

Park County Commission Meeting Minutes
Week of June 16 – 20, 2014
Park County, Montana

June 16, 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, Malone and Tinsley; Raea Morris, administrative assistant; John Mueller, minutes clerk

Correspondence from June 12 included:

- Memo re. Dodge Intrepid purchase check
- Memo re. FEMA National Flood Insurance visit with Park County
- Memo re. Tom Roe and Sons certificate of liability insurance
- Memo re. MDT State Fuel Tax Allocations
- Memo re. Cemetery District meeting
- Memo re. MT DES letter
- Memo re. Planning Board meeting agenda
- Memo re. SAR building warranty work

Correspondence from June 13 included:

- Memo re. SAR building gate
- Memo re. FY'15 county school transportation meeting
- Memo re. elected official salaries resolution

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

Primary Election Canvassing

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

Attendance: Commissioners Durgan, Malone and Tinsley; Maritza Reddington, clerk and recorder's office; John Mueller, minutes clerk

The Commission canvassed the June 3 primary election results.

Commissioner Tinsley moved to accept the canvassing results. Commissioner Durgan seconded the motion. Motion passed.

@10:31 a.m., the meeting adjourned.

Personnel Meeting

@1:01 p.m., the meeting opened in the Commission Chambers

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

Lani Hartung requested the meeting be closed to the public record.

Commissioner Durgan moved to close the meeting to the public record. Commissioner Malone 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. @1:59 p.m., the meeting reopened.

@2:00 p.m., the meeting adjourned.

Discussion/Decision on FY '15 Preliminary Budget

@2:08 p.m., the meeting opened in the Commission Chambers

Attendance: Commissioners Durgan, Malone and Tinsley; Scott Hamilton, Wendy Wood, PCSO; Lani Hartung, finance; Parks Frady, public works; Martha Miller, auditor; Natalie Storey, Livingston Enterprise; John Mueller, minutes clerk

The to-date preliminary budget was reviewed.

Commissioner Malone moved to approve the preliminary budget and schedule meetings with departments to discuss individual department budgets. Commissioner Durgan seconded the motion. Motion passed.

@2:44 p.m., the meeting adjourned.

June 17, 2014

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

Attendance: Commissioners Durgan, Malone and Tinsley; Parks Frady, public works; Raea Morris, administrative assistant; Greg Coleman, DES; Jill Ouellette, HR; Kristen Galbraith, Nittany Grantworks; Kevin Feldman, CTA (via telephone); Natalie Storey, Livingston Enterprise; John Mueller, minutes clerk

Department Updates

Greg Coleman, DES, provided an update of recent DES and fire activities.

Update on Current County Projects

Fleshman Creek Rehabilitation Project: Kevin Feldman, CTA, said closeout is anticipated by the end of June. One final invoice of \$300,000+ is in to FEMA.

Gardiner Gateway Project: Parks Frady, public works, said match agreements should be finalized this week. A pre-bid walkthrough of Water and Sewer Phase 0 is scheduled for tomorrow in Gardiner. Bids to be opened by end of June.

New Depot Building Update/Discussion: No report

Park County Pedestrian Path Extension Project: No report

Gardiner Green Box Site Project: Project quotes due June 18 at 4 p.m.

Gardiner Confluence Park Project: Final advisory meeting will be held on June 18. Expect to hear word of award by end of next week.

Gardiner Sidewalk Extension: Landowner easement efforts continue.

Park County Bicycle Trail Resurfacing: Project will be done in conjunction with chip sealing of various county roads.

CIP Planning Project: RFQs due next week. Plan to increase efforts in August.

Fairgrounds Sewer Project: Final walkthrough with the city of Livingston took place last June 10. Road crew regraded and added gravel to the parking lot.

TSEP County Bridge Improvement Project: Additional survey work done on roadway grades.

Rock Creek Road Restoration: No report

Park County was awarded \$1.7 million from a Mill Creek resurfacing project grant. County match will be approximately \$200,000.

ACTION ITEMS

Discussion/Decision on Selection of a Hiring Committee for the DES Position: Commissioner Malone said he, Jill Ouellette (HR) and Parks Frady (public works) will sit on a hiring committee for two applicants. Commissioner Tinsley moved to select the

three individuals mentioned for the hiring committee. Commissioner Durgan seconded the motion. Motion passed.

Review/Sign Letter to Division Administrator of MT Department of Disaster and Emergency Services: Commissioner Malone moved to approve the letter to send to Mr. Tinsley (MDES). Commissioner Durgan seconded the motion. Motion passed.

Public Hearings/Ordinances/Resolutions

Signing of Resolution #1186 for Appointing Kimberly Deschene as Special Deputy County Attorney: Commissioner Malone moved to appoint Kimberly Deschene as special deputy county attorney. Commissioner Durgan seconded the motion. Motion passed.

CONSENT ITEMS

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

Commissioner Malone said Adult Probation and Parole is willing to pay rent for use of office space in the City-County Complex. Malone asked Frady to come up with a going rental rate.

Correspondence included:

- Memo re. June Fair Board meeting agenda
- Memo re. Library Board meeting agenda
- Memo re. Public Health Emergency Preparedness annual contract
- Memo re. City County Sanitation certificate of liability insurance
- Memo re. Maternal and Child Health Block Grant annual contract
- Memo re. citizen public information request
- Memo re. June Solid Waste Board meeting agenda

Review of Minutes for Week June 9, 2014: Commissioner Malone noted a typo on Page 8 of 10. A motion on Page 8 of 10 about a horse vaccination policy should read, “Commissioner Malone moved to approve the policy. Commissioner Durgan seconded the motion. Motion failed unanimously.”

Commissioner Malone moved to accept the minutes as corrected. Commissioner Durgan seconded the motion. Motion passed.

Adjournment: 10:00 a.m.

June 18, 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; Shawn Titeca, citizen; John Mueller, minutes clerk

Public Comment

Citizen Shawn Titeca said his neighbors recently have an issue with him accessing his property on Upper Baldy Road, which is a petitioned county road. The road is often gated off and locked by the neighbors, and the neighbors have harassed Titeca.

Correspondence included:

- Memo re. citizen gravel road maintenance comments
- Memo re. June 19 FEMA meeting confirmation
- Memo re. planning department meeting item request
- Memo re. MACo Executive Director performance evaluation
- Memo re. May Airport Board meeting minutes

@9:22 a.m., the meeting adjourned.

Department Head Meeting

@10:07 a.m., the meeting opened in the Community Room

Attendance: Commissioners Durgan, Malone, Tinsley; Martha Miller, auditor; Lani Hartung, finance; Paul Shea, museum; Raea Morris, administrative assistant; Kelly Johnson, maintenance; Suzanne Brown, public health; Barbara Woodbury, environmental health; Parks Frady, public works; Denise Nelson, clerk and recorder; Linda Budeski, JP; Jill Ouellette, HR; Greg Coleman, DES; Kim Knutson, fair; Ed Barrich, schools; Mike Inman, planning; John Mueller, minutes clerk

Food Reimbursement Policy: Mike Inman said the county's per diem meal reimbursement policy needs to be updated and revised. Currently, employees qualify for per diem outside of Park County only, except for Cooke City. The state legislature sets per diem rates, which are \$5 for breakfast, \$6 for lunch, \$12 for supper. The Commission will schedule a meeting to discuss revision of the county's per diem policy.

FY'15 Preliminary Budget: The FY'15 preliminary budget has been set.

Safety Video Program: The Safety Committee will begin an employee safety video viewing program. Department heads were tutored on viewing documentation protocol.

Roundtable Discussion of Activities: Department heads and elected officials provided updates of current and ongoing projects and efforts.

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

June 19, 2014

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

Attendance: Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Parks Frady, public works; Kevin Feldman, CTA; John Mueller, minutes clerk

ACTION ITEMS

Opening of Statement of Qualifications for Professional Engineering Services and Appointing of Selection Committee: Sealed statements of qualifications received from three firms were opened. Commissioner Malone moved to submit the SOQs to legal counsel for review. Commissioner Durgan seconded the motion. Motion passed.

A member from the Public Works and Planning and Environmental Health Departments, a Nittany Grantworks representative and Commissioner Tinsley will serve on the review committee.

Discussion/Decision on Task Order for Summer 2014 Road and Trail Surfacing: Proposed task order is for chip sealing of specified roads. Total proposal for professional services is \$14,000. Total estimated project cost is \$160,000 to \$180,000. Funding will fund project over two fiscal years. Commissioner Malone moved to accept CTA's task order. Commissioner Durgan seconded the motion. Motion passed.

Signing of Annual Public Health Emergency Preparedness Contract: The federal and state dollars in the annual Department of Public Health and Human Services contracts are going down each year. Commissioner Malone moved to sign the Public Health and Emergency Preparedness contract. Commissioner Tinsley seconded the motion. Motion passed.

Signing of Annual Public Health Maternal and Child Health Block Grant Contract: Commissioner Durgan moved to sign the annual Public Health Maternal and Child Health Block Grant contract. Commissioner Malone seconded the motion. Motion passed.

Signing of Open Container Permit Letter for Greater Yellowstone Weed Event in Gardiner Arch Park: Commissioner Malone moved to allow the weed event to drink

alcoholic beverages on Park County property. Commissioner Durgan seconded the motion. Motion passed.

Public Hearings/Ordinances/Resolutions

Signing of Resolution Establishing FY 2014-2015 Elected Officials' Compensation Schedule: The Commission previously voted to set the compensation schedule. Commissioner Malone moved to sign Resolution #1187 establishing elected officials' salary. Commissioner Durgan seconded the motion. Motion passed.

Department Updates

Public Works Department Update: Parks Frady, public works, provided a written report of the previous week's activities in his departments.

CONSENT ITEMS

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

Correspondence included:

- Memos re. 2014 state PILT payments
- Memo re. map of area resident's property/locked gate issue
- Memo re. Senator Tester PILT press release
- Memo re. citizen Public Information Request
- Memo re. loss control conference call
- Memo re. Main Boulder Road project public meeting
- Memo re. letter on locked gate on Old Baldy/Upper Dry Creek Road

Commissioner Durgan reported on a June 17 Fair Board meeting.

Adjournment: 10:45 a.m.

Review and Discussion of FEMA Follow-up Letter regarding Park County Community Assistance Visit (CAV) with FEMA Representatives (Conference Call)

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

Attendance: Commissioners Durgan, Malone and Tinsley; Mike Inman, planning; Barbara Woodbury, environmental health; Parks Frady, public works; Raea Morris, administrative assistant; Kristen Galbraith, Nittany Grantworks; Natalie Storey, Livingston Enterprise; Mary Jo Brady, John LaBrune, FEMA (via telephone); Traci Sears, Montana DNRC (via telephone); John Mueller, minutes clerk

Commissioner Tinsley asked Mary Jo Brady (FEMA) about a June 9 letter she sent to Park County regarding a January Community Assistance Visit (CAV). Brady said she was unaware Park County has certified co-floodplain administrators. The letter in question states the CAV was not completed because one of the administrators left the January CAV. The January CAV is still open per FEMA. Tinsley asked if a CAV conducted by Sears and Roger Austin (Montana DNRC) in March qualified as a completed CAV. Brady said she was the lead on the January meeting. John LaBrune, FEMA, said FEMA cannot consider the January CAV completed as a result of how the January meeting transpired (with one floodplain administrator leaving the meeting).

Brady said, per her letter, FEMA is looking for a response and answers from Park County as outlined in the letter and how Park County has met certain requirements of the National Flood Insurance Program (NFIP). FEMA representatives said many of the data to support a response are included in Sear's CAV report, such as Items #1 and #2 in Brady's letter. Brady would like an explanation and documentation of how Park County manages certain types of land use actions.

Tinsley asked if law requires development of a substantial damage process procedure as Brady's letter states is needed from Park County by September 12. Brady said such a damage and improvements procedure should be in the county's floodplain ordinance. FEMA has no guidelines on establishing such, but has a template that can be adopted. Brady said she is asking all communities in the state to think about the process to work with the communities to develop a procedure. Brady said she is asking Park County to develop a damage and improvements procedure to be prepared for an emergency event.

Mike Inman, planning, said Park County received from FEMA no information on how its program is deficient. Inman said it would be helpful if Brady could provide deficiencies. She said not having a substantial damage process procedure is not a deficiency. Brady asked for responses for Items #1 through #5 in her letter, which can be done through email or a written letter. Inman asked if any other counties have had to provide scanned copies of all proposed subdivision permits by July 11, as Brady asked Park County to do in her letter. Brady said she only wants a copy of the joint application permit used by Park County for its floodplain permit program.

Tinsley asked if Park County is under two CAVs, one with Brady (FEMA), one with Sears (DNRC). Brady said she wants a response to each request for data in the letter she submitted.

Park County asked if it must establish consistent monitoring of the floodplain for illegal building in the floodplain by August 8, 2014 as stated in Brady's letter. Brady said such is a suggestion based on the fact Park County, like 55 of 56 Montana counties, has no building permit requirement. Brady suggests flying, driving or floating the floodplain to monitor it.

Brady said Park County has some minor issues with its ordinance. Inman asked if Brady could identify exactly what provisions are inconsistent with state statute. Brady said she

and Sears would work together to do that. Tinsley said Brady's letter feels to him he is being sent to the principal's office, and suggestions typically do not have due date, timeline requirements.

In public comment, Natalie Storey (Livingston Enterprise) said she does not understand what prevented Brady from getting the information she asked for in her letter during the January CAV. Brady said she was not aware Inman was a co-floodplain manager. Brady said she and her counterpart left the meeting before information could be provided and she did not feel the information was available.

Brady said her intention with asking for substantial damage and floodplain monitoring protocol by certain dates was to ensure the issues received some visibility and had some attention drawn to them. She said FEMA is trying to help Park County have a successful NFIP. Brady said the community is in good standing with the county's program and she merely is asking for data supporting that standing.

@12:10 p.m., the meeting adjourned.

Park County Board/Committee Meetings

1:00 p.m. – Solid Waste Board, East Room – Commissioner Tinsley attended

2:00 p.m. – Planning and Development Board, Gardiner Community Center

4:00 p.m. – Park County Project Updates, Gardiner Community Center – Commissioner Tinsley attended

4:00 p.m. – Library Board, Park County Library

June 20, 2014

No Commission Meetings Scheduled

Clint Tinsley
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana