

Park County Commission Meeting Minutes  
Week of May 20 – 24, 2013  
Park County, Montana

May 20, 2013

8:00 A.M. – Elite Business Team Meeting – Bozeman – Commissioner Malone attended

May 20, 2013

Review Daily Correspondence/Agenda

@8:53 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; Shannan Piccolo, civil deputy county attorney; John Mueller, minutes clerk. No public comment made.

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

Correspondence for May 16 included:

- Memo email re. e-recycling mailer and appliance pickup
- Memo email re. 911/communications committee appointment process
- Memo document re. signed Fleshman Creek Project acceptance letter
- Memo document re. Park County/Area IV Agency on Aging MOU
- Memo email re. Gardiner Gateway Project timeline

@9:07 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

May 20, 2013

Review of Minutes for Week of May 13, 2013

@9:24 a.m., Commissioner Tinsley called a meeting to order in the Commission Chambers. Commissioners Durgan 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 May 13, 2013.

Commissioner Durgan noted a misspelled word.

Commissioner Durgan moved the minutes be accepted with one correction. Commissioner Tinsley seconded the motion. Motion passed.

@9:26 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

May 20, 2013

Budget Workshop – Health Nurse, Maintenance, Special Revenue Funds

@9:32 a.m., Commissioner Durgan called a meeting to order in the Commission Chambers. Commissioners Durgan and Tinsley were present. Also present were Martha Miller, auditor; Lani Hartung, finance; Suzanne Brown, health department; Greg Coleman and Belinda Van Nurden, DES; Kelly Johnson, maintenance; Kevin Larkin, treasurer; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as a FY '14 budget workshop to review proposed health nurse, maintenance and special revenue fund budgets.

The public health nurse, maintenance, library, special revenue fund, treasurer and Disaster and Emergency Services budgets were reviewed.

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

May 20, 2013

12:00 P.M. – DUI Task Force Meeting – Community Room

6:00 P.M. – MSU Extension Weed Meeting – Community Room

7:30 P.M. – Wilsall Water District Meeting – Wilsall Senior Center

May 21, 2013

9:00 A.M. – County Employee Health Insurance Open Enrollment – Community Room

May 21, 2013

Review of Daily Correspondence and Agenda

@8:38 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; Ave Forseth, citizen; John Mueller, minutes clerk.

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

Correspondence included:

- Memo document re. Library Board application
- Memo document re. PFL refuse tag reimbursement check

- Memo email re. road area press release
- Memo document re. DPHHS amendment to Home Visit Agreement
- Memo document re. Maternal and Child Health Block Grant Program contract
- Memo document re. citizen meeting request
- Memo document re. citizen request for cabins refuse removals
- Memo document re. Livingston Enterprise Tax Appeal Board legal ad
- Memo document re. GGP and Willow Bend legal opinions

Citizen Ave Forseth asked about the status of implementing a Special Improvement District for Chicory Road. The Commission said the county attorney's office would have the information the following week. Forseth asked if the county could seal cracks in the road.

@9:01 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

### May 21, 2013

#### Selection of Contractor for Gravel Crushing at Pierce Pit

@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 Jeff Frank and Guy Saco, ARTD; Alvin Pierce, citizen; John Mueller, minutes clerk.

The meeting was scheduled to select a contractor for gravel crushing at Pierce Pit.

Jeff Frank, Advanced Resource Technology Development LLC, provided a presentation of his startup exploration and mining company and a proposal to provide gravel crushing services to Park County.

Commissioner Durgan said the Commission would like Frank to contract with local contractors. Commissioner Malone said the Commission received two quotes from area contractors as follows:

- Bainter Construction: \$6.40 per cubic yard
- Koontz Construction: 14,000 tons at \$3.50 per ton. Additional 9,000 tons for \$3.25 per ton

The Commission asked Frank to return on May 22 with another bid.

@9:48 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

### May 21, 2013

Department Head Meeting - West Room (9:30 am - 10:30 am) – Canceled

May 21, 2013

Discussion/Decision on Operation Fallen Soldier Veterans Memorial Wall

@11:01 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Greg Durham, citizen; John Mueller, minutes clerk.

The meeting was scheduled to consider a decision on location of an Operation Fallen Soldier Veterans Memorial Wall.

Citizen Greg Durham said he would like to use the grassy area at the corner of Callender and D Streets adjacent to the City-County Building to erect a proposed fallen Montana soldier memorial.

Commissioner Tinsley moved the Park County Commission approve the site for the Fallen Soldier Memorial to be placed at the grass area at the corner of D and Callender Streets on the courthouse property, noting the exact location of the site would be pinpointed when plans were drawn up and approved, and taking into account placement of the existing rock at that location in honor of the former Justice of the Peace. Commissioner Durgan seconded the motion. Motion passed.

@11:14 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 21, 2013

Review/Consider all CTEP Projects and Public Comments; Determine Priority List

@11:30 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; Raea Morris, administrative assistant; Kristen Galbraith, Nittany Grantworks; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to consider all Community Transportation Enhancement Program (CTEP) projects and public comments and determine a priority list.

Mike Inman, planning; Kristen Galbraith, Nittany Grantworks; and Raea Morris, administrative assistant; said no public comments were received on any proposed CTEP projects. Inman said a Clyde Park pavilion project application was withdrawn.

Inman said the overall cost of the Gardiner sidewalk extension project (to the rodeo grounds) was reduced from \$80,000 to \$63,935.75 with \$55,000 to be paid with CTEP funds and \$8,500 as county match. Inman said the reduced cost may facilitate additional sidewalk work in the immediate area.

Inman said the Yellowstone Gateway Museum requested \$35,000 for a new building roof, and a remainder of \$22,500 in CTEP funds could be applied toward required museum building ADA requirement upgrades.

Commissioner Tinsley moved to approve the sidewalk project in Gardiner with the condition to extend the sidewalk to the far ends of the rodeo grounds if money is available; approve the museum roof project, and any funds leftover be applied to the museum's ADA needs, up to \$22,500. Commissioner Durgan seconded the motion. Motion passed.

@11:38 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 21, 2013

Signing of a Contract for Rock Creek Road Project

@1:33 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; Kevin Feldman, CTA (via telephone); John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a contract for the Rock Creek Road project.

Commissioner Tinsley moved to accept the contract with Bullock Construction for the Rock Creek project. Commissioner Durgan seconded the motion. Motion passed.

@1:38 p.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 21, 2013

Introduction of the New DNRC Supervisor

@2:34 p.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan and Malone were present. Also present were Craig Campbell, DNRC; Greg Coleman, DES; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as an introduction of the new Montana Department of Natural Resources and Conservation (DNRC) supervisor.

Craig Campbell, DNRC, provided an introduction letter from the new DNRC supervisor. There was discussion about DNRC firefighting equipment that may be available to rural fire departments for use. There was discussion about how to improve communications between agencies on a major fire event, such as the Pine Creek Fire. Campbell noted areas in Park County that DNRC may remove timber as part of thinning projects.

@3:07 p.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

May 21, 2013

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

May 22, 2013

8:30 A.M. – Review of Daily Correspondence and Agenda – Commission Chambers – Canceled due to no quorum of commissioners

9:00 A.M. – Human Resource Updates – Commission Chambers – Canceled due to no quorum of commissioners

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

May 23, 2013

County Road/Engineering Services Updates

@8:10 a.m., Commissioner Tinsley called a meeting to order in the Commission Chambers. Commissioners Durgan and Tinsley were present. Also present were Ed Hillman, road; Raea Morris, administrative assistant; Kevin Feldman, CTA; Kevin Bales, Altria; Dann Babcox, PCRFD#1; Toba Lord, citizen; John Mueller, minutes clerk.

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

Citizen Toba Lord asked if the county would waive the driveway/road approach fee of \$250 for the house she was building in Clyde Park, as she cannot pay it. The Commission said it would not waive a fee altogether, as that would set precedence. The Commission would agree to a pay schedule over time. Lord suggested making another appointment with the Commission to suggest a program where individuals with special financial needs can be excluded from county fees.

Dann Babcox, PCRFD#1, asked what could be done to have the state of Montana fix Old Clyde Park Road. Commissioner Tinsley said the state is trying to find money to assist in repairing the road after the KRPK Bridge project was completed. He said Old Clyde Park Road is not a state route, thus at the current time MDT was having difficulty finding funds for the road.

Babcox asked about an issue of culvert size and expected water runoff on Deep Creek Road as the result of the 2012 Pine Creek Fire.

Kevin Feldman, CTA Engineering, provided a report of CTA's engineering services for Park County.

Tinsley said he proposed having staff facilitate Fleshman Creek Flood Mitigation and Restoration Project update meetings outside of the Commission Chambers and reporting back to the Commission in order to enable the Commission to be free to work on projects. Commissioner Malone said no local entities who promised in-kind contribution toward the Fleshman Creek project had provided any promised in-kind match, thus the county's in-kind contribution could possibly increase to \$400,000.

Road Supervisor Ed Hillman said he needed seasonal road patching employees hired through the HR Department. The Commission said it okayed that hiring two weeks prior.

@8:58 a.m., Durgan moved to adjourn the meeting. Malone seconded the motion. The meeting adjourned.

May 23, 2013

Review of Daily Correspondence and Agenda

@9:09 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.

Commissioner Durgan said the road department placed 185 tons of gravel at the fairgrounds.

Correspondence for May 21 included:

- Memo document re. First West certificate of liability insurance
- Memo email re. citizen Rural Fire concern
- Memo document re. Livingston Library Board trustee reappointment
- Memo document re. MAColeg spring district meeting

Correspondence for May 22 included:

- Memo document re. letter to road department regarding Daily Lake Road
- Memo email re. upcoming MACoHCT trustee meetings
- Memo email re. Clerk and Recorder research or copy request protocol
- Memo document re. MACo Oil and Gas annual meeting
- Memo email re. DES personnel swearing-in
- Memo email re. Paradise Valley Corridor Planning study
- Memo email re. county attorney confidential matter communiqué

Commissioner Tinsley reported on a May 22 Western Montana Mental Health meeting. Tinsley said Nittany Grantworks had documented in-kind contribution hours for the school district toward the Fleshman Creek Flood Mitigation and Restoration Project.

@9:58 a.m., Durgan moved to adjourn the meeting. Tinsley seconded the motion. The meeting adjourned.

May 23, 2013

Signing of Resolution to Abandon Nelson Spring Creek Road

@9:58 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; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a resolution to abandon Nelson Spring Creek Road.

Commissioner Durgan moved to sign Resolution #1156 to abandon Nelson Spring Creek Road. Commissioner Tinsley seconded the motion. Motion passed.

@9:59 a.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

May 23, 2013

Budget Workshop – Road, Refuse, Special Revenue Funds, Capital Improvement Funds

@10:12 a.m., Chairman Malone called a meeting to order in the Commission Chambers. Commissioners Durgan, Malone and Tinsley were present. Also present were Warren Newhouse II, refuse; Lani Hartung, finance; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled as a Fiscal Year 2014 budget workshop for Road/Bridge and Refuse Departments and special revenue and capital improvement funds.

The listed department budgets and special funds were reviewed.

@11:37 a.m., the meeting adjourned.

May 23, 2013

Signing of Task Order Modification to Include Special Inspection Services - C for Search and Rescue Building; Signing of Construction Change Order No. 1 - Foundation Revisions Based on Supplied Building for Search and Rescue Building

@1:08 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; Wendy Wood, SAR; Kevin Feldman, CTA; Mary Anne Keyes, MSU Extension; John Mueller, minutes clerk. No public comment made.

The meeting was scheduled to sign a task order modification to include Special Inspection Services – C and Construction Change Order No. 1 - Foundation Revisions Based on Supplied Building for the new Search and Rescue (SAR) Building.

Kevin Feldman, CTA Engineering, provided an explanation of services, deliverables and issues requiring the task order modification. Wendy Wood, SAR, said she was disappointed CTA did not notify the sheriff's office of the potential of the changes and increased costs that were incurred.

Commissioner Tinsley said he thinks CTA should "eat" the overages regarding testing, which resulted from mistakes in contracts that truly were not the fault of the county or the contractor. Tinsley said he suggested Feldman inform his boss Park County suggests CTA eat the cost, as it was not Park County's fault.

Commissioner Tinsley moved CTA complete the task order for no charge. Commissioner Durgan seconded the motion. Motion passed.

Commissioner Tinsley moved to approve Change Order #1 for the foundation of the SAR building for the quoted amount of \$11,729.14. Commissioner Durgan seconded the motion. Motion passed.

@1:35 p.m., Tinsley moved to adjourn the meeting. Durgan seconded the motion. The meeting adjourned.

#### May 23, 2013

2:00 P.M. – 911 Communications Meeting – Commission Chambers

6:00 P.M. – Ranchers and Landowners Fire Training – PCRFD#1, Livingston

#### May 24, 2013

No Commission Meetings Scheduled

Marty Malone  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana