M Street is the major area that deals with those issues. He said his opinion is the county cannot go out for an RFQ until changes to the application are addressed. Fletcher said he cannot finish the RFQ until the county clearly decides problems and what it wants to change so he can check with funding agencies to ensure the existing RFQ is consistent to agreements the county has.

There was discussion about the Main Street creek crossing. Mike Cox of Oasis Environmental said Oasis was hired to study Fleshman Creek from Town and Country through the lagoon to the River. He said Oasis analyzed the Main Street crossing, and a cost analysis was put together with Nittany Grantworks and included restoration of Fleshman Creek from River Drive, the upper part to the lagoon, and from the swimming pool down. He said all culverts from H to M Street were reviewed with preliminary,

conceptual hydraulics. He said Main Street and the culvert from the weir to 2<sup>nd</sup> Street is not included in the cost analysis. Commissioner Malone read into the record language from the analysis that contains the Main Street culvert.

Malone said he wants to be sure the scope of work is in compliance with the FEMA grant application as it was submitted. Cox said the project was not invented by Oasis, but rather the county created the project and hired Oasis to put together the grant that was ultimately submitted. He said the language in the grant was approved by the county commissioners. Malone said he wants something in writing to FEMA that the Commission is not modifying the grant and the county is still doing all hydraulic structures.

Citizen Sharon Fee asked what is taking so long for the project to get started. Fee said the discussion topics continue to go around and around and the funding agencies will walk if the project continues to drag on. She said she signed off on letters to the funding agencies, so more people than the county will suffer if the funding is withdrawn. Kerry Fee, Park County Environmental Council, said he has been working on the project for 2.5 years, and the county would be broke if it were a private business and operating as it has. Fee said costs will not go down for the project. Commissioner Taylor said he does not want to commit the county to a project that is slip shot built and wants to ensure FEMA approves of all proposed work. Taylor said he is also concerned about the county losing grant funds and he does not want to do something that is not required that could cost a lot of money. He said he needs Fletcher to contact FEMA to ensure the new scope of work without the swimming pool is okay. He said the county will move as quickly as it can on the effort from this point forward.

Citizen Bob Wiltshire said his concern is with why it took Park County so long to identify the swimming pool as a problem with the project scope of work. Wiltshire asked why the issue was not identified last fall when the RFQ was initially scheduled to go out. Taylor said he cannot answer that question, but it has been the gorilla in the room no one has talked about, and the county will now move forward on the project expeditiously. Wiltshire said 10 months is an unacceptable time delay for him as a taxpayer. He said he will be watching the county moving forward on this issue because taxpayers sense the project should have been moving by this point. Wiltshire said everyone wants the project completed, so get it done. Traylor said he agrees.

Commissioner Durgan said he too had misconceptions about the project because he never thought the swimming pool or the Main Street crossing should have been considered in the grant. He said Malone has provided checks and balances with his research into the details of the Main Street culvert in the grant application.

Fletcher said part of his responsibility is to move the project forward in a timely manner, and he agrees the process is taking too long. Fletcher said he has to accept a large degree of responsibility as to why it has taken an extra five months. He said the project is now the top priority within his department.

Todd Wester thanked Fletcher for his admission and Taylor for saying the Commission will expeditiously move forward with the project. Wester said some project partners have already completed their parts of the project, such as water quality monitoring, storm drain markers and other monitoring efforts in Fleshman Creek, which can be used as project in-kind contribution. Wester said receiving additional grant funds hinge on the project moving forward. He asked if the county is up to the task to move the project forward with resources and personnel in the allotted timeline. Fletcher and Taylor answered in the affirmative.

Sanitarian Barbara Woodbury asked what it will take to get the existing RFQ completed and submitted following the current meeting. Fletcher said he wants to be sure he has all changes to add to the RFQ. Malone said he is concerned the RFQ states the county will ensure water quality and quantity and the city of Livingston is not mentioned. Cox provided Malone with answers as to how those issues will be addressed and said the grant application's Alternative 1 states the project starts below the pool.

Cox said he will help the county pro-bono to put together a scope of work for Kent Atwood of FEMA that states where the county is with the project stretch and references the management plan the grant was submitted with. He said that work would take him an hour to complete. Malone said Preferred Alternative #1 states installation of storm water BMPs. Cox said that work is included in the cost estimate. Malone said he wants the grant to FEMA to say the county's project will extend from 2<sup>nd</sup> to M Streets. He said he does not think Park County is in the business of maintaining stream banks in perpetuity.

Cox said he recommends the Commission outline the scope of work that addresses all the grants together to be from 2<sup>nd</sup> Street to M Street spring and addressing water quality, because he believes that would cover the entire grant. Malone said he thinks the county would need jurisdictional authority from the city in order to do that.

Commissioner Malone made a motion the Commission direct Mr. Fletcher to compile a letter to Mr. Atwood that the Commission will sign that spells out the scope of the project as the lower end of 2<sup>nd</sup> Street to M Street spring. Malone said he would like clarification from FEMA that its funds do not include work from Highway 89 at Town and Country to the lagoon, which is referred to as Reach 1. Malone said he would like to allow the consulting engineer to locate the lift station where it will serve the greatest need, specifically D and M Streets, address flood mitigation from 2<sup>nd</sup> Street to M Street spring up to the 25-year flood event and 555 c.f.s., and for the engineer to address water quality issues upstream of Yellowstone Street Bridge to River Drive. Malone said the letter to Atwood is to be prepared and reviewed by the Commission at its regularly scheduled 8:30 a.m. meeting on May 23, 2011. Commissioner Durgan seconded that motion. Motion passed unanimously.

Citizen Gary Barnhart asked for a letter stating landowners will be responsible for the banks of Fleshman Creek after work is completed. Barnhart said the issue of cleaning up project-related work messes on private properties needs to be addressed.

11:25 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 18, 2011

Signing of Metal Mines Allocation Contract

@11:00 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 John Beaudry, Stillwater Mining Company. No public comment made.

The meeting was scheduled to sign a metal mines allocation contract.

John Beaudry of Stillwater Mining Company said Park County's allocation is increasing with new hires at the mine.

Commissioner Malone made a motion the Commission sign the metal mines allocation contract. Commissioner Durgan seconded that motion. Motion passed.

@11:13 a.m., the meeting adjourned.

May 18, 2011

Signing of Contract with Granite TCS for Renewal of IT Support Services

@1:00 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Erica Hoffman, GIS/IT. No public comment made.

The meeting was scheduled to sign a renewal contract with Granite TCS for IT support services.

The Commission voted to sign an annual renewal contract with Granite TCS for IT support services.

@1:15 p.m., the meeting adjourned.

May 19, 2011

8:30 A.M. – Health Insurance Committee Meeting with Employees – Community Room

May 19, 2011

Review Daily Agenda/Correspondence and Current County Projects

@9:46:41 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Raea

Morris, administrative assistant; 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. Fleshman Creek RFP map
- Memo document re. Fleshman Creek map
- Memo document re. fairgrounds activities schedule and insurance requirements
- Memo email re. public information request - To Community Development for review
- Memo email re. RAC schedule
- Memo email re. MACo youth parole amended rule changes
- Memo email re. Cooke City Hwy 212 snow plowing
- Memo invoice re. KMA airport legal ad
- Memo document re. airport legal ad
- Memo ad re. Park and Recreation Board application notice
- Memo document re. Montana in the Sky
- Memo email re. Newman Creek road closure
- Memo document re. Commission personnel assistance request with traffic counter project

Commissioner Durgan reported on a May 18 Library Board budget meeting.

Commissioner Taylor said the county will contact Montana Clean to clean hallway and office carpets with completion of a building retrofit project.

@10:01:31 a.m., the meeting adjourned.

May 19, 2011

9:00 A.M. - GIS/IT FY 2012 Budget Meeting - Commission Chambers – Canceled due to personnel issue

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

May 19, 2011

Discuss Park County Rural Fire District #1 Building Lease

@1:00 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; and PCRFD#1 personnel Dann Babcox, Chuck Donovan and Larry Blakely. No public comment made.

The meeting was scheduled to discuss a Park County Rural Fire District #1 (PCRFD#1) building lease.

PCRFD#1 Fire Chief Dann Babcox said PCRFD#1 is moving forward in moving to a new location and building. Babcox said PCRFD#1 is considering offering lease of its current building and property to Park County for storage purposes.

PCRFD#1 Board Chairman Larry Blakely said the board would be willing to discuss building lease monetary figures with the county. Commissioner Taylor said he thinks the county would seriously consider discussion with Rural One about a lease agreement. Taylor said Rural One needs to provide proposed lease figures.

@1:20 p.m., the meeting adjourned.

#### May 19, 2011

1:30 P.M. – Planning and Development Board – Community Room – Meeting minutes available in the Community Development Department

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

7:00 P.M. – Solid Waste Board – West Room – Meeting minutes available in the Commission Office

#### May 20, 2011

No Commission Meetings

10:30 A.M. – Commissioner in Cooke City to Discuss Snow Plowing – Cooke City Community Room

2:00 P.M. – Upper Yellowstone Mill Creek Watershed Meeting – St. John's Church, Emigrant

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana