

Park County Commission Meeting Minutes
Week of February 27 – March 2, 2012
Park County, Montana

February 27, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:03:43 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 John Mueller, minutes clerk. No public comment made.

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

Correspondence for February 23 included:

- Memo email re. support letter for GIS tech
- Memo document re. Crystal Finishing \$5,552 painting estimate
- Memo document re. Keystone Pipeline comments
- Memo document re. DEQ Class III monofill application
- Memo document re. state DES comments on Fleshman Creek Project
- Memo email re. Emergency Operations Plan meeting signing
- Memo document re. MOU for Montana Gateway Project
- Memo email re. March 13 Weed Management group
- Memo email re. February 27 Library Board meeting
- Memo document re. weed management district bylaws
- Memo email re. March 14 MDT Cedar Creek Crossing information meeting
- Memo email re. February 28 YGM meeting agenda

Correspondence for February 24 included:

- Memo email re. Community Development Director out of office schedule
- Memo email re. March 8 career workforce open house
- Memo email re. Main Boulder Road project hazard mitigation plan
- Memo email re. citizen comment on tire monofill landfill
- Memo email re. pipeline safety communications
- Memo email re. MACo preliminary renewal rates
- Memo document re. Department of Army Coal Camp Road culvert replacement
- Memo document re. July 19 Agency IV on Aging meeting
- Memo email re. NRM EDD government trust article
- Memo email re. March 7 FWP Commission meeting

@9:24:39 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

February 27, 2012

Consider Historical Component Relative to the Parks and Recreation Board Membership and By-laws; Appoint Applicants to the Parks and Recreation Board

@10:04:05 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Mike Inman, planning; Phil Dawson and Martha Miller, board members; Philip Tribble, citizen; and John Mueller, minutes clerk.

The meeting was scheduled to consider an historical component relative to the Parks and Recreation Board membership and bylaws and appoint applicants to the Parks and Recreation Board.

Mike Inman, planning, said the county Parks and Recreation Board has not met since June or July 2011, and the board is currently defunct with only two members. Inman said six applicants applied for the five-member board after one applicant withdrew, with four applicants applying from the city of Livingston and two from the county.

Inman said board members have discussed the historical component of the board's dealings and determined it would be appropriate to officially designate one board member as an individual with significant historical background relative to Park County. Inman said the current board bylaws define board makeup as four county residents and one at-large member, none of which have to have historical expertise or knowledge. Inman said the status of the board enables the Commission to change the bylaws to affect appointments to and composition of the board.

Inman said an interview committee of the civil deputy county attorney, two sitting board members and himself conducted interviews and compiled results. Regarding adding a historical preservation component to the board, Inman said the committee determined the board could do nothing, include an at-large historical member or expand membership to seven members with an at-large historical member. He said the last option would require re-advertisement of board seats, as not enough applications were received. He said the committee recommended Carol Woodley as the member with historical expertise and ranked Robin Ogada then Hillary Taylor as county representatives. For the city of Livingston member, Inman said the committee recommended Cassie Burns, Philip Tribble and Connie Standish, in that order. Inman said he would like to see a historical preservation component on the board, as the board has not had a project or proposal to-date where historical issues were not an issue in which it had to consult a local expert.

Commissioner Malone moved to amend the bylaws to include at least one board member with an historical aspect, that member to serve at large, and the board will be a five-member board. Commissioner Taylor seconded the motion. Motion passed.

Philip Tribble, applicant, said he feels he would be a good addition to the board and feels parks and recreation is an important element to Park County.

Commissioner Malone moved to follow the interview committee's recommendations of Carol Woodley as the historical representative, Robin Ogada as the county member and Cassie Burns as the city of Livingston representative. Commissioner Taylor seconded the motion. Motion passed.

@10:21:03 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

February 27, 2012

Reconsideration of Assistance for Public Transportation with Amazing Taxi Service

@11:32:58 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Martha Miller, auditor; Philip Fletcher, economic development; Carrie Pintar and Christeen McLain, Amazing Taxi; David Kack, WTI/HRDC; Wes Venteicher, Livingston Enterprise; Michael McCormick, Livingston Food Pantry; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to reconsider assistance for public transportation with the Amazing Taxi Service.

Commissioner Taylor said he understands a proposal from HRDC would be a one-year experiment that would not cost the county any money. Taylor said his only question is if HRDC would be the lead agency to apply for funding from MDT. David Kack, Western Transportation Institute/HRDC, said MDT provides operating funding for public transportation systems and has been holding \$60,000 in attempt to get public transportation going in Livingston and Park County. He said those funds would be used for the proposed one-year trial period in which a local taxi service could provide subsidized low fares to riders. Kack said the benefit to Park County with having the public transportation system is its Angel Line bus service could apply for vehicles to purchase vehicles at a discounted rate.

Taylor said his major concern is having a detrimental effect on Angel Line. Kack said he cannot see detrimental effects, and there is time for operational details to be worked out in the future. Kack said there will be no financial obligation to Park County if HRDC becomes the lead agency. Kack said he will not come back to Park County requesting more funds. He said data collection on rides through the program is a major element of the program in determining whether federal funding will be reallocated in the future.

Carrie Pintar, Amazing Taxi, said she experienced a rate increase on February 15 in which a straight \$3.25 per mile is assessed, as well as a \$5 fee to get in the taxicab. She said rates increase above those numbers after 8:00 p.m. Pintar said her former rates were

\$6 to travel anywhere in town up to four miles. Pintar provided the Commission with a letter of support from Livingston Health Care and CHP for the subsidized program.

Kack said the general public can use the subsidized service at a reduced rate, but reduced rates can be set, for instance to not be in effect on weekends or late night hours. Taylor said he would like to see information on proposed reduced ride costs and Amazing Taxi ridership numbers, as well as how the subsidized rates would affect the riders and business. He said he will forward a draft resolution to the county legal department for review with Kack's guarantees the Angel Line service will not be affected.

Philip Fletcher, economic development, said he sent county legal staff a copy of the draft resolution. Fletcher said the trial should be looked at beyond a subsidized service and pay attention to data collection and systematic predictable information to make cost-effective determinations in the future.

Michael McCormick, Livingston Food Pantry, said Amazing Taxi has been a valuable resource in providing rides to the pantry, and he supports the trial effort provided the Angel Line serves is not negatively impacted. Pintar said in this hard time, anything that can be done, particularly in the daytime, will help the public get to where it needs to go. Taylor said he does not want people to fall through the cracks who cannot get rides on Angel Line, and \$8 sounds like an expensive ride in Livingston.

@11:58:50 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

February 27, 2012

Review of Minutes for Week of February 21, 2012

@1:36:34 p.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 February 21, 2012.

Commissioner Malone requested a revision to Page 10, noting sander trucks with tandem axles.

Commissioner Durgan moved to approve the minutes with corrections. Commissioner Malone seconded the motion. Motion passed.

@1:37:46 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

February 27, 2012

Discussion/Decision to Abate a Personal Property Tax

@2:03:27 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Audrey Dodge, DOR; Frank O'Connor, citizen; and John Mueller, minutes clerk.

The meeting was scheduled to consider abating citizen personal property taxes.

Audrey Dodge, Department of Revenue, said taxes for Livingston Auto Supply for Tax Year 2008 are delinquent, and the taxes remained with the business after purchase by Horizon Auto Parts. Dodge said her theory is to leave taxes with a business, just as real estate taxes stay with real estate upon sale.

Frank O'Connor, citizen, said he had no idea the taxes were on the property when he purchased it, and he requests getting rid of the taxes, as he does not feel he owes them because it was not his business when the taxes were not paid.

Commissioner Malone moved to abate the taxes, as they are probably uncollectable. Commissioner Taylor seconded the motion. Motion passed.

@2:10:42 p.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

February 28, 2012

County Road Updates/Engineering Services Updates

@8:17:36 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; Erica Hoffman, GIS/IT; Mark Westenskow, CTA; and John Mueller, minutes clerk.

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

Road Supervisor Ed Hillman said road crewmen are performing traffic control with S&K Drilling for the Fleshman Creek Restoration Project. Mark Westenskow, CTA Engineering, said geotechnical borings started yesterday and a public meeting for the Fleshman Creek project was held last week. He said CTA hopes to begin surveying work on the creek next week after needed landowner permissions are obtained. Westenskow said a FEMA contract extension was submitted, and a change in project scope is necessary to clarify which project line items will and will not be paid on with grant funds. He said Kent Atwood with the state DES said he would support that effort.

Commissioner Taylor said he will contact Duane Clark today and touch base with Westenskow regarding proposed work on Coal Camp Road. Westenskow said Tom Miner Road was viewed last week for a possible bridge abutment project.

There was discussion about a proposed compactor green box site in Gardiner and FAA and Airport Affected Area issues with the Gardiner Airport.

@8:56:41 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

February 28, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:12:47 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 John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo email re. March 1 Fire Council agenda
- Memo email re. citizen comments on tire monofill landfill
- Memo email re. Stream Line funding
- Memo document re. Park County transportation support resolution
- Memo document re. burial cremation application
- Memo document re. May 5 electronic recycling event
- Memo email re. Safety Fest training record
- Memo document re. Gardiner drainage problems
- Memo email re. Livingston Airport of the Year Award
- Memo email re. IT truck maintenance issues
- Memo email re. March 11 Efficiency in Government meeting
- Memo document re. Cooke City School isolation status

Raea Morris, administrative assistant, said she was informed the economic development director will hand deliver a request to extend a Fleshman Creek Project FEMA grant.

@9:31:28 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

February 28, 2012

Human Resources Updates

@9:38:37 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; Martha Miller, auditor; 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 IRS released a revised 941 that will enable employees to file their newly passed payroll tax. Ouellette said a MACo Reasonable Drug Suspicion training was held on February 22, which was attended by many road crewman, the road supervisor and the civil deputy county attorney. Ouellette said Insurance Unlimited in Helena is interested in quoting worker's compensation insurance for Park County. The Commission said it is not interested in accepting the quote.

Ouellette said she has completed JSAs for cheater bar training, and a green box JSA is in progress for green box site attendants. She provided the Commission with a performance appraisal for an Angel Line driver with the standard requested wage increase.

There was discussion about holding a mandatory safety training in May with lunch provided.

@9:57:26 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

February 28, 2012

Health Insurance Committee Report; Discussion and Final Decision on Health Insurance Carrier for Fiscal Year 2013

@10:05:52 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 and Scott Hamilton, insurance committee; Martha Miller, auditor; Lani Hartung, finance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to decide on a county employee health insurance carrier for Fiscal Year 2013.

Jill Ouellette, insurance committee, said the committee was tasked with receiving quotes from two Park County insurance carriers, but that was hard to do as MACo did not provide experience rating data. Ouellette said MACo wants to know by March 1 if Park County will remain in the MACo Healthcare Trust for FY '13. She said the monthly premium for a single, fulltime employee on the Healthcare Trust policy will increase from \$823 to \$901 for FY'13, with a two to three percent buffer from the final premium amount. She said Taylor-Leavitt Insurance quoted almost to the dollar what MACo quoted.

There was discussion about a self-funding quote from Boulder Administration and Chico Hot Springs' and the Whitefish Credit Union's successes with such policies.

Scott Hamilton, insurance committee, said he has an issue with MACo Healthcare Trust not providing requested information, which gave him the impression information was withheld so the county would not shop around for insurance and remain with MACo

HCT. Hamilton said he also has concerns with MACo handling every step of the county's insurance and legal counsel endeavors, but he thinks changing insurance carriers this year would be a lot of work with little difference in premium rates.

Commissioner Malone said the county already is in a self-funded plan. Commissioner Taylor said he suggests Ouellette research Western Mental Health's self-insured policy when considering insurance carriers for FY '14.

Ouellette said a five-percent tier has again been factored into premium rates, which means premiums are inflated for single employees to better enable employees with families to have their families on a county insurance plan. Ouellette said the county currently has 21 employees with a spouse on the plan, 24 employees with children on the plan and eight employees with their entire family on the plan. She said 32 percent of employees would not be able to afford insurance coverage if the remaining 68 percent were not paying more as a supplement.

