

Park County Commission Meeting Minutes
Week of August 6 - 10, 2012
Park County, Montana

August 6, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:48:08 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Kelly Johnson, maintenance; 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. August 23 MACo district meeting
- Memo email re. BLM Stewardship Contract award
- Memo document re. payroll signature request

Kelly Johnson, maintenance, asked whether the Commission will decide to number courthouse office doors. Johnson said he will check with Delta Signs to determine whether a bid is still accurate. Johnson said a leak in the roof above Dispatch 911 has resurfaced, which ACE Roofing re-patched. He said ACE will come back to see if the patching held, and ACE gave a bid of \$111,000 to replace the entire roof.

@8:59:21 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 6, 2012

Review of Minutes for Week of July 30, 2012

@9:20:38 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners 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 July 30, 2012.

Commissioner Malone requested a revision to Page 8 of 12; fourth paragraph, the last sentence should read, "Malone said the county considered all numbers on the revenue side in making its proposal to take all refuse to the city." On Page 9 of 12; second to last paragraph, the fourth sentence should read, "She said PCCC is not opposed to Otis serving on the board, but it wants the appointment done correctly." On Page 10 of 12;

first paragraph, the last sentence should read, "Refuse vehicles currently are stored outside, as the county does not have a facility to house them."

Commissioner Taylor requested a revision to Page 8 of 12, the second paragraph should read, "Warren Newhouse, interim refuse manager, said the only issue with the trial effort was the potential of trucks hitting transfer station overhead door jams. He said also a roll off lid was thrown up and almost struck the overhead door, as drivers have to shake truck loads as they cannot lift the dump to its highest point due to building height." The first sentence of the fifth paragraph should read, "Commissioner Taylor said Greg Frame of Envirocon was not amenable to the county's proposal of continuing the trial effort beyond August, as Envirocon wants the revenue at the landfill in Helena and MRL wants to put its train cars to work elsewhere if the county does not use them."

Commissioner Malone moved to accept the minutes as corrected. Commissioner Taylor seconded the motion. Motion passed.

@9:23:56 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 6, 2012

Cooke City Sewer District Election Canvass

@9:35:40 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Denise Nelson, clerk and recorder; Kevin Larkin, treasurer; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to canvass Cooke City sewer district election results.

Clerk and Recorder Denise Nelson said 77 ballots were mailed out for the mail ballot election, 66 voted ballots were returned, a tally of ballots was taken by a board of judges on Election Day (July 31), and voting results were 32 votes for creation of a Cooke City sewer district and 34 against formation of a sewer district.

Commissioner Malone moved to accept the results of the Cooke City Sewer District Election. Commissioner Taylor seconded the motion. Motion passed.

@9:38:05 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 6, 2012

Signing of a Lease Agreement with TIP Capital for Law Enforcement Tough Books

@10:03:35 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; Scott Hamilton, PCSO; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a lease agreement with TIP Capital for law enforcement Tough Book computers.

Shannan Piccolo, civil deputy county attorney, said a grant from Suzanne Brown, public health nurse, will help fund the Tough Books proposal, but those funds pass through the Commission. Piccolo said a resolution will also be passed for the lease agreement, and insurance and exemption information finalized. Undersheriff Scott Hamilton said the agreement will fund the first computer, which will enable the PCSO to determine how well the technology will work for the force.

Commissioner Malone moved to sign the lease agreement with TIP Capital for law enforcement Tough Books computers. Commissioner Taylor seconded the motion. Motion passed.

@10:10:13 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 7, 2012
County Road/Engineering Updates

@8:03:00 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; Parks Frady, CTA Engineering; Alex Sienkiewicz and Lauren Oswald, USFS; Bob Ebinger, citizen; and John Mueller, minutes clerk.

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

Meeting attendees reviewed a map of the Livingston Peak area and requested road improvements including gravel and turn outs. Commissioner Taylor said the county would like to partner with the Forest Service for road improvement costs up to a private gate, which will facilitate travel to Forest Service land, private residences and the Myer's Flat radio tower site. There was discussion about using Forest Service Resource Area Council funds. Taylor said he will get accurate measurements of bad areas in the road and submit them to the Forest Service.

@8:34:15 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 7, 2012
Discussion/Status of Fleshman Creek Restoration Project

@8:35:27 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; Philip Fletcher, economic development; Clint Tinsley, city of Livingston; Parks Frady, CTA; Gary Barnhart; and John Mueller, minutes clerk.

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

Parks Frady, CTA Engineering, said CTA's design team would meet internally that week to review engineering parameters in an effort to have a final project design completed by October. He said CTA continues taking public comment on stream crossings at H and Main Streets.

Citizen Gary Barnhart said a public meeting held by CTA was too rushed and did not allow for enough public comment because of the way citizens were broken into separate talking groups. Barnhart said there will be no more cooperation from him on the project until he understands how many hands are in the project's pot. He said every landowner has an issue with the project, particularly regarding access. The Commission said it thinks another public meeting should be held after the public comment period ends.

Philip Fletcher, economic development, said he and CTA are in the process of going through the FEMA grant line item by line item to be sure other, independent funding sources do not exist.

Clint Tinsley, city of Livingston, said the city attorney quoted an attorney's general opinion on a culvert question presented by the county. He said perhaps the county attorney's office can discuss the issue with the city attorney.

@8:57:00 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 7, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:08:48 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; Parks Frady, CTA; 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. public information request
- Memo email re. Airport Board/SWB joint meeting
- Memo email re. August 23 Main Boulder Road Improvements Project agenda
- Memo email re. waste management professionals manuals
- Memo email re. July Safety Committee minutes
- Memo email re. economic development department director work schedule

- Memo email re. ACE Roofing roof leak repairs
- Memo email re. CIP grant approval consultant
- Memo email re. fire protection social media efforts
- Memo email re. MT Department of Commerce consolidated plan coordinator

Commissioner Malone said the county submitted a variance request from the Airport Affected Area to zoning officer on August 6, and a hearing will be held in which the request will be presented by the Commission.

Parks Frady, CTA Engineering, said a pre-construction conference was held with an adjacent landowner regarding a Mill Creek project. He said a task order is being prepared for a proposed Search and Rescue building. Frady said a grant application is currently being filled out for the Big Sky Trust Fund for the Gardiner Gateway Project, and a project presentation will be made to the Gardiner School Board on August 8.

Commissioner Malone said a citizen requested crossing Cinnabar Road with a zip line.

Malone said he submitted a proposed draft letter to the county attorney's office addressed to the Park County Concerned Citizens about moving forward with refuse plans, but the county attorney's office suggested a proposed contract be submitted to the city and give Envirocon 60-days notice that the county will terminate its contract. The Commission said it will schedule a litigation strategy meeting with the county attorney's office and MACo legal counsel.

Commissioner Durgan said he will have a discussion with the Fair Board at its next meeting to discuss advertising issues that occurred with youth 4-H events at the 2012 county fair.

@9:30:43 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 7, 2012
Human Resources Updates

@9:31:41 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; Bob Currie, SWB; 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 contractor Jim Nyes plans to meet with her by the end of the month to discuss specifics of rewriting the county's personnel policy handbook.

Ouellette said NACO is interested in soliciting a prescription drug card program on county websites and she received a booklet on FMLA law.

Ouellette explained the process of hiring individuals with CDL licenses. The Commission said it would like four job postings for on-call workers with CDL licenses.

Ouellette provided change of status forms for two extra workers in the road department and a temporary interim refuse manager. She said she has change of status forms for employees whose wages the road supervisor would like to increase. Ouellette said she experienced a scenario where a list of employee names and wages per hour was circulating around the courthouse. She said she told individuals with the list that such information is not confidential as it was about public employees. Ouellette said she would like the commissioners to complete their performance evaluations and appraisals of the finance director by Friday, August 10.

Commissioner Taylor said he will contact the Public Administrator that day regarding a request for short-term employees.

@9:55:40 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 8, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:39:33 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; Warren Newhouse, refuse; Dick Juhnke, SWB; Wes Venteicher, Livingston Enterprise; Dave Haug, citizen; 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. zip line construction
- Memo email re. August 6 CTA meeting update
- Memo document re. attorney general opinion
- Memo email re. rural redistricting proposal
- Memo email re. Gardiner Gateway Project letter of recommendation
- Memo email re. B Bar Ranch recycling proposal
- Memo email re. MAP 21 transportation bill public comment period
- Memo email re. Snake River Headwaters management plan
- Memo document re. DIS CountySilo invoice
- Memo document re. monthly postage log
- Memo email re. fire incident tabletop exercise
- Memo email re. January 30-31 ICS class
- Memo email re. Essentials of Management seminar
- Memo email re. FY '13 Gallatin County grants and project administration budget

- Memo document re. SW Juvenile Detention budget
- Memo email re. timber war article
- Memo email re. August 9 SW Juvenile Detention Board conference call
- Memo email re. Montana LTAP training dates
- Memo email re. August 10 SWB agenda/July minutes
- Memo email re. Park County FY '12 Mental Health year-end meeting
- Memo email re. Karnatz courthouse tree trimming quote
- Memo email re. Park County FY '12 year-end budget
- Memo document re. August 10 Mill Creek Waster District meeting agenda
- Memo email re. August 21 LTAP electrical safety seminar
- Memo email re. Park County parks maintenance meeting
- Memo email re. Arch Park lawnmower condition
- Memo email re. MACo drought impact study
- Memo document re. Taylor-Leavitt workers' compensation agreement meeting

@8:59:49 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 8, 2012

Discussion/Decision on Reducing the Size of the Park County Landfill

@9:04:49 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; Warren Newhouse, refuse; Dick Juhnke, SWB; Wes Venteicher, Livingston Enterprise; Dave Haug, citizen; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider reducing the size of the Park County Landfill.

Commissioner Taylor said the county received a proposal from Ed Janney of DOWL HKM to ensure the county's financial assurance trust fund is available for use to close a portion of the county landfill. Commissioner Malone said Janney stated the county has \$2+ million in the bank in Billings, and the idea is to use those funds to cover and close 90 percent of the landfill's Class II cell where incinerator ash was piled and is no longer used. He said the expense of closing and covering the cell will not get cheaper as time goes on, and the county is not gaining interest on the funds it was in the past.

Taylor said the county put out a press release on May 30, 2012, notifying the public of the history of blowable materials and an associated lawsuit at the landfill. Taylor said the county feels it is spending a lot of money to keep a large section of unused landfill open, and a smaller section will remain open for county use. Taylor said DOWL HKM's agreement and task order includes a scope of services to prepare a closure plan for approximately seven to eight acres of existing landfill, which will include a topographic survey of the Class II section, design of a passive landfill gas venting system and perimeter drainage ditches and runoff controls, and quality assurance and testing in accordance per DEQ requirements.

Citizen Dave Haug said he would hate to see the county downsize the refuse system to a point with manning green box sites that citizens dump trash along back roads. Citizen Dick Juhnke said volunteer labor in the amount of \$2,474 was needed to clean up illegally dumped refuse at Harvat's Flat, and the county will see a lot more of that if it changes green box site operations.

Commissioners Malone and Taylor said their goal is to provide better service and a more cost effective refuse system for county residents.

Commissioner Malone moved to sign the task agreement with DOWL HKM. Commissioner Durgan seconded the motion. Motion passed unanimously.

@9:23:20 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 8, 2012

Signing of Resolution for TIP Capital Tough Books Lease

@10:31:33 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 sign Resolution # for a TIP Capital Tough Books lease.

Commissioner Malone said the Commission received a presentation of Tough Books from the sheriff's office on Tough Books' ability to improve law enforcement services.

Commissioner Malone moved to sign Resolution # with TIP Capital for a Tough Books lease. Commissioner Durgan seconded the motion. Motion passed.

@10:34:42 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 9, 2012

8:30 A.M. – Commissioner Durgan @ SW Regional Juvenile Detention Meeting – Commissioner Taylor's Office

August 9, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:30:33 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; Jill Ouellette, HR; Greg Coleman, county fire; 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. Montana FWP wolf management
- Memo email re. proposed elk management changes objectives
- Memo document re. CTA Engineering Fleshman Creek invoice = \$43,887.20
- Memo document re. CTA Engineering Fleshman Creek Task II invoice = \$1,600
- Memo document re. CTA Gardiner Gateway Project invoice = \$1,787
- Memo email re. Forest Service grants form
- Memo email re. Taylor-Leavitt zip line liability response
- Memo email re. September 5 Airport Board meeting
- Memo email re. Juvenile Detention alcohol and monitoring agreement
- Memo email re. roof leak in Dispatch hallway
- Memo email re. county fire flagging training
- Memo document re. *Livingston Enterprise* PCRFD#1 annexation legal ad

Greg Coleman, fire warden, said he attended a Gallatin County Communications meeting in which the narrow band transition effort was discussed, visited with Cooke City and Clyde Park wildland fire personnel, and said Clyde Park firefighters are using a Montana DNRC fire truck that was in Cooke City after obtaining workers' compensation insurance.

Jill Ouellette, HR, said she was disappointed with an article in the *Livingston Enterprise* that stated a refuse employee intentionally damaged the city transfer station and it reiterates the need for employees to immediately report damages to county equipment to the HR Department in order for that department to conduct the appropriate investigation.

Commissioner Malone reported on the status of a Cokedale Road re-milling project.

Raea Morris, administrative assistant, said an issue exists with inaccurate information in the county computer system regarding residential addresses.

@8:58:02 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 9, 2012

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

August 9, 2012

10:00 A.M. – Claims Review – Commission Chambers

10:00 A.M. – Local Emergency Planning Committee – Community Room

12:00 P.M. – DUI Task Force – East Room

1:00 P.M. – Fiscal Year 2013 Budget Workshop with Certified Taxable Valuations –
Commission Chambers – Rescheduled for August 13 at 10:30 a.m.

1:30 P.M. – Planning and Development Board – Community Room

6:00 P.M. – Indoor Air Cleanup and Soil Cleanup Workshop with Montana DEQ –
Community Room

August 10, 2012

8:00 A.M. – Commissioner Taylor @ Wilsall Senior Center, Wilsall

8:30 A.M. – Daily Correspondence/Agenda and Briefing on Current County Projects –
Commission Chambers – Canceled due to scheduling conflicts

9:00 A.M. – Commissioner Malone @ Emigrant to Hear Area Resident Concerns –
Howlin' Hound, Emigrant

9:00 A.M. – Commissioner Taylor @ Wilsall to Hear Area Resident Concerns – Val's
Mercantile, Wilsall

10:30 A.M. – Commissioner Taylor @ Clyde Park to Hear Area Resident Concerns –
Town Hall, Clyde Park

1:00 P.M. – Solid Waste Board Meeting – Commission Chambers

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

Denise Nelson
Clerk & Recorder
Park County, Montana