

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

**November 3, 2014**

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

@ 9:07 a.m., the meeting opened in the Commission Chambers

*Attendance:* Commissioner Clint Tinsley, Commissioner Jim Durgan, Commissioner Marty Malone, Raea Morris, Administrative Assistant/Minutes Clerk

**Department Updates:**

Nothing

Correspondence for October 24<sup>th</sup> included:

Lee Grindinger	Email - Health nurse
Marty Malone	Email - Resolution for Clean water act

Correspondence for October 28<sup>th</sup>:

Shannan Piccolo	Drop Off - RSVP Memorandum of Understanding
Martha Miller	Email - Sheriff Durango for Angel line
George Bornemann	Email - Case boundary Adjustment
Kristen Galbraith	Email - Upcoming commission meeting
Shannan Shanholtzer	Email - JPIA JPA work session
Wade Cebulski	Email - CIP Summary
MACo	Email - NACo to host Town hall on County response to Ebola
Barbara Woodbury	Email - Director of Public Health Nurse
Denise Nelson	Email - Legal publication
Suzanne Brown	Email - Contracting out DNS position
Diane Renkin	Drop Off - Public Information request

Correspondence for October 29<sup>th</sup>:

Parks Frady	Email - 318 permit for 9th St. Bridge Debris removal
Martha Miller	Drop off - Journal voucher transfer
Karl Knuchel	Mail - Waste Disposal proposal
Thomas Rapp	Mail - Application for Gardiner Resort Tax committee
Chad Swanson	Mail - Signature page of agreement
MACohct	Mail - 2015 New West Medicare Renewal
Shannan Piccolo	Drop off - RSVP Memorandum of Understanding
Scott Malloy	Email - Park County FY2015 1st Qrt update
Linda Budeski	Email - Sheriff durangos

Jon Shafer	Email - RC&D audit
Tracy Mosley	Email - RC&D audit
Jon Shafer	Email - RC&D audit
Parks Frady	Email - County update

**Commissioners Reports**

Commissioner Malone said the Park Service wants to hold a conference call today to discuss fees and charging back country hikers a fee in the park to hike, or horseback this fee will be to pay for the back country offices they currently have in operation.

**Commissioners Road Reports:**

Commissioner Malone brought some road mix from White Sulphur to show the commissioners.

@ 9:33 a.m., the meeting adjourned.

**Human Resource Department Updates**

@ 9:37 a.m., the meeting opened in the Commission Chambers

*Attendance:* Commissioner Tinsley, Commissioner Durgan, Commissioner Malone; Jill Ouellette, Human Resource; Raea Morris, Administrative Assistant/Minutes Clerk

Jill Ouellette, HR, provided an update.

@ 10:00 a.m., the meeting adjourned.

**Park County Board/Committee Meetings**

Nothing

**November 4, 2014**

Courthouse is closed for Election Day!

No meetings scheduled

**November 5, 2014**

City County meeting

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

*Attendance:* Commissioner Tinsley, Commissioners Durgan, Commissioner Malone, City Commissioners James Bennett, Ed Meece, City Manager; William and Vicki Miller, Citizens; Raea Morris, Admin. Asst/Minutes clerk

The City County meeting consisted of discussion regarding the following topics on the agenda,

Ridgeview Trails Air Quality Complaint - The discussion was about the ongoing complaint between the Millers and Keens with dirt piles and blowing dust.

Discuss Dispatch location/Relocation Decision – Ed Meece said the finance office is officially out of the building. Chief Johnson has spoke with Kirk Michels architect and the city has been given a proposal in the amount of \$2,000 to look at the space where the police department resides and try giving several alternatives and on how they may be able to incorporate dispatch into the space at the same time keeping a net gain in mind for the police department space.

Building renovation update- There is no information on the building renovation update agenda item. Commissioner Malone mentioned possibly moving the coroner during this time since he occupies two valuable spaces in the building and has mentioned he needs more space.

City/County Airport Funding- The City and County discussed how to work together on funding the Airport jointly and working it into both budgets to take care of the funding needs of the airport.

New Building Capital Improvements- Commissioner Tinsley spoke about Miral Gamradt and the CIP process he is working on for the County and CIP projects. Commissioner Tinsley said the county would have the building CIP totals to the City by May 2015.

Loves Truck Stop- Ed Meece spoke on behalf of the Loves Truck stop project and where the city is on the discussion of annexation and utilities or setting up a non decision workshop including a city commissioner. If the workshop group doesn't get set up then this topic will be on the next City County agenda.

@10:34 a.m., the meeting adjourned.

Discussion with YNP Deputy Superintendent about Park County Road Maintenance In and Out of the Park –

@ 11:45 a.m., the meeting opened in the Commission Chambers.

**Public Comment**

No public present

*Attendance:* Commissioner Tinsley, Commissioners Durgan, Commissioner Malone, Mike Inman, Planner; Parks Frady, Public Works Director; Steve Iobst, Yellowstone National Park; Lindsey Robb, Yellowstone National Park; Raea Morris, Admin. Asst/Minutes clerk

Commissioner Malone asked about a list of the roads that are in question in regards to maintenance issues. Commissioner Malone asked about cooperation with the Park Service for hauling refuse around Gardiner / Cooke City.

Steve Iobst also spoke in regards to YNP and their fee increase explaining the decision was made to increase the fees due to the lack of funding compared to what it was in 2010. The funding is important to keep doing improvements on trails, roads and other projects within the park.

There was a brief conversation about the bison management plan and movement in and out of the Park around Park County.

@12:04 a.m., the meeting adjourned.

**Park County Board/Committee Meetings:**

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

**November 6, 2014**

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

*Attendance:* Commissioner Tinsley; Commissioner Durgan; Commissioner Malone; Shannan Piccolo, County Deputy Attorney; Parks Frady, Public Works; Mike Inman, Planner; Barbara Woodbury, Environmental Health; Suzanne Brown, Health Nurse; Janet Clark, Health Dept; Kim Knutson, Fair Mgr; Jill Ouellette; Wendy Wood, Search and Rescue; Tom Totland, Sheriff Dept; Greg Coleman, DES; Kristen Galbraith, Nittany; Linda Mason, Fair board; Lee Grindinger, Health board; Marjorie Sundling, Citizen; Kent Hanawalt, Health board; Peggy O'Neill, Health board; Lande Cooney, CHP; Bren Lowe, LHC; Robert Church, Great West Engineering; Dann Babcox, Rural Fire; Bruce Becker, City Attorney; Doug Wadle, Physician; Mike Adams, Fair board; Ted Madden, Community Network; Leah Bullca; Citizen; Genevieve Reid, Physician; Mandy Hamm, Fair board; Robert Currie, Solid Waste Board; Allen Carter, Solid Waste board; John Kaiser, Solid Waste board; Pat Thomson, Water & Environmental Technologies; Raea Morris, Admin. Asst/minutes clerk

## **Public Comment**

None

## **ACTION ITEMS**

Discussion/Decision on Submittal of Building Active Communities Application: Kristen Galbraith, Nittany Grantworks; gave a brief explanation on the building active communities and the application. The program will help to provide better trails, parks and outdoor activities and healthy environments. Commissioner Durgan made the motion to approve submittal of the application process for Building Active Communities program. Commissioner Malone seconded the motion. Motion passed.

Signing Notice of Encroachment Removal Request Adjacent to 508 4th Street Gardiner: Parks Frady, Public Works; briefed the commissioners in regards to the notice of encroachment removal and the letter of formal notice that addresses the encroachment at 508 4<sup>th</sup> St. in Gardiner, MT. Commissioner Malone made the motion to sign the notice of encroachment letter. Commissioner Durgan seconded the motion. Motion passed.

Signing of the North West Energy Gardiner Phase 1 Utility Agreement; and Signing of the Gardiner Gateway Utility Certification: Parks Frady, Public Works explained the North West Energy Utility Agreement for Gardiner Phase I to the commissioners. Shannan Piccolo, Civil Deputy Attorney; has reviewed the document and NW Energy's legal has reviewed it once, but it is back in their review even though there were no revisions made to it. Commissioner Durgan made the motion to approve the North West Energy agreement upon final review from Northwest Energy's legal department. Commissioner Malone seconded the motion. Motion passed.

Parks Frady explained the Gardiner Gateway Utility Certification. This utility certification closes the loop with everything that was needed to do with the utilities and this project saying we have taken care of all aspects. Commissioner Malone made the motion to sign the utility certification pending legal review. Commissioner Durgan seconded the motion. Motion passed.

Discussion and Review of the Fairgrounds Policy on Rental of Facilities and Fees: Commissioner Tinsley opened the meeting by briefly explaining that this was to discuss the changes in policies with the Fair board such as policy on rental of facilities and fee changes. Commissioner Tinsley received some calls from citizens regarding the fair board raising rental fees. The Fair board doesn't have the authority to raise the fees without it coming to the commissioners as a suggestion from the board. The commissioners make final decisions on raising fees not the fair board. Mike Adams, Fair board member asked what kind of a board is the fair board, advisory or administrative. Commissioner Tinsley said the Fair board is an administrative board however that means that you still have to make a recommendation to the commission; you are not an elected board. The board does not have the authority to change budgets, revenues and or expenses. Shannan Piccolo Civil county attorney; said basically the boards have the

power and authority that constrain with the bylaws but in the end the commissioners have the ultimate authority, this is to protect the board. As an administrative board there are some things you are allowed to do but then there are some things you are not. Linda Mason, fair board member; asked if all financial decisions that are made have to go to the commissioners and Commissioner Tinsley said no that Kim Knutson, Fair manager is ultimately responsible for the fair department budget and the spending of that budget that has already been approved. It is decisions like changing the rental fees that need final approval by the commissioners.

Discussion of Public Health Nurse Position: This meeting was a discussion only in regards to the upcoming opening of the Public Health Nurse position. The Park County Commissioners listened to a lot of opinions from an array of people from the Health board, Medical experts from Livingston Health care and CHP with ideas on how that position should be filled. Commissioner Tinsley said he isn't against even forming a committee to look at this; the way it is working now is fine however the commissioners have decided to look at every position vacancy and see if there is a better way than what has been done in the past. The budget for the position is currently at around \$125,000 but \$25,000 of that is grant money in which helps pay for three nurses. Commissioner Malone called up several counties to see how it's done in other counties in the state of Montana. Commissioner Durgan said he is concerned about finding a qualified person to fill the position because it is a very specialized field with a lot of different aspects to it. Suzanne Brown, Public Health Nurse; said public health is disease prevalence; it's not clinical care and is totally different from clinical nurses there's a lot of different aspects to the position. Lee Grindinger, Health board member; asked Suzanne what a typical day looks like for her. Suzanne said a typical day varies and you just never know what you may be doing and it varies. Yesterday she started out with an immunization clinic out in the community. She then worked on communicable disease follow-up on cases logging on to a secure State website that records all lab work. The afternoon followed another immunization clinic and then you have members of the public that walk in for various reasons like TB tests, childhood immunizations. Suzanne Brown summarized areas the other two nurses cover within the rural county and Janet Clark spoke on behalf of what she does, her position is part time. Janet said she visits five different schools in the county within two days which requires a lot of travel time. Commissioner Tinsley said he has met with Suzanne and Jill Ouellette, Human Resource; and Suzanne's concerned about getting someone in soon in order to train them before she is gone. Commissioner Tinsley said one of the questions was can we hire an intern or a nurse to fill the position to allow more time to discuss this and work it out, he asked how the health board and Human Resource felt about that. Jill Ouellette stated that is fine. Lee Grindinger said he would be concerned about sub contracting it out to a clinic because of the broad aspect of the position and the position not being strictly clinical. He also asked how dedicated to this position and Park Counties issues would a nurse be whose attention is divided, would it be one nurse or a variety. Is the current system we use now broken and what would be the motivation for changing the system that is working now if it's not broken? Commissioner Tinsley stated the system is not broken but the commissioners are always looking at ways

to make the system better for Park County by looking at all positions. The commissioners don't know if contracting it out would make it better they are just looking at all other options. Dr Wadle, Physician and Public health officer; said he thinks that for the short term to contract it out would be fine but the board needs to take their time with sorting out the priorities in that department and figure out what the board feels like is a priority with that position. Dr. Wadle stated that he feels like there are other aspects of the position that could be made more visible things like helmet safety, seatbelt safety, obesity, and Tobacco prevention besides immunization, communicable disease and those types of things. Barbara Woodbury said her vision for what the health department could do moving forward get some focus and new energy going on and she could really see that happening with a new person in that position. Barbara also mentioned that she sees a need to take the time to get the right person in the position but also not to drag it out too long either. Commissioner Malone went through the list of different counties and what they do for a Public health nurse. Greg Coleman, DES; said currently the health nurse is the keeper of the health plans; we do not have anything in our emergency operations plans specifically related to such things like a disease outbreak. He goes on to discuss things that are imperative with public health and disaster and emergency situations. Ted Madden, Community Foundation; said he has worked with Suzanne on things like community mapping around early childhood services and a lot of resources both public and private do flow through public health departments. He suggested mapping out some of the health care aspects in the community and disaster and preparedness and figure out what the landscape looks like for the position and how we want to build the foundation for the next 20 years. Commissioner Tinsley suggested Ted Madden help with forming a meeting to get this process going and figure out what direction to take. Barbara Woodbury stated that she suggests the health board take the lead in setting that up to figure out where they want to go with the position. Commissioner Tinsley suggested that Dr. Wadle, and Ted Madden with a few board members and a county commissioner, the suggestion being Clint Tinsley be a part of the group to sit and go over the job description and job duties for review and give some advice on how the county needs to move forward with filling the position.

1:30 p.m. - Discussion/Decision on hiring KLJ to perform services for the Chicory RID: Parks Frady, Public Works; handed the commissioners a copy of the task order to hire KLJ to perform services for the Chicory Road Rural Improvements District. David Mosser, Engineer for KLJ; explained briefly the steps they will take for the services to be performed. Mike Inman, Planner also gave some explanation to the steps in the process for the Chicory Road RID. The conversation of any RID's considered in Park County was talked about and the process to get started. Commissioner Malone made the motion to hire KLJ to perform services for the Chicory Rural Improvements District and sign the task order. Commissioner Durgan seconded the motion. Motion passed.

2:00 p.m. - Discussion/Decision on Waiving of Penalty and Interest on Citizens Taxes: Michael and Sherri Ott, Citizens were in attendance today for a meeting to discuss their

situation on their property taxes. Michael and Sherri Ott ask the commissioners to waive the penalty and interest on their trailer house located at 28 Ninth St Island #3. Kevin Larkin, Treasurer wasn't present today for the meeting. Commissioner Malone made the motion to waive the penalty and interest on the Ninth St. Island trailer agreeing to pay \$100 a month starting no later than January 15, 2015 until taxes are brought to current status. Sherri Ott said that if they they can afford to pay more they will. Commissioner Durgan seconded the motion. Motion passed. No action was taken on the other trailer house located at Garnier Ave., commissioners will ask Kevin Larkin to take action with the Garnier Ave. trailer house.

2:30 p.m. - Discussion/Decision on Signing Letter of Opposition to Broaden the Clean Water Act (CWA): Commissioner Tinsley and Durgan both agreed the letter was good and they agreed with it. Commissioner Durgan made the motion to sign the letter in opposition to broaden the clean water act and mail it out. Commissioner Malone seconded the motion. Motion passed.

### **Department Updates**

Public Works: Parks Frady provided the commission a written report of activities in his departments. This meeting didn't take place.

### **PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS**

Nothing at this time

### **PARK COUNTY BOARD RECOMMENDATIONS**

Discussion/Decision on Solid Waste board's Recommendation to Fully Close the Park County Landfill:

Parks Frady, Public Works Director; stated that the solid waste board voted unanimously during their October 14, 2014 meeting to make the recommendation to the commissioners to completely close the Park County landfill for class II and class IV refuse after getting some resourceful information provided by Bob Church, Great West Engineering about the operations and impacts of the Park County landfill. Ms Sundling, citizen; asked that after full closure of the landfill to have someone come and pick up all the remaining refuse stuck in bushes and fences around the property and area for a final clean up. Commissioner Malone made the motion to go forward with the full closure of the landfill. Commissioner Durgan seconded the motion. Motion passed.

### **CONSENT ITEMS**

Public Comment Period, County Departmental Updates, and Review of Daily Correspondence

Correspondence for November 3<sup>rd</sup>:

Shannon Shanholtzer	Email - Property Policy Endorsement
Parks Frady	Email - Low bid Park County
Jessica Anderson	Email - UYWB meeting notice
Lee Parriott	Email - Agenda for Angel line
Jan Laye	Email - Attached files for todays meeting
Dept of Corrections	Mail - Contract for Lease
Noreen Burg	Email - Invoice for Fed Hwy Admin
Tracy Mosley	Email - 990 Engagement letter
Tracy Mosley	Email - RC & D
DOR	Mail - Application for beer and wine
Barbara Woodbury	Email - Floodplain letter
Lani Hartung	Drop off - Invoice for Nittany

Correspondence for November 5<sup>th</sup>:

Greg Coleman	Email - State performance Audit Information on Rail Road safety
Parks Frady	Email - Livingston Peak RAC
Sandi Glenn	Email - Draft Oct minutes on LAC
Jon Shafer	Email - 990 Engagement letter
Tammy Brawn	Email - Special Meeting agenda
Jere Ann Nelson	Email - MTAB 2014 session
Greg Coleman	Email - Reprogramming conference call
Roy and Diane Renkin	Mail - letter of support for the petition to vacate portion of 4th in Gardiner
Roy and Diane Renkin	Mail - Copy of a certified letter mailed to Barbara O'Grady
FWP - Scott Opitz	Mail - Letter regarding the handling of the 55 gal drum in Six mile crk
Robert and Sarah Hughes	Mail - Floodplain letter with supporting documentation regarding Potenberg/Crewe

Review of Minutes for Week of October 27th 2014:

Commissioner Malone gave an electronic copy of the changes he found.  
Commissioner Malone moved to approve the minutes as corrected.  
Commissioner Durgan seconded the motion. Motion passed.

**Commissioner Reports:**

Commissioner Malone reported a MACo attorney and Shannan Piccolo would be looking at Chicory Rd. Marty said in addition MACo will be in Livingston for their insurance retreat next week. Kyle DeMarrs asked Marty Malone if Park County could put up speed zone signs in Cooke City, Bob Smith, Citizen said he would take care of putting up signs for \$20.00 hr.

Commissioner Malone received a complaint call in regards to Prospera, so Marty called Stuart Liedner, Prospera and Stuart said that he would follow up with the person.

Commissioner Malone reminded the commission about the Forest Working group on Wednesday November 12<sup>th</sup> @ 2:00pm at the detention center in Bozeman.

Commissioner Durgan and Tinsley neither one had anything to report.

**Commissioner Road Reports:**

Nothing

**Park County Board/Committee Meetings:**

3:00pm - Testers Outreach @ East Room

7:00pm - Upper Yellowstone Watershed Basin Meeting @ St. John's Church, Emigrant  
MT

**Adjournment:** 11:36 a.m.

**November 7, 2014**

Clint Tinsley  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana