

Park County Commission Meeting Minutes
Week of April 21 – 25, 2014
Park County, Montana

April 21, 2014

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

@9:00 a.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Scott Hamilton, PCSO; Sam Sheppard, FWP; John Mueller, minutes clerk

Sam Sheppard, FWP warden captain, provided an update of bison presence and management efforts in the Gardiner Basin.

Correspondence for April 15 included:

- Memo re. Airport Project legal notice
- Memo re. regional detention grants
- Memo re. PIR missing minutes

Correspondence for April 16 included:

- Memo re. Stillwater Mine 2013 East Boulder Annual Impact Monitoring Report
- Memo re. DPHHS designation of county earmarked Alcohol Tax money
- Memo re. citizen advisory board application
- Memo re. Green Acres Park port-a-toilet
- Memo re. March 2014 Airport Board meeting minutes

Correspondence for April 17 included:

- Memo re. May 28 range tour
- Memo re. city underpass project letter of support request
- Memo re. legal advertisement
- Memo re. ACE Roofing museum building cupola additional invoice
- Memo re. Nittany Grantworks TIGER grant letter of support confirmation

Correspondence for April 18 included:

- Memo re. PCSO boarder report

- Memo re. floodplain application letter
- Memo re. DRAFT April 2014 Solid Waste Board minutes

Commissioner Malone said he thinks the Commission Office (via county attorney's office) should review and approve all legal advertisements. Malone reported on a two-day MACo Healthcare Trust meeting the previous week and a site visit to the Chico refuse site.

Commissioner Tinsley reported on an April 17 Solid Waste Board meeting.

@9:48 a.m., the meeting adjourned.

Human Resource Department Updates

@10:02 a.m., the meeting opened in the Commission Chambers.

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

Jill Ouellette, HR, provided updated job descriptions for the civil deputy county attorney and four Treasurer's Office staffers. Ouellette said she verified ahead of time that the JPA/JPIA webinar on April 17 was very basic and Park County need not attend. Ouellette provided an employee leave bank report and change of status forms for a permanent Angel Line driver, a fairgrounds manager changed to an hourly employee and a PCSO deputy position after a probationary period termination.

Ouellette said a former road department employee (from 1999) applied for retirement benefits with PERS, but his individual personnel file is not available. Ouellette provided a back-pay hours report to PERS. Park County must pay a mandatory fee with interest and penalties. She provided paperwork for signature.

There was discussion about the recent MACoHCT meeting attended by Commissioner Malone including upcoming ACA changes and how to increase employee attendance at the annual free health screening. Park County had close to 50-percent attendance at this year's screening.

@10:28 a.m., the meeting adjourned.

Discussion on Policy for County Board Selection Committee

@10:31 a.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Mike Inman, planning; Jason Frost, fair board; Chuck Donovan, citizen; John Mueller, minutes clerk

Commissioner Malone said he thinks the Commission Office should be notified of all board vacancies, accept the application and select members from those applications. The Commission could opt to appoint a selection committee if it desired. Civil Deputy County Attorney Piccolo said an advertisement, application submittal and an interview process is established when more applicants apply for open board seats than seats available, but selection of interviewees after that point does not seem to be consistent.

Commissioner Durgan said a disinterested committee should be appointed to provide a recommendation to the Commission. He said he does not think the Commission needs to be part of the selection process, but always has the final say on who is appointed.

Citizen Chuck Donovan said he is unsure how much thought the Commission put into board member recommendations in the past.

Commissioner Tinsley said a selection committee could consist of a department head, commissioner and a representative from the legal department. Malone said he agrees. Durgan said MSU Extension personnel are good individuals to consider as alternate committee members when needed. Not having county legal counsel on the selection committee would avoid limiting counsel in representing the county if a lawsuit arose from an interview/selection process.

There was discussion about establishing uniform committee interview questions.

@10:55 a.m., the meeting adjourned.

Update of New Livingston Food Pantry Location

@11:04 a.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Parks Frady, public works; Ed Meece, city of Livingston; Michael McCormick, Livingston Food Pantry; John Mueller, minutes clerk

Michael McCormick, Livingston Food Pantry, provided an update of the status of food bank building construction to commence at 2nd and Lewis Streets. May 17 is the target groundbreaking date, with completion by the end of February 2015.

@11:41 a.m., the meeting adjourned.

Discussion/Decision on Environmental Health Department Request for Employee Pay Increase

@11:42 a.m., the meeting opened in the Commission Chambers.

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

Barbara Woodbury, environmental health, said Sanitarian Craig Caes has made a lot of progress in his efforts as sanitarian, has assumed increased responsibilities and work duties by implementing programs and is deserving of a wage increase. Woodbury said her department budget has expended only 57 percent of its overall fiscal year budget to-date. The fiscal year ends June 30, 2014. She is requesting a \$1.00-per-hour wage increase effective immediately.

Commissioner Durgan moved to make the pay increase for the employee in question effective at the beginning of the current pay period. Commissioner Tinsley seconded the motion. Motion passed.

@11:49 a.m., the meeting adjourned.

April 22, 2014

Opening of Meeting: 9:00 a.m.; Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Parks Frady, public works; Greg Coleman, DES; Shannan Piccolo, civil deputy county attorney; Scott Hamilton, PCSO; Allan Lutes, PCSO (via telephone); Lani Hartung, finance; Kristen Galbraith, Nittany Grantworks; Kevin Feldman, CTA; Natalie Storey, Livingston Enterprise; Mike Adams, fair board; Gary Barnhart, John Adams, Dan Nelson, citizens; John Mueller, minutes clerk

Department Updates

Greg Coleman, DES, said Park County qualified for a presidential declaration for recent flood damage.

Update on Current County Projects

Fleshman Creek Project: Kevin Feldman, CTA, said paving operations were finished yesterday. A G Street Park sanitary sewer tie-in was completed as well. Minor punch-list items continue to be addressed. April 29 will be a school field day for 5th grade students.

Citizens Gary Barnhart and John Adams asked Feldman to visit the creek behind their properties to view revegetation concerns. Feldman said the issue will be addressed if project design plans were not followed.

Gardiner Gateway Project: Frady said 50-percent plan review started yesterday.

Bicycle/Pedestrian Trail Extension: No report

Gardiner Green Box Refuse Site: Final site improvement plans were reviewed. Contract documents will be reviewed this week.

Gardiner Confluence Park Project: Unofficial word is the county will receive grant funds to purchase the park property.

Gardiner Sidewalk Extension Project: Landowner easements along Highway 89 are being sought.

Bicycle Trail Extension Resurfacing: No report

Museum Roof Restoration Project: A work change order is scheduled for signing.

Fairgrounds Sewer Project: Locating utilities has been a challenge.

Rock Creek Road: No report

TSEP County Bridge Improvement Project: Work is ongoing

ACTION ITEMS

Discussion/Decision on Change Order 2 for Yellowstone Gateway Museum Roof Replacement Project: Commissioner Malone moved to approve Change Order #2 for the roof replacement project. Commissioner Durgan seconded the motion. Motion passed.

Signing of Task 2 Class IV Waste Alternatives Analysis for Park County Landfill: Parks Frady said he has not reviewed a Great West Engineering task order with Park County's options for the Class IV (construction debris/non blowables) portion of the county landfill. Commissioner Malone moved to delay a decision on the matter until Frady can review the task order from Great West Engineering. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on FY14 Schedule of Budget Meetings: Public Works will present a budget to the Commission without commission intervention. Commissioner Malone will work on the General Fund budget. Commissioner Durgan will work with the Sheriff's Office on its budget. Commissioner Tinsley will work on all remaining budgets. Entire Commission will begin reviewing proposed department budgets the Week of May 19.

The Commission will schedule a meeting for April 28 to discuss expenditure of Payment In Lieu of Taxes (PILT) funds.

Discussion/Decision on Gateway Community Area Staffing and Stipend: Undersheriff Scott Hamilton said PCSO has experienced increased coverage challenges in the Gardiner and Cooke City areas, and increased call volume has been experienced throughout the county. Hamilton said deputies cannot purchase homes in Gardiner because of the increased costs of housing there. On average, Gallatin County deputies

earn \$58,229 per year with a living stipend included. Park County deputies make \$18,000 less on average. PCSO is proposing two additional deputy sheriff positions for the Gardiner/Cooke City area with an added living expense stipend of \$900/month. Hamilton said a sheriff's deputy costs between \$80,000 and \$100,000 a year after figuring in wages, benefits, equipment and training costs.

Commissioner Malone said he thinks \$200,000 for two more deputies should come from the general fund, so the Commission should determine staff the county could cut to fund the increase. He said he still believes PILT is going to go away. Commissioner Tinsley said the Commission cannot make a decision on a matter until it knows issues, so he appreciates PCSO's proposal. He said he thinks the county needs a second opinion on its budget and available funds from a budget expert. Malone said he does not have a problem with that idea. Commissioner Durgan said Hamilton and Sheriff Allan Lutes have raised legitimate issues and concerns within their proposal. Lutes said his office is only asking the Commission to consider the proposal.

Tinsley said he thinks the Commission can work on addressing the proposal and requested personnel. He said Park County has spent 72 percent of its budgeted Payment In Lieu of Taxes (PILT) funds over the last five years, so funds exist for additional deputies. The Commission has a meeting scheduled for April 28 to discuss expenditure of PILT funds.

CONSENT ITEMS

Review of Minutes for Week of April 14, 2014: Commissioner Malone requested a revision to Page 3 of 6. A sentence should read, "Currently USFS is paying for office space in Big Timber not being used due to staff reductions." Commissioner Durgan moved to accept the minutes as amended. Commissioner Tinsley seconded the motion. Motion passed.

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

Correspondence included:

- Memo re. April Airport Board meeting agenda
- Memo re. county open enrollment notice; April MACo newsletter
- Memo re. MSU Extension Weed Board meeting agenda
- Memo re. Lawson Products past due invoices
- Memo re. federal lands forest restoration
- Memo re. DES public assistance application
- Memos re. May 14; August 5 NRMEDD meetings
- Memo re. Regional Detention Grants RFP packet
- Memo re. Notice of Entry of Judgment

Adjournment: 10:52 a.m.

Park County Board/Committee Meetings

12:00 p.m. – Airport Board Meeting, Mission Field – Commissioner Durgan attended

April 23, 2014

9:00 a.m. – Public Comment Period, County Departmental Updates, Signing of Administrative Documents/Claims and Review of Daily Correspondence/Agenda – Meeting not held; No quorum of commissioners

10:00 a.m. – Western Montana Mental Health, Butte

1:30 p.m. – Transportation Coordination Committee, Community Room – Commissioner Durgan attended

April 24, 2014

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

Attendance: Commissioners Durgan, Malone and Tinsley; Greg Coleman, DES; Parks Frady, public works; Raea Morris, administrative assistant; Mike Inman, planning; Tracy Mosley, Katie Weaver, Mary Anne Keyes, MSU Extension; Kim Knutson, fair; Peggy Glass, 911; Erica Hoffman, GIS/IT; Shannan Piccolo, civil deputy county attorney; Kelly Johnson, maintenance; Denise Nelson, clerk and recorder; Kristen Galbraith, Nittany Grantworks; John Mueller, minutes clerk

Department Updates

Tracy Mosley, Katie Weaver and Mary Anne Keyes (MSU Extension) provided an update of MSU Extension activities.

Greg Coleman, DES, provided an update of his efforts.

ACTION ITEMS

Signing of the Annual Designation of Park County Earmarked Alcohol Tax Money: Funds support Southwest Chemical Dependency Program in Livingston. Commissioner Durgan moved to sign the annual designation of Park County earmarked alcohol tax money. Commissioner Malone seconded the motion. Motion passed.

Discussion/Decision to Transfer Environmental Health Pickup Truck to Fairgrounds: Commissioner Malone said he suggests the Commission allow the public works director to move vehicles between departments as he sees fit instead of the county giving them away. Commissioners Durgan and Tinsley said they were okay with that. Commissioner Durgan moved to transfer the older Ford pickup to the fairgrounds. Commissioner Tinsley seconded the motion. Motion passed. Malone voted in opposition to the motion.

Signing of TIGER Planning Grant Application for Countywide Transportation Plan: The planning grant addresses anything transportation-network related - railways, airports, highways, roads, trails. The request will be for \$225,000 to gather data and write the plan. Commissioner Malone moved to sign the TIGER Planning Grant. Commissioner Durgan seconded the motion. Motion passed.

Appointing of Two Cooke City/Silver Gate/Colter Pass Park County Planning & Zoning Commission Seats: Mike Inman, planning, said the County Commission needs to reappoint two members (Jason Hahn and Marsha Woolman) of the Cooke City/Silver Gate/Colter Pass Park County Planning & Zoning Commission to that Commission to address a requested zone change in Cooke City. Commissioner Malone moved to appoint the two incumbents. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Legal Ads Going Through County Attorney and Commissioners Offices for Approval Before Going Out to the Public: Malone said he thinks all legal ads should go through the Commission Office for review so the Commission knows what is going on, in terms of expenditures, before advertisement. He said the county has had errors in bids by various organizations and engineers. Civil Deputy County Attorney Shannan Piccolo said she reviews legal ads for the most part. Raea Morris, administrative assistant, said she puts all emailed legal advertisements in the Commission Correspondence. Commissioner Malone moved the County Commission approve all contracts for all legal ads for bidded expenditures. Commissioner Durgan seconded the motion. In discussion, Piccolo said the Commission always approves projects and associated grants funding them prior to legal ads being drafted and published. Malone said his proposal would ensure all required language is included in bids, such as a discrimination clause, and departments do not go out for bids on a project before Commission approval or go out for a higher bid than approved. Motion failed. Commissioners Durgan and Tinsley voted in opposition to the motion.

Discussion/Decision on Implementation of County Board Selection Process: The Commission suggested last week a Commissioner, department head and a legal representative sit on county board selection committees. Commissioner Durgan said his position is a commissioner should not have a vote on such a selection committee. Commissioner Malone said the Commission should choose three people to sit on selection committees each time a board seat needs to be filled to best fit the situation. He said he would like the option of having a county commissioner on a selection committee as a voting member. Civil Deputy County Attorney Piccolo said she thinks it is cleaner legally for a commissioner to not have a selection committee recommendation vote, as that recommendation goes to the Commission.

Commissioner Tinsley moved the Commission appoint the department head, board chair and legal to serve as the interview committee for board members unless otherwise specified by the county commission. Commissioner Durgan seconded the motion. In discussion, Mike Inman asked if a Standard Operating Procedure (SOP) would be implemented so each board selection committee is conducted in a uniform manner. He said advertising and interview format (in person, telephone) logistics are part of each

process prior to holding interviews. Piccolo said such logistics could be handled through the county legal department. Motion passed.

Discussion/Decision on Plans to Move Dispatch Department: Commissioner Tinsley said the idea is for the county to budget for RFQs, architects, project estimates, etc. in cooperation with the city of Livingston. The current City-County Compact states the city makes all such (911) design, planning and expenditure decisions and submits a bill the county. There was discussion about modifying the compact to enable a cooperative effort in design and expenditure planning. RFQs from a professional architect are to come in time for review and approval in city and county budgets. Goal move completion date is January 1, 2015. Commissioner Malone moved to work with the city on the Dispatch Department move. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Future Plans and Remodeling of Old Assessor's Office: Commissioner Tinsley said to him the next logical move in the overall building office space planning effort is for the three county commissioners, the commission administrative assistant, the county auditor and HR Department to move into the old Assessor's Office. Clerk and Recorder Denise Nelson said she thinks it is an excellent idea to have the commissioners in one centralized office. People enter her office to ask if commissioners are in their offices and her personnel do not know where to send them. Commissioners Durgan and Tinsley said they are amendable to the public works director having a secured office with a door to facilitate work in an uninterrupted environment. Offices currently exist in the building for such a move.

Commissioner Malone said the HR Department has employee-privacy concerns with being moved into the proposed location. He said he thinks having all three commissioners in one location concerns the public and he prefers having the commissioners scattered throughout the courthouse. He said it makes more sense to use the main area in the Assessor's Office for clerk and recorder election space needs, and have the existing conference room for meeting purposes.

Commissioner Durgan moved to move ahead on future plans with remodeling of the old Assessor's Office and seek RFQs from an architect for planning. Commissioner Tinsley seconded the motion. Motion passed. Malone voted in opposition to the motion.

Department Update

Parks Frady, public works, provided a written report of activities performed in his department, including third quarter data defining all county refuse site and landfill operational expenditures.

CONSENT ITEMS

Public Comment Period, Signing of Administrative Documents/Claims and Review of Daily Correspondence/Agenda

Correspondence for April 22 included:

- Memo re. Gardiner summer events open container permit
- Memo re. fair board member training
- Memo re. advisory board application form
- Memo re. Gardiner summer events PCSO coverage
- Memo re. NRMEDD update agenda item
- Memo re. MSU Extension discovery session public forum and dessert social
- Memo re. Mill Creek Water District meeting agenda

Correspondence for April 23 included:

- Memo re. TIGER grant meeting items
- Memo re. MACo inflation factor reimbursements
- Memo re. Northwestern Energy shed electricity agreement
- Memo re. county attorney cell phone stipend request
- Memo re. Stillwater Mine draft allocation
- Memo re. High Water Coordination meeting
- Memo re. Whispering Pines Lane road repair
- Memo re. proposed HR Office location changes

Commissioner Malone reported on an April 23 meeting with the state governor. A county motor pool vehicle was sold at auction. Malone said Carbon County has eight sheriff's deputies for 10,000 people, Beaverhead County has six deputies and two reserves for 9,300 people, and Park County has 15 deputies for 15,000 people.

Adjournment: 11:59 a.m.

April 25, 2014

No Commission Meetings Scheduled

5:30 p.m. – Board Leadership Workshop – MSU Extension Office, Livingston

Clint Tinsley
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana