
MONDAY, OCTOBER 8, 2012

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

COUNTY OFFICES CLOSED – COLUMBUS DAY

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

TUESDAY, OCTOBER 9, 2012

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

QUARTERLY MEETING W/ MARCIA SHEFFELS, SUPT. OF SCHOOLS

[9:30:36 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Superintendent of Schools Marcia Sheffels, Clerk Kile

Sheffels reviewed the following quarterly report with the commission.

Routine business for July, August, September:

- ✓ Reviewed and approved individual transportation contracts (*TR-4's*) submitted by all participating school districts (*the county and the state share equally in paying for on-schedule transportation*)
- ✓ Held the annual County Transportation Committee meeting, reviewed all school bus routes (*the county and the state share equally in paying for on-schedule transportation*)
- ✓ Provided non-operating procedures to smallest district and consultations
- ✓ Reviewed County Treasurer forms of county-wide school funds, made adjustments as necessary and submitted to Office of Public Instruction
- ✓ Received all school calendars for 2012-2013, reviewed for required aggregate hours
- ✓ Assisted district with new hiring
- ✓ Attended school board meetings
- ✓ Assisted districts with applications for federal funds
- ✓ Held orientation meeting for six new superintendent-principal administrators to the valley
- ✓ Completed annual data forms for joint district—Bigfork is a shared high school district with Flathead and Lake Counties
- ✓ Received taxable valuations from Department of Revenue for all school districts
- ✓ Sent each district's taxable valuation to school clerks/business managers for new budgets
- ✓ Assisted the rural schools belonging to the county superintendent's accounting cooperative in year-end financial summaries for public record, for basis of new budget
- ✓ Received all school district's Trustees' Financial Summary (ending balance of school year)
- ✓ Reviewed and made adjustments as necessary to all school districts' budgets to then be approved by the County Commissioners
- ✓ Submitted the Trustees' Financial Summaries and Budgets to Office of Public Instruction
- ✓ Computed levy requirements
- ✓ Submitted to Office of Public Instruction county transportation/retirement fund mill levy calculation
- ✓ Published the annual financial report for the past fiscal year in local newspaper
- ✓ Prepared and sent out information to homeschool families regarding annual notification
- ✓ Updated county-wide substitute list for schools
- ✓ Conducted background checks
- ✓ Certified and filed renewed and new teacher and administrative licenses
- ✓ Checked to see that all buses met first semester bus inspections and all driver certificates were current and on file in this office and approval sent to Office of Public Instruction
- ✓ Continued conflict resolution work on issues in school communities—status of coaches, use of facilities, harassment of teachers, bullying by teachers, divided child custody and divided school enrollment, bus stops and ridership, part-time enrollment in public schools of home schoolers

DOCUMENT FOR SIGNATURE: KNIFE RIVER CHANGE ORDER NO. 1/ RSID #152 (BERNE ROAD)

[9:49:08 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Prunty summarized the change order decreasing the price of the project that is now complete.

Commissioner Scott made a **motion** to approve Change Order No. 1 for Knife River/ RSID #152 Berne Road. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

**TUESDAY, OCTOBER 9, 2012
(Continued)**

DOCUMENT FOR SIGNATURE: COLLECTIVE BARGAINING AGREEMENT/ TEAMSTER'S ROAD DEPT.

[9:52:00AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Prunty reported the three-year labor agreement with the Teamster's in the Road Department has been ratified.

Commissioner Holmquist made a **motion** to approve signature of the collective bargaining agreement. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

CONSIDERATION OF ADAMS STREET & GRAYLING ROAD MAINTENANCE

[9:53:39 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Prunty reviewed a request received from Spurwing HOA for consideration of the county assuming maintenance on portions of Adams Street and Grayling Road. The county currently maintains Grayling Road to the top of the hill and Adams to the intersection with Brass Road; improvements were made to the road by developer Charles Lapp when he created his subdivision several years ago. Prunty explained his position would be to stick to their policy, yet the decision would be up to the commission whether to maintain the roads.

Discussion was held relative to history of the roads.

Commissioner Holmquist said it is a tough decision with hundreds of miles of unmaintained county roads. She stated if we start maintaining one we will have to do them all, which would then be a big fiasco. Holmquist suggested they explore other options.

Commissioner Scott said he agreed with Commissioner Holmquist in that now is not the time; the county cannot afford it.

Commissioner Scott made a **motion** to deny the request for the county to maintain the extension of Adams Street and Grayling Road in Lakeside per Exhibit "A" map as indicated. Commissioner Holmquist **seconded** the motion.

Chairman Lauman commented he would vote "nay" for obvious reasons of living in the area as he sees the connectivity, yet totally understands where the commission is coming from with the issue. **Aye** - Scott and Holmquist. **Nay** - Lauman. Motion carried by quorum.

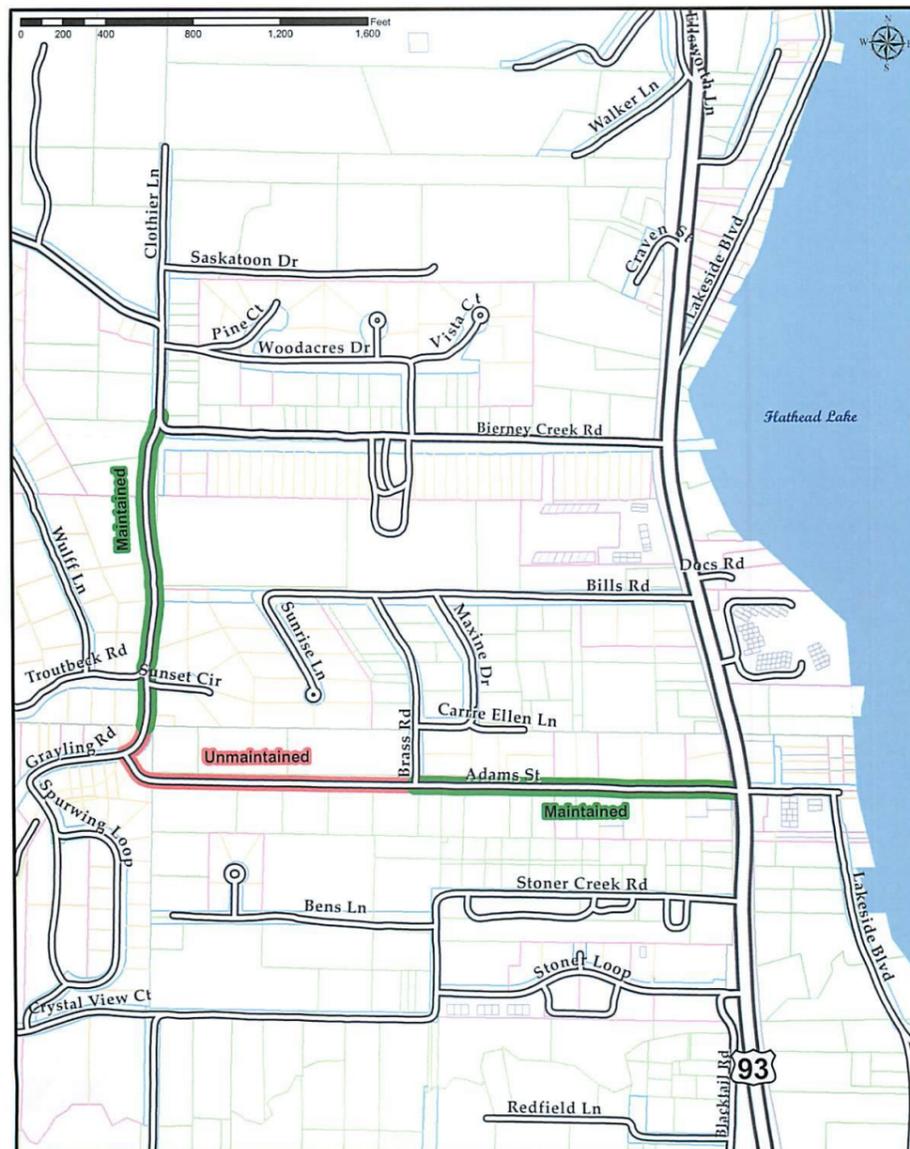


Exhibit "A"

**TUESDAY, OCTOBER 9, 2012
(Continued)**

BI-MONTHLY MEETING W/ PAT MCGLYNN, MSU EXTENSION OFFICE & TAMMY WALKER, 4-H AGENT

[10:00:06 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, MSU Extension Agent Pat McGlynn, Clerk Kile

McGlynn summarized the following report presented to the commission.

- Food Mapping for website with Montana Department of Agriculture to identify opportunities for processing,
- retailing and production of local foods
- Finish up last of weed free hay inspections
- Scientist from North Dakota State University, Dr. Hatterman, here for 4 days to work with grape growers and consult. Public meeting for people interested in grape growing. New list serve and new grape growers association.
- Master Gardener projects all in by Sept 1.
- Private applicator training at County Weed Department. 24 producers attended. MSU faculty and MDA staff helped conduct the training.
- Tour grape and cherry trials with Montana Department of Agriculture for funding

McGlynn also summarized the following report presented to the commission for Tammy Walker.

- Award Ceremony – about 375 people attended and over 100 awards were given out.
- New 4-H Ambassador Program – structured similar to Leadership Flathead.
 - 4-H Ambassadors are official envoys, representative spokespersons of the Flathead County 4-H Program. A 4-H Ambassador is a self-motivated, enthusiastic leader who promotes the 4-H program to fellow members, area residents, community leaders, elected officials and non 4-H youth. A 4-H Ambassador serves to strengthen the 4-H program through public relations. Ambassadors demonstrate their skills in leadership, citizenship, and civic engagement through public presentations, life skill development workshops, and service learning projects. These youth exemplify the “learn by doing” credo of experiential learning and advance the 4-H motto, “to make the best better.”
- When I arrived in January, a couple of my first goals were to (1) increase educational opportunities AND (2) better capture data from existing 4-H educational opportunities. After running our end-of-yr. report (Oct. 1, 2011 – Sept. 30, 2012), I'm excited to say that there has been a noticeable increase in those documented as receiving 4-H educational training.

Last year: 2010-2011

	Youth Volunteers	Adult Volunteers	Other Adults
Leadership Training	488	299	101
Other Training	360	124	86
Totals:	848	423	187

This year: 2012

	Youth Volunteers	Adult Volunteers	Other Adults
Leadership Training	1356	720	288
Other Training	1526	654	574
Totals:	2882	1374	862

- Upcoming –
 - 4-H Week is this week 10/7 – 10/13. You should be seeing 4-H information around the county at different locations. Vendors are hosting informational boards in their windows.
 - 4-H Leader Training sessions for all adult volunteers and parents: 10/16, 10/18 & 10/22
 - Annual Conference – out of office 10/29 – 10/31

AWARD BID: SEPTIC SYSTEM/ ANIMAL SHELTER

[10:15:47 AM](#)

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

Commissioner Holmquist made a **motion** to award the Animal Shelter septic system bid to RKZ Enterprises for \$20,321.20. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

MEETING W/ ROBIN KELSON RE: TAX FORM DEADLINE

[10:16:41 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Robin Kelson, Clerk Kile

Robin Kelson reported that one year ago Algae Aqua Culture Technologies filed an application with the Department of Environmental Quality for a property tax credit; at the time the application was filed they were not far enough along in the construction process for the Department of Revenue to be able to assess them. The DOR invited them to re-apply again for the following year, which they did. However, Kelson noted there is a 30-day window from the day you receive your preliminary assessment in order to file any kind of an abatement, which was not done through an oversight. She explained she missed the deadline by four days and technically, by statutory requirements there is no leeway in the deadline. She stated she has been told she could come before the commission who has the discretion if they wish to ask that the property tax abatement for this year be held in abeyance pending the certification that would then apply for this year. She noted assuming the application does go through and they get the certification it would be applied to next year's taxes.

**TUESDAY, OCTOBER 9, 2012
(Continued)**

Kelson was advised the issue would be taken under advisement and discussed during a County Attorney meeting.

MONTHLY MEETING W/ ROGER LAFERRIERE, OES & LINCOLN CHUTE, FIRE SERVICES AREA MANAGER

10:31:29 AM

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, OES Director Roger Laferriere, Deputy OES Director Cindy Mullaney, Clerk Kile

Chute reviewed progress on work being done on Mt. Ennis and Ashley Lake Fire Hall. He reported fuels in the mountains are still extremely dry.

Mullaney spoke about concerns regarding the EMPG grant that pays part of the OES program costs, and not having received an award letter from the state yet. She also spoke about work being done by the I.T. Department to update and make improvements to their webpage. Discussion was held relative to the LEPC.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 10, 2012.

WEDNESDAY, OCTOBER 10, 2012

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

**11:00 a.m. County Attorney meeting @ Co. Atty's Office
1:15 p.m. 911 meeting @ FECC**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 11, 2012.

THURSDAY, OCTOBER 11, 2012

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

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

Mayre Flowers, representing Citizens for a Better Flathead read the following letters.

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Kalispell, Montana 59903


CITIZENS FOR A
BETTER FLATHEAD
www.flatheadcitizens.org

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Chairman Dale Lauman
Commissioners Pam Holmquist and Cal Scott
Flathead County Board of Commissioners
800 S Main
Kalispell, MT 59901

Re: Flathead County Growth Policy revision

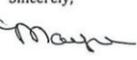
Dear Commissioners Lauman, Holmquist and Scott:

I am providing for your review a letter from our attorney that seeks to correct some misleading and inaccurate information that you recently received in a letter, regarding the proposed changes to the 2007 Flathead County Growth Policy, from an organization identifying themselves as the Montana Environmental Consultants. We ask that you take time to fully consider the significance of the issues our attorney raises about the information in their letter and to base your final decision on well reasoned and factual information.

Additionally, we are providing you CD's of a number of important studies related to water quality in the Flathead that we believe provide you additional basis for denial of the proposed changes to the goals and policies related to water quality in the 2007 Flathead County Growth Policy. Some of these studies we believe that you already have but we wanted to again draw your attention to them as well as other research submitted in this hearing process.

These reports include:

- Investigation of Septic Leachate to the Shoreline Area of Whitefish Lake, Montana RRG-11-1474 *Final Report, 2012*
- Sewage Treatment in the Flathead Basin prepared for the Flathead Regional Wastewater Management Group 2012
- Assessment of Groundwater Pollutants and Contaminants in the Shallow Aquifer of the Flathead Valley 2010-2012
- Hydrogeologic & Carrying Capacity of North Flathead
- Flood Planning Information-Kalispell
- Ground Water Resources and Water Quality of the Unconfined Aquifer
- Hydrogeologic Analysis of Septic Nutrient Attenuation

Sincerely,

Mayre Flowers, Executive Director

THURSDAY, OCTOBER 11, 2012
(Continued)

Linda M. Deola
John M. Morrison
Jonathan R. Motl
Frederick F. Sherwood
David K. W. Wilson, Jr.
kwilson@mmslawgroup.com



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October 10, 2012

Chairman Dale Lauman
Commissioners Pam Holmquist and Cal Scott
Flathead County Board of Commissioners
800 S Main
Kalispell, MT 59901

Re: Flathead County Growth Policy revision

Dear Commissioners Lauman, Holmquist and Scott:

I am writing on behalf of Citizens for a Better Flathead (Citizens) concerning proposed changes to the Growth Policy. Citizens has already provided testimony for this hearing record in opposition to the final proposed changes to the 2007 Flathead Growth Policy. They have asked that I provide additional comment on their behalf, prior to your final decision on the proposed revisions to the Growth Policy regarding some of the misleading legal conclusions made in a letter to you from the Montana Environmental Consultants Association (MECA).

The MECA letter was dated September 25, 2012 and was signed by Brian Launius. I would note at the outset that no documentation has been provided to support the assertions in this letter that it is based on, as the letter states, "the broad knowledge and education of the members of MECA, ...[that] can be considered experts with regards to impacts resulting from septic systems, storm drainage and other impacts from land use in Flathead County." MECA has no web site and it is not registered as a corporation in Montana. More importantly, the MECA letter makes several assertions that are unsupported and should not be relied on as "expert testimony" in consideration of the proposed changes to the 2007 Growth Policy. Instead Citizens urges you to review the science and studies that have been submitted and referenced not only during this hearing record, but during the original approval of the 2007 Growth Policy and upon which the policies now being recommended for change or deletion were based and approved. Additionally, we ask that you review the extensive science and professional agency and

peer reviewed literature that was submitted to the Commissioners and the planning office during the consideration of updates to the Flathead County Subdivision Regulations, which are required to be made consistent with the goals and policies of the Flathead Growth Policy. The hearing record for the county subdivision regulations and the professional agency and peer reviewed literature that was part of that record should be included as part of your record of decision on the proposed changes to the 2007 Flathead County Growth Policy and with this letter we formally ask that this be done.

A majority of the claims made in the MECA letter in support of the proposed changes to the 2007 Growth Policy are based on a vague, narrow and incorrect legal interpretation of the Growth Policy Act. MECA implies that recent court rulings concerning growth policies are "game changers" that require the Flathead Growth Policy to be revised. "Because courts have been deeming Growth Policies more and more regulatory, it was imperative that the Planning Board change some of the regulatory language and remove some of the policies altogether." (MECA letter, p. 2) MECA also implies that Flathead County should defer to the Department of Environmental Quality (DEQ) on a broad range of issues. These two underlying assumptions made by MECA in support of its argument that the Growth Policy needs to be watered down, indeed, that the County is at risk in future lawsuits if the Growth Policy is not watered down, are incorrect.

Montana statutes provide local governments with a great deal of leeway, as well as responsibility, when it comes to local planning. The Growth Policy Act (§§ 76-1-101, *et seq.*, MCA) is intended to give Counties the tools, to affect sound local planning. Section 76-1-102, MCA spells out the purpose of the Act, including to provide for the health, safety, convenience and welfare of the citizens; that infrastructure match growth; that the needs of various businesses and agriculture be provided for; that "residential areas provide healthy surroundings for family life"; and perhaps most importantly, that "growth of the community be commensurate with and promotive of efficient and economical use of public funds."

Under the Growth Policy Act, counties are required to be "guided by and give consideration to" their Growth Policy in adopting zoning. § 76-1-605, MCA. Further, any subdivision regulation must be "in accordance with" the Growth Policy. § 76-1-606, MCA.

MECA's concern seems to be that courts have recently interpreted these requirements as being regulatory. First, "the courts" MECA refers to is actually the Montana Supreme Court, the highest court in the state and thus the court that has the "final word" on interpreting statutes. What the Montana Supreme Court has recently done is to *reaffirm* 30-years of decisions interpreting growth policies to find that a County which has adopted a growth policy must "substantially comply" with it. *Heffernan v. Missoula City Council*, 2011 MT 91, ¶ 74. In particular, I would refer you to ¶¶ 74-79 of that decision, which describe in detail the place of the growth policy in Montana's planning scheme. "The final product is a well thought out, long range, detailed and comprehensive planning document which takes into consideration past, present and anticipated land uses in the jurisdiction and which is debated and adopted in an atmosphere that is free, to the extent possible, from the influence of special interests. . . ." ¶ 76. As the Court pointed out, "it belies common sense to suggest that a governing body no longer needs to comply with its

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(Continued)

growth policy." *Id.* In *Heffernan*, the Court rejected a subdivision because, in part, its density was five times more than the density for that neighborhood recommended in the Growth Policy.

Since 1978 Flathead County has had in place a growth policy. The 2007 Growth Policy began with an extensive and broad-based public process in 2002- there were over 16 Town Hall meetings conducted throughout the valley, from Polebridge to Lakeside, Creston to Marion, then 30 workshops, 25 stakeholder meetings and educational presentations carried out into the valley to ensure a broad audience, scoping meetings, public hearings, 19 more workshops and finally, after being adopted, more town hall outreach meetings to answer questions. In addition to the core principles that became the guiding vision of the 2007 Growth Policy that came out of these meetings, extensive research was compiled and provided a foundation for the text and the goals and policies of the 2007 Flathead Growth Policy. We would suggest, however, that the more general and watered down it is (as suggested by MECA) the less meaningful it becomes as a statement of the community's commitment to responsible future growth. The 2007 Flathead Growth Policy, CFBB believes, sets forth a shared community vision and predictable guide for how the Flathead will grow in the future based on broad community input and gave the County the tools available to it under the Growth Policy Act. The subsequent Supreme Court decisions do not change the County's responsibilities under the Growth Policy Act, and should not be used as an excuse to water down a fine document.

Counties are also given broad responsibilities to zone (§§ 76-2-101, *et seq.*, MCA) and to regulate subdivisions (§§ 76-3-101, *et seq.*, MCA). These statutes do give counties regulatory authority to protect the public health, safety and welfare. (§§ 76-2-201, MCA; § 76-3-102, MCA)

The MECA letter implies that the policies in the 2007 Flathead County Growth Policy that have been proposed for deletion fail to meet a requirement under § 76-3-511, MCA which MECA claims requires that there be locally generated, specific, peer reviewed science to support the policies. However, MECA is mixing apples and oranges. Section 76-3-511, MCA is a provision in the Subdivision Act, and it does not limit local government authority in establishing or amending growth policies as suggested or require local site specific generated peer reviewed science. It simply outlines a process for local governments to follow should they choose to adopt subdivision regulations more stringent than state regulations or guidelines or to simply reinforce existing state regulations. No evidence has been provided for this Growth Policy update hearing record to show that any of the county subdivision regulations, adopted consistent with the Flathead County Growth Policy are more stringent than state law, or are not based on sound science.

The MECA letter goes on to imply, that under state law, local government officials do not have the expertise to adopt regulations governing the citing or standards for septic systems or other water quality protections, citing a policy in the existing Flathead Growth Policy. But, again, the "rubber meets the road" not in the policies set forth in a growth policy but rather in the mandatory regulatory requirements of the zoning and subdivision laws.

Thus, local governments are required to comply with MCA 76-3-501, which states:

76-3-501. Local subdivision regulations. The governing body of every county, city, and town shall adopt and provide for the enforcement and administration of subdivision regulations reasonably providing for:

- (1) the orderly development of their jurisdictional areas;
- (2) the coordination of roads within subdivided land with other roads, both existing and planned;
- (3) the dedication of land for roadways and for public utility easements;
- (4) the improvement of roads;
- (5) the provision of adequate open spaces for travel, light, air, and recreation;
- (6) the provision of adequate transportation, water, and drainage;
- (7) subject to the provisions of 76-3-511, the regulation of sanitary facilities;
- (8) the avoidance or minimization of congestion; and
- (9) the avoidance of subdivisions that would involve unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services or that would necessitate an excessive expenditure of public funds for the supply of the services.

(Emphasis added)

Two points are important to make about MECA's arguments. First, DEQ does not play a role, statutory or otherwise, in County Planning; that role is solely in the hands of Flathead County under the Growth Policy Act. Second, the Zoning and Subdivision Acts do not, as urged by MECA, allow counties to completely defer to DEQ in matters concerning water and wastewater. The Counties *do* have mandatory duties to address those issues regardless.

Additionally, it is important to understand that the majority of state and federal regulations related to water quality are intended to either regulate point source pollution, such as discharge from a sewage treatment facility, or regulate what happens in the channel or on the banks of a stream. Non-point source pollution comes from runoff, which picks up and carries natural and human-caused pollutants and deposits them into rivers, lakes and groundwater. State and federal regulations do not adequately address non-point source pollution, which has become the leading threat to water quality. The Montana Growth Policy Act and Subdivision Act identifies the need for counties to identify how they will safeguard important resources like water quality and transportation infrastructure and safety as well as how they will coordinate with state agencies to achieve these goals.

Finally we take issue with the insertion into the final draft of a property rights definition that calls for policies on property rights "to control when conflict arises" over application of the growth policy. Such a provision conflicts, we believe, with the community based purposes set forth in § 76-1-102, MCA, and with the specific provisions outlining what may be in a growth policy, § 76-1-601, MCA.

We urge you to reject the proposed amendments and changes to the text, goals, policies, and maps of 2007 Flathead Growth Policy proposed by planning board after the February 15, 2012 public hearing.

Sincerely,


David K. W. Wilson, Jr.

cc: Flathead County Attorney
Citizens for a Better Flathead

**THURSDAY, OCTOBER 11, 2012
(Continued)**

Flowers concluded by saying the Flathead County Growth Policy took almost a 10-year process to come to a consensus and try to articulate a vision that was shared by a majority of the public. As such, it provides a predictable basis for businesses and homeowners to invest in our community. When we weaken and dilute it, we lose the predictability that is a real risk to our future economic development. The importance of maintaining the special character of this place to our future and economic growth is why many businesses locate here, and why many people come here to retire and visit. We have a responsibility. To defer to DEQ or to MDOT or wait until an issue becomes a problem is not responsible; it is usually costly to the taxpayers. A good example of this is a recent proposal for a marina in Lakeside. Flowers presented copies of the following CD's:

- ✓ H2O Documents
- ✓ Assessment of Ground Water Pollutants & Contaminants in the Shallow Aquifer
- ✓ WL1 Septic Leachate
- ✓ Sewage Treatment in Flathead Basin

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

B. J. Grieve pointed out the period for written comment regarding the final resolution of the Growth Policy on the agenda for consideration tomorrow has expired. He suggested the commission check with the County Attorney's Office for clarification regarding new information being submitted.

Flowers stated it is very clear under your own regulations and under state law that when you are making a major decision that you are required up until the time you make the decision to consider relevant and public information.

MONTHLY MEETING W/ B. J. GRIEVE, PLANNING & ZONING OFFICE

[9:00:22 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Mayre Flowers, Clerk Kile

Grieve reviewed planners duties; spoke about CTEP projects and allocations available; reviewed progress regarding community decay files; reviewed use of their permit tracking calendar; summarized their fee revenue and expenditures; spoke about floodplain regulations and changes from 1984 to 2012 and reviewed concerns regarding floodplain boundaries on Foy's Lake. He also spoke about a meeting held with MDT regarding the urban area boundary around Whitefish, which is used by MDT for various transportation planning.

CONSIDERATION OF LAKESHORE PERMIT: PURDIE FAMILY REVOCABLE LIVING TRUST

[9:30:54 AM](#)

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

Minnich reviewed Lakeshore Permit FLP 12-50; a proposal submitted by Purdie Family Revocable Living Trust to construct a new piling 'E' dock located at 167 Peaceful Lane on Flathead Lake.

Commissioner Holmquist made a **motion** to approve Lakeshore Permit FLP 12-50/ Purdie Family Revocable Living Trust. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

FINAL PLAT: WALCHLI MILLER ESTATES, RESUBDIVISION OF LOT 4

[9:33:35 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Clerk Kile

Grieve reviewed final plat of Walchli Miller Estates, Resubdivision of Lot 4. The commission granted preliminary plat approval on February 6, 2012 for the two lot minor subdivision located on the east side of Montford Road, approximately one mile south of Highway 35, subject to 16 conditions.

Commissioner Scott made a **motion** to approve final plat of Walchli Miller Estates, Resubdivision of Lot 4. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #13-07-5-31-027-0

[9:38:29 AM](#)

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

Commissioner Holmquist made a **motion** to approve DPHHS Contract #13-07-5-31-027-0. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

[10:17:52 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Carlson reviewed a cash balance report for the month of September. Discussion was also held relative to the 911 Center being a county operation or a separate legal entity.

**THURSDAY, OCTOBER 11, 2012
(Continued)**

September 30, 2012
REVIEW OF CASH BALANCE

FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Sept 30, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
1000	GENERAL FUND	9,752,344	2,645,997	12,398,341	1,084,387	2,160,423	3,307,557	1,147,134	33.92%
2120	POOR FUND	376,983	96,314	473,297	115,731	62,149	73,511	11,362	18.52%
2130	BRIDGE FUND	889,002	230,768	1,119,770	213,445	81,038	262,227	179,189	29.50%
2140	WEED	598,624	152,766	751,390	131,384	55,662	167,150	106,488	27.09%
2160	COUNTY FAIR	1,324,734	133,643	1,458,377	199,217	183,347	88,527	(94,820)	6.68%
2180	DISTRICT COURT	772,871	175,045	947,916	196,156	138,098	200,827	42,729	25.98%
2190	COMP INS	890,887	227,379	1,118,266	147,245	(461,123)	449,797	890,920	50.49%
2210	PARK	632,207	153,114	785,321	91,520	67,613	209,608	141,995	33.15%
2220	LIBRARY	1,434,786	346,472	1,781,258	317,458	77,412	350,513	273,101	24.43%
2280	AREA ON AGING	211,825	54,969	266,794	27,028	(22,919)	31,357	54,296	14.80%
2290	4H/EKT	361,218	38,490	399,708	75,513	14,277	47,594	33,317	28.52%
2300	SHERIFF	9,403,550	2,417,260	11,820,810	2,439,791	947,061	2,696,519	1,749,456	28.68%
2370	RETIREMENT	2,438,286	670,978	3,109,264	487,475	410,785	1,345,199	734,414	43.41%
2380	GROUP INS	2,880,295	669,474	3,549,769	1,832,474	1,453,203	919,256	(533,947)	31.92%
2396	JUV DETENTION	678,694	176,137	854,831	137,336	67,341	244,222	176,881	35.98%
TOTAL COUNTYWIDE NON-VOTED		32,646,306	8,188,806	40,835,112	9,555,160	5,276,349	10,188,884	4,912,535	31.21%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Sept 30, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2110	ROAD FUND	6,768,126	1,746,135	8,514,261	1,749,735	2,033,342	1,866,787	(166,555)	27.58%
2251	PLANNING	386,181	121,350	507,531	104,102	104,896	136,297	31,401	35.29%
TOTAL OUTSIDE CITIES NON-VOTED		7,154,307	1,867,485	9,021,792	1,853,837	2,138,238	2,003,084	(135,154)	28.00%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Sept 30, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2270	HEALTH FUND	2,270,999	591,227	2,862,226	656,779	504,764	713,859	209,095	31.43%
TOTAL LEVIED FUNDS		2,270,999	591,227	2,862,226	656,779	504,764	713,859	209,095	31.43%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Sept 30, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2200	MOSQUITO	183,161	53,253	236,414	3,367	23,167	61,629	38,462	33.65%
2272	EMS PROGRAM	252,979	66,590	319,569	82,571	70,775	76,051	5,276	30.06%
2273	SPECIAL EMS PROGRAM	446,772	110,490	557,262	86,158	102,294	101,756	(536)	22.78%
2372	PERMISSIVE MED LEVY	1,175,885	-	1,175,885	-	62,176	-	(62,176)	0.00%
2382	SEARCH & RESCUE LEVY	225,396	61,470	286,866	30,925	53,323	68,886	15,563	30.56%
2990	TRANSPORTATION	1,796,026	153,931	1,949,957	374,187	(21,502)	218,617	240,119	12.17%
3001/3002	911 GO BOND DEBT SERVICE	476,106	49,426	525,532	(19,414)	70,925	103,785	32,860	21.80%
TOTAL COUNTYWIDE VOTED/EXEMPT		4,556,325	495,160	5,051,485	557,794	361,158	630,724	269,566	13.84%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Sept 30, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2260	EMERGENCY/DISASTER	-	377,078	377,078	377,078	369,429	385,385	15,956	#DIV/0!
TOTAL OUTSIDE CITIES VOTED		-	377,078	377,078	377,078	369,429	385,385	15,956	#DIV/0!

CONSIDERATION OF ADOPTION OF RESOLUTION: BUDGET AMENDMENTS

10:00:05 AM

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Finance Director Sandy Carlson, Fairgrounds Director Mark Campbell, Eagle Transit Director Dave Polansky, Clerk Kile

Carlson reviewed with the commission proposed budget amendments.

Commissioner Scott made a **motion** to approve Budget Amendment Resolution #2343. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

**BUDGET AMENDMENT
RESOLUTION # 2343**

WHEREAS, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2012-2013, are required, and;

WHEREAS, Section 7-6-4031, M.C.A. and Budget Resolution No. 1689, allow budget transfers to be made between items in the same fund.

NOW, THEREFORE, BE IT RESOLVED, that the attached list of transfers and revisions shall be made in the budget for Flathead County for Fiscal Year 2012-2013; and;

BE IT FURTHER RESOLVED, that this Resolution and the attached list of transfers and revisions shall be entered into the minutes of the Board of Commissioners.

Dated this 11th day of October, 2012.

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

ATTEST:
Paula Robinson, Clerk

By/s/Calvin L. Scott
Calvin L. Scott, Member

By/s/Diana Kile
Diana Kile, Deputy

**THURSDAY, OCTOBER 11, 2012
(Continued)**

Budget Amendment for Fiscal Year 2012				
Account	Description	Debit	Credit	
2160.000.0238.460210.110	Fair-Salary	5,000.00		Cash Balance 30,000
2160.000.0238.460230.110	Fair-Salary	5,000.00		
2160.000.0238.460240.398	Fair-Cont Services	20,000.00		
2990.000.0726.331183.000	Transportation-Bus Contributions		285,633.00	Cash Balance 104,022
2990.000.0726.450327.900	Transportation-Capital Outlay	300,000.00		
2990.000.0726.450327.510	Transportation-Insurance	25,355.00		
2990.000.0726.450327.143	Transportation-Salary	4,300.00		Health Insurance
2990.000.0726.450328.110	Transportation-OA2	60,000.00		OA2 approved
2990.000.0726.450329.110	Transportation-Ray's Salary	15,000.00		Ray's Salary increase
2990.000.0726.345003.000	Transportation-Glacier Park Rev		15,000.00	Glacier Park - Ray Salary
2988.000.0190.450310.398	SR Home Repair-Cont Services	22,500.00		Cash Balance of \$1,550
2988.000.0190.365000.000	SR Home Repair-Donations		18,450.00	
2988.000.0190.365031.000	SR Home Repair-Roundup for Safety		2,500.00	
2280.000.0726.383000.000	AGA-Acc Sick/Vacation		14,100.00	Transfer from Nutrition/Transport
2983.000.0190.521000.820	Nutrition (80%)	11,280.00		
2990.000.0726.521000.820	Transportation (20%)	2,820.00		
4012.000.0201.410123.900	CH Renovation	100,000.00		Transfer from PILT to fund CH reno
4012.000.0201.411200.900	CH Renovation	100,000.00		
4012.000.0202.521001.820	CH Renovation	62,000.00		
4012.000.0201.383000.000	CH Renovation-Pilt Funded		350,000.00	
2901.000.0201.521000.820	CH Renovation-Pilt Funded	350,000.00		
7040.000.0201.430240.398	Evergreen Median-Cont Svcs	5,000.00		Cash Balance - Will zero out
7040.000.0201.430240.341	Evergreen Median-Electric	519.99		
7040.000.0201.430240.342	Evergreen Median-Water	99.95		
2382.000.0208.521000.820	Search & Rescue-Transfer to CIP	8,000.00		Cash Balance
2382.000.0209.521000.820	Search & Rescue-Transfer to CIP	4,000.00		
2382.000.0212.521000.820	Search & Rescue-Transfer to CIP	5,000.00		

Presented to Commissioners for consideration 10/11/12

Budget Amendment for Fiscal Year 2012				
Account	Description	Debit	Credit	
2382.000.0209.342024.000	Search & Rescue-Reduce Seminar Rev	20,000.00		
2120.000.0201.450141.351	Poor Fund-Med expenses	5,000.00		Cash Balance
1000.000.0211.410340.212	Justice Court scanners		2,000.00	Cash Balance - Not purchased in 12
4239.000.0200.521000.820	RSID Adjustments	0.11		Rounding-Cash Balance
4240.000.0200.521000.820	RSID Adjustments	0.32		
4241.000.0200.521000.820	RSID Adjustments	0.46		
4242.000.0200.521000.820	RSID Adjustments	0.50		
4246.000.0200.521000.820	Badrock RSID #146 Construction	7,458.69		Cash Balance
4247.000.0200.521000.820	Mennonite RSID #147	20,655.77		
4249.000.0200.430251.212	Swan Horseshoe RSID #149	1,329.00		
4250.000.0200.430251.900	Monegan Road RSID #153	89,487.17		
5410.000.0220.430891.582	Closure Costs	401,113.40		Cash Balance
4002.000.0222.440110.900	Health CIP	7,000.00		Cash Balance
4005.000.0209.440600.900	Animal Ctrl-CIP	3,412.00		Cash Balance
4009.000.0209.420110.212	Sheriffs Patrol Car CIP	36,780.00		Cash Balance
4009.000.0209.420110.900	Sheriffs Patrol Car CIP	23,912.00		
2936.000.0209.420110.220	Nat'l Children's Alliance	329.96		Balanced
2936.000.0209.420110.380	Nat'l Children's Alliance	633.23		
2936.000.0209.331154.000	Nat'l Children's Alliance		963.19	
2150.000.0201.440600.398	Predatory Animal-Cont Svcs	6.00		Balanced
2150.000.0201.311010.000	Predatory Animal-Property Taxes		6.00	
2925.000.0221.331115.000	Border Interoperability Grant		11,544.67	Balanced

Presented to Commissioners for consideration 10/11/12

Budget Amendment for Fiscal Year 2012				
Account	Description	Debit	Credit	
2925.000.0221.420600.120	Border Interoperability Grant		689.30	
2925.000.0221.420600.141	Border Interoperability Grant		1.72	
2925.000.0221.420600.143	Border Interoperability Grant		108.10	
2925.000.0221.420600.144	Border Interoperability Grant		41.60	
2925.000.0221.420600.145	Border Interoperability Grant		48.74	
2925.000.0221.420600.147	Border Interoperability Grant		9.72	
2925.000.0221.420600.210	Border Interoperability Grant		63.06	
2925.000.0221.420600.212	Border Interoperability Grant		1,861.51	
2925.000.0221.420600.305	Border Interoperability Grant		40.32	
2925.000.0221.420600.311	Border Interoperability Grant		5.03	
2925.000.0221.420600.370	Border Interoperability Grant		5,315.27	
2925.000.0221.420600.397	Border Interoperability Grant		3,360.30	
4012.000.0202.383000.000	Remove Records transfer	155,000.00		Balanced
4012.000.0202.521001.820	Remove Records transfer		155,000.00	
2395.000.0202.383000.000	Remove Records transfer	155,000.00		
2395.000.0202.521000.820	Remove Records transfer		155,000.00	
2901.000.0201.383000.000	Remove Records transfer	155,000.00		
2901.000.0201.521001.820	Remove Records transfer		155,000.00	
2374.000.0224.440180.398	Home Health	138,350.48		Balanced
2374.000.0224.521000.820	Home Health	60,000.00		
2374.000.0224.344110.000	Home Health		78,977.50	
2374.000.0224.344121.000	Home Health		119,372.98	
3201.000.0222.490500.610	Health Debt	151,240.00		Balanced
3201.000.0222.383000.000	Health Debt		151,240.00	
2973.000.0190.344130.000	Medicaid Revenue adj		6,880.95	Balanced
2973.000.0190.440172.110	Medicaid Revenue adj	5,169.74		
2973.000.0190.440172.141	Medicaid Revenue adj	18.10		
2973.000.0190.440172.142	Medicaid Revenue adj	52.72		
2973.000.0190.440172.143	Medicaid Revenue adj	876.09		

Presented to Commissioners for consideration 10/11/12

Budget Amendment for Fiscal Year 2012				
Account	Description	Debit	Credit	
2973.000.0190.440172.144	Medicaid Revenue adj	320.52		
2973.000.0190.440172.145	Medicaid Revenue adj	365.50		
2973.000.0190.440172.147	Medicaid Revenue adj	74.97		
2973.000.0190.440172.150	Medicaid Revenue adj	3.32		
2980.000.0190.331129.000	Obesity Grant		921.95	Balanced
2980.000.0190.440110.228	Obesity Grant	921.95		
2982.000.0190.450321.397	Ind Living-Cont Services	2,000.00		Balanced
2982.000.0190.365012.000	Ind Living-Homemaker Contributions		2,000.00	

THURSDAY, OCTOBER 11, 2012
(Continued)

CONSIDERATION OF ADOPTION OF FINANCE DEPARTMENT PURCHASING POLICY & SURPLUS POLICY

[10:18:06 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Finance Director Sandy Carlson, Deputy County Attorney Tara Fugina, Clerk Kile

Carlson reviewed a draft copy of the proposal to implement a purchasing policy and surplus policy for Flathead County. The commission unanimously agreed that a couple minor changes would need to be made before approval.

DOCUMENT FOR SIGNATURE: COOPERATIVE PURCHASING MOU/ MONTANA DEPT. OF ADMINISTRATION

[10:25:01AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Commissioner Holmquist made a **motion** to approve the cooperative purchasing MOU with the Department of Administration. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

2:00 p.m. AOA Board meeting @ The Summit

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 12, 2012.

FRIDAY, OCTOBER 12, 2012

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

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

Deputy County Attorney Tara Fugina reported no written comment would be accepted today regarding the amendment on the Growth Policy that is on the agenda for today, simply because the commission did allow for an extended written comment period that has passed. She noted it is not appropriate to accept some written comment later where others haven't had the opportunity. She said anyone wanting to submit written comment could submit it for inclusion in the file to the clerk.

Sharon DeMeester 415 Chestnut Drive said at this point I would like you to reconsider the changes that have been made to the Growth Policy. She stated the major changes made in the past two months had very little time for the public to comment on and more time needs to be given to those changes.

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

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: 2012 FLATHEAD COUNTY GROWTH POLICY UPDATE

[9:15:19 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Deputy County Attorney Peter Steele, Deputy County Attorney Tara Fugina, Deputy County Attorney Paul Nicol, Planning & Zoning Director B. J. Grieve, Gary Krueger, Sharon DeMeester, Rick Blake, Mayre Flowers, Marc Liechti, Jim Heim, Ardis Larsen, Jeff Larsen, Karen Reeves, Marcia Sheffels, Lynn Stanley, Jim Clark, Ron Thiebert, Clerk Kile

Chairman Lauman asked Planning & Zoning Director B. J. Grieve to walk through the timeline and present an overview of the 2012 Growth Policy update.

Grieve noted the process to update the Growth Policy began on October 8, 2010. He then reviewed the timeline of the process followed and explained where notices were posted/ published for the 21 workshops held that concluded on December 14, 2011. He then reviewed public hearings held by the Planning Board as well as the additional workshops they scheduled.

Chairman Lauman asked Grieve to clarify whether the document is cast in stone or can be amended.

Grieve stated the Growth Policy is a frame work document for planning of the entire county, and within there are addendums that include neighborhood plans; as you know the plans are always being looked at for whether they are appropriate. He explained they process Master Plan amendments and can process Growth Policy amendments initiated either by a citizen or publically. If the Planning Board finds something is not working they can recommend the commission initiate an amendment to the Growth Policy. If a private citizen feels something is not working, they can initiate a citizen-initiated amendment to the Growth Policy. He reviewed Chapter 10, Part 7 that states:

A plan must be allowed to function as intended before an accurate measure of its effectiveness may be made. However, all plans must have a degree of flexibility. Various events could potentially create a situation where certain goals, policies and/or implementation techniques are no longer adequate or appropriate. If this occurs prior to the regularly scheduled updates, the Flathead County Growth Policy may be amended. Amendments may be proposed by an initiative from governing bodies or citizens. It is also contemplated that an initial amendment shall be needed to correct any oversights, flaws or unintended consequences that become apparent as the Growth Policy is put in place. Additionally, it is assumed that from time to time changes will need to be made to the officially adopted maps.

FRIDAY, OCTOBER 12, 2012
(Continued)

Commissioner Holmquist commended the Planning Board for the many hours spent on updating the Growth Policy along with planning staff and the many individuals that submitted comments. She stated she read all the comments, reviewed all the DVD's and looked through a large amount of documentation. She presented an overview of comments received from various individuals and organizations. Holmquist said we all should be concerned about water quality and pointed out currently the county has water quality standards that are more stringent than corresponding state regulations to address water quality. She spoke about the open process in updating the Growth Policy, re-assurance that the document is not regulatory and can be amended, the layers of regulations already in place, transportation studies and DEQ standards. Holmquist then read the Property Owner's Bill of Rights and stated she is in favor of adopting the draft as presented.

Commissioner Scott said he personally feels it is incumbent upon the commission to explain to the public who has not been able to be a part of the process, or has been guided by other opinions as to what the process was or was not in updating the Growth Policy. He explained he would like to be able to share with the public an idea of what they have gone through to get to this point today in the decision they will make. As far as public comment goes, he stated we have all received it and have read every single comment and looked at every signature on the petition. Scott stated it is their responsibility to know how the citizens feel about the issues, and develop and come up with a commonality of the issues to feel comfortable they are doing the right thing for the citizens and taxpayers. In doing that we look at various information, and looking at the documents that came through as Holmquist noted there are five commonalities to most of the opposition to the Growth Policy. He reviewed those concerns submitted in opposition. He then expressed his appreciation to the Planning and Zoning Office and the Flathead County Planning Board for the oversight and overview they provided. Scott stated he also supported the updates of the Growth Policy.

Chairman Lauman thanked Planning & Zoning Director B. J. Grieve and the Flathead County Planning Board for the hard work done along with all their other duties in updating the Growth Policy. He as well noted all the documentation received has been read and in the comments, many stated we need more public comment and time. He explained the whole process for updating the Growth Policy has been on the Planning & Zoning website and 21 public meetings have been held over the last two years; we have had public input he stated. Lauman said prior to commissioner meetings there is also a 15-minute public comment period for citizen input. Lauman spoke about water quality concerns expressed. He then explained most of the highways in the county are currently unzoned, and any type of development could be done right now; nothing prevents you from doing it. Lauman stated he fully supports the updated Growth Policy that addresses issues at hand.

Commissioner Holmquist made a **motion** to adopt Resolution 2015R. Commissioner Scott **seconded** the motion. **Aye -** Lauman, Scott and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2015 R

WHEREAS, on March 19, 2007, the Flathead County Board of Commissioners adopted the Flathead County Growth Policy (Growth Policy) by the adoption of Resolution No. 2015 A;

WHEREAS, pursuant to Section 76-1-601(3)(f)(iii), M.C.A., and Chapter 9, Part 6, of the Growth Policy, the Growth Policy needs to be updated every five years;

WHEREAS, on October 20, 2010, the Flathead County Planning Board (Planning Board) held a public workshop to gather public comment to identify areas of the Growth Policy that should be updated;

WHEREAS, on January 3, 2011, the Board of Commissioners requested the Planning Board update the Flathead County Growth Policy by the adoption of Resolution 2015 P;

WHEREAS, throughout 2011, the Planning Board held twenty-one public workshops on updating the Growth Policy;

WHEREAS, on February 15, 2012, the Planning Board held a public hearing, pursuant to Section 76-1-602, M.C.A., on the proposed updates to the Growth Policy and, during the next several weeks, the Planning Board held four additional public workshops during which further revisions to the proposed updated Growth Policy were made;

WHEREAS, on June 13, 2012, the Planning Board held a second public hearing, pursuant to Section 76-1-602, M.C.A., on the final draft of the proposed updates to the Growth Policy;

WHEREAS, throughout the above-described period of time, notices of public workshops and hearings were published in the newspaper, articles pertaining to the workshops and hearings appeared in the newspaper, and drafts of proposed updates to the Growth Policy were continually posted on the County Website and made available in the Planning and Zoning Office;

WHEREAS, on July 11, 2012, the Planning Board adopted a Resolution, pursuant to Section 76-1-603, M.C.A., which recommended the Board Commissioners adopt the updated Growth Policy forwarded to the Board of Commissioners by the Planning Board;

WHEREAS, on August 29, 2012, the Board of Commissioners determined that the updated Growth Policy recommended by the Planning Board should be adopted for the jurisdictional area of the Planning Board, passed a resolution of intent to adopt the updated Growth Policy, and gave notice that it would consider written public comments received prior to 5 p.m. on October 1, 2012, by the adoption of Resolution No. 2015 Q; and

WHEREAS, the Board of Commissioners has considered all the written comments and information received since the adoption of the resolution of intent.

**FRIDAY, OCTOBER 12, 2012
(Continued)**

NOW THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, Montana, pursuant to Section 76-1-604, M.C.A., that it hereby adopts the updated Flathead County Growth Policy recommended by the Flathead County Planning Board and which is attached hereto.

Dated this 12th day of October, 2012.

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

By/s/Calvin L. Scott
Calvin L. Scott, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

The attachment to the above resolution can be viewed at the Clerk & Records Office.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 15, 2012.
