

Park County Commission Meeting Minutes  
Week of May 9 – 13, 2011  
Park County, Montana

May 9, 2011

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

@8:36:13 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; Belinda Van Nurden, DES Coordinator; and Minutes Clerk John Mueller. No public comment made.

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

May 4, 2011, correspondence included:

- Memo email re. Tami McDonald refuse refund request
- Memo document re. BLM Holter Lake report
- Memo email re. workplace violence
- Memo document re. May 5 meeting agenda Fire Council
- Memo email re. temporary workers for museum artifacts moving
- Memo email re. Suce Creek Road maintenance
- Memo document re. Cooke City newsletter

May 5, 2011, correspondence included:

- Memo document re. Fleshman Creek project scope of work change
- Memo document re. Stillwater Mining annual county allocation of mining funds
- Memo magazine re. Montage Enterprises Incorporated
- Memo catalogue re. 4Imprint
- Memo email re. Livingston Area Chamber of Commerce
- Memo email re. juvenile detention board approval items
- Memo email re. economic development work program draft
- Memo document re. BLM Holter Lake opening
- Memo document re. 9<sup>th</sup> Street Island pictures trespassing issue
- Memo invoice re. Mill Creek Water District - To Commissioner Malone for review
- Memo document re. Tax Appeal Board acknowledgement form
- Memo email re. YGM minutes request
- Memo email re. YNP draft winter use Environmental Impact statement
- Memo email re. HB 494 veto request

- Memo email re. IBMP citizens working group
- Memo document re. Sweet Grass County Boulder Road grants invoice
- Memo email re. May 5 OYT South road opening
- Memo document re. MACo legislative update
- Memo email re. BBQ thank you

May 6, 2011, correspondence included:

- Memo document re. Granite TCS invoice

DES Coordinator Belinda Van Nurden said she talked with the state about possible upcoming spring flooding and will remain in coordination and disseminate information about spring flooding. Van Nurden said the county is out of sandbags and the state is no longer distributing sand bags.

The Commission said it may offer a contest of \$500 to the 4-H club that picks up the most trash on a private hillside adjacent to the landfill.

There was discussion about a Rocky Mountain RV Campground for lease on county property. Civil Deputy County Attorney Shannan Piccolo said the campground falls under the definition of a subdivision. Commissioner Malone said he will telephone the appropriate party regarding the campground.

Piccolo asked for clarification of work she is to conduct on Pray Siding Road.

@9:26:08 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 9, 2011

9:30 A.M. - Review Minutes for Week of May 2, 2011 - Commissioners Chambers –  
Postponed to May 12

May 9, 2011

Budget Workshop for FY 2012

@10:27:47 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; 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 Fiscal Year 2012 budgets with the Commission.

@11:56:56 a.m., the meeting adjourned.

May 9, 2011

Consider Decision on Library Resolution and Budget for FY 2012

@1:01:53 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; Lani Hartung, finance; Merle Gamradt, city of Livingston; Tammy Brawn, library director; Ed Meece, city manager; Camden Easterling, Livingston Enterprise; Citizens Phil Dawson, Jan Dawson, Bill Edwards, Ron Clark, Robyn Albright and Janet Bernthal; and Minutes Clerk John Mueller.

The meeting was scheduled to consider a library resolution and budget for FY 2012.

Finance Director Lani Hartung said the commissioners reduced the library's mills to 4.75 in 2008 and 2009, reduced it another one-eighth of a mill in 2010, but increased it back to five mills last year. City Manager Ed Meece asked if the county will levy the floating mill as per the resolution in question. Meece said five mills is a minimum, and an additional floating mill is in question.

Civil Deputy County Attorney Shannan Piccolo said the County Attorney's Office opinion is the resolution language is ambiguous. Commissioner Taylor said the county will pay the five mills, and the question is how the 2.5 floating mills will be handled. Piccolo said the current agreement is ending and the county will not have a new agreement completed before the upcoming fiscal year budget deadline. She said the idea of the meeting is for the Commission to make a decision on library funding for the upcoming fiscal year until time a new agreement can be drafted.

Commissioner Durgan made a motion the county increase the floating mill by 0.7 mills from the county budget to the library to a total of 5.7 mills for this year only, and in the interim legal staff will work out a contractual agreement that clears up questions. Commissioner Malone seconded that motion. Motion passed.

@1:43:07 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 9, 2011

3:00 P.M. – Angel Line Board – West Room – Meeting minutes available in the Commission Office

3:00 P.M. – Local Advisory Committee – Livingston Drop-in Center – Commissioner Taylor attended

May 10, 2011

7:30 A.M. - Job Service Employers Committee - Livingston Job Service – Commissioner Malone attended

May 10, 2011

Review Daily Agenda/Correspondence and Current County Projects

@10:06:59 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; and Minutes Clerk John Mueller. No public comment made.

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

- Memo document re. truck survey
- Memo document re. Mill Creek Water investments
- Memo document re. survey request - To Commissioner Durgan for review
- Memo document re. tax appeal acknowledgement form
- Memo invoice re. Terrell's Office Machines
- Memo document re. PCEC changes to Flesham Creek scope of services
- Memo email re. Federal Highways discretionary programs
- Memo email re. May 19 LEPC meeting - To Durgan for review
- Memo email re. HB 494 veto request
- Memo email re. MACo reentry coordinators
- Memo email re. community airports - To Durgan for review
- Memo email re. public hearing for youth and parole - To Durgan for review
- Memo email re. Parks Board historical preservation funds letter
- Memo email re. e-recycling statistics
- Memo email re. USDA bovine/brucellosis meetings - TO Dugan for review
- Memo document re. Homestead Construction \$120/hour road grading quote
- Memo advertisement re. recycling trailer
- Memo magazine re. Governing - To Durgan for review
- Memo magazine re. County News

Commissioner Malone reported on a May 9 bison working group meeting.

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

May 10, 2011

County Road Updates

@9:01:09 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; PCSO personnel Clay Herbst, Scott Hamilton and Tom Totland; Dann Babcox and Chuck Donovan, PCRFD#1; Kevin Bales, Crazy Mountain Ranch; Camden Easterling, Livingston Enterprise; Bill and Toby Harris, citizens; and Minutes Clerk John Mueller.

The meeting was scheduled to discuss county road issues.

Road Supervisor Ed Hillman said a millings project is shut down due to rain, and the crew will try to finish that effort on Swingley Road on May 12. Hillman said crewmen are working in the shop today. He said water is running over a bridge on Miller Drive.

Undersheriff Scott Hamilton said the Park County Sheriff's Office (PCSO) needs an immediate response from other county departments when requested for emergency response. Hamilton said an issue arose that morning with needing road signs on a private road. He said he wants to make sure all county departments are on the same page and that PCSO can be sure the Road Department will respond to PCSO assistance requests.

PCRFD#1 Fire Chief Dann Babcox said he is not going to send his volunteers to the road shop in the middle of the night to fetch signs when road personnel are paid by the county to do that work. Commissioner Taylor said he spoke with Hillman that morning and Hillman understands assistance is to be provided if rural fire or PCSO or other emergency services call for assistance. There was discussion about making road signs available to the PCSO. Commissioner Malone told Hillman to move signs to the county garage adjacent to the courthouse so they are available.

PCSO personnel reported on road surveillance they are conducting to monitor high water in the county. Deputy Clay Herbst said there were a lot of questions about a bridge at Rendezvous Trail and it will be a Search and Rescue effort if the bridge fails. He said the bridge is nearly impassible due to high water.

Kevin Bales of Crazy Mountain Ranch asked if ranch contractors can grade Hammond Creek Road because magnesium chloride will be applied on May 20. Commissioner Taylor said it is okay for the ranch to grade that road.

Citizen Bill Harris thanked the Commission for removing a 15 MPH sign on Canyon View Road. Harris said he found additional information about a Billman Lane fence issue. Malone said he thinks the county has done its part with Harris' request in telling Surveyor Hank Rate to take Harris by the hand to show him survey pin locations.

Commissioner Durgan said a culvert at the Brawner's place is badly plugged and Jerry O'Hair is using a backhoe to unplug it.

@9:28:47 a.m., Malone made a motion to adjourn the meeting. Durgan seconded that motion. The meeting adjourned.

May 10, 2011

Human Resources Updates

@9:33:27 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 change of status forms for a weed hire who received another job; a temporary-to-permanent hire for weed; and a scale house operator. Ouellette said the county will employ a short term employee for a vacant weed position. She said maintenance position interview questions and an interview panel need to be created. Ouellette said she approved an Extension Office administrative assistant job description.

Ouellette said the Angel Line Board requested she run different scenarios for the board to consider with the resignation of the department head, which could range from a reduction in work force to moving existing position responsibilities into the department head position. Ouellette said the county's MACo safety audit will take place on May 12 after the Safety Committee meeting, and she will be trained on web-based training after the audit.

@9:55:03 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 10, 2011

1:00 P.M. – Senior Citizens Meeting – Livingston Senior Center – Commissioner Taylor attended

May 10, 2011

Opening of City/County Joint Airport Construction Bids

@1:31:39 p.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Civil Deputy County Attorney Shannan Piccolo; Airport personnel Jerri Miller, Ray Sundling and Kerry LaDuke; Nicole Hull, Century Construction; Kenny Moorhead, Nelcon; Steve Baeth, Knife River; Citizens Tom Etchart, Dennis Skattum and George Denton; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to open city/county airport construction bids.

Commissioner Malone opened sealed bids and read into the record the following:

- Knife River of Belgrade, Montana with a total base bid of \$2,167,994.90 and total additive alternative #1: \$784,893; additive alternative #2: \$267,345 and additive alternative #3: \$179,456.55.
- Centuries Companies Inc. of Lewistown, Montana with a total base bid of \$2,313,945.05 and total additive alternative #1: \$878,260; additive alternative #2: \$292,946 and additive alternative #3: \$170,911.
- Nelcon Incorporated of Kalispell, Montana with a total base bid of \$2,252,499.70 and total additive alternative # 1: \$765,342.90; additive alternative #2: \$265,844.10 and additive alternative #3: no bid.

Commissioner Durgan made a motion the Commission have the civil attorney review the bids and send them to RPA for its review. Commissioner Malone seconded that motion. Motion passed.

@1:48:05 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

#### May 10, 2011

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

2:00 P.M. – IT Advisory Committee – Community Room

3:00 P.M. – Web Committee – East Room – Canceled

#### May 11, 2011

##### Review Daily Agenda/Correspondence and Current County Projects

@8:32:11 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; Shannan Piccolo, civil deputy county attorney; Philip Fletcher, community development; Ed Hillman, road; and Minutes Clerk John Mueller. No public comment made.

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

- Memo emails re. no snow plowing on Hwy 212
- Memo document re. preliminary budget for SAR
- Memo document re. preliminary budget for animal control
- Memo document re. preliminary budget for PCSO
- Memo email re. MACo county attorney salary schedule
- Memo reports re. Tom Slater/Qwest Communications conditional use permit

Commissioner Malone said all bridges on county roads are maintained by the county. Civil Deputy County Attorney Shannan Piccolo said she provided the county attorney

with an opinion on whether the county is responsible for inspecting a bridge on a private road if the county closes the road with county road signs.

Community Development Director Philip Fletcher said he cannot finish the Fleshman Creek Project scope of services until he knows which of three geographical sections of the project the county wants to pursue, as well as the extent of work the Commission wants to pursue. Malone said the Commission needs to hold a public meeting to make a decision on the physical project length and four other project criteria.

Fletcher said Senator Tester's office asked the county to provide a wish list of priority projects for potential funding, and the Cooke City and Park County Fairgrounds sewer projects will be included on that list.

Fletcher said the county needs certification from a 9<sup>th</sup> Street Island Bridge steel supplier that the steel is American made per contract requirements.

@9:08:00 a.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

#### May 11, 2011

9:00 A.M. – Senior Officials Workshop for Catastrophic Incident Training – Crazy Mountain Ranch – Commissioner Durgan attended

#### May 11, 2011

##### Consider Decision on Jordan Family Transfer

@1:31:33 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; Mike Inman, community development; Catherine and Larry Jordan and Peter Lannan, citizens; and Minutes Clerk John Mueller.

The meeting was scheduled to consider a Jordan Family Transfer exemption application.

Senior Planner Mike Inman said Larry and Catherine Jordan submitted the family transfer exemption application to the county on February 4, 2011. He said the application is to transfer a parcel of property from Mr. and Mrs. Jordan to their son, Peter Lannan. Inman said the County Attorney, Community Development and Environmental Health Departments reviewed and recommended approval of the application. Inman said all paperwork is in order with quick claim deeds, Montana DEQ approval and signed affidavits stating the Jordans agree to not sell both parcels in question for three years.

Commissioner Malone made a motion to approve the Jordan Family Transfer. Commissioner Taylor seconded that motion. Motion passed.

@1:36:18 p.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 11, 2011

Discussion of Loss Runs and Policy Renewal with Taylor-Leavitt Insurance

@3:03:35 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Jill Ouellette, HR; Dan Gutebier, Taylor-Leavitt; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss loss runs and policy renewal with Taylor-Levitt.

Dan Gutebier of Taylor-Leavitt Insurance provided the Commission with Park County's loss control and employee worker's compensation trends and general and property liability losses. Gutebier said the county's renewal premiums indicate a four-percent increase. Gutebier provided MOD factors and worker's compensation figures for all Montana Counties. Park County has the greatest decrease in worker's compensation claims of any county in Montana.

@4:01:01 p.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 12, 2011

Review Daily Agenda/Correspondence and Current County Projects

@8:34:58 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; Ed Hillman, road; and Minutes Clerk John Mueller. No public comment made.

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

- Memo email re. Cooke City snow plowing opinion
- Memo email re. June 6 MACo district meeting
- Memo email re. Cooke City snow plowing opinion
- Memo email re. Hwy 212 snow plowing opinion
- Memo email re. Board of Health memo to illegal septic system
- Memo email re. Bell and Associates contract
- Memo email re. Hwy 212 snow plowing opinion
- Memo email re. Hwy 212 snow plowing opinion
- Memo email re. community development director working from home
- Memo document re. treasurer's cash on hand
- Memo email re. gravel pit survey - To Commissioner Durgan for review
- Memo email re. Miller Drive bridge closure
- Memo email re. Hwy 212 snow plowing opinion

- Memo email re. Crazy Mountain Ranch preparation of Hammond Road
- Memo email re. flagger position opening

Road Supervisor Ed Hillman said the road crew will fix Miller Drive Bridge today. Hillman said the road crew will patch Merrill Lane with hot patch, but the crew is not available for 20 days at least with millings projects on other roads. Commissioner Taylor Merrill is almost impassable. Hillman said all Five Acre Tracts roads are bad, including Billman Lane. Hillman said he can get millings from the state for Merrill Lane. Hillman reviewed the road crew millings projects schedule.

Commissioner Durgan reported on a May 11 emergency training at Crazy Mountain Ranch.

@8:59:47 a.m., the meeting adjourned.

#### May 12, 2011

9:00 A.M. – Safety Committee – Commissioners Chambers – Meeting minutes available in the DES Department

#### May 12, 2011

##### Review Minutes for Week of May 2, 2011

@10:46:39 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 review Commissioner meeting minutes for the Week of May 2, 2011.

Commissioner Taylor requested a revision to Page 7 of 12, noting the correct spelling of “Joe” Skinner.

Commissioner Malone requested a revision to Page 9 of 12, noting the correct spelling of “Chico” Cemetery.

Commissioner Malone made a motion to pass the minutes as amended. Commissioner Durgan seconded that motion. Motion passed.

@10:50:34 a.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

#### May 12, 2011

##### Discuss 9<sup>th</sup> Street Bridge and East River Road Secondary Road Construction

@1:37:17 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were

MDT personnel Rob Buckvich, Ray Stocks, Dustin Rouse, Wayne Noem and Jeff Ebert; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss the 9<sup>th</sup> Street Bridge and East River Road secondary road construction issues with the Montana Department of Transportation (MDT).

MDT personnel said the Park County Commission set East River Road as its priority in 2000 in the MDT secondary roads program. They said MDT did an environmental assessment for 10 miles of that road, in part from mile zero to four at the lower end near Point of Rocks to the junction of 89 South. They said public meetings were held, in which much comment was made by citizens who do not want to see a wide right-of-way purchase or curves taken out of the roadway. MDT said it thinks residents are happy with the current surface width and asked the Commission if it wants to continue with full reconstruction with a 32-foot top and four-foot shoulders, which would require purchase or citizens' rights-of-way easements.

MDT said it would prefer to not purchase rights-of-way and can put funds toward other secondary roads of the Commission's choice. They said they would continue to conduct surface overlays, but not complete reconstruction of East River Road. MDT said it is asking the Commission to consider a re-scope of the project to fix the intersection at 89 South and East River Road. The Commission said it will have a meeting on the subject next week.

@2:23:37 p.m., the meeting adjourned.

May 12, 2011

Appointing of Cooke City, Wilsall and Clyde Park Fire District Board of Trustees and Appointment by Acclamation Members of Gardiner Gateway Hose and Paradise Valley Fire District

@2:35:53 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 appoint fire district board members and trustees.

Commissioner Malone made motion the Commission nominate Bill Summers and Bill Whittle for three year terms for the Cooke City Fire District. Commissioner Durgan seconded that motion. Motion passed.

Commissioner Malone made a motion to appoint Gary Hoyem for five years for the Wilsall Fire Department. Commissioner Durgan seconded that motion. Motion passed.

Commissioner Malone made a motion the Commission declare Phillip Hoag by acclimation for the Paradise Valley Fire Service Area. Commissioner Durgan seconded that motion. Motion passed.

Commissioner Malone made a motion the Commission appoint Bob Queen and Tom Bailey to the board of directors of the Clyde Park Volunteer Fire Department. Commissioner Durgan seconded that motion. Motion passed.

Commissioner Malone made a motion the Commission declare Ron Burke, Robert Evanoff and Patrick Hoppe as members of the Gardiner Gateway Hose Fire Company by acclimation. Commissioner Durgan seconded that motion. Motion passed.

@2:41:39 p.m., Durgan made a motion to adjourn the meeting. Malone seconded that motion. The meeting adjourned.

May 12, 2011

Discussion of Treasurer's Budget for FY2012

@3:02:31 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Kevin Larkin, treasurer; Lani Hartung, finance; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss the Treasurer's proposed Fiscal Year 2012 budget.

Treasurer Kevin Larkin provided the Commission with his proposed budget. Larkin said he took \$1,500 off his budget through supplies, credit card and telephone charge changes.

@3:34:48 p.m., Malone made a motion to adjourn the meeting. Taylor seconded that motion. The meeting adjourned.

May 13, 2011

No Commission Meetings Scheduled

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana