
MONDAY, SEPTEMBER 21, 2009

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioners Brenneman and Dupont, and Clerk Robinson were present.

Commissioner Brenneman PT opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Commissioner Brenneman PT closed the public comment period.

MONTHLY MEETING W/ JIM ATKINSON, AOA

[9:00:27 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT

Commissioner James R. Dupont

Members absent:

Chairman Dale W. Lauman

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Eagle Transit Director Dave Polansky, Clerk Kile

Atkinson reported the AOA building was broken into over the weekend and it appears that nothing is missing. He then reported bus ridership for July 2008 was 5,100 and in July 2009 it was 5,600. Glacier National Park ridership for the 2008 season totaled 105,000 and this year increased to 156,000 with no major accidents. He then explained the Optima and Sprinter agreements are ready to be signed for their upcoming off season use.

Discussion was then held relative to an 18 month trial Eagle Bus wrap contract and contracts for the bus barn being built with stimulus money.

Atkinson then reported he is waiting on the City of Kalispell to respond in regards to the use of tax increment funds to help pay for some of the infrastructure in the Gateway Community Center. Discussion was then held relative to the added cost to move AOA if that is the decision made.

DOCUMENT FOR SIGNATURE: GNP COOPERATIVE AGREEMENT/ EAGLE TRANSIT

[9:18:25 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT

Commissioner James R. Dupont

Members absent:

Chairman Dale W. Lauman

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Eagle Transit Director Dave Polansky, Clerk Kile

Polansky explained the difference in the agreement this year is clarification in regards to maintenance.

Commissioner Dupont made a **motion** to approve the GNP cooperative agreement and authorized the chairman to sign. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

EAGLE TRANSIT CELL PHONE POLICY

[9:23:16 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT

Commissioner James R. Dupont

Members absent:

Chairman Dale W. Lauman

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Eagle Transit Director Dave Polansky, Clerk Kile

Discussion was held relative to a new cell phone policy pertaining to Eagle Transit buses. Polansky noted cell phones have been eliminated in the buses.

MEETING W/ MARCIA SHEFFELS, SUPT OF SCHOOLS RE: SCHOOL BUDGET

[9:30:40 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT

Commissioner James R. Dupont

Members absent:

Chairman Dale W. Lauman

Others present:

Assistant Mike Pence, Superintendent of Schools Marcia Sheffels, Susanne O'Connor, Clerk Kile

Commissioner Dupont made a **motion** to approve the school district levies and budgets for 2009-2010 and authorized the chairman to sign. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

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(Continued)

Susanne O'Connor explained there is a new permissive mill levy they anticipate will be approved today by the FVCC Board that is included in the report. She then noted eight school districts had to reduce their budget with declining enrollment.

FLATHEAD COUNTY SCHOOL DISTRICT LEVIES 2009-2010										
SCHOOL DISTRICT NUMBER & NAME	GENERAL	TRANS- POR- TATION	BUS DEPRE- CIATION	TUITION	ADULT EDUC.	NON OPERA- TING	TECH- NOL- OGY	DEBT SERVICE	BLDG RES	TOTAL
1 WEST VALLEY	100.06	31.02		8.90	0.94			15.63		156.55
2 DEER PARK	74.88							6.06		80.94
3 FAIR-MONT-EGAN	117.31			7.08			2.63			127.02
4 SWAN RIVER	53.99			5.02				46.23		105.24
5 KALISPELL	91.14	17.86	1.63	7.65	0.85			11.26	10.98	141.37
6 COLUMBIA FALLS	112.91	14.18	8.53	5.14				27.48		168.24
8 WEST GLACIER	31.87	7.83						7.02		46.72
9 CRESTON	74.81	7.39		1.81					4.28	88.29
10 CAYUSE PRAIRIE	81.51	21.26		6.12			1.95			110.84
15 HELENA FLATS	113.27			2.56			3.33	58.88		178.04
20 KILA	85.20	2.99		7.60						95.79
27 PLEAS. VALLEY	69.79								18.69	88.48
29 SOMERS	55.53	11.21		4.33			0.50	11.90		83.47
38 BIGFORK	48.86	6.14		1.40				15.72		72.12
44 WHITEFISH	68.39	6.60		0.85	0.88		1.87	20.97		99.56
48 ROUSSELLE	55.53	11.21		4.33			0.50	11.90		83.47
50 EVERGREEN	123.52	3.00	0.94		0.56			11.80		139.82
54 MARION	61.55	5.69							2.62	69.86
58 OLNEY/BISSELL	87.24	18.52					3.74			109.50
68 KUHNS	87.24	18.52					3.74			109.50
89 SMITH VALLEY	92.27	1.06		22.10				22.71		138.14
5 FLATHEAD HS	49.25	9.78	1.10	0.11	0.85			24.00	7.29	92.38
6 COL. FALLS HS	44.13	5.06	6.32	1.35						56.86
38 BIGFORK HS	32.16	4.99	1.94							39.09
44 WHITEFISH HS	42.98	2.61		0.07			1.53			47.19
	PERMISSIVE MEDICAL	GENERAL	DEBT SERV.	ADULT EDUC.	TOTAL	**GENERAL SCHOOLS**				
7 FVCC	0.42	8.97	5.30	1.00	15.69	ELEMENTARY GENERAL				33.00
						ELEMENTARY RETIREMENT				25.68
						HIGH SCHOOL GENERAL				22.00
						HIGH SCHOOL RETIREMENT				13.83
						TRANSPORTATION				2.87
						COMMUNITY COLLEGE RETIREMENT				3.65
						TOTAL GENERAL SCHOOL MILLS:				101.03

Marcia M. Sheffels
MARCIA M. SHEFFELS, FLATHEAD COUNTY
SUPERINTENDENT OF SCHOOLS

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

FINAL PLAT: ANDERSON PLATS

[9:45:33 AM](#)

Members present:

- Commissioner Joseph D. Brenneman PT
- Commissioner James R. Dupont

Members absent:

- Chairman Dale W. Lauman

Others present:

- Planner Dianna Broadie, Marc Liechti, Aaron McConkey, William Anderson, Clerk Kile

Broadie entered into record Final Plat FPP 09-20 Anderson Plats; an application submitted by William and Karen Anderson with technical assistance from APEC and Marquardt Surveying for a subdivision creating five residential lots located off Badrock Drive between Middle Road and Highway 206. Preliminary plat approval was granted in November, 2005 subject to 16 conditions. On September 17, 2008 a one year extension was granted. She noted a check in the amount of \$8,079.24 was paid as a fee in lieu of parkland dedication. All conditions have been met and staff recommends approval.

Commissioner Dupont made a **motion** to approve final plat of Anderson Plats. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

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(Continued)

MEETING W/ DAVID ROBERTS & TIM RYAN RE: STOP SIGN AT HOLT AND GOLDEN BEAR

[10:00:15 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT
Commissioner James R. Dupont

Members absent:

Chairman Dale W. Lauman

Others present:

Assistant Mike Pence, Road & Bridge Dept. Jim Mohn, David Roberts, Tim Ryan, John Horning, Clerk Kile

John Horning, representing Eagle Bend and Eagle Bend North homeowners association explained their concern in regards to safety at the intersection at Hanging Rock and Holt Drive. He then presented pictures of the intersection to the commission in order to show the visibility situation. Horning then asked if consideration would be given to putting in a four way stop.

Jim Mohn, Flathead County Road Department explained that you do have to stop and inch ahead until you can see past the trees. He then stated the trees are on private property but have grown well into the county right-of-way with the branches sticking out 10 to 12 feet. Mohn then noted the code book that he operates by argues against putting up stop signs to slow down traffic and to keep traffic flowing to trim back the trees would be the better way to do that.

Discussion continued in regards to a solution. Jim Mohn stated the Road Department would contact the landowner.

MEETING W/ JED FISHER, WEED & PARKS RE: PROPOSED CAMPUS PARK

[10:19:25 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT
Commissioner James R. Dupont

Members absent:

Chairman Dale W. Lauman

Others present:

Weed & Parks Director Jed Fisher, Clerk Kile

Fisher explained the proposal is to develop a small park at the south end of the Earl Bennett Building for employees and the general public to use. He said the original plan was to have an additional 15 to 20 parking spaces which he feels is not necessary right now, yet an improvement needs to be made to the lot as it will become a liability. He went on to say the proposal would include a sidewalk, irrigation, gazebo, four picnic tables, bike rack and small barbeque grill for \$6,850.00. Fisher stated he is requesting permission to use the building reserve fund which they would have paid for the parking lot out of. Approval from the commission to proceed was granted.

CONSIDERATION OF HR TRANSMITTALS: FORENSIC INTERVIEWER/ SHERIFF'S OFFICE, ANIMAL WARDEN/ SHERIFF'S OFFICE AND MAINTENANCE & SUPPPORT AGREEMENT/ I.T.

[10:31:46 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT
Commissioner James R. Dupont

Members absent:

Chairman Dale W. Lauman

Others present:

HR Director Raeann Campbell, Clerk Kile

Campbell explained the job classification has been revised and a recommendation to a non-union pay scale is being made.

Campbell then explained a salary survey was done for the Animal Warden position as well and the recommendation is to start at the same pay scale and then gradually increase; similar to what is done with Detention Officers and Dispatchers.

Commissioner Dupont made a **motion** to approve the reclassification/ pay scale changes. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

Campbell then stated the counties policy is to pay \$25.00 per day for I.T. employee's on call. She then said Vicki Saxby has recommended they go back and make this retro to the first of July; it was there understanding once the 911 people hired their own I.T. person that their I.T. employees would no longer be on call. She further said when she spoke to Mark Peck he informed her that until the new center is in place they will continue to use county I.T. employees on call.

General discussion continued in regards to the agreement.

Commissioner Brenneman suggested reconsideration be made with the 911 Board to follow county policy. No action was taken.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 22, 2009.

TUESDAY, SEPTEMBER 22, 2009

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioners Brenneman and Dupont, and Clerk Robinson were present.

- 12:00 p.m. CDC Board meeting @ Three Rivers Bank**
- 5:00 p.m. Commissioner Lauman: Refuse Board meeting @ Solid Waste District Conference Room**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 23, 2009.

WEDNESDAY, SEPTEMBER 23, 2009

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioners Brenneman and Dupont, and Clerk Robinson were present.

Chairman Lauman opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Lauman closed the public comment period.

DOCUMENT FOR SIGNATURE: DEQ 319 APPLICATION (DRAFT) BIGFORK STORMWATER PROJECT

9:15:17 AM

Members present:

- Chairman Dale W. Lauman
- Commissioner Joseph D. Brenneman
- Commissioner James R. Dupont

Others present:

- Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Commissioner Dupont made a **motion** to approve the DEQ 319 application and authorized Commissioner Brenneman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAME APPEAL/ HOWLING PLACE

9:17:24 AM

Members present:

- Chairman Dale W. Lauman
- Commissioner Joseph D. Brenneman
- Commissioner James R. Dupont

Others present:

- Assistant Mike Pence, Clerk Kile

Commissioner Brenneman made a **motion** to authorize the publication of the Notice of Public Hearing for the naming of Howling Place. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **HOWLING PLACE**.

Road generally running northerly off Blacktail Road and located in the NW ¼ of Section 13, Township 26 North, Range 21 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **15th day of October, 2009, at 9:30 A.M.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed naming of **HOWLING PLACE**.

This notice shall be mailed to each landowner who has access off of the proposed **HOWLING PLACE**, who has an address assignment on the proposed **HOWLING PLACE** or who owns property along the proposed **HOWLING PLACE**.

Dated this 23rd day of September, 2009.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Dale W. Lauman
Dale W. Lauman, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on September 28 and October 5, 2009.

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(Continued)

CONSIDERATION OF PRINTING BIDS: HEALTH DEPT.

[9:18:58 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner Joseph D. Brenneman
Commissioner James R. Dupont

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Brenneman made a **motion** to approve the print bid from Insty Prints for 500 business cards for \$49.90 and 500 dental reminder cards for \$101.50 for the Health Department. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve the print bid from Great Northern Printing for 1,000 appointment cards for \$45.95 and 1,000 business cards for \$45.95 for the Health Department. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

MEETING W/ MIKE FRASER RE: PARMA DRIVE

[9:30:39 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner Joseph D. Brenneman
Commissioner James R. Dupont

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Mike Fraser, Clerk Kile

Fraser explained Essex County Water Sewer District is undertaking a water project and have encountered a problem in regards to lot 58 which is not part of the water district and now needs annexed in. He stated he was informed by the Election Department it cannot be annexed in because the land is not contiguous, and in order to get the property to be contiguous a small section of Parma Drive needs to be annexed. Fraser noted this would not affect road ownership or road maintenance; it would only place a section of the road in the water district.

Prunty stated the Road Department does not maintain the road and feels they would not have any issues.

Commissioner Brenneman made a **motion** to take the appropriate action to annex a portion of Parma Drive and authorized the chairman to sign whatever documentation would be necessary. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

MEETING W/ LINCOLN CHUTE, FIRE SERVICE AREA MANAGER

[9:45:05 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner Joseph D. Brenneman
Commissioner James R. Dupont

Others present:

Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, Clerk Kile

Chute updated the commission on local fires in the area which includes the Ninko Creek fire which is at 35 acres and a fire near Ashley Lake which is at one acre and located approximately 2 to 3 miles east of Griffin Creek. Discussion was then held relative to the upcoming weather conditions and open burning which is slated to open the first of October. Chute stated he has spoken to 12 fire chiefs who feel open burning should be postponed if conditions don't change.

BI-MONTHLY MEETING W/ MINDY COCHRAN, GIS

[10:00:40 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner Joseph D. Brenneman
Commissioner James R. Dupont

Others present:

GIS Program Manager Mindy Cochran, Clerk Kile

Cochran spoke about the consolidated 911 center in regards to their role for support towards the center during the transition period. She then reported they are continuing to receive a high level of map order requests from the Parks Board for their trail projects and anticipate receiving more orders that are provided at no charge to them. She then noted letters were sent to school districts for them to review their updated legal description of their school district boundaries, which have been researched and audited by Jim Burton, PLS and Cheryl Holman from the GIS Department. Cochran then reported on miscellaneous projects which included making digital boundary maps of the Search & Rescue areas, ground penetrating radar work at the Demersville Cemetery and issues with the migration of the mapping website technology. Also reported was they are live with both the OES and Flathead Conservation District Mapping Websites. Discussion was then held relative to the development of a map book by the GIS Department for use by the Sheriff's Office.

WEDNESDAY, SEPTEMBER 23, 2009
(Continued)

COS REVIEW: MONTANA LAKE ESTATES

[10:30:45 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner Joseph D. Brenneman
Commissioner James R. Dupont

Others present:

Planner Dianna Broadie, Tammi Fisher, Rick Goacher, Noah Bodman, Clerk Kile

Broadie reviewed the boundary line adjustment submitted by Goacher and Associated for Scott Hollinger. The subject parcel is located along Echo and Abbot Lakes and a portion is along Abbot Village Drive and another portion is along Echo Bay Trail. The proposal is to move lot lines in such a fashion that four existing subdivision lots and one portion of tract land becomes six tracts in a different configuration. She then reviewed the exemption language which is for a single lot outside a subdivision and a germane lot outside a subdivision. It does not say multiple lots and multiple subdivisions; it has to be adjacent. Broadie explained there is some discrepancy as to whether these are separate subdivisions or not and stated you cannot create a new lot by doing a boundary line adjustment; that it would need to go through subdivision review.

Broadie continued to explain it does not meet statute: The common boundary line between a single lot within the subdivision and adjoining land outside of a platted subdivision. They are changing more than one lot.

Commissioner Brenneman asked who would own the land if the lake were to dry up. What does government lot 6 refer to?

Rich Goacher said he was trying to show what portions of the property were in what government lots.

Commissioner Brenneman said but it refers to the property you are proposing changes are made for, or does that refer to what's in the lake?

Rich Goacher said it has nothing to do with ownership of the lake only ownership of the upland land which falls in government lots; it was done for clarification.

Commissioner Brenneman said if the lake were to dry up then the state would have the land; it would be state land.

Rich Goacher said no because it is over 40 acres in size.

Commissioner Brenneman said very clearly it is separate ownership between the two.

Rick Goacher presented a recorded COS that he said was evidence that this survey could be submitted as a boundary line adjustment. He then said he doesn't see in statute where it clearly states that every lot line has to touch every other lot line outside of the platted subdivision.

General discussion continued in regards to the proposal.

Tammi Fisher presented a map in which she stated they are taking the condensed area of five lots and spreading them out and explained the lots are contiguous and attached lots. She went on to say the lot lines are being moved to decrease the density in the area which is zoned SAG5 and AG40; clearly none of this would ever comply with zoning. The solution being presented brings them closer to compliance than the actual zoning that is in place. She then stated it falls under two exemptions in statute and takes a highly congested road that is poorly built and transfers traffic to a paved road.

Commissioner Dupont questioned a location on the map and asked if it was the channel that connected Echo and Abbot.

Rick Goacher stated that it was.

Commissioner Brenneman said if Echo Lake and the lake below are connected by water it is state land. He then stated we are in a position in Flathead County of having to pay for easements that go across bodies of water; so we are well aware of the states position, and it is a Supreme Court ruling that in fact that is school trust land.

Rick Goacher said he may be able to boat through there in uncommon years when the water is high; when the water is low the stream/ channel is dry.

Scott Hollinger said there are years when you can boat through there and years when it is bone dry.

General discussion continued about the stream/ channel.

Broadie said the argument made about being compliant is fine, but the exemption language doesn't allow it.

Commissioner Brenneman said consideration is not being made in regards to zoning, nor is whether or not it is a wise or better use of land. The question is whether or not the method being proposed is legal. Brenneman then stated there are a number of ways to do this, one being to do a subdivision.

Rick Goacher then said we can come back and do this as a COS.

Commissioner Brenneman said I do understand your examples, but evidence of mistakes in the past doesn't warrant continuing such actions in the future; whether it was done legally or went before a board they don't know. He further said we are in agreement; we start with six lots and end up with six lots.

Broadie then explained it is considered an evasion of the Montana Subdivision and Platting Act for the following reason:

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(Continued)

The proposed division may be an evasion of the act because it does not establish a new boundary between adjoining parcels of land and is not made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision.

Commissioner Brenneman said Mr. Goacher said over the course of four times I could move a single line; instead of doing that I am being up front and saying here is what I am going to do. Brenneman asked if he could in fact do that four times and it would be a single boundary line adjustment.

Broadie said she didn't see how he could; that they were subdivision lots that were adjacent to one another and there isn't a piece of tract land on each one that is adjacent.

Tammi Fisher explained how it would be done. She stated you are relocating a common boundary line between a single lot in a platted subdivision and an adjoining lot in a platting subdivision.

Commissioner Brenneman said doing it one lot at a time might be an evasion of the Subdivision and Platting Act which is the fundamental issue; this is only legal if it is not an attempt to evade subdivision and platting.

Discussion was held relative to restrictions on lot 15 in which Goacher said was doubled in size.

Scott Hollinger said the reason the restriction was put on the lot was because there was no where to place a drainfield and with the adjoining land an easement for a drainfield could be created to service the lot and the restriction could go away. He then went on to say what he is trying to do with this proposal is enhance his neighborhood and have it turn out in a way he would like.

Commissioner Brenneman stated he wanted to clarify that he didn't feel anyone had a problem with what he is proposing to do; it's the method in which he is choosing to do it. He then asked why he didn't go through the subdivision review process.

Scott Hollinger said the property was zoned AG40 so it could not be subdivided; its all non-conforming. Hollinger stated statue allows for boundary line adjustments. He then explained he has spoken to all the neighbors that are in agreement with his proposal.

Commissioner Brenneman said the decision is whether or not what you are trying to do is an evasion.

Scott Hollinger said I am not evading.

Commissioner Brenneman said you commented you couldn't do this going through subdivision review.

Scott Hollinger said that isn't subdivision law it is zoning law which is different; statue allows for boundary line adjustments which is what he has done in the past. It isn't something new that is being introduced to the neighborhood and the law allows it.

Tammi Fisher said when you look at the 509 Resolution adopted by the commission it says:

- A proposed relocation of common boundary lines may be considered an evasion of the act if it is determined that:
 - The documentation submitted does not support the stated reason for relocation; or
 - It creates a parcel of less than 160 acres which, prior to the relocation had more than 160 acres.

Tammi Fisher continued with it meets exactly what the commissioners wanted it to meet and under the commissioner guidelines it is not an evasion and is the proper use of an exemption; when it promotes public health, safety and welfare by regulating the subdivision of land. She then stated it is a division of land but not a subdivision.

Commissioner Brenneman clarified the Subdivision and Platting Act is to promote public health, safety and general welfare; not the exemptions.

Tammi Fisher stated when you are talking about the proper use of an exemption it doesn't compromise or conflict the purposes and that is what I am saying; it does not compromise or conflict the purpose of the Subdivision and Platting Act.

Rick Goacher stated he didn't fully understand why the Planning Office was so dead set against this and why it was thrown out in the first place since they were not creating any additional parcels; it's a simple matter of rearranging lots.

Commissioner Brenneman said he felt the Planning Office was extremely justified and they would expect them to bring this to their attention. He then said it is the sort of decisions whether they like it or not they have to make; it isn't a Planning Office decision.

Commissioner Dupont said when they see something that looks like an evasion they come to them and he can see why it was kicked back to them. He further said he was looking for a negative and feels it is a positive for the community.

Commissioner Brenneman said there is sufficient vagrancy with the law and they lack the tools to discern properly and in light of the fact that I feel this is an extremely creative (*used in a negative sense*) way to rearrange boundary lines; in light of that I make a **motion** to approve the COS. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

11:00 a.m. County Attorney meeting @ Co. Atty's Office
5:00 p.m. Commissioner Brenneman: Travel to Phoenix, AZ

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 24, 2009.

THURSDAY, SEPTEMBER 24, 2009

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioners Brenneman and Dupont, and Clerk Robinson were present.

2:00 p.m. **Commissioner Brenneman: Interoperable Communications Policy Program Forum in Phoenix**
Commissioner Lauman: Audit Committee meeting @ Commission' Meeting Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 25, 2009.

FRIDAY, SEPTEMBER 25, 2009

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioners Brenneman and Dupont, and Clerk Robinson were present.

9:00 a.m. **Commissioner Brenneman: Interoperable Communications Policy Program Forum in Phoenix**
Subdivision Review Committee meeting @ Commissioners' Meeting Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 28, 2009.
