

Park County Commission Meeting Minutes  
Week of March 11 – 15, 2013  
Park County, Montana

March 11, 2013

Review Daily Correspondence/Agenda

@8:33:04 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; Lani Hartung, finance; John Mueller, minutes clerk. No public comment made.

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

Correspondence for March 7 included:

- Memo email re. March 8-15 GIS conference
- Memo emails re. vending machine maintenance/floor cleaning
- Memo email re. March 7 road crewmen work schedule
- Memo document re. lost warrant bond
- Memo document re. citizen thank you note
- Memo document re. Shields Valley Senior Citizens cleaning invoice

Correspondence for March 8 included:

- Memo email re. redistricting mapping
- Memo email re. March 8 road crewmen work schedule
- Memo email re. Extension Office space meeting
- Memo document re. CountySilo Data Imaging System invoice
- Memo document re. Search & Rescue building award notice
- Memo email re. MAColeg legislative updates
- Memo email re. personnel meeting schedule

Lani Hartung, finance, said a new contract with DOWL HKM Engineering, which monitors county landfill methane and water quality, was available for legal counsel review.

Commissioner Tinsley reported on a March 8 budget session he had with the finance director and interim refuse manager. Tinsley said he cannot see how the refuse budget could survive without drastic measures given the ratio of current expenditures to income. He said, as present, there were potential losses of \$300,000 to \$400,000 a year, even with factoring in a reduction of three employees and reduced landfill operations.

Commissioner Malone said he did not see a reason why the county would need to pursue an upgrade to the Trail Creek refuse site at present. Tinsley said closing and capping the landfill may be the only way to maintain the budget. He said he thinks the Commission could bring the issue into a manageable situation, but was concerned the Solid Waste Board was moving forward with proposed changes to the refuse system without budget funds to pay for improvements.

Malone and Tinsley said they agreed it would be money and time well-spent to conduct a reevaluation of county businesses in attempt to more accurately assess those businesses with refuse assessments.

@9:10:49 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

March 11, 2013

Signing of a Memorandum of Understanding with Tri-County Network

@9:33:20 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Lani Hartung, finance; Angela Nelmark, Tri-County Network; John Mueller, minutes clerk. No public comment made.

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

Lani Hartung, finance, said the current fiscal year was the first year the county finalized an MOU with Tri-County Network in order to itemize services to the county, per suggestion of the external auditor.

Angela Nelmark, Tri-County Network, said the network service provides a 24-hour crisis line, support groups, legal advocacy and the Supportive Alternative for Family Empowerment (SAFE) House. She said 80 percent of the individuals Tri-County Network serves were from Park County.

Commissioner Durgan moved to accept the MOU with the proposed change to leave the dollar amount blank. Commissioner Tinsley seconded the motion. Motion passed.

@9:39:39 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

March 11, 2013

Review and Consideration of Recommendation from Planning and Development Board to Fund Research of Oil and Gas Leases

@10:03:10 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Mike Inman, planning; Lewis Wilks, planning board; Charlie Eubank, Eubank Land & Energy, LLC; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider recommendation from the Planning and Development Board to fund research of oil and gas leases in Park County.

Mike Inman, planning, said oil and gas lease information was a potential dataset for the Park County Atlas, which is a tool under development the Planning and Development Board felt was important in order to look at land use options in Park County. Inman said a lot of lease action took place in Park County in 2005, but lease information changes drastically every five years in Park County due to five-year lease terms. He said proposed atlas data would include leases within townships, sections and ranges from 2005 to present, as well as leases to expire the following fall. He said the data could provide an indication of the socio-economic and community development impacts Park County may experience should extraction commence. Inman said the board recommended going forward with the proposal. He said he had about \$1,000 from his budget, but would need funding assistance from the Commission to meet the \$2,840-proposal from Eubank Land & Energy, LLC.

Lewis Wilks, planning board, said oil and natural gas extraction was one of the highest attended, highest public interest issues of any issue the board had addressed, and in listening to public input and comment regarding what the public wants information about, oil and natural gas extraction was a hot button issue.

Charlie Eubank of Eubank Land and Energy, LLC said many buyers purchase property without knowing the mineral rights beneath them do not belong to them and can be developed.

Commissioner Malone asked how the information would be of benefit. Inman said it would benefit land use planning, watershed management and potential development interests.

Commissioner Durgan moved to go forward with the recommendation from the planning board and department to co-fund the project using Eubank's expertise. Commissioner Tinsley seconded the motion. Motion passed. Commissioner Malone voted in opposition to the motion.

@10:26:51 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

March 11, 2013

Review of Minutes for Week of March 4, 2013

@1:19:37 p.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 review Commission meeting minutes for the Week of March 4, 2013.

Commissioner Malone requested a revision to Page 5 of 14; second full paragraph, second to last sentence should read, "Barnhart said an entity cannot narrow an original water right channel without the water right holder's permission." On Page 10 of 16; first full paragraph, the first sentence should read, "Bob Smith, Cooke City, said 12 local businesses were present on March 5 for a meeting in Cooke City to discuss how to get Highway 212 opened earlier than the typical day of May 15."

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

@1:22:24 p.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 11, 2013

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

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

March 12, 2013

Road and Engineering Updates

@8:04:47 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Ed Hillman, road; Mike Inman, planning; Shannan Piccolo, civil deputy county attorney; Lani Hartung, finance; Kristen Wester, Nittany Grantworks; Parks Frady, Kevin Feldman and Mark Westenskow, CTA; Kevin Bales, Altria; Mike Adams, fair board; Brenda Adams, citizen; John Mueller, minutes clerk. No public comment made.

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

Ed Hillman, road supervisor, provided quotes for dust control. Hillman said crewmen were working on Lower Cottonwood, Elbow Creek and Suce Creek Roads; four crewmen were hauling gravel; a crewman was erecting signs and a crewman was working in the shop.

Commissioner Tinsley said it would be nice to submit a letter, or hold a meeting in the local school, to notify residents when Rock Creek Road would be closed for upcoming maintenance work. Kevin Feldman, CTA Engineering, said bids were out for the Rock Creek Road project, and an onsite pre-bid walk through would be conducted on March 14.

Kevin Bales, Altria, said he needs a weight limit for a promissory note and contract for proposed Rock Creek Road work.

@8:35:40 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

### March 12, 2013

#### Discussion/Decision Concerning Possible Change of Scope, Funding Options and Signing of FEMA Response Letter for Fleshman Creek Project

@8:37:07 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Mike Inman, planning; Shannan Piccolo, civil deputy county attorney; Kristen Wester, Nittany Grantworks; Lani Hartung, finance; Parks Frady, Kevin Feldman and Mark Westenskow; CTA; Mike Adams, fair board; Brenda Adams, citizen; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider possible change of scope, funding options and signing of FEMA response letter for the Fleshman Creek Restoration Project.

Kristen Wester, Nittany Grantworks, provided for review a draft letter to be submitted to FEMA attempting to explain the county's proposed changes to the original project grant scope of work. She said FEMA's scope of budget change form would be included with the mailing per request of Montana DES.

Commissioner Tinsley moved to approve the letter provided by Wester dated March 12. Commissioner Durgan seconded the motion. Motion passed.

Wester said she would forward a project extension request by the upcoming Friday for review.

@8:51:12 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

### March 12, 2013

8:30 A.M. - 12:00 P.M. – Mandatory Employee Safety Tape Viewing – Community Room

March 12, 2013

Review of Daily Correspondence and Agenda

@9:06:07 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; John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo email re. March safety videos
- Memo email re. Gardiner Gateway Project meeting
- Memo document re. letter from First Interstate regarding landfill and DEQ
- Memo document re. proposed summer 2013 road department projects
- Memo document re. Gardiner road shop door invoice
- Memo document re. Tri-County Network MOU
- Memo email re. new build assessment
- Memo email re. mobile home assessment
- Memo document re. Olness & Associates financial statements ending June 30, 2012
- Memo document re. Park County Fiddle Creek Bridge surveyor comment
- Memo document re. Park County Corwin Bridge surveyor comment
- Memo document re. January check public auctions
- Memo document re. MDT draft statewide transportation program
- Memo email re. FY2013 county budget
- Memo email re. proposed MDT horizontal curve
- Memo email re. revised employee handbook wrap-up
- Memo email re. courthouse employee memorial services
- Memo email re. Week of March 11 road crewman work schedule
- Memo document re. SAR Building loan increase request
- Memo document re. MSU Park County Extension Office remodel
- Memo document re. Gardiner business proposals
- Memo document re. Suce Creek Road condition photographs

Commissioner Malone said the AP clerk could review the accuracy of county business refuse assessments using the city of Livingston's model. Malone said he proposed the AP clerk do that work. He said a system needs to be set up where another office can distribute county refuse tags in the absence of Commission Office personnel.

@9:50:12 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 12, 2013

Discussion/Decision on Firm to Remodel New Extension Office

@9:51:44 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; Mary Anne Keyes and Tracy Mosley, MSU Extension; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider a firm to remodel the new MSU Extension Office space.

Commissioner Malone said quotes for remodeling work were submitted by North Fork Builders, Cipriani Construction and Big Bear Contracting, LLC in the amounts of \$26,097.81; \$15,520 and \$15,260.50, respectively.

Commissioner Tinsley moved to accept the Big Bear Contracting quote for \$15,260.50 if Big Bear guaranteed work would be completed by April 19. Commissioner Durgan seconded the motion. Motion passed.

Mary Anne Keyes, MSU Extension, said Extension would not permit work by a contractor without a city of Livingston contractor's license.

@10:02:28 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 12, 2013

Human Resource Updates

@10:37:39 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; Mary Anne Keyes and Tracy Mosley, MSU Extension; 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 use-or-lose leave benefits request from an employee in the county attorney's office; a damage claim from a citizen whose vehicle was damaged by an object allegedly flying off a county road department vehicle; a draft memorandum on employee discipline documentation procedures as reviewed by the county attorney's office for commissioner signature; a road department employee retirement resignation; and a Cooke City compactor winter seasonal position resignation.

Ouellette said she was informed by various local pharmacists that they do not like the NACO discount card, because they get charged every time the card is run through their system. She said NACO said there was no fee, but a fee was being charged by the

pharmacies' software issuer. She said numerous pharmacies in the county were participating in the program, however, but will not promote or display the card.

Ouellette said the IT director reviewed an application on cyber liability insurance. The Commission reviewed that policy.

Ouellette asked if Commissioner Tinsley could accompany her to Billings on March 28 for a MACo HR training. The Commission said a public works director position would oversee the fairgrounds, parks, refuse and road departments.

@11:16:27 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

March 12, 2013

Signing of Amendment #1 for Public Health Community Family Forum

@11:21:20 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 Amendment #1 for a Public Health and Human Services community family forum.

Commissioner Durgan moved to postpone a decision on the matter until the public health nurse could attend the meeting to provide background information. Commissioner Tinsley seconded the motion. Motion passed.

@11:23:10 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 12, 2013

Legislative Updates

@11:59:21 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Senator Arthun and Representative Redfield (via telephone); John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss legislative updates.

Commissioner Durgan said Flathead County Commissioners were concerned about a water rights compact being pushed by the Salish-Kootenai Federated Tribe. Durgan said a Flathead County commissioner asked the Park County commissioners to submit a letter opposing the compact.

Commissioner Malone discussed bison issues in Park County with Representative Redfield and Senator Arthur.

@12:17:44 p.m., the meeting adjourned.

### March 12, 2013

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

2:00 P.M. – Park County Cooperative Weed Management Meeting – Commissioner Durgan attended

### March 13, 2013

#### Review of Daily Correspondence and Agenda

@8:39:44 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; John Mueller, minutes clerk. No public comment made.

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

Correspondence included:

- Memo email re. MACo safety audit schedule
- Memo email re. RC&D resignation with part time proposal
- Memo email re. Fleshman Creek scope of work changes draft letter and attachment
- Memo email re. March 12 road department work schedule
- Memo document re. We Dust Control magnesium chloride quote
- Memo document re. Mike Davis magnesium chloride quote
- Memo email re. bid check
- Memo email re. MAColeg HB 258 update
- Memo email re. county contracts data
- Memo document re. Area IV Agency on Aging contractor funding request
- Memo email re. EMI tabletop exercise
- Memo email re. MT DES Fleshman Creek scope of work
- Memo email re. SAR building INTERCAP loan increase

Commissioner Durgan reported on March 12 Legislative Updates and Senior Center meetings.

@8:59:12 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 13, 2013

Discussion/Decision of Public and Agency Comments for Gardiner Gateway Project  
Draft Final Preliminary Engineering Report

@9:05:17 a.m., Commissioner Durgan called a meeting to order in the Commission Chambers. Commissioners Durgan and Tinsley were present. Also present were Mike Inman, planning; Shannan Piccolo, civil deputy county attorney; Parks Frady, CTA; Bill Berg and Dennis McIntosh, Gardiner Community Council; Katrina Hecimovic, GGP steering committee; Jean Modesette, Gardiner Chamber of Commerce; Camden Easterling, Livingston Enterprise; and John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider public agency comments for the Gardiner Gateway Project draft final Preliminary Engineering Report (PER).

Parks Frady, CTA Engineering, said the Commission decided on January 7 to accept public comment for 30 days on the county's efforts for the Gardiner Gateway Project. One public comment was received. He said comments were also sought from local, state and federal agencies. Frady asked the Commission to review a memo with the public comment, as well as agency response letters. He asked the Commission to incorporate into the PER information from Northwest Energy, as NW Energy stated power lines could not be buried as was noted as the preferred alternative in the original PER.

Bill Berg, Gardiner Community Council, asked if Park County had considered the source from which its matching funds for a Federal Lands Access Program grant would come. Commissioner Tinsley said the Commission was aware of the match amount.

Mike Inman, planning, said the project steering committee would begin scheduling monthly project update meetings with the Commission.

Commissioner Tinsley moved to incorporate comments received from Northwest Energy into the final PER draft. Commissioner Durgan seconded the motion. Motion passed.

@9:27:13 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

March 13, 2013

Discussion of Insurance Claim Procedures

@9:36:54 a.m., Commissioner Durgan called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Jill Ouellette, HR; Dan Gutebier, Taylor-Leavitt Insurance; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss Montana Association of County's (MACo) insurance claim procedures.

Dan Gutebier, Taylor-Leavitt Insurance, provided a review of MACo's claim filing procedure. He said Taylor-Leavitt was happy to assist the county with a claim effort, but Park County and MACo were the two parties with authority in the matter. Gutebier said the only Park County claim on hold with MACo at the present time was the transfer station roof issue, per request of Park County.

@10:09:36 a.m. Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

March 13, 2013

Discussion of Security Options with Securitec for the City-County Complex

@10:13:11 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; Kelly Johnson, maintenance; Raea Morris, administrative assistant; Winston Morrissey, Big Sky Locks and Things; Jeff Jallings, SSI; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to discuss security options for the City-County Complex.

Commissioner Tinsley said Big Sky Locks and Things had previously worked with Park County about providing building security measures. There was discussion about potential door lock and other building security options. Commissioner Malone asked Big Sky Locks and Clocks to provide available lock and security options for the City-County Complex building.

@10:42:13 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

March 13, 2013

Review and Creation of County Road Abandonment Process

@11:04:54 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Shannan Piccolo, civil deputy county attorney; Mike Inman, planning; Martha Miller, auditor; Raea Morris, administrative assistant; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to review the county road abandonment process.

Commissioner Malone provided documentation proposing a road abandonment protocol, which was reviewed by meeting attendees.

Meeting attendees reviewed a proposed procedure. Mike Inman, planning, said the Parks and Recreation Board trails plan was based on a community survey to establish goals for

trails and connectivity. He said road abandonment are relevant to connectivity. He said he could identify through his review whether the parks board should review the application to determine if it was relevant for that board's review and recommendation.

Malone said he would add requested edits to the document for planning and county attorney office review.

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

March 13, 2013

Discussion/Decision Regarding Petition for Rock Creek Road

@11:37:09 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Shannan Piccolo, civil deputy county attorney; Parks Frady, George Bornemann and Kevin Feldman (via telephone), CTA; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider a petition regarding Rock Creek Road.

Kevin Feldman, CTA Engineering, said a discrepancy existed with the surveyed right-of-way of Rock Creek Road and where the road is physically located on the ground.

Shannan Piccolo, civil deputy county attorney, said she was not comfortable with the county spending money on a portion of the road it did not have legal right to, which could potentially result in legal action, and her legal opinion was to not proceed until the county gets the right-of-way issue corrected. She said the county could obtain a prescriptive public easement for the road sections in question, but such would require court action. Piccolo said she suggested approaching the six landowners in the stretch of road in question as to whether they would be willing to permit work on the road through their properties via signed petition. Piccolo said a county landowner must petition to alter the existing right-of-way documents to show where the road actually lied on the ground.

The Commission scheduled an onsite public meeting for March 19 to seek landowner signature of the petition along the stretch of road in question. She said the county must compensate landowners for the value of the land in the easement taken from them if they are not willing to sign the petition.

George Bornemann, CTA, said he recommended either he or Jerry Brekke conduct more research on Rock Creek Road to ensure all information was gathered.

@12:23:09 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

March 13, 2013

Signing of Contract for Remodel of New Extension Office

@2:34:00 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; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a contract to remodel the new MSU Extension Office space.

Commissioner Tinsley moved to accept the contract for Big Bear Contracting for remodeling of the Extension Office for \$15,260.50 with work to be finished by April 30. Commissioner Durgan seconded the motion. Motion passed.

@2:36:31 p.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

March 14, 2013

Review of Daily Correspondence and Agenda

@8:32 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. Tri-County Network MOU
- Memo document re. Cooke City Fire District state entitlement funds
- Memo document re. Livingston Community Trust meeting minutes and financials
- Memo email re. MACoHCT renewal meeting
- Memo email re. March 20 personnel work schedule
- Memo email re. cabin assessment
- Memo email re. March Department Head meeting agenda item
- Memo email re. safety audit meeting time

@8:55 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

March 14, 2013

9:00 A.M. – Safety Committee – Commission Chambers

March 14, 2013

Discussion/Decision on Resort Tax Allocations

@10:03:27 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Malone and Tinsley were present. Also present were Shannan Piccolo, civil deputy county attorney; Kevin Larkin, treasurer; Marilyn Hartley and Lani Hartung, finance; Suzy Hahn and Donna Rowland, Cooke City (via telephone); Camden Easterling, Livingston Enterprise; John Mueller, minutes clerk.

The meeting was scheduled to consider Cooke City area resort tax allocations.

Commissioner Malone said eight applications were received requesting approximately \$201,000 in Cooke City area resort tax funds. Kevin Larkin, treasurer, said \$155,432.76 was available in the resort tax fund Capital Improvement District budget.

Malone read into the record \$126,900 in recommended resort tax allocations as follows:

- Colter Pass, Cooke City, Silver Gate Community Council: \$58,000 for community center building payment and operations (requested: \$58,000)
- Upper Yellowstone Snowmobile Club: \$12,000 for trail groomer (requested: \$12,000)
- Cooke City Water District: \$20,000 for water system loan (per MOU)
- Colter Pass, Cooke City, Silver Gate Chamber of Commerce: \$18,500 for executive director position salary (requested: \$18,500)
- Colter Pass, Cooke City, Silver Gate Community Council: \$1,100 for travel counselor position salary (requested: \$1,100)
- Cooke City Fire District: \$8,000 for structure fire breathing apparatus (requested: \$53,175)
- Silver Gate Water District: \$6,000 for water system improvements (requested \$31,628)
- Colter Pass, Cooke City, Silver Gate Chamber of Commerce: \$3,300 for billboard advertisement campaign (requested: \$3,300)

Commissioner Tinsley said he supported assisting entities, but the Silver Gate Water District needed to increase its rates to a point it could maintain its system on its own. He said the district had increased rates from \$8 per month to \$12 per month, but that was not enough. In comparison, a resident in Clyde Park pays \$54 per month for water.

Tinsley said he suggested putting remaining funds toward the principle of the community center building. Requested funds for that use ranged from \$15.00 to \$20,000. \$78,000+ remains on the building principle.

Commissioner Malone said the civil deputy county attorney determined the Cooke City Fire District failed to follow application procedures in requesting resort tax funds, but the Commission could waive the technicality if it so chose.

Commissioner Tinsley moved to waive the application requirements to permit funding toward the Cooke City Fire District. Commissioner Malone seconded the motion. Motion passed.

Civil Deputy County Attorney Shannan Piccolo said she would clarify whether unallocated resort tax funds could be used for “emergency situations.” Piccolo said she would provide a legal opinion as to whether future resort tax funds could be promised to the Silver Gate Water District and Cooke City Fire District via an MOU as was done for the Cooke City Water District.

Commissioner Tinsley moved to approve the funding as read. Tinsley reread the dollar values into the record as read by Malone with an additional \$20,000 toward the community center principle. Commissioner Malone seconded the motion. Motion passed.

@10:29:12 a.m., Tinsley moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

#### March 14, 2013

10:00 A.M. – Local Emergency Planning – Community Room

1:00 P.M. – Rock Creek Road Project Walk Thru – On Site – Commissioner Tinsley attended

1:00 P.M. – Critical Incident Stress Management – West Room

1:00 – 5:00 P.M. – Mandatory Employee Safety Tape Viewing – Community Room

#### March 15, 2013

No Commission Meeting Scheduled

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana