

Park County Commission Meeting Minutes
Week of June 25 – 29, 2012
Park County, Montana

June 25, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:32:16 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; Esther Mannhardt and Shawn Mannhardt, Lisa Holmquist, citizens; and John Mueller, minutes clerk.

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

Correspondence for June 21 included:

- Memo email re. CDBG grant extension
- Memo email re. recycling bags and courthouse tree trimming
- Memo email re. Revolving Loan Fund revised copies
- Memo email re. fairgrounds loan application submittal
- Memo email re. economic development director out of office schedule
- Memo document re. EOC portion of CEDS
- Memo document re. county road/State Trust Lands intersections

Correspondence for June 22 included:

- Memo email re. parks and recreation board survey
- Memo email re. Pierce Pit inquiry
- Memo email re. parks and recreation board survey reply
- Memo email re. open container permit for Arch Park
- Memo email re. courthouse pet policy issue
- Memo email re. HR courthouse pet policy issue
- Memo email re. Boulder Road Improvements Project

Citizens Shawn Mannhardt of 309 South L Street said the county's weekly mosquito spraying bothers his wife's sinuses and breathing. He said he has been told him the spray is safe, but he does not believe that or that it is effective. Esther Mannhardt said the county used to only spray breeding grounds, and going back to that may save money. Commissioner Taylor said he will talk to the sprayer to possibly not spray in the immediate area where the Mannhardts live.

Lisa Holmquist said an effort to restore the courthouse cannon is ongoing, and a check presentation will take place on July 2. There was discussion about possibly acquiring an architect to design an enclosure in which to store the cannon.

@9:18:23 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 25, 2012

Discussion/Decision on Resolution of Intent to Adjust Paradise Valley Fire Service Area Boundary and Setting Date for Public Hearing on Annexation of Property into Park County Rural Fire District #1

@10:01:14 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; Greg Coleman, Paradise Valley/County Fire; Dann Babcox and Chuck Donovan, PCRFD#1; Kerry Fee, PCEC; Citizens Tony Eaton, Lauren Harris, Ruth Stiegel, Courtney Lawellin, William Smith, Michael Adkins and Frank Schroeder; and John Mueller, minutes clerk.

The meeting was scheduled to consider a resolution of intent to adjust a Paradise Valley Fire Service Area boundary and set a date for a public hearing on annexation of property into Park County Rural Fire District #1 (PCRFD#1).

Civil Deputy County Attorney Shannan Piccolo said PCRFD#1 received a request to be annexed into PCRFD#1. Piccolo said such would require simultaneous adjustment of the Paradise Valley Fire Service Area, which requires a resolution of intent because the processes for the two efforts are different statutorily. She said the current meeting was required to officially commence the public notice period and process for the notice of intent to change area boundaries. Piccolo said a public hearing will be held on July 30 for the request, which the county will publicly advertise per statute.

Citizen Frank Schroeder asked if the meeting will be held in Emigrant. Commissioner Taylor said he thinks Emigrant would be a reasonable place and the Commission will decide on the venue. Citizen Mike Adkins asked for police to be present if another meeting on the issue is held in Emigrant, because the last meeting was unruly and resulted in a lot of shouting and threats.

Commissioner Malone read the resolution of intent into the record.

Commissioner Malone moved to sign Resolution #1130. Commissioner Durgan seconded the motion. Motion passed.

Commissioner Durgan moved to hear the petition for annexation into PCRFD#1 on the same evening. Commissioner Malone seconded the motion. Motion passed.

@10:28:56 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 25, 2012

Review of Minutes for Week of June 18, 2012

@11:26:38 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 June 18, 2012.

Commissioner Malone requested a revision to Page 4 of 18, the middle paragraph should read, "Malone said he proposes to ask Lewis and Clark County to assist Park County in encouraging residents on Chicory Road to participate in a Rural Special Improvement District."

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

@11:30:06 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 26, 2012

8:00 A.M. – MACo Healthcare Trust Board Meeting – Helena, MT – Commissioner Malone attended

June 26, 2012

Road Updates/Engineering Services Updates

@8:01:03 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Ed Hillman, road; Raea Morris, administrative assistant; Mark Westenskow, CTA; Barb Fletcher, citizen; and John Mueller, minutes clerk.

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

Commissioner Malone said he purchased a 1995 truck-tractor, 84-inch roller and belly dump for the road department at a recent auction.

Road Supervisor Ed Hillman said the entire road crew will be applying gravel to Jardine Road on the 26th.

Citizen Barb Fletcher asked the status of Peterson Creek Road. Commissioner Taylor said the county has submitted a letter in response to an Army Corps of Engineers letter that said the county was in violation and could be fined. He said county's response is private citizens and not the county installed a culvert on the road after a spring 2011 flooding incident. He said the county is waiting to hear back from DEQ to determine what it can do. Durgan said the culvert project was not a county project. Fletcher said the road needs to be bladed and graveled after a private citizen attempted to grade the road. She said a second county culvert that was installed under the road is sitting at Bassett Hoiness' barn if the county wants to retrieve it.

Hillman said he will send a crewman to blade Peterson Creek Road. Taylor and Durgan said they do not feel the county has a responsibility to address the culvert installation issue as it was an effort between three private citizens, but they agree the road should be maintained by the county as a county road.

Mark Westenskow, CTA Engineering, said bad spots on Cokedale Road are a result of thin road base and the lack of a ditch causing water to run over the road. Westenskow provided an update of CTA's engineering services for the county.

@8:30:19 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 26, 2012

Discussion/Status of Fleshman Creek Project

@8:31:18 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Lani Hartung, finance; Raea Morris, administrative assistant; Mark Westenskow, CTA; Brenda Adams and Gary Barnhart, citizens; and John Mueller, minutes clerk.

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

Mark Westenskow, CTA Engineering, said the project is fully underway with preliminary design aspects and a conceptual channel design. He said CTA has presented options to citizens that will be impacted by sewer utilities and is preparing for an internal informational meeting on June 25 to be attended by the Commission. Commissioner Taylor said he was impressed by the sanitary design proposed for the project thus far, which would keep the sewer utility on public easements and off private property. Westenskow said the idea is to install a lift station at G Street Park.

Citizens Brenda Adams and Gary Barnhart said an Oasis Environmental surveyor entered both individuals' property without prior notification and then lied about why he was on the properties.

@9:05:55 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 26, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:14:09 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan 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 document re. Ritchie Brothers \$64,062.50 auction invoice
- Memo email re. Lavender Lane public meeting
- Memo email re. economic development director work schedule
- Memo email re. June 30 fire service area annexation locale
- Memo email re Dispatch 911 water leak
- Memo email re. MACo August 7 road workshop
- Memo email re. floating mill spreadsheet
- Memo email re. ACE Roofing availability
- Memo document re. MDT Statewide Transportation Improvement Plan
- Memo document re. Livingston Enterprise legal ad invoice
- Memo email re. CIP grant request
- Memo email re. MRL Bennett Street crossing work
- Memo email re. increased coal train traffic
- Memo email re. JSEC meeting

@9:29 a.m., the meeting adjourned.

June 26, 2012

Discussion/Decision on FY2013 Elected Officials Pay Increase and Longevity

@9:31:45 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Brett Linneweber, county attorney; Jill Ouellette, HR; Scott Hamilton, undersheriff; Allan Lutes, sheriff; Kevin Larkin, treasurer; Martha Miller, auditor; Shawn Ryan, compensation board; Wes Venteicher, Livingston Enterprise; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider FY 2013 elected official pay increase and longevity pay.

County Attorney Brett Linneweber provided a resolution including a 2.2-percent Cost of Living Adjustment (COLA) and associated mandatory wage increases, per statute, to

various elected officials. Linneweber said the coroner's longevity pay was off \$4,021.50 and will be made up by the county.

Commissioner Durgan moved to accept and sign the Resolution #1131 establishing the FY'2012/2013 elected official base salary. Commissioner Taylor seconded the motion. Motion passed.

@9:41:14 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 26, 2012

Review and Consideration of Turley Family Transfer

@10:04:11 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Mike Inman, planning; Sandra and Sam Turley, applicants; Michael and Stacey Raw, citizens; and John Mueller, minutes clerk.

The meeting was scheduled to consider the Turley Family Transfer Exemption application.

Senior Planner Mike Inman said the Turleys submitted an application to transfer 2.514 acres near Clyde Park to their daughter on June 11, 2012, which was reviewed and approved by the sanitarian, planning department and county attorney's office after an affidavit was signed stating the property would not be sold for three years. Inman said Montana DEQ has approved the application, as well.

Sam Turley said the family does not intend to sell the property, and his daughter plans to build a home on it to live in.

Commissioner Durgan moved to accept the family transfer. Commissioner Taylor seconded the motion. Motion passed.

@10:14 a.m., the meeting adjourned.

June 26, 2012

Discussion/Decision on FY2013 COLA Increase for Permanent County Employees

@11:01:58 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Jill Ouellette, HR; Kevin Larkin, treasurer; Wes Venteicher, Livingston Enterprise; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider a FY 2013 Cost of Living Adjustment (COLA) for permanent county employees.

Jill Ouellette, HR, said Clerk of Court June Little previously stated on record she recommends elected officials be given a 3.0 percent increase in order to pass that onto her hourly wage staff, which makes little money per hour.

Kevin Larkin, treasurer, said he thinks it is hard and unfair when a straight across the board wage increase percentage is granted, as not every employee performs at the same level, thus poor employees are awarded the same as good employees. He said employee wage increases were based off of merit after evaluations in his experience in the private sector. Commissioners Durgan and Taylor said the increases are a cost of living increase, not based on merit.

Commissioner Durgan moved to grant a 3.0 percent cost of living increase to permanent county employees. Commissioner Taylor seconded the motion. Motion passed.

@11:17:20 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 26, 2012

Human Resources Updates

@11:34:24 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan 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, provided change of status forms for two seasonal fair workers, two permanent new hires for justice of peace and clerk of court clerks, a temporary hire for an injured road employee and an Angel Line site coordinator who will fill in as a driver. She provided sheriff's office change of status forms for longevity and union corrections after a union contract was finalized the previous week.

Ouellette reviewed the number of employees, spouses and children on the county healthcare benefits plan after the county's recent benefits open enrollment period.

Ouellette said the public administrator said she needs to hire three short-term workers to package and dispose of garbage in order to meet her public administrator obligations, the cost of which is to be reimbursed after an estate is paid out.

@11:52:00 a.m., the meeting adjourned.

June 26, 2012

12:00 P.M. – Airport Board Meeting – Mission Field, Livingston MT

June 26, 2012

Fiscal Year 2013 Budget Workshop

@1:39:43 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Martha Miller, auditor; Erica Hoffman, GIS/IT; Raea Morris, administrative assistant; Lani Hartung, finance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as a Fiscal Year 2013 budget workshop.

Lani Hartung, finance, said she scheduled a public hearing for Friday, July 6 to amend the Fiscal year 2012 budget to complete budget resolutions for about ten funds. She said funds to be amended include BN Capital Fund, a health nurse grant, jail/commissary, museum, Missouri River Drug Task Force, metal/mines, road and bridge, road and bridge CIP, planning and possible victim's witness. Hartung said the county may have to increase its mills in order to meet monies promised to the library.

Hartung provided documentation for Commission signature to approve moving all expenses for the 9th Street Island Bridge Replacement Project out of the bridge budget and into the road/bridge CIP fund then transfer \$60,000 from the Payment In Lieu of Taxes fund to cover remaining expenses.

Erica Hoffman, GIS/IT, asked if the Commission will approve the proposed IT budget, because she needs to purchase required hardware equipment by July 1 in order to build a software base and not interrupt computer programs and service. The Commission said Hoffman can begin strategic purchases on July 1 provided they do not equate to the entire \$200,000 budgeted purchase amount all at one time.

Hartung said Audrey Dodge in the State Department of Revenue Office told her the DOR will stop handling certain calculations it feels the county should be doing and provided her with Montana Code Annotated that says the county Clerk and Recorder's Office is to notify the DOR about the number of mills to levy for each taxable jurisdiction in the county. She said, therefore, the Accounting Department will pick up that extra work per the county resolution that established the accounting department and associated budgetary duties.

@2:40 p.m., the meeting adjourned.

June 26, 2012

3:30 P.M. – Commissioner Taylor at CTA Meeting – CTA Office, 121 S. Main St., Livingston MT

5:30 P.M. – Museum Board – Yellowstone Gateway Museum, Livingston MT – Canceled

June 27, 2012

8:00 A.M. – MACo Healthcare Trust Board Meeting – Helena, MT – Commissioner Malone attended

8:00 A.M. – Western Montana Mental Health Meeting – Butte – Commissioner Taylor attended

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

June 28, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:35:32 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; Scott Hamilton and Tom Totland, PCSO; 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. CDBG CIP grant receipt
- Memo email re. HRDC Home to Stay work program discussion
- Memo email re. June 28 Livingston Roundup Network Live
- Memo email re. liquid disposal complaints
- Memo document re. ACE Roofing contract
- Memo document re. Chico Hot Springs certificate of liability insurance
- Memo email re. \$11,100 estimated elevator maintenance
- Memo document re. Rural Addressing Book issues
- Memo email re. Main Boulder Road Improvement Project comments
- Memo email re. Gardiner Gateway Project documents
- Memo document re. county resident fireworks complaint
- Memo emails re. county resident fireworks complaints
- Memo email re. June 26 YGM meeting cancelation
- Memo email re. Madison River recreation area wildfire closure
- Memo email re. Peterson Creek gas and phone line issue
- Memo email re. July 23 Park County Transportation Meeting
- Memo email re. refuse manager out of office schedule
- Memo email re. CDBG grant review
- Memo email re. July 31 YGM meeting
- Memo email re. Turley Family Transfer staff report

Undersheriff Scott Hamilton said a meeting will be held at 2:00 p.m. to discuss fire issues in Park County. Commissioner Taylor said the civil deputy county attorney is drafting a

resolution to possibly adopt a Stage 1 fire restriction, which would follow in line with the US Forest Service. Hamilton said Lewis and Clark and Sweet Grass Counties are looking into banning fireworks. He said a fire east of Cooke City is on both sides of the highway at present.

Commissioner Malone reported on a June 27 MACo Healthcare Trust meeting.

@9:12:07 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 28, 2012

Fiscal Year 2013 Budget Workshop

@9:15:14 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; Lani Hartung, finance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as a Fiscal Year 2013 budget workshop.

Lani Hartung, finance, presented the proposed county budget with recently-approved adjusted wages for elected official salaries and 2.2-percent and 3.0-percent Cost of Living Adjustments for elected officials and permanent county employees, respectively.

There was discussion about how to budget for a temporary GIS employee working on a redistricting process that may or may not be completed with work, as well as how to budget for a refuse manager position that will be vacated as of August 1.

@9:32:46 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 28, 2012

10:00 A.M. – FEMA Webinar – Community Room

11:00 A.M. – Claims Review – Commission Chambers

June 28, 2012

Discussion/Decision on County Solid Waste Disposal Option

@1:02:05 p.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; Barbara Woodbury, environmental health; Gary Barnhart and Dick Juhnke, citizens; and John Mueller, minutes clerk.

The meeting was scheduled to consider a county solid waste disposal option.

The Commission provided a document titled *Consideration of Solid Waste Disposal Options for Park County, MT, June 2012* Commissioner Taylor said contains findings of fact made by the commissioners from, in part, a Bell & Associates solid waste disposal options study, a survey distributed with refuse tags and data gathered in public presentations of Bell Report figures held throughout the county. He said the document also includes public comment on the issue.

Commissioner Malone said Page 6 of the document contains disposal options considered, which included incineration, and a summary of expenses the county could determine using Bell study figures, other county data and incinerator firms. Malone said the report also contains advantages and disadvantages of each option. Malone said the report contains an option for a new county transfer station at an estimated cost of \$1,000,000, costs to take county refuse to the city of Livingston transfer station and using a pay as you dump system at the county landfill.

Civil Deputy County Attorney Shannan Piccolo said the county appreciates the Park County Concerned Citizens willingness to work with the county throughout the settlement process and granting the county more time to reach requirements in the settlement agreement.

Citizen Dick Juhnke said he thinks figures in the Commission's document are not right, the county finance director has said they are not right and Bell study report figures are not right, but the Commission will not listen to anyone. He said the document's cost per ton figures of 120 and 53 do not reflect apples to apples.

Piccolo said the county relooked at the Bell Study figures again to take into account concerns raised. She said the county split out transfer station costs from collections, split out incineration, and included revenues from sales and deleted revenues from sales that went to the city of Livingston. Juhnke said some costs will go from collections to disposal, as employees within the refuse department may change positions. He said equipment at the landfill will no longer be needed, and a credit should go back if equipment is transferred from the refuse department to the road department. Malone said requirements per Montana Code Annotated will be followed if equipment is moved from an enterprise fund, and depreciation was accounted for. Juhnke said payroll transferred from the landfill to collections will also affect the Commission's proposed bottom line. Malone said the payroll reflects a half-time position, and post closure fees are included in the document figures. Juhnke said he has always maintained the figures have not been appropriately compared to those in the Bell study.

Commissioner Malone read a letter into the record as follows, and made a motion as follows:

Commissioner Malone moved, "The Park County Commission has thoroughly reviewed the recommendations submitted by Bell and Associates. In addition, the Commission has

held many public meetings throughout the County to receive the input of the public on the future of waste management disposal for Park County Citizens.

It is the recommendation of the Park County Commission that it is in the best interest of Park County to use the City of Livingston transfer station for disposal of household solid waste, convert the landfill to a pay per ton disposal system, and increase the recycling effort in Park County to reduce the amount of refuse in the waste stream.

Park County will be doing a final test to determine if there are any issues with the City being able to accepting refuse from the County. Pending a successful test at the City, it is the intention of the Commission to direct the County Attorney's Office to complete a contract with the City of Livingston and end the Envirocon contract." Commissioner Taylor seconded the motion. In discussion, Woodbury read into the record public comment from SWB member John Kaiser. Juhnke asked if large roll off boxes can be dumped inside the city of Livingston and not outside in high winds. Citizen Gary Barnhart asked if the city of Livingston will honor the county's one-free ton at the landfill offer per refuse assessment. Taylor said such will be offered until the end of the year after which time county resident refuse charges will be reduced. Motion passed.

@1:28:26 p.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 29, 2012

Discussion/Decision to Abate Real Estate Taxes on Resident's Property

@9:23:30 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Kevin Larkin, treasurer; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider abating real estate taxes on a resident's property.

Treasurer Kevin Larkin said Connie Bilboa is attempting to settle her father's estate (Gene Brue) and is requesting abatement of taxes on two mobile homes that are not livable and that Bilboa wants to take to the landfill. Larkin said the two mobiles on the property were inaccurately assessed by the Department of Revenue as real property, and the real property actually belongs to the railroad. Larkin said the cost of a sheriff's sale is not an option due to cost and low value of the mobiles.

Commissioner Durgan moved to accept Larkin's recommendation to abate the taxes. Commissioner Taylor seconded the motion. Motion passed.

@9:29:56 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 29, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:30:55 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan 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 document re. Commission letter deciding on solid waste disposal option
- Memo email re. Stage 1 fire restrictions equipment request protocol
- Memo emails re. Montana counties fireworks ban
- Memo email re. CDBG CIP grant extension documents

@9:44:19 a.m., Taylor moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 29, 2012

Emergency Meeting to Consider Banning Shooting Off of Private Fireworks

@9:51:54 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Greg Coleman, county fire; Scott Hamilton, undersheriff; Raea Morris, administrative assistant; Dann Babcox, PCRFD#1; Wes Venteicher, Livingston Enterprise; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider an emergency decision to ban shooting off of private fireworks.

Commissioner Taylor said the Commission is considering banning fireworks except for a public display by the Livingston Roundup, and Park County Rural Fire District #1 (PCRFD#1) will have fire engines strategically placed onsite and around town to facilitate mobility and not be confounded by rodeo traffic.

Dann Babcox, PCRFD#1 chief, asked for a provision to say rodeo fireworks will be permitted July 2, 3 and 4 except if fire or law enforcement officials determine high winds or other factors are too great to permit the rodeo shows.

Civil Deputy County Attorney Shannan Piccolo said, by statute, the emergency ordinance can only be in effect for a maximum of 90 days, but it can be repealed before 90-day's time.

Commissioner Durgan moved to follow the recommendation of the fire department, undersheriff and legal counsel and ban the use and shooting off of fireworks until further notice for private displays, but allow the Livingston Roundup Association to go ahead with its public display shot off every year from the golf course with the fire department onsite, weather permitting, and with the stipulation the Rural Fire chief and law enforcement will have the authority to ban that public fireworks display should weather necessitate. Commissioner Taylor seconded the motion. Motion passed.

Piccolo said the ordinance will be enforceable and a misdemeanor violation. Piccolo said she will draft the emergency ordinance immediately for Commission signature and the ordinance is effective immediately.

Durgan said the biggest share of surrounding counties in the state have already enacted the ban, and it is in effect. Commissioner Taylor said the Commission will revisit the issue on Monday, July 2 to discuss whether to consider moving to Stage 2 fire restrictions, which bans all types of opening burning.

Undersheriff Scott Hamilton said the sheriff's office will request Montana Department of Transportation display the fireworks ban on the large I-90 electronic notification signs. There was discussion about talking to the motocross to inform it of the ban.

In other comment, Babcox said signs will be erected by the road crew on Cokedale Road where the road has sloughed off and made the road narrow.

@10:10:00 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

June 29, 2012

10:00 A.M. – Commissioner Malone at Cooke City to Hear Area Resident Concerns – Cooke City, Community Center

2:00 P.M. – Commissioner Malone at Gardiner to Hear Area Resident Concerns – Gardiner, Community Center

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

Denise Nelson
Clerk & Recorder
Park County, Montana