

Park County Commission Meeting Minutes
Week of July 30 – August 3, 2012
Park County, Montana

July 30, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:30:52 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; Ed Hillman, road; 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. July 31 YGM Board agenda
- Memo email re. juvenile detention manager work schedule
- Memo document re. draft solid waste master plan
- Memo document re. annexation of property legal ad
- Memo document re. city janitorial services complaint
- Memo document re. SRS reauthorization

@9:00:24 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

July 30, 2012

Review of Minutes for Week of July 23, 2012

@9:33:31 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 July 23, 2012.

Commissioner Malone requested a revision to Page 2 of 14, the second paragraph should read, "Commissioner Malone read Resolution #1134 into the record, which declared Park County a drought county."

Commissioner Taylor requested a revision to Page 11 of 14; first paragraph, the last sentence should read, "He said a second request to sponsor a Community Development Block Grant is no longer relevant, as that funding source has been defunded."

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

@9:36:55 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

July 30, 2012

7:00 P.M. – Public Hearing on Annexation of Property into Rural Fire #1 and Alteration of Paradise Fire Service Area Boundaries – Emigrant Hall, Emigrant MT

July 31, 2012

Road/Engineering Updates

@8:08:58 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; Mark Westenskow, CTA; Shannan Piccolo, civil deputy county attorney; Clint Tinsley, city of Livingston; Brenda Adams and Gary Barnhart; and John Mueller, minutes clerk. No public comment made.

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

Mark Westenskow, CTA Engineering, provided an example of a structure to house the courthouse cannon. Westenskow provided an update report of CTA's engineering work for Park County. Ed Hillman, road supervisor, said three road graders were grading roads that day. He said magnesium chloride will be applied to one mile each on Brackett Creek and Cottonwood Bench Roads on August 2.

@8:29:53 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

July 31, 2012

Discussion/Status of Fleshman Creek Project

@8:30:38 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mark Westenskow, CTA; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Philip Fletcher, economic development; Clint Tinsley, city of Livingston; Brenda Adams and Gary Barnhart; and John Mueller, minutes clerk. No public comment made.

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

Mark Westenskow, CTA Engineering, said a public meeting held on the project the previous week went well and the project is now in a public comment period. Westenskow provided a proposed channel plan and profile map as provided by Oasis Environmental for meeting attendees to view.

Gary Barnhart, citizen, said he thinks the previous Tuesday's public meeting was too rushed and landowners did not get to hear everything they wanted to hear or ask questions they had because of the manner in which the meeting was held by breaking landowners into groups.

@8:59:46 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

July 31, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:11:15 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 John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo email re. new museum employee email address
- Memo email re. July 28 Livingston Peak wildfire
- Memo email re. master plan submittal
- Memo email re. AFLAC representative
- Memo email re. MACo district meeting schedule
- Memo document re. Enviroworks invoice for Duck Creek and Cokedale Roads for \$27,875
- Memo email re. Octagon Engineering fire revisions
- Memo document re. federal government Secure Rural Schools date change

@9:25:12 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

July 31, 2012

Human Resources Updates

@9:31:24 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 county has switched from an in-house AFLAC processor to Wage Works, and she has been reconfirming contracts and methods of payment for that switch. Ouellette said she will take a webinar on reducing workers compensation loss. She said she has refused position interviews set up for August 1 and provided full-time employee leave benefit bank totals for Commission review.

Ouellette provided change of status forms for a bailiff who resigned from the justice court and a seasonal fair worker. Ouellette asked if the Commission had input about suggested employee handbook policy areas to address, including tattoos, floating holiday, floating personal day, a promotions within job posting policy, probationary employees COLA qualification, background checks, using state language for sick leave use and sick grant policy.

Commissioner Taylor said he will talk to the public administrator about a staffing request.

@9:57:36 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

July 31, 2012

Fiscal Year 2013 Budget Workshop and Review of Airport Board Budget

@10:04:18 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; Lani Hartung, finance; Jerri Miller, Kerry LaDuke and Dennis Skillman, airport board; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as a Fiscal Year 2013 budget workshop and review of the Airport Board budget.

Lani Hartung, finance, reviewed the Airport Board's proposed FY' 13 budget as provided by the board, which included funds for future replacement of a snow plow. Jerri Miller, airport board, said the board hoped the Commission would increase the airport's mill levy from 0.85 to 1.0.

@10:33:38 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

July 31, 2012

Signing of an FAA Pay Request for the Airport Project

@11:00 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Jerri Miller and Kerry LaDuke airport board. No public comment made.

The meeting was scheduled to sign an FAA pay request for the airport project.

Miller said will be the second to last payment.

Commissioner Durgan moved to authorize the signing of the administrative pay request for the airport project to be signed upon receipt. Commissioner Malone seconded the motion. Motion passed.

@11:01:45 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

July 31, 2012

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

Voided Checks

Claim #: 75097; 75133; 75324; 75581
Payroll #: 48038

August 1, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:39:40 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; 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. economic development director response addendum
- Memo email re. dry well emergency funding source
- Memo email re. Chico green box site concrete block removal
- Memo document re. Aug 3 SWB agenda
- Memo document re. Aug 1 Parks Board agenda
- Memo email re. PCRFD#1 mill levy funds
- Memo email re. Highway 89 South rumble strips
- Memo document re. SWB master plan
- Memo email re. Shields Valley bridges TSEP PER
- Memo email re. wireless internet hot spot purchase

Commissioner Taylor reported on a July 31 Yellowstone Gateway Museum Board meeting.

@8:57:24 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

August 1, 2012

9:30 A.M. – City-County Meeting – Commission Chambers – Canceled

August 1, 2012

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

2:00 P.M. – Commissioner’s Pie Tasting Contest – Park County Fairgrounds Dining Room, Livingston

3:00 P.M. – Parks and Recreation Board – East Room

August 2, 2012

8:30 A.M. – Commissioner Taylor @ Road Inspection – Livingston Peak, Livingston

8:30 A.M. – Commissioner Durgan @ Juvenile Detention Conference Call – Commissioner Taylor’s Office

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

August 3, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:41:08 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 John Mueller, minutes clerk. No public comment made.

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

Correspondence for August 1 included:

- Memo email Main Boulder Road Improvements Project notes
- Memo email re. Dispatch 911 roof leak
- Memo email re. economic development director out of office schedule
- Memo email re. county logo committee commission request

Correspondence for August 2 included:

- Memo email re. August 23 Townsend MACO district meeting

- Memo email re. SW Regional Detention meeting rescheduling
- Memo email re. community planner vacancy
- Memo document re. \$15,300 Arthun Livestock gravel invoice
- Memo document re. citizen temporary road department resume
- Memo document re. county auditor report
- Memo document re. Commissioner Taylor mental health check
- Memo email re. library long-range plan meeting
- Memo email re. August 30 Department of Commerce housing and urban development
- Memo document re. Airport Affected Area exemption request
- Memo email re. August 16 Dispatch 911 meeting cancelation
- Memo email re. MT FWP bison conservation plan public scoping
- Memo email re. August Planning and Development Board meeting agenda

Commissioner Taylor reported on an August 2 onsite road meeting to Myer's Flat.

@8:57:15 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

August 3, 2012

Discuss Status of Second Refuse Trial with City

@9:00:23 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; Warren Newhouse, refuse manager; Clint Tinsley, city of Livingston; Allen Carter, Bob Currie, Dennis Dodge, Dick Juhnke and John Kaiser, SWB; Wes Venteicher, Livingston Enterprise; Jim Hunt and Gay Juhnke, citizens; and John Mueller, minutes clerk.

The meeting was scheduled to discuss the status of the second refuse trial with the City of Livingston.

Clint Tinsley, city of Livingston, said the city of Livingston hauled 1,447 tons out of its transfer station in the month of July when it was taking in all county refuse on a trial basis. Tinsley said 748 tons of the 1,447 tons came from Park County. He said he was not told of problems or issues during the trial and thinks things went well. Tinsley said the city experiences 6,500 to 7,000 tons of refuse per year, and that amount seems to be experienced by the county, as well. He said five trailers were used on the busiest day of the trial, and two to three trailers were used per day on average, which is was the peak refuse time of the year for both the city and county. He said only one trailer per week has been used in the winter season.

Commissioner Taylor said the tonnage figures presented by Tinsley are consistent with figures listed within the Bell and Associates report.

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.

Dick Juhnke, SWB, said he wants to know how much it cost the county to take all its refuse to the city versus Envirocon during the same period last year. He said the county needs to show a dollar savings, which was the purpose of the test. Juhnke asked about how much trouble city transfer station door height will cause if the purchased larger roll off boxes are taken there.

Commissioner Malone said the Bell study and the county's own numbers far exceeded what the county paid to the city to dispose of refuse. Malone said the county considered all numbers on the revenue side in making its proposal to take all refuse to the city.

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. Taylor said the county, therefore, needs to make a decision on the matter in the near future. Taylor said Frame will provide an idea of Envirocon's interpretation of the contract, and the county will share its thoughts in attempt to meet in the middle to come to a decision.

John Kaiser, SWB, said the real cost to the county is \$41 per ton, so that cost should be proposed by the county to Envirocon as a services first right of refusal bid. Taylor said the city made an offer of \$53 per ton in the approved City/County Compact, with escalating costs, and eight years remain on the city's contract with the Great Falls landfill.

@9:20:21 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 3, 2012

Review/Action on Refuse Board Master Plan

@9:33:15 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; Warren Newhouse, refuse manager; Allen Carter, Bob Currie, Dennis Dodge, Dick Juhnke and John Kaiser, SWB; Wes Venteicher, Livingston Enterprise; Jim Hunt and Gay Juhnke, citizens; and John Mueller, minutes clerk.

The meeting was scheduled to consider action on a Solid Waste Board (SWB) refuse master plan.

John Kaiser, SWB, identified minor word changes made to the SWB's draft master plan as he read the document into the record. Dennis Dodge, SWB, said the master plan is not policy, but provides a direction for the SWB to channel discussion and decisions in reference to the county's solid waste operations.

@10:28:32 a.m., Durgan moved to recess the meeting and reconvene at 11:00 a.m. Malone seconded the motion. The meeting recessed. @11:04:50 a.m., the meeting reconvened.

Commissioner Malone requested a wording revision to the master plan to state the county is proposing to contract with the city of Livingston for refuse disposal services. Commissioner Durgan said the document should state the county's long-term plan includes recycling. The board struck the word "significant" from a statement saying taxpayers will experience an immediate fee reduction.

Park County Concerned Citizens (PCCC) counsel Courtney Lawellin provided requested revisions. Lawellin said she agrees the plan is correct in stating the county seeks the most cost effective waste disposal system for county residents now and into the future, and a need exists for flexibility in the design of the system to take advantage of cost savings where available.

Requesting language revisions, Lawellin said the document needs to be cautious about stating the county will close the landfill. She said discussion of the landfill should be qualified to list costs of operation, why the one free ton will be eliminated, hours will be reduced, employee hours will be limited, and will be operated during the best times on a reduced schedule as the biggest costs are wages paid to landfill employees. Lawellin said the landfill will always cost more, but there are many ways to reduce its operational costs.

Lawellin said manning green box sites is the way to go, as Wilsall and Clyde Park show. She said it could be problematic if the one free ton is done away with if after one year the county realizes it is in the red after it reduces taxpayer refuse assessments by \$43. She said PCCC has a concern with Bert Otis serving on the SWB, as his seat was not properly noticed and appointed. She said PCCC is not opposed to Otis serving on the board, but it wants the appointment done correctly. Taylor said Otis' seat will be posted and interviews conducted for the position if application numbers warrant, post haste. Lawellin said the SWB is an administrative board and is tasked with making decisions regarding refuse operations, and SWB member Robert Currie was incorrect when he stated the Commission has the responsibility to make the difficult decisions regarding the county's refuse operations.

Lawellin said she sees increased costs from equipment wear and tear if the county does not have an indoor facility to store vehicles if the current transfer station is razed. She said the PCCC has not expressed concerns with the county razing the transfer station, but she thinks the county will have to invest in a building to house required refuse vehicles.

Refuse vehicles currently are stored outside, as the county does not have a facility to house them.

Lawellin said some PCCC viewing county trucks dumping at the city's transfer station saw problems the building doors are not high enough for trucks to dump easily. Taylor said that issue has been discussed, and city and county personnel will continue discussions.

Lawellin said Church Universal and Triumphant refuse volume needs to be looked into if the Corwin or Carbella green box sites are closed. She asked if any data was received on the volume of refuse received at each green box site. She said PCCC understands the need to reduce hours and number of green box sites, but it has concerns with appliances and garbage illegally dumped around the county, which has been a problem in the past.

Citizen Jim Hunt said he was on the SWB from 1980 to 1987, during which time not many citizens challenged refuse rates unless they had cabins or a business. He said he would like to know where that concern came from as stated in the draft master plan.

Citizen Jim Taylor asked if the Clyde Park and Wilsall roll offs are being taken to the landfill. Taylor said those boxes were taken to the city during the July trial in order to experience the full volume possible.

Allen Carter moved to adopt the master plan as presented with changes, present it to the Commission for its refinement and take it to the public for a comment period. Ernie MacCracken seconded the motion. Motion passed. Dick Juhnke voted in opposition to the motion.

Warren Newhouse, interim refuse manager, said he agrees with a lot of what he has heard, but he has concerns. He said he has concerns that everything is in order with proposed changes to operations to avoid running the operation into the ground and privatization. Newhouse said he has concerns that making operations more difficult will result in citizens illegally dumping refuse on the ground and not in appropriate disposal receptacles. He said he has a concern for his fellow employees, and collectively there is over 100 years of refuse experience among current staff. Newhouse invited the Commission to talk with those employees. He said some of the employees are concerned that they will be retaliated against if they speak their mind.

@12:34:49 p.m., the meeting adjourned.

August 3, 2012

Discussion and Approval of Funding for Search and Rescue Building

@10:39:40 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Allan Lutes and Wendy Wood, PCSO; Lani Hartung, finance; Ben Elias, CTA; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider approval of funding for a Search and Rescue (SAR) building.

Lani Hartung, finance, provided data on possible funding sources, including an Intercap Lending program. Commissioner Malone said he thinks the Sheriff's Office needs a facility, but an MOU needs to be drafted within the county to ensure the facility could be used for by other county departments for other county purposes if needed.

Commissioner Malone moved to go forward with seeking funding for the Search and Rescue building. Commissioner Durgan seconded the motion. Motion passed.

@10:54:12 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

August 3, 2012

11:00 A.M. – Special Solid Waste Board – Commission Chambers – Canceled due to time conflict

August 3, 2012

Discussion/Selection of Survey Firm for GIS and the BLM Geographic Coordinate Database RFQ

@1:04:32 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Erica Hoffman and Julie Sendra, GIS; Shannan Piccolo, civil deputy county attorney; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider selection of a survey firm for GIS and BLM geographic coordinate database RFQ.

Civil Deputy County Attorney Shannan Piccolo said Erica Hoffman, GIS/IT, created an evaluation team to review RFQ submittals. Piccolo said she created an evaluation form for each member. She submitted a tally of scores. Hoffman said both firms, Mueller and CTA Engineering, seem qualified, but CTA scored higher because it has in-house GIS personnel and more depth within its firm. She said she is confident with the evaluation team's evaluations.

Commissioner Malone moved to take the recommendation of the evaluation committee and select CTA as the survey firm. Commissioner Durgan seconded the motion. Motion passed.

@1:10:06 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

August 3, 2012

Signing of Resolutions to Alter Paradise Valley Fire Service Boundaries and Annex Properties into Rural Fire #1

@1:30:36 p.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; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign resolutions to alter Paradise Valley Fire Service Area boundaries and annex properties into Park County Rural Fire District #1 (PCRFD#1).

Civil Deputy County Attorney Shannan Piccolo said the Commission held a public hearing on July 30, 2012, to accept public comment on petitions submitted by two county landowners requesting annexation of private properties into PCRFD#1 and subsequently adjusting the boundaries of the Paradise Valley Fire Service Area.

Commissioner Durgan read the Commission's July 30 findings of fact into the record. He said no public comment made at the hearing was made in opposition to the annexation of boundary relocation.

Commissioner Malone moved to sign Resolution #1136 to allow the annexation of property into Rural One. Commissioner Durgan seconded the motion. Motion passed.

Commissioner Malone moved to accept Resolution #1135 to change the boundary description of the Paradise Valley Fire Service Area. Commissioner Durgan seconded the motion. Motion passed.

@1:33:54 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

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

Denise Nelson
Clerk & Recorder
Park County, Montana