

Park County Commission Meeting Minutes
Week of November 19 – 23, 2012
Park County, Montana

November 19, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:30 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, administrative assistant; Shannan Piccolo, civil deputy county attorney; Ed Hillman, road; Kelly Johnson, maintenance; Dann Babcox, PCRFD#1; John Kaiser, SWB. No public comment made.

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

Kelly Johnson, maintenance, said ACE Roofing faxed an invoice in order to get roof repair materials purchased and asked if he should pay the entire amount and then ask the city of Livingston for reimbursement for its share. The Commission said Johnson should proceed that way.

Correspondence included:

- Memo email re. citizen KPRK Bridge project comment
- Memo email re. December 4 Main Boulder Road project reflection meeting
- Memo document re. MDT county bridge inspection report
- Memo document re. \$7,500 Park County 2013 budget allocation
- Memo email re. software addendum
- Memo email re. PERS Board
- Memo email re. fire warden fire emergency standard operations procedure
- Memo email re. MDT Aeronautics Division Yellowstone Airport
- Memo email re. DOWL HKM engineer introduction letter

Commissioner Durgan reported on a November 13 Senior Citizens meeting.

Raea Morris, administrative assistant, said Rick's Refrigeration cannot properly maintain the heating system in the lower level of the courthouse because employees are covering return air ducting and using space heaters.

Commissioner Malone said no revisions need to be made to the refuse truck and pup bid before it is submitted to the newspaper. Shannan Piccolo, civil deputy county attorney, said she can submit that bid once provided. She said a hearing for damages for the Peterson Creek Bridge project delay was moved to December 7.

Ed Hillman, road, said all road crewman will attend a winter maintenance and survival training on November 29 in Billings.

Malone said a backhoe was delivered to the Chico refuse site, and he and Solid Waste Board members compacted refuse at the site. Malone said the SWB feels operations need to change regarding the Gardiner green box site, particularly not driving a refuse truck there each day.

John Kaiser, Solid Waste Board, said the county needs to determine what it wants to do with the county transfer station building.

@9:15 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 19, 2012

9:00 A.M. – Review of Minutes for Week of November 12, 2012 – Commission Chambers – Postponed to November 27 at 11:00 a.m.

November 19, 2012

Discussion of Winter County Road Conditions with Road Department and Law Enforcement

@9:30 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Scott Hamilton and Tom Totland, PCSO; Shannan Piccolo, civil deputy county attorney; Ed Hillman, road; Dann Babcox, PCRFD#1; Greg Coleman, DES; Chuck Donovan and Rick Adams, citizens.

The meeting was scheduled to discuss winter county road conditions with the road department and emergency services.

Greg Coleman, Disaster and Emergency Services, said he developed a one-page Standard Operating Procedure (SOP) at the request of the Commission. Meeting attendees reviewed and provided revision comments for the document.

There was discussion about road closing procedures and the road department's role in those procedures. Undersheriff Scott Hamilton said it comes down to what personnel are available when an emergency occurs within another emergency. Commissioner Malone said such is the point when private contractors are called out to assist. Ed Hillman, road supervisor, said road crewmen response time to emergencies will be poor when the KPRK Bridge replacement project commences. Hamilton said he does not want to have to direct the road department resources every time there is snowfall. Malone said emergency services will not be told "no" by the road department when it asks for assistance during a snowstorm. Malone said he thinks an incident commander should be

in charge of such event. He said law enforcement needs to direct the road supervisor as needed if another heavy snow event occurs like that of a couple of Thanksgivings ago. Hamilton said arteries have to be kept open, regardless, during a high snowfall event. Hillman said he does not have enough personnel to keep crewmen on 24 hours and needs to know what law enforcement considers an “artery” road.

Commissioner Durgan said refuse personnel are not cleared to run road graders or snowplow trucks. Babcox asked how the county can get those employees qualified to run such equipment. Coleman said road and refuse supervisors were not willing to train their employees following the state procedure to train on equipment in an on-the-job situation.

Malone said he wants Coleman to take the lead on putting something on paper so everyone knows SOP. He said all county refuse personnel will have Class A CDL licenses by the end of January. Coleman said he will start with Hillman’s regular schedule and who could work on a 24-hour basis in order to determine what additional resources will be needed in an emergency situation.

Lieutenant Tom Totland said the sheriff’s office researches storms and begins the planning process and strategy before the event occurs. He said Hillman can talk to the PCSO with questions and participate with that same type effort. Hillman said such causes him a dilemma, because school routes must be opened as first priority.

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

November 19, 2012

Selection of Fair Board Applicants

@11:00 a.m., Commissioner Durgan called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Kim Knutson, fair; Jill Ouellette, HR; Mike Adams and Ed Flatt, fair board; Greg Durham, citizen. No public comment made.

The meeting was scheduled to select Fair Board applicants.

Kim Knutson, fair manager, said the Park County Fair Board Interviewing Panel recommended Kelli Brandal, Bob Skillman, Jim Sykes and Alice Williams to sit on the Fair Board after interviews were held for five applicants to fill four board seats.

Jill Ouellette, HR, provided a report on how the interviewees performed in the interviews.

Commissioner Malone moved to accept the recommendation to the Park County Fair Board. Commissioner Durgan seconded the motion. Motion passed.

@11:04:55 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

November 20, 2012

Road Updates/Engineering Services Updates

@8:00 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Mark Westenskow, CTA; Brenda Adams and Gary Barnhart, citizens.

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

Commissioner Malone said Road Supervisor Ed Hillman is in Idaho picking up a recently purchased water truck for the road department.

Mark Westenskow, CTA Engineering, reported on CTA's engineering work for Park County, including the Peterson Creek Bridge, drilling on Rock Creek Road and Gardiner Gateway Project planning.

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

November 20, 2012

Discussion/Status of Fleshman Creek Project

@8:30 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Mark Westenskow, CTA; Brenda Adams, Mike Adams and Gary Barnhart, citizens.

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

Mark Westenskow, CTA Engineering, said draft final project design drawings are available for public review, and a public meeting would be held on November 27 at 3:00 p.m. to discuss any proposed plan revisions.

Civil Deputy County Attorney Shannan Piccolo said a Montana DNRC employee is unwilling to sign a document expressing his/her opinion regarding required access to private properties for projects paid for with public funds, such as the Fleshman Creek project, as expressing such opinion would be providing a legal opinion to a private citizen, which he/she is not permitted to do.

@8:52:06 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 20, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:00 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, administrative assistant. No public comment made.

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

Commissioner Malone said county employees were driving to Custer County that day with payment to pick up a 1992 International dump truck purchased with a two-way play plow. Commissioner Durgan said the purchase was for \$20,000.

Correspondence included:

- Memo facsimile re. Park County purchase of Custer County
- Memo email re. citizen trespassing complaint
- Memo email re. Angel Line Board member application
- Memo email re. legislators and commissioners training
- Memo document re. CDBG grant worker's compensation documentation
- Memo email re. Planning and Development Board applicant appointment meeting
- Memo email re. refuse truck advertisement
- Memo email re. hazard mitigation grant program
- Memo email re. MANIA donation "thank you"
- Memo email re. PCSO emergency services protocol concerns
- Memo email re. Gallatin Mental Health personnel retirement

@9:15:18 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 20, 2012

Department Head Meeting

@9:30 a.m., Commissioner Malone called a meeting to order in the Community Room. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Lani Hartung, finance; Clay Williams, weed; Kelly Johnson, maintenance; Paul Shea, museum; Martha Miller, auditor; June Little, clerk of court; Linda Budeski, JP; Suzanne Brown, health department; Warren Newhouse II, refuse; Ed Barich, schools; Jill Ouellette, HR; Denise Nelson, clerk and recorder; Barbara Woodbury, environmental health. No public comment made.

The meeting was scheduled as a department head meeting.

Employee of the Quarter: Jill Ouellette, HR, said she did not receive votes from all three panel members, but three choices were submitted and a selection would be announced at the December meeting.

Email Etiquette: Ouellette provided pamphlets titled “Email Etiquette,” “Top Six Reasons Employees Get Fired,” and “How to Identify a Lousy Boss – Is It You?” for review.

In-House Employee Training through Human Resources Department: Ouellette said she is working on creating a training DVD library for employees, which can provide skills in dealing with difficult people and situations in the work place.

Ouellette said NACO is attempting to provide cheaper prescription drugs for Montana residents through a free prescription discount drug card. She asked department heads to assist in educating citizens about the program and distribute flyers.

Kelly Johnson, maintenance, read into the record a safety short titled “Ten Little Fingers,” which read, in part, your hands are the key to your work, so protect them. Most serious hand injuries happen while working on machinery, so ensure all protective devices are in place and used. Wear correct hand protection. Rings and metal watch bands should not be worn while working, as they can catch on objects and are dangerous electricity conductors. Use common sense to avoid hand injuries, and seek First Aid attention for all hand injuries.

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

Public Comment: None

The next Department Head meeting is scheduled for December 18, 2012.

@9:24:50 a.m., the meeting adjourned.

November 20, 2012

Human Resource Department Updates

@10:30 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present was Jill Ouellette, HR. 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 a PCSO lieutenant with a longevity pay anniversary and an employee working part time in the weed department.

Ouellette provided protocol on terminating employees within probationary periods. Ouellette said employees have rights and must be provided the opportunity to improve upon unsatisfactory performance and written explanation for termination.

There was discussion about chairing Commission meetings and putting employee handbook and other efforts on hold in Commissioner Taylor's absence.

@10:47:11a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

November 20, 2012

Opening of Bids for Sheriff Vehicles

@11:00 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Shannan Piccolo, civil deputy county attorney; Scott Hamilton, PCSO; Ted Kraus, Yellowstone Country Motors. No public comment made.

The meeting was scheduled to open bids for sheriff's office vehicles.

Commissioner Malone opened sealed bids from Billion Dodge with a total bid of \$138,757; Yellowstone Country Motors with a total bid of \$106,223; and Vito Enterprises with a total bid of \$121,103.

The bid was published for two full-size Dodge pickup trucks and one Dodge Durango.

Commissioner Durgan moved to have legal counsel and the sheriff's office review bids to determine if each bidder met specifications. Commissioner Malone seconded the motion. Motion passed.

@11:14:08 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 20, 2012

General Election Canvassing

@1:30 p.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Denise Nelson, clerk and recorder; Kevin Larkin, treasurer. No public comment made.

The meeting was scheduled to canvass general election results.

The canvassing panel reviewed all election results and signed documentation provided by Clerk and Recorder Denise Nelson stating it reviewed all election results.

@2:29:53 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 20, 2012

6:00 P.M. – Fair Board – Fairgrounds Office – Commissioner Durgan attended

November 21, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@8:30 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Raea Morris, administrative assistant; Clint Tinsley, city of Livingston. No public comment made.

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

Correspondence included:

- Memo email re. MDT CTEP 2012 allocations and local contact designation
- Memo document re. Fleshman Creek Project Montana DNRC contract language
- Memo email re. sheriff's office vehicle bids
- Memo document re. audit findings draft copy
- Memo email re. road department computer request
- Memo document re. House of Clean order
- Memo email re. MACo 2013 mileage reimbursement rate
- Memo email re. Airport Board decision appeal meeting agenda
- Memo email re. citizen open cut mining act comments

Commissioner Durgan said he will respond to a citizen request for gravel in potholes at the Clyde Park green box site.

@8:41:36 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 21, 2012

Comparison of Budget to Actual Expenditures and Revenue as of October 31, 2012

@9:00 a.m., Commissioner Malone called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Malone were present. Also present were Martha Miller, auditor; Raea Morris, administrative assistant; Kevin Larkin, treasurer; Lani Hartung, finance; Clint Tinsley, city of Livingston. No public comment made.

The meeting was scheduled to review budget to actual expenditure and revenue comparisons as of October 31, 2012.

Lani Hartung, finance director, provided a report for review. Hartung said Treasurer Larkin is not balancing his cash accounts to the general ledger as requested by the auditors, which is why she no longer presents that report to the Commission. Auditor Martha Miller said the issue is an on-paper error, and she is working with Larkin to remedy the error, which will require some time to develop a process. Larkin said he thinks the error is due to credit card transactions, which he has encountered twice.

@9:20:18 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 21, 2012

Discussion/Decision on Audit Findings for November 31

@9:30 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Martha Miller, auditor; Raea Morris, administrative assistant; Lani Hartung, finance; Clint Tinsley, city of Livingston; Wes Venteicher, Livingston Enterprise. No public comment made.

The meeting was scheduled to consider audit findings.

Lani Hartung, finance, provided a draft audit findings report, which included seven findings. Hartung reviewed each finding. Commissioner Malone said he thinks the Commission should have a public meeting with Olness and Associates before the report is submitted.

@10:04:11 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 21, 2012

Signing of Memorandum of Understanding Between Search and Rescue and the Park County Commission for Payment on an Intercap Loan

@10:30 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present was Allan Lutes, PCSO; Raea Morris, administrative assistant; Wes Venteicher, Livingston Enterprise. No public comment made.

The meeting was scheduled to sign a memorandum of understanding (MOU) between Search and Rescue (SAR) and the Park County Commission for payment on an Intercap Loan.

Commissioner Durgan said the MOU will allow for use of Burlington Northern settlement funds to guarantee payment of an Intercap Loan, which was applied for to pay for building a new SAR building.

Commissioner Malone said the MOU does not contain language stating the new building will be a county building available for other uses. Sheriff Allan Lutes said any requested use of the building would be carefully considered and monitored by PCSO once determined and authorized as appropriate by PCSO. Malone said he has concern with the new SAR building being titled the new SAR building. Lutes said he thinks it is appropriate to add one sentence to the MOU stating the new SAR building would be available for functions as authorized by the Park County Sheriff.

Commissioner Durgan moved to sign the MOU between Search and Rescue and the Commission for payment of the Intercap Loan with additional language offered by the Sheriff's Office. Commissioner Malone seconded the motion. Motion passed.

@10:45:03 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

November 22, 2012

Thanksgiving Day Holiday – All Offices Closed

November 23, 2012

No Commission Meetings Scheduled

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

Denise Nelson
Clerk & Recorder
Park County, Montana