
MONDAY, APRIL 2, 2012

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioner Holmquist, 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.

MEETING W/JOLENE GROVES, ET AL, RE: HIGHWAY 2 WEST & SPRINGCREEK/ DERN ROAD SPEED LIMIT

[9:15:12 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Jolene Groves, Clerk DeReu

Jolene Groves, 380 Meadows Hills Drive spoke about her concern regarding safety when pulling out on the road at the intersection at Springcreek Drive and Highway 2 West. She spoke about an accident that occurred one week ago where a man lost his arm, and a one-year-old child was injured. She then reviewed circumstances surrounding another potential accident the following week. Groves stated her request is to have the state do a speed limit study on that portion of the highway.

Chairman Lauman stated the commission would contact James Freyholtz, MDOT Traffic Engineer in the Kalispell office to discuss the matter, and suggested Ms. Groves also contact him.

MEETING W/ PAULA ROBINSON/ CLERK & RECORDER RE: DIGITIZING COUNTY RECORDS & RECORDS RETENTION

[9:45:12 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Clerk and Recorder Paula Robinson, Records Preservation Manager Jan Hardesty, Clerk DeReu

Robinson met with the commission and summarized her concerns regarding handling of county records. She stated as an elected official she felt it was prudent to notify the commission of what their liability is concerning documents and preservation of them, and asked for direction in moving forward in managing the magnitude of records kept at Records Preservation.

Discussion was held relative to having a state employee come to Flathead County and give an overview of record retention requirements and requiring department heads to attend the overview as well as tour the Records Preservation building. Also discussed was the need to establish a Records Preservation Committee.

OPEN BIDS: TRACK MOUNTED EXCAVATOR/ ROAD DEPT.

[10:15:23 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Public Works Director Dave Prunty, Operations and Fleet Supervisor Cory Pilsch, Clerk DeReu

Bids received with bid bonds enclosed were from Western States Caterpillar and Triple W. Equipment.

Western States: 2007 Model Caterpillar 314C LCR Excavator, with approximately 2,000 hours \$110,000
New Caterpillar 314D LCR Excavator \$152,545

Triple W Equipment: 2006 John Deere 135C, with approximately 1,250 hours \$93,000
2004 John Deere 135C, with approximately 2,660 hours \$69,900
2011 John Deere 135D, new \$135,000

Commissioner Holmquist made a **motion** to take the bids under consideration. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

CONSIDERATION OF PRINT BIDS: HEALTH DEPT

[10:19:15 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Clerk DeReu

Commissioner Holmquist made a **motion** to award the Health Department print bid to The Towne Printer for 1,000 Flathead Community Health Center result cards for \$98.00. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

PUBLIC HEARING: ANNEXATION INTO OLNEY RURAL FIRE DISTRICT/ THERRIEN

[10:30:15 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Laurel Therrien, Clerk DeReu

Chairman Lauman opened the public hearing to anyone wishing to speak in regards to annexation of properties into the Olney Rural Fire District.

No one rising to speak, Chairman Lauman closed the public hearing.

Commissioner Holmquist made a **motion** to approve Resolution 2326A. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

MONDAY, APRIL 2, 2012
(Continued)

RESOLUTION NO. 2326A

WHEREAS, a petition was received from 44% of the property owners of who are currently residing in the Flathead County Fire Service Area proposed to be annexed into the Olney Fire District;

WHEREAS, the Board of Trustees of the Olney Fire District approved the proposed annexation;

WHEREAS, the Board of Commissioners, pursuant to the provisions of Section 7-33-2125(1)(b), M.C.A., passed a resolution of intent (Resolution No. 2326, dated March 13, 2012) to grant that petition and to transfer the property into the Olney Fire District, and set a public hearing on the proposal for April 2, 2012;

WHEREAS, the Board of Commissioners published notice of the public hearing to be held to allow the public an opportunity to be heard regarding the proposed annexation, and to consider whether a protest petition signed by a majority of the landowners of the area proposed for annexation would be received; and

WHEREAS, the Board of Commissioners conducted said public hearing on April 2, 2012, and did not receive a protest petition signed by 40% of the landowners of the area proposed for annexation.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, Montana, that the property is hereby annexed into the Olney Fire District located in Sections 25 and 26, Township 32 North, Range 24 West, Flathead County, Montana, and more particularly described as:

In Section 25:
The South ½ of South ½ (S ½ S ½), Northeast ¼ of Southeast ¼ (NE1/4 of SE ¼), Southeast ¼ of Northeast ¼ (SE ¼ NE ¼)

In Section 26:
West ½ of the Southeast ¼ (W ½ SE ¼), Southeast ¼ of Southeast ¼ (SE ¼ SE ¼)

BE IT FURTHER RESOLVED, by the Board of Commissioners that the boundaries of the Flathead County Fire Service Area are hereby amended by transferring the property described and located in Sections 25 and 26, Township 32 North, Range 24 West, Flathead County, Montana, and more particularly described as:

In Section 25:
The South ½ of South ½ (S ½ S ½), Northeast ¼ of Southeast ¼ (NE1/4 of SE ¼), Southeast ¼ of Northeast ¼ (SE ¼ NE ¼)

In Section 26:
West ½ of the Southeast ¼ (W ½ SE ¼), Southeast ¼ of Southeast ¼ (SE ¼ SE ¼)

Dated this 2nd day of April, 2012.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Pamela J. Holmquist
Pamela J. Holmquist

By/s/D. DeReu
D. DeReu, Deputy

CONSIDERATION OF LAKESHORE PERMIT: WITT

[10:32:37 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Planner Bailey Minnich, Mike Wood, Clerk DeReu

Minnich entered into record Lakeshore Permit FLP 12-06; a standard permit application submitted by Frank Witt to remove an existing house, and to build a new one located within the lakeshore protection zone on Echo Lake.

Commissioner Holmquist made a **motion** to approve Lakeshore Permit FLP 12-06 with attached conditions. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

PRELIMINARY PLAT: SUBDIVISION NO. 283

[10:45:40 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Bailey Minnich, Clerk DeReu

Minnich entered into record Staff Report FSR 11-02; Subdivision No. 283, an application submitted by Mark and Theresa Sethre with technical assistance from Sands Surveying for a three lot first minor subdivision on 13.5 acres located at 1985 Lower Valley Road, which is currently unzoned. She noted the applicant will be required to submit a riparian resource management plan at the time of final plat. A variance to Section 4.7.7 (c) was submitted in order to allow for three individual driveway approaches instead of an internal subdivision road.

General discussion was held relative to the location of the pig farm, access to the properties and water rights.

Commissioner Holmquist made a **motion** to adopt Finding of Fact #18 for Subdivision No. 283 and to approve the variance request. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

Commissioner Holmquist made a **motion** to approve Staff Report FSR-11-02, Subdivision No. 283 as approved subject to 18 conditions. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

**MONDAY, APRIL 2, 2012
(Continued)**

Standard Conditions

1. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626B. All road names shall appear on the final plat. Street addressing shall be approved by Flathead County. [Section 4.7.16(g)(iv), 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The applicant shall show proof of completed approach permits from the Flathead County Road and Bridge Department indicating the three individual driveway approaches proposed to access Lower Valley Road have been built to County specifications and received final inspection and final approval. [Section 4.7.16(a), FCSR]
3. The applicant shall comply with all reasonable fire suppression and access requirements of the Somers Fire District. [Section 4.7.26(b), FCSR]
4. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved and implemented shall be submitted with the final plat. [Section 4.7.13(g) and 4.7.25, FCSR]
5. The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 4.7.13, 4.7.20, 4.7.22 FCSR]
6. The mail delivery site(s) shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for final plat. [Section 4.7.28, FCSR]
7. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.22, FCSR]
8. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All utilities shall be placed underground. [Section 4.7.23, FCSR]
 - b. Solid waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR]
 - c. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25, FCSR]
 - d. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
9. All utilities shall be placed underground. [Section 4.7.23, FCSR]
10. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
11. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i), M.C.A.]
12. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.0.16 FCSR]
13. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.1.13 FCSR]
14. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]

Project-Specific Conditions

15. A 10 foot bike/pedestrian easement shall be shown on the face of the final plat along the Lower Valley Road, on both the west and south sides of the subdivision, in accordance with the applicable regulations. [Section 4.7.19 FCSR]
16. A *Riparian Resource Management Plan*, compliant with the criteria outlined in Section 4.7.11 FCSR shall be submitted with the final plat application, and shall be filed along with the final plat. [Section 4.7.11(f), FCSR]
17. The delineated SFHA 100-year floodplain boundary and elevation at the west and east subdivision boundaries shall be shown on the final plat. [Section 4.7.9, FCSR]
18. The delineated SFHA 100-year floodplain and area of the 'Riparian Protection Zone' shall be shown as 'No Build Zones' on the face of the final plat. [Sections 4.7.9 and 4.7.11, FCSR]

MONTHLY MEETING W/ DAVE PRUNTY, ROAD DEPT.

[11:02:21 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Public Works Director Dave Prunty, Road & Bridge Supervisor Ovila Byrd, Clerk DeReu

Prunty met with the commission and spoke about load limits implemented, the fee for an overweight permit, safety concerns at Highway 2 West and Springcreek/ Dern Drive with potential interim closure of Dern Road until concerns can be resolved, summer 2012 dust cost share program and potential application of a road stabilization product on Ashley Lake Road. He explained funding received from RAC totaled \$68,196.00 and the county match brings the total to \$136,392 for work on Ashley Lake Road. Prunty asked for direction from the commission in moving forward with use of the funding for work on Ashley Lake Road; the commission unanimously agreed to move forward with the project. Also reported is MDT air quality equipment purchased for \$36,000 has arrived in Helena.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: DUST COST SHARE PROGRAM

[11:35:06 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Public Works Director Dave Prunty, Road & Bridge Supervisor Ovila Byrd, Clerk DeReu

Commissioner Holmquist made a **motion** to authorize chair to sign the Call for Bids request for the Dust Cost Share Program. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

**MONDAY, APRIL 2, 2012
(Continued)**

INVITATION TO BID

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive sealed bids for construction of:

2012 Dust Cost Share Program

All sealed bids, **plainly marked "SEALED BID – 2012 Dust Cost Share Program"** must be in the hands of the County Clerk and Recorder, 800 South Main, West Annex – Commissioner Chambers, Kalispell, MT, 59901, on or before **10:00 a.m.**, local time, **Wednesday, April 25, 2012**. Bids will be **opened and read immediately thereafter**, in the Commissioner's Office at the County Courthouse.

The project consists of placing dust suppressant throughout the Flathead County Roadway System.

The Bid will consist of scarifying ("high blading"), placing approximately 227,794 linear feet of magnesium chloride and watering (as required) to existing roadways, assumed at 24 feet wide.

Various roadways will be receiving dust control improvements in Flathead County, and the Contractor should be prepared to mobilize equipment on a daily basis.

All Bids must be in accordance with the Contract Documents on file with the Flathead County Road & Bridge Department, 1249 Willow Glen Drive, Kalispell, Montana, (406) 758-5790

Copies of the Contract Documents for use in preparing Bids may be obtained from Flathead County Road Department at the address stipulated above upon receipt of a non-refundable deposit of \$50.00 for each set of documents including drawings.

A prebid conference will be held at the office of **Flathead County Road Department**, commencing at **11:00 a.m., Wednesday, April 18, 2012**. Those interested in bidding the project are encouraged to attend this meeting.

Bids will be received on a price basis as described in the Contract Documents. Bid security in the amount of 10 percent of the total Bid must accompany each Bid.

Within 10 calendar days after the Notice of Award, the successful Bidder will be required to furnish a Performance Bond and a Labor and Materials Payment Bond guaranteeing faithful performance and the payment of all bills and obligations arising from the performance of the contract. The bonds will each be equal to 100 percent of the contract amount.

Work at the site is to commence within 10 calendar days after the written Notice to Proceed is issued. Completion of the work is required within **Twenty One (21) consecutive calendar days** following commencement of work. The project includes liquidated damages that will be assessed as set forth in the Special Provisions per calendar day if the work is not complete within the allotted contract time.

Each bidder will be required to be registered with the State of Montana, Department of Labor and Industry prior to bidding this project.

No Bid may be withdrawn within a period of 60 days after the date for opening bids.

Flathead County reserves the right to reject all bids, to waive informalities, and to reject nonconforming, irregular, non-responsive or conditional Bids.

Flathead County is an Equal Opportunity Employer.

DATED this 2nd day of April, 2012.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/D. DeReu
D. DeReu, Deputy

Publish on April 8 and April 15, 2012.

MEETING W/ KIM CROWLEY RE: LIBRARY HVAC SYSTEM

11:36:03 AM

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Library Director Kim Crowley, Maintenance Director Jed Fisher, Clerk DeReu

Crowley reported two HVAC proposals have been evaluated for replacement of the HVAC system in the Library. She summarized seven options received which start out at a bare bones estimate of \$145,150 up to nearly \$400,000.

Discussion was held relative to the school districts portion of the cost for the HVAC system on the upper floor of the Library and use of CIP or PILT funds to cover the counties portion of the cost.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 3, 2012.

TUESDAY, APRIL 3, 2012

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

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 4, 2012.

WEDNESDAY, APRIL 4, 2012

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

Chairman Lauman opened public comment on matters within the Commissions' Jurisdiction.

Jim Watson, 191 Foy's Canyon Road representing the nonprofit Foy's to Blacktail Trail presented a handout to the commission regarding the history of land acquisition for the Foy's to Blacktail Trail, and reviewed the grant application submitted for the Foy's Community Forest.

Steve Rosso representing Flathead Lakers stated he wanted to get an update from the commission as well as present an update to them regarding the aquatic invasive species infestation in Eagle Bend Harbor and the channel. He said he has had a phone conversation with the Department of Agriculture who has told him they cannot move forward without a local entity taking the lead. Rosso explained without Eagle Bend Harbor or the county taking a lead there will not be anything done regarding the infestation. He noted he presented Chairman Lauman information last week regarding a draft quarantine order along with contact information for the Department of Agriculture. He further said right now they have no way to measure what will happen if nothing is done, and questioned if there was some way they could justify moving forward.

Chairman Lauman noted the commission is waiting for feedback from the county attorney.

No one else rising to speak, Chairman Lauman closed the public comment period.

BI-MONTHLY MEETING W/ VICKI SAXBY, I.T.

[9:15:55 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, I.T. Director Vicki Saxby, Clerk Kile

Saxby summarized the following bi-monthly report from I.T. A performance measure workload indicator was also presented.

Information Technology / Bi-monthly Commissioners Report

- **General**
 - Open positions – we have two open positions in our department.
 - Our web development coordinator, Shawn Connors has left us to work for a web development firm out of Whitefish. His primary reason for leaving was for economic reasons as he was offered a substantial increase in pay.
 - Network Administrator – We are still trying to fill this position. We did get some applications, and will begin interviews next week.
 - GIS - I have been working hard to become more familiar with the GIS department and how it works. I have already seen where the closer communication between the departments has helped us to resolve problems and get things completed more efficiently.
 - Budget – Much time has been spent updating our budget for the coming fiscal year and for providing budget information for all of the departments regarding computer related hardware and software.
 - Project backlog - We currently have a backlog of tech support projects on our list. Much of this is due to being short our Network Administrator. Additionally, when Shawn left, he left us with a number of unfinished web projects.
- **Network and Tech Projects**
 - AOA – we have been working with Mark Campbell to become familiar with AOA's current network structure so that we can assist if they have problems. We have also completed audits of their hardware and some of their software. Lastly, we have put together a tentative plan for moving them onto the Flathead County network. Much is left to be done on this huge project.
 - New storage array – we are in the process of adding a great deal more disk storage to our virtual center. Our storage needs have been growing exponentially over the past couple of years, and we see that continuing for some time to come. Our new storage array will alleviate the problems we are having with providing the space needed to accommodate the additional needs.
 - Network monitoring – we invested in an outstanding piece of network monitoring software which has already been worth the cost in allowing us to be proactive regarding potential problems. It has taken the Techs quite a bit of time to get our hardware configured properly to use this product, but it has been worth it.
 - New servers and software - we continue to be tasked with adding servers and installing new software products for various departments including in the last two months:

WEDNESDAY, APRIL 4, 2012
(Continued)

- New Keefe Commissary server and software for the Jail; Livescan software for the Jail.
- Major upgrade to three applications for Solid Waste
- Visions upgrade for financial software.
- New Crime Mapping server and software for the Sheriff
- Weed spray mapping software for Weeds
- Showworks software upgrade for the Fair
- Wi-Fi Access for Juvenile Detention – this will allow them to provide teacher assisted training to the youths
- Office moves / remodels – Elections moving to the fairgrounds involved cabling, building and installing four workstations; County Attorneys remodel continues involves ongoing cabling and moving of equipment to and from the offices as needed.
- **Programmer / Database Administration Projects**
- Treasurer / Taxes
 - Larry has completed the process for restructuring the addresses on the Land database to conform to the Postal Addressing Standards and the Situs addressing standard. This was a huge project that involved working with the Treasurers, the Plat Room and GIS, as well as making the changes required to accommodate the needs of the Cities and the Department of Revenue, as they all use from our Land database or update data in the database.
 - Mobile Home Taxes – Larry is now working on the Mobile Home tax assessments and billing which will be sent out by the end of the month.
- Sheriff's Office – Conversion of data from New World back into CJIS / FCCJN.
 - Mike has finished the conversion of data back into our databases, and we have extracted all of the NIBRS reports from June of 2011 forward and have given these to the Sheriff's Office to submit to the state / feds.
- Web Projects
 - Set up a new web server for our public facing websites, and began the process for moving applications to this server.
 - Launched the new Sheriff Office site using Wordpress, a new software product for us.
 - Completed a "Do Not Spray" opt-out list application for Environmental Health; Completed an application for the Mosquito board agenda and minutes
 - Added tracking applications for the 2012 Library reading program

CONSIDERATION OF CYBER SECURITY INSURANCE COVERAGE

[9:21:12 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, I.T. Director Vicki Saxby, Western States Representative Brad Salonen, Clerk Kile

Saxby reviewed the need for Flathead County to have cyber security insurance and explained potential government data breaches that could occur.

Salonen reviewed breaches that would be included and explained coverage for gray areas that would be excluded with each situation being different.

Discussion was held relative to the premium cost of \$12,760 in which the commission agreed a detailed policy should be brought back to them for consideration.

PUBLIC HEARING: TAX EXEMPTION REQUEST/MONTANA WEST ECONOMIC DEVELOPMENT PROPERTY AT 655 WHITEFISH STAGE ROAD, KALISPELL, MONTANA

[9:35:45 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Treasurer Adele Krantz, MWED Director Kellie Danielson, Clerk Kile

Kellie Danielson stated the reason for the tax exemption request for the property known as the McElroy Wilkin Gravel Pit would be to allow funding from the Port Authority to directly invest in the upfront development of the park.

Chairman Lauman opened the public hearing to anyone wishing to speak in regards to the tax exemption for MWED.

Fugina noted statues are different in respect to whether a port authority or local economic authority is operating the development. She said it may not go back on the tax rolls if it is leased; it just says owned and operated.

Kellie Danielson commented the Port Authority owns TeleTech who does pay nearly \$144,000 a year in property taxes. She said the board members would want the same kind of agreement that they shouldn't get privileged treatment.

No one else rising to speak, Chairman Lauman closed the public hearing.

Commissioner Holmquist made a **motion** to adopt Resolution 2327 to grant the tax exemption request for MWED property at 655 Whitefish Stage Road. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

RESOLUTION NO. 2327

WHEREAS, the Flathead County Economic Development Authority is a legally-existing port authority as defined by Montana law, created by Flathead County Resolution No. 1396 on July 22, 1999, pursuant to § 7-14-1101, M.C.A.;

WHEREAS, the Flathead County Economic Development Authority has applied to Flathead County for a tax exemption of its property located at 655 Whitefish Stage Road, Kalispell, Montana, pursuant to § 15-24-1902, M.C.A.;

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing after due and proper notice on April 4, 2012, concerning the tax exemption request by the Flathead County Economic Development Authority; and

WEDNESDAY, APRIL 4, 2012
(Continued)

WHEREAS, the Board of Commissioners of Flathead County, Montana, having reviewed the request of the Flathead County Economic Development Authority and heard testimony presented at the public hearing, concluded that the request for tax exemption should be granted.

NOW, THEREFORE, BE IT RESOLVED that the property located at 655 Whitefish Stage Road, Kalispell, Montana, shall be granted the tax exemption as set forth in § 15-24-1902 and:

(1) The Montana Department of Revenue shall make the assessment change for the tax exemption provided for herein;

(2) The tax exemption described herein applies only to the number of mills levied and assessed by Flathead County over which Flathead County has sole discretion. The exemption applies to levies or assessments required under Title 15, chapter 10, § 20-9-331, or § 20-9-333, M.C.A. or otherwise required under state law; and

(3) Property taxes abated from the reduction in property taxes allowed by this section are subject to recapture by the local governing body if the ownership or use of the property does not meet the requirements of 15-24-1901, this section, or the resolution required by subsection (2) of this section. The recapture is equal to the amount of taxes avoided, plus interest and penalties for nonpayment of property taxes provided in 15-16-102, during any period in which an abatement under the provisions of this section was in effect. The amount recaptured, including penalty and interest, must be distributed by the treasurer to funds and accounts subject to the abatement in the same ratio as the property tax was abated. A recapture of taxes abated by this section is not allowed with regard to property ceasing to qualify for the abatement by reason of an involuntary conversion. The recapture of abated taxes may be canceled, in whole or in part, if the local governing body determines that the taxpayer's failure to meet the requirements is a result of circumstances beyond the control of the taxpayer.

DATED this 4th day of April, 2012.

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Pamela J. Holmquist
Pamela J. Holmquist, Member

MONTHLY HUMAN RESOURCE OFFICE UPDATE

[10:00:00 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Interim H.R. Director Tammy Skramovsky, Clerk Kile

Skramovsky presented the personnel transactions for the month of March for review.

Commissioner Holmquist made a **motion** to approve the March personnel transactions as presented. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

Skramovsky reported the Health Insurance Trust Fund Balance is at \$4.5 million.

PERSONNEL MATTER

[10:05:50 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Interim H.R. Director Tammy Skramovsky, Clerk Kile

Pence reported five candidates were interviewed for the H. R. Officer position and after consideration the decision was made to offer the position to Tammy Skramovsky effective April 4, 2012.

Commissioner Holmquist made a **motion** to hire Tammy Skramovsky as the H. R. Officer. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

OPEN BIDS: RSID #152/ BERNE ROAD

[10:30:05 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Public Works Director Dave Prunty, Toby MacIntosh, Mike Markovich, David Steely, Marc Blanden, Angie Olson, Clerk Kile

Bids received with bid bonds enclosed from:

	<u>Schedule (1)</u>	<u>Schedule (2)</u>	<u>Schedule (3)</u>	<u>Schedule (3a)</u>
LHC, Inc.	\$61,115.00	\$40,000.00	\$184,851.25	\$301,647.30
Schellinger Construction Co., Inc.	\$73,000.00	\$59,320.00	\$194,360.00	\$329,127.50
Les Schlegel Enterprises, Inc.	\$75,000.00	\$34,500.00	\$185,456.25	\$280,837.75
Knife River	\$43,509.25	\$32,770.00	\$193,796.50	\$311,345.40
Paveco, LLC	\$83,514.56	\$43,500.00	\$174,760.00	\$272,172.00

Commissioner Holmquist made a **motion** to take RSID #152/ Berne Road bids under consideration. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

**WEDNESDAY, APRIL 4, 2012
(Continued)**

CONSIDERATION OF PRINT BIDS: SHERIFF'S OFFICE & HEALTH DEPT.

[10:39:43 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Clerk Kile

Commissioner Holmquist made a **motion** to award the print bid for 3,000 business cards for the Sheriff's Office to Great Northern Printing for \$387.00. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

Commissioner Holmquist made a **motion** to award the print bid for 1,000 business cards for the Health Department to Great Northern Printing for \$48.95. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

11:00 a.m. County Attorney meeting @ Co. Atty's Office

11:30 a.m. Commissioner Holmquist: Health Board Budget/Finance Committee meeting @ EBB

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 5, 2012.

THURSDAY, APRIL 5, 2012

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

8:30 a.m. AOA TAB meeting @ Eagle Transit

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 6, 2012.

FRIDAY, APRIL 6, 2012

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

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 9, 2012.
