

Park County Commission Meeting Minutes
Week of October 3 – 7, 2011
Park County, Montana

October 3, 2011

Review Daily Agenda/Correspondence and Current County Projects

@8:32:26 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; Barbara Woodbury, environmental health; Ed Hillman, road; Kelly Johnson, maintenance; and Minutes Clerk John Mueller. No public comment made.

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

Correspondence included:

- Memo document re. Cooke City emergency center plans
- Memo email re. energy committee minutes
- Memo email re. certificate of liability insurance for contract mower
- Memo email re. community development director out-of-office schedule

Barbara Woodbury, environmental health, said she needs clarification of what she is to do regarding collecting public comment for a Bell and Associates solid waste report.

Kelly Johnson, maintenance, asked who maintains Arch Park in Gardiner, as he needs to have that park's sprinkler systems blown out.

@8:47:42 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

October 3, 2011

9:00 A.M. – Discuss Prioritization of RAC Grant Money for Willow Creek Road Project
– Forest Service Office, Livingston

October 3, 2011

Decision on Park County Nominations for the NRM Economic Development District

@11:01:18 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Philip Fletcher, community development; Wes Venteicher, Livingston Enterprise; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider a decision on Park County nominations for the Northern Rocky Mountain (NRM) Economic Development District (EDD).

Community Development Director Philip Fletcher said the NRM EDD will meet on October 14 to vote on board member recommendations. Fletcher said the Park County Economic Development Subcommittee has met for several weeks to discuss nominations for the EDD board and decided the board should be made up of one county commissioner, one member nominated by the city of Livingston, one donut-area business representative, one businessman from the Shield's River Valley, one agri-businessman, and a member from the Gardiner Chamber of Commerce. Fletcher said he and the subcommittee recommend the Commission make initial Park County EDD board appointments without going through the county's standard interview process, but stagger terms of appointments and follow whatever process the Commission sets forth as terms expire. He said his recommendation for Park County seats on the NRM EDD Board are Bill Berg of the Gardiner Chamber of Commerce; Lew Wilks, agri-businessman; Frank Schroeder businessman from Paradise Valley; Peter Fox, businessman from the Shield's Valley and Don Gimble, Vision Livingston. Fletcher said the board is expected to vote on three-at large members on October 14, as well.

Commissioner Malone moved to place for the committee's consideration as members of the newly formed Economic Development District, Lew Wilks, Peter Fox, Bill Berg, Frank Schroeder and Don Gimble as citizens from Park County. Commissioner Taylor seconded the motion. Motion passed.

Commissioner Malone said Commissioner Taylor will continue as the Commission board representative, and the board will vote on whether to retain Taylor or elect Malone at the first meeting. If Malone is elected, Taylor will serve as the county's alternate member.

@11:21:06 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

October 3, 2011

12:00 P.M. – Community Networking – Livingston Job Service

October 3, 2011

Review of Minutes for Weeks of September 19 and 26, 2011

@1:11:00 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 meeting minutes for the Weeks of September 19 and 26, 2011.

Commissioner Malone requested a revision to Page 4 of 16, noting the correct spelling of Pulis Lane.

Commissioner Taylor requested a revision to Page 4 of 16; second full paragraph, the third sentence should read, "Bales said a CTA Engineering estimate for engineering oversight of Rock Creek Road maintenance is stout at \$188 per hour."

Commissioner Malone moved to accept the minutes for the Week of September 19. Commissioner Durgan seconded the motion. Motion passed.

Reviewing minutes for the Week of September 26, 2011, Commissioner Durgan moved to approve the minutes as presented. Commissioner Malone seconded the motion. Motion passed.

@1:15:28 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

October 3, 2011

Discussion and Possible Final Decision on Defining the Separate Duties and Functions of Planning and Community Development Departments

@1:31:28 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Inman, planning; Jeri Stevens, planning; Barbara Woodbury, environmental health; Jill Ouellette, HR; Raea Morris, administrative assistant; Lew Wilks, Dale Reinhart, Peter Fox and Bill Berg, planning and development board; Philip Fletcher, community development; Wes Venteicher, Livingston Enterprise; Jill Wilks, citizen; and Minutes Clerk John Mueller.

The meeting was scheduled to discuss and make a possible decision on defining separate duties and functions of the Planning Department and Community Development Department.

Commissioner Taylor said the meeting is not about personalities or personnel, but duties of the said departments. He said the meeting will be closed if personnel or personality issues are discussed.

Taylor opened the floor to public comment. Dale Reinhart, chairman of the Planning and Development Board, said he tried to set up a meeting with the Commission to allow the planning board to express concerns, how issues will affect the board and where the board goes from this point. Reinhart said he is concerned about long-term planning and how the issue of separating duties and functions of the Community Development Department will affect the planning board.

Bill Berg, vice-chair of the planning board member, said he reiterates what Reinhart said, he is proud to be a part of the board, there are board members with a lot skin in the game,

the board is not one that sits on the bench and therefore is interested in how the issue plays out.

Taylor said he asked fellow commissioners to come up with a list of duties each thinks should be conducted by separate planning and community development departments, and a final decision on duties may not be made until after consultation with the county Human Resources Department and MACo to ensure legalities are addressed. Taylor said the Commission decided it needed to divide up the Park County Planning and Economic Development Department because of concerns over work schedules and employees being overloaded and under-loaded, in order to improve efficiency and rectify the workload issue.

Commissioner Malone said he thinks the Planning Board is an important board in the county and the Commission should allow the public to comment as the Commission moves through the list to get the board's opinions on planning and economic development as they work closely with the two disciplines. Taylor and Durgan said they agree with Malone's statement.

Taylor presented the list of duties and they were discussed individually as follows:

Subdivision Review: The Commission said the task belongs under planning.

Zoning Administration: The Commission said the task belongs under planning.

Floodplain Administration: Taylor said the Commission already gave floodplain administration duties to the Environmental Health Department and Inman, and they will remain with those individuals.

Code Enforcement: The Commission said the task belongs under planning.

Growth Policy Administration - Providing Technical and Professional Assistance to the Park County Planning Board to Develop and Update the Park County Growth Policy: Taylor said the proposal is Inman would provide technical and professional assistance to the Park County Planning Board to develop and update the growth policy.

Lewis Wilks, planning board member, said his opinion is the task is a crossover item between both the planning and economic development departments because of the nature of the growth policy. Reinhart said the growth policy reaches into many spectrums of the community, including economic development, and the county will need staff with the skill sets to go through the process of updating the growth policy.

Taylor said the Commission will need more discussion on the task to determine by whom it will be addressed. Wilks said he thinks the issue can be resolved by the Commission stating the Planning and Development Board will draw from various departments as needed, as it may not need to be assigned out on a departmental level.

Administer and Provide Support to the Park County Planning and Development Board; Administering, Managing and Scheduling Meetings, Establishing/Noticing Agendas; and Providing Technical and Professional Support as Needed:

Taylor said he sees a crossover of duties between the two departments, but can see it coming out of the planning department as that department has an assistant. Malone said he encourages the board chair to direct staff as appropriate, and the chair should set the meeting date and agenda and the staff follows the chair's direction. Taylor and Durgan said they like the idea of the chairman setting the agenda. Reinhart said he thinks the Commission's proposal is workable under the circumstances.

Peter Fox, board member, asked to what degree board members can expect a liaison between the economic development unit and the planning units. Taylor said he does not know why there would be anything that would prevent such.

Commission Administrative Assistant Raea Morris said she needs to book rooms for meeting dates and must post county board agendas for public viewing in a timely manner. Human Resources Analyst Jill Ouellette said she suggests department heads notify Reinhart with requested agenda items, Reinhart provide that information to the planning department assistant and that employee continues to process the information and handle agenda and legal notice logistics as has been done in the past. Reinhart said that sounds workable, it can go through the chair and he will deal with Stevens who can meet legal notices.

Senior Planner Mike Inman provided the Commission with a summary of how agendas were handled in the past. Inman said agenda items and comments were identified by the planning board, the planning department created an agenda based on board comments, mailed out meeting packets to board members 10 days in advance of the meeting and posted agendas and provided legal notices. Taylor said he thinks the process used in the past could continue. Inman asked if the planning department is to submit a draft agenda to the board in advance of the meeting for the board to determine whether additions and amendments are necessary in order to come up with a final draft, or if it is to wait to receive a draft agenda from Reinhart. Malone said staff and chair typically work together to determine what timelines need to be met. He said it will be a work in progress, but Reinhart is the lead in the preparation. Wilks said the agenda typically is driven by subdivision timeline requirements, and thus he expects Reinhart and Inman would coordinate before the agenda is finalized and noticed to the public. Reinhart said he does not see the process being much different than in the past, but items may come from two different sources. Fox said the county should be the responsible entity in meeting all legal requirements with posting meeting and agenda notices.

Park County Planning and Zoning Commission: The Commission said the task belongs under planning.

Park County Board of Adjustments: The Commission said the task belongs under planning.

Park County Parks and Recreation Board: Malone said the task is an economic development issue to him. Referring to recreation, Malone said he gets nervous when the county government goes beyond the scope of its responsibility of public health, safety and public welfare. Malone said there is nothing that says the Commission cannot serve as the county parks board.

Taylor said parks are formed with subdivision cash-in-lieu of parkland or parkland dedication and he really thinks the task belongs under planning and subdivisions, however he agrees part of it seems to fall under community development.

Durgan said the issue of parks does not seem to come up as much as it used to, and he agrees with Malone the county should not have recreation unless it has another funding source for it.

Community Development Director Philip Fletcher said the Commission voted a year ago to allow recreation issues as long as they remain revenue neutral. Malone said he thinks such is why the task is a community development issue. Wilks said he does not see it as a crossover, as the planning function is collecting the funds, but he agrees once a park is established it becomes an economic development and integrated economic plan. He said he thinks a good division of labor is needed. Reinhart said he thinks Parks and Recreation is a long-range planning issue and he personally feels it belongs under economic development. Berg said he agrees with Reinhart and Wilks, but Gardiner would consider Arch Park as an anchor for a long-term economic development model and vision. Fox said he agrees as parks are a quality of life issue.

The Commission said the Parks and Recreation Board will fall under economic development.

Durgan said all issues being discussed by the Commission are just proposals at this point.

Providing Support to the Airport Board: The Commission said the duties will remain under the planning department until economic development issues arise, at which time it may crossover.

Hazard Mitigation Planning: The Commission said the task belongs under planning.

Renewable Natural Resources Planning: Malone said he would like to remove the word “renewable” from the title and thinks the duties fall to community and economic development. Durgan said he agrees. Wilks said he agrees the duties belong in economic development, but there will be major crossovers into the planning department in dealing with density, access and saturation relative to natural resource planning.

The Commission said the task belongs under economic development.

Economic Development: Malone said it is very important to have an active grants person for grant administration and acquisition to get money from the federal government. He said he would like to insert the following duties under economic development:

- Assist the Commission as requested in preparing comments to EIS and EA documents to state and federal agencies that may impact Park County government or the citizens thereof
- Work closely with the EDD Board and the director of said board
- Work with the Community Development Board to encourage ideas, gather information, etc., to further the welfare of the citizens of the county
- Project administration as determined by the Commission

Fletcher said the Planning for People and Wildlife and a WUI (Wildland Urban Interface) project would stay with Inman's department and he has no problem with leaving support of the Airport Board with the planning department. He said he would like to maintain relationships with a half a dozen of efforts on which he is working in Gardiner, and he would like to phrase those efforts as community technical assistance under economic development.

Regarding long-range planning, Taylor said the Commission thinks it needs to work on short-range goals at this time to determine how things will work out. He said the Commission will need a long-range plan from both departments. Taylor said the Commission will work on budgetary issues of the separate departments at a later time. The Commission said Stevens will stay with the planning department and work with Inman on planning efforts. The Commission said the departments will be called the Park County Community Development Department and Park County Planning Department.

Reinhart said he hopes the separation of duties and departments is being done because it makes sense and it is the best thing for the county with functions working better and not about personnel and human resources issues. Taylor said his way of thinking is the effort is to improve the efficiency of the department.

Durgan said Inman will now be the planning department director. Taylor said the Commission will work on job descriptions in another meeting. Taylor said Inman, Stevens and Fletcher will now all be working under the Commission.

Inman said he cannot go to the Commission as his supervisors for advice on subdivision matters as that would be ex parte communication. Taylor said the county has permission from Gallatin County to consult its personnel with questions, or perhaps Inman will have to consult the county attorney's office for advice.

Fletcher said he vehemently opposes splitting the department and he participated enthusiastically in the current meeting because the Commission already decided to split the department at a previous meeting.

@2:31:49 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

October 4, 2011

8:00 A.M. – City/County Meeting – Community Room

October 4, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:59:29 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. Partnership for Rural America letter
- Memo email re. county refuse assessment cd to assessor's office
- Memo re. \$2,450.53 Great West Engineering Gardiner Sidewalk invoice
- Memo document re. insurance renewal policy
- Memo document re. Commission postage meter log
- Memo email re. union PCSO proposals
- Memo email re. civil deputy county attorney administration issue
- Memo document re. community development director timesheet tracking

@9:11:19 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

October 4, 2011

Road Updates/Engineering Services Updates

@9:32:37 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; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to discuss county road issues and engineering service updates.

Road Supervisor Ed Hillman asked which county employee is responsible for erecting road signs, because the work is not being done. Hillman said he received a price quote of \$281,775 for a new 140M road grader. The Commission asked Hillman to inquire about a trade-in amount for a county grader.

Hillman said he viewed Willow Creek Road with the Forest Service on October 3 as part of a proposed Forest Service RAC grant project. Commissioner Malone said he would like to have Jack Knorr ride with Hillman to provide management skills.

@10:15:46 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

October 4, 2011

Human Resources Updates

@10:31:44 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 detention center employee, four weed season workers at season end, three road department employee change of status forms and appraisals and a sheriff's office longevity issue.

Ouellette said sheriff's office union negotiations are upcoming, and an employee suggested painting each downstairs hallway a different color to aid the public in finding offices in the building.

@10:41:58 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

October 4, 2011

Signing of Contract for Public Health Emergency Preparedness Grant

@1:15:52 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 a contract for public health emergency preparedness grant.

Commissioner Durgan said the grant is administered by the public health nurse, covering the period September 1, 2011, to June 30, 2012.

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

@1:18:19 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

October 5, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:33:27 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. October 27 commission site visit
- Memo email re. \$3,000 estimate for blocks for Hamilton Road
- Memo email re. courthouse parking
- Memo email re. salary exempt employees list
- Memo email re. Oct 12 litigation strategy meeting
- Memo email re. library interlocal agreement
- Memo email re. community development and planning department documents
- Memo document re. City/County Compact
- Memo email re. Bell and Associates refuse report committee

Commissioner Malone said he would like to set up a meeting with Jack Knorr in attempt to improve management level.

@8:46:54 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

October 5, 2011

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

October 5, 2011

Adoption/Signing of a Resolution for Updated Pay Scales for FY2012

@9:31:57 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; Jill Ouellette, HR; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a resolution for updated pay scales for Fiscal Year 2012.

Human Resources Analyst Jill Ouellette said the Commission will need to address pay wages of Angel Line drivers, a department head and a non-dept head employee, some of which will be below or above the new pay scale grades.

Commissioner Malone moved to accept Resolution #1117 addressing pay scales. Commissioner Durgan seconded the motion. In discussion, Durgan clarified the pay scales will be in effect for Fiscal Years 2012 and 2013. Motion passed unanimously.

@9:41:52 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

October 5, 2011

1:30 P.M. – City/County Compact – Community Room

October 6, 2011

Consideration of Malcolm Family Transfer

@9:01:18 a.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Mike Inman, planning; Shannan Piccolo, civil deputy county attorney; George Bornemann, surveyor; Sharon Malcolm, Sabrina Malcolm and Philip Malcolm, citizens; and Minutes Clerk John Mueller.

The meeting was scheduled to consider the Malcolm Family Transfer Exemption.

Senior Planner Mike Inman said the Malcolms submitted a family transfer exemption application the Planning Department on September 15, 2011, requesting transfer of a 39.98-acre parcel to their son, William Malcolm. Inman said the application was reviewed and recommended for approval by the Planning and Environmental Health Departments and the County Attorney's Office with the stipulation the transfer needs to be made only to the son and a few minor technical changes to the plat are made. He said the requested corrections have been made. Civil Deputy County Attorney Shannan Piccolo said the applicants can put the parcel into joint ownership after the transfer is completed.

Commissioner Malone asked Philip Malcolm if the family intends to sell the transferred parcel in question. Malcolm said he does not intend to sell the parcel.

Commissioner Malone moved to accept the Malcolm Family Transfer. Commissioner Durgan seconded the motion. Motion passed.

@9:07:33 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

October 6, 2011

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:30:21 a.m., Commissioner Durgan called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone 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. parking around courthouse building
- Memo email re. Gardiner Sidewalk Project
- Memo email re. Community Development and Planning Department documents
- Memo email re. MSU Extension money savings class
- Memo document re. Great West Engineering Boulder River Road work invoice
- Memo email re. Gardiner Sidewalk Project citizen comment

@9:37:43 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

October 6, 2011

10:00 A.M. – Solid Waste Board Workshop – Commission Chambers – Commissioner Malone attended – Meeting minutes available at www.parkcounty.org and in the Commission Office

10:00 A.M. – Agency on Aging – Townsend, MT – Commissioner Taylor attended

October 7, 2011

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

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

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

Denise Nelson
Clerk & Recorder
Park County, Montana