

Park County Commission Meeting Minutes
Week of March 5 – 9, 2012
Park County, Montana

March 5, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:04:29 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Raea Morris, administrative assistant; and John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo document re. East River Road speed limit recommendations
- Memo email re. oil and gas committee collaboration
- Memo email re. tire dump firefighting
- Memo document re. solid waste lease agreement
- Memo email re. EDD CEDS timeline
- Memo document re. reclamation/developments grant program
- Memo document re. Spring Street public access

Kevin Larkin said the courthouse building's front and back doors were open on Saturday, and an individual said he had papers saying he was to appear in court on Saturday and there were about five other individuals in the building that day.

@9:36:30 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 5, 2012

Discussion/Decision of Abatement of Taxes

@9:36:33 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Kevin Larkin, treasurer; Vicky Holland, deputy treasurer; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider abating taxes.

Treasurer Kevin Larkin said he is asking permission to abate five and ten-year-old personal and commercial delinquent taxes on mobile homes and livestock from 1995 to 2001 in the amount of \$76,959.26. Larkin said the county will not collect the taxes.

Commissioner Malone moved to create a resolution to abate the taxes in excess of five and ten years old. Commissioner Durgan seconded the motion. Motion passed.

@9:44:54 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 5, 2012

10:30 A.M. – Review of Minutes for the Week of February 27 – Commission Chambers – Canceled due to employee out of office

March 5, 2012

Personnel Meeting

@11:03:38 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Kevin Larkin, treasurer; Jill Ouellette, HR; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to address a personnel issue.

Commissioner Malone moved to close the meeting to the public, as the confidentiality of the personnel matter exceeds the public right to attend the meeting. Commissioner Durgan seconded the motion. The meeting closed, the audio recorder was turned off and the recording secretary exited the meeting chambers.

@11:31:03 a.m., the meeting adjourned.

March 5, 2012

Discussion/Decision on Establishing a 2012 Fire Season

@1:05:29 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; Greg Coleman, interim fire warden; Dann Babcox, PCRFD#1; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider establishing a 2012 fire season.

Greg Coleman, interim fire warden, said a year-round burning season that follows Montana DEQ regulations is being proposed. Civil Deputy County Attorney Shannan Piccolo said she will look into enforcement parameters regarding burn permit permissions for the county and PCRFD#1.

Commissioner Malone moved to sign Resolution #1123 establishing the 2012 fire season. Commissioner Durgan seconded the motion. Motion passed.

@1:21:23 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 5, 2012

Discussion of Implementing Electronic Burn Permits

@1:34:34 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; Greg Coleman, interim fire warden; Dann Babcox, PCRFD#1; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider implementing an electronic burn permit program.

Greg Coleman, interim fire warden, said electronic burn permits were proposed a year ago, and he believes there are now nine Montana counties participating in a statewide electronic/online burn permit program titled Montana Interactive. Coleman said 180 surveys were received from Park County citizens who applied for burn permits last year, and 116 of those surveys said citizens would pay for a burn permit, 87 stated they would sign up for the permit online, and 89 said they would prefer to obtain a permit in person.

Coleman said he would like a positive go-ahead from the Commission in order to successfully implement the system next year. He said an educational component needs to be completed before the system is implemented, and he thinks the online system can be implemented for \$5 per permit.

The Commission said it is favorable to the proposal as long as paper permits remain available to citizens. The Commission asked Coleman to submit information on how he intends to enter paper permit data into the computer system.

@1:56:11 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 6, 2012

County Road/Engineering Updates; Status and Discussion of Fleshman Creek Project

@8:03:41 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; Martha Miller, auditor; Philip Fletcher, economic development; Parks Frady and Mark Westenskow, CTA Engineering; Brenda Adams and Gary Barnhart, citizens; and John Mueller, minutes clerk.

The meeting was scheduled to discuss county road issues, engineering updates and status of the Fleshman Creek Restoration Project.

Mark Westenskow, CTA Engineering, said a representative with Montana DNRC wants an update on the project status, scope and budget for the DNRC grant supporting the Fleshman Creek Restoration Project. Westenskow said CTA has reviewed the project grants for consistencies and inconsistencies.

Philip Fletcher, economic development, said the DNRC grant has been completed for weeks and he will provide that to the county finance director. Fletcher said each project funding contract needs to be amended, as they are expiring, and the Commission may want to consider doing such. Commissioner Durgan said the county submitted a FEMA grant extension request, and that request was approved. Commissioner Taylor said Fletcher can go ahead with amending the contracts. Fletcher said he is capturing all in-kind contributions toward the project from meeting minutes.

Westenskow said only one landowner permission on the south side of Fleshman Creek has not been obtained to complete surveying work, and half a dozen permissions remain to be obtained on the north side. He said CTA will start surveying on the upper end of the project on March 8.

Gary Barnhart, citizen, said he is curious why no special interest groups attended a public meeting on Fleshman Creek. The Commission said the meeting was publicly noticed.

Civil Deputy County Attorney Shannan Piccolo requested contract amendments go through the county attorney's office for review.

@8:38:51 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

March 6, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:03:45 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. renewable resources grant loan application
- Memo document re. cash on hand report
- Memo document re. Main Boulder Road improvement project
- Memo email re. EOC staffing
- Memo email re. environmental quality council meeting
- Memo email re. citizen tire monofill landfill comments

- Memo documents re. Great West Engineering invoices
- Memo email re. citizen tire monofill landfill comment
- Memo document re. Cooke City resort tax balance

@9:17:32 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 6, 2012

Human Resources Updates

@9:42:26 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; provided the Commission with a change of status form for a temporary hire in the Clerk and Recorder's Office. Ouellette said she completed a Reasonable Suspicion Drug Training with employees, as required, completed a JSA for green box roll-off box lids, and a final training will be held on green box safety next week. She said a detention officer position remains open.

@9:51:01 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 6, 2012

Signing of Resolution for Park County Emergency Operations Plan

@10:03:39 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; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a resolution for a Park County Emergency Operations Plan.

Civil Deputy County Attorney Shannan Piccolo provided the Commission with the FEMA-approved plan for signature.

Commissioner Durgan moved to adopt the resolution for an emergency operations plan. Commissioner Malone seconded the motion. Motion passed.

@10:06:01 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

March 6, 2012

Discussion of Park County Issues with Senator Baucus Representative

@10:35:21 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Brianne Dugan, Senator Baucus' Office; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss Park County issues with Senator Baucus' representative.

The Commission discussed issues relative to Park County with Brianne Dugan, Senator Baucus' Office.

@11:41:01 a.m., the meeting adjourned.

March 7, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:35:18 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; Barbara Woodbury, environmental health; Lani Hartung, finance; Kelly Johnson, maintenance; and John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo email re. natural disaster pandemic information
- Memo email re. donut zoning area legal description public hearing
- Memo email re. transportation bill reauthorization
- Memo email re. Cooke City resort tax appropriations
- Memo document re. citizen comment on tire monofill
- Memo document re. adult detention interlocal agreement
- Memo email re. Beartooth Highway Project TIGER III funding
- Memo email re. Fleshman Creek Project county website updates

The Commission scheduled a public presentation on refuse surveys for March 29.

Barbara Woodbury, environmental health, said Robert Peccia and Associates will hold a presentation on April 5 as support for a proposed fairgrounds sewer project grant funding application.

A March 20 opening of Cooke City survey questionnaires for plowing of Highway 212 was scheduled.

Finance Director Lani Hartung said the county received a \$9,500 bill from CTA Engineering for the month of February.

Kelly Johnson, maintenance, said a pull-down screen in the Community Room was broken after an evening City Commission meeting on March 6. Commissioner Taylor said he will bring the issue up at the 9:30 a.m. City/County Meeting. Johnson said he will work on a contract to have the downstairs walls painted.

@9:09:17 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 7, 2012

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

March 7, 2012

City/County Meeting

@9:36:12 a.m., City Manager Ed Meece called a meeting to order in the Commissioners Chambers. County Commissioners Durgan, Malone and Taylor were present. Also present were City Commissioners Dan Bennett, Mel Friedman and Adam Stern; Shannan Piccolo, civil deputy county attorney; Martha Miller, auditor; Ed Meece, city manager; Scott Hamilton, Allen Lutes and Tom Totland, PCSO; Darren Raney, LPD; Tammy Brawn and Ron Clark, library; and John Mueller, minutes clerk.

The meeting was scheduled to discuss joint city of Livingston and Park County issues.

Progress Reports

Livingston/Park County Public Library: Tammy Brawn, library director, provided a handout of a five-year projection of library revenues and expenditures as provided by the city finance department. The handout numbers reflected status should the City/County Compact language remain consistent with the county contributing five mills and the city contributing seven mills to the library annually. Brawn said it will be hard to pay operating expenses within 1 ½ years and the library will have to consider closing its doors in 2 ½ years based on current funding projections. She said the library's request, at a minimum, is for annual review of the compact and reconsideration of the millage amounts provided to the library by the city and county. Brawn said she would like the county and city to consider funding the library at the current year's millage of 9.2 mills for the city and 5.7 mills for the county.

Ed Meece, city manager, said it was discovered in putting together the compact that the county was a little behind on the millage amounts it should have been paying to the library, and the city was far ahead of what it should have been paying. Meece said the library has 40 percent of its annual budget in reserves, and the library has not been

invited to engage in the city and county annual budget processes. He said the compact now states the library will be involved in the processes, and he recommends amending the compact to detail the process by which annual reviews will take place and possible mill adjustments, as is done through the budget process for all other departments.

Commissioner Durgan said he thinks the Library Board is very conscientious about its budget process, but he agrees the library needs to be part of the budget processes. Commissioner Malone said the county remains committed to providing funds to the library.

Building/Door Locks Security: Commissioner Taylor said he tasked the Park County Sheriff's Office (PCSO) with building security, and PCSO will work with a local locksmith to draft a building security plan. Taylor said it was discussed that timed locks may be placed on the front and rear courthouse doors, and any individual must enter the courthouse through the Dispatch 911 entrance after 5:00 p.m. Sheriff Allan Lutes said going to timed locks on exterior doors will rectify 90 percent of the building security problem. PCSO said it will have a cost estimate by the next City/County meeting.

Fleshman Creek Project: Taylor said engineers are putting together a final Fleshman Creek Restoration project design, and weekly project update meetings will occur on Tuesdays at 8:30 a.m. Meece said Clint Tinsley, public works, will serve as the city's ambassador to the Tuesday meetings. Meece said the city needs projected project costs in order to make any determination on whether it will assist with the project. Commissioner Malone said those figures will be available once the final engineering design is completed.

Solid Waste Management: Taylor said a trial effort in taking all county refuse to the city transfer station went well, and the county solid waste board is putting together a master plan to encompass the entire county including fees, routes and collections at green box sites. Taylor said the county commission completed eight presentations around the county in which Bell and Associates Solid Waste Alternatives Report findings were presented. He said a public meeting is scheduled to provide results of solid waste surveys distributed to county refuse district members. Meece said the county needs a legal opinion on when it can get out of its Envirocon waste hauling contract. Taylor said the county cannot change its solid waste operations until a lawsuit settlement is finalized. Civil Deputy County Attorney Shannan Piccolo said she can provide Meece with a timeline of settlement agreement parameters the county must meet.

Angel Line Parking Issue: Meece said the city commission passed an ordinance at its last meeting creating a special Angel Line Parking spot and increasing the illegal parking fine to \$100. He said the designated parking spot will also be painted when the weather clears.

Building Cleaning Contract: Taylor said he will present a draft of proposed changes to the building cleaning contract to Piccolo and the city for a final round of comments, after which a final contract will be drafted.

City/County Compact: Meece said the city and county should finalize chapters already started before new chapters are pursued. Meece said he needs a list of changes the county wants to make to the compact, he will make those changes and then provide the county commissioners with a sign off sheet on the changes to ensure accuracy. Meece said the compact will then be resubmitted to the city and county commissions for review, discussed at the next City/County Meeting, and then the commissions can take legislative action to approve the changes.

Commissioner Comments: None

Public Comment: None

@11:04:38 a.m., the meeting adjourned.

March 7, 2012

1:00 P.M. – Fish Wildlife & Parks Meeting – Helena MT – Commissioners Durgan and Malone attended

March 8, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:33:41 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; 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 9 regional economic update meeting
- Memo email re. Cooke City resort tax funds
- Memo email re. March 12 Angel Line meeting agenda
- Memo email re. citizen tire monofill comments
- Memo email re. March 15 community development board meeting agenda
- Memo document re. Data Imaging Systems invoice
- Memo email re. Senior Center Montana Department of Commerce block grant
- Memo email re. April 3 Montana Energy Trade Show
- Memo email re. fairgrounds TSEP grant application
- Memo email re. fairgrounds sewer project presentation
- Memo email re. Gallatin County/city of Bozeman economic summit
- Memo email re. Crazy Mountain Productions abatement request
- Memo document re. cash on hand report
- Memo email re. March 13 weed committee meeting

- Memo email re. Springdale School District isolation status
- Memo email re. MDT online transportation plan
- Memo email re. fairgrounds sewer project contract

Commissioner Malone reported on a March 7 Montana FWP meeting.

@8:55:55 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

March 8, 2012

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

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

12:00 P.M. – Drug Task Force Meeting – West Room

1:00 P.M. – Critical Incident Stress Management – East Room

1:00 P.M. – Search and Rescue Meeting with CTA Engineering – West Room

1:00 P.M. – Special Library Board Meeting – Library

March 8, 2012

Discussion of Fleshman Creek Budget with Park County Finance Director

@1:02:59 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Barbara Woodbury, environmental health; Martha Miller, auditor; Lani Hartung, finance; Wes Venteicher, Livingston Enterprise; Gary Barnhart, citizen; and John Mueller, minutes clerk.

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

Finance Director Lani Hartung provided the Commission with a spreadsheet version of the Fleshman Creek Restoration Project budget as listed in the project FEMA grant application.

Hartung said Montana DNRC said DNRC grant funds can be used to fund project culvert construction. Hartung said the total project value is \$3,000,040, of which \$2.28 million is Federal Emergency Management Agency (FEMA) funds. She said the project requires a \$760,000 match, which will come from \$300,000 DNRC grant funds; \$53,075 National Fish and Wildlife Foundation grant; and \$98,100 Montana Fish, Wildlife and Parks grant. Hartung said Park County will pay \$188,045 if everything goes according to the project scope of work, and the total county in-kind budget is \$120,780.

Hartung said there is no money in any grant for payment of storm water interceptors, and Park County will have to pay any dollar amounts that exceed budgeted project line items. Commissioner Durgan said the county is in no place to speculate on project costs until the final engineering design is completed with dollar figures.

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

March 8, 2012

Presentation of City/County Airport "Airport of the Year" Award

@2:05:22 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; Lani Hartung, finance; George Denton, Kerry LaDuke and Jerri Miller, airport board; Dan Diefenbach, citizen; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to present an Airport of the Year award.

Kerry LaDuke, airport board, said Park County's Mission Field received the Airport of the Year award from the Montana Department of Transportation Aeronautics Board, and the Airport Board would like to share the award with the Commission. LaDuke said the award was granted after six years of runway and taxiway surface repaving, as well as installation of new runway lighting. LaDuke said 95 percent of the \$3.5-million project was federally funded.

Jerri Miller, airport board, thanked county employees Shannan Piccolo, Lani Hartung and Raea Morris for assisting the board with budget, documentation and meeting scheduling logistics throughout the upgrade project. Miller thanked the Airport Board for its service as well.

@2:14:56 p.m., the meeting adjourned.

March 8, 2012

Discussion of Insurance Renewal Values with Taylor-Leavitt Insurance

@3:35:38 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Martha Miller auditor; Jill Ouellette, HR; Dan Gutebier, Taylor-Leavitt; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss insurance renewal values with Taylor-Leavitt Insurance.

Dan Gutebier, Taylor-Leavitt Insurance, provided the Commission with a MACo/JPIA insurance application for Fiscal Year 2013. Gutebier said the county has a total asset

value of \$25,333,000+. The Commission set insurance amounts on county assets with Gutebier from which MACo will set premium renewal amounts.

@4:18:01 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 9, 2012

8:30 A.M. – Northern Rocky Mountain Economic Development District Interviews – Gallatin County Courthouse, Bozeman – Commissioner Malone attended

8:30 A.M. – Daily Correspondence/Agenda and Briefing on Current County Projects – Commission Chambers – Canceled due to no quorum of commissioners

9:00 A.M. – Discussion and Decision on Use of County Property as Alternate Location for the Montana Cowboy Hall of Fame and Western Heritage Center – Commission Chambers – Canceled due to no quorum of commissioners

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

Denise Nelson
Clerk & Recorder
Park County, Montana