

Park County Commission Meeting Minutes
Week of March 19 - 23, 2012
Park County, Montana

March 19, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:34:09 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; Lani Hartung, finance; Kevin Funk, citizen; and John Mueller, minutes clerk. No public comment made.

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

Correspondence for March 15 included:

- Memo emails re. citizen tire monofill comments
- Memo email re. Cooke City Sewer District elections
- Memo email re. city of Livingston underpass project letter of support

Correspondence for March 16 included:

- Memo emails re. citizen tire monofill comments
- Memo email re. county fiscal year budgeting
- Memo email re. February Park County Safety Advisory Committee minutes
- Memo email re. NRM EDD meetings schedule
- Memo document re. \$5,552 Crystal Finishing painting contract
- Memo email re. Area IV Agency on Aging April meeting agenda
- Memo email re. HUD Home Matters newsletter
- Memo email re. Gardiner Community Council meeting request
- Memo email re. Cokedale Road millings condition
- Memo document re. Beady Gulch property
- Memo document re. MDT newsletter

Raea Morris, administrative assistant, discussed the issue of Commission meeting scheduling protocol to include presenting meeting requests in writing to the Commission for consideration of scheduling at morning Correspondence meetings. Morris said she would like to have commissioner signatures on any meeting the Commission decides to schedule as a record keeping aid. The Commission presented Morris with a draft scheduling chart to implement the proposed scheduling policy.

Citizen Kevin Funk said he thinks the county Clerk and Recorder has done a good job on interpreting the issue of whether a primary election must be held this spring in Park County per Montana Code Annotated (MCA). Funk said MCA statute in question is confusing when read, but the code leaves it to the governing body to decide whether a primary election will be held. Funk said he and many people he has talked to assumed there would be a primary with four applicants for one commissioner seat and three applicants for a second commissioner seat. He said he has talked to the county attorney's office and the secretary of state office, as well as MACo, which told him the county commissioners had contacted that entity on the issue. Funk said he is disappointed Commissioner Durgan could not attend the meeting because he thinks the discussion should be held between the three commissioners. He said the cost of the primary is minimal to the taxpayers. Commissioner Taylor said there are no meetings scheduled at the present time to discuss the issue.

Finance Director Lani Hartung said PCRFD#1 is requesting to create a capital improvements fund with extra operating funds, and \$4,000 were moved into the new fund. She said that fund is #7211, and Fund #2977 was created for the Director of Public Health.

@9:04:09 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 19, 2012

Review of Minutes for Week of March 12, 2012

@9:31:56 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present was John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to review Commission meeting minutes for the Week of March 12, 2012.

Commissioner Malone requested a revision to Page 3 of 14, noting the correct spelling of Ken Vennes.

Commissioner Taylor requested a revision to Page 9 of 14; last paragraph, the second sentence should read, "Barich said losing isolation classification will cause the schools to lose about half of the state funding they would receive, which would be \$20,000 for Cooke City and \$12,000 for Springdale."

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

@9:33:45 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 19, 2012

Discussion/Decision to Abate Delinquent Taxes

@10:05:36 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Kevin Larkin and Vicky Holland, treasurer's office; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider a decision to abate delinquent taxes.

Treasurer Kevin Larkin said Montana Code Annotated (MCA) permits abatement of real estate taxes in excess of 10 years and personal property and mobile home taxes in excess of five years, and the Commission voted in a previous public meeting to abate such taxes as presented by Larkin. Larkin provided a document for signature to permit abatement of delinquent properties in question.

Commissioner Taylor said many of the individuals on the list still live in Park County and their delinquent taxes may be collectable. Larkin asked the Commission to highlight taxpayers it wishes him to contact in attempt to collect taxes. The Commission said it will provide the highlighted list.

@10:16:46 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 19, 2012

Discussion of Budget to Actual Revenues and Expenditures and Treasurer's Cash for February 2012

@11:09:31 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Lani Hartung, finance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss budget to actual revenues and expenditures and Treasurer's Cash for February 2012.

Finance Director Lani Hartung provided the Commission with a February 29 budget to actual revenues and expenditures report. Hartung said the county's general fund has been expended at 61 percent, and the county is 67 percent through the fiscal year. She said the county will start the Fiscal Year 2013 budget process with an estimated 1.2-percent increase to the value of a mill.

Hartung said she would like to put together a capital improvement plan for all county equipment.

@11:42:59 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 19, 2012

Decision on Use of County Property as Alternative Location for Cowboy Hall of Fame

@1:33:03 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; Mike Inman, planning; Mary Anne Keyes and Tracy Mosley, MSU Extension; Lew Wilks, planning board; Ed Meece, city of Livingston; Wes Venteicher, Livingston Enterprise; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider use of county property as an alternative location for the Montana Cowboy Hall of Fame and Heritage Center.

Civil Deputy County Attorney Shannan Piccolo said county property could be used as a site for the Montana Cowboy Hall of Fame via lease agreement, selling the property outright or transferring the property to the city of Livingston. Piccolo said an option similar to that of the city and East Side School, which was a lease until agreed upon improvements are complete to bring the building to market value at which time it will be transferred to the current tenant, is not an option for the county due to statute.

Mary Anne Keyes, MSU Extension, said the first property choice in Park County is a parcel owned by Ted Watson, and Alternative #2 is county property at the east interchange of I-90. Commissioner Durgan said he is reluctant to offer the county property as an alternative since many county entities are interested in possibly using the site. Commissioner Malone said perhaps the museum can use part of the property in question and the remaining acreage could be used by the county if need be. He said the Hall of Fame would bring a lot of economic vitality to the city and county.

Mike Inman, planning, said there are two county-owned parcels in the area in question, one at 161.98 acres and a second at 37.14 acres. Lew Wilks, planning board, said the entire Planning and Development Board's willingness and interest in supporting the project is very high, and the community of Gardiner is very supportive of the proposal for potential positive economic development impacts for Park County and the town of Gardiner.

Commissioner Malone moved to offer 30 acres of county property east of Chicken Creek Road on the lower section adjacent to the interstate as an alternative site for the Montana Cowboy Hall of Fame. Commissioner Taylor seconded the motion. Motion passed unanimously.

@2:05:36 p.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 20, 2012

County Road/Engineering Updates

@8:09:52 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; Raea Morris, administrative assistant; Shannan Piccolo, civil deputy county attorney; Parks Frady and Mark Westenskow, CTA; Ed Lamb, citizen; and John Mueller, minutes clerk.

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

Commissioner Malone told Road Supervisor Ed Hillman to travel to Mission Creek Road to assess whether there is snow on that road that needs to be plowed per a citizen comment. Hillman said the road crew is prepared with equipment at ready for any snow event. He said Cokedale Road will be patched when the weather warms and he has temporary help for the job.

Mark Westenskow, CTA Engineering, provided a permit for Coal Camp Road culvert work. Parks Frady, CTA, said permitting for Mill Creek was submitted to Montana FWP last week, but CTA needs to submit a 404 Army Corps of Engineers and county floodplain permit. Frady said CTA hopes to move forward with the project in a couple of weeks. Frady said he will head to Gardiner to view a drainage issue on Main Street. Malone said he will accompany Frady on that visit. Frady said four bridges north of Wilsall including Cottonwood, Rock Creek and Indian Creek Roads are included in a TSEP grant application.

Ed Lamb, Willow Creek Ranch, said gravel will be purchased for a RAC project on Willow Creek Road, as a gravel pit onsite is not feasible as proposed. Lamb said there are enough funds to gravel three miles of the road, but the entire road can be graveled if the county delivers the gravel. He said he would like the county to consider a temporary road closure of Willow Creek Road while it is damp to avoid 4x4s damaging the road. Civil Deputy County Attorney Shannan Piccolo said she will review whether statute permits temporary closure of the road.

@8:35:43 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 20, 2012

Discuss Status of Fleshman Creek Project

@8:36:01 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; Raea Morris, administrative assistant; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Philip Fletcher, economic development; Parks Frady and Mark Westenskow, CTA; Gary Barnhart, citizen; and John Mueller, minutes clerk.

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

Parks Frady, CTA Engineering, said CTA has surveyed from the 2nd Street outlet to E Street and is now surveying around Sacajawea Park and the lagoon.

Finance Director Lani Hartung said Montana DES received the county's FEMA contract extension, but she has not heard back about the extension. Hartung said she thinks a Montana FWP grant is okay. Philip Fletcher, economic development, said the \$98,100-FWP contract is a very loose contract, the county is fine with FWP per his discussions on the telephone, and the county will submit a report in writing now that the project is moving forward. Hartung said the county just received word from the National Fish and Wildlife Foundation that a \$53,000-NFWF grant was extended through July 2014. Fletcher said the county has everything together for a Montana DNRC grant and thinks the county is fine with all four contracts. He said a DNRC representative seemed pretty content with the stage the county is with a DNRC contract the last he talked with her, so that will be wrapped up quickly. Fletcher said he is amending all contracts internally, and the Commission does not need to meet with him on the effort. He said the effort can be discussed after he completes work next week, and he expects to have everything taken care of in a couple of weeks.

Civil Deputy County Attorney Shannan Piccolo said any contract amendments, letters or extensions need to be filed in the Clerk and Recorder's Office with all grant and contract original documentation.

Commissioner Malone said the words "think" and "seems" in everyone's statements worry him. He asked if all letter, statements and project information is in one file. Fletcher said he has a master file with all correspondence, email and memorandums he has received, which he updates about every two weeks, but he cannot insert things in the master file that are not sent to him. Commissioners Malone and Taylor said Fletcher is the project administrator, so he needs all project information sent to him.

Hartung said the county is ready to pay CTA, which will be submitted to FEMA as the county's first project reimbursement request. Hartung said she will need in-kind hours for the project. Fletcher said a standardized form exists for in-kind hours. Westenskow said the road crew should have in-kind time for flagging efforts, and Piccolo said she can prepare her hours for RFQ work. Fletcher said he was capturing all in-kind data for employees and qualifying agencies from 2008, but they are on the O Drive which he does not have access to. He said he has spreadsheets that automatically calculate in-kind dollar value of hours worked.

Mark Westenskow, CTA Engineering, said CTA continues to contact landowners whose permission is still needed to survey the stream.

Citizen Gary Barnhart said obtaining 20-year, landowner access permissions for stream maintenance will be difficult, and the county should be upfront about that necessity.

@9:09:47 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 20, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:29:02 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioner Durgan moved to recess the meeting until 10:00 a.m. Commissioner Malone seconded the motion. The meeting recessed. @10:10:54 a.m., the meeting reopened. Commissioners Durgan, Malone and Taylor were present. Also present were Raea Morris, administrative assistant; Denise Nelson, clerk and recorder; Jill Ouellette, HR; Kevin Funk, citizen; and John Mueller, minutes clerk.

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

Correspondence included:

- Memo email re. emergency fire fund agreement renewal process
- Memo email re. Springdale fire
- Memo email re. Yellowstone National Park topographical map
- Memo email re. county floodplain permit approval
- Memo email re. postal service resolution
- Memo email re. March 27 Library Board agenda
- Memo email re. March 20 Fairgrounds meeting agenda
- Memo document re. Main Boulder Road drainage project addendum
- Memo document re. fiscal year 2011 audit report
- Memo document re. ConocoPhillips floodplain permit
- Memo email re. Gardiner Gateway Project final review
- Memo document re. Water and Environmental Technologies Inc. letter of reference

The Commission reviewed meeting requests from Tom Peterson regarding a tax abatement issue and CTA Engineering regarding 2012 bridge planning.

Commissioner Durgan said he had been appointed as the lead individual to research Montana Code Annotated (MCA) and a letter from Clerk and Recorder Denise Nelson that stated the county was not required to hold a primary election for non-partisan elected officials per MCA due to the number of candidates filed. Durgan said the Commission can request a primary be held, which requires a public meeting and resolution. Durgan said one candidate, Kevin Funk, requested the Commission consider holding a primary election. He said he telephoned MACo to consult legal counsel there and was informed of an MCA code of ethics and rules of conduct statute: MCA 2-2-105 Subsection 4 and MCA 2-2-121 Subsection 10. Durgan said Commissioners Malone and Taylor both said

they feel they would have a conflict of interest in the matter for or against a primary if they were to be a part of a decision, as they are both candidates for election. Durgan said the Commission as a whole is to make a decision as the governing body by March 22 should it opt to hold a primary election for non-partisan elected officials.

Nelson said she requested an opinion from the county attorney's office whether she had correctly interpreted MCA regarding requirements for holding a primary election, and that office said Nelson had interpreted the code correctly. Nelson said a similar situation occurred in 2010, as not enough candidates filed to require a primary election, and a primary election was not held. Nelson said it is difficult to determine with accuracy the difference in cost if a non-partisan elected officials primary election were held with the statewide nominating election between the Democratic and Republican parties and possibly a Libertarian ballot. She said such a primary would be an additional cost, however.

Commissioner Taylor said he would not recuse himself from voting on whether to hold a primary election for non-partisan elected officials if the Commission decides to call for such a vote. He said his decision would be made from a commission point of view and not a candidate point of view. Commissioner Malone said he thinks other candidates would come forward if they had issue with not holding a primary election, as the Wednesday issue of the Livingston Enterprise said Clerk and Recorder Nelson recommended not holding a primary election.

Kevin Funk, candidate, said he has heard numerous people who said they would be amazed if the primary election were bypassed. Funk said his interpretation of MCA in question is the clerk and recorder and not the Commission has the final decision on whether a primary election is to be held. Funk said he thinks voters will have trouble deciphering on a candidate to vote for if races are not a two-person race on the November ballot.

@10:46:53 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 20, 2012

Department Head Meeting

@9:31 a.m., Chairman Taylor called a meeting to order in the Community Room of the City-County Complex. Present were Commissioners Durgan, Malone and Taylor; Barbara Woodbury, environmental health; Lani Hartung, finance; Jill Ouellette, HR; Martha Miller, auditor; Shannan Piccolo, county attorney's office; June Little, clerk of court; Kelly Johnson, maintenance; Linda Budeski, justice court; Belinda Van Nurden, DES; Raea Morris, administrative assistant; Kevin Funk, citizen; and John Mueller, minutes clerk.

Local Training "Connecting with Customers": Jill Ouellette, HR; provided an advertisement for a training titled "Connecting with Customers" sponsored by the

Livingston Job Service Employer Council on April 5, 2012, at the Best Western in Livingston for \$49.

Toolbox Tips: Ouellette said Toolbox Safety Tips have been distributed among county departments and offices as a supplement to the Safety Committee's safety video viewings. Ouellette said participation in the safety tips effort has been very good so far.

Budgeting for CIP: Lani Hartung, finance, said she forwarded budget worksheets to department heads and elected officials, as budgeting for the upcoming Fiscal Year 2013 will commence soon. Hartung said the county is working on implementing a Capital Improvements Program (CIP) for machinery and equipment in excess of \$5,000 in worth and having a useful life of at least five years. Hartung said an inventory of needed equipment and machinery will be generated from department head and elected official equipment requests on a five-year basis.

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

Commissioner Comments: None

Public Comment: Commissioner Taylor opened the floor to public comment. None made.

The next Department Head meeting is scheduled for April 17, 2012.

@10:01 a.m., the meeting adjourned.

March 20, 2012

Human Resources Updates

@10:49:38 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; Raea Morris, administrative assistant; 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 the Commission with a memorandum for signature addressed to payroll to correct 80 hours of an employee's annual leave time to 80 hours of sick leave. Ouellette provided a use or lose annual leave benefit carryover request from the county attorney's office and said two more such requests will likely come from the Sheriff's Office.

Ouellette said a Personnel Plus 2010 statute went into effect on March 15, and Park County's efforts in making the upstairs men's restroom ADA compliant shows the county

is attempting to comply with the statute. The Commission asked Ouellette to research the county's worker's compensation wage as compared to private industry's wage.

Ouellette said she and the road supervisor will sit through an LTAP safety webinar on March 21. The Commission said it will consult with the road supervisor and have him approach Ouellette with his decision on whether to replace a retiring road crewman with a permanent or temporary hire.

Ouellette said she is working on completing a return to work policy as part of the county's safety committee efforts, and she is working on Job Site Analyses (JSAs).

The Commission said it will conduct a job performance evaluation on Ouellette in her HR capacity and other county employees due for evaluation.

@11:05:40 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 20, 2012

12:00 P.M. – CASA Training – West Room

1:00 P.M. – Senior Citizens Meeting – Livingston Senior Center – Commissioner Taylor attended

March 20, 2012

Opening of Cooke City Winter Access Surveys

@1:30 p.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Mary Anne Keyes and Michelle Sykes, MSU Extension; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to open Cooke City winter access surveys.

Meeting attendees opened sealed surveys and recorded respondent answers and comments in regards to a proposal to keep open Highway 212 year-round.

@3:09:12 p.m., the meeting adjourned.

March 20, 2012

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

March 21, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:35:10 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; Donald Steinman, citizen; and John Mueller, minutes clerk.

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

Correspondence included:

- Memo document re. Addendum #2 to Main Boulder Road Drainage Improvement Project
- Memo email re. land acquisition trust fund
- Memo email re. Meigs Road drifting conditions
- Memo email re. March 29 Yellowstone River Studies conference
- Memo email re. USPS media release
- Memo email re. Water Policy Interim Committee presentations
- Memo email re. economic development director schedule
- Memo email re. DES announcement of Swingley Road closure
- Memo email re. Emigrant department building senior housing refuse assessment
- Memo document re. Great West Engineering advertisements

Citizen Donald Steinman said the United States Government needs to re-implement the Glass Steagal Act, which separates commercial banking from Wall Street speculation and brought the economy back from the Great Depression. Steinman said the act was taken off the books in 1999, but the House of Representatives is currently considering the act as HR 1489. Steinman said re-implementing the Glass Steagal Act would enable implementation of the North American Water and Power Alliance conceived in the 1950s. He said the current borrowing system allows for unlimited ability of international bankers to loot the nation as imposed upon the U.S. in 1971.

Commissioner Taylor said the Commission will research the act and consider whether a public meeting is scheduled to write a letter of support for HR 1489.

@9:07:21 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 21, 2012

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

March 21, 2012

Review of Minutes for Week of February 27, 2012

@10:09 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 February 27, 2012.

Commissioner Durgan requested a revision to Page 2 of 18; third full paragraph, the first sentence should read, "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." On Page 16 of 18, Durgan noted Jay Schifferdecker represented Silver Gate and not Cooke City, as stated.

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

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

March 22, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:42:16 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. March 21 RC&D meeting agenda
- Memo email re. Montana FWP Mill Creek permit
- Memo document re. Chad Standish certificate of insurance
- Memo document re. county floodplain permit
- Memo email re. Gallatin County deprivation study
- Memo document re. water district agenda
- Memo email re. May 10 southern zone agency administrator meeting
- Memo email re. April 10 Board of Health meeting
- Memo email re. Title III expenditures
- Memo email re. Prairie County sage grouse public comment
- Memo document re. tire monofill plume diagram
- Memo document re. Gelderloos Family Transfer Exemption staff report

Commissioner Malone said Mountain Sky Guest Ranch telephoned about a problem with the county road there. Malone said he will have Road Crewman Randy Todd repair the road problem.

Commissioner Durgan reported on a March 21 RC&D meeting.

The Commission reviewed its upcoming meeting agenda.

@9:12:50 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 22, 2012

Signing of Contract with Crystal Finishing

@9:41:56 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Kelly Johnson, maintenance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a contract with Crystal Finishing.

Commissioner Taylor said the contract is for painting of courthouse downstairs hallway walls.

Commissioner Malone moved to accept the contract on the recommendation of the maintenance person for Park County, Montana. Commissioner Durgan seconded the motion. Motion passed.

@9:43:32 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 22, 2012

Consideration of the Gelderloos Family Transfer

@10:05:05 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mike Inman, planning; and John Mueller, minutes clerk. No public comment made.

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

Mike Inman, senior planner, said the proposed 1.2-acre family transfer is made by Pouwel Gelderloos to his son. Inman said he has conducted research on the parcel, and he has received signed affidavits that the property will not be sold for the required period

of time. Inman said Gelderloos has done a subdivision in the past on adjoining properties he owns, which is the only prior history of the tract in question to consider.

Inman said the purpose of the meeting is for the Commission to discuss the applicant's intention of the family transfer. He said the Planning Department has not been able to contact the applicant or his surveyor in the week since the meeting has been scheduled.

Commissioner Malone moved to postpone a decision in order to ask the applicant if his intent is to sell the property, which goes against the exemption statute. Commissioner Durgan seconded the motion. Motion passed.

@10:07:03 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 22, 2012

Opening of Bids for Main Boulder Road Drainage Improvements Project

@1:05:54 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Bill Lloyd and Dan McCauley, Great West Engineering; Rick Reed, Bill Wallace and Steve Bue, Sweet Grass County; George Rabel, Christopher Eaton, Clyde and Valerie Bainter, Philip Hathaway, John and Matt Hogenson and Steve Trbovich, contractors; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to open bids for Main Boulder Road drainage improvements project.

Bill Lloyd, Great West Engineering, opened sealed bids and read bid information into the record as follows:

- Hogenson Construction, containing all required bid data, with a total bid of \$299,891.27
- Bozeman Sand and Gravel Inc. containing all required bid data, with a total bid of \$223,200.00
- C. Davies Enterprises, containing all required bid data, with a total bid of \$109,209.12
- Bainter Construction Inc, containing all required bid data, with a total bid of \$190,189.76
- Rabel Logging, containing all required bid data, with a total bid of \$153,924.00
- Tom Roe and Son Construction, with all required bid data, with a total bid of \$216,238.70
- Graham Excavating, with required bid data less a contractors # and special fuel users #, with a total bid of \$193,479.26

Lloyd said the engineer's estimate was \$244,492.00.

Lloyd said he suggests the Commission take the bids under advisement and allow Great West to review the bids and make an award recommendation at a subsequent meeting. A meeting was scheduled for Monday, March 26 at 3:00 p.m., in the Commission Chambers for that recommendation.

Commissioner Malone moved to allow Great West to review the bids to ensure they meet specs and have a meeting in the chambers Monday, March 26. Commissioner Taylor seconded the motion. Motion passed.

@1:19:43 p.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 22, 2012

3:00 P.M. – Parks and Recreation Board – East Room – Meeting minutes available at www.parkcounty.org and in the Planning Department

4:00 P.M. – Library Board Meeting – Library, Livingston

6:30 P.M. – 4-H Lariats – Community Room

March 23, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:35:33 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; Greg Coleman, fire warden; 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 26 Gardiner Safe Routes to School Sidewalk project commencement
- Memo email re. tree removal contract
- Memo email re. Mill Creek floodplain permit
- Memo email re. Farms to Schools fundraising event
- Memo email re. large predator resolution
- Memo email re. TSEP environmental process guidance
- Memo email re. Gardiner Airport survey
- Memo email re. March 27 Rock Creek Road work agreements meeting
- Memo email re. Gardiner Main Street drainage issue
- Memo email re. PCRFD#1 Miller Bridge walking lane comment

The Commission said it will have Tom Roe and Son maintain two miles of Main Boulder Road as it did last year per contract.

Commissioner Durgan reported on a March 22 Parks and Recreation Board meeting.

Commissioner Malone said a road crewman is working on a problem area on Big Creek Road today.

Greg Coleman, interim fire warden, asked if he can be referred to as the county fire warden to reduce confusion for the public. Coleman said the Paradise Valley Fire Department inquired about using deteriorating trailer homes as firefighting trainings. He asked how the landowners could be contacted and informed of the problem of deteriorating trailers in the county and landowner requests to burn them. Commissioner Taylor said perhaps the Solid Waste Board could broach the subject. Coleman asked the Commission to attend the Fire Council meeting on the first Thursday of the month.

Coleman said he has researched tire fire fighting methods and available assistance and has offered to work on the fire management plan for a proposed Paradise Valley Class III tire monofill application. He said he has concerns with the monofill applicant wanting to switch fire districts, as that may set precedence for other landowners wanting to do the same.

Coleman said he attended a week-long training as part of his quarter-time DES coordinator position and participated in DES grant writing and exercise and evaluation program trainings. Coleman said he would like to consider conducting an emergency services training during the Livingston Fourth of July parade.

@9:29:52 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 23, 2012

Decision on County Property for Alternative Site for Montana Cowboy Hall of Fame

@9:40:00 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; Mike Inman, planning; Mary Anne Keyes, MSU Extension; Wes Venteicher, Livingston Enterprise; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider using county property as an alternative site for a Montana Cowboy Hall of Fame and Heritage Center.

Mary Anne Keyes, MSU Extension, said the Montana Cowboy Hall of Fame and Heritage Center said its most appealing option for land use in Park County is for the county to transfer proposed property to the city of Livingston with an intent to lease or trade, and then enter into a lease with the city with an option to buy.

Brett Linneweber, county attorney, said MCA 7-8-101 allows for such a property transfer between the county and city with a Memorandum of Understanding (MOU) after notice of a resolution of intent to transfer is made.

Mike Inman, planning, provided a map of the property in question and possible land use exemption options available to the county, as well as required processes the county would have to follow through the County Board of Adjustments.

Commissioner Malone moved to authorize the county attorney's office to work with the city of Livingston to draft an MOU to work toward the property transfer under MCA 7-8-101. Commissioner Durgan seconded the motion. Motion passed.

@9:50:44 a.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