

Park County Commission Meeting Minutes
Week of November 4–8, 2013
Park County, Montana

November 4, 2013

Public Comment Period, County Departmental Updates, Signing of Administrative Documents in Signature folder and Review of Daily Correspondence/Agenda

@9:03 a.m., the meeting opened in the Commission Chambers

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

Correspondence for October 31 included:

- Memo re. Planning and Development Board revised bylaws
- Memo re. road department vehicle auction payment receipt
- Memo re. CTA Engineering Fleshman Creek Project Payment Application #2
- Memo re. November Parks and Recreation Board agenda
- Memo re. MACo PILT Program early release

Correspondence for November 1 included:

- Memo re. proposed changes to county printing and folio sizes
- Memo re. Willow Bend Lane legal opinion
- Memo re. Nittany Grantworks weekly Fleshman Creek Project update
- Memo re. Livingston Enterprise Public information requests
- Memo re. Nittany Grantworks Fleshman Creek traffic awareness communication
- Memo re. Park County parcel interest
- Memo re. Department of Commerce suspension of 2014 Boundary and Annexation survey
- Memo re. November 6 City-County Meeting agenda
- Memo re. Airport Board meeting with commissioners
- Memo re. Commissioner Tinsley letter of appointment to MACo Economic Development and Labor Committee
- Memo re. Commissioner Malone letter of appointment to Public Lands Committee
- Memo re. mailroom postage meter report
- Memo re. DNRC grant agreement for Fairgrounds Wastewater Improvements
- Memo re. meeting request for Parcel 45 Subdivision extension
- Memo re. Seven Point Minor Subdivision public hearing

- Memo re. public nuisance building in Cooke City

Commissioner Malone reported on a November 1 trip to Cooke City.

Commissioner Tinsley reported on a November 1 trip to Clyde Park and Wilsall with the new MSU Economic Development Extension Agent.

@10:02 a.m., the meeting adjourned.

Human Resource Department Updates

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

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

Jill Ouellette, HR, said the Public Works Director had some out of the office plans prior to being hired by the county. There was discussion about drawing from the general fund to pay for the position.

Ouellette provided an exit interview for a homemaker retiring from the Health Department. Sheriff's office union negotiations will take place on November 12. An individual from the county's insurance carrier conducted ergonomic assessments of various employee work stations.

@10:38 a.m., the meeting adjourned.

November 5, 2013

Opening of Meeting: 9:01 a.m.; Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Barbara Woodbury, environmental health; Shannan Piccolo, civil deputy county attorney; Mike Inman, planning; Warren Newhouse II, refuse; Mary Anne Keyes, Tracy Mosley, Katie Weaver, MSU Extension; Mike Adams, fair board; Kristen Galbraith, Nittany Grantworks; Parks Frady and Kevin Feldman, CTA; Kevin Bales, Altria; Natalie Storey, Livingston Enterprise; John Mueller, minutes clerk

Public Comment for Items Not on Agenda: Mike Adams asked if the public could buy culverts being taken from the H Street crossing as part of the Fleshman Creek Restoration Project. Kevin Feldman, CTA Engineering, said any salvageable materials from the project are the property of Park County. Unsalvageable items will be disposed of by the contractor. Adams said he is interested in purchasing a culvert.

Kevin Bales, Altria, asked if the county will invoice Altria for work on Rock Creek Road this or next year. The speed limit on the road will remain at 25 MPH until the project is

completed next spring. Tinsley said he does not think the road will be completed until June, so a bill to Altria likely would be after that time.

County Department Updates

Mary Anne Keyes, Tracy Mosley and Katie Weaver, MSU Extension, provided updates of associated goings-on.

Update on Current County Projects

Fleshman Creek Project: Kevin Feldman, CTA Engineering, said contractors hope to complete resurfacing of View Vista and H Streets this week. Stream restoration will commence this week in some upper reaches.

Mike Inman, planning, said very little public feedback has been received on the project, and there has been little attendance at weekly public update meetings.

Gardiner Gateway Project: No report

Gardiner Sidewalk Extension Project: No report

Museum Roof Restoration Project: Project has been approved/funded. Roof restoration likely will take place in 2014.

