

Park County Commission Meeting Minutes
Week of July 15 – 19, 2013
Park County, Montana

July 15, 2013

Opening of Meeting: 9:07 a.m.

Public Comment

Attendance: Commissioners Durgan and Malone; Raea Morris, administrative assistant; Kelly Johnson, maintenance; Gary Barnhart, citizen; John Mueller minutes clerk

Gary Barnhart said he saw the county put in for a floodplain permit for the Fleshman Creek project. He asked if the upper region of the creek above the lagoon would be worked on. Commissioner Malone said the region in question is not in the contract.

Kelly Johnson, maintenance, provided quotes from Stucco Tech for repair of the City-County Building face above the city fire department.

Review of Daily Correspondence and Agenda

Attendance: Commissioners Durgan and Malone; Raea Morris, administrative assistant; Ed Hillman, road; John Mueller minutes clerk

Correspondence for July 10 included:

- Memo re. Department of Labor and Industry Sheriff Office teamsters union appeal
- Memo re. Enviroworks Quarry Services LLC certificate of liability insurance

Correspondence for July 11 included:

- Memo re. Angel Line Board application
- Memo re. Area IV Agency on Aging minutes/agenda
- Memo re. DOWL HKM landfill methane monitoring invoice
- Memo re. public information request
- Memo re. Park County insurance

Correspondence for July 12 included:

- Memo re. public information request legal review

- Memo re. executed CTEP museum application
- Memo re. MDT county bridge inspection and reports

@9:59 a.m., the meeting adjourned.

Discussion/Decision Concerning Encroachments on County Right of Ways on 9th Street Island, Old Yellowstone Trail South and in Alley in Green Acres

@10:07 a.m., the meeting opened.

Attendance: Commissioners Durgan and Malone; Shannan Piccolo, civil deputy county attorney; John Mueller minutes clerk

Civil Deputy County Attorney Shannan Piccolo said she was looking for formal direction to look into said alleged encroachments on county rights-of-way.

Commissioner Durgan moved to have Piccolo proceed in investigating encroachments on 9th Street Island, Old Yellowstone Trail South and two issues in the Green Acres area. Commissioner Malone seconded the motion. Motion passed.

@10:26 a.m., the meeting adjourned.

Signing of Conditions of Satisfaction Response Letter Regarding Fleshman Creek Project

@11:03 a.m., the meeting opened.

Attendance: Commissioners Durgan and Malone; Lani Hartung, finance; Parks Frady, CTA; Kristen Galbraith, Nittany Grantworks; John Mueller minutes clerk

Commissioner Durgan moved to sign the notice to proceed. Commissioner Malone seconded the motion. Motion passed.

@11:24 a.m., the meeting adjourned.

Signing of Rock Creek Road Notice to Proceed

@11:30 a.m., the meeting opened.

Attendance: Commissioners Durgan and Malone; Shannan Piccolo, civil deputy county attorney; Parks Frady, CTA; John Mueller minutes clerk

Parks Frady, CTA Engineering, provided a 90-day contract to commence the current day.

Commissioner Durgan moved to sign the letter for Rock Creek Road Notice to Proceed. Commissioner Malone seconded the motion. Motion passed.

@11:33 a.m., the meeting adjourned

1:00 P.M. – Signing of Agreement between Yellowstone Association and Park County for Maintenance of the Arch Viewing Pocket Park – Canceled (Scheduled for July 25)

Discussion/Decision on Hiring Professional Surveying Services for BLM Geographic Coordinate Database

@1:31 p.m., the meeting opened.

Attendance: Commissioners Durgan and Malone; Shannan Piccolo, civil deputy county attorney; Erica Hoffman, GIS/IT; John Mueller minutes clerk

Civil Deputy County Attorney Shannan Piccolo said CTA Engineering selected to conduct the surveying work for the first year of the 10-year data updating process. The county obtained grant money for Year 2. Erica Hoffman, GIS/IT, said the CTA surveyor has done a good job per her and the state of Montana and recommended to use that surveyor again for the next year's funding.

Commissioner Durgan moved to hire CTA Engineering for BLM Geographic Coordinate Database work. Commissioner Malone seconded the motion. Motion passed.

@1:38 p.m., the meeting adjourned.

July 16, 2013

No Commission Meetings Scheduled

MACo Healthcare Trust Meeting, Lewistown, MT – Commissioner Malone attended

6:30 P.M. – Fair Board Meeting – Fairgrounds Office – Commissioner Durgan attended

July 17, 2013

No Commission Meetings Scheduled

MACo Healthcare Trust Meeting, Lewistown, MT – Commissioner Malone attended

9:30 A.M. – Department Head Meeting – Commission Chambers – Canceled

July 18, 2013

Opening of Meeting: 9:01 a.m.

Public Comment: None

Attendance: Commissioners Durgan and Malone; Raea Morris, administrative assistant; Martha Miller, auditor; Barbara Woodbury, environmental health; Lani Hartung, finance; John Mueller minutes clerk

Department Updates

Accounting Department – Claims Review, Estimated Taxable Calculations, Building Insurance, Year-End Budget

Claims Review: Lani Hartung, finance, explained a new claims review protocol for the Commission.

Estimated Taxable Calculations: Hartung said she would like to schedule budget workshops to finalize the fiscal budget once taxable values are obtained

Building Insurance: Hartung said the city of Livingston is insuring its percentage of the building insurance payment for the next year through its insurance carrier, not MACO

Year-End Budget: Will be discussed on July 25. Three budgets are overspent (Road, Missouri River Drug Task Force) and Permissive Medical Levy Fund), which will require budget amendments.

Consent Items

Road/Engineering Updates

Commissioner Malone said the road supervisor is viewing a washout on Cinnabar Basin Road to assess damage. Malone said he got a call from a Pine Creek citizen about parking issues there. He said he thinks the Commission should submit a letter to the owner of the Pine Creek Café asking to respect area residents regarding parking issues.

Malone said Park County was awarded Federal Lands Access Program (FLAP) grant funds for the Gardiner Gateway Project and Main Boulder Road Project and will need to determine how to fund \$1.3 million and \$377,000 of matching funds, respectively. There had been discussions about possibly using BN settlement fund interest for that match.

Review of Daily Correspondence and Agenda

Martha Miller said Stucco Tech owes Park County funds, which possibly could be received if it contracts with it for courthouse work. There was discussion about asking the city of Livingston to assist in paying for the work.

Correspondence for July 15 included:

- Memo re. courthouse building stucco work proposal
- Memo re. Montana Department of Transportation 2013-2017 final statewide transportation improvement
- Memo re. Gardiner/Mammoth 911
- Memo re. All Hazardous Preparedness Senior Officials Workshop schedule

Correspondence for July 16 included

- Memo re. RC&D Board meeting
- Memo re. sheep and cattle Predator Control Fund MOU
- Memo re. Stafford Animal Shelter draft contract
- Memo re. Montana Fish Wildlife and Parks Freshman Creek 124 permit
- Memo re. Enterprise Angel Line Board member legal ad
- Memo re. CCCS fully executed juvenile detention agreement

Correspondence for July 17 included

- Memo re. civil attorney legal recommendation
- Memo re. state fair Commissioners Day
- Memo re. July 22 Transportation Committee meeting
- Memo re. Gardiner Resort Tax application deficiencies
- Memo re. CTEP application replacement pages
- Memo re. Main Boulder Road Reconstruction Project approval
- Memo re. YNP Federal Lands project approval

Commissioner Malone said he got another telephone call that day about the Planning and Development Board's land use survey. Malone said his opinion is the survey should be targeted at Park County residents outside of the city of Livingston. The survey should be fair, open and balanced and submitted only to people who own property in areas that could experience a potential impact from a decision by the planning board. He said he will compose a letter with his reservations about how the survey was done.

Claims Review

Review of Minutes for Weeks of June 24, July 1 and July 8, 2013

Attendance: Commissioners Durgan and Malone; John Mueller minutes clerk

The Commission reviewed the minutes at 11:14 a.m. Reviewing Commission meeting minutes for the Week of June 24, Commissioner Durgan requested a revision to Page 5 of 10, noting addition of the sentence, "A directive was sent to Ed Hillman (road supervisor) that the Weed Department would handle mowing of grass for the county."

Commissioner Malone requested a revision to Page 1 of 10; a sentence should read, "The city of Livingston has complained it cannot get maximum trailer hauling tonnages because of construction material deposited in green boxes." On Page 2 of 10, a sentence should read, "Commissioner Malone said the Commission had not received a recommendation from the county attorney and recommended the meeting recess until 11:00 a.m."

Commissioner Durgan moved to accept the minutes with changes. Commissioner Malone seconded the motion. Motion passed.

The Week of July 1, no Commission meetings were scheduled. Commissioner Durgan moved to approve the minutes as submitted. Commissioner Malone seconded the motion. Motion passed.

Reviewing Commission meeting minutes for the Week of July 8, Commissioner Malone requested a revision to Page 6 of 14, a sentence should read, "Craig Caes, environmental health, said his department only can act only on the state air quality rule, but it is willing to take any action with the state it can to facilitate actions as detailed in the state's letter." On Page 10 of 14, a sentence should read, "To-date, 270 people had responded to the survey, and data show no concerns with demographics."

Commissioner Durgan requested a revision to Page 11 of 14, a paragraph should read, "Commissioner Durgan said the entire process has been thought out by the planning board, and he is behind it 100 percent. He said the main idea is to gather information and there has never been intention of ramming zoning down anyone's throat. Durgan said the main purpose of the survey is to find out what the public thinks about future land use planning in Park County."

Commissioner Durgan moved to accept the minutes with additions and corrections. Commissioner Durgan seconded the motion. Motion passed.

Action Items

Attendance: Commissioners Durgan and Malone; Raea Morris, administrative assistant; Martha Miller, auditor; Lani Hartung, finance; John Mueller minutes clerk

Approve and Sign Upcoming Claims in Signature Folder: The Commission reviewed and signed claims

Signing of the Department of Quality Contract Regarding Montana State Regulations in Subdivisions for Sanitarians

Commissioner Durgan moved to sign the contract with Montana Department of Environmental Quality for sanitarian review of subdivisions. Commissioner Malone seconded the motion. Motion passed.

Signing of the Olness and Associates Audit Materials List Agreement for Audit

Commissioner Durgan moved to sign the engagement letter with Olness and Associates. Commissioner Malone seconded the motion. Motion passed.

Discussion/Decision on Signing of a Contract with Kamp Implement for Mowing Equipment

Commissioner Malone said Kamp Implement supplies tractors for mowing. The county leases the tractors for mowing purposes and must insure them.

Commissioner Durgan moved to sign the lease with Kamp Implement. Commissioner Malone seconded the motion. Motion passed.

Signing of the Area IV Agency on Aging In Home Care Services for the Elderly

Commissioner Durgan moved to accept the contract with Area IV Agency on Aging. Commissioner Malone seconded the motion. Motion passed.

Discussion/Decision on Selling Two Pup Trailers; Discussion/Decision on Selling the Peterbilt Truck Tractor; Discussion/Decision on Disposition of Water Truck

Commissioner Malone said two pup trailers were purchased to replace two existing pup trailers. The Commission decided not to put more money into a Peterbilt truck tractor. Malone said the water truck was already sold, but was not picked up by the seller. The Commission will ask an individual interested in purchasing the water truck to submit written interest.

Commissioner Durgan moved to set the pup trailer values at a minimum of \$800 apiece, and the Peterbilt truck at \$3,500 and \$1,500 for the water truck. Commissioner Malone seconded the motion. Motion passed.

Civil Deputy County Attorney Shannan Piccolo will look at statute detailing protocol to sell county equipment.

Update on Current County Projects

Attendance: Commissioners Durgan and Malone; Raea Morris, administrative assistant; Martha Miller, auditor; Lani Hartung, finance; John Mueller minutes clerk

Fleshman Creek Rehabilitation Project: Army Corps of Engineers 124 permit submitted

Gardiner Gateway Project: project funded with FLAP funds for \$10.6 million

Gardiner Gateway Sidewalk Extension Project (CTEP): No report

Rock Creek Road Rehabilitation Project: contractors are currently stockpiling materials.

Main Boulder Road Project: project funded with FLAP funds for \$5.6 million with in-kind funds to be shared 50/50 with Sweet Grass County

Museum Rehabilitation Project (CTEP): Nittany Grantworks submitted a corrected proposal for the project.

County Bridge Improvement Project (TSEP): No report

Park County Board Updates/Recommendations: None

Park County Board/Committee Meetings

4:00 P.M. – Library Board Meeting – Bev Steveson Room, Library

4:00 P.M. – Fleshman Creek Project Bid Opening – Community Room – Canceled due to scheduling conflicts

Adjournment: @11:27 a.m.

July 19, 2013

No Commission Meetings Scheduled

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana