

Park County Commission Meeting Minutes  
Week of May 28 – June 1, 2012  
Park County, Montana

May 28, 2012

Memorial Day Holiday Observed – All Offices Closed

May 29, 2012

Road Updates/ Engineering Services Updates

@8:04:13 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Ed Hillman, road; Parks Frady and Mark Westenskow, CTA; and John Mueller, minutes clerk. No public comment made.

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

Road Supervisor Ed Hillman said repairing three miles of Duck Creek Road will cost \$128,000+ and repairing 3.5 miles will cost \$148,000+, depending on what the Commission decides to do. Commissioner Taylor said the road to the Y needs to be repaired. Hillman said that stretch should be entirely ground up and re-laid, but Commissioner Malone said he does not think the county should put so much money into that effort. Taylor said the Commission will look at the road and get back to Hillman.

Hillman said the patching crew patched Rock Creek Road, most of Meigs Road, Rock Creek Road and will patch Bob Olson's road that day. He said the crew has not yet been in Wilsall, but is hauling more gravel to Tom Miner Road.

Parks Frady, CTA Engineering, reported on Gardiner Gateway Project efforts in preparation for a June 14 signing and preparation of a scope of services outlined in an MOU with Park County. Frady said he submitted project documents for Commission review. Frady reported on issues the county needs to address with its TSEP grant.

Mark Westenskow, CTA, said CTA is putting together a work order and cost estimate for proposed work on Tom Miner Bridge. He said he met with a SWB member who had a drawing for a proposed Chico green box site and told him not to spend much more time on that effort. Westenskow said he has sketches of a possible refuse building design in Gardiner.

@8:31:38 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

May 29, 2012

Discussion/Status of Fleshman Creek Project

@8:35:03 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Malone and Taylor were present. Also present were Barbara Woodbury, environmental health; Lani Hartung, finance; Mark Westenskow, CTA; Clint Tinsley, city of Livingston; and John Mueller, minutes clerk. No public comment made.

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

Mark Westenskow, CTA Engineering, said CTA is still looking at stream and road crossings and associated utility implications in cooperation with Oasis Environmental, which is still doing modeling for the creek. He said CTA and Oasis will talk to the school, St. Mary's Church and the View Vista trailer park about utilities and sewer infrastructure before holding a public meeting on the project.

Lani Harutng, finance, said she hopes to submit a revised report of the county's first in-kind contribution billing to Montana DES that day, and the county is currently now at 26 percent of the required 25 percent in-kind project cost. She said Trout Unlimited submitted between \$12,000 and \$14,000 in-kind hours dating back a couple of years.

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

May 29, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:02:07 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 document re. Tri-County Network funding request
- Memo document re. county economic development CIP efforts
- Memo email re. mobile home insulation workshop
- Memo email re. July 2 American Legion cannon funding presentation

@9:14:55 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 29, 2012

Human Resources Updates

@9:31:00 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 change of status forms for an employee replacing a terminated employee, a GIS technician job description and an employee performance evaluation. Ouellette said the Commission needs to review and approve a proposed Park County Sheriff's Office union agreement.

Ouellette said the airport notified her it hired a short term employee to assist an injured employee and she was not involved in the hiring procedure and thus does not know whether policy was followed. She said she will complete paperwork on that employee on May 30.

Ouellette said she needs additional information from PCRFD#1 Chief Babcox regarding a requested errors and omissions submittal. Ouellette said Consultant Jim Nyes can complete the county handbook policy for \$3,000 in July or August, and he can create return to work and social media policies and update the drug testing policy for \$500 more.

@9:46:39 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

May 29, 2012

Fiscal Year 2013 Budget Workshop

@10:45:03 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Lani Hartung, finance; Martha Miller, auditor; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as a Fiscal Year 2013 Budget Workshop.

Finance Director Lani Hartung provided the Commission with general fund budgets as worked on to-date, including sanitarian, clerk and recorder, treasurer, auditor, elections, county attorney, commissioners, maintenance, copier/mail, coroner, environmental health, mental treatment, veteran's burial services, community development director, historical research, YRRE, Green Acres, historical, accounting department, GIS/IT, human resources, general, bridge, weed control, fair, airport, district court, comp insurance, library, senior citizens, law enforcement and museum.

Hartung said her estimate at this point is \$912,000 in taxable income for FY'13 and \$2.9 million in total revenues.

@11:54:28 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 29, 2012

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

May 30, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:31:21 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; Denise Nelson, clerk and recorder; Scott Hamilton, undersheriff; and John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo documents re. CTA scope of services for Gardiner Gateway Project
- Memo email re. July 2 cannon check presentation at 12:00 p.m.
- Memo email re. Old Yellowstone Trail re-opening
- Memo document re. Moore Work Enterprises certificate of insurance
- Memo email re. Montana Waste Systems requested information
- Memo email re. DES allocation funding
- Memo email re. MRL Convict Grade Road closure
- Memo email re. Main Boulder Road Project survey
- Memo document re. citizen tax abatement request
- Memo document re. county commissioners web survey
- Memo email re. RRGL fairgrounds sewer application
- Memo email re. Gallatin County Grants and Project Administration SW Juvenile Detention funding allocations
- Memo email re. citizen refuse assessment request
- Memo email re. May 4 and 18 SWB meeting minutes
- Memo email re. citizen refuse assessment request
- Memo document re. citizen dust control request on Six Mile Road

Clerk and Recorder Denise Nelson said the Commission needs to appoint an election audit board. She said that board last year consisted of Martha Miller, Lani Hartung and herself. Nelson asked if road crewmen or garbage pickers can assist with setting up of the voting areas for the June 5 elections.

The Commission reviewed meeting requests for a proposed Treasurer's FY'13 budget and a Search and Rescue meeting. Taylor said the Commission needs to schedule a meeting to appoint an election audit committee.

Commissioner Malone said County Attorney Brett Linneweber is in agreement with using Jim Nyes to complete county personnel, drug and return to work policies.

Undersheriff Scott Hamilton said the Sheriff's Office would like to present its proposed FY'13 budget at the June 7 Budget Workshop meeting.

Malone said he viewed Duck Creek Road on May 29 to determine which stretches should be ground up and which should have millings applied to them.

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

#### May 30, 2012

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

#### May 30, 2012

#### Review of Minutes for Week of May 21, 2012

@10:05:38 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 May 21, 2012.

Commissioner Durgan requested a revision to Page 1 of 10; last paragraph, the last sentence should read, "Hillman said a crewman is currently grading on Willow Creek Road to the top of the hill, and a plugged culvert on Old Yellowstone Trail causing a road closure with water over the road will be cleaned out with water from a fire truck."

Commissioner Malone requested a revision to Page 2 of 10, the first paragraph should read, "Malone said a price of \$9.32 per yard was quoted for gravel for a Boulder Road Project, but Steve Koontz provided a quote of 15,000 tons of gravel for \$49,500 with various stipulations." On Page 4 of 10; second full paragraph, the last sentence should read, "Commissioners Durgan and Malone said they believe the work needs to be completed, but it needs to be determined whether the county attorney will approve the policy if given a timeline to do so."

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

@10:13:08 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 30, 2012

Signing/Renewal of Granite TCS Contract for IT

@10:04:13 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Erica Hoffman, GIS/IT; Liz Suniga, Granite TCS; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a contract renewal with Granite TCS for IT services.

Erica Hoffman, GIS/IT, said the contract was included in her department budget and reviewed by county legal counsel and Granite TCS. She said the contract will renew July 1, and total contract hours increased from 18 per week to 24 per week due to increased computer use and maintenance needs.

Commissioner Durgan moved to approve the contract for renewal of services for Granite and Park County IT Department. Commissioner Malone seconded the motion. Motion passed.

@10:03:44 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

May 30, 2012

Planning Department Updates

@10:31:15 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 and Jeri Stevens, planning; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss activities in the Planning Department.

Mike Inman, planning, said he continues to work on the process of updating the Cooke City/Silver Gate/Colter Pass Zoning Regulations, which is going well with involvement of the local advisory committee. Inman said he may wait until after the construction season to have the updates approved to avoid conflicting with the development season.

Inman said work continues with the county GIS department and a designer in Bozeman to create three wildlife/area-specific educational brochures for Park County landowners through a Montana FWP mini grant.

Inman said the department continues to update its website with the county GIS and IT departments to increase information and better serve the public.

Inman said the Parks and Recreation Board met in March and May, elected officers and had an overview of various projects that had been worked on in the past, as well as possible additional opportunities. He said he is trying to schedule site visits/field trips for board members to get more familiar with those projects. Inman said his goal for the board is to develop a strategy to rank projects and create a long-term plan for projects.

Inman said the standard workload of administering subdivision reviews, exemptions and Cooke City zoning regulations is ongoing. He said he has been assisting the Planning and Development Board in its efforts with the proposed tire monofill in Paradise Valley and the former donut zoning district issue.

Inman said a proposed Park County atlas project is still being considered, and he met with Future West and the county GIS department to discuss avenues to turn that planning tool into an interactive mapping system and database for the county. He said a funding strategy still needs to be developed.

Inman said he worked with Auditor Martha Miller to put together the department budget and is ready to schedule a meeting with the finance director to discuss it with the Commission. Malone said the Planning Department and Economic Development Department budgets will be two different budgets, but they have been moved outside of the general fund. He said the two budgets will both be within the 2250 budget range.

Inman said he has been working outside his authority as a deputy planner per the prevue of his job description, which concerns him. Taylor said the Commission is looking at redoing Inman's job description by working with the HR Department and will then review that job description with Inman in a public meeting. Durgan said such needs to be done before the next fiscal year budget is final.

Inman said the Planning and Development Board would like to meet with the Commission to ask whether it will permit the board to do legwork in gathering public comment and sentiment and provide education regarding the former donut zoning issue. Commissioner Taylor said he would like to see the board educate citizens on citizen-initiated zoning as he will not zone anything. Commissioner Malone said he does not like 201 zoning and thinks Inman needs to talk with legal counsel and determine how the county can assist citizens with citizen-initiated zoning. Commissioner Durgan said the Commission needs to cognizant of the fact the former donut area had zoning for decades and many landowners there were comfortable with that.

@11:12:08 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 30, 2012

Discussion/Decision for Additional Work on Gardiner Sidewalk Project

@11:31:26 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; Lani Hartung, finance; Philip Fletcher, economic development; Chris Laity, Great West Engineering (via telephone); and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider a decision for additional work on the Gardiner Sidewalk Project.

Philip Fletcher, economic development, said minor extra work was done on the Gardiner Sidewalk by the construction company without prior approval. Chris Laity, Great West Engineering, said Knife River had to crush more asphalt to repair crumbling asphalt when installing curbs and gutters. He said Knife River should have contacted him and the county civil deputy county attorney before extra work was completed, but the work did need to be done to ensure sidewalk integrity. Laity said the extra work totaled \$2,940 with the total project cost at \$154,905.

Commissioner Durgan moved to approve the request for additional funds to do the additional work required on the Gardiner Sidewalk Project in the amount of \$2,940. Commissioner Malone seconded the motion. Motion passed.

@11:48:24 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 30, 2012

Discussion of Rabies Vaccination Requirements to Address Hoarding Issues in Park County

@1:33:48 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; Ed LaCombe, PCSO; Vicki Blakeman, Stafford Animal Shelter; Wes Venteicher, Livingston Enterprise; Patty Martin, citizen; and John Mueller, minutes clerk.

The meeting was scheduled to discuss rabies vaccination requirements and animal hoarding issues in Park County.

Civil Deputy County Attorney Shannan Piccolo said the county cannot go beyond the state law definition of "animal cruelty," and some counties require kennel licenses in order for an x number of animals to be kept in one private location.

Vicki Blakeman, Stafford Animal Shelter, said she is asking for a rabies vaccination ordinance requirement for companion animals, which may be go beyond dogs and cats.

Piccolo said the county would have to have some way of tracking which animals had been vaccinated and which had not if it established such an ordinance. Patty Martin, citizen, said such an ordinance would be administered through citizen complaints.

Blakeman said untreated animals are a threat to all other animals in the county, and the issue cannot continue to go unaddressed. She said her objective is to vaccinate as many animals in the county as possible. Commissioner Durgan said taxpayers will balk at having to pay for someone else's problems.

Commissioner Malone said it seems like an onerous ordinance to him, and he would like to see how other counties deal with the rabies vaccination situation. Ed LaCombe, sheriff's office, said he can contact similar-sized counties, such as Hill, Fergus and Custer and ask whether they have a rabies ordinance for companion animals to review.

The Commission said it will schedule a meeting to discuss the issue again in two weeks after LaCombe has completed his research.

@2:28:02 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 31, 2012

8:00 A.M. – County Healthcare Benefits Open Enrollment – Community Room

May 31, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:46:52 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; Ed Hillman, road; Tracy Mosley and Mary Anne Keyes, MSU Extension; 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. Main Boulder Road Project pre-construction meeting
- Memo email re. economic development director schedule
- Memo email re. maintenance department janitorial concerns
- Memo email re. June 14 LEPC meeting schedule
- Memo document re. NRM RC&D housing preservation grant
- Memo document re. religious tax exemption
- Memo email re. June 13 Planning Board meeting RSVP request
- Memo document re. fire mill levy opinion request
- Memo document re. CASA budget meeting request

Tracy Mosley, MSU Extension, asked if Extension could temporarily place portable garden containers in the courthouse foyer area until the weather warms. The Commission said that is fine, provided they are not a tripping hazard.

Road Supervisor Ed Hillman said a road crewman is grading and applying gravel to Tom Miner and Shields River East is being graded. He said the patching crew is on Shields River Road.

The Commission reviewed a meeting request for Cooke City Water District Board appointments.

@9:28:02 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

May 31, 2012

8:30 A.M. –Mental Health Crisis Response Meeting – Mental Health Drop-In Center, Livingston

March 31, 2012

Discussion/Decision for Updating Park County Policy with Jim Nyes

@10:03:20 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; Raea Morris, administrative assistant; Kelly Bell, citizen; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider contracting with Jim Nyes to update Park County policy manuals.

Jill Ouellette, HR, said she has discussed with the Commission issues with her workload prohibiting her from updating various county handbook and policy manuals. She said she has detailed notes from elected officials, department heads and employees requesting changes to policy manuals, and the IT Department needs a social media policy to address increasing the county's Facebook and Twitter resources. Ouellette said she is requesting Jim Nyes create a social media policy and return to work policy (as mandated by the legislature last year), and update the county's personnel handbook and drug testing policies. Ouellette said Nyes can assist Ouellette with the task in July and August for a total cost of \$3,500, which she has in her budget and which is below county bidding requirements.

Commissioner Durgan moved to update the Park County policy manual and utilize the services of Jim Nyes. Commissioner Taylor seconded the motion. Motion passed.

@10:14:01 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

May 31, 2012

Fiscal Year 2013 Budget Workshop

@2:16:39 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Also present were Lani Hartung, finance; Robyn Albright, Janet Bernthal, Tammy Brawn, Ron Clark and Nancy Kessler, library; Bill Moser, citizen; and John Mueller, minutes clerk.

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

Tammy Brawn provided the library's proposed FY' 13 budget with a revenue sheet as projected by the city and expenditures determined by the Library Board. Brawn said the board is asking the county to provide the library with the five mills agreed to in the City/County Compact, as well as additional funds in the amount of approximately \$17,000 to make up the projected \$33,822 the library will be short. Janet Bernthal, museum board, said the board wants to increase library employee wages and benefits, as they are much lower than most other similar-sized libraries.

Commissioner Durgan said he feels the library is an important asset to the community and the county needs to step up to the plate to fund it, but how to do that will take some figuring. Commissioner Taylor said he is confident the county can meet the board's financial request, as it is not unreasonable and the board has done a good job of trimming its budget where it can. Taylor said the county is willing to provide the approximately \$17,000 if the city of Livingston will pay the other needed \$17,000.

In public comment, Citizen Bill Moser said he feels it is very disconcerting when the county commissioners give themselves raises when Park County citizens who pay county workers' wages have taken a 30-percent loss. Commissioner Durgan said the commissioners have never had a wage increase since he has been on the board beyond Cost of Living Adjustments (COLA), which, when granted, are given to all county employees. Moser said it is not right for government workers to give themselves a COLA by reaching in someone else's pocket to grease their own.

Moser said he attends the library three nights a week primarily to use computers. He said he has addressed the library board and management with no positive response regarding his opinion the library is over-staffed with three librarians. He said three librarians function less effectively than do two. Moser said another issue is people with no computer knowledge physically turning off computers in the middle of someone's work session resulting in lost data. The board asked Moser to file a complaint with Brawn specifically naming the person who has turned off computers. Moser said he had already made such a complaint.

Brawn said the library's policy is to have a minimum of two paid staff working at one time due to building size and possible public and staff safety issues. She said librarians do more than man the front desk, thus at times three librarians are on staff at one time.

@3:00:23 p.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

Voided Checks

Claims #s: 74615; 74770; 74771; 74772; 74885; 75014; 75096

June 1, 2012

9:00 A.M. – Commissioner Taylor at Wilsall to Hear Area Residents Concerns – Val’s Mercantile, Wilsall

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

10:00 A.M. – County Healthcare Benefits Open Enrollment – Community Room

10:30 A.M. – Commissioner Taylor at Clyde Park to Hear Area Residents Concerns – Town Hall, Clyde Park

1:00 P.M. – Special Solid Waste Board Meeting – Commission Chambers – Canceled

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

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

Denise Nelson  
Clerk & Recorder  
Park County, Montana