

Park County Commission Meeting Minutes
Week of August 20 - 24, 2012
Park County, Montana

August 20, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:31:12 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Raea Morris, administrative assistant; Shannan Piccolo, civil deputy county attorney; and John Mueller, minutes clerk. No public comment made.

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

Correspondence for August 14 included:

- Memo email re. personnel meeting request
- Memo email re. oil and gas counties royalties
- Memo email re. PCRFD#1 mill levy issue meeting request
- Memo email re. RC&D August 21 meeting
- Memo email re. CTA Engineering Fleshman Creek update meeting
- Memo email re. county vehicle fire warden payment
- Memo email re. juvenile detention/GPS monitoring comparison data
- Memo email re. Duck Creek Road improvement work "thank you"
- Memo email re. Gardiner Airport AAA refuse compactor facility staff report
- Memo email re. MACo refuse dues
- Memo email re. August 23 Main Boulder Road meeting

Correspondence for August 15 included:

- Memo document re. Sheriff's Office door Locks and Clocks invoice
- Memo document re. month-end financial reports
- Memo email re. Gardiner green box citizen comments
- Memo email re. CTA Engineering SAR building task order modification

Correspondence for August 16 included:

- Memo email re. requested maintenance tasks
- Memo email re. Cooke City rural address payment
- Memo document re. DOWL HKM landfill gas monitoring results
- Memo email re. Montana Community Development Corporation
- Memo email re. county auditor quarterly financial report

- Memo email re. Angel Line site manager/transportation coordinator job descriptions

Correspondence for August 17 included:

- Memo email re. Library Board meeting packet
- Memo email re. Cokedale Road closure issue
- Memo email re. Western Sustainability Exchange ranch field day
- Memo email re. Gardiner Chamber of Commerce broken lawnmower
- Memo email re. Great West Engineering Pierce Gravel Pit professional services agreement
- Memo email re. August Fair Board agenda
- Memo document re. SWB member mileage reimbursement request
- Memo document re. road equipment injector pump purchase order

Civil Deputy County Attorney Shannan Piccolo reported on a bison lawsuit trial that commenced the previous week.

Commissioner Taylor said a representative from Taylor-Leavitt Insurance is inspecting the jail after receiving complaints about alleged mold.

The Commission said it would waive a landfill fee associated with disposal of a resident's home that burned down.

@8:59:09 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 20, 2012

Review of Minutes for Week of August 13, 2012

@10:01:35 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to review Commission meeting minutes for the Week of August 13, 2012.

Commissioner Malone requested a revision to Page 7 of 10; second full paragraph, the first sentence should read, "Citizen Ed Skillman asked if an alley between McCaw and Frank Streets was transferred to the city of Livingston with transfer of those streets to the city."

Commissioner Malone moved to approve the minutes as corrected. Commissioner Durgan seconded the motion. Motion passed.

@10:03:20 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 20, 2012

Discussion of Safety Inspections

@9:32:20 12 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Jill Ouellette, HR; Barbara Woodbury, environmental health; Scott Rogers and Dan Gutebier, Taylor-Leavitt; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss safety inspections.

Barbara Woodbury, environmental health, provided an inspection report for inspection of the county jail facility. Woodbury said the jail interior consists of metal and cement and no materials on which mold can grow. She said cleaning the facility with a bleach/peroxide solution can be done, however.

Scott Rogers, Taylor-Leavitt Insurance, reiterated the facility has no material that supports mold or other allergen growth. He said the jail facility is cleaned once a shift by detention officers, and inmates clean individual areas as part of required chores. He said the only improvement he can recommend is applying caulk to various locations to eliminate the possibility of water reaching metal structures. Woodbury said she can re-inspect the facility in a month's time.

Rogers said the present would be a good time to visit the road department to stress safety awareness and for the county safety committee to distribute a proper footwear flyer with the coming of cold weather.

@9:45:59 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 20, 2012

Fiscal Year 2013 Budget Workshop and Review of Disaster Emergency Services Budget

@10:12:20 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Martha Miller, auditor; Raea Morris, administrative assistant; Belinda Van Nurden, DES; Lani Hartung, finance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as a Fiscal Year 2013 budget workshop and to review the Disaster and Emergency Services (DES) budget.

Auditor Martha Miller provided a spreadsheet of allocations from the state of Montana showing Park County's federal allocation for DES in FY'13 will be \$54,366 with the county's match amount being a maximum of \$27,183 if needed/spent, but no one with the

state knows who prepared the spreadsheet. She said the state doubled the county's previous allocation, but it is not a serious issue as DES functions on a reimbursement basis using grant funds. She said an official award letter has not yet been sent.

@10:54:16 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 20, 2012

Discussion of Rural Fire #1 Mill Levy Issue

@11:03:24 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Martha Miller, auditor; Raea Morris, administrative assistant; PCRFD#1 representatives Dann Babcox, Courtney Lawellin, Dan Karell, Larry Blakely, Jeff Tong, Kaci Lizarraga and Brian Eastman; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled discuss Park County Rural Fire District #1 (PCRFD#1) mill levy issues.

Courtney Lawellin, PCRFD#1 chair, said the county commission signed Resolution #1078 in 2010 to reestablish a county accounting department under the Clerk and Recorder's Office. She said accounting department employees, however, are supervised by the Commission and are not elected officials.

Lawellin said a PCRFD#1 board member heard Finance Director Lani Hartung discuss putting district mills back to where they were the previous year, at 13 mills. She said that occurred after both county attorney and MACo counsel conducted research that showed Hartung's decision to reduce PCRFD#1 mills the previous year by 3.65 mills was not correct. Lawellin said the Commission previously stated in a meeting Hartung would no longer handle county fire mills, so it seems the Commission has an issue that it has not yet dealt with. Lawellin said PCRFD#1 will not again lose 3.65 mills and will take very public action if such happens again, as it has plans for benefits of constituents for the full mill amount. She said the department will ask for 16.65 mills plus a 1.20-percent inflation factor.

Commissioner Taylor said the Commission and not the finance director will determine how many mills PCRFD#1 will receive the next fiscal year. He apologized for any misunderstanding and told Lawellin to submit a mill request letter to the Commission Office, and the Commission will submit it for inclusion on tax bills. Commissioner Durgan said Hartung inserts the previous year's budget amounts during the budgeting process if no different figures are provided for the next budget year. Taylor said the 13 mills were just a place-holding amount.

Chief Dann Babcox said the department feels like it is being targeted by the county's finance director. He said Commissioner Malone pushed the fact Hartung will not have anything to do with PCRFD#1's budget any longer after the reduced mill debacle the

previous year. He said the manner in which the department's mills were reduced without its knowledge was the crux of the issue, and the department understood no future meetings would occur in which the PCRFD#1 budget was discussed without district personnel notification in advance. He said such is why the mills conversation in the previous week's budget workshop meeting and Hartung's statement the 13 mills are capped and thus will not increase caught the department's attention.

Babcox said there seems to be miscommunication between the Commission and the accounting department, and case in point was a fire incident pizza receipt the Commission said it would pay, but Hartung declined to pay it and sent it to him, which is insubordination. Babcox said he has to provide a public service and does not have time, particularly during fire season, to argue about things like paying fire incident pizza bills because a county department decides it will do whatever it wishes to do. Malone said insubordination is not the accurate word to use, and the pizza issue came from Babcox's statement that PCRFD#1 pays for incident food bills.

@11:22:11 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 21, 2012

Road Updates/ Engineering Services Updates

@8:07:12 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 and Dan Hackman, road; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Philip Fletcher, economic development; Parks Frady and Mark Westenskow, CTA; Gary Barnhart, citizen; and John Mueller, minutes clerk.

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

Road Supervisor Ed Hillman said he and Mechanic Dan Hackman have concerns with the Commission's plans to house refuse personnel at the road shop, as there is no room to park more equipment. Commissioner Taylor said the effort will start with one office space in the shop building. Commissioner Malone said he thinks Hackman needs help and sees opportunity to condense things and rearrange the yard to make more room. Hillman said no one has approached the road department to discuss any of the supposed moves the Commission is proposing. The Commission said a lot of things need to be finalized before it makes any decisions with refuse system operations.

Malone told Hillman to wait until the first of September to mow roadsides so as not to require following the mower with a water truck. He said Clay Williams, weed, is handling mowing issues. Hillman said he will let Williams take care of mowing responsibilities.

Citizen Gary Barnhart asked if the county has stopped mowing in the Shield's Valley. Commissioner Durgan said the county is not mowing because it is so dry outside.

CTA Engineering representatives provided a weekly engineering services update report. Parks Frady, CTA, said the Mill Creek rip rap project is completed and he will provide reports and a contractor payroll invoice.

Malone said the Commission responded to the Army Corps of Engineers stating it will install a culvert on Peterson Creek Road as requested.

@8:44:58 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 21, 2012

Discussion/Status of Fleshman Creek Project

@8:45:25 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; Raea Morris, administrative assistant; Philip Fletcher, economic development; Parks Frady and Mark Westenskow, CTA; Gary Barnhart, citizen; and John Mueller, minutes clerk.

The meeting was scheduled to discuss the status of the Fleshman Creek Restoration Project.

Mark Westenskow, CTA Engineering, said CTA is looking into prioritizing project tasks in attempt to reduce overall project cost. He said culverts under H and Geyser Streets must be replaced, as flow numbers show water would flow over the road at max cubic feet per second if not done so. He said all crossings thus will remain high priorities.

@9:08:54 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 21, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:17:57 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; and John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo email re. Main Boulder Road results

- Memo email re. RC&D poll
- Memo email re. maintenance work requests response
- Memo email re. Gallatin and Southern Montana RAC project proposals
- Memo document re. Montana FWP wolf depredation response
- Memo document re. film company mental health donation check
- Memo email re. Montana county commissioner funeral
- Memo email re. September 25 MACo county budget workshop
- Memo document re. TVX Mineral Hill Mine Montana DEQ discharge permit
- Memo document re. Main Boulder Road surfacing improvements report

@9:28:22 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 21, 2012

Department Head Meeting

@9:32 a.m., Chairman Taylor called a meeting to order in the Community Room of the City-County Complex. Present were Commissioners Durgan, Malone and Taylor; Jill Ouellette, HR; Martha Miller, auditor; Erica Hoffman, GIS/IT; Brett Linneweber, county attorney; Denise Nelson, clerk and recorder; Belinda Van Nurden, DES; Paul Shea, museum; Raea Morris, administrative assistant; Barbara Woodbury, environmental health; Philip Fletcher, economic development; Ed Hillman, road; Warren Newhouse, refuse; Linda Budeski, JP; John Mueller, minutes clerk.

Employee of the Quarter: Jill Ouellette, HR, said crewman Dave Amunrud of the road department was nominated as Employee of the Quarter by Mechanic Dan Hackman. Department Heads were asked to see the HR Department for Employee of the Quarter nomination forms, as the Decision Panel has decided not to accept anonymous nominations.

Safety Shorts: Ouellette said safety shorts will be read into the record starting at the present meeting. Denise Nelson, clerk and recorder, read the short titled: Distracted Driving. The short focused on avoiding distractions while driving by following certain rules, including tying up loose ends before leaving work, plan travel time for times other than rush hour, know road conditions in advance of travel, always wear a safety belt, set the radio station and leave it set, drive defensively, anticipate possible actions of other drivers, pedestrians and children, stay out of other vehicle blind spots, and maintain a safe distance from other vehicles.

Suggestion Box: Ouellette said non-county employees can nominate a county employee for Employee of the Quarter, and the suggestion box is to be used only for constructive or non-emergency safety suggestions.

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

Other Comments: County Attorney Brett Linneweber reported on revisions to the county employee personnel handbook to include exempt versus non-exempt employees. Linneweber spoke briefly about recent statute changes made when the state adopted federal definitions and said the county is still looking into how the changes may affect Park County salaried employees, as it needs to gather a consensus from MACo and Wage and Hour before knowing how to handle various aspects of the change. He said the issue will be addressed when the revised county personnel policy handbook comes out, and clarification will be made as to how exempt employees use leave accruals, which presently is not consistent. He said the policy hopefully will also address the issue of exempt employees filling out time sheets every pay period or only when leave accruals are used.

Public Comment: None

The next Department Head meeting is scheduled for September 18, 2012.

@10:32 a.m., the meeting adjourned.

August 21, 2012

Human Resources Updates

@10:42:28 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 John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss activities in the Human Resources Department.

Jill Ouellette, HR, said the interim refuse manager has requested use of a county truck because he preps the Forest Service green box site each morning on his way into work, and he is requesting a cell reimbursement plan, as he is using his personal cell phone for a lot of county calls. Ouellette said it may not be worth the effort to assess a payroll taxes on the vehicle because of the employee's short drive distance, the taxes of which are required when an employee uses a county vehicle to drive to and from work. The Commission said it feels that vehicle tax reimbursements will not be required if the employee drives less than five miles one way to work. The Commission signed off on the employee's compensatory time, county vehicle use and cell phone plan request.

Ouellette said new I-9 procedures go into effect on September 1; she will participate in a webinar on workers' compensation issues; a permanent seasonal fair worker gave notice of resignation and will likely not provide an exit interview; and she has completed the Angel Line site manager draft job description for Angel Line Board review. Ouellette said there was discussion about a county justice court can only serve as a court of record if a public defender represents the defendants, and therefore would be on the payroll.

Ouellette provided road department employee appraisals as conducted by the road supervisor and created a spreadsheet from crewmen files at Malone's request. Malone

said he thinks road department hiring wages need to be adjusted based on qualifications. He provided wages he thinks each crewman should be earning. Ouellette said currently three road crewmen are making more per hour than their pay grades permit. The Commission determined the wage increases of each crewman in question, as well as the county mechanic effective retroactively to the first August pay period.

Malone asked if a letter should be submitted to the county safety officer stating employee safety training video viewings need to re-commence. Ouellette said an email instructing the officer to do such by a specific date is appropriate. Commissioner Taylor said he will submit a letter to the safety officer as provided by Ouellette. Malone said county employees failing to do their professional jobs need to be reminded to do so by various methods.

@11:17:21 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 21, 2012

6:00 P.M. – Bison Scoping Project – Gardiner High School Theater, Gardiner – Commissioner Malone attended

6:30 P.M. – Fair Board Meeting – Fairgrounds Office, Livingston

August 22, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:35:01 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; Bob Currie, SWB; and John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo document re. CTA Engineering Fleshman Creek Project timeline
- Memo document re. ED director Title II/Title III funds comments
- Memo email re. Cooke City sewer CEDS/EDA funding comments
- Memo document re. FY'10/'11 annual weed report
- Memo email re. rescheduled personnel meeting
- Memo email re. economic development director out of office schedule
- Memo email re. Cooke City CEDS/EDA funding response
- Memo email re. Rocky Mountain RV Park annual lease agreement
- Memo email re. MACo GASB #3/#40 comment period

The Commission reviewed meeting requests for a Great West Engineering Pierce Pit agreement and September 13 Fleshman Creek public meeting.

Civil Deputy County Attorney Shannan Piccolo said the county should receive a proposal from Envirocon regarding refuse services in a couple of days.

Commissioner Malone reported on an August 21 bison scoping meeting in Gardiner.

@8:47:29 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 22, 2012

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

August 22, 2012

Signing of Final Closeout Documents for the Completed Airport Improvements Project

@11:00:59 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; Jerri Miller and Kerry LaDuke, airport board; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign final closeout documents for the completed Airport Improvements Project.

Jerri Miller, airport board, provided the Commission with Federal Aeronautics Association final closeout documents for signature she said provide for certified project testing.

Commissioner Durgan moved to sign the documents for the Airport Improvement Project. Commissioner Malone seconded the motion. Motion passed.

@11:08:58 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 23, 2012

8:30 A.M. – MACo District Meeting – Helena, MT – Commissioners Malone and Taylor attended

6:00 P.M. – Main Boulder Road Corridor Study Meeting – Boulder River Ranch – Commissioner Durgan attended

August 24, 2012

1:00 P.M. – Solid Waste Board – Commissioners Chambers

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

Denise Nelson
Clerk & Recorder
Park County, Montana