

Park County Commission Meeting Minutes  
Week of March 10 – 14, 2014  
Park County, Montana

**March 10, 2014**

Public Comment Period, County Departmental Updates, Signing of Administrative Documents 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; Bill Moser, citizen; John Mueller, minutes clerk

Commissioner Tinsley reported on flooding issues in Park County over the weekend. Clyde Park is experiencing flooding issues.

Citizen Bill Moser said he does not think presenters in public meetings have mentioned East River Road or Old Yellowstone Trail in the Highway 89 corridor. He is putting together information he said he will provide to the Commission, which will include use of dry hydrants in the Paradise Valley for firefighting purposes.

Correspondence for March 6 included:

- Memo re. MDT Policy statement for Museum Roof Replacement Project
- Memos re. county flooding issues
- Memo re. Old Yellowstone Trail flooding photo
- Memo re. Hwy 89 North residence flooding
- Memo re. 89 N flooding photos
- Memo re. west end flooding photo
- Memo re. Cubs Pub alcohol license (Gardiner)
- Memo re. Shields Valley E News invoice
- Memo re. MACo JPIA bylaws amendment
- Memo re. Mendenhall Creek flooding photo
- Memo re. Treasurer Office account balance sheet

Correspondence for March 7 included:

- Memo re. Fleshman Creek Project weekly update
- Memo re. cell tower lease options
- Memo re. MDT US 212 speed zone study
- Memo re. Mission Field Snow Equipment Federal Aviation grant packet

- Memo re. Senator Tester Montana flood issue communiqué

Commissioner Tinsley commended the undersheriff, interim DES coordinator and public works director for their efforts over the weekend with county flooding issues.

@9:40 a.m., the meeting adjourned.

#### Human Resource Department Updates

@10:00 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, said unfinished business includes a performance evaluation and wage increase request for a county attorney's office administrative staffer. Ouellette provided the status of that department's funds. Commissioner Malone moved to approve the wage increase effective March 17. Commissioner Durgan seconded the motion. Motion passed. Ouellette provided a change of status form for a resigned Angel Line driver and a newly hired driver. Ouellette will provide commissioners a planning technician job description with her notes for review.

Commissioner Malone said he thinks submittal of requested wage increases should be permitted only at the fiscal year budgeting time.

Ouellette provided a performance evaluation and job description for two Environmental Health Department employees. A third requested evaluation from that department is forthcoming. Ouellette said she conducted an exit interview with an outgoing Angel Line driver. An open Angel Line Board seat interviews were conducted the previous week.

The March 12 Safety Committee meeting will focus on preparing for a March 19 annual MACo safety audit.

@10:30 a.m., the meeting adjourned.

#### Signing of Contract Amendment for Cooke City Snow Removal

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

*Attendance:* Commissioners Durgan, Malone and Tinsley; Shannan Piccolo, civil deputy county attorney; Parks Frady, public works; John Mueller, minutes clerk

Civil Deputy County Attorney Shannan Piccolo said the Cooke City snow plower requested borrowing county equipment to haul snow from Cooke City. Heavy snowfall this winter necessitates moving snow from the city.

Commissioner Malone moved to sign the contract amendment. Commissioner Durgan seconded the motion. Motion passed.

@10:33 a.m., the meeting adjourned.

### **Park County Board/Committee Meetings**

2:30 p.m. – Local Advisory Committee – Mental Health Drop-In Center, Livingston

3:00 p.m. – Angel Line Board – East Room – Commissioner Malone attended

### **March 11, 2014**

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

*Attendance:* Commissioners Malone and Tinsley; Raea Morris, administrative assistant; Parks Frady, public works; Shannan Piccolo, civil deputy county attorney; Martha Miller, auditor; Greg Coleman, DES; Kevin Feldman, CTA (via telephone); Kristen Galbraith, Nittany Grantworks; Mike Adams, fair board; Gary Barnhart, citizen; Jake Magalsky, ACE Roofing; John Mueller, minutes clerk

### **Public Comment**

Mike Adams, fair board, asked the future status of the SAR quonsot hut at the fairgrounds. Commissioner Tinsley said the Commission has not made a determination at this point.

### **Department Updates**

Greg Coleman, DES, provided an update of area flooding issues.

Kristen Galbraith, Nittany Grantworks, said funders other than FEMA were invoiced for the Fleshman Creek Project.

### **Update on Current County Projects**

Fleshman Creek Project: Kevin Feldman, CTA Engineering, said no stream work or work at E Street crossing took place after Wednesday of last week. Storm drainage work at E Street will continue today. Crews are awaiting drier weather. Feldman said the project is about 75 percent to 77 percent complete. Expected completion by May 15 deadline. Project is ahead of schedule.

Gardiner Gateway Project: Parks Frady, public works, said update meetings continue. Coordination issues with MDT were resolved without requiring a meeting. Residents along East Park Street and Xanterra met last night. A public meeting will be held March 19 as an open house meeting.

Bicycle Trail Extension: Construction expected in 2015.

Gardiner Sidewalk Extension Project: Construction expected in 2015.

Bicycle Trail Extension Resurfacing: No report

Museum Roof Restoration Project: Contract signed with ACE Roofing on March 11.

Boulder River Road: No report

Fairgrounds Sewer Project: A pre-bid contractor walkthrough the previous week went well. Bid opening on March 13 at 10 a.m.

Rock Creek Road: Construction to be completed spring 2014.

TSEP County Bridge Improvement Project: No work to-date due to high waters.

## **ACTION ITEMS**

Discussion/Decision on Approving the Cost Policy Statement for Park County: Frady said the statement is a matter of housekeeping, outlining how the county tracks its in-kind expenditures. Commissioner Malone moved to approve the cost policy statement presented by Frady. Commissioner Tinsley seconded the motion. Motion passed.

Signing of the Contract with Ace Roofing LLC for the Yellowstone Gateway Museum Roof Replacement Project: Commissioner Malone moved to sign the contract between ACE Roofing and Park County for roofing of the Park County Museum. Commissioner Tinsley seconded the motion. Motion passed.

Signing of the DES Emergency Management Performance Grant (EMPG): Greg Coleman, DES, said the county is currently working within the EMPG grant. Commissioner Malone moved to sign the Emergency Management Performance Grant. Commissioner Tinsley seconded the motion. Motion passed.

Signing of Amendment #1 Article X Page 6 of the MACo JPIA By-Laws: Commissioner Malone moved to approve signing the amendment. Commissioner Tinsley seconded the motion. Motion passed.

## **Public Hearings/Ordinances/Resolutions**

Signing of Resolution for Declaration of Emergency Due to Flooding throughout Park County: The Commission passed the resolution the previous week as an emergency action. The current action is a housekeeping item. Commissioner Malone moved to approve Resolution #1182 . 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:

- Memos re. Fleshman Creek emergency joint stream application
- Memo re. Justice Court examination of books
- Memo re. ITAC meeting cancelation
- Memo re. Gallatin Appeal Litigation statistics
- Memo re. DPHHS contract amendment
- Memo re. Wilsall Fire District appointee
- Memo re. Fleshman Creek Project flyer
- Memo re. Deep Creek Road culvert citizen letter
- Memo re. Forest Service budgets
- Memo re. Livingston Enterprise PCSO vehicle RFB invoice
- Memo re. citizen public information request
- Memo re. CTA easement agreements

Review of Minutes for Week of March 3, 2014: Commissioner Malone requested a revision to Page 3 of 10, a sentence should read, "...Montana FWP pay for large-scale fencing in suitable areas for the creation of corridors to allow elk movement to prevent comingling and disease transmission during the risk period." Commissioner Durgan noted a typo on Page 5 of 10.

Commissioner Malone moved to approve the minutes as corrected. Commissioner Tinsley seconded the motion. Motion passed.

**Adjournment:** 10:40 a.m.

### **Park County Board/Committee Meetings**

1:00 p.m. – Park County Senior Citizens Meeting – Senior Citizens Center, Livingston

2:00 p.m. – Information Technology Advisory Committee – East Room – Canceled

### **March 12, 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

@10:06 a.m., the meeting opened in the Commission Chambers.

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

Correspondence included:

- Memo re. March Safety Committee meeting agenda
- Memo re. Vision Livingston Branding invoice
- Memo re. Fleshman Creek Project contract payment Application #6
- Memo re. Nittany Grantworks general grant development invoice
- Memo re. Clyde Park snow event photos
- Memo re. primary election letter
- Memo re. March 18 Nittany Grantworks action items request
- Memo re. Angel Line Board seat recommendation

Commissioner Tinsley said the environmental health department administrative assistant job description was revised and updated. The position is officially in charge of conducting daily mail responsibilities as of March 12. Auditor Martha Miller will serve as a backup. One additional backup may need to be appointed.

Commissioner Durgan commended the road crew for its courtesy and professional work and impressive attitude.

Tinsley said Park County lost a Montana Supreme Court bison lawsuit appeal.

@10:33 a.m., the meeting adjourned.

#### Appointing of Recommended Applicant for Angel Line Board Seat Opening

@11:34 a.m., the meeting opened in the Commission Chambers.

*Attendance:* Commissioners Durgan and Tinsley; Raea Morris, administrative assistant; Martha Miller, auditor; Jill Ouellette, HR; John Mueller, minutes clerk

The Commission received a recommendation from an Angel Line Board interview committee recommending Frank Wombacher to sit on the board. Wombacher will fill out a seat vacated by a former board member. Term ends December 31, 2015.

Commissioner Durgan moved to accept the recommendation for applicant Frank Wombacher to finish out the term of Kevin Funk. Commissioner Tinsley seconded the motion. Motion passed.

@11:38 a.m., the meeting adjourned.

## March 13, 2014

9:00 a.m. – Discussion/Decision and Signing of Change Order #3 for Fleshman Creek Project – Commission Chambers – Canceled due to scheduling conflicts

### Discussion/Decision on Holding a Primary Election

@9:30 a.m., the meeting opened in the Commission Chambers.

*Attendance:* Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Denise Nelson, clerk and recorder; Shannan Piccolo, civil deputy county attorney; John Mueller, minutes clerk

A statewide primary will take place. A nonpartisan primary election is not required per Montana Code Annotated. The Commission has the option to hold a primary election for sheriff and county attorney, only, as those two races have three candidates.

Commissioner Malone moved to hold a primary for offices of sheriff and county attorney. Commissioner Durgan seconded the motion. In discussion, Commissioner Durgan said he has received comments from people who felt it would be most fair to hold a primary election. Motion passed.

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

### Opening of Bids for Fairgrounds Sewer Project

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

*Attendance:* Commissioners Durgan, Malone and Tinsley; Raea Morris, administrative assistant; Barbara Woodbury, environmental health; Parks Frady, public works; Shannan Piccolo, civil deputy county attorney; Kim Knutson, fair; Kevin Feldman, CTA; Mike Adams, fair board; Val Bainter, Bainter Construction; Bob Stewart, Bullock Construction; Jeff Milesnick, Sime Construction; John Mueller, minutes clerk

Commissioner Tinsley opened sealed bids from seven bidders. Kevin Feldman, CTA Engineering, read total base bid amounts into the record as follows:

- Mungus Company, Inc: \$192,851.00
- Sime Construction: \$295,095.00
- Omdahl Excavation & Utilities, Inc: \$228,883.00
- Dick Anderson Construction, Inc: \$248,000.00
- Bainter Construction Inc: \$194,616.70
- Western Municipal Construction Inc: \$246,627.00
- Bullock Construction: \$221,250.08

CTA Engineering engineer's estimate = \$245,419.95

Commissioner Malone moved to submit bids to CTA Engineering and county legal counsel to review bids and schedule a meeting as soon as possible to award the bid to the lowest responsive bidder. Commissioner Durgan seconded the motion. Motion passed.

Apparent low bidder at present is Mungus Company, Inc, Phillipsburg, Montana, with a bid of \$192,851.00. Bid award meeting is scheduled for March 19 at 1:30 p.m.

@10:20 a.m., the meeting adjourned.

### **Opening of Meeting: 3:08 p.m.; Wilsall Senior Center**

*Attendance:* Commissioners Malone and Tinsley; Parks Frady, public works; Barbara Woodbury, environmental health; Raea Morris, administrative assistant; Greg Coleman, DES; Parks Frady, public works; Katie Weaver, MSU Extension; Peter Fox, Jean Skillman, Marie Brogan, citizens; John Mueller, minutes clerk

### **Departmental Updates**

Barbara Woodbury, environmental health, reported on activities performed in her department, including a planned county fairgrounds sanitary sewer upgrade project slated for completion by June 2014.

Greg Coleman, county fire/DES, reported on activities performed in his departments.

Parks Frady, public works, reported on activities performed in his departments, including the county's response to recent flooding emergencies.

Commissioner Malone said an education program in cooperation with Montana FWP may be positive regarding private citizens' ability to remove debris from their creeks in light of Park County recently having to clear debris from Fleshman Creek when flooding started.

### **County Department Updates**

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

### **ACTION ITEMS**

Signing of Amendment #1 for the Emergency Preparedness Contract with Montana Department Public Health and Human Services: The annual contract contains an amendment reflecting a dollar change.

Commissioner Malone moved to sign the contact. Commissioner Tinsley seconded the motion. Motion passed.

Signing of Temporary Easement Agreements for Properties Along Fleshman Creek: The easements were obtained by CTA Engineering.

Commissioner Malone moved to sign the easements. Commissioner Tinsley seconded the motion. Motion passed.

In other discussion, Katie Weaver, MSU Extension, reported on activities with MSU Extension and in her capacity as economic/community development coordinator.

## **CONSENT ITEMS**

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

Correspondence included:

- Memo re. IBMP case verdict
- Memo re. payroll voucher
- Memo re. county attorney commission to-do list
- Memo re. permit inquiry
- Memo re. Crystal Finishing certificate of liability insurance
- Memo re. county auditor Clerk and Recorder Office examination of books

Commissioner Tinsley reported on \$25-million worth of grant funded CIP projects taking place around Park County.

**Adjournment:** 4:20 p.m.

**March 14, 2014**

No Commission Meetings Scheduled

Clint Tinsley  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana