

Park County Commission Meeting Minutes
Week of September 10 – 14, 2012
Park County, Montana

September 10, 2012

Daily Correspondence and Agenda

@8:37:04 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 the daily agenda and correspondence.

Correspondence included:

- Memo email re. September 11 JSEC breakfast
- Memo document re. September 13 PERS meeting
- Memo email re. NACO county Public Information Officer list
- Memo email re. city logo design meeting
- Memo email re. Branding Livingston billboard funding
- Memo email re. FSA emergency loans
- Memo email re. Nittany Grantworks Fleshman Creek funding efforts
- Memo documents re. Pine Creek Fire update

@8:42:37 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 10, 2012

Review of Minutes for Week of September 3, 2012

@9:16:26 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 September 3, 2012.

Commissioner Malone requested a revision to Page 1 of 12, noting the correct spelling of Crevice Road. On Page 3 of 12, the final paragraph should read, "Commissioner Malone moved to put the 16.97 mills into the final budget form. Commissioner Taylor seconded the motion. Motion passed." On Page 9 of 12, the first paragraph should read, "Commissioner Malone said the county needs to address a road crewman safety concern

with using a Caterpillar dozer for fire protection efforts. The Commission said the bulldozer is not to be used for fire work.

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

@9:21:22 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 10, 2012

Discussion/Decision of Mill Creek Bank Stabilization Project Close-Out

@9:33:14 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Shannan Piccolo, civil deputy county attorney; Parks Frady, CTA; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider Mill Creek Bank Stabilization Project closeout documents.

Parks Frady, CTA Engineering, provided an original copy of closeout documents for signature, which included a work change directive based on material lost along the stream bank due to spring water runoff.

Commissioner Malone moved to sign the presented documents for close out of the Mill Creek Bank Stabilization Project and the change order for three-inch plus gravel. Commissioner Taylor seconded the motion. Motion passed.

@9:47:11 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 10, 2012

Discussion of Resolution Establishing Justice of the Peace as Court of Record

@1:31:03 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; Jill Ouellette, HR; Kathy Carrick, deputy county attorney; Linda Budeski, justice court; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss a resolution establishing the Justice Court as a court of record.

Linda Budeski, justice of peace, said her court experienced 10 appealed cases in 2010; seven in 2011 and already 13 in 2012. She said appeals double the work load for the state, county attorney, law enforcement officers, judges and costs for jurors between \$300

and \$700 for each jury. She said establishing the justice court as a court of record would create a substantial savings or reimbursement to the county, as it would enable a judge to listen to a court case recording and determine whether a case is appealable, which currently is not possible. Budeski said the city of Livingston court will be a court of record by October, and she would like to purchase a Vision Net at \$6,985 for JP Court use only if it were to become a court of record.

Commissioner Durgan said he would like to have more time to research other Montana counties' interest in courts of record. Civil Deputy County Attorney Shannan Piccolo said it may be positive for the Commission to discuss the issue at its MACo convention at the end of the month. Currently in Montana, the city of Red Lodge, and Missoula, Lewis and Clark and Yellowstone Counties are all courts of record.

The Commission said it will discuss the issue at its MACo convention.

@2:00:04 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 10, 2012

2:30 P.M. – Local Advisory Committee – Mental Health Drop-In Center, Livingston – Commissioner Taylor attended

3:00 P.M. – Angel Line Board – East Room – Commissioner Malone attended

September 11, 2012

County Road/Engineering Services Updates

@8:06:15 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; Mark Westenskow, CTA; Brenda Adams, citizen; and John Mueller, minutes clerk.

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

Ed Hillman, road supervisor, said road crewmen recently graded Convict Grade, Swingley, Cinnabar and the upper end of Old Yellowstone Trail roads.

Citizen Brenda Adams asked when the county will remove debris from the Springdale Bridge.

Mark Westekskow, CTA Engineering, provided a report of CTA's engineering work for the county.

@8:24:05 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 11, 2012

Discuss Status of Fleshman Creek Project

@8:32:42 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; Mark Westenskow, CTA; Clint Tinsley, city of Livingston; Brenda Adams, Gary Barnhart, Sandra and Tim Tangan, citizen; and John Mueller, minutes clerk.

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

Mark Westenskow, CTA Engineering, said CTA has been meeting with individual landowners along Fleshman Creek to gather as much public comment as possible before the September 13 public meeting. He said discussions have taken place with the school district, St. Mary's Catholic Church, Girl Scout camp, Livingston Enterprise building and residents living in the View Vista trailer park. Westenskow said CTA also had a good meeting with the city on September 10 to discuss project costs, and Nittany Grantworks is going to assist the county with seeking project funding. He said mid October may be ambitious as a final design completion date.

Citizen Gary Barnhart said he wants to hear why contaminated soil initially stated to be taken away will be dumped on landowner properties. He said other citizen concerns are a 60-foot corridor width and the meandering design of the stream.

Citizen Sandra Mangan said she is glad Westenskow came and talked to landowners about the project. She asked how in-kind work is calculated in the event her husband fells trees that need to be removed.

Clint Tinsley, city of Livingston, said the city is proposing sidewalks on both sides of the street on Main and H Streets with nothing less than 12-foot driving lanes. Barnhart asked how his water line will be fixed if a sidewalk is put on both sides of H Street. He said he would like to install a new line if a sidewalk is put on both sides of H Street and needs to know the project timeline in order to complete that work in advance of sidewalk construction.

@8:48:44 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 11, 2012

Correspondence/Agenda and Briefing on Current County Projects

@8:30 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Greg Coleman, fire; 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. MACo injury claim
- Memo email re. Wilsall flu clinic dates
- Memo document re. CTA Peterson Creek task order
- Memo email re. MACo door prize drawing
- Memo email re. September 18 ITAC meeting
- Memo email re. courthouse building spider traps
- Memo document re. September 10 Pine Creek Fire update

Greg Coleman, county fire, provided an update of a Pine Creek Fire close out meeting.

Commissioner Taylor reported on a September 10 Local Advisory Committee meeting.

Commissioner Malone reported on September 10 Angel Line and fire stakeholder meetings.

There was discussion about commissioning a water truck for road grading.

@8:54 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 11, 2012

Human Resources Department Updates

@10:30 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 working in a department that was disbanded the previous week, two temporary workers in the road department, an employee whose position was eliminated at the end of the fiscal year; a memo requested from the Commission the previous week; and a damaged water truck insurance claim.

Ouellette said the Commission's administrative assistant can begin working on a training database. She provided factoids from Personnel Plus and information from a mandatory drug testing course.

@10:52 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 11, 2012

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

September 12, 2012

Correspondence/Agenda and Briefing on Current County Projects

@8:39:03 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 the daily agenda and correspondence.

Correspondence included:

- Memo email re. September 11 lifting of Pine Creek Fire evacuation orders
- Memo email re. Gardiner Gateway Project meetings schedule
- Memo email re. HR training database assistance
- Memo email re. Quonset hut PCSO locked gate issue
- Memo email re. copy machine toner scam
- Memo email re. MACRS road seminar schedule
- Memo email re. MACo online survey
- Memo email re. Pine Creek Fire update
- Memo document re. CTA Engineering Peterson Creek culvert project task order

Commissioner Taylor reported on a September 11 Senior Citizens meeting.

@8:53:34 a.m., the meeting adjourned.

September 12, 2012

Discussion/Decision of Bear Problems at Green Box Refuse Sites

@9:30:25 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan and Taylor were present. Commissioner Durgan moved to recess the meeting until 10:00 a.m. when the refuse manger could be present. Commissioner Taylor seconded the motion. The meeting recessed. @10:08:03 a.m., the meeting reopened. Also present were Warren Newhouse, refuse; Jill Ouellette, HR; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Dann Babcox, PCRFD#1; Bob Currie, SWB; and John Mueller, minutes clerk. No public comment made.

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

Warren Newhouse, interim refuse manager, said the biggest bear problem exists at the Forest Service green box site on Strong Lane. He said it took a refuse worker 90 minutes

that morning to clean up 34 bags of garbage removed from containers and strewn about within and outside of the green box area. Newhouse said the Deep Creek site again was a mess, but refuse was not spread onto an adjacent resident's property. He said he recommends the county close the Deep Creek site, remove the refuse boxes, close the gate and erect a sign explaining the issue. The Commission said it will put a notice in the newspaper that the Forest Service site may be closed in the near future, as well.

Commissioner Durgan moved to close the green box site and pull boxes at Deep Creek until further notice and instruct the refuse manager to erect a "Site Closed" sign instructing residents where to take their garbage. Commissioner Taylor seconded the motion. Motion passed.

Newhouse said he will approach the newspaper noting the county may close the Forest Service site in the future due to bear issues. There was discussion about closing the site during the nighttime hours.

Commissioner Durgan moved to instruct the refuse supervisor to initiate the process and notify the newspaper the Forest Service green box site gates will be closed at night and opened in the mornings until further notice. Commissioner Taylor seconded the motion. Motion passed.

The Commission directed the refuse manager to order another "Site Closed" sign, and the Forest Service site will be closed each night by refuse staff at 7:00 p.m. and opened at 7:00 a.m.

In other discussion, there was discussion about a temporary Chico green box site location in Pine Creek for residents to dispose of debris damaged in the Pine Creek Fire. The hours of operation of the Pine Creek Fire Debris Disposal Site were determined to be 8:00 a.m. to 4:00 p.m., seven days a week. Newhouse said boxes may be delivered to the site that day. Jill Ouellette, HR, said an issue with bears and blowables may arise if residents leave refuse lying around the temporary site. The Commission said they intend to only allow fire-damaged debris.

@10:30:41 a.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 12, 2012

10:30 A.M. – Discussion/Decision on Revised Personnel Policy Handbook –
Commission Chambers - Canceled

September 13, 2012

Correspondence/Agenda and Briefing on Current County Projects

@8:30 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 Shannan Piccolo, civil deputy county attorney. No public comment made.

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

Correspondence included:

- Memo email re. city street crossing response
- Memo email re. Montana mutual aid narrow banding
- Memo email re. September 12 Pine Creek Fire update
- Memo email re. administrative assistant out of office protocol
- Memo email re. August Safety Committee minutes
- Memo email re. September 20 Dispatch 911 meeting
- Memo email re. Jefferson County block management coordination meeting
- Memo document re. Gardiner Gateway Project quarterly executive meetings
- Memo email re. September 14 SWB agenda and Sept 7 minutes
- Memo document re. DOWL HKM professional services invoice
- Memo email re. Yellowstone River floodway map
- Memo document re. fire mills
- Memo email re. FWP recreational use lessees
- Memo email re. cell phone tower leases
- Memo documents re. CTA Engineering invoices
- Memo email re. RC&D RD 533 HPG grant award
- Memo document re. Public Information Request
- Memo document re. September 25 Great West Engineering party
- Memo email re. citizen Miller Drive Bridge and signage inquiry

Commissioner Malone reported on a September 12 meeting with Yellowstone National Park officials to discuss snow plowing on Sylvan Pass and refuse issues.

@9:00:21 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

September 13, 2012

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

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

September 13, 2012

Discussion/Decision on Solid Waste Board (SWB) Recommendations from September 7 SWB Meeting

@11:40:46 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Bob Currie, SWB; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider Solid Waste Board (SWB) recommendations from its September 7, 2012, meeting.

Commissioner Taylor said the Commission has two recommendations from the SWB on which to act.

Commissioner Malone moved to reduce the landfill fee for county citizens from \$42 to \$12, charge refuse dumped at the landfill as it is dumped, and eliminate the one ton. Commissioner Durgan seconded the motion. Motion passed unanimously.

Commissioner Malone moved to change the fee schedule and operating hours at the county landfill to establish restricted hours and access to reduce the operating costs at the landfill. Commissioner Durgan seconded the motion. Motion passed unanimously.

@11:47:19 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

September 13, 2012

Update on Healthcare Reform Act with MACo Representative

@1:05:40 p.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; Pam Walling and Traci Thatcher, MACo HCT; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as an update on Healthcare Reform changes.

Pam Walling of MACo Healthcare Trust introduced Traci Thatcher as the new representative serving Park County. Walling said many things could still change with regards to the insurance policies and requirements as affected by the Healthcare Reform Act, as nothing has been set in stone for 2014. Walling said reform changes require counties to give employees advanced 60-day notice if they plan to change anything with county employee health benefit offerings.

@2:02:25 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

September 13, 2012

2:00 P.M. – Mill Creek Water District Special Meeting – Arrowhead School Library

7:00 P.M. – Review of Fleshman Creek Project Public Comment Meeting – Community Room

September 14, 2012

8:30 A.M. – Correspondence/Agenda and Briefing on Current County Projects – Commission Chambers – Canceled

1:00 P.M. – Solid Waste Board – Community Room – Meeting minutes available at www.parkcounty.org and in the Commission Office

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

Denise Nelson
Clerk & Recorder
Park County, Montana