

Park County Commission Meeting Minutes
Week of February 3 – 7, 2014
Park County, Montana

February 3, 2014

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

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

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

Correspondence for January 30 included:

- Memo re. MAColeg Election Administration Report
- Memo re. Homemaker Program letter of support
- Memo re. Fairgrounds Sanitary Improvements Project kickoff

Correspondence for January 31 included:

- Memo re. MACo local government review information
- Memo re. Fleshman Creek Project weekly update

Commissioner Tinsley reported on a visit to the road shop that morning.

@9:10 a.m., the meeting adjourned.

Human Resources Department Updates

@10:00 a.m., the meeting opened in the Commission Chambers.

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

Jill Ouellette, HR, provided an updated IT tech job description with title change to Desktop Technician. Ouellette provided 2014 Montana poverty guidelines. 44% of employees attended a recent health screening. The first year 20% of employees attended. An OSHA 300 report was completed and submitted before the January 31 due date. A fairgrounds caretaker has moved into the house on the grounds. Ouellette provided suggestions and options for meeting Disaster and Emergency Services (DES)

responsibilities with the February 14 retirement of the county's DES coordinator. Ouellette said she cannot take on all safety program responsibilities.

@10:25 a.m., the meeting adjourned.

February 4, 2014

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

Attendance: Commissioners Malone and Tinsley; Raea Morris, administrative assistant; Mike Inman, planning; Parks Frady, public works; Shannan Piccolo, civil deputy county attorney; Kevin Feldman, CTA (via telephone); Kristen Galbraith, Nittany Grantworks; Mike Adams, fair board; Gary Barnhart, citizens; Natalie Storey, Livingston Enterprise; John Mueller, minutes clerk

Update on Current County Projects

Fleshman Creek Project: Kevin Feldman, CTA Engineering, said C Street crossing work continues, and a water main at E Street crossing has been installed. Excavation is occurring at the E Street culvert. Stream restoration is taking place in Reach 10. The county will receive Pay Application #5 from Sime Construction today. A second change order to the project is forthcoming, which will result in a \$26,000-cost savings. Less a change order required for water service relocation issues at the middle school, the overall project change orders would be within \$5,000 of the original project budget, to-date.

Parks Frady, public works, said he would meet with Geyser Trailer Park owners, county road superintendent and the city public works director to review alternate access to Fleshman Creek through city property (driving range) in anticipation of work on the Geyser Street culvert.

Citizen Gary Barnhart said an agreement was to dig out soil and haul it off of his property. He said about 50 feet into the east side of H Street the contractor piled soil on the bank. He said Sime Construction knew nothing of the deal, so work was shut down. Feldman said soil will be hauled off from Barnhart's and Brenda Adams' properties, the cost of which will not be assessed to the county.

Kristen Galbraith, Nittany Grantworks, said Lani Hartung (finance) just handed her project reimbursement request invoices for the past six months that have not been submitted. Galbraith said invoicing duties were turned over to her last month, which she can take on within her existing contract hours.

Gardiner Gateway Project: Parks Frady, public works, said a steering committee meeting will take place next week.

Gardiner Sidewalk Extension Project: Project slated for construction in 2015. Bidding to take place in fall.

Museum Roof Restoration Project: Bid opening is February 4.

Boulder River Road: No report

Fairgrounds Sewer Project: Two kickoff meetings were held last week with the Fair Board, fair manager and city of Livingston. A meeting will take place today for a conceptual walkthrough.

Rock Creek Road: Construction to be completed spring 2014.

TSEP County Bridge Improvement Project: Feldman said the hope is to have bid documents in March. Galbraith said the next TSEP bridge grant deadline will be May 2.

In other discussion, Feldman said a follow-up meeting will be held with the Commission on February 6 about City-County Building use assessment plans. A county transfer station and Gardiner Depot hazardous materials assessment will be rescheduled for February 12 due to cold weather.

Galbraith said Park County received a Montana Transportation Alternatives Program (MTAP) grant for a bicycle/walking trail extension project through the canyon to Old Yellowstone Trail North. The project will require no matching funds from Park County. A Rural Trails Program (RTP) grant will be sent out at the end of the month, which may be used in conjunction with the MTAP grant on the extension project. Galbraith is working with the county fire warden on Bureau of Land Management (BLM), U.S. Department of Transportation (DOT) and Montana Disaster and Emergency Services (DES) grants to assist with training and fire hazard mitigation work. She is working with Commissioner Malone on a Treasure State Endowment Program (TSEP) Capital Improvement Planning (CIP) grant. Community Development Block Grant (CDBG) planning grant funding will open for application in April or May.

CONSENT ITEMS

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

Correspondence included:

- Memo re. Northern Rocky Mountain RC&D status update
- Memo re. MSU Extension agent telephone allowance request
- Memo re. severe weather notices
- Memo re. letter for recommendation regarding elk and brucellosis
- Memo re. Paradise Valley Brucellosis Working Group final recommendations
- Memo re. Keystone pipeline
- Memo re. county attorney outdoor keypad access
- Memo re. Park County Weed Management activities, accomplishments and plans

- Memo re. MT Historical Society Park County Pedestrian Access Connector Trail
- Memos re. JPA/JPIA agendas
- Memo re. letter of recommendation for museum board positions

Review of Minutes for Week of January 27, 2014: Commissioner Malone requested a revision to Page 6 of 12, noting Dan Nelson represents the Livingston Roundup Association. On Page 10 of 12, two sentences should read, “Linneweber said retired District Court Judge Nels Swandal is interested in a fulltime caretaker arrangement or will serve as a selection committee member if the Commission selects that option. Swandal is out of the state and unavailable to accept any position until February 5.”

Commissioner Malone moved to accept the minutes as amended. Commissioner Tinsley seconded the motion. Motion passed.

Adjournment: 10:09 a.m.

ACTION ITEMS

Opening of Bids for Yellowstone Gateway Museum Roof Replacement Project

@11:00 a.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Paul Shea, Bob Ebinger, YGM; Raea Morris, administrative assistant; Shannan Piccolo, civil deputy county attorney; Parks Frady, public works; Kristen Galbraith, Nittany Grantworks; Zach Donaldson, Donaldson Construction; Jake Magalsky, ACE Roofing; John Mueller, minutes clerk

Commissioner Tinsley opened sealed bids and read dollar amounts in the record as follows:

- ACE Roofing: \$39,830
- Donaldson Construction: \$41,192
- Diamond Construction: \$45,600

Kristen Galbraith, Nittany Grantworks, said CTEP (Community Transportation Enhancement Program) needs to review the contracts, as well.

Commissioner Malone moved to submit proposals to legal counsel and CTEP staff for review prior to award. Commissioner Durgan seconded the motion. Motion passed.

@11:09 a.m., the meeting adjourned.

Park County Board/Committee Meetings

1:00 p.m. – Park County Weed Board, Extension Office, Livingston

February 5, 2014

Interview and Possible Decision of Nels Swandal for Appointment as County Attorney

@8:00 a.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Brett Linneweber, Kim Lavender, Sandy Gordon, county attorney's office; Jill Ouellette, HR; Bruce Becker, city attorney; Nels Swandal, citizen; Natalie Storey, Livingston Enterprise; John Mueller, minutes clerk

Nels Swandal said he would be willing to accept the open county attorney seat until the November election. Swandal served three terms as county attorney before he served as Montana's 6th Judicial District Judge. He said he has time to serve the position, but may need to appoint a special deputy on occasions. County Attorney Linneweber said such is common practice and will be necessary to avoid conflict of interest in upcoming cases where Swandal was district court judge. Swandal said he will meet with Linneweber to come up to speed on case load and office goings on. Swandal is available to start the position on February 24 at 8:00 a.m., the effective date of Linneweber's resignation from Park County.

Commissioner Malone moved to appoint Nels Swandal to serve out Linneweber's remaining term, which will expire when the Commission certifies the November election results. Commissioner Durgan seconded the motion. Motion passed.

@8:10 a.m., the meeting adjourned.

City-County Meeting

@9:35 a.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; City Commissioners Dorel Hogle, James Bennett; Ed Meece, city manager; John Mueller, minutes clerk

There was discussion about the Fleshman Creek Project, City-County Building office space assessment, removing snow from courthouse sidewalks and building insurance.

@10:05 a.m., the meeting adjourned.

Preliminary Budget Review

@10:33 a.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Martha Miller, auditor; Lani Hartung, finance; John Mueller, minutes clerk

Commissioner Tinsley said he wants to know here PILT reserves stand and would like to have a truly balanced budget where expenditures are no more than income received. The county budget has been “balanced” as defined by state statute. Tinsley asked Lani Hartung, finance, for a five-year average of each department budget and expenditures without being conservative with all income.

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

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

6:00 p.m. – Land Use Outreach and Public Forum, Springdale School, Springdale – Canceled due to inclement weather

February 6, 2014

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

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Parks Frady, public works; Shannan Piccolo, civil deputy county attorney; Barbara Woodbury, environmental health; Mike Inman, planning; Greg Coleman, county fire; Mike Adams, fair board; Kevin Feldman, Caleb Minnick, CTA; Dan Nelson, Livingston Roundup Association; Steve Koontz, citizen; John Mueller, minutes clerk

County Department Updates

Public Works Department Updates: Parks Frady, public works, provided a written report on activities in his department.

ACTION ITEMS

Signing of the Annual Letter of Support for 2014 Homemaker Program in Park County: Commissioner Durgan said the program has been operating for 34 years serving individuals over 60 who do not drive or have debilitating illnesses. Commissioner Durgan moved to sign the letter of support for the Homemaker Program. Commissioner Malone seconded the motion. Motion passed.

Signing of Resolution to Increase Mill Levy for Cooke City Fire: Civil Deputy County Attorney Shannan Piccolo asked to reschedule the meeting for February 18. She has not gotten all needed information from Cooke City Fire District.

Appointing of Yellowstone Gateway Museum (YGM) Board Positions: The Commission received a recommendation from the YGM Board to appoint applicants George Bornemann, Norm Miller and Greg Durham to three open seats. Commissioner Durgan moved to accept he recommendation and appoint the three individuals. Commissioner Malone seconded the motion. Motion passed.

Discussion/Decision on Resource Advisory Committee (RAC) Proposals and Park County Utilization of Funds: Commissioner Malone said the Federal Government put a crimp on Title III funds by putting 15 percent of Secure Rural Schools funds into a RAC pot. His opinion is the funds should be available to all citizens for transportation-related items only. Commissioner Tinsley said he has concern with going against projects being sought by agencies for funding that Park County has received letters of support for projects it has sought. Malone said some entities applying for funds include Sweet Grass County Sheriff's Office, Montana FWP; an avalanche education group, Invasive Species Network; Livingston Bicycle Club; Wilderness Foundation.

Mike Inman, planning, said Park County has sought and will continue to seek many types of funding from many times of funding sources. He does not want to go against a project that qualifies for funding, particularly projects within Park County.

Commissioner Malone moved to write a letter and recommend that non-transportation and non all-citizen projects be denied.

Discussion/Decision on Fairgrounds Improvements Project: Kevin Feldman, CTA Engineering, presented preliminary design alternatives and associated costs for the proposed fairgrounds sewer project. Anticipated construction cost for Alternate A is \$308,000+ and for Alternate B is \$261,000+. Feldman said the dollar figures were based on Fleshman Creek Restoration Project costs. Mike Adams said the Fair Board prefers Alternate B.

Commissioner Malone moved the Commission allow CTA to move forward with the Alternate B Base bid. Commissioner Durgan seconded the motion. Motion passed.

CONSENT ITEMS

Discussion of the CTA Building Assessment Report:

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Parks Frady, public works; Shannan Piccolo, civil deputy county attorney; Mike Inman, planning; Barbara Woodbury, environmental health; Greg Coleman, county fire; Kevin Feldman, Bob LaPerle, CTA; John Mueller, minutes clerk

CTA Engineering said the next step in the process would be a detailed master plan. Commissioner Tinsley said he will talk with the city of Livingston about sharing the cost for a master plan.

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

Correspondence for February 4 included:

- Memo re. postage meter log

- Memo re. motor pool vehicle maintenance request
- Memo re. Weed Board member recommendations
- Memo re. Park County Economic Development Discovery session

There was discussion about the county using a public surplus auction site to sell old county equipment and the Commission determining what items should be sold.

Adjournment: 11:11 a.m.

Discussion/Decision on County Attorney Office Copier Purchase/Lease Agreement

@1:02 p.m., the meeting opened in the Commission Chambers.

Attendance: Commissioners Durgan, Malone and Tinsley; Brett Linneweber, county attorney; Lani Hartung, finance; John Mueller, minutes clerk

Commissioner Durgan read into the record a portion of an email from County Attorney Brett Linneweber stating his desire to lease a new copy machine instead of purchasing one.

Commissioner Malone moved the county attorney office lease a copier with lease payments to come from the County Attorney's Office budget. Commissioner Durgan seconded the motion. Motion passed.

@1:07 p.m., the meeting adjourned.

February 7, 2014

No Commissioner Meetings Scheduled

8:30 a.m. - Commissioner Tinsley in Wilsall to Hear Area Resident Concerns

10:00 a.m. - Commissioner Tinsley in Clyde Park to Hear Area Resident Concerns

Clint Tinsley
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana