

Park County Commission Meeting Minutes  
Week of September 5 – 9, 2011  
Park County, Montana

September 5, 2011

Labor Day Holiday – All Offices Closed

September 6, 2011

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

September 6, 2011

Review Daily Agenda / Correspondence and Current County Projects

@8:46:52 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; Phil Dawson, citizen; and Minutes Clerk John Mueller.

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

Correspondence for September 1 included:

- Memo email re. postage log
- Memo document re. public information request legal opinion
- Memo email re. NRMRC&D bylaws meeting
- Memo email re. south of Big Timber road condition
- Memo email re. rehab housing letter of support
- Memo email re. cooperative weed management agreement May minutes
- Memo document re. DES grant
- Memo documents re. Hamilton Road status

Correspondence for September 2 included:

- Memo email re. MACo JPIA regional workshops
- Memo email re. Myer's Flat radio system installation
- Memo document re. Sept 12 Angel Line Board meeting agenda
- Memo email re. Livingston Airport construction logistics
- Memo email re. economic development CEDS grant and in-house employee
- Memo document re. June 30 county auditor financial report

@9:10:11 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

September 6, 2011

Road Updates / Engineering Services Updates

@9:30:19 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; William Smith, citizen; and Minutes Clerk John Mueller.

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

Finance Director Lani Hartung said she drove on Mill Creek Road and was about hit by a motorist who went through the stop sign on the Mill Creek cutoff road. Hartung asked if the county can put up a larger stop sign. Commissioner Malone said Hartung should submit a letter to the Park County Sheriff's Office (PCSO) about the issue.

Road Supervisor Ed Hillman reviewed PCSO recommendations to improve traffic safety issues on Five Acre Tracts roads as requested by a citizen. Hillman said he will look at the roads and associated recommendations.

Citizen William Smith said he met onsite near the Park Branch Canal and Pray Siding Road with Hillman and a landowner. Smith provided the Commission with a drawing and said the state and contractors are ready to sign off on the design and commence a proposed project there.

@9:53:49 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

September 6, 2011

Discussion and Approval of Park County School Budget for FY2012

@10:33:59 a.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Ed Barich, superintendent of schools; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider approval of a Park County School Budget for Fiscal Year 2012.

Ed Barich, superintendent of schools, provided the Commission with proposed school budgets for Fiscal Year 2012 and said he needs the Commission to approve the proposed mill levies.

Commissioner Durgan moved the levies be approved noting one correction by Barich. Commissioner Malone seconded the motion. Motion passed.

@10:45:54 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

#### September 6, 2011

##### Review of Minutes for Week of August 29, 2011

@1:16:22 p.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone 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 August 29, 2011.

Commissioner Durgan requested a revision to Page 4 of 16, noting the correct spelling of Commissioner Rick Reid.

Commissioner Malone requested a revision to Page 4 of 16; first paragraph, the second, third and fourth sentences should read, "Oswald said she will help coordinate a Willow Creek Road project. Commissioner Malone said he and Reid will meet on September 12 to coordinate on the Main Boulder Road project. Oswald said she will try to have a Forest Service engineer consult with the county road supervisor to discuss project engineering and design issues on the Willow Creek Road project." On Page 5 of 16, the first sentence should read, "Road Supervisor Ed Hillman said he has not heard from the county's insurance company about a damaged road grader and a damaged dump truck." On Page 6 of 14, the second full paragraph should read, "Commissioner Durgan asked how the arrangement with the Commission/HR Assistant is working out in the HR Department. There was discussion about keeping a calendar to better track the hours the assistant works in both offices."

Commissioner Durgan moved to approve the minutes for August 29 through September 2 with changes. Commissioner Malone seconded the motion. Motion passed.

@1:23:01 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

#### September 6, 2011

4:15 P.M. - Conference Call with Park County, WY to Discuss Joint Letter and Resolution with Yellowstone National Park for Plowing of Highway 212 in Cooke City - Commission Chambers – Commissioner Malone attended

September 7, 2011

Review Daily Agenda / Correspondence and Current County Projects

@8:44:46 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; Phil Dawson, citizen; and Minutes Clerk John Mueller.

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

Correspondence included:

- Memo email re. citizen complaint about rafting companies in Gardiner
- Memo email re. community development director website update requests
- Memo email re. Airport Board projects data
- Memo email re. economic development subcommittee appointments
- Memo email re. personal vehicle use to Cooke City site visits
- Memo email re. IT response to community development website requests
- Memo email re. fairgrounds water hydrants
- Memo email re. requested county attorney road opinion
- Memo email re. citizen "Thank You" for Park County fair support
- Memo document re. MDT bridge condition analysis
- Memo document re. hazard tree removal project completion
- Memo email re. NIMS guidelines
- Memo email re. gravel purchase offer
- Memo email re. citizen public information request

Commissioner Durgan reported on a September 6 Park County Stockgrower's Association meeting.

Commissioner Malone reported on a conference call he had with Park County, WY on September 6.

Citizen Phil Dawson said he is present to ask the Commission about the Parks and Recreation Board. Dawson said he would talk with Commissioner Taylor about the issue outside the public meeting.

@9:10:14 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 7, 2011

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

September 7, 2011

10:00 A.M. - Review of Resolution Restricting Open Containers at Fairgrounds -  
Commission Chambers – Canceled

September 7, 2011

Discussion/Appointing of a Park County Floodplain Administrator and Floodplain  
Administrator Assistant

@11:01:17 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; and Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to consider appointing a Park County Floodplain Administrator and Floodplain Administrator Assistant.

Commissioner Taylor said the Commission is considering appointing Barbara Woodbury, director of Environmental Health, as floodplain administrator and Senior Planner Mike Inman as the floodplain assistant because Woodbury is more available working 40 hours per week, and Inman does not work 40 hours per week. He said the Commission needs a definite contact person for floodplain matters and feels Woodbury is the individual for the job. Durgan said it was explained to the Commission it would not go with an administrator or an assistant, as both Inman and Woodbury would be co-floodplain administrators, but Woodbury would be the head contact person.

The Commission said Woodbury and Inman would be the county's floodplain personnel and make all decisions with the county's floodplain program. Taylor said Woodbury will run the departments, but Floodplain Administration will remain under Community Development Director Philip Fletcher's Department and Fletcher will ensure things that come out are appropriate. Woodbury said she does not want to do the floodplain administration work if she has to interact with Mr. Fletcher, and she does not want floodplain administration listed under Community Development divisions as currently listed on the Community Development Department website. Woodbury said, currently, she and Inman do floodplain administration work, but Fletcher comes into and then exits efforts causing confusion. She said Fletcher has no efforts in the county's floodplain work, yet it is listed in his department's work plan. Woodbury said she and Inman seem to tag team well with floodplain efforts and she thinks the two can work together on the efforts. Durgan said the Commission's goal is to have the operation run smoothly, as both Woodbury and Inman are certified floodplain administrators, but the Commission is designating Woodbury as the contact person.

Commissioner Malone said he thinks the Commission should leave things as they are with the exception of Woodbury being the contact person, because of some other reasons. Malone said the Commission has other issues it needs to solve, so if it does something

drastic it could complicate other efforts. He said he would like to be able to ask Woodbury about any floodplain issue. Taylor said he would like to put floodplain administration under the Environmental Health Department and have Inman as an assistant, but be on even footing with Woodbury. He said that may require a resolution to do.

The Commission said the minutes shall show Woodbury and Inman will be co-floodplain administrators, but Woodbury will be the contact person.

Commissioner Malone moved that Barbara Woodbury is the contact person for floodplain administration, but the structure will remain as present. Commissioner Durgan seconded the motion. Motion passed unanimously.

@11:18:16 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

#### September 7, 2011

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

#### September 7, 2011

#### Discussion of Northern Rocky Mountain Economic Development District Draft By-Laws; Consider Recommendations for Park County Representatives to the Northern Rocky Mountain Economic Development District Board

@2:30 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Philip Fletcher, community development. No public comment made.

The meeting was scheduled to discuss Northern Rocky Mountain Economic Development District draft bylaws and consider a recommendation for Park County Representatives to the Northern Rocky Mountain Economic Development District (EDD) Board.

Community Development Director Philip Fletcher said the purpose of a meeting to be held on September 8 is to gain a quorum of the previous economic development board so those members can resign in order to appoint new members to form a new board. Fletcher provided the Commission with draft EDD bylaws for review.

Fletcher said the Park County Economic Development Subcommittee is proposing seven appointed members from Park County to sit on the new board, three at large seats for Prospera, MSU and Job Service and possibly more than seven members from Gallatin County.

Commissioners Malone and Taylor said they think the district should require membership dues. Taylor said nine members from Gallatin County seems appropriate.

Fletcher said he is almost positive the September 8 meeting will contain discussion about which entity will house the economic district planner. Fletcher said he is proposing housing the planner in the Park County Community Development Department, but options include housing in Gallatin County or the planner switching time between both counties.

Fletcher said he proposes reassigning his staff to their positions prior to his reorganization of his department, which would entail moving employee Jeri Stevens to a desk in the foyer area of the department as she mostly performs counter-work for multiple departments. He said he would put the economic development planner in employee Mike Inman's office if that planner worked in Park County full time, but the planner would sit in Steven's office if working in Park County part time.

Commissioner Durgan said he has one major concern in that the Commission has not had public meetings considering appointment of an EDD planner prior to the current meeting. Fletcher said the issue has been talked about for months and months, as it is included in the economic development work program, has been discussed at numerous planning board meetings and has been discussed in the commission chambers with the Commission adopting the Community Development Department work plan as the number-one work item. Fletcher said it is not the county's decision to make as to where the planner will be housed and that is not of public concern as far as he is concerned.

Fletcher said he will generally be looked upon to oversee and supervise the planner initially, as he is the only individual experienced in economic development out of all the groups cooperating in the collaborative effort. Malone asked if there is benefit to housing the planner offsite in perhaps a bank building downtown, as the previous two planners were offsite. Fletcher said that may require a rental cost and housing in-county subtracts from the county's in-kind contract contribution. Fletcher said there are perceptual benefits of maintaining independence with housing offsite, but from an interactive point of view Fletcher has the entire database and said it would be handy to have the individual next to him to free up 20- to 25-percent of his time.

Fletcher said the county's economic development subcommittee has discussed Park County's portion of the board of directors on several occasions. He said Planning and Development Board members Bill Berg, Frank Schroder, Lewis Wilks and Peter Fox are on that subcommittee, along with Don Gimble of Vision Livingston. He said that subcommittee's recommendation of board members was unanimous as one director appointed by the county commissioners; one appointed by the Livingston City Commission; one director from a business support association, such as chamber of commerce or Vision Livingston; one from Gardiner Chamber of Commerce; three directors representing private enterprise with one representing ag business or ag production; and three at large bids.

Fletcher said Park County has many on-going projects in the early stages, as it is taking the lead in the telecommunications industry regionally, so Park County is way ahead in

research. He said the state is expecting Park County to take a major participatory role in a major telecommunications/broadband meeting in November, because Park County is doing more than anyone else.

Fletcher said the Commission's negotiation points for the September 8 meeting are the size and nature of the Park County delegation, location of the economic development planner, and dues. Malone said he will meet in Gallatin County on September 8 and play it by ear in discussing the three negotiation points.

In other discussion, Fletcher said Senior Planner Mike Inman emailed inquiring about setting traffic counters on the Boulder Road, he noticed new traffic counts on Pray Road, and the user name and password for the software data page has been changed. Fletcher said he and Malone have trained themselves on traffic counters and employees in the road department will be trained as well, as the counters are a lot easier to deal with than originally thought. Fletcher said the county can now do significant planning on where to get counts with broadening the numbers of personnel who can use the counters, and employees can take counters out and place them in locations for special purposes, which the county had not done much of to-date.

@3:21:51 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

#### September 7, 2011

3:00 P.M. – Parks and Recreation Board – West Room – Canceled by Community Development Director

#### September 8, 2011

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

@8:37:19 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; Ed Hillman, road; 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. refreshments in community room
- Memo document re. Bruffey Road research invoice
- Memo document re. draft Fleshman Creek RFQ
- Memo email re. Sept 15 Cowboy Hall of Fame working meeting
- Memo email re. Crazy Mountain Ranch water truck use
- Memo email re. highway forest draft plan
- Memo email re. Parks and Recreation Board member resignations

- Memo email re. Sept 27 MACo energy meeting
- Memo email re. Bell and Associates draft solid waste report completion
- Memo email re. Boulder Industrial Park refuse assessments

@9:01:58 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 8, 2011

9:00 A.M. – Safety Committee Meeting – Commission Chambers

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

September 8, 2011

Signing of Montana Disaster and Emergency Services Performance Grant Agreement

@10:56:07 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present was Minutes Clerk John Mueller. No public comment made.

The meeting was scheduled to sign a State of Montana Disaster and Emergency Services Performance Grant agreement.

Commissioner Durgan moved to sign off on the grant. Commissioner Taylor seconded the motion. Motion passed.

@10:57:51 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 8, 2011

12:00 P.M. – Critical Incident Stress Management – East Room

2:00 P.M. – Web Committee – East Room

September 9, 2011

Review Daily Agenda / Correspondence and Current County Projects

@10:03:41 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; Mark Westenskow, CTA; Dan Gutebier and Mike Taylor, Taylor-Leavitt; 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. citizen public information request
- Memo email re. FEMA mitigation grants buyout information
- Memo email re. September 27 oil and gas counties seminar
- Memo email re. citizen public information request
- Memo document re. fair board application
- Memo document re. citizen request for Park County Finance Director and Economic Development Director position qualifications

Commissioner Malone asked Dan Gutebier of Taylor-Leavitt why a damaged road grader had not been processed through the county's insurance agency. Gutebier explained the process and the county's responsibility of having the repair entity provide the value of the grader and repair figures. Gutebier said he will telephone RDO to start the process.

Mark Westenskow of CTA Engineering provided the Commission with a Gardiner green box site survey for a proposed refuse compactor site.

The Commission telephoned Gutebier. Gutebier said a complete analysis of a damaged road grader was conducted by an outside adjuster who will email the data to Gutebier. Gutebier said he can send the data to the Commission early to mid-next week.

@10:46:02 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana