
MONDAY, JANUARY 19, 2009

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

COUNTY OFFICES CLOSED - MARTIN LUTHER KING, JR. DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 20, 2009.

TUESDAY, JANUARY 20, 2009

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

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

MONTHLY MEETING W/ JIM ATKINSON, AOA

[9:00:50 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Clerk Kile

Atkinson reported last November there were 3,969 bus riders compared to 4,590 as of this November. According to Atkinson the growing number of bus riders is due to the onset of commuter routes. He then explained that Echo Web User is requiring a signature from them in order to obtain access to the Echo website which will allow him to complete the transaction to purchase a bus through a grant received.

Commissioner Brenneman made a **motion** to authorize the chairman to sign the Echo Web Authorization and Certification document. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

He then stated Rick Cunningham from Whitefish Mountain spoke with him regarding obtaining a building in the hub of Whitefish to provide transportation throughout the county. There was brief discussion regarding the growth of commuter transportation.

Atkinson discussed maintenance and/or increasing living services to seniors. The information and assistance also known as I & A calls along with outreach visits to senior citizens at their homes to assess their needs increased significantly in numbers as well as monies. There was brief discussion regarding assessments and referrals.

Atkinson explained that starting this week AOA will begin delivering groceries from Sykes grocery to seniors. Grocery orders will be called in to AOA on Thursday and volunteers will delivery the groceries on Friday. General discussion was held relative to payment of the groceries in regards to financial liability to Sykes.

AUTHORIZE ATTORNEY GENERAL TO PROSECUTE STATE V. WALLY SMITH

[9:37:11 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, County Attorney Office Administrator Vicki Eggum, Clerk Kile

Eggum explained the County Attorney is asking the Attorney General to handle this case on their behalf.

Commissioner Brenneman made a **motion** to approve signing of the resolution. Commissioner Dupont **seconded** the motion. **Aye** – Lauman, Brenneman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #09-07-5-31-018-0

[9:35:55 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Brenneman made a **motion** to approve the DPHHS Contract #09-07-5-31-018-0. Commissioner Dupont **seconded** the motion. **Aye** – Lauman, Brenneman and Dupont. Motion carried unanimously.

TUESDAY, JANUARY 20, 2009
(Continued)

MONTHLY MEETING W/ JOE GARZA, FINANCE DEPT.

9:43:14 AM

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Jenn Schellhorn, Clerk Kile

Garza reported he has had discussions with Mike Pence regarding developing charts for budget analysis reviews to allow department head to see where they are with their budget. He then stated his department was also going to provide a salary spreadsheet so the departments will have a better idea of what their salary projections will be in the upcoming fiscal year; with longevity and step increases included in the projections. He then discussed with the Commissioners the proposed software training with CSA who will be here on February 9 with the goal being to have CSA live in March.

Garza inquired if this year we were still going to use the in house budget module to do the budget this year which Larry from Computer Services devised. It was discussed and agreed they would continue to use the in house budget module. He then reported the 2007 audit is completed at his end and A to Z Auditing is compiling their information and will be here on February 23 for an entire week at which time the 2008 audit will be complete and we will be back on track with the normal audit procedures. He then stated we can start the 2009 audit this summer on a normal audit course and have it completed by December 31 and filed with the state by the March 31 deadline.

PUBLIC HEARING: ANNEXATION TO SOUTH KALISPELL FIRE DISTRICT/ BORDEN

10:32:36 AM

Members present:

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

Others present:

Deputy County Attorney Jonathan Smith, Clerk Kile

Chairman Lauman opened the public hearing to anyone wishing to speak in favor or opposition of the annexation.

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

Commissioner Brenneman made a **motion** to approve Resolution 2185. Commissioner Dupont **seconded** the motion. **Aye** – Lauman, Brenneman and Dupont. Motion carried unanimously.

RESOLUTION NO. 2185

WHEREAS, the Board of Commissioners of Flathead County, Montana, received a petition, pursuant to Section 7-33-2126, M.C.A., requesting that certain property be allowed to withdraw from the Somers Fire District and be annexed to the South Kalispell Rural Fire District;

WHEREAS, the territory to be withdrawn and annexed, described as Parcel B of Certificate of Survey 15663 in the Northwest ¼ of the Southwest ¼ of Section 4, and Government Lot 3 of Section 5, Township 27 North, Range 21 West, Flathead County, Montana, Records of Flathead County, Montana; located at 148 Shelter View, Kalispell;

WHEREAS, a Notice of Public Hearing was published on January 8 and January 15, 2009, giving notice that the Commissioners would hear protests to the requested withdrawal and annexation;

WHEREAS, the Board of Commissioners conducted the public hearing as noticed and received input from the public on the requested withdrawal and annexation; and;

WHEREAS, the Board of Commissioners has determined that the requested withdrawal and annexation would result in a more advantageous proximity to the firefighting facilities of the South Kalispell Rural Fire District for the annexed property and more advantageous communications with the firefighting facilities of the South Kalispell Rural Fire District for the annexed property.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the petition is granted and the property described as Parcel B of Certificate of Survey 15663 in the Northwest ¼ of the Southwest ¼ of Section 4, and Government Lot 3 of Section 5, Township 27 North, Range 21 West, Flathead County, Montana, Records of Flathead County, Montana; located at 148 Shelter View, Kalispell, is hereby withdrawn from the Somers Fire District and annexed to the South Kalispell Rural Fire District.

Dated this 20th day of January, 2009.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Joseph D. Brenneman
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Member

By/s/Diana Kile
Diana Kile, Deputy

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 21, 2009.

WEDNESDAY, JANUARY 21, 2009

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

9:15 a.m. Commissioner Brenneman: Legislature in Helena
11:00 a.m. Chairman Lauman: RSVP Board meeting @ Heritage Place
12:00 p.m. County Attorney meeting @ Co. Atty's Office
12:00 p.m. Commissioner Brenneman: MACo Conference Call re: Urban Counties
12:00 p.m. DUI Task Force meeting @ The Summit

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

THURSDAY, JANUARY 22, 2009

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

[9:19:13 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Tom Gorton, Clerk DeReu

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

Tom Gorton, 578 Creston Road, attended public comment regarding the document for signature Engineer's Amendment No.3/Creston RSID. Gorton inquired which roads were involved in this document for signature. Pence replied it was the Mennonite and Creston Roads. Gorton then asked if there was going to be a RSID and Pence stated they were proceeding in that direction. According to Pence the purpose of the document for signature was to conduct a resident and nonresident traffic study by professional traffic engineers. There was brief discussion regarding traffic and the relationship to the new bridge. Chairman Lauman reiterated that this document for signature was to authorize the engineers to proceed with the traffic study.

Gorton inquired about Holt Stage Road. There was discussion regarding the RSID on Holt Stage Road and dust control. It was also stated that a public hearing will be held when the traffic study is completed.

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

DOCUMENT FOR SIGNATURE: ENGINEER'S AMENDMENT NO. 3/CRESTON RSID

[9:30.00 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk DeReu

Commissioner Brenneman made a **motion** to approve the Engineer's Amendment No.3/Creston RSID. Commissioner Dupont **seconded** the motion. **Aye** – Lauman, Brenneman and Dupont. Motion carried unanimously

DOCUMENT FOR SIGNATURE: MEDICAID MATCH/DPHHS ADDICTIVE & MENTAL DISORDERS DIVISION

[9:30:57 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk DeReu

Commissioner Dupont made a **motion** to approve the Medicaid Match/DPHHS Addictive & Mental Disorders Division document for signature. Commissioner Brenneman **seconded** the motion. **Aye** – Lauman, Brenneman and Dupont. Motion carried unanimously.

THURSDAY, JANUARY 22, 2009
(Continued)

MEETING W/ SCOTT WILLIAMS, DEPT. OF REVENUE RE: REAPPRAISALS

9:19:13 AM

Members present:

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

Others present:

Assistant Mike Pence, Scott Williams, Finance Comptroller Joe Garza, Clerk and Recorder Paula Robinson, Treasurer Adele Krantz, Laura VanDekop, Lucie Foster, Diane Jones, Clerk DeReu

Scott Williams from the Department of Revenue set up a power point presentation regarding reappraisals. Williams introduced Laura VanDekop the lead appraiser from the Flathead Office. Williams passed out a handout titled Understanding Property Taxes. Williams explained how the Department of Revenue was created through the Constitution Convention to alleviate individual counties from doing appraisal activities and bring consistency and equity into the program. The state administers a cyclical reappraisal whenever the legislature deems one is necessary. Williams stated we are one of only two states that actually perform the assessment and appraisal functions in the nation. Currently, the reappraisal cycle is set for every 6 years and ended December 31, 2008. Williams also stated the property taxes could increase or decrease depending upon where the properties are located. The biggest struggle according to Williams is Eastern Montana versus Western Montana dealing with increases and decreases. Williams mentioned that what the legislature does will have an effect on the county budgets. Cyclical reappraisals result in significant changes and that is especially apparent in Flathead County.

Williams stated the Departments of Revenue's goal in doing reappraisals is to ensure that property is valued at current market value. A handout was passed out titled Revenue, Assessor/Appraisal Office. Williams explained the main purpose is to appraise properties and provide valuations to which the taxes can be based. A couple of major duties of reappraisals is discovery of new properties, new construction and data collection. Another major task is the sales verification on residential and commercial properties, which is done annually and the information is obtained off of a Realty Transfer Certificate. Williams stated that Montana is a nondisclosure state so any information divulged to the Department of Revenue is confidential. The appraisers do on site reviews of property components to see if their physical characteristics match the data located in their records.

Williams explained neighborhood delineations as viewing neighborhoods locally and statewide to determine what may be considered a neighborhood and anything that may affect the value of that property such as views and or if it is an individual subdivision. Williams displayed a neighborhood map and there was a brief discussion regarding neighborhood delineations.

Williams discussed the valuation process. He explained the three approaches to value: the cost approach, the market or sales comparison approach, and the income approach to value. Williams also stated they look at a time trend in dealing with the valuation process. If properties continue to appreciate at fluctuating rates over the last five years they will time trend the sale for what it would sell for today. Williams stated they hold statewide meetings with real estate professionals to discuss local market activities to see if there are any areas that may need reviews in the market.

Williams explained the land modeling process which is considered computer assisted land pricing also known as CALP. They look at all vacant land sales or improved sales and take the building value out and determine what land in a given area is selling for. It is then established what the unit of comparison is. The unit of comparison may be square foot, front foot or acreage. It is then determined the method of evaluation. Based on the quality and quantity of the sales data a model is built and the model is tested to make sure the values are accurate.

Williams discussed the three approaches stated above. There was general discussion regarding cost approach, cost collection, and the sources where these direct and indirect costs come from. Williams also explained they conduct on-site construction reviews and sales of new construction buildings. Williams went on to explain the market or sales comparison approach which he stated is the most preferred valuation method for residential property. The preferred method of valuation on commercial property is the income approach according to Williams. The second approach method of commercial property is the cost approach.

Williams reported that annually an income and expense or an IE collection form is sent out by mass mailing to all commercial property owners in the state. This is voluntary taxpayer participation with little response back and the data received is limited. Williams stated that the income divided by the rate equals the value. There was continued discussion on how value data is collected.

Reconciliation of values was then discussed. Once the development of the three approaches of value on the property has occurred, the differences are then reconciled, and it is decided which value best represents the value of that property.

Williams passed out a handout regarding taxation of agricultural land in Montana. Williams stated that Montana law requires all property to be assessed based upon its market value unless the Legislature provides otherwise. The Legislature did determine that agricultural land in Montana should be assessed differently. The Legislature determined the market for agricultural land did not necessarily reflect the actual value of the land. Williams made reference to the MCA, Section 15-7-201 that was listed on the handout. Williams stated it has been four years since the 1960's that an actual full reclassification in productivity determination of agricultural land. Due to budget restraints and limited resources this has not been conducted annually. In 2005 and 2007 the Legislature provided monies which helped provide a statewide reclassification of agricultural and forest lands. There was continued discussion regarding this reclassification, the multiple guidance and different sources used.

Williams stated the timber valuation is conducted the same way as the agricultural and forest lands. There was a timber reappraisal done back in 1992, it was during the onset of the GIS system and was contracted with the University of Montana. The U of M provided mapping capabilities with valuations of productivity of forest land. Williams reported this reappraisal will also be contracted with the U of M as well as the US Forest Service. There was continued discussion regarding the revaluation of timber land.

Laura Vandekop confirmed that the Department of Revenue will be mailing out maps to all agricultural producers in Flathead County. The maps will provide property boundaries along with the productivity classification determined from soil surveys.

THURSDAY, JANUARY 22, 2009
(Continued)

Williams stated receiving the maps does not require a response unless the landowner wants to discuss any discrepancies which would then be researched and addressed.

There was a handout passed around regarding reappraisal value mitigation. William explained the biannual report is a timeline of what has occurred at the last reappraisal cycles. Williams explained what reappraisal mitigation alludes to is values increasing and or decreasing on reappraisals and they must be mitigated so there is not an increase on a state wide basis. Williams briefly discussed the history of the Department of Revenue. There was continual discussion regarding previous year tax rates and current tax rates. Williams explained the sales ratio study which prepares the sales of current properties with what their valuation is. Mass adjustments are made based upon sales of existing property. Williams referred to property taxes as a three legged stool which include your values, tax rate set up by the legislature and the mill rate set up by your local governing bodies. Williams continued this discussion referencing past and present reappraisal cycles and how it affects values throughout the different counties.

After the taxpayer notification of values the assessment notices will be mailed in the spring of 2009. Williams stated the taxpayers will have the ability to request the valuation information and if they choose they may appeal to the individual County Tax Appeal Boards, then the State Tax Appeal Boards, then District Court.

Williams passed out a handout explaining the Certification of Values. Williams stated that on the first Monday in August of this year they will present the valuations. Values are the basis for budget determination and setting the mill levies for property tax calculations and collections. Williams also discussed examples of exemption of certain properties. Paula Robinson inquired about Plum Creek forest land and how it is classified in taxable valuation. Williams replied that Plum Creek takes property under timber classification. If Plum Creek property becomes subdivided it becomes class 4 property according to Williams. Adele Krantz asked Williams when they can expect the newly taxable figures. Williams stated that the newly taxable are not released until determination of the certification of values. There was continued discussion regarding the newly taxable valuations and their calculations.

Williams held discussion regarding prior growth and recent decrease in growth in the Flathead County along with reappraisals bringing properties to current market value. Williams stated that approved bonds may cause an increase of taxes for properties in that specific area and if more properties become exempt from taxation the general public will be responsible for paying the increase in taxes.

Commissioner Brenneman inquired if he hired someone to do an appraisal on his property would it be comparable to the market value established by the Department of Revenue? Williams stated that if the value from the appraisal was conducted in the same time frame as his department it should be very comparable. If by chance the appraiser's value is lower than the DOR's value and was conducted in the same time frame, there would be justification in reevaluating that value. There was continued discussion regarding the information on the actual tax bill. Commissioner Brenneman suggested having the market value placed on the tax bill and it was explained the market value is on the assessment notices that are sent out. Vandekop suggested that it may be beneficial to have it read taxable market value on the tax bill instead of just market value. Commissioner Brenneman stated the public needs to review their assessment notice and it mail make more sense to them than the actual tax bill.

There was general discussion regarding state wide tax rates and millage.

Williams explained they had a computer upgrade ten years ago which caused the Legislature to cut 65 employees state wide. The Department of Revenue of Flathead County lost five employees at that time according to Williams. There was discussion regarding the number of appraisers versus the amount of work. Vandekop stated there are only 12 appraisers for all of Flathead County. Williams mentioned that electronic filing was going to take place at the Clerk and Recorder's office which will make the Realty Transfers Certificate handled more efficiently at his office.

There was a brief discussion regarding conducting appraisals and inspections.

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

FRIDAY, JANUARY 23, 2009

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

10:00 a.m. Commissioner Brenneman: Travel to Helena
3:00 a.m. Commissioner Brenneman: Legislature in Helena

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 26, 2009.
