

Park County Commission Meeting Minutes  
Week of October 6 – October 10, 2014  
Park County, Montana

**October 6, 2014**

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

@ 9:03 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:**

Correspondence for October 2<sup>nd</sup> included:

Chad Swanson	Email - AV Capture online demo
Maintenance	Email - Janitorial issues
Nico Hope	Email - Quarter reimbursements
Collette Berg	Drop Off - Travel authorization form
DEQ	mail - termination of permit confirmation letter regarding SAR building
Merissa Hayes, FWP	Email - Bison Disposition
MACo	Email - BLM West wide Wind mapping project
Pam Payovich	Email - revised City county agenda
Shannan Piccolo	Email - Meeting

Correspondence for October 3<sup>rd</sup> included:

Scott Hamilton	Email - MDOT notice of new signs placed off I 90 for wind events
Shannan Piccolo	Email - Notice for Gardiner Resort Tax Committee applications

**Commissioners Reports**

Commissioner Malone stated that someone at Chico refuse site spread some dirt around and just left it there, someone brought in gravel and spread it in front of the green boxes but failed to put any in the five potholes near the edge of the road and the fourth bin was not open, Trail Creek was full. Commissioner Malone proposed the county contract with Mill Creek Water district to have an employee Mill Creek Water district member to give aid to the Chico and Trail Creek Sites on an as needed basis trial basis to pick up around the sites and compact the boxes. Commissioner Tinsley suggested the commission check into that with Shannan Piccolo, Civil County attorney; and see if it is something the county can legally do.

Commissioner Durgan had nothing to report.

Commissioner Tinsley had nothing to report.

**Commissioners Road Reports:**

Commissioner Malone stated that Chico Road above Chico is real rough, and Pray Road when the the old culvert was pulled and replaced the gravel wasn't packed and they didn't fill the pot holes. Commissioner Malone stated also that he noticed that some areas on particular roads there are no more barrow pits.

Commissioner Durgan stated that Yellowstone Trail North was complete on Friday and the road department did a real nice job, and the culvert that got put in looks like it's going to be plenty adequate for the amount of water that comes down from the Eight Mile branch. Also there is an old abandoned culvert south up the road from Commissioner Durgan's place that keeps getting exposed when the road gets graded, Commissioner Durgan said he pointed it out to MJ our grader operator and marked the culvert with a stake and placed a yellow bottle on it. Commissioner Durgan also said that there are a couple areas on Yellowstone Trail at the cattleguard by Depuy's property and through the canyon a little ways that get some rough spots as well. Commissioner Durgan was also approached by some constituents in Shields Valley that are upset that "you can't hardly drive Fiddle Creek Rd anymore it's so rough", and Tobin Creek Road hasn't been graded since last spring.

@ 9:32 a.m., the meeting adjourned.

**Human Resources Department Updates**

@ 9:32 a.m., the meeting opened in the Commission Chambers

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

Jill Ouellette, HR, provided an update.

@ 9:55 a.m., the meeting adjourned.

**Park County Board/Committee Meetings**

No Board/Committee Meetings Scheduled

**October 7, 2014**

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

*Attendance:* Commissioner Durgan, Commissioner Malone, Commissioner Tinsley; Shannan Piccolo, Civil Deputy Attorney; Mike Inman, Planning; Kristen Galbraith, Nittany Grant Works; Laura Williams, GGCC; Lee Grindinger, Citizen; Natalie Storey, Enterprise; Raea Morris, Administrative Assistant/Minutes Clerk

## **Public Comment**

Nothing

## **ACTION ITEMS**

### Discussion/Decision on whether or not Scheduling of Special Events take place in Arch Park and Future Construction for Gardiner Gateway Project:

Mike Inman explained to the commission that Arch Park in Gardiner will be unavailable for the next two summers from starting of March 2015 through September 2016 with construction for the Gateway project in and around Arch Park and for the retaining structures. Mike Inman stated that Gardiner will continue to function completely as they have without shutting business and traffic down during summer, it may get tricky for a period of a week or two during the time when the sidewalks right in front of the storefronts are being done. Shannan Piccolo, Civil Deputy attorney, stated that the county can do a press release informing the public of the changes and making sure everyone is aware of the park having limited access. Shannan also said it doesn't mean the park will be completely shut off from the public however special events and during certain periods of time with construction that the public should be probably finding a new location to use while Arch Park is being used during construction staging of Gardiner Gateway Project. Commissioner Malone made the motion to Close Arch Park to Special events and reserved dates and may be subject to complete closure during the construction of Gardiner Gateway Project. Commissioner Durgan seconded the motion. Motion passed.

### Review, Determination, Consideration of Original Chicory Road Rural Improvements District Application:

Shannan Piccolo, Civil Deputy attorney; explained to the commission that the original application was turned in by the Blue Ribbon Manor Homeowners Association and in which is not a homeowner within the district, and the petition has to be submitted by a property owner. It was suggested by the County Attorney's office that the original petition therefore shouldn't be moved forward. Lee Grindinger, Citizen asked since then has Ave Forseth, citizen submitted another application, and the answer was yes he did.

Commissioner Durgan made the motion to vacate the original application.

Commissioner Malone stated for the record that there was a citizen who brought up what they thought was a conflict of interest with Commissioner Malone and the Chicory Road RID because he leases land from the State of Montana and it was approved through the homeowners association to use their road to truck hay out on he will recuse himself from the vote to avoid any appearance of favoritism.

Commissioner Tinsley seconded the motion. Motion passed.

### Review, Determination, Consideration of Resubmitted Chicory Road RID Application:

Mike Inman, stated that Ave Forseth, Citizen of Blue Manor Homeowner Association resubmitted the application as an individual with everything else all the same as what was on the original application. Mike Inman asked if the commission got the public comment sent in by the public member and they had acknowledged that they had received it, Mike Inman suggested that the commissioner's read through the public comment submitted by

Timothy Miller, Citizen and be clear on its entirety, . Mike Inman explained to the commission how the process works and the timeline in its entirety to get it done also stating that if during the protest period there are not at least 40% of the landowners protesting it then the commission can go forward to create the RID. Shannan Piccolo stated that the meeting today is not the end all be all, this is just part of the process to create the RID according to how the county wanted to do it, the county could have just decided to create RID's but this commission choose to allow the landowners to have part in the decision in the proposed district. Commissioner Tinsley read the public comment cover letter from Timothy Miller into the record taking comments into consideration. Lee Grindinger, Paradise Valley Estate Homeowner Association member; stated for public comment that at the last meeting which was held about a month ago there was an overwhelming number of residents that support the Rural Improvement District and it was said by Ave Foreseth that there is huge support in favor of the Rural Improvement District for Chicory Road in his subdivision. Commissioner Malone stated again that his ability to vote due to the appearance of favoritism he recuse himself to vote. Commissioner Durgan made the motion to approve the application that was resubmitted for the Rural Improvement District on Chicory Road and move forward with the process. Commissioner Tinsley seconded the motion. Motion passed.

1:30 p.m. Community Room - AV Capture All Online Demo - Park County, MT

This was a demonstration no decisions were made. The demonstration of AV Capture software is what the county is looking at for the process of streamlining the duties in the commission office in order to have the minutes, audio and all meeting information available on line for greater transparency to the public.

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

Nothing at this time

**Department Updates** Nothing

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

County staff provided updates of activities on the following projects:

Gardiner Gateway Project

Park County Pedestrian Path Extension Project (On hold until Spring 2015)

Gardiner Green Box Site Project

Gardiner Confluence Park Project

MT Transportation Alternatives Trail Extension and Pedestrian Safety Project

MT FWP Recreational Trails Interpretive Signage and Trail Amenity Project

CIP Planning Project

Boulder Road Project

CTEP Projects:

Gardiner Sidewalk Extension (On hold until Spring 2015)

Park County Bicycle Trail Resurfacing (On hold until Spring 2015)  
TSEP County Bridge Improvement Project

**CONSENT ITEMS**

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

Correspondence for October 6<sup>th</sup>:

John Kaiser	Email - SWB agenda
Tim Miller	Email - Chicory Road RID Comment letter
Suzanne Brown	Drop off - Letter of resignation
MACo	Mail - Inmate Excess medical insurance policy renewal for 2014-15
Denise Nelson	Drop off - Cell phone stipend

**Commissioner's Updates** - Nothing

**Commissioner's Road Reports** - Nothing

Review of Minutes for the Week of September 29, 2014:

Commissioner Durgan moved to approve the minutes as written.  
Commissioner Tinsley seconded the motion. Motion passed.

**Park County Board Updates/Recommendations**

Nothing at this time

**Park County Board/Committee Meetings:**

Nothing at this time

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

**October 8, 2014**

No Commission Meetings Scheduled, no minutes.

City County Meeting:

**Opening of Meeting:** 9:00 a.m.; East Room

*Attendance:* Commissioner Tinsley, Commissioner Malone, Mike Inman, Planning; Adam Stern, City Commissioner; Dorel Hoglund, City Commissioner; James Bennett, City Commissioner; Kristen Galbraith, Nittany Grant Works; Katie Weaver, MSU Extension; Tracy Mosley, MSU Extension; Mary Ann Keyes, MSU Extension  
Discussion was had with the attendees in regards to the items on the agenda as listed.

New Business:

Dispatch Location/Relocation Decision

Building Renovation update

City County Airport Funding

New Building Capital Improvements

Loves Truck Stop

Katie Weaver, MSU Extension gave her report on what she has been doing in Park County.

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

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

2:30 p.m. – Parks and Recreation Board – Commission Chambers

### **October 9, 2014**

**Opening of Meeting:** 9:04 a.m.; County Commission Chambers

*Attendance:* Commissioner Tinsley; Commissioner Durgan; Commissioner Malone; Shannan Piccolo, County Deputy Attorney; Parks Frady, Public Works; Lani Hartung, Accounting; Val Bainter, Bainter Construction; Raea Morris, Admin. Asst/minutes clerk

### **ACTION ITEMS**

#### **Signing of an Agreement with Bainter Construction to Crush Gravel at Mission Pit per Gravel Permit:**

Shannan Piccolo, Civil Deputy attorney; stated this is the same contract form with provisions. Commissioner Malone asked that Bainter Construction give a call to Parks Frady, Public Works before start up so he can do an inspection. Parks can go to the site and check the sieve to make sure it meets the one inch minus county road specifications. Commissioner Malone read the contract details which indicate that the contract is for 13,325 tons of one inch minus road mix to be crushed and stockpiled and the contractor shall charge \$3.00 a ton which includes mobilization, set up crushing cost and Fuel and labor at Montana prevailing wage rates. The amount of the contract is \$39,975.00. The contract states that the contractor will be finished by November 30, 2014. Commissioner Malone made the motion to sign the agreement with Bainter Construction. Commissioner Durgan seconded the motion. Motion passed.

#### **Signing of an Agreement with Brogan Sand and Gravel to Store Cold Millings from MDOT on the Property:**

Shannan Piccolo, Civil Deputy Attorney; recommended to have this meeting tabled due to the request for some possible modifications to be done to the agreement, Shannan Piccolo hasn't been able to get in contact with the individual to find out what those modifications are yet. Commissioner Durgan made the motion to table the Signing of an Agreement with Brogan Sand and Gravel to Store Cold Millings from MDOT on the Property. Commissioner Malone seconded the motion. Motion passed.

Signing of Construction Easement for the Rock Creek Project:

Parks Frady, Public Works briefly explained that the construction easement is for Rock Creek Rd. North Bridge replacement project. The easement is with Crazy Mountain Ranch because some of the work being done is on their property. In addition, there is a 310 stream permit to be signed as well that goes with the easement; both legal staff has reviewed the documents.

Commissioner Malone made the motion to Approve and Sign the Easement for Rock Creek Rd. Commissioner Durgan seconded the motion. Motion passed.

**Department Updates**

Accounting: Lani Hartung, Finance Director; updated the commission on the annual audit with Olness and Associates report and findings of non compliance list.

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

**PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS**

Nothing at this time

**CONSENT ITEMS**

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

Correspondence for October 7<sup>th</sup> included:

Owen DeWolfe	Mail - Thank you letter for work done on Six Mile Crk rd.
Noreen Burg	Email - Agreement with Park Co Sr. Center
Kristen Galbraith	Email - CIP meeting
MACo	Email - NACo alert Comment period for Waters of the US

Correspondence for October 8<sup>th</sup> included:

Gloria Thiede	Email - Request for Draft Chicory RID meeting minutes
Barbara Woodbury	Drop off - Meeting packet for Board of Health
MACo	Email - Waters of the US / EPA from a small business prospective
MACo	Email - CEIC Census Bureau data users Conference cancelled
Planning Dept	Drop off - Invoice and Claim form for GGP Coordinator Katrina
Area IV Agency on Aging	Mail - Meeting packet
Shannan Piccolo	Drop off - Resolution for policy on Board Selection
Shannan Piccolo	Email - Case property
Greg Coleman	Email - LEPC agenda
Tim Miller	Email - Meetings for RID
Kevin Larkin	Drop off - Cash balance sheet
Parks Frady	Drop off - Purchase order for tandem axel truck

**Commissioner Reports:**

Commissioner Malone and Tinsley both have received calls from some citizens about the trees, and brush collected up on the 9<sup>th</sup> St. Bridge and is concerned with that being removed. Commissioner Malone said that he is okay with moving forward with the minute's software we saw the demonstration on to help streamline the commission office. Commissioner Durgan and Tinsley had comments that support the great qualities of that program and how it could be helpful in this office and for other departments to use. Commissioner Malone stated he wants a meeting to discuss and go over the purchase policy once again to see if there are some changes to be made to clear the findings on our yearly audit. Commissioner Malone attended the Forest Meeting and it was well attended, thought it went pretty well.

**Commissioner Road Reports:**

Commissioner Malone mentioned that Mr. Titeca has asked for another meeting to discuss Upper Dry Creek Road. Commissioner Malone would like to wait until County Attorney, Nels Swandal returns to be in attendance.

**Park County Board/Committee Meetings:**

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

1:00 p.m. - Solid Waste Board Meeting - East Room

**Adjournment:** 11:00 a.m.

**October 10, 2014**

No Commission Meetings Scheduled

Clint Tinsley  
Chairman, Park County Commission  
Park County, Montana

Denise Nelson  
Clerk & Recorder  
Park County, Montana