Durgan and Taylor said it would be proper to hold an employee informational meeting on healthcare costs, including costs with the tier system. Ouellette said she will inform Taylor-Leavitt and Boulder Administration Services the county will not use them for insurance.

Durgan said he feels the county should stay the course with MACo and give itself a chance to do some further exploration for next year. He said he does not feel comfortable leaving the Healthcare Trust at this time.

Commissioner Durgan moved to stay with the Healthcare Trust for the next year. Commissioner Taylor seconded the motion. Motion passed. Commissioner Malone recused himself from voting.

@10:49:05 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

February 28, 2012

Discussion/Decision on Temporary Assistance for Road Department

@11:35:27 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jill Ouellette, HR; Martha Miller, auditor; Erica Hoffman, GIS/IT; Lani Hartung, finance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to decide on temporary assistance for the Road Department.

Jill Ouellette, HR, said Road Supervisor Ed Hillman approached her about a consultant's report suggesting high level employees, such as the road supervisor and shop mechanic, should not be spending work hours entering data into a computer. Commissioner Taylor said a proposal to have a lower-level county employee assistant in entering such data

would be a temporary endeavor, and perhaps six months down the road the effort could be re-evaluated. Ouellette said the question remains of what budget would pay the individual to enter the data. Lani Hartung, finance, said the work should be paid for with Budgets 2100 and 2130, road and bridge budgets.

Commissioner Taylor said the Commission asked Noreen Berg from the Accounting Department to enter the data, and the commission's recording secretary is interested in entering the data, as well. Martha Miller, auditor, said she made a suggestion to employ an Angel Line driver for the work.

Erica Hoffman, GIS/IT, said she thinks it will take two weeks to build an electronic database for the road mechanic. Commissioner Malone said he thinks the Commission needs to determine whether road equipment maintenance data needs to be maintained in a database. The Commission said it is not ready to make a decision on the issue at the present meeting.

@11:59:14 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

February 28, 2012

12:00 P.M. – Airport Board Meeting – Livingston Airport – Commissioner Durgan attended

5:30 P.M. – Yellowstone Gateway Museum Board – Yellowstone Gateway Museum – Commissioner Taylor attended

February 29, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:30 a.m. Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present was Raea Morris, administrative assistant. No public comment made.

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

Correspondence included:

- Memo email re. citizen tire monofill comments
- Memo email re. county weed department budgets
- Memo email re. Shields Valley water monitoring project
- Memo email re. March 15 Dispatch 911 meeting
- Memo email re. Cooke City Sewer District election error
- Memo email re. March 17 passenger rail conference
- Memo email re. library city/county compact
- Memo email re. March 2 Solid Waste Board agenda

Commissioner Durgan reported on a February 28 Airport Board meeting.

Commissioner Taylor reported on a February 28 Museum Board meeting.

@8:56 a.m., the meeting adjourned.

February 29, 2012

Review and Consideration of the D'Ewart First Minor Subdivision

@9:02:23 a.m. Chairman Taylor called a meeting to order in the Community Room of the City/County Complex. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Inman, planning; Jonathan Roen, engineer; David Avant, applicant; (via telephone); and Pearl D'Ewart, landowner. No public comment made.

The meeting was scheduled to review and consider the D'Ewart First Minor Subdivision.

Conflict of Interest: None reported

Brief Introduction by Chair: No report

Presentation by Applicant: Jonathan Roen said one-lot, 5.4 acre at Kister-Hardy and Flathead Creek Road. He said the property will not encompass any of Dry Creek, and the property contains a 100-foot setback from the stream. He said an irrigation ditch exists on the property. He said landowner Pearl D'Ewart has agreed to sell David Avant five acres to build a vacation home. He said one house and one outbuilding with no infrastructure or roads are being proposed on the property.

Roen said the applicant is requesting waiver of the condition of approval of right to protest for capital improvement district projects and proposes using sprinkler systems in the home as the fire suppression system requirement if the Commission is unwilling to waive the fire protection requirement.

Subdivision Administrator Report: Subdivision Administrator Mike Inman provided maps and photographs of the property in question. Inman reviewed potential impacts of the proposed subdivision on approval criteria and said the applicant has complied with all county subdivision regulations.

Public Comment on Water and Sanitation: None

Commission Discussion: None

Commission Findings and Conditions: Affects on Agriculture: Commissioner Durgan moved to accept the recommended finding and recommended conditions on the affects of agriculture. Commissioner Malone seconded the motion. Motion passed.

Affects on Agriculture Water User Facilities: Commissioner Malone moved to accept. Commissioner Durgan seconded the motion. Motion passed.

Affects on Local Services: Commissioner Malone moved to accept the recommended conditions. Commissioner Durgan seconded the motion. Motion passed.

Affects on the Natural Environment: Commissioner Malone moved to accept. Commissioner Durgan seconded the motion with the one slight change. Motion passed.

Affects on Wildlife: Commissioner Malone moved to accept the affects on wildlife. Commissioner Durgan seconded the motion. Motion passed.

Affects on Wildlife Habitat: Commissioner Malone moved to accept the affects on wildlife habitat. Commissioner Durgan seconded the motion. Motion passed.

Affects on Public Health and Human Safety: The Commission added the following language: The applicants have proposed to install a residential fire suppression system in all residential dwelling units in order to mitigate the threat of structure fire and minimize ground disturbance from implementing a fire suppression fill site.” Commissioner Malone moved to accept the affects on public health and safety. Commissioner Durgan seconded the motion. Motion passed.

Commissioner Durgan moved to accept all findings and conditions under Sections XIII, IX, X, XI, XII and XIII, which are standard boiler plate items. Commissioner Malone seconded the motion. Motion passed.

Commission Motion/Determination: Commissioner Durgan moved to approve the D’Ewart First Minor Subdivision with findings and conditions as amended by the Park County Commission.

Public Comment: None made

@9:56:42 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

February 29, 2012

Discussion/Decision on Public Transportation in Livingston

@1:00 p.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; David Kack, WTI/HRDC; Heather Grenier, HRDC; Carrie Pintar and Chris McClain, Amazing Taxi; and Kevin Funk, citizen.

The meeting was scheduled to consider a decision on public transportation in Livingston.

David Kack, Western Transportation Institute and Human Resources Development Council (HRDC), said a proposed program would allow HRDC to apply for \$86,000 in federal funds through the Montana Department of Transportation on behalf of Park County. Kack said federal transportation law has changed, which does not allow Angel Line to apply for the funds in question since it only serves the elderly and disabled and not the public citizenry. Kack's proposal will provide discounted taxi rides through the local Amazing Taxi service during Angel Line's operating hours.

Commissioner Malone said he has concerns of threats to Angel Line funding. Kevin Funk, citizen, said he has concerns that individuals who can afford to pay full price will ride the taxi at a subsidized fare. Kack said a requirement to schedule rides a day in advance of riding may reduce abuse of the program.

There was discussion that Community Health Partners have many clients who need taxi rides due to illness, post-operative issues and to local medical services. Carrie Pintar of Amazing Taxi said she has donated many rides to citizens needing a ride to the food bank, pharmacies and other places, but she can no longer afford to pay for those rides from her personal tip money.

Commissioner Durgan moved to allow Kack to proceed with a grant application for the program on behalf of Park County pending legal review. Commissioner Malone seconded the motion. Motion passed.

@1:33 p.m., the meeting adjourned.

*An audio recording of this meeting was not captured

February 29, 2012

Discuss Status of Animal Hoarding Ordinance in Park County

@2:00 p.m. Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Vicki Blakeman, Stafford Animal Shelter; Patty Martin, citizen. No public comment made.

The meeting was scheduled to discuss the status of a Park County animal hoarding ordinance.

Vicki Blakeman, Stafford Animal Shelter, said she is present to learn where the county attorney is with an opinion on expanding animal cruelty laws on a state level. Commissioner Durgan said the attorney provided a recommendation that the county approach the issue on a kennel permit basis. Blakeman said her concern with that recommendation is issues expressed by PCSO personnel on administering any animal legislation already on the books, which has caused issues with county residents not receiving call back or checkup correspondence. She said the whole animal enforcement effort in the county has gone by the wayside because of lack of personnel to meet all complaints, and all of Stafford's efforts are to assist the county with its animal control efforts.

Blakeman said her suggestion is to require rabies shots for any companion animal, which may lead to investigation of cruelty issues on a complaint basis. Commissioner Taylor said the issue is one of public health and safety and thinks such a requirement should be instituted countywide. Blakeman provided a sample ordinance for Commission review. Taylor said he will present the resolution and talking points discussed to the county attorney's office.

Blakeman asked if volunteers can be used to check up on mitigation instructions handed down by the animal control agent. The Commission said it can discuss the issue with the Sheriff's Office, but it would be helpful for Blakeman and Patty Martin, citizen, to research similar efforts elsewhere and provide information to the Commission and PSCO for consideration.

@2:32 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

February 29, 2012

Discussion of County Property as Alternative Montana Cowboy Hall of Fame and Western Heritage Center Location

@3:00 p.m. Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mary Anne Keyes and Tracy Mosley, MSU Extension; Ed Meece, city of Livingston; Bob Ebinger and Bob Moore, YGM; and Rick VanAken, Friends of the Museum. No public comment made.

The meeting was scheduled to discuss county property as an alternative site for the Montana Cowboy Hall of Fame and Western Heritage Center.

Ed Meece, city of Livingston, said there are 30 to 45 days remaining before a final site is selected for location of the proposed Montana Cowboy Hall of Fame museum. Meece said Twin Bridges, Big Timber, Big Sky, Wolf Point and Livingston are all being considered to house the museum. He said the question is whether the Commission is interested in holding a piece of county property at the east interchange of I-90 as a backup location, which will be put in writing to the Cowboy Hall of Fame as a museum location option. The primary property location is owned by Ted Watson.

Bob Ebinger, museum board, said powers behind the proposed Cowboy Hall of Fame museum have not talked to the Yellowstone Gateway Museum to learn of its future plans, and they have not contacted the depot museum or Livingston's art community. Ebinger said he wants to know what Livingston will gain from the museum approaching the city, because he has not seen any community-mindedness at this point. Mary Anne Keyes, MSU Extension, said the YGM museum director was approached and did not show interest in the proposed cowboy museum.

Meece said he would like to talk with the county attorney's office about proposing the county property in a scenario similar to how the city of Livingston agreed on a real estate deal with the Shane Center and East Side School. He asked if county legal counsel could research a similar real estate agreement and said he would schedule another public meeting on the issue in seven to 10 days.

@4:15 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

Voided Checks:

Claims #: 74275

March 1, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:00 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; and Tom Totland, PCSO. No public comment made.

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

Correspondence included:

- Memo email re. district trustees
- Memo email re. citizen tire monofill comments
- Memo email re. used wheel loader bids
- Memo email re. March 2 Senator Tester outreach session
- Memo email re. March 7-8 Legislative Council meeting
- Memo email re. March 2 special Planning Board meeting
- Memo email re. Clyde Park council personnel

Lieutenant Tom Totland, PCSO, said a deputy resolved a parking issue in Cooke City, and citizens in Cooke City have been informed to file complaints with PCSO. He said PSCO deputies are frequenting county schools when driving by to have a presence.

@8:45:30 a.m., the meeting adjourned.

March 1, 2012

Personnel Meeting

@10:00 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Philip Fletcher, economic development; Jill Ouellette, HR. No public comment made.

The meeting was scheduled to address a personnel issue.

Commissioner Taylor asked Philip Fletcher, economic development, if he would like the meeting closed to the public. Fletcher said he does not know what the meeting is about, so he is fine with leaving it open. Taylor said the Commission has a due process letter to present to Fletcher, which is the result of a previously-conducted investigation. Taylor said the Commission is giving Fletcher an order that the letter is to remain confidential and not to be shared with anyone else, as it contains confidential information about another county employee.

@10:02:09 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 1, 2012

12:00 P.M. – Senator Tester’s Office Outreach Session – Community Room

March 2, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:00 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; Wes Venteicher, Livingston Enterprise. No public comment made.

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

Correspondence included:

- Memo email re. county employee drug testing
- Memo emails re. citizen tire monofill comments
- Memo email re. Fleshman Creek Restoration Project website link
- Memo email re. NRM EDD status
- Memo email re. off-system bridge program
- Memo email re. Small Business Opportunity workshop
- Memo email re. USFS Willow Creek Road grant project meeting
- Memo email re. volunteer fire assistance application

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

March 2, 2012

Decision on Cooke City Resort Tax Appropriations

@9:00 a.m. Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Brett Linneweber, county attorney; Barbara Woodbury, environmental health; Lani Hartung,

finance; Donna Roland, Susan Jack, Mary Dye, Betty Sommers and Suzy Hahn, Cooke City residents (via telephone); Sandy Kust, consultant; and Jay Schifferdecker, Silver Gate. No public comment made.

The meeting was scheduled to consider Cooke City Resort Tax appropriations.

Commissioner Taylor said the total requested funds for Cooke City Resort Tax monies were \$122,300. Taylor said allocating the full amount for each request totals \$122,300 broken into \$1,500 to the Cooke City Chamber; \$18,500 to the Colter Pass Chamber; \$59,300 to the Community Center; \$11,000 to the Silver Gate Water Users Association; \$12,000 to the Upper Yellowstone Snowmobile Club and \$20,000 to the Cooke City Water District.

A Cooke City resident on the telephone asked how the Commission justifies giving the full \$11,000 to the Silver Gate Water Users Association. Taylor said that is the amount requested and the Commission feels is needed. The resident asked if the Commission is aware the association is on private property, and thus it is essentially awarding tax dollars to a homeowner's association. She said a one-time allotment of funds was given to the association last year with resort tax funds, and a Memorandum of Understanding (MOU) was to be written by Park County stating such, but that MOU was not completed.

Susan Jack said she thinks the Commission has done a great injustice with the Cooke City Resort Tax money. Commissioner Taylor said the Commission is making a decision based on the county attorney's office legal opinion. County Attorney Brett Linneweber said he edited the memorandum submitted to the Commission by his office, which stated the Silver Gate Water Users Association is a legal entity that can receive resort tax funds.

Barbara Woodbury, environmental health, said she feels Silver Gate is a poster child for why resort taxes are collected, as the area needs water and is up against Montana DEQ requirements at this point. Mary Dye said citizens who have issue with giving funds to the Silver Gate water entity is due to the small numbers of individuals who use the water, as well as the short period of time each year businesses in Silver Gate use the water. Dye said another issue is the percentage of funds being requested compared to how much Silver Gate pays into the tax.

Donna Rowland said Cooke City was not aware of the exact amount of resort tax funds before its February 24 meeting in which allocation funds were requested. She said Cooke City entities did not know until the morning of February 24 that additional resort tax funds were not going to be allocated this year, and applying remaining funds to the Cooke City Community Center loan principle is something Cooke City would like to do. The Commission said it will consider changing the process timeline in the future.

Commissioner Malone moved the Cooke City Chambers gets \$1,500 for a travel counselor; Colter Pass Chamber gets \$18,500 for executive director salary; the community center receives \$59,300; Silver Gate Water Users get \$11,000; the Upper

Snowmobile Club gets \$12,000; and the Cooke City Water gets \$20,000 for a total of \$122,300. Commissioner Taylor seconded the motion. Motion passed.

Taylor said the Commission will ask the county attorney if remaining funds can be applied to the community center and respond back with the attorney's answer.

@9:27:30 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 2, 2012

1:00 P.M. – Special Solid Waste Board Meeting – Commissioners Chambers – Meeting minutes available at www.parkcounty.org and in the Planning Department

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

Denise Nelson
Clerk & Recorder
Park County, Montana