

Park County Commission Meeting Minutes  
Week of June 17 – 21, 2013  
Park County, Montana

June 17, 2013

Review of Daily Correspondence and Agenda

@8:32 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Raea Morris, administrative assistant; Ed Hillman, road; Bob Smith, citizen; John Mueller, minutes clerk.

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

Commissioner Tinsley said Tom Miner Road is in very good condition after the road crew graded and oiled it, as well as the short gravel road with mailboxes near Green Acres.

Correspondence for June 13 included:

- Memo document re. MDT lease payment notice for Chico refuse site
- Memo document re. RYO contract and per diem rate
- Memo document re. Tennis Association raffle application

Commissioner Tinsley said he thinks the Commission should offer a set price for smart phones for whichever employees want to use them.

@9:06 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 17, 2013

Signing of Contract with Franzen-Davis Funeral Home for Burial/Cremation Services

@9:09 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present was John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a contract with Franzen-Davis Funeral Home for burial/cremation services.

Commissioner Durgan moved to sign the professional services contract that runs from June 30, 2013, to July 1, 2015. Commissioner Tinsley seconded the motion. Motion passed.

@9:14 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 17, 2013

Discussion/Possible Decision on Changing Name of KPRK Bridge to Veterans Bridge

@9:31 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Jeff Ebert, MDT; Greg Durham and Dale Siegle, citizens; John Mueller, minutes clerk.

The meeting was scheduled to consider changing the name of the KPRK Bridge to Veterans Bridge.

Commissioner Tinsley moved to write a letter of support to change the KPRK Bridge to Veterans Bridge. Commissioner Durgan seconded the motion. Motion passed.

The Commission will submit a letter of support in time for the June 18 Livingston City Commission meeting.

@9:35 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 17, 2013

Discussion/Decision Concerning County Road Status of Bright Lane

@10:02 a.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; Jacqueline, Lexi and Gordon Bright, citizens; John Mueller, minutes clerk.

The meeting was scheduled to consider a decision on the status of Bright Lane.

Commissioner Malone said the civil deputy county attorney provided the Commission with a legal opinion on the status of Bright Lane.

Citizen Gordon Bright said the county built Bright Lane in the late '50s. He said three former county employees signed affidavits they plowed snow and graded the road in previous years. Jacqueline Bright said a spur road was built in 1963 or 1964. Malone said the county historian determined through research the road was never established through the petition process. Civil Deputy County Attorney Shannan Piccolo reviewed the ways in which a road can be created as a county road. Piccolo said all property owners along a road could grant the county an easement through signature. She said she suggests a commissioner visit with a second landowner on Bright Lane to determine whether he would be willing to sign an easement for the Commission to draft a resolution to define the road as a county road. Piccolo said she suggested a surveyor be hired to

define the road's legal description. There is evidence that supports the county laid out Bright Lane and the spur, built it and maintained it on a routine basis.

Commissioner Durgan moved to move forward to attempt to establish Bright Lane and the offshoot through the petition process. Commissioner Tinsley seconded the motion. Motion passed.

@10:18 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 17, 2013

Signing of Satellite Agreement with Gallatin County for WIC Program

@10:30 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present was John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a satellite agreement with Gallatin County for the WIC (Women and Infant Children) Program.

Commissioner Malone said the program provides food and nutrition for women and infant children with Gallatin County serving as the lead entity. Agreement term runs from July 1, 2013 to June 30, 2014.

Commissioner Tinsley moved to sign the agreement with Gallatin County for the WIC Program. Commissioner Durgan seconded the motion. Motion passed.

@10:31 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 17, 2013

Signing of the Memorandum of Understanding between Park County and Tri-County Network

@11:06 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present was John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a Memorandum of Understanding (MOU) between Park County and Tri-County Network.

Commissioner Durgan moved to sign the MOU between Park County and Tri-County Network. Commissioner Tinsley seconded the motion. Motion passed.

@10:07 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 17, 2013

Review of Minutes for Week of June 10, 2013

@1:13 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 review Commission meeting minutes for the Week of June 10, 2013.

Commissioner Durgan requested a revision to Page 8 of 10; first full paragraph, the second sentence should read, "The Commission directed Hillman do no further repair work on the Peterbilt." On Page 9 of 10, the second paragraph should read, "Commissioner Tinsley thanked Kelly Johnson, maintenance, for attempts on June 12 to pinpoint a leak in the City-County Building roof in which Tinsley, Johnson and David Fine (city of Livingston) were present. No leak could be detected through the drains. Johnson said building stucco on the Livingston Fire Department living quarters is failing and needed to be addressed."

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

@1:17 p.m., the meeting adjourned.

June 17, 2013

Compensation Board Meeting

@1:41 p.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Martha Miller, auditor; Brett Linneweber, county attorney; Denise Nelson, clerk and recorder; Allan Lutes, sheriff (via telephone); Steve Woodruff and Shaun Ryan, citizens; John Mueller, minutes clerk.

The meeting was scheduled as a Compensation Board meeting.

County Attorney Brett Linneweber said the Compensation Board meets to determine the upcoming year salaries for elected officials pursuant to 7-4-2503 of Montana Code Annotated.

Montana Association of Counties (MACo) suggested a Cost of Living Adjustment (COLA) of 2.1 percent for the fiscal year commencing July 1. Clerk and Recorder salary in the current year is \$47,914.

Steve Woodruff moved to raise the base county salary the COLA rate of 2.1 percent based on the Clerk and Recorder's salary. Denise Nelson seconded the motion. Motion passed.

Linneweber said the sheriff and commissioners must receive an additional \$2,000 on top of the Clerk & Recorder salary per statute.

Steve Woodruff moved to approve the discretionary increases to the following elected officials: Clerk and Recorder (as Election Administrator), Treasurer and Superintendent of Schools receive \$2,000 on top of the Clerk & Recorder salary per statute. Denise Nelson seconded the motion. Motion passed.

Commissioner Malone moved to continue with longevity pay for elected officials. Steve Woodruff seconded the motion. Motion passed.

@2:21 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 18, 2013

Review of Daily Correspondence and Agenda

@8:31 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; John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo document re. KBI Insurance Inc. certificate of liability insurance
- Memo document re. Secretary of Interior PILT letters

Commissioner Malone provided pictures of refuse lying at the fairgrounds behind the Quonsot hut.

Commissioner Tinsley said he would like to decide on a cell phone reimbursement issue. Malone said he would like to discuss the issue.

There was discussion about computer software used to agenda Commission meetings.

@8:59 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 18, 2013

Signing of Department of Agriculture Weed Grant

@9:02 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Tracy Mosley, MSU Extension; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a Department of Agriculture weed grant.

Tracy Mosley, MSU Extension, said \$60,000 was obtained from the Montana Noxious Weed Trust Fund for spraying noxious weeds on 6,300 acres in the West Boulder/Mission Creek watersheds.

Commissioner Tinsley moved to approve the contract for the Department of Agriculture weed grant. Commissioner Malone seconded the motion. Motion passed.

@9:05 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 18, 2013

Department Head Meeting

@9:00 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Martha Miller, auditor; Warren Newhouse II, refuse; Ed Barich, schools; Jill Ouellette, HR; Paul Shea, museum; Erica Hoffman, IT/GIS; Belinda VanNurden, DES; Kelly Johnson, maintenance; Suzanne Brown, health department; Vicky Peterson, treasurer; Mary Anne Keyes, MSU Extension; John Mueller, minutes clerk.

The meeting was scheduled as a department head meeting.

Cell Phone Reimbursement: Commissioner Malone said the Commission will meet on the issue of employee cell phone reimbursement plans.

Safety Short: Jill Ouellette read into the record a safety short discussing proper cart use.

Report from Finance Department: Malone said claims to be processed in the current fiscal year need to be submitted to the Accounting Department by June 21.

Topics of Concern from Other Departments: Belinda Van Nurden said RSVP volunteers were being trained.

Roundtable Discussion of Activities: Department heads and elected officials provided updates of current and ongoing projects and efforts.

Public Comment: None

The next Department Head Meeting is scheduled for July 16, 2013.

@10:17 a.m., the meeting adjourned.

June 18, 2013

Human Resource Updates

@10:30 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 a change of status form for a short term maintenance worker in Gardiner; a clerk of court employee who resigned, and a longevity pay anniversary for undersheriff. Ouellette said she and the payroll clerk attended an MPERA training regarding changes to benefit amounts for the first six months of the following year.

Ouellette said AFLAC's efficiency improved with enrolling employees during open enrollment. She said 24 employees used the FLEX plan two year ago and now 51 use it. She said she typed up a change of status form for about 130 employees because of open enrollment changes, which will need commissioner signatures.

Ouellette said she sent the commissioners a draft job description for a public works director position. She said salary administration plan wage depends on how much authority and responsibility the individual would have as determined by the Commission. Malone asked the commissioners to individually get back to Ouellette with comments and scheduled a commission meeting to discuss a public works job description for June 27.

There was discussion about a green box attendant position for the Chico refuse site.

@10:48 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 18, 2013

Discussion/Decision Regarding Provisions for Proposed Rural Improvement District Policies

@1:00 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; Denise Nelson, clerk and recorder. No public comment made.

The meeting was scheduled to consider provisions for proposed Rural Improvement District (RID) policies.

Civil Deputy County Attorney Shannan Piccolo said the Commission had asked for a procedure by which the public could request an RID on a road and ensure there was enough buy-in before the county invested costly resources in required preliminary steps.

Piccolo provided a draft document she said was modeled after RID procedures from Lewis and Clark and Flathead Counties. Maintenance costs are required per statute to be included in an RID estimate.

Commissioner Malone said the planning department would be an appropriate department to administer RIDs in the interim, and then a public works director would administer them if hired hopefully in six months. Piccolo said the public works director would not be able to provide an engineer's estimate for an RID if he was a certified engineer employed by the county. Commissioner Malone said he did not want to hire a person to the county staff to solely administer RIDs, such as another employee in the planning department. Commissioner Malone said he wanted a feeling from a given district an RID would succeed before the county put a lot of staff time into it. He said he would like the Commission to meet with landowners to determine whether it is a good project for the county, and the Commission would then delegate administration work to the appropriate department.

Clerk and Recorder Denise Nelson said the petition process is an issue, as well, as her office is involved and she does not permit her employees to conduct title searches.

Commissioner Tinsley moved to table a decision on the topic until June 19 at 11:00 a.m. Commissioner Durgan seconded the motion. The meeting was recessed.

#### June 18, 2013

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

#### June 19, 2013

##### Review of Daily Correspondence and Agenda

@8:33 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, 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 the daily agenda and correspondence.

Kelly Johnson, maintenance, said the interim janitorial contract expires on June 30. Big Bear Contracting will have a bid for the Airport Board for an ADA accessibility ramp at the airport. The Commission asked Johnson to get additional bids. Johnson spoke with StuccoTech about repairing the City-County Building surface above the city fire department.

Correspondence included:

- Memo document re. Montana Rail Link Wilsall refuse site rental agreement rate increase

- Memo email re. June 20 SWB meeting agenda
- Memo email re. Library Board agenda
- Memo email re. Paradise Valley Corridor planning meeting
- Memo email re. Gallatin and Southern Montana RAC applications

Raea Morris, administrative assistant, said the IT tech has researched an alternative meeting agenda/calendar software program for scheduling commission meetings. She will work with the IT tech with hopes to start using the program on July 8.

Commissioner Durgan reported on a June 18 Fair Board meeting.

@9:12 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

### June 19, 2013

9:00 A.M. – Paradise Valley Corridor Planning Study – East Room

### June 19, 2013

#### Signing of the FY2014 DUI Task Force Plan

@10:00 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Ashley Holland; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a Fiscal Year 2014 DUI Taskforce plan.

Ashly Holland provided a report of how funds were spent the previous year from the \$100 collected from each DUI offender re-applying for a suspended driver's license. Activities include awareness campaigns and creation of a prescription drug depository poster.

Commissioner Tinsley moved to approve the DUI Task Force plan (for FY 2014). Commissioner Durgan seconded the motion. Motion passed.

@10:09 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

### June 19, 2013

#### Discussion/Decision on Approving the Draft Budget for FY2014

@10:30 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Raea Morris, administrative assistant; Martha Miller, auditor; Lani Hartung, finance; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider approving the draft FY' 14 county budget.

The Commission reviewed the proposed drafty FY' 14 county budget as presented by Lani Hartung, finance.

Commissioner Tinsley moved to approve the preliminary FY' 14 budget. Commissioner Durgan seconded the motion. Motion passed.

@10:46 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 19, 2013

Discussion/Decision Regarding Provisions for Proposed Rural Improvement District Policies – Recessed from June 18 @ 1:00 p.m.

@11:02 a.m., Commissioner Malone reopened a meeting recessed from June 18. Commissioners Durgan, Malone and Tinsley were present. Also present were Shannan Piccolo, civil deputy county attorney; Denise Nelson, clerk and recorder; Mike Inman, planning; Ave Forseth and Jeannie Tatum, citizens; John Mueller, minutes clerk.

The meeting was scheduled to consider a decision on provisions for proposed Rural Improvement District (RID) policies.

Formal procedures to establish an RID were proposed with the following steps: Landowners fill out a county RID application, which explains proposed improvements and details total distance of road included, as well as proper signatures of 60-percent of the landowners along the stretch of road proposed as proof of interest in pursuing an RID; the planning department processes the information; a public Commission meeting is scheduled and held to discuss the proposed project and for the Commission to determine whether it is viable to go forward with; if the Commission votes to go forward, the county commences the statutorily-required process of creating an RID, which includes legal notifications, public hearings, creation of a map of the proposed project, Preliminary Engineering Report costs and informing affected landowners of tax amounts (costs) to be assessed as a result of RID improvements; a formal protest period commences; if fewer than 40 percent of landowners affected by the RID protest it, the RID goes into effect and landowner taxes are assessed accordingly.

Commissioner Tinsley said the county needed to consider whether 70 percent of all lots on the road are built upon to qualify for an RID. Such information would be included in a completed application as a criterion the Commission could use to consider project viability.

Commissioner Tinsley moved to direct staff to go forward with drafting an application and tweak the proposed draft RID policies. Commissioner Durgan seconded the motion. Motion passed.

@12:06 p.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

June 20, 2013

County Road Updates

@8:05 a.m., Commissioner Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Ed Hillman, road; Lani Hartung, finance; Kevin Bales, Altria; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss county road issues.

Ed Hillman, road supervisor, said application of mag chloride was completed on Jardine and Tom Miner Roads and the stretch between the bridge and highway. Patching of Meigs Road was completed at \$21,000. Upper and Lower Cottonwood, Bracket Creek and more on Shields River East Roads would be completed that day. Mill Creek, Pine Creek, Five Acre Tract and Trail Creek Roads were also patched. Chicory and Mill Creek Roads would be patched that day. He said a grader and water truck were grading on Trail Creek and Fleshman Creek Roads that day.

Kevin Bales, Altria, asked for an update of the schedule to commence work on Rock Creek Road. Lani Hartung, finance, said she did not think construction would commence until July 1.

@8:40 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 20, 2013

Review of Daily Correspondence and Agenda

@9:00 a.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 review the daily agenda and correspondence.

Correspondence included:

- Memo email re. Fleshman Creek project public relations plans
- Memo email re. Fleshman Creek project invitation to bid
- Memo document re. Forest Service executed use permit for Cooke City transfer station
- Memo document re. payroll voucher
- Memo email re. E-Waste recycle event payment

The Commission said it would not expend county taxpayer dollars to help fund the Livingston Roundup fireworks.

Jill Ouellette, HR, submitted a job abandonment letter for a short term fairgrounds worker who abandoned his/her position at the fairgrounds.

Commissioner Malone said the HR Department signed an updated job description for the Planning Director.

@9:09 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

June 20, 2013

1:00 P.M. – Solid Waste Board – East Room

1:30 P.M. – Planning and Development Board – Community Room

4:00 P.M. – Library Board – Livingston/Park County Library

June 21, 2013

No Commission Meetings Scheduled

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana