

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611(2) (b).

MONDAY, MARCH 23, 2015

No audio recording is available due to recording difficulties

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson Holmquist, Commissioner Krueger and Mitchell, and Clerk Pierson were present.

Chairperson Holmquist led the Pledge of Allegiance.

Present for Public Comment: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Larry Klamecki, Linda Curry, Dave Curry, Mark Smith, Linda Smith, Jerry Kennedy, Pierre Kaptanian, Lisa Kaptanian, Clerk Kile

Chairperson Holmquist opened public comment on matters within the Commissions' Jurisdiction.

Larry Klamecki, a resident on Wild Bill Road said their road needs to be repaired and placed on the county maintenance schedule. He pointed out the residence on Wild Bill Road are not being treated equally as other Flathead County residence on county roads. He asked that the commission give him an idea of when they would respond to his request for road maintenance. Klamecki spoke of an incident whereby the Highway Patrol was unable to respond to an accident due to road conditions. A packet of data was submitted to the commission that included past commissioner meeting minutes pertaining to maintenance on county roads and pictures of the eroding road.

Pierre Kaptanian, 2503 Wild Bill Road said the request for road maintenance on Wild Bill Road is a long time coming. He explained the residence living there have not neglected the road and have it graded by a private individual. Kaptanian stated they have not seen a county or Forest Service blade on the road for over 12 years now.

Mark Smith, 1280 Wild Bill Road said he purchased his property in 1993 and at that time the road was maintained. In 2002 when logging shut down on Wild Bill Road the road started to deteriorate. Currently the road is 17 inches lower than it previously was and they have water running down the middle with 4-6 inch ruts.

No one else rising to speak, Chairperson Holmquist closed the public comment period.

OPEN BIDS: CHEMICALS/ WEED DEPARTMENT

9:15:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Weed/Parks/Maintenance Director Jed Fisher, Clerk Kile

Bids were received with bid bonds enclosed from:

CHS	400 Gallons Tordon 22K	\$ 56.10/ Gallon
	30 Gallons Transline	\$135.66/ Gallon
	60 Gallons Milestone	\$315.18/ Gallon
Alligare	400 Gallons Tordon 22K	\$ 39.00/ Gallon
	30 Gallons Transline	\$116.00/ Gallon
	60 Gallons Milestone	No Bid

Commissioner Krueger made a **motion** to take the bids under advisement. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: B & JJ, INC. #FLP 14-88

9:20:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planner Lawson Moorman, Clerk Kile

Moorman reported the applicant proposes to install a floating 'I' dock and remove vegetation within the LPZ at 5344 North Ashley Lake Road.

Commissioner Krueger made a **motion** to approve Lakeshore Permit FLP 14-88. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF PRINT BIDS: SOLID WASTE DISTRICT AND HEALTH DEPARTMENT

9:25:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Clerk Kile

Chairperson Holmquist read into the record that Great Northern Printing was the low bidder at \$538.25 for stationary for Solid Waste.

Commissioner Krueger made a **motion** to approve the print bid. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

Chairperson Holmquist read into the record that Insty Prints was the low bidder for 5 sets of 500 each business cards for \$148.80 for the Health Department.

Commissioner Krueger made a **motion** to approve the print bid. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

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(Continued)**

BI-MONTHLY MEETING W/ MINDY COCHRAN, GIS

9:30:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Information Technology Supervisor Vicki Saxby, GIS Program Director Mindy Cochran, Clerk Kile

Cochran summarized the following bi-monthly report with the commission.

Ongoing Data Maintenance & Projects since our last (November) meeting

- 17 COS's & 1 subdivision plat have been filed / drafted.
- Address Improvement Program
 - 8 readdressing projects and 4 road naming projects
 - Addresses assigned per land owner request – 29
 - Addresses assigned via subdivision plat – 39
 - Addresses which were retired – 16

Map Orders & Special Projects since our last meeting

- We have fulfilled requests for 1 map book, 26 maps & 22 ownership lists since our last meeting.
- Requests for GIS services have come from a variety of entities including several surveying companies and engineering firms, the Health Department, Planning and Zoning, the Commissioner's Office, Finance, I.T., Parks and Rec, and also the Lakeside Water/Sewer District and Smith Valley Fire District.
 - We printed 10 Section Maps for the Plat Room
- Projects for the cities:
 - New GIS Person for the city of Whitefish –provided him with our addressing resolution, sent GIS data including control points
 - Looking into improving the spatial accuracy of parcels near West Lakeshore Drive for Whitefish
 - Bike Trails data for city of Kalispell
 - Updated Zoning on IMS website for both Kalispell and Whitefish
 - Created a Mailing List for SID in Whitefish
 - Researched the city limits near Talbot Road at the request of Columbia Falls
- The Addressing Workgroup Meeting met March 5th, 2015
- GCDB – Geographic Coordinate Database. We have adjusted our data to the new version of the GCDB, which is a digital representation of the Public Land Survey System. This is a huge project that we have historically accomplished about once a decade. We have pushed the new data out to our website and to the 911 Center, etc. We have to adjust the Homestead Entry Survey's (HES's) manually, so we will be working on that throughout the remainder of the year.
- Under the direction of the county attorney's office, we are researching all of the city annexations in past 12 years to locate which roads are adjacent to the areas being annexed, and will probably ultimately put those areas in the city limits in the GIS data if they aren't already.
- Tax Audits – 47 Districts have been audited. We are compiling the results to send to the points of contact.
- Fuel Tax Analysis – We have started going through the road database to determine the mileage of roads that meet the criteria for Fuel Tax Reimbursement from the MDOT. The deadline for this project is the end of the month.

DOCUMENT FOR SIGNATURE: CTA NOTICE TO PROCEED FOR THIRD PARTY CONSTRUCTION TESTING & BUILDING COMMISSIONING/HISTORIC JAIL & JUVENILE DETENTION CENTER RENOVATION

9:45:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Fran Quiram, Clerk Kile

Quiram summarized the procedures CTA used in receiving quotes for third party construction testing and building commissioning for the historic jail and juvenile detention center renovation.

Commissioner Krueger made a **motion** to approve the document for signature with CTA for building commissioning services. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

Commissioner Krueger made a **motion** to approve the document for signature with CTA for third party testing. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: AGC, INC. CONTRACT / FAIRGROUNDS INFRASTRUCTURE, PHASE 2

9:49:00

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Fairground Operations Manager Mark Campbell, Tom Cowan, Clerk Kile

Commissioner Krueger made a **motion** to approve the document for signature. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

MONTHLY MEETING W/ TAMMY SKRAMOVSKY, HUMAN RESOURCE OFFICE

10:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Human Resource Director Tammy Skramovsky, Clerk Kile

Commissioner Krueger made a **motion** to approve the personnel transactions for January and February, 2015. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

WORK INDICATORS

<u>Jan</u>	<u>Feb</u>	
7	8	Job postings closed
79	129	Applications received
9	4	UI claim responses submitted
12	16	Employment verifications completed
1	2	Investigation conducted
2	26	which included x interviews
1	1	Disciplinary Hearing
1	1	Health Insurance 2 nd level appeals

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PERSONNEL TRANSACTION LIST:

<u>Jan</u>	<u>Feb</u>	
5	4	Flathead County employment terminations
0	0	FECC employment terminations
3	5	Exit meetings conducted
1	4	Formal exit interviews conducted
5	3	Flathead County new hires
0	2	FECC new hires
2	3	New hire orientation sessions conducted

HR TRANSMITTALS APPROVED:

<u>Jan</u>	<u>Feb</u>	
1	1	Job Descriptions <ul style="list-style-type: none"> Health Department Office Coordinator Planning Director
0	2	Position Changes <ul style="list-style-type: none"> Road, Change Welder to Mechanic position AOA-Eagle Transit, split FT Bus Driver position to .5 Bus Driver, .5 Dispatcher
2	6	Position Replacements <ul style="list-style-type: none"> Medical Service Assistant, Health Dept, replacing Monica Kato Health Program Assistant I, Health Dept, replacing Heidi Frasch Seasonal Laborer, Road, replacing Ben Kern Bus Driver, AOA-Eagle Transit, replacing Clancy King Planner III, Planning & Zoning, replacing Alex Hogle Deputy Clerk, Clerk of Court, replacing Heidi Adams Community Health Nurse, Health, finally filling on a perm basis Planning Director, Planning & Zoning, replacing BJ Grieve (stepping down to Planner III position)
1	0	Other Superintendent of Schools wage - \$2000/yr per MCA MCA 7-4-2503 (2)(a)
1	0	Educational Leave

FORM UPDATES

- Employment application – in the print bid process
- Position Vacancy Announcement – revised and ready for new application

WORK COMP

- Charts for Plan Years 2009-current
- Summary of incidents for current plan year

HEALTH INSURANCE TRUST FUND

- Review spreadsheet showing ending balance for February 2015.
- Amendments expected soon
 - Rx pricing
 - Health Dept fee schedule
 - FY16 will have Rx out-of-pocket maximum
- Healthy Incentives Wellness Program kicked off, make your appt sometime in March, April, or May – notices went out last week in February
- Quarterly Wellness Presentation scheduled for March 27th – Mediterranean Diet

TRAINING SESSIONS:

Employees:

- January 27th – Independent Contractors, presented by Dallas Cox, MT Dept of Labor, and Kim Thomas, PayneWest Insurance
HR attended:
- January 8th – Employers Obligations When Accommodating Injured Workers, presented by Tam Newby (monthly Flathead Chapter of SHRM meeting)
Laura and Tammy attended
- January 12th – 14th - Safetyfest, sponsored by Montana State Fund, BreAnn attended several classes
- February 12th – Emotional Intelligence in the Work Place, presented by Rebecca Johns (monthly Flathead Chapter of SHRM meeting) Laura and BreAnn attended

Coming up:

- Discipline and Discharge supervisory training on March 2nd and 3rd.

UNION CONTRACTS:

<u>Dept</u>	<u>Employees</u>	<u>Representative</u>	<u>Contract Start Date</u>	<u>Next End Date</u>
Road	Truck Drivers/Teamsters	Teamsters Local 2	7/1/2012	6/30/2015
Solid Waste	Operators/Truck Drivers	Operating Engineers Local 400	7/1/2012	6/30/2015
FECC	911 Dispatchers	AFSCME Local 3032	7/1/2012	6/30/2015
SO	Non-Sworn	AFSCME Local 3364	1/1/2012	12/31/2015
SO	Sworn	AFSCME Local 3531	1/1/2012	12/31/2015
Road	Operators	Operating Engineers Local 400	7/1/2013	6/30/2016
Health	Health Dept Employees	MPEA	7/1/2014	6/30/2016

- 1/21/15 - Solid Waste MOU approved regarding seniority when hired on same day.
- Road Teamsters and Solid Waste Operators are open for negotiations and will begin in April.
- FECC AFSCME has until May 1st to request negotiations.

COS REVIEW: LONE LAKE ESTATES, LLC

10:25:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planning & Zoning Director B. J. Grieve, Planner Rachel Ezell, Tom Sands, Eric Mulcahy, Clerk Kile

Ezell reported Tom Sands submitted a letter of appeal on behalf of his client Kurt Markus for Lone Lake Estates, which was reviewed and approved in 2004 for a 4 lot single family residential subdivision. The proposed configuration of the four lots would move Lot 2 to the south of Lot 3 on a portion of land not previously reviewed.

Grieve explained in detail the circumstances and stated the request is totally within the commissioners discretion due to the circumstances.

Commissioner Krueger made a **motion** to approve the application. Commissioner Mitchell **seconded** the motion.

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Commissioner Krueger stated for the record in moving to approve the COS, I recognize that this is a unique situation that I would normally default to denying. The fact that there are existing buildings there and that staff has given us assurance that this would not be something where we would run into trouble with this being a unique situation allows us to make this decision. I realize the conditions could not be met on this lot as the conditions only have to apply to the end of preliminary plat; however, I believe this is a unique situation.

Chairperson Holmquist concurred.

Motion carried unanimously.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 24, 2015.

TUESDAY, MARCH 24, 2015

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson Holmquist, Commissioner Krueger and Mitchell, and Clerk Pierson were present.

12:00 p.m. Commissioner Mitchell: FVDC Board meeting @ Three Rivers Bank

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 25, 2015.

WEDNESDAY, MARCH 25, 2015

[Audiofile](#)

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson Holmquist, Commissioner Krueger and Mitchell, and Clerk Pierson were present.

Chairperson Holmquist led the Pledge of Allegiance.

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

CONSIDERATION OF LAKESHORE PERMIT: MCCANN, FWLP 15-02

9:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planner Lawson Moorman, Clerk Kile

Moorman reported the applicant Paul McMann is proposing to remove and replace a set of wooden stairs with a set of stone stairs, and to rebuild three retaining walls within the Lakeshore Protection Zone at 65 Better Way on Whitefish Lake.

Commissioner Mitchell asked if the Whitefish regulations would allow the steel stairs to go down into the setback.

Moorman said he couldn't speak for the city; yet on the steel aspect it would be fine in the Flathead County Lake and Lakeshore Regulations.

Commissioner Mitchell asked that condition 11 be explained that states:

The total of all constructed areas within the lake and lakeshore protection zone shall not exceed eight (8) square feet per each lineal feet of shoreline.

Moorman said the condition talks about the impervious cover allowed under the stairway. Under the regulations for Whitefish Lake and Lost Coon Lake regulations the total is 8 feet per one lineal foot; however, in the Flathead County Lake and Lakeshore Regulations there is a 8 to one foot over water ratio and then a 10 to one foot total and over land.

Commissioner Krueger said building the stairs looks like a fairly large item and we have had trouble with stone stairs being constructed over the width allowed. He inquired as to putting a condition on the permit stating they need to provide a construction document that would then be reviewed by the Planning & Zoning Office that shows how the stairs will be constructed. It would be good to ask for a shop drawing so we can see what they plan on doing.

General discussion continued in regards to the best procedure to use in asking for the additional information.

Commissioner Krueger made a **motion** to conditionally approve contingent upon receiving shop drawings on the stairs to be submitted to Planning & Zoning to review. Chairperson Holmquist **seconded** the motion.

Commissioner Mitchell said he felt the conditions in the permit are appropriate and said if they don't follow their permit they will have to take the stairs out. He explained he knows the area and feels it will be a challenge to produce shop drawings.

Moorman pointed out in the close out inspection they would know if the applicant did not adhere to the permit.

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Commissioner Mitchell said he would be fine in letting the contractor know what concerned were discussed. When people apply for a permit and say it will be four feet wide if they don't adhere we have the ability to have them tear it out.

Commissioner Krueger said I don't look at a shop drawing as something they would have to say this actual thing goes right here; it basically tells what the construction would look like. If we see something that didn't comply they would be able to fix that ahead of time. It is always easier to work with these contractors and fix something where they might run into trouble at a later day. This permit isn't something that I intend to deny. I just want to help them get through the project.

Chairperson Holmquist said if they know about the discussion they will make sure they get it right. We have had issues in the past, and maybe there are changes we should make in our policy as we move forward.

Commissioner Mitchell said this isn't a big deal.

Commissioner Krueger said I don't believe that asking for a shop drawing would delay the project. If they are going to build it in compliance it will be shown on the shop drawing and it would happen on paper before it happens on the ground, which would allow us to not have to possibly have any enforcement. It is the applicant's responsibility to provide enough information for us to make a good decision. As we look at these more and more which we are being required to do, it becomes more important to have more information.

Moorman said in the future we could require some stricter site plans that show a little more detail. The only issue with that is when you get the average individual to apply sometimes that gets difficult and that can hold up the process. It is a fine balance between getting all the information we need and not holding someone's project up.

Aye – Krueger and Holmquist. **Opposed** – Mitchell. Motion carried by quorum.

CONSIDERATION OF AMENDED LAKESHORE PERMIT: PARKER, FLP 14-91

9:13:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planner Lawson Moorman, Clerk Kile

Moorman reported the application is for an amendment to Lakeshore Construction Permit to FLP 14-91, which was to build a concrete retaining wall as opposed to the original permitted stone retaining wall at 365 Caroline Point on Flathead Lake. The applicant proposed to construct an 8 inch thick concrete retaining wall built no more than 3 feet lakeward of the existing concrete retaining wall for the entire length of the shoreline on the property. The retaining wall would be built no higher than the natural grade and would have a 36 inch by 12 inch concrete footing, a four foot gap for a set of stairs and include weep holes.

Commissioner Krueger made a **motion** to approve Lakeshore Permit FLP 14-91. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: KMC INCORPORATED, FLP 15-12

9:15:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planner Lawson Moorman, Clerk Kile

Moorman reported the applicant is proposing to construct a retaining wall within the Lakeshore Protection Zone of Flathead Lake. Currently there is a set of wooden stairs, an 'I' dock and riprap. The proposal is to restack the existing riprap back against the eroded bank and cap the stacked riprap with flat stone for 45 lineal feet along the shoreline.

Commissioner Mitchell made a **motion** to approve Lakeshore Permit FLP 15-12. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: LAYTON, FLP 15-16

9:17:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planner Lawson Moorman, Clerk Kile

Moorman reported the applicant is proposing to construct a private boat ramp, a floating 'F' style dock and swim beach within the Lakeshore Protection Zone at 185 Weaver Lane on Lake Blaine.

Commissioner Mitchell inquired as to regulations pertaining to private boat ramps.

Moorman noted there is a standard that says private boat ramps are only allowed if there is no public boat ramp within three driving miles, or one lake mile of the property. He pointed out Lake Blaine is entirely private property and there is no public boat ramp.

Commissioner Mitchell asked how much fill would be allowed.

Moorman stated one cubic yard per sixteen lineal feet of shoreline is what is allowed.

Commissioner Mitchell made a **motion** to approve Lakeshore Permit FLP 15-16. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

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(Continued)

CONSIDERATION OF LAKESHORE PERMIT: THE LANDING AT SOMERS BAY, LLC FLP 15-18

9:21:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planner Lawson Moorman, Clerk Kile

Moorman reported the applicant is proposing to remove a large rock in the Lakeshore Protection Zone on Flathead Lake. Currently there are two shared docks and riprap within the LPZ on the property. The proposed work would consist of removing an approximately 6 foot diameter rock from the lake bottom near one of the shared docks. The applicant claims the rock has the potential to cause damage to boats and impede navigation.

Commissioner Krueger made a **motion** to approve Lakeshore Permit FLP 15-18. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

MONTHLY MEETING W/ JIM CHILTON, SOLID WASTE DISTRICT

9:30:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Solid Waste Operations Manager Jim Chilton, Clerk Kile

Chilton reported Solid Waste entered into negotiations with SWT Engineering for their professional engineering services. In other business, he spoke about their Strategic Plan, Chapter 5 revisions by CH2M; 2015-2016 preliminary budget approval by the board; spoke about a request that will be coming to them for additional FTE's; noted they would like to add additional closure days to their holiday schedule; reported the junk vehicle program is down due to the price of steel; spoke about leachate disposal; reviewed landfill statistics; spoke about a work schedule change to be implemented.

CONSIDERATION OF ADOPTION OF RESOLUTION: GUY ZONE CHANGE/ HIGHWAY 93 NORTH ZONING DISTRICT

10:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Deputy County Attorney Tara Fugina, Planner Erik Mack, Ardis Larsen, Clerk Kile

Mack reported no protests were received during the 30 day protest period for the proposed zone change.

Chairperson Holmquist noted for the record that due to the applicant being a relative she would abstain from voting on the zone change.

Commissioner Krueger made a **motion** to adopt Resolution 837CF. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

RESOLUTION NO. 837 CF

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 10th day of February, 2015, concerning a proposal to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at that hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Highway 93 North Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 837 CE, dated February 10, 2015) to change the zoning designation of the property described as Lot 1A of the Amended Plat of Lots 1 & 2 of Guy's Acres, located in Section 18, Township 29 North, Range 21 West, P.M.M., according to the official plat thereof, filed in the Official Record of Flathead County, Montana, and located at 240 Sirucek Lane, Kalispell, MT, on approximately 3.75 acres, in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on February 14 and February 21, 2015, and the Board of Commissioners did not receive written protests to the change.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Highway 93 North Zoning District to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, for the property described Lot 1A of the Amended Plat of Lots 1 & 2 of Guy's Acres, located in Section 18, Township 29 North, Range 21 West, P.M.M., according to the official plat thereof, filed in the Official Record of Flathead County, Montana, and located at 240 Sirucek Lane, Kalispell, MT, on approximately 3.75 acres.

DATED this 25th day of March, 2015.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Abstain
Pamela J. Holmquist, Chairman

By/s/Gary D. Krueger
Gary D. Krueger, Member

By/s/Philip B. Mitchell
Philip B. Mitchell, Member

ATTEST:
Debbie Pierson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

WEDNESDAY, MARCH 25, 2015
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DOCUMENTS FOR SIGNATURE: REQUEST FOR DECLARATION OF SURPLUS PROPERTY / SHERIFF'S OFFICE AND ROAD DEPARTMENT

10:02:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Road Department Fleet & Shop Supervisor Corey Pilsch, Clerk Kile

Chairperson Holmquist noted the surplus items for the Road Department include used winter and summer tires and concrete vaults.

Commissioner Krueger made a **motion** to approve the document for signature/ declaration of surplus property – Road Department. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

Chairperson Holmquist noted the surplus items for the Sheriff's Office include vehicles to be sent to the auction.

Commissioner Krueger made a **motion** to approve the document for signature/ declaration of surplus property – Sheriff's Office. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: ANDERS BUSINESS SOLUTIONS MAINTENANCE SERVICE AGREEMENT / AOA

10:04:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Clerk Kile

Commissioner Krueger made a **motion** to approve the document for signature. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MORRISON-MAIERLE CONTRACT/ ENVIRONMENTAL CHECKLIST FOR ADA BUILDING IMPROVEMENTS GRANT

10:06:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Deputy County Attorney Tara Fugina, Grant Support Whitney Aschenwald, Clerk Kile

Aschenwald reported that CDBG requires as part of the public facilities grant application that we submit an environmental checklist. For this particular project four checklists need to be submitted; one for each site that will have construction done. Due to staffing shortages in the Planning Office currently they requested an outside engineer be hired to complete the checklist. Since the Adam's building was not part of the original planning grant CDBG would not cover costs for the Adam's building checklist.

Commissioner Krueger made a **motion** to approve the document for signature with discussion. Commissioner Mitchell **seconded** the motion.

Commissioner Krueger inquired as to what the dollar figure is for the work.

Aschenwald stated the quote is for \$3,000 which is written into the contract and is a discounted rate as the other three checklists helped streamline the checklist process. She noted the \$3,000 can count towards the required match that Flathead County provides towards the public facilities application.

Motion carried unanimously.

DOCUMENT FOR SIGNATURE: COOPERATIVE WILDFIRE MANAGEMENT 2015 – 2020 FLATHEAD COUNTY OPERATING PLAN/ OES

10:08:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Deputy County Attorney Tara Fugina, Deputy County Attorney David Randall, Doug Williams, Jeremy Pris, Dave Poukish, Clerk Kile

Jeremy Pris with DNRC stated the document is the framework that allows them to enter into agreements. It allows them to provide training for all the county wildland firefighters and provide mutual aid whether they are helping out an individual department with engines or with helicopters. The interagency annual operation plan was signed in 2011 and is a document explaining how they work and coordinate together.

Commissioner Mitchell made a **motion** to approve the Cooperative Wildfire Management 2015-2020 Operating Plan. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

PRELIMINARY PLAT: PHEASANT HAVEN, PHASE 4

10:15:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planner Rachel Ezell, Planner Erik Mack, Eric Mulcahy, Clerk Kile

Ezell entered into record FFP 14-02, Pheasant Haven Phase 4; an application submitted by Dan Brosten with technical assistance from Sands Surveying for preliminary plat approval for a 5 lot single family residential subdivision that would be reserved by individual wells and wastewater treatment systems on 41.4 acres of land. The lots will range in size from 5.9 to 10 acres. Primary access to the subdivision would be from Pheasant Tail Court and Pheasant Haven Drive the internal subdivision roads serving Pheasant Haven Subdivision, Phase 1-3 located north of Highway 92 approximately 7 miles southeast of Kalispell.

Commissioner Krueger made a **motion** to approve findings of fact for Pheasant Haven, Phase 4. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

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Commissioner Krueger made a **motion** to approve preliminary plat for FFP 14-02, Pheasant Haven, Phase 4. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

1. The developer shall receive physical addresses in accordance with Flathead County Resolution #1626C. All road names shall appear on the final plat. Street addressing shall be assigned by Flathead County. [Section 4.7.16(g)(iv), 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The developer shall comply with reasonable fire suppression and access requirements of the Somers Rural Fire District. A letter from the fire chief stating that the plat meets the requirements of the Fire District (or Department) shall be submitted with the application for Final Plat. [Section 4.7.26(b), FCSR]
3. 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 shall be submitted with the final plat. [Section 4.7.25, FCSR]
4. Design and construction of all internal subdivision roads shall be certified by a licensed engineer and constructed and paved as proposed in accordance with the *Flathead County Minimum Standards for Design and Construction*, as applicable. [Sections 4.7.16, 4.7.17 FCSR]
5. With the application for final plat, the developer shall provide a compliant Road Users' Agreement or CC&R document which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision. [Section 4.7.15(e), FCSR]
6. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.23, FCSR]
7. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the developer has met their requirements shall be included with the application for final plat. [Section 4.7.28, FCSR]
8. 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]
9. 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]
10. All road names shall be approved by Flathead County and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c), FCSR]
11. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c), FCSR]
 - b. All utilities shall be placed underground. [Section 4.7.23, FCSR]
 - c. 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]
 - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR]
 - e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25, FCSR]
12. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i), M.C.A.]
13. Where the aggregate total disturbed area of any infrastructure construction in the proposed subdivision as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction of structures such disturbed area will be equal to, or greater than one acre, a Montana State Department of Environmental Quality (DEQ) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) shall be obtained prior to any site disturbance or construction and a copy of the DEQ confirmation letter shall be provided to the Flathead County Planning & Zoning office prior to final plat approval. [17.30.1115 Administrative Rules of Montana (A.R.M.)]
14. 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]
15. 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]
16. 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]

11:00 a.m. County Attorney meeting @ Co. Atty's Office
12:00 p.m. Commissioner Holmquist: MWED Board Meeting @ MWED Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 26, 2015.

THURSDAY, MARCH 26, 2015
Audiofile

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson Holmquist, Commissioner Krueger and Mitchell, and Clerk Pierson were present.

Chairperson Holmquist led the Pledge of Allegiance.

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

AUTHORIZATION TO PUBLISH RFP: WHITEFISH STAGE SLOPE STABILIZATION

9:25:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Krueger made a **motion** to approve publication of the RFP Whitefish Stage slope stabilization and to designate County Administrator Mike Pence as the point of contact. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

**THURSDAY, MARCH 26, 2015
(Continued)**

**REQUEST FOR PROPOSAL (RFP)
FOR ENGINEERING SERVICES**

The Flathead County Board of Commissioners is requesting statement of qualification proposals from firms interested in providing engineering services to Flathead County pursuant to the requirements of Section 18-8-201 *et seq.*, M.C.A. Services needed include final design engineering and construction management, site survey, final geotechnical investigation with analysis and recommendations, slope mitigation, drainage, and pond sediment removal design, sanitary sewer hookup design, stormwater best management practices and design, construct drainage and fill to reconstruct slope, repair storm water pipe, remove pond sediment and repair gravel access road, construct and hook 3 residences to sanitary sewer, vegetate areas disturbed during construction, construction monitoring, observation and reporting. Construction will ideally begin in the fall of 2015.

Copies of the detailed RFP, including a description of services to be provided by respondents, the minimum content of responses and the factors used to evaluate the responses can be found at <http://flathead.mt.gov/oes/> or at the Flathead County Commissioners' Office, 800 South Main, Kalispell, Montana. All proposals must be submitted to the Flathead County Commissioners' Office by **5:00 p.m. (local time) on April 27, 2015**. No facsimile or electronic submissions will be accepted.

Flathead County is an Equal Opportunity Employer.

Dated the 26th day of March, 2015.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Debbie Pierson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on March 31 and April 7, 2015

MEETING RE: FOREST SERVICE PLAN REVISIONS

• **PRESENTATION BY B. J. GRIEVE, PLANNING & ZONING OFFICE**

10:15:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Planning & Zoning Director B. J. Grieve, Scott Mattheis, Kurt West, Brian Hobday, Joe Krueger, Kathy Aka, Jerry O'Neil, Fred Hodgeboom, Pat Vaneimeren, Stacy Allen, Rob Carlin, Kevin Jump, Carol Jump, Clerk Kile

Grieve stated he was asked to give a presentation for the benefit of the commissioners as well as the representatives from Flathead National Forest regarding what the existing plans are within Flathead County. The code of federal regulations under Title 36 – Parks, Forest and Public Property, Chapter 2, Forest Service – Department of Agriculture, Part 219, Planning, (a) National Forest System Land Management Planning, 219.4 – requirements for public participation. The reason I think that is important is because I have personally encountered and heard over the years a lot of different opinions about how the county interacts with and participates with national forest planning. So I really felt that was important to get down to “what are the rules” for this particular situation. What I find is that Title 36 (b) says:

Coordination with other public planning efforts. (1) The responsible official shall coordinate land management planning with the equivalent and related planning efforts of federally recognized Indian Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments. (2) For plan development or revision, the responsible official shall review the planning and land use policies of state and local governments where relevant to the plan area. The results of this review shall be displayed in the environmental impact statement for the plan. The review shall include consideration of.

- I. The objectives of local governments as expressed in their plans and policies.*
- II. The compatibility and interrelated impacts of these plans and policies.*
- III. Opportunities for the plan to address the impacts identified or to contribute to joint objectives.*
- IV. Opportunities to resolve or reduce conflicts within the context of developing the plans desired conditions or objectives.*

The above helps me to understand what I should discuss that will be meaningful. It also says nothing in this section should be read to indicate that the responsible official will seek to direct or control management of lands outside of the plan area, nor will the responsible official conform management to meet non forest service objectives or policies. Now we know there is a distinct basis for them taking our local plans, considering them, trying to incorporate them, weighing them, looking for compatibility, etc. In the end the Forest Service plan does not necessarily conform their management to meet non Forest Service objectives or policies.

That therefore is the guidance that I will use to present what I have today.

Commissioner Mitchell asked Grieve if he could relate “collaboration” vs what is being done here. When I was running for county commissioner several people asked how the county collaborates with the National Forest.

Grieve said in my experience they have invited us to their meetings held where they were having government officials attend and were rolling out information. Every time I have needed information they have been quick to respond. In terms of collaboration they are aware of our documents. The requirement is that they do review them. The terminology I took out of here is “related and equivalent” local planning efforts. We do have a variety of plans that are very poignant towards what they are working on. In terms of collaboration I would say that their acknowledgment, review of, and doing what the federal law requires them to do as long as that is done and appears in the EIS. In our opinion they do what they can to meet some of these things. Just like the county is a very nebulous creature when it comes to planning, I can only assume the Forest Service plan is even more so because of the desire for multiple use.

THURSDAY, MARCH 26, 2015
(Continued)

Grieve presented a handout to the commission pertaining to "Flathead National Forest Plan Revisions – Related and Equivalent".

The Flathead County Growth Policy was updated in October, 2012. It is a county wide land use plan with 51 goals and 263 or 264 policies; contains illustrative maps, appendices and things like that; has noteworthy references; goal 51 in the accompanying policies are the ones that provide the direct link to Flathead National Forest planning efforts.

Under Chapter 12 you have goal 51 that states: Federal and State land management should consider and respect the custom and culture of Flathead County residents. We have our Natural Resource Use Plan and Custom and Culture document. We also have four policy statements:

- ✓ Actively participate in the process of planning for federal and state lands. Communicating regularly on issues of importance to Flathead County residence and providing input to state and federal agencies on the effectiveness of the existing plans.
- ✓ Regularly review and update the accuracy and relevance of the Flathead County Natural Resource Use Plan and Custom and Culture document.
- ✓ Pursue a statement of coordination with state and federal land management agencies clarifying and codifying relevant jurisdictional issues, including but not limited to fire response, fuel reduction, emergency services, road usages and access, water resources, timber agricultural, noxious weeds and recreation access.
- ✓ Consider relevant state and federal planning documents when reviewing development proposals that will impact federal or state lands.

That is the one goal and accompanying policy in the Growth Policy that provides the link to Flathead National Forest planning efforts.

Within the Growth Policy there are Neighborhood Plans adopted as elements of the Growth Policy. The Neighborhood Plans cover all kinds of jurisdiction of the county and many of them do overlay significant chunks of Flathead National Forest. There are a total of 17 Neighborhood Plans adopted from 1996 to 2011. Really seven of those intersect significantly with Flathead National Forest. Those include: Little Bitterroot Lake, Rogers Lake, Lakeside, Ashley Lake, West Valley and then the North Fork and Canyon almost stand apart in how much Flathead National Forest land they include within their boundaries. Of the 17 Neighborhood Plans it is only the seven that intersect significantly. There is the Whitefish Area Trust Lands Neighborhood Plan which is for state trust lands. Many of those areas that are planned for state trust lands adjoin Flathead National Forest.

In 2009 Flathead County adopted a Parks and Recreation Plan as an element of the Growth Policy. Along the lines of policy 51.3 the Flathead County Parks Director would like to see increases in formalizing agreements for what was referred to as joint border facilities that would be desirable; such as for example Potoczny Park in Bigfork that is next to Forest Service land. A big question mark in his mind is also the status of land and water conservation fund properties that were purchased in the 1970's.

The Flathead County Trails Plan was also adopted as an element of the Growth Policy in 2010. It outlines a wish list for trails in Flathead County in the future. A lot of those trails run adjacent to or terminate into Flathead National Forest land and provide quite a bit of access. With regards to future planning for FLAP grants the Appendix M – trail network map contained within the Flathead County Trails Plan is noteworthy.

The Flathead County Natural Resource Use Plan was not adopted as an element of the Growth Policy; although it is referenced in the Growth Policy in Policy 51.2. This document has 38 sections covering all kinds of different natural resource topics. It really isn't focused specifically on anyone particular element of natural resources. The document was created by the Natural Resource Use Committee in 2004 and was most recently updated in 2008. It is a county document that the Forest Service should be aware of. I would say it is most relevant in term of the requirement for them to take related and equivalent planning efforts of local jurisdictions for the things they have to review and give consideration to in their EIS; the Growth Policy defers to the Natural Resource Use Plan in a number of places. Some of the chapters in the plan include: livestock grazing, noxious weeds, fire and fuels management, riparian areas, water rights, water quality, economics, tourism, recreation, roadless lands, Glacier National Park, fire management, energy, mineral resources, wildlife fisheries, animal control, law enforcement, etc.

Other regulations and projects spoke about included Lake and Lakeshore Regulations in regards to lakes that have private property and Flathead National Forest land on the shoreline. There are seven and they include: Teepee Lake, Duck Lake, Bootjack Lake, Ashley Lake, Rogers Lake, McGregor Lake and Spoon Lake. It is noteworthy that those Lakeshore Regulations do exist out there; although I believe the National Forest properties would be exempt from the regulations. We have interacted with Glacier National Park Service in the past regarding subdivision, lake shore and things like that, and they have chosen to undergo our process even though they may have qualified as exempt from them.

Similarly the Floodplain Regulations, which I am pretty sure federal lands are exempt from there is a fair bit of Flathead National Forest adjacent to floodplain along the Middle Fork and North Fork. There is actually about 70 acres of Flathead National Forest land that is clearly designated as Zone A/ Floodplain.

Zoning is another issue as some zoning districts actually do zone Flathead National Forest lands: CALURS, North Fork, West Valley, Ashley Lake, Little Bitterroot Lake and Rogers Lake. If any of the Flathead National Forest lands were to be developed or if they wanted to put structures on those lands, interaction and coordination would be a manner in which they could coordinate with the local government.

Commissioner Mitchell asked if they could be exempt if they did not want to tie in with the county.

Grieve said his experience with Glacier National Park in regards to similarly wanting to develop private parcels adjacent to privately developed properties; such as at Apgar. There are Glacier National Park properties that have private structures on them and there is private property with national park structures on them. The interaction I have had with Glacier National Park is that they can be exempt if they want to claim exemption. The park service sometimes chooses to use the exemption, and sometimes chooses to go through local review in order to respect local custom/culture and regulations.

The Gateway to Glacier CTEP trail runs along Flathead National Forest property and provides access to their lands.

Grieve pointed out the documents he just referenced and spoke about are all on the county website.

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(Continued)

PUBLIC COMMENT PERTAINING TO FOREST SERVICE PLAN REVISIONS

Chairperson Holmquist opened the public comment period on matters pertaining to Forest Service Plan revisions.

Fred Hodgeboom, LaBrant Road said he retired from the Forest Service in 1994 and was a forester that provided technical and economic analysis of the Flathead Plan that is now about 30 years old. They do things differently now at the Forest Service than when I was there. We did a lot of analysis before we came out with proposed actions. Our analysis covered not only the current condition of the forest but some alternatives. Then we named a proposed action as part of that analysis. What I see here is no plan; they basically have a lot of pages about continuing what they have been doing. It is contained by the current budget and there are no goals or objectives to be met for the primary issues that affect the public in Flathead County. The key issues are grizzly bears and road density analysis. There is no disclosure of actual GPS monitoring of bear use. I am aware of one study of the grizzly bear in the Swan Valley that showed the bears live in the valley and most of their use was on Plum Creek lands. Ninety five percent of the bear's time is spent within 200 meters of a road. That was in 2002 so this monitoring has been going on for a long time. I suggest that all the monitoring data should be pulled together, analyzed and disclosed to the public. Just how harmful are these roads to grizzly bears; let the bears tell us if the roads are harming them. The data I saw show the bears parallel to the roads – US Hwy 83 all the way to Kalispell. There needs to be data sharing with the county and the public on where the bear habitat actually is.

Another big issue is of course fire hazard. There is no disclosure of the fire hazard classifications. I know the Forest Service has this information; they have fire models and use satellite data to classify the forest into fuel models. I think the public needs to know this. They also need to disclose how much of the urban interface did they actually treat, and reduce the probability of crown fire escaping from Forest Service onto private land. If we look at the property damage or firefighter injuries we will find that the majority of them came from catastrophic fires that built up on federal lands and blew out onto private land. The big issue is treating those urban interface boundaries. That is where you have to stop the fire; every time they fight a fire they actually put those fire breaks in, even though under catastrophic conditions they are not always effective. We need disclosure of where the hazard is, what treatments have been made and what treatments are proposed. I don't see anything in this proposed action of targets for fuel treatments or the urban interface.

Another issue is timber harvesting. They did in their lengthy assessment document disclose that mortality in Flathead National Forests have increased to 58 percent of the total growth. What we have is a plan to let the forest continue to grow and get infected with disease and insects and build up catastrophic fuels that cost taxpayers millions and millions of dollars in fire suppression efforts and public health costs. The Forest Service doesn't seem to be concerned about those hazards. Timber management is the only tool we have to control the fire hazard; if you don't harvest the forest you have no access to the forest and you can't manage it. A plan that continues to do very little timber harvest has no objectives for continuous effective fire breaks next to private property. I would rate their plan a "D" minus. When we prepared the plan there was a wealth of information of not only the current conditions, but what the costs would be and what the economic effects would be of a number of alternatives. This thing being put out now I call a political plan, with no real analysis and not much in the way of goals that address major issues. I don't see that being an effective process for the public and I urge the commission to implement formal coordination with the forest planners; plan public meetings, where the proceedings are recorded and the issues outlined like in the Flathead County Custom and Culture document. As I understand the formal coordination process it is up to the Forest Service to show the public elected officials that represent the public why you cannot meet the goals.

Scott Mattheis, 145 Grace Lane, Eureka, representing the North Lincoln County Resource Council said his comments would mostly be on the North Fork geographic area that is in the forest plan and the recommended wilderness that is proposed for Whale Creek and Tuchuck areas that have been heavily logged in the past. In the 2012 planning rule it states under:

FSH - Chapter 70:71.22 -- Improvement Criteria for Wilderness: states lands shall generally appear to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable.

Those old logging units and the full bench roads that are still there in my mind are substantially still noticeable. When you are talking a 50 to 75 foot difference between the regen timber and straight line canopy differences to old growth it is quite obvious it was a clear cut.

Also, Flathead Forest defines "substantially unnoticeable" as being any work by man prior to 40 years to present day as being substantially unnoticeable. There may be a couple of areas that might fit that, but I would say that in most areas that 40 years is not long enough. I would just stick with the criteria that FSH – Chapter 70:71.22 says that if it is substantially unnoticeable then you can consider it for recommended wilderness; if it is noticeable then those lands should be out of there. There are a lot of the roads that went up into the drainage of Whale Creek, Yakinikah Creek, Kootah Creek and Antley Creek that were not in inventoried roadless areas. These are roaded areas that actually got inside the boundaries of their proposed recommended wilderness, which again violates FSH – Chapter 70:71.22.

On the wild and scenic river in Chapter 80: 82.73 of the 2012 planning rule it says:

FSH - Chapter 80:82.73 – To be identified as an outstandingly remarkable value the river value must be unique, rare, or an exemplary feature that is significant when compared with similar values from other rivers at a regional or national scale.

Whale Creek is listed as wildlife, and I don't know what wildlife is in the Whale drainage that is rare, unique or exemplary to any of the other streams or drainages in the area verses Big Creek, Moose Creek or any of those up in there. I think the wildlife is pretty much the same in the whole forest; even on the Kootenai side you can go to Grave Creek, Wage Creek or Blue Sky, and I think you are going to find the same wildlife there as you do in Whale Creek.

Amendment 24, I feel wrongly closed backcountry over snow vehicle use in portions of the North Fork geographic area. There are some historic snowmobiling areas in upper Whale Creek and even in Tuchuck that maybe the citizens of the Flathead didn't use too much, but to those in Eureka it was our playground and I feel it was wrongly taken away with a trade situation between Flathead Snowmobile Association and some wilderness advocates in the area.

Jerry O'Neil, Columbia Falls thanked the commission for having the foresight to have a Forest Plan for the county in effect now, and for also looking at coordinating with the Federal Forest Service on the Forest Plan.

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Brian Hobday, representing F.H. Stoltze Lumber Company applauded the Forest Service, especially Joe Krueger and his team in doing a good job as they have been working on the document for a long time with countless meetings and reviews going into the plan. As far as comments from F.H. Stoltze Lumber Company the proposed action is a good starting point for more detailed analysis and review. I think what we need out of the plan is to set some goals for the desired future condition for the long term, as far as 10 plus years; right now we are working off the 86-87 Forest Plan. The longevity is uncertain, but it needs to be a long term plan. Basically there are a lot of rules and regulations guiding use and management on our federal lands and the forest plan needs to leave options open and not be an impediment to reaching the needs of the people of the land. Basically what I am saying is the forest plan needs to have flexibility built into it to allow the forest managers at that time to do their jobs.

The next point I would like to make is that the forest plan needs to be based on the needs of the land and the people who use it; not necessarily current budgets and management criteria. For instance as far as the predicted timber sale quantity that I think they have listed as 28.3 million board feet of saw logs per year, but that quantity is basically based upon today's current budget and what the Forest Service is allowed. Putting today's budget in a guiding document that is going to basically guide the Forest Service for the next 10 plus years isn't right. It needs to be based on the needs of the forest and not on the current budgets they are working with.

Kevin Jump, 150 Drake Drive, Kalispell and owner of John Jump Trucking, said I can't stress enough the importance of not only to my family business (timber industry) that was started here in Flathead Valley in the 50's, but the extreme importance to the county tax base to have a thriving economic county. The timber industry is what started Flathead County and we have a reliance on the timber industry, and it's very important that we make sure that is still a main part of our business here in the county. Flathead Forest is a big part of that and it is extremely important to our operations. I come from a background of four generations of Montanans' that had a lot of work in the timber industry; not only on this side of the mountains, but the other side in ranching and timbering. As we move forward with our operations it becomes increasingly evident that the survival of our business relies on management of our surrounding forests. That is not only healthy for Flathead County and our business, but it is the right thing to do in making our forests healthy. What I urge is that because of the dependence of the surrounding forests we need to demand that the Forest Service engage in formal coordination with Flathead County required by the laws. We also need to demand that the Forest Service plan revision provide discretion to meet the recreation and natural resource goals and objectives outlined, approved and amended in the Flathead County Natural Resource plan and Custom and Cultural document.

We need to demand that the Forest Service share public data on acres burned by wildfire and acres burned for forest management activities; for fuels reduction, and the timber volumes that have been generated. That needs to be separated out as to how much of the timber base going out of there is actual logs getting to our reliant mills that we have left now. That is one of the mills biggest struggles to get enough logs to keep their operations open. They are currently only running at half capacity to maybe two-thirds of what they could. They are sitting on an opportunity right now that is kind of rare, with the economy being at such a demand for their product. The prices they are able to get for their lumber is at a high so it is a good opportunity for them to become healthy as a business themselves and creating high paying jobs and revenue for the county. Also we need to separate out the difference in what logs made it to these facilities, and the difference between the volumes of firewood that is coming off the national forest. The information that I have seen is that mostly they have pooled the volumes together to show an overall volume of timber coming out of the woods, but the actual volume that is coming out in 12-14 inch blocks is incredible verses the total amount of logs that are making it to our reliant mills. We need to get the information they have on 20 years of data, which they do have. It is extremely important that you understand how that got to from where it use to be to where it is now. When we are looking at the amount of available timber off the forest being very high, and we are down to a level that we have never seen before. Recently it was quoted in the news that Tom Tidwell mentioned in the news that getting region one forest back up to a 300 million per year target is very relevant and a doable deal, yet we are only looking at in the Flathead Forest Plan, I believe possibly 28 million.

We need to also demand that the Forest Service provide and prioritize the most serious problems that we are facing currently, and the solutions needed to move forward with the problems right away for the next decade.

No one rising to speak, Chairperson Holmquist closed the public comment period.

Chairperson Holmquist thanked the Forest Service and those that shared their thoughts with them today.

Commissioner Mitchell also thanked those that spoke today and the Forest Service for attending. He asked Joe Krueger with the Forest Service if "formal coordination" has been done around Montana before.

Joe Krueger said Flathead has not had any formal coordination in the past. There are cooperating agencies he said.

Rob Carlin said he would do some research into that.

Commissioner Krueger said as a commissioner he is charged with looking at the economics of our community and how we can have a healthy community, healthy infrastructure and healthy schools; our people out there need jobs. As forest lands that are under federal ownership they generate no taxes basically. We do receive PILT payments, and those PILT payments have become a political item that should be a permanent thing for counties to rely on just as our individual property taxes. As a county I can look at our property taxes and know they are coming this year and next. PILT payments have been made political and that is not what is good for our county. It is tough to budget. In the past our timber sales built our county road infrastructure; they were very important to our schools. The development of our schools and ongoing money to our schools was reliant on timber sales from those federal lands. The federal lands had a program that has changed to what they call SRS – Secure Rural Schools, which has now been defunded. We need those dollars from the timber lands if it isn't coming from SRS. We need to see the timber harvested and those timber receipts back to our community. That is what we built this community on; the recreational needs. We have been pushed away from our timber sales in Flathead County, Eureka and Libby and we have almost no mills left. They say tourism is what you need and we are working to be a good tourist location, but now we start to look at things and we start saying the tourists can come here, but we are going to close off recreational areas; areas that are currently being used for motorized and winter recreation. We need to expand those as more people come to the Flathead Valley to do business locally. We need to have places for people to recreate. Winter recreation is very important. The corridor between the North Fork and the Eureka side is very important recreational habitat that needs to be maintained; it actually needs to be enhanced. I hear people/ friends from Eureka that say we do alright during the summer, but we starve during the winter. They need the opportunity to be able to grow their community by allowing winter recreation in those areas. Flathead County needs to have a secure source of income for our infrastructure. We have to have jobs. The whole United States looks at us as an area of federal lands that is preserved for everyone in the United States. We are happy to work at maintaining that and making that available, but we have to have the ability to be able to do that without burdening our private taxpayers.

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We will work together to help get access to our federal lands and maintain the roads to federal lands and have the areas so that people all over this country can come here and spend a weekend snowmobiling in Montana. We are happy with that – we are happy when timber from the Flathead Valley goes to our local mills and makes it to a home somewhere else. You have got to help us in our plan to be able to do that. I believe that in all the Forest Service does want to do this, and it is good for everyone including the rest of the country, tourism and Flathead Valley.

Commissioner Mitchell said part of this is if we look at the Forest Service Plan this is partly why they are looking at taking federal lands and moving them to the states. If we don't do what Commissioner Krueger said, I think there will be more and more of a push for that. If we can do it this way and expand the use of sustainable forests, I think we can help. Kevin Jump made a good comment today about how Flathead County was started, and how it was tied into forestry which has always been an important industry here. If we slowly keep moving away from that and say it isn't, the health of our forest is going to go to heck; and I think they are starting to. We are a tourist industry, but we are also a forest industry in this valley and we need to be able to cut enough timber to keep businesses going. We have already lost around half of them, and I don't think taking timber away from the whole valley is what I as commissioner would want for this valley. A friend of mine works at the fire lab in Missoula and has told him that the amount of timber in our industry that is going to go up in fire because of lack of taking timber is going to be astronomical as some point. I think there can be a happy medium for everyone, and if we don't lean toward one or the other I think we can get what we want. I did appreciate Fred Hodgeboom's comments about how to get there; doing an analysis and looking at some goals.

Chairperson Holmquist said those were great comments and it is about our economy and how we keep our community viable and people with jobs. Our forests need to be taken care of as they are a renewable resource that needs to be utilized instead of going up in smoke.

CONSIDERATION OF PRINT BIDS: TREASURER'S OFFICE & SHERIFF'S OFFICE

10:34:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Clerk Kile

Chairperson Holmquist read into the record that Trippet's Printing was the low bidder for various envelopes for the Treasurers' Office for \$4,290.15

Commissioner Krueger made a **motion** to approve the print bid. Chairperson Holmquist **seconded** the motion. Motion carried unanimously.

Chairperson Holmquist read into the record that Insty Prints was the low bidder for deposit slips for the Sheriff's Office for \$377.60

Commissioner Krueger made a **motion** to approve the print bid for the Sheriff's Office. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

4:00 p.m. BLUAC meeting @ Bethany Lutheran

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 27, 2015.

FRIDAY, MARCH 27, 2015

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson Holmquist, Commissioner Krueger and Mitchell, and Clerk Pierson 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 March 30, 2015.
