

Park County Commission Meeting Minutes
Week of July 8 – 12, 2013
Park County, Montana

July 8, 2013

No Commission Meetings Scheduled

Board/Other Meetings

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

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

July 9, 2013

Opening of Meeting: 9:01 a.m.

Public Comment

Attendance: Commissioners Durgan, Malone and Tinsley; Dann Babcox, PCRFD#1; Greg Coleman, fire warden; Mike Inman, planning; Raea Morris, administrative assistant; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Martha Miller, auditor; Dave Morgan, Black Mountain Software; John Mueller minutes clerk

Dann Babcox, PCRFD#1, said an issue of poor lighting at night at the fairgrounds entrance is a safety issue. He said he encouraged the commission to consider illuminating the area.

Greg Coleman, fire warden, provided an update of his and overall fire services recent activities and efforts.

Mike Inman, planning, said two individuals had encroached on county property. An individual in Gardiner is aware of the issue and is willing to rectify the issue. Inman said a gate is blocking a public right of way on 9th Street Island Drive, and a jack-legged fence is located either on state land in the Yellowstone River or the county right of way.

Commissioner Malone said a couple of citizens were in the courthouse and talked to him and Commissioner Tinsley about concerns with a countywide land use survey. One citizen telephoned Malone. Citizens want the Commission to schedule a meeting to allow them to provide input. He said his concern is if the ballot box could be stacked. He said the county should be upfront about zoning if it wants to find out about whether people want it. Commissioner Durgan said the point of the survey is not to find out

whether people want zoning. Malone said he wanted to straighten it out for the record that Allen Carter asked him the previous day at the refuse site if he'd be working that day. Malone said he could not remember or find in any minutes what action the Commission took regarding the survey issue.

Mike Inman, planning, said a survey process update meeting was scheduled for July 11 to which planning board members and Eric Austin were invited. Inman said the survey directs individuals with questions to telephone Dr. Eric Austin at MSU. Such comment/feedback is funneled to the planning and development board through the planning department. Inman said the idea behind the process was to use sound methodology to create the survey to avoid individuals claiming the county is attempting to solicit certain data. MSU created the survey and survey questions, not Park County. He said it is frustrating that no one is contacting him, the planning board or MSU about the process and effort. The survey is not the end-all for the effort, which will continue after the survey concludes with outlying public outreach and comment sessions.

Consent Items

Discussion of Black Mountain Software with Program Representative

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Martha Miller, auditor; Dave Morgan, Black Mountain Software; John Mueller minutes clerk

Dave Morgan, Black Mountain Software, provided a presentation on services and training provided by Black Mountain Software. The Commission said it would like to see a formal presentation of Black Mountain products from Morgan.

Human Resource Updates – No discussion

Review of Daily Correspondence and Agenda

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

Correspondence for June 26 included:

- Memo re. Four Corners Recycling contract
- Memo re. Arch Park open container request

Correspondence for July 1 included:

- Memo re. LE Dunn Road citizen comments
- Memo re. 2013 JPIA Land Use attorney services
- Memo re. CTA Rock Creek Road rehab payment application #1

- Memo re. CTA Fleshman Creek bid document, permit application, hydraulic report
- Memo re. Altria Group Rock Creek Road check
- Memo re. Jim's Backhoe and Septic Green Acres portable toilet invoice
- Memo re. Payne West Tom Roe and Sons certificate of liability insurance
- Memo re. Payne West Buster Bullock certificate of liability insurance
- Memo re. Hub International Hogenson Construction certificate of liability insurance
- Memo re. Western MT Mental Health \$40,000 county contribution
- Memo re. Montana DEQ contract for subdivision sanitation
- Memo re. Clyde Park green box site information

Correspondence for July 2 included:

- Memo re. School district transportation meeting agenda/minutes
- Memo re. juvenile detention meeting request
- Memo re. general agreement for maintenance of Arch viewing pocket park
- Memo re. Fleshman Creek update meeting request

Correspondence for July 3 included:

- Memo re. application for burial cremation
- Memo re. Park County Fleshman Creek project April 1- June 30summary of activities

Correspondence for July 5 included:

- Memo re. Data Imaging Systems Image Silo invoice
- Memo re. CTA Engineering Fleshman Creek project Addendum #1

Correspondence for July 8 included:

- Memo re. JP out of office schedule
- Memo re. Payne West Bainter Construction certificate of liability insurance
- Memo re. draft June 20 Solid Waste Board minutes
- Memo re. RID Policy email
- Memo re. Rock Creek Road Rehabilitation project update
- Memo re. Central Insurance Agency workers' compensation insurance for Bainter Construction

Review of Minutes for Week of June 17, 2013

Attendance: Commissioners Durgan, Malone and Tinsley. John Mueller minutes clerk

Commissioner Durgan moved to approve the minutes as corrected. Commissioner Tinsley seconded the motion. Motion passed.

Action Items

Discussion/Decision on Commission Agenda and Scheduling of Meetings

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

The Commission decided to hold individual HR Department Update and Personnel and non Consent or Action Item meetings on Mondays or Wednesdays.

Signing of Contract with Community, Counseling and Correctional Services, Inc. for Secure Juvenile Detention Services

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Sue Cvilicek, juvenile detention; John Mueller minutes clerk

Commissioner Durgan moved to sign the contract. Commissioner Tinsley seconded the motion. Motion passed.

Discussion/Decision on Signing Procurement Policy Resolution Amendment

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

Shannan Piccolo said the amendment is to a policy passed in March with an increase of dollar amount from \$50,000 to \$80,000. Purchase costs less than \$1,000 require no bidding; up to \$5,000 the county prefers two quotes are received; \$5,000 to \$80,000 employees need a minimum of two documented quotes.

Commissioner Tinsley moved to amend the resolution (with Resolution #1159). Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Allowing Open Container Exception at Arch Park function July 21, 2013

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; John Mueller minutes clerk

Commissioner Tinsley moved to permit a citizen to have an open container in Arch Park as requested and reviewed by the sheriff's office. Commissioner Durgan seconded the motion. Motion passed.

Signing of Letter to MDOT to Review Functional Classification for Mill Creek Road from Intersection US 89 for Approximately 7.5 Miles to USFS Boundary

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; John Mueller minutes clerk

Commissioner Tinsley moved to sign a letter to MDT for changing the functional classification of Mission Road to Mill Creek Road. Commissioner Durgan seconded the motion. Motion passed.

Signing of Contract with Four Corners Recycling for Collection of Park County Recyclables

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; John Mueller minutes clerk

Four Corners Recycling will provide all recycling services in Park County, including cardboard collection at outlying county locations, on a one-year contract.

Commissioner Tinsley moved to sign the contract with Four Corners Recycling for the amount of \$10,000 per year for recycling in Park County. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Providing Funding for Stafford Animal Shelter Spay/Neuter Clinic

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; John Mueller minutes clerk

The Commission will ask Vicki Blakeman to submit a written monetary request.

Discussion/Decision on Moving Forward with Request for Bids for Janitorial Services

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; John Mueller minutes clerk

The sole change to the current work responsibilities was removing contractor dusting of employee desks.

Commissioner Tinsley moved to put out the request for bids for janitorial services. Commissioner Durgan seconded the motion. Motion passed.

Adjournment: 11:30 a.m.

Board/Committee/Other Meetings

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

2:00 P.M. – Information Technology Advisory Committee – Community Room

5:30 P.M. – Board of Health – East Room – Canceled – Lack of board quorum

July 10, 2013

Review of Daily Correspondence and Agenda

@9:12 a.m., Commissioner Tinsley opened a meeting in the Commission Chambers.

Attendance: Commissioners Durgan and Tinsley; Raea Morris, administrative assistant; Craig Caes, environmental health; Michele Webb, Vicki and William Miller, citizens; John Mueller minutes clerk

Citizen Michele Webb of Ridgeview Trail/Kennedy Lane said dirt piles behind a home she purchased were not removed and are encroaching on her lawn and sprinkler system. A variance was obtained for an eight-foot fence, but a six foot fence was built at the neighbor's request. Five years later the dirt piles still exist and have grown in size. She said there are issues of dirt and grime with the piles, including dirt blowing into and onto her house windows. The neighboring landowner moves and sifts dirt during high winds causing it to blow onto her property and home. Webb provided pictures for Commission review.

A March 25 letter from Montana DEQ explaining the neighbor could be fined for the dust issues was presented. 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.

Vicki Miller of Ridgeview Trail said her home is directly across from the piles of dirt in question and was told the dirt would be used to construct a pond. The property in question has accepted dirt from home sites under construction in the housing subdivision causing blowing dust, which is affecting the quality of adjacent resident lives. Miller submitted pictures of dirt inside her home windowsills and her husband's damaged pickup paint for review. Mr. Miller said the neighbor's working area is the size of two football fields, which is exposed, sifted dirt, and the neighbor's are seeking relief from the situation, such as perhaps planting of vegetation and watering down of the dirt each day.

Commissioner Durgan moved to recess meeting until after the 9:30 a.m. Personnel Meeting. Commissioner Tinsley seconded the motion. The meeting recessed. @2:00 p.m., the meeting reopened. Commissioners Durgan, Malone and Tinsley were present.

Correspondence included:

- Memo re. Lewis and Clark County MACo annual conference invitation

- Memo re. check for May auctions
- Memo re. Deer Run Estates and abandonment issue
- Memo email re. Fleshman Creek Project RFB Enterprise legal ad
- Memo email re. historian Willow Bend Road invoice
- Memo email re. meeting title recommendation

@2:20 p.m., the meeting adjourned.

Personnel Meeting

@9:40 a.m., Commissioner Tinsley opened a meeting in the Commission Chambers.

Attendance: Commissioners Durgan and Tinsley; Jill Ouellette, HR; Lani Hartung, finance; John Mueller minutes clerk

Lani Hartung, finance, requested the meeting be closed to the public record. Commissioner Durgan moved to close the meeting. Commissioner Tinsley seconded the motion. The meeting was close to the public record, the audio recording was turned off and the recording secretary exited the chambers.

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

Discussion Regarding the Lewis and Clark County Public Works Director Position

@10:30 a.m., Chairman Malone opened a meeting in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Jill Ouellette, HR; Eric Griffin and Audra Zacherl, Lewis and Clark County; John Mueller minutes clerk

Eric Griffin, Lewis and Clark County, presented the advantages of having a public works director and working road supervisor as experienced by the Lewis and Clark County Government.

@11:44 a.m., the meeting adjourned.

July 11, 2013

No quorum of commissioners – All meetings canceled

Opening of Meeting

County Department Updates

Consent Items

Road/Engineering Updates

Review of Daily Correspondence and Agenda

Claims Review

Discussion of Northern Rocky Mountain Economic Development District and How County Dollars are being Spent

Action Items

Approve and Sign Upcoming Claims in Signature folder
Discussion/Decision on Commission Agenda and Schedule of Meetings
Discussion/Decision on Signing of a Contract with Kamp Implement for Mowing Equipment
Signing of the Area IV Agency on Aging In Home Care Services for the Elderly
Signing of Conditions of Satisfaction Response Letter Regarding Fleshman Creek Project

Public Hearings/Ordinances/Resolutions

Update on Current County Projects

Fleshman Creek Rehabilitation Project
Gardiner Gateway Project
Gardiner Gateway Sidewalk Extension Project (CTEP)
Rock Creek Road Rehabilitation Project
Main Boulder Road Project
Museum Rehabilitation Project (CTEP)
County Bridge Improvement Project (TSEP)

Park County Board Updates/Recommendations

Park County Board/Committee Meetings

9:00 A.M. – Safety Committee Meeting – East Room
10:00 A.M. – Local Emergency Planning Committee – Community Room
10:00 A.M. – Elk-Brucellosis Working Group – MT FWP, Bozeman – Commissioner Malone attended
7:30 P.M. – Wilsall Water District Meeting – Wilsall Senior Center

Land-Use Public Process and Outreach Update Meeting with Commissioners and Planning and Development Board

@2:01:46 p.m., Chairman Malone opened a meeting in the City-County Complex Community Room. *Attendance:* Commissioners Durgan, Malone, Tinsley; Mike Inman, planning; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Jeri Stevens, planning; Rich Baerg, Bill Berg, Traci Isaly, Lewis Wilks, planning board; Kerry Fee, PCEC; Dan Babcox, PCRFD#1; Citizens William Smith, Nancy Gruehl, Chad Standish, Allen Carter, Peter MacKenzie, Justin O’Hair, Alan Redfield, Carol Dore, Sam Dore, George Denton, Richard Mead, Norman Melman, Kevin Fochs, Julie Sendra, Martha Miller, Alan Shaw, Larry Lahren, Dennis McIntosh, Nelson King, Joe Lamm, Debra Lamm, Matt Jesson, Phil Malcolm, Mike Adkins, Mark Smith, Bob Currie.

Background Information/Process Update: Mike Inman, planning director, provided background information and a timeline of the current land use survey, which started with a May 2012 Planning and Development Board meeting in which the issue of land-use planning was discussed just after the county commission did not enact interim zoning for the former donut area. The planning board requested a joint meeting with the Commission to discuss a public outreach process of how to move forward with the issue. That meeting occurred in June 2012 with all three county commissioners present and providing input. Two commissioners stated support for the proposed effort. One commissioner stated the effort, if done, should be on a countywide basis. County legal counsel said the planning board and staff could move forward with land use planning discussions, and the issue has recurred on each planning board meeting agenda since June 2012 to current.

The planning board asked Inman to consult the Montana Association of Counties (MACo) to see what resources/tools could be utilized for the effort, and an objective third party was obtained – Montana State University Political Science Department - to put together an outreach and public process regarding land use planning in Park County. Board Chair Bill Berg, Inman and Eric Austin, Phd (MSU) met in the fall of 2012 to discuss planning progress. Informational opinion interviews were conducted with selected county residents to determine survey questions. The survey is scheduled to close in two to three weeks, after which time public comment informational sessions will be held throughout the county. MSU will analyze survey results and report them to the planning board at its October 15, regularly-scheduled monthly meeting. Discussions on strategy of proceeding with the outreach component of the effort to gather citizen input will also take place at that meeting.

The survey is found on the county website; city of Livingston, Gardiner, Cooke City Chambers of Commerce websites; in the Shields Valley e-news and distributed throughout Park County via email as best the county could. Survey data will provide the board with public forum talking points to consider.

Land Use Survey Development and Process Update: Eric Austin, Phd MSU, provided an update on design and methods used in the three-stage process. He said he was contacted by Park County 9 months prior to conduct the research, education and outreach components of the project. The basic purpose is to determine residents' perceptions and concerns regarding land uses in Park County now and into the future?

Stage 1: obtain resident opinions of the county now and into future regarding land uses.
Stage 2: conduct survey. Stage 3: conduct public outreach component as a series of forums around the county.

Stage 1 of research consisted of a small number of interviews to confirm MSU personnel's understanding of Park County and issues going on in the county. Interviewee selection criteria were diversity-focused, dealing with individuals' background, activities in the county and demographics. Stage 2 attempts to ask the

perceptions of residential land use in Park County now and into the future. Stage 1 interview answers were used to develop the survey questions, as well as data Austin and his graduate student gathered about Park County and questions and question structure used in other land use surveys conducted on the Rocky Mountain front.

Austin said he and a graduate student are conducting the survey at no cost to Park County. To-date, 270 people had responded to the survey, and data show no concerns with demographics. He said subsequent additional research he conducted shows no evidence to indicate any problems associated with conducting a digital/online survey in terms of validity and reliability of the results.

A draft survey was presented to the planning board and planning department for feedback. MSU personnel deferred to best valid survey practices in each stage of development. A pilot test of the instrument was conducted with individuals in Gallatin County to ensure question wording and order made sense and technology worked well before launching the survey in Park County. MSU is working with a 90-percent confidence interval with a plus or minus five-percent error rate based on the number of households in Park County. 260 responses are needed to support that confidence interval and error rate.

Stage 3 will consist of a series of facilitated conversation/forums to add detail and nuance to understanding of information derived from Stages 1 and 2. Stage 3 is the public education and engagement component. The venues and structure of the forums is still under consideration.

Planning and Development Board Update: Planning Board Chair Bill Berg said the planning board serves at the pleasure of the county commissioners and deliberated cautiously long and hard about the process.

Lewis Wilks, vice board chairman, said he expressed in June 2012 the board did not want to move forward in a presumptive manner regarding zoning changes, which he feels is consistent with how methodology has been approached from the outset. In July 2013, Wilks reiterated that board and staff needs to generate the outline and framework of how public discussions will be implemented, possibly drawing from solid waste management forums recently held regarding format and technologies used to solicit as much response from as wide of community interests as possible. He said the board will supplement its proposal to the county commission with the gathering of information from county residents regarding countywide land use planning sentiments. The objective of such would help the board challenge any group of individuals with a biased interest in steering the outcome of any land use process or decision. Wilks said he feels such is consistent with Austin's and the board's approach in attempting to be inclusive to garner as broad a response as possible in order to relay valid recommendations to the commissioners.

Commission Questions: Commissioner Tinsley said some individuals asked him earlier that day whether 30 people from New York could answer the survey and whether there were securities in the questionnaire to avoid such. Austin said surveys taken outside of

Park County can be identified and eliminated, and only one response per IP address is permissible, thus only one household can answer the survey. Tinsley said citizens were concerned about the validity of the survey and the process and did not trust the county. Tinsley said he cannot see how the process has failed or is inaccurate since it has gone on since May (2012). He said it is a very open process and people are not trying to zone the county without other people knowing it, and he feels good about the process.

Rich Baerg, planning board, said it seems the process is an open, aboveboard process that is trying to be inclusive. Planning board members are available to answer questions of what the purpose is of the effort, and he sees it as gathering of information about all issues involved and public sentiment to make good decisions.

Tracy Isaly, board member, said every member on the planning board is aware of the contentiousness around the word “zoning” and each has many years of experience in the county when that word is used. She said the board considered the effort very much and wanted to make it an open/democratic process. She said the present seemed a good time to address other issues in the county, in part in light of the former donut zoning district issue. She said every person on the planning board comes from a place of integrity, knowledge and commitment and believes in what they are doing in representing county residents.

Commissioner Durgan said the entire process has been thought out by the planning board, and the commissioners are 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 Malone asked why the survey questions were sequenced as they were with demographic information questions at the end of the survey instead of the beginning. He asked if every IP address not in Park County would be thrown out of the answer pool. Austin said “no,” but a refined process would be used to attempt to determine such addresses. Austin said less than half a percent of the 270 current responses are in question. Malone asked if someone could submit a survey from any internet device with an IP address. Austin said “yes.” Austin said research shows such is not likely to impact results and would essentially be unnoticeable. Malone said the Commission mailed all of its Cooke City Pass surveys to avoid stuffing the ballot box via online using Survey Monkey, which is something to consider.

Public Comment: William Smith said he has serious concerns with the county low-balling the effort regarding not paying for it. He asked if any growth policy information was included in the survey. He said survey questions appear to be extremely biased toward outcome of more government control, influence and regulations than less, which raises concerns on the part of individuals who do not want to see bias put into government decisions. He said attempting to rank the area’s mosaic of circumstances as mutually exclusive is contradictory. Smith said he had not taken the survey himself. He said he does not want an abundance of biased information going to the commission. He

said he had issue with Question #8: management of private land, which has as a first answer management of private lands is “entirely a public matter.” Smith asked if citizens could submit public comment to the commission on the topic.

Kerry Fee said Park County Environmental Council was not involved in writing of the survey and was not permitted by the county to assist with the survey. Fee said he feels it is important to get information from all individuals, not a vocal minority.

Larry Lahren said he sued the county twice for zoning issues (citizen-initiated zoning) and won both times due to showing the county’s failure to follow the public process and procedure. Lahren said Smith’s letter to the editor is part of a culture involved in Park County regarding planning issues and consists of the same band of individuals attempting to thwart a public process and intimidate and threaten government officials by illegally meeting with a commissioner, threatening the county with a lawsuit, asking for the firing of a county employee, and violating county personnel policy. Lahren said the fears of the survey being an attempt to enact countywide zoning is an unfounded red herring. The Commission already has the ability to zone for the health, safety and welfare of the citizens by legal statute. The survey is an opinion and demographic poll to provide baseline planning data that was started over one year ago. He said the residents in attendance are present to disrupt the public process as one special interest group that wants to run the county.

Allen Shaw said the survey was disturbing as he could not express his genuine response to the questions and feels some questions were biased based on his 30 years of engineering and being involved in zoning issues. The survey therefore should be considered in as light a manner as possible due to potential biases. Shaw said he is opposed to zoning and other forms of regulations when improperly applied to hinder one’s ability to manage land. He said he looks forward to further dialogue on the issue.

Norman Melman said he had concerns about the survey, as he could answer very few of the questions. He did not know what to think about Question #8, which put him on guard as to motives of the survey. He said owning private property is a constitutional right, and people ignorant of that right could set groundwork for zoning and planting seeds against private property rights. He said he feels there is a naiveté that special interest groups would not go to the extent of flooding responses toward their agendas.

Peter MacKenzie said his concern with the entire donut fiasco was county people told residents in the former donut they had zoning for two years, which was untrue. He said he smells Agenda 21, a complete takeover by the government. MacKenzie said he cannot believe the subject has any immediacy at this time, as real estate in Park County is dead. He said he feels the survey completely leans toward an agenda, and he subscribes to a service where he could fill out as many surveys as he would like. He said the growth policy issue was hijacked by people in the Park County government and there has to be transparency. He said he did not know about the survey and did not see it anywhere.

Allen Redfield asked how individuals are to find out how the survey exists. The county needs to broaden how it gets the survey out. The Livingston Enterprise reaches few people in the county, and he does not visit chamber websites. He said the county should have contacted the Stock Growers, Farm Bureau and conservation district. He said private property is at the top of his agenda and asked if he could submit written comments. He said the Farm Bureau knows about the survey and will attack it.

Joe Lamm provided information on internet survey capabilities in Park County, including issues with assigning of IP addresses. He said the library has one IP address and that is where people without computers go to use a computer.

Nancy Gruehl asked to submit written comment. Wilks said such can be done at any time and all public comment is considered as part of and read into the public record as it relates to a current board agenda items, just as today's comments will be. Malone said the Commission also takes comments.

Mike Adkins said he respectfully does not believe anything the planning board members or Commissioner Durgan have said, as they were polished for the meeting. He said Inman lied when he said the Commission and planning board knew about the survey. Adkins asked the Commission to remove Inman from his position in the county government.

Inman read into the record meeting minutes from the June 12, 2012, planning board meeting in which all three county commissioners were present.

Kevin Fochs said he hopes the survey is weighed lightly, and if it cannot maybe it needs to be modified to garner legitimate responses. He said it concerns him people outside of the county can take the survey. He believes in private property rights and the ability for private property rights. He said he did not know about the survey.

Justin O'Hair said it is apparent there are a lot of questions about the validity of the survey. Work needs to be done together to get 'er done.

Chad Standish said he does not know what IP means and will not get on the internet. He said he would be willing to hand out surveys at county green box sites. He said he does not even know why anyone is at the present meeting. Everyone needs to know about this very public issue. The county must contact everyone individually to take the survey.

Allen Carter said the survey is a large concern to him and he does not want someone to tell him what he can and cannot do with his property. Carter said the Commission cost him \$80,000 to win a lawsuit against him for a Cokedale subdivision. He should not have to go to court to exercise his rights.

Commissioner Malone said he is always careful about zoning and did not support bringing back the donut district as commission-initiated zoning. Malone said Question #8 hit him wrong. He said a question asking how many acres one owns is intrusive. He

said he thinks the county needs to spend money on the survey.

MacKenzie said his recommendation is to get rid of the survey and start all over. He said the planning board can be in charge of ruining people's lives with zoning. Some things do not belong in Park County.

Isaly said the board is not in the process of zoning the county but asking questions to the public to get a bead on what people are thinking and how they feel about land use planning, property, open space, recreation.

Richard Meed said survey results are not anonymous, thus questions and comments supporting a specific agenda can be directed his way in future efforts based on his survey answers. Austin said it would require a court order to go through the IP addresses to obtain personal survey information.

O'Hair said throw out the survey and start with something else if it is not valid.

@3:44:08 p.m., the meeting adjourned.

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana