

Park County Commission Meeting Minutes
Week of September 3 – 7, 2012
Park County, Montana

September 3, 2012

Labor Day Holiday – All Offices Closed

September 4, 2012

Road Updates/ Engineering Services Updates

@8:23:22 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Mark Westenskow, CTA; Brenda Adams, David DePuy and Mike Werner, citizens; and John Mueller, minutes clerk.

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

Mike Werner, citizen, said he purchased mineral rights to ten claims on Crevice Mountain in Jardine and wants to enter into a small miners exemption and start mining there next year. He said currently the county road is impassible and would like to know the Commission's vision in fixing the road or changing its location so he can access his mining claims. He said he will open the old county road if that is a preference. The Commission said it will schedule a meeting to discuss the issue.

Mark Westenskow, CTA Engineering, reported on CTA's engineering service efforts for Park County.

@8:47:09 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 4, 2012

Discussion/Status of Fleshman Creek Project and Project Budget

@8:47:14 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; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Raea Morris, administrative assistant; Mark Westenskow, CTA; Brenda Adams and Gary Barnhart, citizens; and John Mueller, minutes clerk.

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

Mark Westenskow, CTA Engineering, confirmed a September 13 public meeting scheduled as a follow-up meeting from a previous public meeting. He said CTA had a good meeting with the school district the previous week about sewer infrastructure options. Commissioner Taylor said the city of Livingston is working with Nittany Grantworks in attempt to find funding to assist the county with the project.

Citizen Gary Barnhart asked how citizens should cooperate with the project if the city does not attend any meetings to provide input.

@8:58:39 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 4, 2012

Daily Correspondence and Agenda

@9:08:52 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; and John Mueller, minutes clerk. No public comment made.

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

Correspondence of August 31 included:

- Memo document re. completed RAC grant application
- Memo document re. tax levy resolution
- Memo document re. fire road closure resolution
- Memo document re. Prospera Business Network funding request
- Memo email re. refuse assessment request

Correspondence of September 3 included:

- Memo email re. Sept 10 Mill Creek Bank Stabilization close out project meeting
- Memo documents re. August 31 Pine Creek fire updates
- Memo email re. economic development director out of office schedule
- Memo email re. Sept 10 Angel Line meeting agenda
- Memo email re. CTA Gardiner Gateway Project public meeting
- Memo emails re. Pine Creek fire evacuations updates
- Memo email re. Main Boulder Road

Road Supervisor Ed Hillman said five road crewman will attend an LTAP snow rodeo training in Billings on September 5.

@8:27:11 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 4, 2012

9:30 A.M. – Review of Minutes for Week of August 27, 2012 – Commission Chambers – Rescheduled for September 7, 2012

September 4, 2012

Signing of Department of Public Health Home Visitation Contract

@10:31:52 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 sign a Department of Public Health home visitation contract.

Commissioner Durgan said the contract runs for the current fiscal year of July 1, 2012, through June 30, 2013.

Commissioner Malone moved to approve the contract. Commissioner Durgan seconded the motion. Motion passed.

@10:32:53 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 4, 2012

Discussion/Decision on Fire District Mill Levies

@11:01:31 a.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; Lani Hartung, finance; Courtney Lawellin and Dann Babcox, PCRFD#1; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider fire district mill levies.

Courtney Lawellin, Park County Rural Fire District #1 (PCRFD#1) board, said the board submitted a letter to the county commission requesting 16.97 mills for the next fiscal year. Commissioner Taylor said the Commission agreed to the letter.

Finance Director Lani Hartung said she talked with the Wilsall Fire Department, which will send a letter requesting mills by the September 6 deadline. Hartung said Wilsall Fire has \$6,000 in a newly created Capital Improvements Plan fund.

Commissioner Malone moved to put the 16.97 mills into the final budget form. Commissioner Taylor seconded the motion. Motion passed.

Malone said the Commission has not heard from the county attorney, so it will go with the legal opinion is has from a MACo attorney.

@11:15:57 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 4, 2012

Selection of County Post-Election Audit Committee

@11:30:42 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Denise Nelson, clerk and recorder; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to select a post-election audit committee.

Clerk and Recorder Denise Nelson said Martha Miller, auditor, and Lani Hartung, finance, are willing to serve on the committee. Nelson said she would like to have a third county employee appointed to the committee, as she would like to assist the committee if needed. She said she will ask Clerk of Court June Little if she can sit on the committee, and Commissioner Durgan will sit on the committee if Little is not available.

Commissioner Malone moved to appoint Lani Hartung, Martha Miller and June Little to the election audit committee. Commissioner Taylor seconded the motion. Motion passed. Commissioner Durgan abstained from voting.

@11:33:02 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 5, 2012

Review of Daily Correspondence and Agenda

@8:33:14 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were 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. Pine Creek Fire update
- Memo document re. citizen delinquent tax issue
- Memo email re. MACo performance evaluation request
- Memo email re. September 7 SWB meeting agenda
- Memo email re. Bear Creek Council green box compactor site variance request

- Memo email re. Forest Service RAC project requests

Commissioner Durgan said he met with hospital staff on September 4 during which the Commission was invited to a meeting on September 11 to discuss support for a new hospital project.

Durgan said a citizen commented with concerns of Old Yellowstone Trail North road maintenance.

@8:51:39 a.m., Taylor moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 5, 2012

9:00 A.M. – Discussion/Decision of Bear Problems at Green Box Sites in Park County – Commission Chambers – Postponed to September 13 @ 9:30 p.m.

September 5, 2012 City/County Meeting

@9:33:04 a.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Ed Meece, city of Livingston; James Bennett and Adam Stern, city commission; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss joint activities between the city of Livingston and Park County.

Janitorial Contract: Ed Meece, city manager, said the city is still very concerned about janitorial services received in the courthouse. Meece read into the record complaints from the city about janitorial services. Commissioner Taylor said he walked through all building areas with the janitors and he reports all complaints to the janitors the following day. He asked the city to report concerns immediately.

Update on City/County Compact: The committee is awaiting a decision from the county regarding its solid waste operations.

Fleshman Creek Update: Taylor said a public meeting with CTA Engineering is scheduled for September 13, and the project is nearing a point where the county needs to know from the city how it wants Main and H Street creek crossings to look regarding sidewalks. Meece said he will submit a written letter to CTA as to what the city would like the crossings to look like, and he will talk with Mark Westenskow of CTA to shore up communication on the issue. Meece said Nittany Grantworks needs a letter from the county commission asking for the city to use part of its monthly hours to retain Nittany to investigate funding options for the Fleshman Creek project.

City Growth Policy Update: Adam Stern said he will provide a report on the effort when it is completed.

Courthouse Doors: Taylor said he would meet with a locksmith that day to discuss building door costs. He said entry doors will have timed security to lock at 5:00 p.m. and open at 7:00 a.m.

Donut Zoning District Update: Taylor said no donut zoning district exists at the present time. He said no neighborhoods have come forward to request zoning.

@10:40:49 a.m., the meeting adjourned.

September 5, 2012

10:30 A.M. – Claims Review – Commission Chambers

11:00 A.M. – Discussion/Decision on Gardiner Gateway Project PER Funding Request – Commission Chambers – Canceled

11:00 A.M. – Airport Board Meeting – Airport Board Consideration of Gardiner Airport Airport Affected Area Variance Request – Community Room

September 5, 2012

1:30 P.M. – City/County Compact – Community Room

September 5, 2012

Approval of 2013 School Year Budget and Verification of School Mills

@1:34:41 p.m., Chairman Taylor called a meeting to order in the Commissioners Chambers. Commissioners Durgan, Malone and Taylor were present. Also present were Ed Barich, superintendent of schools, Lani Hartung, finance; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to approve the 2013 school year budget and verification of school mills.

Ed Barich, county superintendent of schools, provided budget breakdowns and total mill requests for each school district in the county.

Commissioner Malone moved to approve the three mills the Commission has authority to approve. Commissioner Durgan seconded the motion. Motion passed.

@1:57:19 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 5, 2012
Human Resources Updates

@2:01:16 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; 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 a change of status form for a clerk of court employee. Ouellette provided updates from the National Labor Relations Board, harassment policies, labor law violations, and an administrative assistant webinar. She said a local job listing with Billion Auto for a mechanic pays between \$15 and \$24 per hour with one week of vacation for the first five years of employment. She said a second mechanic job is listed from \$12 to \$18 per hour, and a third job is listed at \$16 per hour. She said a new discount prescription card application with Caremark has been filed and is on target to get underway for Park County residents December 1st.

Ouellette said she reviewed two draft sections of the newly revised county personnel policy handbook as provided by contractor Jim Nyes. She said Nyes would like to meet with the Commission during the Week of September 17 to discuss his progress.

@2:10:05 p.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 5, 2012
Signing of Professional Services Contract with Rick's Refrigeration for HVAC Maintenance

@2:31:20 p.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; Shannan Piccolo, civil deputy county attorney; Kelly Johnson, maintenance; Brenda and Rick Leckner, Rick's Refrigeration; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a professional services contract with Rick's Refrigeration for HVAC maintenance services.

Commissioner Durgan moved to sign the professional services contract with Rick's Refrigeration for HVAC maintenance for the courthouse for the Fiscal Year 2012/2013 timeframe. Commissioner Taylor seconded the motion. Motion passed.

Rick Leckner of Rick's Refrigeration said flame safety switches are no longer available for A/C units on the courthouse roof, so he will research options before cold weather.

@2:35:05 p.m., Durgan moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 5, 2012

3:00 P.M. – Parks Board – East Room

September 6, 2012

Daily Correspondence and Agenda

@8:34:29 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; Greg Coleman, fire; Craig Campbell, DNRC (via telephone); 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. September 8 Pine Creek Fire community fundraiser
- Memo email re. September 4 Pine Creek Fire update
- Memo email re. Eastern Montana Development Forum
- Memo letter re. citizen delinquent tax issue
- Memo email re. Department of Homeland Security thermal imaging technology
- Memo email re. September 5 Pine Creek Fire update
- Memo document re. Commissioner Malone mileage reimbursement
- Memo document re. invoice for emergency opening of Bannack Trail
- Memo document re. Yellowstone River debris removal 124 permit
- Memo document re. FAA Livingston Airport project closeout documentation
- Memo document re. Commission postage meter log
- Memo document re. county auditor quarterly report
- Memo document re. Enterprise Sales roll off boxes invoice
- Memo document re. Montana DEQ 2012 sanitarian award nomination
- Memo emails re. citizen road condition complaints
- Memo email re. MSU Extension wildfire/drought informational meetings
- Memo document re. September 5 Pine Creek Fire Incident Protection Plan

The Commission reviewed citizen road maintenance complaints with Road Supervisor Ed Hillman.

The Commission spoke with Craig Campbell with Montana DNRC (via telephone) to discuss reimbursement funds for county equipment use.

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.

@9:35:41 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 6, 2012

Discussion/ Possible Decision for Ongoing and Future Initiatives and Projects of the Economic Development Department

@11:02:17 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; Martha Miller, auditor; Philip Fletcher, economic development; Peter Fox, planning board; George Bauer, citizen; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider a decision on ongoing and future initiatives and projects of the Economic Development Department.

Commissioner Taylor read into the record a statement stating the Commission created and finalized roles and responsibilities of the Economic Development Department on February 8, 2012, a lot of those roles and responsibilities have been assumed or completed by other entities and the Commission cannot justify a full time economic development department at the present time.

Commissioner Taylor opened the floor to public comment. Peter Fox, planning and development board, said he and other county appointees to the Northern Rocky Mountain Economic District and planning board members stated through a written memorandum to the Commission that it may be in the county's best interest to contract with an entity with immediate experience with and access to the business community regarding economic development efforts given the county's finite available resources.

Commissioner Malone moved to accept the commissioner statements described prior to the public comment session as findings of fact. Commissioner Durgan seconded the motion. Motion passed unanimously.

Commissioner Malone moved, considering the findings of fact, the Commission eliminate the Park County Economic Development Department and continue all economic development initiatives through private contractors as a way to make economic development in Park County more efficient and to save taxpayer dollars. Commissioner Durgan seconded the motion. Motion passed unanimously.

Commissioner Malone moved to provide severance pay to Mr. Fletcher through the two week period after the present pay period. However, Fletcher will immediately vacate his office and return all Park County property immediately. The Commission will instruct

Accounting to mail Fletcher's severance pay that day, as well as calculate and provide pay for any annual leave and sick leave available to Fletcher and mail that that day, as well. Someone would accompany Fletcher to the office he was to vacate. Commissioner Durgan seconded the motion. Motion passed unanimously.

@11:10:08 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 6, 2012

1:00 P.M. – DOWL HKM Tour of Landfill for Future Engineering Considerations – Park County Landfill

September 7, 2012

Daily Correspondence/Agenda and Briefing on Current County Projects

@9:16:11 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; 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. Rock Creek Road Paving Project
- Memo email re. DRAFT Aug 10 SWB minutes
- Memo email re. city M Street Park meeting request
- Memo document re. September 6 Pine Creek Fire update
- Memo email re. Community Room fire information table
- Memo email re. September 26 Forest County Coalition meeting
- Memo email re. economic development director work schedule
- Memo document re. Main Boulder Road Resurfacing Bid award

Finance Director Lani Hartung discussed Title II funds and possible fire activity budget amounts for the next fiscal year. Hartung provided a document for Commission signature withdrawing funds from the Commissioners special projects budget.

@9:25:15 a.m., Malone moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

September 7, 2012

Review of Minutes for Week of August 27, 2012

@9:47:55 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 August 27, 2012.

Commissioner Taylor requested reference to Road Supervisor Ed Hillman be made clearer within meeting minutes.

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

@9:49:25 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

September 7, 2012

10:00 A.M. – eCivis Grants Network Web Meeting – Commission Chambers – Canceled

September 7, 2012

Awarding of Main Boulder Road Resurfacing Project Bids

@11:03:26 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; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to award a Main Boulder Road Resurfacing Project bid.

Commissioner Malone said the Commission opened project bids on August 30, those bids were reviewed by county legal counsel and Great West Engineering, and minor discrepancies were noted. Civil Deputy County Attorney Shannan Piccolo said some of the bids did not include documentation asserting the right to sign off on the bids, and other bids did not include attachments disclosing use of subcontractors. She said the county attorney's opinion is the irregularities are not major, and the Commission can elect to waive them if it wishes.

Commissioner Malone moved to waive the bid irregularities. Commissioner Taylor seconded the motion. Motion passed.

Commissioner Malone moved to go with Option 3 and award the bid to Tom Roe and Sons as the lowest bidder. Commissioner Taylor seconded the motion. Motion passed.

@11:05:55 a.m., Malone moved to adjourn the meeting. Taylor seconded the motion. The meeting adjourned.

September 7, 2012

11:00 A.M. – Outreach with Senator Testers Representative – Community Room –
Commissioner Durgan attended

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