

Park County Commission Meeting Minutes
Week of July 7 – 11, 2014
Park County, Montana

July 7, 2014

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

@9:05 a.m., the meeting opened in the Commission Chambers

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

Correspondence from June 2 included:

- Memo re. Commission board seat appointment procedure
- Memo re. updated library projections

Correspondence from June 3 included:

- Memo re. July 8 Board of Health meeting agenda
- Memo re. July Parks and Recreation Board meeting
- Memo re. Main Boulder Road Project public meeting
- Memo re. payroll voucher
- Memo re. draft June Solid Waste Board meeting minutes
- Memo re. draft June Safety Committee meeting minutes
- Memo re. proposed MDT junkyard administrative rule

Commissioner Malone reported on a July 2 City-County Meeting.

@9:24 a.m., the meeting adjourned.

Human Resources Department Updates

@9:31 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 a change of status form for a new Angel Line driver and changing of funding lines for GIS/IT Manager payroll. Review of payroll will be extensive this week with additions of COLA and the start of the new fiscal year.

@9:37 a.m., the meeting adjourned.

Discussion/Decision on Approving the Amended Rural Improvement District (RID) Policy

@10:13 a.m., the meeting opened in the Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Parks Frady, public works; John Mueller, minutes clerk

The policy was amended from its original version by legal counsel. Changes include 1) change required district lot build-out from 70 percent to a recommended 50 percent, but the Commission maintains the ability to approve a smaller build-out percentage on a case by case basis; 2) change to permit Park County to assume maintenance responsibilities of RID work in perpetuity.

Commissioner Malone moved to accept the changes (Resolution #1189) to the Amended Rural Improvement District Policy. Commissioner Durgan seconded the motion. Motion passed.

@10:17 a.m., the meeting adjourned.

Review of All Park County Owned Land

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

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

Commissioner Malone said he recommends the Commission look at all county-owned parcels and decide whether it would be of benefit to sell certain parcels. The Commission agreed appropriate county staff will review all county-owned parcels and make a recommendation to the Commission of what do to with the properties.

@10:40 a.m., the meeting adjourned.

Discussion/Decision on Signing of the Gardiner CTEP Sidewalk Easements

@11:03 a.m., the meeting opened in the Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Parks Frady, public works; John Mueller, minutes clerk

Parks Frady, public works, read into the record landowner right of way easements received by Park County for facilitation of the Gardiner Sidewalk Extension Project. One easement remains outstanding (Comfort Inn).

Commissioner Malone moved to sign the easement agreements for the Gardiner CTEP Sidewalk Extension Project. Commissioner Durgan seconded the motion. Motion passed.

@11:10 a.m., the meeting adjourned.

7:00 p.m. – Rock Creek Road Project Progress Meeting – Clyde Park Rural Fire Hall – Commissioner Tinsley attended

July 8, 2014

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

Attendance: Commissioners Durgan and Tinsley; Parks Frady, public works; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Jill Ouellette, HR; Scott Hamilton, Tom Totland, PCSO; Kristen Galbraith, Nittany Grantworks; Mike Hedegaard, NRMEDD; Natalie Storey, Livingston Enterprise; John Mueller, minutes clerk

Department Updates

Mike Hedegaard, Northern Rocky Mountain Economic Development District, provided an update of recent activities.

Update on Current County Projects

Fleshman Creek Rehabilitation Project: Kristen Galbraith, Nittany Grantworks, submitted a final invoice to FEMA in the amount of \$340,000, which may be withheld until final reporting is received. The project was completed under budget.

Gardiner Gateway Project: Parks Frady, public works, said Gardiner Water and Sewer District opened Phase 0 bids. Lowest responsive bidder bid \$1.29 million. Bids must be reviewed.

New Depot Building Update/Discussion: No report

Park County Pedestrian Path Extension Project: A Transportation Committee meeting will take place July 17.

Gardiner Green Box Site Project: No report

Gardiner Confluence Park Project: No report

Gardiner Sidewalk Extension: Landowner easements will be sent to the state once notarized.

Park County Bicycle Trail Resurfacing: Montana FWP granted Park County \$25,300 for portions of the project through its Recreational Trails Program.

CIP Planning Project: No report

Fairgrounds Sewer Project: Project is completed.

TSEP County Bridge Improvement Project: Plans reviews will take place this week.

ACTION ITEMS

Opening of Statements of Qualifications for Professional Services associated with Producing a Capital Improvements Plan: One sealed SOQ was received from Merle Gamradt. Nittany Grantworks will send the SOQ to Treasure State Endowment Program staff for review.

Discuss/Decision on Transferring remaining Nittany Grantworks Fleshman Creek Contract Hours to the Nittany Grantworks General Contract through December 31, 2014: Galbraith said Nittany has only a few hours of work left to do on the Fleshman Creek Project and is proposing transferring 30 hours per month to the general contract through December. Funds already budgeted. No additional cost to Park County.

Commissioner Durgan moved to approve the recommendation from Nittany to transfer remaining contract hours from the Fleshman Creek to the general contract ending December 31, 2014. Commissioner Tinsley seconded the motion. Motion passed.

Discussion/Decision on Sheriff Office Stipend for Gardiner Area Deputies: One deputy is scheduled to be assigned to Gardiner. No rentals are available in Gardiner and costs to purchase a home are high. Gallatin County pays \$900 per month for deputies to live in Big Sky and West Yellowstone. PCSO determines two deputies will ultimately need stipends. Deputies would be assigned to reside and work in the Gardiner/Cooke City areas. PCSO is requesting a \$900 per month stipend.

Commissioner Tinsley moved the Commission approve the \$900 per month stipend to live in the designated Gardiner area to be defined by legal for an approved designated job. Legal counsel and HR will determined how funds are processed. Commissioner Durgan seconded the motion. Motion passed.

Review, Discussion and Possible Decision on Travel Meals and Reimbursement Policy: The issue was brought up by employees spending work hours away from the courthouse or their normal place of work who do not qualify for meal reimbursement per the county's current policy.

Commissioner Tinsley moved to approve modification of the county travel meals and reimbursement policy for employees typically stationed in the courthouse who are

working 20+ miles from the courthouse. Commissioner Durgan seconded the motion. Motion passed.

The civil deputy county attorney and HR staff will draft a proposed amendment for review.

Signing of an Interlocal Agreement to Form the Custer-Gallatin National Forest Working Group: Commissioner Durgan moved to sign the interlocal agreement to form a Custer-Gallatin National Forest Working Group. Commissioner Tinsley seconded the motion. Motion passed.

Signing of the Annual Predator Control Memorandum of Understandings for Montana Stock Growers and Wool Growers Association: Commissioner Durgan moved to sign the annual predator control memorandum. Commissioner Tinsley seconded the motion. Motion passed.

CONSENT ITEMS

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

Correspondence included:

- Memo re. SAR jet boat auction sale
- Memo re. citizen Chicory Road RID letter
- Memo re. Wilsall Water District meeting agenda
- Memo re. Arch Park open container request specifics
- Memo re. Fair Board seat interviews
- Memo re. Montana Rail Link transfer station lease invoice
- Memo re. Western Montana Mental Health subsidy funds request
- Memo re. building electrical issues
- Memo re. July Angel Line meeting agenda
- Memo re. July ITAC meeting agenda
- Memo re. GIS Department office hours

Commissioner Tinsley reported on a July 7 Rock Creek Road Project update meeting. Project completion date expected to be July 11.

Review of Minutes for Week June 30, 2014 – Meeting not held

Adjournment: 10:17 a.m.

1:00 p.m. – Budget Workshop for PILT and Special Revenue Funds – Commissioner Tinsley attended

Park County Board/Committee Meetings

1:00 p.m. – Senior Citizens Meeting, Senior Citizens Center – Commissioner Durgan attended

2:00 p.m. – Information Technology Advisory Committee, Community Room

5:30 p.m. – Board of Health, East Room

7:00 p.m. – Rock Creek Road South Update – Commissioner Malone attended

July 9, 2014

9:00 a.m. – Safety Committee Meeting – Commission Chambers

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

@10:01 a.m., the meeting opened in the Commission Chambers

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

Department Updates

Greg Coleman, DES, provided an update of activities in his departments.

Correspondence included:

- Memo re. JPIA land use attorney services
- Memo re. August City-County Meeting agenda
- Memo re. MAColeg Permissive Health Levy Information update
- Memo re. Dispatch 911 door lockdown feature
- Memo re. MAColeg 2014 Summer District meeting
- Memo re. July quarterly LEPC meeting agenda

Commissioner Malone reported on July 8 Elk Brucellosis Working Group and Rock Creek Road South Homeowner's meetings.

@10:27 a.m., the meeting adjourned.

10:30 a.m. – Claims Review

Discussion/Signing of Mission Field Airport FAA Grant Offer; Single Audit Certificate Form; Northwest Energy Customer Agreement; Construction Equipment Contract

@11:30 a.m., the meeting opened in the Commission Chambers

Attendance: Commissioners Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Ed Meece, city manager; Kerry LaDuke, Jerri Miller, airport board; John Mueller, minutes clerk

Commissioner Malone moved to sign the Mission Field Airport FAA Grant Offer. Commissioner Tinsley seconded the motion. Motion passed.

Commissioner Malone moved to sign the Single Audit Certificate Form. Commissioner Tinsley seconded the motion. Motion passed.

Commissioner Malone moved to sign the Northwest Energy Customer Agreement Form. Commissioner Tinsley seconded the motion. Motion passed.

Commissioner Malone moved to sign the Construction Equipment Contract. Commissioner Tinsley seconded the motion. Motion passed.

@11:33 a.m., the meeting adjourned.

1:00 p.m. – Custer-Gallatin National Forest Working Group, Bozeman, MT – Commissioner Malone attended

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

July 10, 2014

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

Attendance: Commissioners Durgan, Malone and Tinsley; Parks Frady, public works; Shannan Piccolo, civil deputy county attorney; Raea Morris, administrative assistant; Kristen Galbraith, Nittany Grantworks; Tracy Mosley, MSU Extension; Mike Inman, planning; Bill Berg, GGCC; Katrina Hecimovic, contractor; Joe Regula, NPS; George Bornemann, CTA; Don Morgan, citizen; Hebbard Blesius, realtor; John Mueller, minutes clerk

ACTION ITEMS

Signing of the Detention Services Agreement with RYO: Commissioner Malone moved to sign the agreement with RYO. Commissioner Durgan seconded the motion. Motion passed.

Discuss/Decision/Action for Submitting CDBG Planning Grant Application for Capital Improvements Planning (CIP) Preparation: County match to TSEP grant will also be applicable toward the CDBG grant match.

Commissioner Durgan moved to sign the CDBG Planning Grant Application. Commissioner Malone seconded the motion. Motion passed.

Discussion/Decision/Possible Signing of Rock Creek Road Resume Work Order:

Resume work order is necessary to continue work that stopped for the winter season. Expected completion date is July 14. Commissioner Malone moved to sign the resume work order for Bullock Construction. Commissioner Durgan seconded the motion. Motion passed.

Review/Consider/Determine Proposed Non Material Changes to Mill Creek Ridge Subdivision to Allow Livestock under an Approved Livestock Management Plan: Mike Inman, planning, said the issue falls under Chapter 2, B-6 of the county subdivision regulations – amending final plat approval. The subdivision reviewed and approved in 2004. The applicant is requesting modification of a covenant to allow for livestock, specifically horses, for hobby recreational uses. MSU Extension does not create a livestock management plan for subdividers. It provides expertise after receiving a written livestock proposal that pertains to each parcel in the subdivision. Extension also is not a regulatory authority for subdivision regulations or subdivision covenants.

Tracy Mosley, MSU Extension, said she asks for a skeleton outline of what is currently being done on the property and what the subdivider would like to do in terms of livestock.

Minor language modifications were made to the proposed changes.

Don Morgan, subdivision property owner, said a majority of lot owners in the subdivision have requested the amendment to restrictive covenants to permit livestock (horses).

Commissioner Malone moved to approve the non material changes with language modifications made. Commissioner Durgan seconded the motion. Motion passed.

Review/Discussion/Decision to Sign Confluence Park Award Grant Agreement: Signing of the grant will set forth what Park County must do in order to receive the funds to purchase Confluence Park in Gardiner. Total funds to be received = \$16,200.00.

Commissioner Durgan moved to sign the Confluence Park Award Grant Agreement. Commissioner Malone seconded the motion. Motion passed.

Discussion/Decision on Gardiner Gateway Project Easements: Parks Frady, public works, said housekeeping issues with project easements need to be addressed. Piccolo said landowners along a road in question can consider petitioning the road as a county road to clear up an issue. If landowners are not amendable to that, the county would likely pursue a prescriptive easement through the court, as the road has been used by the public for a long duration of time.

The Commission is amenable to allowing staff to continue discussions with adjacent landowners and possibly using a county-owned parcel as a bargaining tool.

Department Updates

Public Works: Parks Frady provided a written report of activities in his departments.

Commissioner Durgan reported on a July 8 Senior Citizens Center meeting.

Public Hearings/Ordinances/Resolutions

Public Hearing/Discussion/Decision on Signing of Resolution to Amend Fiscal Year 2014 Budget

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

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

Commissioner Malone moved to approve Resolution #1188 to amend the appropriations for the fiscal year to bring all the agencies into compliance with appropriations.

Commissioner Durgan seconded the motion. Motion passed.

@11:08 a.m., the meeting adjourned.

Commissioner Malone reported on a July 9 Forest Service Working Group meeting.

Discussion/Decision on Rakela v. Park County Settlement

@11:35 a.m., the meeting opened in the Commission Chambers

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

Commissioner Malone moved to close the meeting for litigation purposes.

Commissioner Durgan seconded the motion. Motion passed. The meeting was closed to the public record, the audio recording was turned off and the recording secretary exited the chambers. @11:45 a.m., the meeting reopened.

Commissioner Malone moved to approve the proposed settlement agreement.

Commissioner Durgan seconded the motion. Motion passed.

@11:46 a.m., the meeting adjourned.

CONSENT ITEMS

Public Comment Period, County Departmental Updates, Signing of Administrative Documents/Claims and Review of Daily Correspondence/Agenda: None

Budget Workshop – Special Revenue Fund

@1:11 p.m., the meeting opened in the Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Martha Miller, auditor; Raea Morris, administrative assistant; Lani Hartung, finance; Parks Frady, public works; Nancy Kessler, library board; John Mueller, minutes clerk

To-date special revenue funds were reviewed, including the Library budget.

@2:37 p.m., the meeting adjourned.

Park County Board/Committee Meetings

11:00 a.m. – Local Emergency Planning Committee – Community Room

3:00 p.m. – Senator Tester Outreach Session – Community Room

July 11, 2014

No Commission Meetings Scheduled

9:00 a.m. – Site Visit in Gardiner to View Property Encroachment Adjacent to Yellowstone River Bridge – Gardiner

Clint Tinsley
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana