
Park Conservation District

5242 Highway 89 South Livingston, MT 59047
Telephone (406) 946-3007

October 3, 2023
REGULAR BOARD MEETING
MINUTES

USDA Conference Room
5242 US HWY 89 S. Livingston, MT 59047
11:00 a.m.

BOARD MEMBERS PRESENT: Ned Zimmerman – Chair, Dave Haug, Judy O’Hair, DeWitt Dominick, Dustin Homan

NON-BOARD MEMBERS: Ashley Lowrey, SVWG/UYWG Watershed Coordinator; Kelly Arterburn, PCD Administrator; Nate Brown, NRCS; Buddy Drake, FWP; Scott Opitz, FWP; Rich Chandler, Lone Mountain Land; Zoom: Michael Rosengren, landowner.

11:06am Call the Regular Park CD Board Meeting to Order – Ned Zimmerman, Chair
***Automatic **No** Votes for Board members not present*

Natural Streambed & Land Preservation Act Applications, Inspections, Discussion:

A. PK-55-23:

Hammond Reservoir, Lone Mountain Land, Crazy Mtn Ranch, Rock Creek Rd North, Clyde Park. Installation of irrigation intake at Hammond Reservoir for golf-course.

***Dave made a motion to approve. Dustin 2nd. Motion passed 5-2.**

B. PK-01-23:

Soda Butte Creek, 279 Bannock Trail, Cooke City, Michael and Michelle Rosengren. Jade (USACE) – has been on medical leave of absence, will send Notice of Violation on her return.

***Judy made a motion that PK-01-23 is incomplete as engineered plans were not received by the September 15, 2023 deadline. Dustin 2nd. Motion passed 5-2.**

***Dustin made a motion to pass this violation on to Park County Attorney with DNRC attorney providing technical assistance if fine is not paid and engineered plans are not received by October 15, 2023. Dave 2nd. Motion passed 5-2.**

Michael Rosengren, landowner (re-joined meeting by Zoom call). Ned explained decisions made by Board of Supervisors prior to Michael re-joining the meeting by Zoom. Michael told the Board that they are now working with Sanderson Stewart (Bobby Egebert) to get engineered plans. Ned advised to submit 310 permit joint application and pay the \$500 violation fine by October 15, 2023.

C. PK-57-23:

998 US Hwy 89N, LIV, Shields River, Francis Clougherty – owner, DeWitt DeWitt – Bank moved 30’, lost shed, rip rap at upper end is still stable. Scott – modification on site, requested & received plans from DeWitt how project is to be keyed in.

***Ned made a motion to approve, Dave 2nd. Motion passed 5-2.**

D. PK-52-23:

1037 US Hwy 89 S, Gardiner, Yellowstone River, Dru Robidou - owner, DeWitt

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DeWitt - Post 2022 flood, 2 homes on edge of high terrace. Blanket rip-rap up to 100 year flood, erosion control blanket, rock interplanted with willows, steep bank.

***Ned made a motion to approve, Dustin 2nd, motion passed 5-2.**

E. PK-54-23:

Elbow Creek; 148 Elbow Creek Rd, LIV. Katherine Davis – applicant
Hand removal of illegal berm as requested by Park CD June 2023.

***Dustin made a motion to approve and waive 15-day waiting period, Dave 2nd, motion passed 5-2.**

F. PK-58-23 and PK-59-23:

Intermountain Infrastructure Group, fiber optic installation, multiple crossings Fox Creek, Clyde Park to Big Timber in Park County.

Buddy – Gallatin and MACD precedent – boring under stream, don't inspect them, request FRAC-out plan, non-jurisdictional unless they cause FRAC-out.

***DeWitt moved to table both applications until they submit a more detailed plan how they will contain and clean up any bore material or bentonite within the stream channel, including both dryland and underwater BMP's, Dave 2nd. Motion passed 5-2.**

G. PK-56-23:

Bracket Creek Rd, Fox Creek, Brackett Creek Ranch, Jon Likes applicant.

Install water pipeline above grade, crossing Fox Creek.

***Dustin moved to approve and waive the 15 day waiting period once plans for above-ground crossing received from NRCS, Dave 2nd, motion passed 5-2.**

H. PK-19-23-C:

Phelps Creek, Jardine Rd, Gardiner, Patrik Ondrus – owner. Buddy - County pushing gravel into pipe under Jardine Road is part of the problem. Waiting on application from Patrik Ondrus.

MPERA – Joel Thompson zoom presentation

Retirement benefit for staff.

PERS: Defined Benefit Retirement Plan (DBRP) or Defined Contribution Retirement Plan (DCRP), membership mandatory for anyone over 960 hours/year, simple contracting process.

457(b): several CD's participate in this option. Optional participation, can have a provision in contract for employer match or it can just be member contribution, can put sick and vacation leave payout into 457 tax-free at retirement, low feed, access to good investment options, promote retirement readiness for staff, looks good for recruitment and retention.

Dave Haug – 25 years of service as a Conservation District Supervisor - MACD Pin presentation

Minutes Approval – October 3, 2023 Minutes review

***Dustin made a motion to approve the 9.5.2023 minutes, with the correction of correcting name spelling on Homan, Judy 2nd, motion passed 4-3.**

Treasurer's Report and Financial Items

- A. Approval of Checks and Financial Reports.
- B. Supervisor reimbursement checks, Vince Grant Hall canceled – no Government shutdown.
- C. Balance sheets, profit and loss.

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***Dustin made a motion to approve the financials. July 2nd. Motion passed 4-3.**

New Business

- A. Travel reimbursement forms – filled out.
- B. MPERA – research for employee retirement benefit.
- C. MACD dues – to decide payment amount in November.
- D. Board bios and photo for website – thank you DeWitt
- E. 2024 Annual Plan – CD will need to draft an updated annual plan. Required for all DNRC grants now. Board should think of ideas and focus areas.
 - Planning Grant Shield River Restoration – through DNRC, can submit in conjunction with CD Planning Grant Request. In kind- time and materials from landowner, FWP – future fisheries program?, aligns with Shields Watershed Priorities.

Planning & Development Board Update– *Dustin Homan*

- Board does not review Gravel Pits. DNRC submitted a permit for the Gravel Pit (on State Land. Planning Board will not get involved.
- Road signage – when big decisions are coming up.
- Growth Policy – will be on the ballot, once repealed the county will be without a growth policy, misinformation circulating. 2-3 years to get a new growth policy established if existing is repealed.
- County Commissioners direct Planning Board to evaluate growth policy.

NRCS Update – *Nate Brown*

- No drought across most of Montana
- MACD Area meeting – funding for CD's, MACD dues – may be a change to dues structure.
- 45 days to potential Federal Shutdown

Watershed Business– *Ashley Lowrey*

Upper Yellowstone Watershed Group

Upcoming: next Tuesday – Fish, Wildlife, and Recreation meeting at Chico Oct 10th.

Shields Valley Watershed Group

Meeting last week.

Closing out several grants.

Public Comment None

Adjourn 2:45pm

NEXT PROPOSED PARK CD MEETING:

November 7, 2023

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