

Park County Commission Meeting Minutes  
Week of April 22 – 26, 2013  
Park County, Montana

April 22, 2013

8:00 A.M. – Commissioner Malone @ Economic Presentation - First Interstate Bank, Livingston

April 22, 2013

Review Daily Correspondence/Agenda

@8:35 a.m., Commissioner Tinsley called a meeting to order in the Commission Chambers. Commissioners Durgan and Tinsley were present. Also present were Raea Morris, administrative assistant; Mary Anne Keyes and Tracy Mosley, MSU Extension; John Mueller, minutes clerk. No public comment made.

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

Correspondence for April 17 included:

- Memo email re. road petition tracking sheet
- Memo email re. Forest Service campground garbage services
- Memo document re. abandonment and alteration of Rock Creek Road legal opinion
- Memo document re. abandonment of Nelson Spring Creek Road legal opinion
- Memo document re. Montana FWP request for public comment on proposed mountain lion quotas
- Memo email re. SRS spending
- Memo email re. Dust Bunnies bid for interim janitorial services
- Memo document re. proposed SWB guidelines legal opinion
- Memo document re. JP judges training
- Memo document re. Gardiner Gateway Project citizen comments
- Memo email re. Tennis Association proposal

Correspondence for April 18 included:

- Memo email re. Week of April 22 road crewman work schedule
- Memo document re. drainage pipe price quotes
- Memo email re. city computer server work IT thank you
- Memo document re. illegal disposal letter legal opinion
- Memo email re. state City-County Complex health and safety visit report

- Memo document re. Arrowhead School property trade legal recommendation
- Memo document re. MDT special fuel users information

Correspondence for April 19 included:

- Memo document re. landfill open burning permit effective May 2
- Memo document re. ACOE Freshman Creek stream restoration correspondence
- Memo email re. CountySilo correspondence word search issues

Mary Anne Keyes asked the type of work, economic development and/or community development, the Commission wanted out of an MSU Extension Economic Development Agent position. Commissioners Durgan and Tinsley provided comments about how to move forward with a forthcoming revised job description for the position. The position was not filled after an interview process held the previous week. There was discussion about the proposed pay wage for the position and how it compared to similar economic development postings.

Keyes said ADA accessibility remodeling was nearly finished at the new MSU Extension Office space downtown. She said the city inspector inspected the work, but the space still needed to be painted and carpeted. The landlord will pay for a final deep cleaning.

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

#### April 22, 2013 Personnel Meeting

@9:36 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Belinda VanNurden, DES; Jill Ouellette, HR; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to address a personnel issue.

The Commission reviewed a time increment report of VanNurden's work activities over the past month as requested by the Commission. Commissioner Tinsley said the next step would be to draft a job description for VanNurden's DES Coordinator position now that two months' worth of job activities had been logged.

Jill Ouellette, HR, said VanNurden serves as a mailroom backup, which varies as to how often she is asked to assist with the mail and how much time is required when she does do the mail. She was asked to work a lot in the mailroom in the last month as noted in her latest job activities report. VanNurden said daily mail duties take at least two hours to complete. She said it was getting hard to follow through with things she has been asked to do outside of her DES job, such as follow-up of safety committee details as discussed in Safety Committee meetings. Malone said VanNurden is responsible for any

safety issue brought to light getting addressed, which can include delegating work. She said issues had never been addressed that way, but she had no issue with doing such.

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

April 22, 2013

Signing of the Missouri River Drug Task Force Agreement

@10:43 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a Missouri River Drug Task Force agreement.

Commissioner Durgan moved to sign the agreement pending legal review. Commissioner Tinsley seconded the motion. Motion passed.

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

April 22, 2013

Comparison of Budget to Actual Expenditures and Revenues as of March 31, 2013

@11:05 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Martha Miller, auditor; Lani Hartung, finance; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss budget to actual expenditures and revenues as of March 31, 2013.

Lani Hartung, finance, said the county was 75 percent through the fiscal year as of March 31. Hartung said she would like to schedule budget meetings through June to complete legwork in advance of working on department budgets. Tinsley said he wanted the budget process to be very open to department heads.

There was discussion about contracting out development of a countywide Capital Improvement Plan. Tinsley said he would like to discuss a public works director position for road, refuse and possibly other departments as part of the fiscal year budgeting process.

@11:37 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

April 22, 2013

Review of Minutes for Week of April 15, 2013

@1:15 p.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley 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 April 15, 2013.

Commissioner Malone requested a revision to Page 9 of 10, the first full sentence should read, "Malone asked Hartung to research how many toilets the Church Universal and Triumphant has -- toilets are used by the state DOR as a criterion to assess whether a dwelling is "livable," thus warranting a county refuse assessment."

Commissioner Tinsley moved to accept the minutes as amended. Commissioner Malone seconded the motion. Motion passed.

@1:18 p.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

April 22, 2013

Awarding Bid for Rock Creek Rehabilitation Project

@2:02 p.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Shannan Piccolo, civil deputy county attorney; Parks Frady and Kevin Feldman, CTA; Kevin Bales, Altria; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to award a bid for the Rock Creek Road Rehabilitation Project.

Parks Frady, CTA Engineering, said bids were reviewed following a March 21 bid opening meeting. Discrepancies in the bid process were read into the record as follows: Dick Anderson Construction had an incorrect computation; \$191,040 is the corrected computation for Schedule B. Bullock Contracting LLC had an error in Bid Item 111 in Schedule A with a discrepancy in unit price value multiplication. Hard Drives Construction's bid form was not completely filled out and did not include the non-collusion affidavit. Hard Drives was disqualified from award of contract due to irregularities. All contractors were made aware of errors.

Frady said Bullock Contracting LLC was the lowest bidder with Schedule A (as corrected) = \$878,588.75; Schedule B = \$213,270.00; and Alternative (triple shot surface treatment opposed to a double shot) = \$96,610.00. Price with double shot treatment = \$1,091,858.75. Price with triple shot Alternative = \$1,188,468.74.

Commissioner Tinsley moved to waive the discrepancies in the bid process for the Rock Creek Road. Commissioner Durgan seconded the motion. Motion passed.

Commissioner Tinsley moved to accept the bid from Bullock Contracting LLC for Schedule A and B and Alternative C for a triple-shot application in the amount of \$1,188,468.74. Commissioner Durgan seconded the motion. In discussion, Durgan said going with Alternative B would extend the life of the road. Motion passed.

@2:17 p.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

April 22, 2013

Engineering Services Updates

@2:30 p.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Parks Frady and Kevin Feldman, CTA; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss engineering services updates.

Parks Frady, CTA Engineering, provided a review of CTA's engineering services for Park County. Frady said FEMA has provided no indication when it may return a response to Park County's proposed scope of work for the Fleshman Creek Flood Mitigation and Restoration Project. Frady said CTA talked with FEMA about possible changes to bidding procedures resulting from the delayed start time.

Frady said he was attempting to schedule a meeting with Montana FWP to discuss the county's newly proposed plan design for the Gardiner refuse site. Commissioner Malone said he was not worried about USDA comments regarding the site.

Frady said CTA was working with county legal staff and the county planner to determine what the county can and cannot do regarding Arch Park improvements as part of the Gardiner Gateway Project.

Kevin Feldman, CTA, said it appeared the county's Treasure State Endowment Program (TSEP) bridge applications may be funded as submitted the previous year.

Feldman said the county was within two percentage points of specifications for four of six tests after compacting soil around the Peterson Creek Bridge. He asked that CTA be onsite when the county conducted the work again.

The Commission decided it would like to repair the Tom Miner Creek Bridge on Tom Miner Road.

@3:09 p.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

April 23, 2013

Review of Daily Correspondence and Agenda

@8:38 a.m., Commissioner Tinsley called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Raea Morris, administrative assistant; Ed Hillman, road; John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo email re. Juvenile Detention grant application
- Memo email re. RC&D /NRMEDD Elite Business Team
- Memo email re. Tax Appeal Board member letter of resignation
- Memo email re. Montana Department of Transportation Deep Creek green box site lease payment
- Memo document re. Upper Yellowstone Snowmobile Club 2013-2014 road grooming
- Memo document re. City-County Compact Chapter 7
- Memo document re. Livingston Farm to School program update

@9:15 a.m., the meeting adjourned.

April 23, 2013

Discussion/Decision on FY14 Employee Health Insurance Benefit

@9:17 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Jill Ouellette, HR; Martha Miller, auditor; Lani Hartung, finance; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider the Fiscal Year 2014 employee health insurance benefit.

Jill Ouellette, HR, said the county pays \$772 per month toward each Full Time Employee (FTE) health insurance plan in the current fiscal year. Per Montana Association of Counties (MACo), premium rates would increase by 4.9 percent for all county plans, and the BP 2000 plan would increase at total of 12 percent because of a required Rx plan.

Commissioner Tinsley moved to recess the meeting until 10:30 a.m. in time to determine the maximum amount of permissive mills the county can put toward employee healthcare

insurance. Commissioner Durgan seconded the motion. @10:35 a.m., the meeting reopened.

Lani Hartung, finance, provided dollar figures relative to the expected premium increases. The 4.9 percent premium increase equates to an additional \$36 per month for each employee benefit plan. At \$772 per month, the county currently uses \$524,000 in tax revenue to fund employee plans. An increase of \$36 per month (\$808 per month toward each FTE insurance plan) would equate to \$560,000 in needed tax revenue for a total annual tax increase of \$36,000, which is approximately 0.9 mills.

Commissioner Malone said he proposes splitting the \$36 increase, with half to be paid by the county and half by the employees.

Commissioner Tinsley said low wages are prohibiting the county from competing with other employers, as evidenced by the HR Department's inability to attract road crewman/mechanic applicants in the first posting period. Some employees with master's degrees earn \$35,000 a year where a city street crewman can earn \$50,000 per year. He said not attempting to offset the wage disparity with a benefits package would kill the county, and he thinks the county should pay the \$36.

Commissioner Durgan said he had always maintained the county does not pay high wages but traditionally had a positive benefit plan and he agreed the county should pay the premium increase.

Auditor Martha Miller said a \$0.50 employee wage increase costs the county \$1.00 overall because of mandated taxes and insurance on employment. She asked why the county would not spend the extra money on the fringe benefit, as it is the same amount of money, but a much greater direct benefit to the employee. She said it had been her experience in other employment that it is easier to reduce a non-mandated benefit than reduce an employee's wage if some catastrophic financial crisis were to happen.

Commissioner Durgan moved the county pick up the \$36 increase for the employees effective July 1. Commissioner Tinsley seconded the motion. Motion passed. Commissioner Malone voted in opposition to the motion.

@10:51 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

April 23, 2013

Human Resource Updates

@9:30 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Jill Ouellette, HR; 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 two deputy sheriffs with longevity pay anniversaries and an exit interview for a retiring road crewman. She said the annual mandatory employee safety training day would be May 7 with start times of 10:15 a.m. and 1:00 p.m. and lunch served. The sessions would start with accident awareness and the sheriff's office would present on shooter in the building.

A Gardiner green box site attendant issue was investigated by the refuse department head, reviewed by HR and settled. She provided a letter for review regarding paycheck timesheet requirements.

There was discussion about an Accounting Department employee researching county refuse assessments at the request of the finance director. Ouellette said any increased employee hours may result in changes to fringe benefits, all of which needs to be processed by the Human Resources Department. The Commission said it would schedule a public meeting to review, approve or deny an official proposal on the issue from the finance director.

Ouellette said she was waiting for the county attorney to review 12 items in order to approve the draft employee personnel policy. Ouellette said he would run all proposed changes through consultant Jim Nys.

@9:47 a.m., the meeting adjourned.

#### April 23, 2013

10:00 A.M. – Discussion/Decision of Priorities on Road Projects – Commission – Canceled

#### April 23, 2013

12:00 P.M. – Airport Board Meeting – Mission Field Office – Commissioner Durgan attended

#### April 23, 2013

##### Discussion of a Citizen Issue with Fair Board

@1:30 p.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Kim Knutson, fair; Mike Adams, Ed Flatt, Bill Rambow and Bob Skillman, fair board; Mary Anne Keyes, MSU Extension; Greg Mosness, citizen; John Mueller, minutes clerk.

The meeting was scheduled to discuss a citizen issue with the Fair Board.

Citizen Greg Mosness provided a list of discussion items he had issues with regarding the fair board. The list included open meeting laws, the county fair, budgeting and lack of communication.

Meeting attendees discussed the issues as raised by Mosness.

@2:22 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

April 23, 2013

Signing of Gallatin/Park Counties Economic Development Grant Agreement

@2:22 p.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present was John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a Gallatin/Park Counties Economic Development Grant Agreement.

Commissioner Durgan moved to sign the economic development agreement for Park and Gallatin Counties. Commissioner Malone seconded the motion. Motion passed

@2:25 p.m., the meeting adjourned.

April 24, 2013

9:30 A.M. – Western Montana Mental Health – Butte MT – Commissioner Tinsley attended

1:30 P.M. – Transportation Coordination Committee Meeting – Community Room

April 25, 2013

Road Updates

@7:00 a.m., Chairman Malone called a meeting to order at the county road shop. Commissioners Malone and Tinsley were present. Also present were the road supervisor, mechanic and crewmen; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss county road-area maps.

The Commission presented maps of five approved road maintenance areas covering the county. Road Department personnel reviewed the maps and provided comment. The Commission said road maintenance would occur within the five areas as proposed.

The Commission said it would meet with the entire road crew at the road shop once a month to discuss budget issues and share comments and concerns.

@8:30 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

April 25, 2013

Review of Daily Correspondence and Agenda

@9:45 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Raea Morris, administrative assistant; Kelly Johnson, maintenance; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to review daily correspondence and agenda.

Kelly Johnson, maintenance, said he recommended the motor pool minivan be put on the auction list. It has an alarm system issue and inadvertently locks doors.

Correspondence for the Week of April 23 included:

- Memo document re. Montana DEQ landfill license correspondence
- Memo document re. Fiddle Creek Bridge access issue legal opinion
- Memo document re. YGM deed of gifts
- Memo email re. CountySilo communication chain of command
- Memo document re. Fletcher v. Park County
- Memo document re. citizen public information request
- Memo emails re. West Room reservations
- Memo email re. MSU Extension office lease agreement
- Memo document re. floodplain permit letter

Correspondence for the Week of April 24 included:

- Memo email re. MSU Extension office lease agreement
- Memo document re. Dave's Locksmith certificate of liability insurance
- Memo document re. Nelson Spring Creek Road abandonment signatures
- Memo document re. Fiddle Creek Bridge surveyor comments
- Memo document re. Nelson Spring Creek Road surveyor comments

@10:12 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

April 25, 2013

Opening of Bids for New HVAC Roof Top Unit

@10:17 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Raea Morris, administrative assistant; Kelly Johnson, maintenance; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to open bids for a new HVAC rooftop unit.

Commissioner Malone said one bid was received from Rick's Refrigeration Inc. Malone opened the bid and read the amount of \$143,560 into the record.

Commissioner Tinsley moved to approve the bid from Rick's Refrigeration in the amount of \$143,560 pending legal approval. Commissioner Malone seconded the motion. Motion passed.

@10:20 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

#### April 25, 2013

#### Signing of the Interim Janitorial Contract with Park County and Exec U Care

@10:38 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Raea Morris, administrative assistant; Kelly Johnson, maintenance; Roy Chapman and Sheila Tinjum, Exec U Care Services; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign an interim janitorial contract with Exec U Care Services, Inc.

Commissioner Tinsley moved to accept the contract from Exec U Care for the cost of \$4,200 per month plus \$35 for additional work. Commissioner Malone seconded the motion. Motion passed.

Kelly Johnson, maintenance, said the \$4,200 per month quote included a two-week deep cleaning as stated in the contract.

@11:44 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

#### April 25, 2013

12:00 P.M. – Rocky Mountain Economic Development District Meeting – Bozeman –  
Commissioner Malone attended

#### April 16, 2013

No Commission Meetings Scheduled

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana