

Park County Commission Meeting Minutes  
Week of May 23 – 27, 2011  
Park County, Montana

May 23, 2011

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

@8:30:48 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; Philip Fletcher, community development; Barbara Woodbury, environmental health; Kerry Fee, PCEC; Sharon Sweeney Fee, TU; Mike Cox, Oasis; Scott Opitz, FWP; and Minutes Clerk John Mueller.

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

May 19, 2011, correspondence included:

- Memo document re. traffic counter work proposal
- Memo document re. Enterprise advertisement invoice
- Memo email re. cardboard recycling station
- Memo email re. PCEC Fleshman Creek statement
- Memo document re. Park County sheep tax role
- Memo emails re. Hwy 212 Cooke City snow plowing
- Memo email re. Oasis Statement of Work
- Memo document re. Fleshman Creek FRP
- Memo document re. Montana DPHHS eligible use of funds
- Memo email re. Upper Yellowstone Watershed subcommittee
- Memo email re. Bell and Associates budget request

May 20, 2011, correspondence included:

- Memo email re. Compensation Board meeting
- Memo document re. refuse reduction request
- Memo note re. missing signs in Five Acre Tracts
- Memo emails re. Hwy 212 Cooke City snow plowing
- Memo document re. Ordinance #22
- Memo document re. Gardiner RV park subdivision application
- Memo document re. Metal Mines license tax
- Memo email re. Gateway Hose Company member recommendations
- Memo document re. Park County/Shields River groundwater analysis
- Memo document re. Billman and Loves Lane potholes

Commissioner Malone reported on a May 20 visit to Cooke City regarding proposed snow plowing of Highway 212.

Community Development Director Philip Fletcher provided an update of projects he is working on.

Citizen Kerry Fee said he is present to learn where the county is with an RFQ submittal for Fleshman Creek as decided in a public meeting on May 18. Fletcher said a memo was completed last week and will be reviewed by the Commission before it is mailed out. Commissioner Taylor said the Commission will get the document out today on time.

@9:03:58 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 23, 2011

County Road Updates

@9:04:00 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; Lani Hartung, finance; Don Voges and Jim Fox, citizens; and Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Finance Director Lani Hartung provided the Commission with the Road and Bridge Departments expenditures report.

Commissioner Malone said Stone Street looks nice after road crew patching of potholes. Hillman said the road crew patched many potholes in Gardiner streets. Hillman said a newly installed road culvert is washing out on Eight Mile, and the road is washing out at Inverness and Cole Camp Road due to citizen dykes. Hillman said Newman Road is washing out.

Malone said he will discuss keeping the Old Chico gravel pit open.

Citizen Jim Fox said Shamrock Lane is in worse condition than it has been in 30 years. Fox said the road was bad last fall and should have been graded, but it was not graded. He said he has been waiting since 1979 or 1980 to have the road repaired, and the entire road has not been graveled since that time. Commissioner Taylor said the Commission will have Contractor Chad Standish grade the road as soon as it can.

Citizen Don Voges said he had to hire someone to rake gravel off his yard at the south end of Miller Drive past Shamrock due to county road grader work.

Malone said he purchased a water truck and hydroseeder for the road department at a recent auction.

@9:37:50 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

#### May 23, 2011

9:30 A.M. - Review of Minutes for Week of May 16, 2011 - Commission Chambers – Rescheduled for May 31 @ 1:30 p.m.

#### May 23, 2011

##### Budget Workshop for FY 2012

@10:15:49 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; Paul Shea and Bob Ebinger, YGM; 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 2012 levy matrix and general fund budget amounts with the Commission, which included in part budgets for MSU Extension, public health, coroner and historical research. The Commission asked Hartung to run numbers on a possible combined maintenance/janitorial services position.

Yellowstone Gateway Museum representatives Paul Shea and Bob Ebinger reviewed the proposed FY 2012 YGM budget.

@11:48:42 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

#### May 23, 2011

##### Acceptance of Refuse Truck Bids from Online Auction

@1:08:42 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 accept refuse truck bids from an online auction.

Commissioner Malone said the truck was put on Publicsurplus.com to fulfill the county's requirement to auction off surplus equipment it wishes to dispose of.

Commissioner Malone made a motion to accept the truck bid by Dave Leverett of \$5,000 with an auction fee of \$500, which the Commission will waive or refund. Commissioner Durgan seconded that motion. Motion passed.

@1:15:39 p.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 23, 2011

1:30 P.M. – County Board Training – Community Room

May 23, 2011

Approval of Scope for Montana Department of Transportation East River Road Project

@2:01:02 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jeff Ebert, Wayne Noem and Dustin Rouche of MDT (via telephone); and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to approve a scope of work for a Montana Department of Transportation (MDT), East River Road project.

Jeff Ebert of MDT said MDT needs to determine the scope of work for its East River Road project. Wayne Noem said MDT wants to continue with the East River Road project but re-scope it in order to make it acceptable to affected landowners. Noem said it is in the state's best interest to continue with the project and realign the East River Road intersection with Highway 89 South at Point of Rocks. MDT personnel said they can add a portion of road near Chalk Bluffs to the project scope at the Commission's request and will view that site to determine if they will include it in the scope of work.

Commissioner Malone made a motion to proceed with the re-scoping of the project from Mile Post 2 to Mile Post 4 and a possibility of including the Chalk Bluff Area. Commissioner Durgan seconded that motion. Motion passed.

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

May 24, 2011

Signing of Annual Missouri River Drug Task Force Memorandum of Understanding

@8:32:18 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Brett Linneweber, county attorney; Clay Williams, weed; Belinda Van Nurden, DES; Ed Hillman, road; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign an annual Missouri River Drug Task Force memorandum of understanding (MOU) for continued participation.

County Attorney Brett Linneweber said MOU language is the same as last year, and the governing body of every participating agency must approve the MOU. Linneweber said the MOU enables release of Burns Grant funds, which look to be the same amount of funding as in the past. Linneweber said the county gets more out of the grant than it puts in it.

Commissioner Malone made a motion to approve the Missouri River Drug Task Force memorandum of understanding. Commissioner Durgan seconded that motion. Motion passed.

@8:35:53 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 24, 2011

Review Daily Agenda/Correspondence and Current County Projects

@9:05:04 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; 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. emergency work time tracking
- Memo email re. Friends of the Library events
- Memo email re. Livingston emergency informational meeting requested attendance
- Memo email re. Livingston Airport project funding
- Memo email re. RC&D notes and area plan
- Memo email re. May 15 Montana Farm Bureau conference
- Memo email re. community development director May 27 out of office schedule
- Memo email re. undersheriff comments on upcoming wet weather
- Memo email re. business plan judging
- Memo email re. Montana Aeronautics Division drug smuggling
- Memo document re. Kathleen Rakela complaint against Commission for Eagle's Bluff decision

Finance Director Lani Hartung provided the Commission with a TCA contractors invoice for 9<sup>th</sup> Street Bridge work.

Commissioner Malone said he has asked the Community Development Department to review Cooke City's zoning regulations.

@9:34:08 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 24, 2011

Human Resources Updates

@9:39:02 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; 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 an Angel Line fill-in driver and short-term weed sprayer and an employee ADA work accommodation for signature.

Ouellette said House Bill 122 regarding PERS benefits was signed by the governor last week. Ouellette said there will be no changes to employer contribution toward benefits, but after July 1 new employees must pay-in an increased one percentage point.

Ouellette said a majority of employees attending an insurance committee meeting last week voted to continue with a five-percent tier on employee healthcare benefits to assist employees with family benefit plans. Ouellette said she has gotten a lot of input from other employees who do not want to continue to provide a five-percent tier for coworkers with families on the county's insurance. Commissioner Malone asked Ouellette to distribute to Park County employees dollar figures of other Montana counties payments toward employee health benefit plans.

Ouellette provided a review of HR Department responsibilities and instances when the HR Department needs to be consulted for changes in employee hours and benefits. She said all department heads and elected officials need to encourage their employees to involve HR in employee personnel matters. Commissioners Durgan and Taylor directed Ouellette to report issues of bypassing the HR Department to the Commission.

Ouellette provided the Commission with a memorandum from the Community Development Director requesting use of the Commission minutes clerk for eight hours every other Friday for traffic counter fieldwork. Ouellette said she requests the Commission increase the clerk's total pay period hours to a required 70 hours minimum in light of the number of boards and other duties the employee has taken on since his hire, as well as the Community Development Department's request for increased hours.

Commissioner Malone said he, Commissioner Durgan and MSU Extension Agent Tracy Mosley have offered to assist the Community Development Department with the traffic counter effort and no response was made to those offerings. Malone said he would like to table the proposal until it can be discussed further.

@9:58:18 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 24, 2011

10:00 A.M. – Planning and Zoning Commission: Consider Conditional Use Permit from Qwest Communications in Cooke City – Community Room – Meeting minutes available in the Community Development Department

12:00 P.M. – Airport Board – Best Western, Livingston – Commissioner Durgan attended

1:30 P.M. – Health Insurance Committee Meeting – East Room

May 24, 2011

Emergency Road Closure Meeting

@2:02:56 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Belinda Van Nurden, DES; PCSO personnel Allan Lutes, Scott Hamilton and Clay Herbst; Sweet Grass County Commissioners (via telephone); and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider closing Main Boulder Road due to emergency situations.

Sweet Grass County Commissioners said high water issues in the Main Boulder Road area have created a health and safety matter, and they recommend closure of the Main Boulder Road at the Four Mile Bridge. Park County Sheriff Allen Lutes said he thinks the entire road should be closed to all citizens due to health and safety concerns of anyone traversing the road.

The Sweet Grass County Commissioners said they would draft a joint press release for Park County's and the Forest Service's review. There was discussion about placing an informational command trailer at Four Mile in an area large enough for vehicles to turn around.

Commissioner Malone made a motion to close the Boulder Road past the Four Mile Bridge. Commissioner Durgan seconded that motion. Motion passed.

@2:22:12 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 24, 2011

Discussion of Gallatin Mental Health Center Budget

@2:23:31 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Scott Malloy, Gallatin Mental Health Center; Belinda Van Nurden, DES; PCSO personnel Allan Lutes, Scott Hamilton and Clay Herbst; Sweet Grass County Commissioners (via telephone); and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss the Gallatin Mental Health Center budget.

Scott Malloy of the Gallatin Mental Health Center provided the Commission with a proposed budget, which includes a funding increase from \$15,000 to \$20,000. Commissioner Taylor said he thinks the request is reasonable because costs are going up and the services are important.

Commissioner Malone made a motion to amend the financial end of the contract for the Western Mental Health Center from \$15,000 to \$25,000. Commissioner Durgan seconded that motion. Motion passed.

@2:28:45 p.m., the meeting adjourned.

May 24, 2011

Budget to Actual Revenues and Expenditures and Treasurer's Cash for April 2011

@3:02:09 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; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss budget to actual revenues and expenditures and Treasurer's cash for April 2011.

Finance Director Lani Hartung provided the Commission with current county department expenditures and revenues and a Treasurer's Cash report as of April 2011.

@3:42:51 p.m., Durgan made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 24, 2011

4:00 P.M. – Emergency Public Information Meeting – Community Room – Commissioners Durgan and Taylor attended

7:00 P.M. – Park County Genealogy Society Meeting – East Room

May 25, 2011

No Commission Meetings

8:00 A.M. – Western Mental Health Meeting – Butte – Commissioner Taylor attended

May 26, 2011

8:30 A.M. - Review Daily Agenda/Correspondence and Current County Projects -  
Commission Chambers – Canceled due to high water emergency briefing

May 26, 2011

Discussion of Health Insurance Committee Recommendation

@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 Health Insurance Committee members Ed Barich, Marilyn Hartley, Jill Ouellette, Scott Hamilton, Brett Linneweber, Shirley Ross, Denise Nelson and Jeanne McCauley; and Kim Lavender, attorney's office. No public comment made.

The meeting was scheduled to discuss a Health Insurance Committee recommendation.

Committee Chair Marilyn Hartley read into the record a letter from the Health Insurance Committee. That letter stated the committee decided to make recommendations to the Commission on behalf of employees supporting continuation of a five-percent health benefits tier program, which involves all employees paying to assist employees with family members on county health insurance benefits, as well as employees who do not wish to continue paying into the tier program.

The letter stated a county employee with family health benefit plans will have a \$251 per month increase with the five-percent tier for the upcoming fiscal year and spouses will cost an additional \$220 per month for the upcoming year. The committee recommended the county pay \$800 per month for health benefits with a five percent tier.

The letter stated using the standard rate without tier would save nearly \$157,000 in premiums on individual employees on the fully-funded premium of the RM1000 plan only. Hartley said the Committee recommended the county pay \$800 per month for a non-tier program. She said that would enable employees with families one year to plan for different insurance coverage for the year after next.

@11:49:30 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 26, 2011

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

May 27, 2011

Review Daily Agenda/Correspondence and Current County Projects

@8:39:45 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; Bassett Hoiness, citizen; and Minutes Clerk John Mueller.

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

May 25 correspondence included:

- May 24 Memo email re. Congressman Rehberg flood assistance
- Memo email re. Forest Service DES possible locations
- Memo email re. county bison effort support
- Memo email re. May 31 Cooke City sewer district meeting
- Memo email re. Shields River May 24 peak
- Memo email re. Arch Park open container permit
- Memo document re. Cooke City snowmobiling grooming agreement
- Memo email re. Lulu Pass/Daisy Pass snow grooming
- Memo document re. Gallatin Mental Health Center budget
- Memo email re. wildland fire administrative meeting
- Memo email re. bison continuance

May 26 correspondence included:

- Memo document re. PCSO flood update
- Memo email re. John Tester May 26 flood outreach session
- Memo email re. DES road closures/water hazards
- Memo email re. June 17 Montana Clean carpet cleaning
- Memo email re. May 31 YGM meeting agenda
- Memo resolution re. local emergency proclamation
- Memo resolution re. \$77,500 joint airport improvements
- Memo document re. Help America Vote Act grant
- Memo document re. 2008-2009 Alltel taxable value settlement agreement
- Memo document re. Crown Butte Mine attorney assistance
- Memo email re. June 22 Park Agency Administrator meeting agenda
- Memo email re. DES I-90 water over road
- Memo document re. Angel Line loan of bus to City of Livingston

Citizen Bassett Hoiness said he lives on Peterson Creek Road and is willing to work with the Montana FWP to fix culvert issues due to flood damage. Hoiness said he is interested in decommissioning the county road in the future and one residence exists up the road.

Commissioner Durgan said the county will have lots of work to do on Trail Creek Road after high water issues settle.

Commissioner Taylor said Refuse Manager Richard Wright is considering purchasing a 2006 Autocar refuse truck for \$140,000 because a current truck is failing.

Commissioner Malone reported on a May 26 emergency flooding meeting with Senator Baucus. Malone said a citizen telephoned to ask if Contractor Chad Standish could do work on Cinnabar Road to save the road from washout.

@9:09:47 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 27, 2011

Signing of an Emergency Resolution for Closure of Main Boulder Road at Four Mile Bridge due to High Water

@10:02:55 a.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, YGM; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign an emergency resolution to close the Main Boulder Road at Four Mile Bridge due to high water.

Commissioner Malone said both Sweet Grass and Park County Commissions had concerns about potential danger of people going up the Main boulder road due to high water as seen in photographs.

Commissioner Malone made a motion the Commission sign Resolution #1100 to close the Main Boulder Road at Four Mile Bridge due to the high water situation and sloughing of roads. Commissioner Taylor seconded that motion. Motion passed.

@10:04:07 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 27, 2011

Awarding of Yellowstone Gateway Museum HVAC Bids

@10:04:09 a.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, YGM; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to award Yellowstone Gateway Museum (YGM) Heating, Air Conditioning and Ventilation bids.

Commissioner Taylor said the county received bids from Think One for \$213,000 and BioSeal for \$172,817, which were reviewed and deemed responsive by the civil deputy county attorney. YGM Director Paul Shea said the museum board recommends selecting the lowest bidder, BioSeal.

Commissioner Malone made a motion to award the bid for HVAC at the museum to BioSeal. Commissioner Taylor seconded that motion. Motion passed.

@10:05:46 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 27, 2011

Consider Decision to Amend Solid Waste Board Bylaws to Change Meeting Date and Time

@10:40:48 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Courtney Lawellin, attorney; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider amending Solid Waste Board (SWB) bylaws to change meeting dates and time.

Commissioner Taylor said the SWB wants to move meeting dates to Friday afternoons from Thursday evenings on a trial basis and voted to do so. He said the board requested the Commission approve that action.

Commissioner Malone made a motion to affirm the Solid Waste Board's request for a temporary change of meeting times to 1:30 p.m. on the third Friday of each month. Commissioner Taylor seconded that motion. Motion passed.

@10:45:06 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 27, 2011

Discussion of Possible Purchase of Property for Fairgrounds and Search and Rescue

@11:05:35 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Kim Knutson, fair manager; Mike Adams, fair board; Gary Barnhart, citizen; and Minutes Clerk John Mueller.

The meeting was scheduled to discuss possible purchase of property for the fairgrounds or Search and Rescue.

Citizen Gary Barnhart said his mother's house and barn is listed for sale at \$299,000 and another one-acre option exists in the woods toward the trailer court. Barnhart said he has put \$12,000 into the house since January with a new water line and furnace. Barnhart said his intent is he would give the county first option to purchase his property when he is finished if the county purchases his mother's property. Barnhart said the property is not in the floodplain.

Fair Manager Kim Knutson said the fair is thinking it could use the upper part of the property as additional parking. Fair Board member Mike Adams said the fairgrounds could recoup a lot of money from the house via weekly rentals to visiting fishermen.

Commissioners Malone and Taylor said they want to conduct a site visit to the property and recommend each commissioner visits the property before another meeting is scheduled. Malone said his opinion is the property may be too far from the fairgrounds, and he thinks the county may be able to do something with a small corner currently owned by law enforcement for an impound lot and move Search and Rescue to a different location.

@11:23:41 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 27, 2011

Signing of Resolution Declaring a Local Emergency

@12:05:31 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; Chuck Donovan, citizen; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a resolution declaring a local emergency.

Commissioner Taylor said the resolution was prepared by the civil deputy county attorney.

Commissioner Malone made a motion to approve Resolution #1099 declaring a local emergency in Park County due to flooding. Commissioner Taylor seconded that motion. Motion passed.

@12:06:03 p.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana