

Park County Commission Meeting Minutes
 Week of September 8 – 12, 2014
 Park County, Montana

September 8, 2014

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

@ 9:00 a.m., the meeting opened in the Commission Chambers

Attendance: Commissioner Clint Tinsley, Commissioner Jim Durgan, Commissioner Marty Malone; Greg Coleman, DES; Raea Morris, Administrative Assistant/Minutes Clerk

Department Updates:

Greg Coleman, DES, reported that Cooke City EMS and Fire are merging and well on their way to that happening. Also Cooke City is almost about to finish the new fire station being built. Greg Coleman also mentioned that the By Stander CPR class is scheduled at LDS Church on Saturday September 20th, 2014. Greg Coleman also put in a request to Marilyn Hartley, payroll for vacation funding which was accrued under the Fire planner budget to be placed under the DES budget, there is roughly \$14,400 left in that budget and that is what is left of the less restricted Title III funding. Greg Coleman said that Marilyn Hartley mentioned that she was not sure it was fair or right to take money from the 2902 fire planner fund and have it associated with the EMPG grant. Greg Coleman said his thought is since it's a 50/50 match; the 50% the county puts in could be the money that goes towards vacation.

Commissioner Tinsley asked if the commission had a problem with this, Commissioner Malone stated that this is an administrative issue and that Greg should work to the best of the county.

Commissioner Durgan stated he doesn't have a problem with it either, Commissioner Tinsley mentioned that the commission needs to talk to Lani Hartung, Finance and let her know the commission is okay with this process being done.

Correspondence for September 4th included:

Bill Berg	commission	Email - Invitation from NPS regarding Gardiner Gateway Arch dedication
Mike Inman	commission	Drop off - Planning and Zoning packet re: E. Yellowstone Zoning District
Ed Barich	commission	Email - Trustee Financial Summaries and budgets
Erica Hoffman	commission	Email - Bozeman trip to view City set up for minutes, agenda
Joe Skinner	commission	Email - Weed board meeting
J & H inc. via Noreen	commission	Email - Invoice for Commission Copier

Correspondence for September 5th included:

Jessica Anderson	commission	Email - Proposed 2015 FWP Elk Brucellosis Work Plan
Jessica Anderson	commission	Email - CWMA meeting location
Joe Skinner	commission	Email - Weed board meeting

Commissioner Malone reported Pray Road is getting real rough, neighbors are all complaining and the culvert still has a hole in it. Also roughly at Mile marker 2.00 there is plugged culvert putting water on the road. Commissioner Malone stated he didn't make it to Six Mile Rd. over the weekend, but they've hauled a lot of gravel up there.

Commissioner Durgan reported he wanted it noted that Parks Frady reported on September 3rd the sub base was installed on Six Mile Road. Commissioner Malone mentioned that Forest Service was also putting in the new bridge there as well.

Commissioner Tinsley reported Deep Creek green boxes were closed due to the bears again and there is a bear at Chico that they have chased off a couple times. Commissioner Tinsley was up in Wilsall and Clyde Park on Friday September 5th, 2014; he asked about roads and the citizens had very little complaints about the roads. With what limited resources we have they did a great job on Upper Cottonwood they put some gravel up there but it needs a little more, it is drivable. Commission Tinsley spoke with a gentleman on Rock Creek who claimed it was rippling and rough, they both took a drive first in the commission vehicle which wasn't bad, then in the resident's one ton truck and it was pretty rough however the speed limit on that road is 35mph. The resident was going quite a bit faster, and after some conversation it was agreed that the road is good for the speed limit of 35mph. The residents up in Wilsall are not happy with the Burn Permit system, and the \$7 charge the commission passed.

@9:34 a.m., the meeting adjourned.

Human Resources Department Updates

@9:34 a.m., the meeting opened in the Commission Chambers

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

Jill Ouellette, HR, provided an update.

@10:48 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

September 9, 2014

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

Attendance: Commissioner Durgan, Commissioner Malone, Commissioner Tinsley; Parks Frady, Public Works Director; Shannan Piccolo, Deputy County Attorney; Kevin Larkin, Treasurer; Martha Miller, Auditor; Mike Inman, Planner; Kristen Galbraith, Nittany Grantworks; Natalie Storey, Livingston Enterprise; George Bornemann, CTA; JC Carmichael, resident; Raea Morris, Administrative Assistant/Minutes Clerk

Public Comment

Kevin Larkin, Treasurer, informed the commission in regards to a penalty and interest Tax waiver for JC Carmichael, resident. This meeting was missed on the agenda for today and Kevin Larkin, Treasurer, provided the pertinent information so the commissioners could reschedule the meeting and make the decision during a legally advertised meeting. It was asked that the commission waive the penalty and interest on this particular issue. Another meeting will be scheduled for next Tuesday September 16th, 2014.

ACTION ITEMS

Discussion/Decision of Boundary Line Adjustment for Case/Main Street property in Gardiner:

George Bornemann, CTA, asked the commissioners for a boundary line adjustment in Gardiner for Case/ Main Street property. George Bornemann, CTA, explained that Mr. Case is willing to give the county the right of way however he originally came back with a list of demands for the right of way to the county, George Bornemann explained to Mr. Case that those demands were not possible and that the extension wouldn't allow for his demands. Mr. Bornemann said after some conversation Mr. Case decided that he would be okay with the boundary line adjustment and he wanted to have the small piece of property removed from his tax bill and in doing this it will give the county the right of way for Main St. Shannan Piccolo, Civil Deputy Attorney, stated that the county would have to have a survey prepared in order to start this process moving forward.

Commissioner Malone made the motion to move forward with the Boundary line adjustment for the Case/Main St. Property in Gardiner.

Commissioner Durgan seconded the motion. Motion passed.

Waiver of Road Petition Fee for the 4th Street, Gardiner Abandonment Petition:

Parks Frady, Public Works, asked the commission for the road petition fee of \$300 be waived for the abandonment Petition for 4th Street in Gardiner. The adjacent land owner turned in a road petition and asked for the fee to be waived. Parks Frady, Public Works, mentioned that the majority of the work was performed prior to the road petition being turned in and that is why it's being asked for the fee to be waived.

Commissioner Malone stated that he didn't have a problem with moving the petition forward and waiving the fee; however he stated he wasn't sure about the abandonment petition.

Commissioner Durgan made the motion to grant the waiver of fee for abandonment petition.

Commissioner Malone seconded the motion to waive the fee. Motion passed.

Discussion/Decision on Funding for Amazing Taxi:

Carrie Pinter, Amazing Taxi, came in to ask Park County to match Angel Line funds through a federal grant that would allow the general public of Park County and Livingston to have reduced ride rates at the same time that Angel Line would provide free rides. Carrie Pinter stated that there is a lot of rural transportation that isn't being met.

Jim Durgan, Commissioner, stated that Bozeman/Gallatin County has the ability to provide this same kind of service through Galavan and Streamline, however Park County doesn't have the same form of government to do that and Park County can't provide funds from Angel Line to a private enterprise such as Amazing Taxi.

Commissioner Tinsley explained that Bozeman is a Charter form of government and they can go beyond what state law allows on their type of government.

Carrie Pinter stated that the Federal government was going to grant \$60,000 dollars to this area because Park County has Angel Line. The grant is provided to be paired through a form of transportation such as Angel Line and coordinate with a private business.

Carrie Pinter doesn't have all of the particulars but Human Resource Development Council and David Keck with Montana Department of Transportation providing help to get this started.

Shannan Piccolo, Civil Deputy Attorney, stated that she would have to look into it a little closer but isn't sure the funds can be used in such a way. Angel Line is funded by a mill levy that was voted by the voters therefore the money would have to be used however it was stated on the ballot language. The county has no authority to expand on how those mill levy funds are spent.

Commissioner Tinsley made the motion to table the meeting/decision until we have further information to decide on this.

Commissioner Malone seconded the motion. Motion passed.

PUBLIC HEARINGS / ORDINANCES / RESOLUTIONS:

Nothing at this time

Department Updates

Mike Inman, Planner, updated the commissioners on the upcoming Planning and Development board meeting and the change of dates and times for the board meetings and locations coming up for fall and winter.

Update on Current County Projects

County staff provided updates of activities on the following projects:

Gardiner Gateway Project
Park County Pedestrian Path Extension Project
Gardiner Green Box Site Project
Gardiner Confluence Park Project
Gardiner Sidewalk Extension
Park County Bicycle Trail Resurfacing
CIP Planning Project
TSEP County Bridge Improvement Project

CONSENT ITEMS

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

Correspondence for September 8th:

DNRC	Commission	Email - Correspondence for proposed subdivisions near State School Trust lands
Redmon Law Firm	Commission	Mail - correspondence regarding dispute of MacKenzie and Titeca
Lani Hartung	Commission	Email - Refuse Assessments added by Resolution #1192
Jerri Miller	Commission	Email - Mission Field Airport Compliance report
Jeri Stevens	Commission	Email - Meeting to schedule

Park County Board Updates/Recommendations

Nothing at this time

Commissioner Malone reported that he attended the Angel Line board meeting and the board had concerns with driver pay and the board feels like the pay is inadequate for the position responsibilities. Marty stated that he feels like the board should look at the whole program and the part time, three quarter time positions instead of one full time position.

Commissioner Malone expressed interest in having a meeting to discuss and look at the list of all of the county properties and reevaluate the parcels that may need to have a recommendation for abandoned, combined or boundary relocations. Commissioner Tinsley asked for Marty to get another map from Erica and set up a meeting with Parks Frady, Public Works, Parks Board and Commissioners to move forward.

Commissioner Durgan reported he will be going over to the Forest Service working group instead of attending the Big Timber meeting.

Meeting recessed at 10:13 a.m., to review the minutes.

Review of Minutes for the Week of September 2, 2014:

Meeting reopened at 10:24 a.m. in Commission Chambers

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

Park County Board/Committee Meetings:

10:30 a.m. - County Capital Improvements Planning Meeting, East Room

12:00 p.m. - Job Service Employers Committee, Job Service, Livingston

1:00 p.m. - Senior Citizens Meeting, Senior Citizens Center, Livingston

2:00 p.m. - Cooperative Weed Management Area Meeting, MSU Extension Office

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

Adjournment: 10:32 a.m.

September 10, 2014

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

11:00 a.m. - Discussion/Decision on setting Speed Limits for Main Boulder Rd. South of the Natural Bridge @ Sweet Grass County Annex Building, Conference Room

6:00 p.m. - Planning and Zoning Commission to Review and Consider a Request for Map Amendment to the Yellowstone East Zoning District - Community Room

Park County Board/Committee Meetings:

1:00 p.m. – Park County Historical Society @ Community Room

5:30 p.m. - American Red Cross @ East Room

September 11, 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; Tracy Mosley, MSU Extension; Mary Anne Keyes; Greg Coleman, DES; Mike Inman, Planning; Stacey LaCombe, Citizen; Robert Bohem, Citizen; Brad Bunkers, Engine 8; Natalie Storey, Livingston Enterprise; Raea Morris, Admin. Asst/minutes clerk

ACTION ITEMS

Review, Consider & Determine Stenberg Subsequent Minor subdivision Final Plat:

Mike Inman, Planner gave the brief history of the Stenberg Subsequent Minor subdivision final plat to the commission. Mike Inman stated that the application originally was submitted back in 2007 by James Kozlick, located in N. Glastonbury. After issues with the road right of ways the application was withdrawn by Mr. Kozlick.

Mike Inman further explained where the final plat application is as to date. The application was then resubmitted by Sheridan Stenberg back on April 9, 2014 under her name Stenberg as well, who took it over and went over the review process with her land owners. After discovering some missing components that needed to be met the applicant decided to pull her application and withdraw from her subdivision.

Mike Inman advised her to at minimum put her application on hold because if she were to sell the property someone could then buy the property and continue the application process to move forward and not have to start over from the beginning. Ms. Stenberg emailed Mike Inman and asked to have the final plat put on hold. Mike Inman stated that the commission could place the Stenberg Subsequent Minor subdivision on hold.

Commissioner Malone made the motion to place the Stenberg Subsequent Minor subdivision final plat on hold. Commissioner Durgan seconded the motion. Motion passed.

Review and Consider the Lacombe Family Transfer:

Mike Inman, Planner explained to the commissioners the history of the LaCombe Family Transfer. The Lacombe's contacted Barbara Woodbury, Sanitarian and Mike Inman, Planner in or around May of 2013 under the impression that they were ready to submit their family transfer but their surveyor didn't submit the required information to Department of Environmental Quality for water and sanitation. Although it was included it wasn't submitted, once it was finally submitted they got through their DEQ review. Mike Inman stated that himself, Shannan Piccolo, Civil County attorney and Barbara Woodbury, Environmental Health all approved it and requirements were met. Commissioner Malone made the motion to approve the LaCombe Family Transfer. Commissioner Durgan seconded the motion. Motion passed.

Discussion/Decision on Funding for Engine 8 Brand Livingston:

Brad Bunkers, Engine 8 updated the commissioners about Engine 8, and Brand Livingston project. Brad explained why the funding is needed in the final year for the project for baseline advertising for marketing tourism. The City of Livingston has funded \$3,000 towards Brand Livingston this year, last year COL gave \$2,000. Park County last

year funded \$3000 and Brad Bunkers is asking for Park County to help once again with funding to keep it going for another year. Brad Bunkers stated that the Livingston Chamber also gave \$2,000 this year as well.

Commissioner Malone stated that he personally believes that the county has given enough, after more discussion on the subject the motion was made. Commissioner Tinsley made the motion to provide \$3000 to fund Brand Livingston for one more final year. Commissioner Durgan seconded the motion. Motion passed. Commissioner Malone voted against it.

Discussion/Decision on Signing a One Year Extension for a Noxious Weed Trust Fund Grant:

Tracy Mosley, Extension agent, came in to request a one year extension on a \$60,000 grant CWMA received in 2013 for the West Boulder Mission Creek area. The grant expires on October 31, 2014. There is a balance of about \$10,000 sitting in that fund that has not been expended. Tracy Mosley submitted a request for a one year extension into the Department of Agriculture so that next year they can work on getting those funds put on the ground.

Commissioner Durgan made the motion to approve and sign the one year extension for the Noxious Weed Trust Fund. Commissioner Tinsley seconded the motion. Motion passed.

Discussion/Decision on Signing Task Order #4 with Great West Engineering for Operational Assistance Park County Solid Waste On Call Project:

Parks Frady, Public Works explained the Task Order #4 presented to be signed for Operational Assistance to the Solid Waste. The task order covers minor operational assistance subtasks which shall individually be under \$1500 each with the not to exceed amount of \$5000 clause as determined by the consultant agreement the county signed with Great West Engineering.

Commissioner Malone made the motion to Sign the Task Order #4 with Great West Engineering. Commissioner Durgan seconded the motion. Motion passed.

Discussion / Decision on Whether to Select a Hiring Committee for Fair Board Positions:

Commissioner Durgan stated that he as a representative to the Fair board feels like the two incumbents who have reapplied have dedicated a lot of time to helping. Commissioner Durgan said that he would like to see the two incumbents reappointed on the Fair Board and that he felt that the interview process wasn't necessary. Shannan Piccolo, County attorney made a statement that the commissioners had a meeting sometime back and set policy for Board selection and interviewing committee when there are more applications than positions. She recommended that the commissioners follow that policy that was set in place; Commissioner Durgan also stated that the Fair board has recently had two new members selected from an interview

process. Commissioner Tinsley expressed that he felt like an interview process is important and he was the one who scream the loudest for an interviewing process to be implemented as part of a board selection policy. Commissioner Tinsley brought back to the table the motion set earlier to select the two incumbents; Commissioner Malone voted against it, Commissioner Tinsley voted against it, motion failed. Commissioner Tinsley made the motion to have Commissioner Durgan select an interviewing committee but not to include a commissioner being actively involved with the interviewing, then talk to those people selected to set up interviews and report to the commission who will be on the interviewing committee. Commissioner Malone seconded the motion. Motion passed.

Department Updates

DES: Greg Coleman, DES, reported on the projects that his department currently has going on.

MSU Extension: Mary Anne, and Tracy Mosley, Extension Agents, reported on the Administrative Asst. position and where currently they are at getting someone hired.

Public Works: Parks Frady provided 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 September 9th and 10th included:

Nels Swandal	commission	Drop off - response to Redmon Law regarding Titeca-Rahn road dispute
Tracy Mosley	commission	Email - Agenda Request
Shannan Piccolo	commission	Drop off - Legal recommendation
Jon Shafer	commission	Email - NRM RC&D Closeout
Bill Berg	commission	Email - Gardiner Gateway Prj. YNP Centennial Advisory
George Bornemann	commission	Email - Meeting to sign easement
Marty Malone	commission	Email - seeding
Todd Devlin	commission	Email - 2nd Vice president for MACo
Mae Downey	commission	Email - Wilsall Water district agenda
Mariah Leuschen	commission	Email - Accepting 2015 Project Proposals for RAC
Mike Inman	commission	Email - Cancellation of Park County Prj update meeting
Lindsey Dodge	commission	Email - County Plan letter of support for YDI Substance abuse program
Shannan Piccolo	commission	Drop off - Resolution for Exempt Employee Flex hours

Greg Coleman	commission	Email - PHS Facilities
Denise Nelson	commission	Email - meeting for Gardiner 4th St. South road abandonment
George Bornemann	commission	Email - Signing of construction easements for GGP
Jessica Anderson	commission	Email - YNP Bison Quarantine plan
Jessica Anderson	commission	Email - Montana State Water plan
Peggy Glass	commission	Email - Livingston Park Co Radio/Pager Coverage Study
Parks Frady	commission	Email - Action items for Sept 18th

Commissioner Durgan attended the Senior Center meeting September 14, and the concern of the elevator was brought up again. They invited representatives from Kone to visit and Kone said the average life of an elevator is about 30yrs and this elevator is beyond that.

There were some options that were given on what they could do to bring it up to good working order again. Phase I of this project which would be replace the basics, motor and pump would come to a ball park figure of about \$62,000. Phase II would be to do the door package which should be replaced at some point would roughly come to around \$10,000 to \$15,000. The two phases coming to approximately \$90,000 total. Someone asked about replacing the old elevator with a new elevator all together and that was estimated at about \$120,000 to \$ 130,000 and required opening up the building to access the shaft to replace it. Commissioner Durgan stated that they had decided on focusing on the basics instead, he recommended they consider a loan. The director Heidi Barrett said she has been writing up some grants.

Forest working group went well with some new entities in attendance. They settled on the third mission statement with amendments. It felt like there was good interest from everyone wanting to get it off the ground.

Commissioner Tinsley reported on the meeting with Sweet Grass County regarding Speed Limits being set on Main Boulder Road South of Natural Bridge.

Park County Board/Committee Meetings:

7:30 p.m. - Wilsall Water District Board @ Shields Valley Senior Center, Wilsall, MT

Adjournment: 11:40 a.m.

September 12, 2014

No Commission Meetings Scheduled

Clint Tinsley
Chairman, Park County Commission
Park County, Montana

Denise Nelson
Clerk & Recorder
Park County, Montana