Boulder River Road: No report

Rock Creek Road: Work is completed for the winter and will finish in the spring. Bullock Construction does not have "Construction Zone" signs to place to keep traffic speeds down. The county will rent said signs.

TSEP County Bridge Improvement Project: Construction will commence summer 2014.

In other discussion, Feldman said things are going well with the new Search and Rescue Building project. CTA completed interviews with City-County Building departments the previous week regarding office space assessments/needs. A Commission meeting and meeting with the city will be scheduled in the near future.

ACTION ITEMS

Review/Signing of Bike/Pedestrian Path Resurfacing Project CTEP Application for Submittal to MDOT: Kristen Galbraith, Nittany Grantworks, said the resurfacing project will use up remaining county CTEP funds, with \$8,000 needed as match. Inman said the Parks Board will research agencies/individuals to contact for possible match of funds.

Commissioner Tinsley moved to sign the Community Transportation Enhancement Program application for the Park County trail project. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Hiring an Engineering Firm for Landfill: Shannan Piccolo, civil deputy county attorney, said two firms submitted bids. One bid was submitted after the deadline date/time. Piccolo's determination is the late bid cannot be accepted. Feldman said CTA was notified verbally of the incorrect deadline date, but CTA staff acknowledged they received notification from the Clerk and Recorder's Office. Feldman said he feels it is in the best interest of Park County to accept more than one bid. Commissioner Malone said he thinks the county bent over backwards to give CTA additional time to submit a bid.

Commissioner Tinsley moved to accept the bid from Great West for the landfill. Commissioner Malone seconded the motion. Motion passed. Commissioner Dugan voted in opposition to the motion.

Discussion/Decision on Approval and Implementation of the Solid Waste Board Master Plan as Presented to the Commission in 2012: Commissioner Tinsley moved to approve the Solid Waste Master Plan as present to the Commission in 2012. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on MSU Extension-Park County Agreement: Mary Anne Keyes provided a review of MSU Extension services to Park County as outlined in the annual agreement. Commissioner Tinsley moved to sign the Park County-MSU Extension Service Agreement. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Submitting Gardiner Resort Area Designation Letter to Department of Commerce: Commissioner Durgan moved to submit the Gardiner Resort Area designation letter to the Montana Department of Commerce. Commissioner Tinsley seconded the motion. Motion passed.

Discussion/Decision to Waive Letter Size Survey of Montague Place for Review of Alley Abandonment: Commissioner Tinsley moved to approve waiving the letter size survey. Commissioner Durgan seconded the motion. Motion passed.

CONSENT ITEMS

Review of Daily Correspondence and Agenda/Signing of Administrative Documents and Upcoming Claims/P.O.'s

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

Commissioner Malone said issues expressed with Planning and Development Board bylaws may be an opportunity to make all county advisory/administrative board bylaws the same per the Commission.

Correspondence included:

- Memo re. November Angel Line Board meeting agenda
- Memo re. City Parks and Trails Committee meeting agenda
- Memo re. City Tree Board meeting agenda
- Memo re. city subdivision regulations - parkland
- Memo re. civil attorney public information request legal opinion
- Memo re. Cooke City snow removal RFQ
- Memo re. Planning Director meeting request to update county growth policy
- Memo re. Altria Group check for Rock Creek Road
- Memo re. US Senate energy development meeting
- Memo re. Park Electric Cooperative billing/account information
- Memo re. citizen letter of concern about Planning Department and planning board members

Commissioner Tinsley said the Solid Waste Board would like to have fulltime green box site monitors. Tinsley said the Montana Rib and Chop House in Livingston produces far more garbage than any business in Park County, and it does not have garbage pick up on Saturdays or Sundays.

Review of Minutes for Weeks of October 21 and 28, 2013: Commissioner Tinsley moved to accept the minutes of the Week of October 21. Commissioner Durgan seconded the motion. Motion passed.

Commissioner Malone noted a grammatical revision. Commissioner Tinsley moved to accept the minutes for the Week of October 28 as amended. Commissioner Durgan seconded the motion. Motion passed.

Public Hearings/Ordinances/Resolutions

Signing of a Resolution Establishing the Park County Planning and Development Board and Ratifying all Past Actions of the Planning and Development Board – Canceled

Adjournment: 11:16 a.m.

November 6, 2013

Public Comment Period, County Departmental Updates, Signing of Administrative Documents in Signature folder and Review of Daily Correspondence/ Agenda

@9:01 a.m., the meeting opened in the Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Kelly Johnson, maintenance; Lani Hartung, finance; John Mueller, minutes clerk

County Department Updates

Lani Hartung, finance, said external auditors will complete work today.

Kelly Johnson, maintenance, said ACE Roofing needs to be paid asap for delivered City-County Complex roof materials.

Correspondence for November 5 included:

- Memo re. high speed fiber optics for Park County/City of Livingston/Schools
- Memo re. final signed CTEP application
- Memo re. county IT network work
- Memo re. Main Boulder Road improvements receipt of agreements
- Memo re. landfill annual license renewal

Commissioner Malone said he thinks the county needs to have a template for advisory board bylaws.

@9:30 a.m., the meeting adjourned.

City-County Meeting

@9:33 a.m., the meeting opened in the Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Adam Stern, James Bennett, city commission; Ed Meece, city manager; Kelly Johnson, maintenance; Peggy Glass, 911; Shannan Piccolo, civil deputy county attorney; John Mueller, minutes clerk

Roof Stucco/Locks for FY '14: Kelly Johnson, maintenance, said the roof replacement project will take three to four weeks to complete. The building lock contractor submitted an invoice for the down payment for lock equipment. Building stucco repair will commence at the end of the month.

City-County Complex Space Issues: CTA Engineering completed department/city interviews regarding building space needs and results will be forthcoming.

Fleshman Creek Project Update: H Street is to open this week. View Vista Drive will be repaved by week's end. The city and county have terminated an agreement where the city cleaned all culverts in the city limits at \$1,000 per month.

Solid Waste Update: Operations going fine

Parking Lot Plowing: The city road crew will plow snow from the courthouse and north side employee parking lots.

City-County Complex Hall Security: Written comments from city and county law enforcement personnel on the issue are forthcoming.

Janitorial Concerns Communication Protocol: Concerns/complaints about janitorial services should be directed to Execucare executive staff and not Execucare cleaners.

Public Comment: None

@10:01 a.m., the meeting adjourned.

Discussion/Decision on Signing an Amendment for Stucco Tech for a Date Extension

@10:04 a.m., the meeting opened in the Commission Chambers

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

Kelly Johnson, maintenance, said Stucco Tech needs more time to complete courthouse building stucco repair work due to employee and weather issues at another job in North Dakota. Proposed completion date is November 30. The county will incur no costs above the agreed-upon contract price.

Commissioner Durgan moved to sign the amendment for Stucco Tech to extend the job contract due to circumstances beyond Stucco Tech's control. Commissioner Malone seconded the motion. Motion passed.

@10:09 a.m., the meeting adjourned.

10:30 a.m. – Final Plat Approval Extension Request for Parcel 45 Major Subdivision – Canceled

1:30 p.m. – City-County Compact Meeting – Community Room

3:00 p.m. – Parks and Recreation Board – East Room

November 7, 2013

Opening of Meeting: 9:02 a.m.; Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Ed Hillman and Dan Hackmann, road; Kelly Johnson, maintenance; Erica Hoffman, GIS/IT; Lani Hartung, finance; John Mueller, minutes clerk

County Department Updates

Kelly Johnson, maintenance, said two crewmen completed about 1,000 square feet of roof yesterday. Five crewmen will work on the roof today.

Lani Hartung, finance, provided a document from external auditors for signature.

County Road/Engineering Services: Ed Hillman, road supervisor, said culverts were hauled away from the Fleshman Creek project site. The road crew will work on potholes in the upper end of Trail Creek Road.

ACTION ITEMS

Signing of 2013-2014 Inmate Excess Medical Insurance Program Renewal Agreement: Commissioner Tinsley moved to sign the Inmate Excess Medical Insurance Program Renewal Agreement. Commissioner Dugan seconded the motion. Motion passed.

Signing of a Memorandum of Understanding between Park County and Park County Senior Center: Civil Deputy County Attorney Shannan Piccolo said the MOU satisfies a previous audit finding. The payment has been an annual payment. Commissioner Durgan moved to accept the Memorandum of Understanding between Park County and Park County Senior Center. Commissioner Tinsley seconded the motion. Motion passed.

Signing of a Memorandum of Understanding between Park County and Park County Retired and Senior Volunteer Program (RSVP): Civil Deputy County Attorney Shannan Piccolo said the MOU satisfies an audit finding. The payment has been an annual payment. Commissioner Durgan moved to sign the Memorandum of Understanding between Park County and RSVP. Commissioner Tinsley seconded the motion. Motion passed.

Discussion/Decision on Park County Retention Policy: Erica Hoffman, GIS/IT, said the county needs to set up an in-house repository for data retention. Commissioner Tinsley moved to set up Hoffman's proposal for three years. Commissioner Dugan seconded the motion. Motion passed.

Discussion/Decision on Cooke City Snow Removal Contract 2013-2014: Commissioner Tinsley moved to approve the Cooke City Snow Removal Contract for publication with corrections made. Commissioner Dugan seconded the motion. Motion passed.

Appointing Board Members to the Local Advisory Committee (LAC): Applications were submitted by John Futter, Sandra Glenn and Gary Travis. Commissioner Tinsley moved to accept the applications mentioned for the LAC Advisory Committee. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Refuse Charges and Policy Resolution: Civil Deputy County Attorney Shannan Piccolo said MCA 7-11-1025 requires the Commission to hold a public hearing to set solid waste assessment amounts within a set date of receipt of taxable values. Commissioner Tinsley will take the proposed assessments to the Solid Waste Board for review and comment.

CONSENT ITEMS

Public Comment Period, County Departmental Updates, Signing of Administrative Documents/Claims in Signature folder and Review of Daily Correspondence/Agenda

Correspondence included:

- Memo re. RC&D trailer
- Memo re. November Juvenile Detention Board meeting agenda
- Memo re. Juvenile Detention Board financials
- Memo re. City-County Building roof replacement project update
- Memo re. MACo Jewell on Monument documents
- Memo re. Re-designation request for Gardiner Resort Tax
- Memo re. first confirmed Montana influenza case

Updating on the Fleshman Creek Restoration Project, Commissioner Tinsley said H Street should open tomorrow and Main Street will be closed in two weeks.

@10:19 a.m., the meeting recessed until 1:30 p.m.

Consider Necessity of Updating the Park County Growth Policy

@1:30 p.m., the meeting reopened.

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

Mike Inman, planning, said the county growth policy was adopted in October 2006 and put on and passed the general ballot in 2008. State statute requires defining how the policy will be updated within a five year period. The five-year deadline is November 8. Inman said he recommends updating the inventory of existing characteristics, which was created from data from 2000. The Goals and Objectives and Implementation Timetable sections will need to be addressed, as well. Inman said Agenda 21 people will show up to shut the revision process down given the nature of growth policy issues Agenda 21ers find contentious.

Commissioner Tinsley said he does not think the present is the time for the Planning Board, Commission and staff to take on the effort of updating the growth policy in light of all CIP projects and the planning board's ongoing land use data gathering effort.

Civil Deputy County Attorney Shannan Piccolo said the Commission needs to make a determination of whether the policy needs to be updated, but does not have to update it at present.

Commissioner Tinsley moved the county needs to update the growth policy, but requests to hold off doing so until June of 2014, at which time the Commission will discuss what the needs are. Commissioner Durgan seconded the motion. In discussion, Inman said he would begin compiling 2010 data to update the policy when the time comes. Motion passed.

Adjournment: 1:50 p.m.

Park County Board/Committee Meetings

12:00 p.m. – Senator Tester Outreach Session, East Room

November 8, 2013

No Commission Meetings Scheduled

Marty Malone
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana