
MONDAY, JUNE 8, 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.

**8:00 a.m. Commissioner Brenneman: Interoperability Montana Project Directors meeting in Helena
Weed & Parks Board meeting @ Weed & Parks Office**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 9, 2009.

TUESDAY, JUNE 9, 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.

Marvin Berg, 1349 Creek Side Drive questioned why trustees' were being appointed to the Smith Valley Fire Department already when there has been no notice that there is an opening. He noted he was recently elected to the board himself and knows of other members of the community who would like to have the opportunity to apply for the position. Berg then asked that the appointment be delayed until those that have expressed a desire to serve on the board have been considered.

Tracy Love-Patten, 115 Smith Lake Drive expressed her interested in being appointed to the Smith Valley Fire Board as a trustee. A letter of interest with qualifications was submitted.

Jeanette Feller, former Smith Valley Trustee board member submitted a letter that was mailed to residents in the Smith Valley area in support of Marvin Berg and Rod Gillman's election to the board two weeks prior to the election. She noted that the other board members did not have time to campaign against Mr. Berg and Mr. Gillman.

Rod Gillman, 1385 Rogers Lane explained that he is the other new trustee elected to the Smith Valley Fire District Board. He stated that he was told that the trustees meet on the second Monday of the month and when they showed up for the meeting a note was posted on the door that the meeting had been cancelled and that an additional trustee would be appointed by the commission today which surprised them; since they didn't know there was a vacancy. Gillman noted that neither he nor Mr. Berg had been notified that there was an opening on the board and they have seen no advertising. He then also asked that the appointment be postponed until further applicants are reviewed.

Frank E. Hanson, 1423 Rogers Lane stated that he feels an appointment should not be made at this time with two new trustees being elected and officially taking office on June 8, 2009; the newly elected trustees should have the right if not the obligation to review the qualifications and vote on a recommendation for any proposed appointee. He then noted that public notice has not been given asking persons with an interest in serving as a trustee to submit a letter of interest. He further said people voted for a change in the Board of Trustees for Smith Valley and the recommendation is inconsistent with the vote of the people, however, any potential appointee should be considered along with other applicants by the commission. Hanson then questioned how, if two members have been voted out and one resigned necessitating the commissioner's to appoint replacements, how it would be possible that they still have the authority to cancel meetings, publish agendas, etc. He then went on to say that it is obvious that those voted out in the recent election are being disruptive as possible and suspects that they intend to continue to exert some influence by suggesting that a trustee be appointed without due process. It was stated if by-laws are in place they should be updated and made public and followed by the trustees.

Jeanette Feller then explained that a notice was put in the newspaper to change the date of the board meeting. She then invited the commission to the board meeting that will be held June 9, at 6:00.

Janice Seaman stated she was a member of the community and presented a letter of interest to serve on the board.

Jeanette Feller further stated that the letter mailed out to residents had several statements that are not true and that her books have always been open to the public.

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

DOCUMENT FOR SIGNATURE: STORMWATER SAMPLE COLLECTION CONTRACT/ BIGFORK STORMWATER PROJECT

[9:59:24 AM](#)

Members present:

Chairman Dale W. Lauman

Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Deputy County Attorney Jonathan Smith, Grant Writer Debbie Pierson, Clerk Kile

Pierson explained sampling of stormwater will be done prior to construction upgrades.

Commissioner Dupont made a **motion** to approve the stormwater sample collection contract. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

TUESDAY, JUNE 9, 2009
(Continued)

BOARD APPOINTMENT: SMITH VALLEY FIRE DISTRICT AND WHITEFISH FIRE SERVICE AREA

[9:01:58 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Marvin Berg, Tracy Love-Patten, Frank E. Hanson, Rod Gillman, Jeanette Feller, Janice Seaman, Clerk Kile

Commissioner Dupont said with the amount of interest shown during public comment today in regards to Smith Valley Fire District that he was not comfortable making an appointment until further consideration.

Commissioner Dupont made a **motion** to reschedule the Smith Valley Board appointments. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

Commissioner Dupont made a **motion** to appoint William La Brie and William Beck to the Whitefish Fire Service Area. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

CONSIDERATION OF BUY-SELL AGREEMENT: 1115 1ST AVE. WEST PROPERTY

[9:00:52 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Deputy County Attorney Jonathan Smith, Clerk Kile

Commissioner Dupont made a **motion** to approve the buy-sell agreement for \$145,000.00 and authorized the chairman to sign. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

MONTHLY MEETING W/ JAY SCOTT, FAIRGROUNDS

[9:17:30 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Fair Director Jay Scott, Clerk Kile

Scott reported on the activities at the Fairgrounds which included a rodeo that was held last weekend and an upcoming monster show will be held this weekend. He then noted he is finding it to be a little tougher this year to find sponsors.

General discussion was held relative to the home builders show held annually.

MONTHLY MEETING W/ LAURIE REBUCK, JUVENILE DETENTION CENTER

[9:36:24 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Juvenile Detention Director Laurie Rebeck, Clerk Kile

Rebeck reported operations are running smoothly and then explained their audit inspection was completed and noted a new cell punch tracking system will be installed in the Juvenile Detention Center.

BI-MONTHLY MEETING W/ KAROLE SOMMERFIELD, 4-H OFFICE

[10:00:02 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

4-H Director Karole Sommerfield, MSU Extension Agent Pat McGlynn, Clerk Kile

Sommerfield reported the second annual 4-H Horse Camp was held at the Fairgrounds and their first annual 4-H Service Camp work day was held at Loon Lake. She then reported the market animal numbers have been finalized which included 150 hogs, 47 lambs and 34 steers. Also noted was a trip will be taken to Kansas with 4-H members this month.

TUESDAY, JUNE 9, 2009
(Continued)

Pat McGlynn reported she attended a Rural Development Community Conference in Bozeman, a Forest Stewardship Program in Whitefish and a Cherry Grower's Conference in Oregon. She explained she has been involved in various training projects which included working with the Kalispell Farmers Market, City Parks and Rec and the community in diagnosing weed and insect problems.

CONTINUATION OF COS REVIEW: ELIASON

[10:17:13 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Planner Dianne Broadie, Jamie Reed, Pete Rice, Jamie Eliason, Jason Eliason, Clerk Kile

Broadie reviewed the Eliason COS proposal to split a 20.94 acre parcel located between Flathead River and Riverside Drive north of Bucks Lane into the following:

Tract 1	7.259 Acres to be retained by Jason Eliason
Tract 2	4.412 Acres to be transferred to Taylin J. Eliason, Son
Tract 3	4.363 Acres to be transferred to Kyan S. Eliason, Son
Tract 4	4.460 Acres to be transferred to Delanie I. Eliason, Daughter

Pete Rice explained that he discussed his plan to put in a boat ramp on the property with the Conservation District, DNRC and Fish Wildlife and Parks very thoroughly before they purchased the property. He noted without exception the agencies were very favorable about their plan; so much so that they bought the property and began to move forward with their plan. The Conservation District, Corp of Engineers, DEQ and all the agencies that needed to sign off on this said there isn't anything we can do with what Mr. Rice wants to do in regards to what the law provides. Rice then added there was another element in that Jamie and Jason wanted to build their home there, and after a lot of public dissention about them going forward with this that probably over took their ambition to do the project as originally outlined and planned. He stated Jamie and Jason wanted to have a home and be good neighbors and it didn't look like that was going to be a very good start; they might have been legally correct, but that wasn't all that was taking place there. He then spoke about the large financial commitment with the large parcel of property.

Jamie Eliason explained they had three children and one out of the three will probably intend to live on the property and they would like to provide that option to all three of them.

Commissioner Dupont made a **motion** to approve the Eliason COS. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Dupont. Motion carried by quorum.

MONTHLY MEETING W/ CINDY MULLANEY/ OES & LINCOLN CHUTE, FIRE SERVICE AREA MANAGER

[10:30:05 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Interim OES Director Cindy Mullaney, Fire Service Area Manager Lincoln Chute, Recording and Elections Manager Monica Eisenzimer, Clerk Kile

Mullaney reported the annual exercise training was well attended by the Incident Management Team as well as by those attending the fire training. She noted planning will now begin for an avalanche scenario to be held this winter. Mullaney then reported she has 3 of the 4 resolutions needed for approval of the Pre-Disaster Mitigation Plan. Also noted were problems in regards to eligibility for reimbursement for EMPG grant money.

Discussion was held relative to Smith Valley trustee board appointments.

Eisenzimer explained that a letter was received from Tracy Beliz before the election on May 6.

Chute reported that he sees good signs in that everyone seems to be working together better. He noted a report is out that the ERC's and moisture content within the mountains right now are at records levels with the only other recorded year about the same being in 1910. He then spoke about training held for an all hazard strike team with 14 in attendance that will now have county people qualified. It was then reported that Martin City and Hungry Horse Fire Department are in the starting stages of consolidation. Chute also explained a license came in for NUMA and reported a repeater was put up on Marion Mountain. Discussion was then held relative to problems fire departments are encountering with gates on gated communities.

TUESDAY, JUNE 9, 2009
(Continued)

MEETING W/ LIBERTY NORTHWEST RE: WORKERS' COMPENSATION RETRO PROGRAM

[11:03:33 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, HR Director Raeann Campbell, Treasurer Adele Krantz, Finance Comptroller Joe Garza, Clerk & Recorder Paula Robinson, Sheriff Mike Meehan, Fire Service Area Manager Lincoln Chute, Interim OES Director Cindy Mullaney, Library Director Kim Crowley, Library Office Administrator Karen Marr, Public Works Director Dave Prunty, Fair Director Jay Scott, Robin Boon, Bob Luceno, Brad Salonen, Cindy Dooley, Clerk Kile

Boon reported three to four years ago the county set down a path to aggressively change the safety culture at Flathead County with part of that taking on a new plan called the retro plan in workers-compensation insurance. She then explained that means when the county has good losses they receive money back from their premium and adversely if they are not what they expected then additional premiums can be charged. Boon thanked the Executive Risk Management Committee, safety representatives and department heads that ensured that attention was focused on safety. She then presented a check to Flathead County from Liberty Northwest for \$402,000.00 which reflects a \$45,000.00 credit for having a drug and alcohol testing program in place and a \$66,000.00 credit from a payroll audit.

Luceno stated the check comes after much hard work and brave decisions by the commissioners three years ago and up through the present to continue the contract which is an annual renewal contract. He then said Western States, Flathead County Commissioners and every single employee within Flathead County made this happen through hard work and performance in changing the culture and changing the way things are done.

Boon then added that the implementation of returning to work early has helped the counties safety record turn around.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 10, 2009.

WEDNESDAY, JUNE 10, 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.

MEETING W/ TOM GORTON & LEROY STEVENS RE: MENNONITE CHURCH ROAD

[9:30:10 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Tom Gorton, Mike Corbett, Le Roy Stevens, Carolyn Crawford, Melinda Crawford, Diana Leighty, Terry Leighty, Sam Leighty, Mark Leighty, Todd Wallace, Alan Habel, Clerk Kile

Le Roy Stevens presented an analysis of the cost he received from a contractor that showed a breakdown of the total cost to pave and have the base work done on Mennonite Church Road for less than one half million dollars in total based on estimates. He presented totals for asphalt, mobilization and engineering costs and said it could be done for much less compared to what is being proposed by the county. He also commented that people in the business of building roads have looked at the road and said it appears to be in good shape and is ready to be paved now. Stevens then spoke about the extreme dust and not being able to see children riding their bikes on the road.

Tom Gorton then said the figures are real close and knows that the people and the county want it done and hopes to see black asphalt out there. He then stated he is included because he has an agricultural parcel on Mennonite Church Road but lives on Creston Road where he will still have to oil. Gorton then added to have the road paved would be cheaper than oil and it makes sense for the subdivision. He further added that he believes with asphalt they will sell the lots.

Discussion was held relative to striping of the road in which Prunty noted it would only be striped based upon traffic counts; with a lot of county roads not being striped. Other items discussed were late comer's fees and overlay responsibilities.

Carolyn Crawford, 689 Mennonite Church Road stated she is opposed to an RSID because historically the county has paved the roads. She then explained there is an injustice here when she has been a taxpayer for 40 years and others have had their roads paved and are not paying for an RSID and she is being asked to pay to have her road paved. Crawford then said from the figures presented by Le Roy Stevens that it appears the county would have enough money to pay for paving as historically has always been done.

WEDNESDAY, JUNE 10, 2009
(Continued)

Mark Leighty, 485 Creston Road commented that it seems everyone feels they are responsible since they put the subdivision in which has increased the traffic counts. He then noted when it is built out the traffic will increase more as well as the county tax dollar revenue from the homes will be huge compared to farm land. It was then explained when they received approval for their subdivision they were required to pave internal roads for dust problems and feel the county should be responsible for taking care of their roads for dust problems also. Leighty then stated they can't sell lots now for what they have into them and to have another \$2,300.00 added to each lot there will be no way they can sell them.

Alan Habel, 111 Pheasant Dale Way said he wanted to see the funds captured in the appropriate way to pave the road with legislation limiting late comer's fees or equal distribution of the cost. He noted he would like to see the road paved but feels there is wisdom in not moving forward with it right now, with the economy and the adverse impact it could have on families. He then said in a contingent liability issue he feels the county has approached this in the wrong way and stated he was dismayed it has gone this far. Habel further said legislation needs to be changed so these RSID's can be started in an appropriate manner.

Todd Wallace, 117 Pheasant Dale Way stated he is the President of Pheasant Dale Way Homeowners' Association and said on their behalf they wished the county could pay for paving the road, but if they can't they would support moving forward with an RSID. Wallace said from his perspective spending less than a dollar a day to drive on the road seems reasonable.

Le Roy Stevens stated the Leighty's would be looking at \$2,400 per lot if they went with the RSID and it would be the best investment they would ever make.

Mike Corbett, 256 Fox Den Trail said he purchased his property in the subdivision to retire there. He stated his buy/sell agreement says he waived his right to protest and the paper work he seen he assumed he would only be responsible for paving in front of his home, not the entire Mennonite Church Road or a portion of it. He further stated it is beyond what is reasonable and what would normally be expected. Corbett then added that RSID's aimed at individual home owners is unfair.

Commissioner Brenneman presented a proposal and said he would like to direct Mike Pence, Dave Prunty & Morrison Maierle to meet with Tom Gorton & Le Roy Stevens to see if they can come to an agreement on numbers that might be considered by an RSID and bring them back for consideration and then decide what to do.

Commissioner Brenneman made a **motion** to direct Mike Pence, Dave Prunty & Morrison Maierle to meet with Tom Gorton & Le Roy Stevens. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

MEETING W/ JIM ATKINSON, AOA RE: GATEWAY WEST MALL PROPOSAL

10:05:02 AM

Members present:

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

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Office Administrator AOA Wes Hula, I.T. Director Vicki Saxby, I.T. Operations Supervisor Jae Carnsew, John Peterson, Lori Botkin, Jim Pearson, J. R. Isles, Candace Chase, Sherry Stevens-Wulf, Susan Moyer, R. Christopherson, Clerk Kile

Atkinson presented a relocation plan proposal for Agency on Aging in which he reported they can look at staying at their present location on Kelly Road, relocate to the old Gateway West Mall or build their own building on county owned property. He noted four important outcomes they considered: relocate AOA closer to the population they serve, eliminating spenditure of taxpayer funds on rent, allowing for growth for future activities demanded by senior citizens and allowing for the ability to develop revenue centers to supplement their income. He then explained each proposal for consideration which included the cost breakdown and compared each proposal. The report also touched on the concept of having a Food Court and Thrift Store to provide additional income.

Hula briefly explained how a \$2.6 million dollar building could be paid for and reviewed several scenarios for a 30 year loan in which tax benefits would be realized.

Atkinson then summarized the advantages of a new building and spoke about the need for additional space for senior population.

Jim Pearson, Chairman of the Senior Citizen Board explained the seniors at Kalispell Senior Center are concerned about keeping their identity.

Atkinson noted if the Kalispell Senior Center is dissolved that four people would lose part time jobs and that the comrade they have there is very important. He then stated if it were possible to not sell the location that may be the best of both worlds at this point in time.

Chairman Lauman explained he was in agreement yet his concern is that in the future we would be offering the same activities in two locations and it costing us twice the amount of dollars; it's an economic type thing at some point.

J. R. Isles noted that having a larger dining room gives a greater opportunity to have more fund raising dinners and activities to raise money.

Chairman Lauman said as far as the Senior Citizen Center goes their needs to be more discussion.

Commissioner Brenneman stated that he liked the idea of moving to the mall and that it has great potential, but does not see how it can be affordable. He then said if we can stay where we are for \$80,000.00 a year including utilities and it will cost \$170,000.00 to move to the mall over 10 years; even if you sell the other building the cost over ten years would still be \$60,000.00 more than what staying where we are would be. He further said new looks like it is out of the question with it being \$275,000.00 a year over 10 years if you pay it off in 10 years.

WEDNESDAY, JUNE 10, 2009
(Continued)

Atkinson said there may be some opportunity to receive help with moving costs with volunteers. He further said he is concerned that they may not be able to continue to do what they are doing in the location they are in with the growth of the population being placed on them and still have the ability to meet their requirements and desires.

Sherry Stevens-Wulf said it is her understanding that the whole proposal for the Gateway Community Center is put together based on actual payment of every single cost. She then added they are trying to acquire some volunteer support to help off-set costs.

Lori Botkin, Director of Flathead Food Bank explained how they have saved with their renovations with volunteer work.

J. R. Isles stated if we stay where we are at on Kelly Road and just pay rent we will have paid over \$600,000.00 in rent over the next 10 years and will be in worse shape than we are in right now.

Discussion was held relative to a timeline in regards to a commitment being made.

Chairman Lauman stated the commission needed time to review the information presented.

Commissioner Dupont stated that he feels it is a great proposal in getting everyone together in one place with comrade being important. He further added if they could find the money to do it and make it affordable that he is in support of it.

R. Christopherson noted her concern in regards to the size of the dance floor.

1:00 p.m. Commissioner Brenneman: 911 Board meeting
5:30 p.m. Commissioner Brenneman: Education & Outreach Committee meeting @ Mackinaw's in Somers

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 11, 2009.

THURSDAY, JUNE 11, 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/ JEFF HARRIS, PLANNING & ZONING OFFICE

9:01:00 AM

Members present:

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

Others present:

Assistant Mike Pence, Planning & Zoning Director Jeff Harris, Clerk Kile

Harris reviewed with the commission a memo sent out to all members of every land use advisory committee and community council member in regards to open meeting laws and public participation requirements. Discussion was then held relative to the course of action to take in regards to investigating accusations of violations of open meeting laws. Harris then gave a status report on the Lakeside Neighborhood Plan which should go before the council before the end of the month and before the Planning Board sometime in July. He then reported on the proposed Somers Neighborhood Plan and stated an organizational letter was sent out to everyone within the notification area, with the purpose to determine if there was enough public interest to move forward. Discussion was also held relative to the counties involvement and expenditures with neighborhood plans.

DOCUMENT FOR SIGNATURE: CONTRACT/ J. RADAR

9:36:15 AM

Members present:

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

Others present:

Assistant Mike Pence, I.T. Director Vicki Saxby, HR Director Raeann Campbell, Clerk Kile

Saxby explained the contract is to finish payroll modifications that are approximately 90% complete.

Commissioner Dupont made a **motion** to sign the contract for John Radar. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

THURSDAY, JUNE 11, 2009
(Continued)

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT AMENDMENT #09-07-5-31-005-0

[9:37:18 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Clerk Kile

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

BOARD APPOINTMENTS: LIBRARY BOARD, BADROCK RURAL FIRE DEPT. AND COLUMBIA FALLS RURAL FIRE DEPT.

[9:39:20 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Library Director Kim Crowley, Connie Leistiko,

Commissioner Dupont made a **motion** to re-appoint Terry Peterson to the Library Board. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

Commissioner Dupont made a **motion** to appoint Rick Prestbye to the Badrock Rural Fire Department. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

Commissioner Brenneman made a **motion** to appoint Nancy Burns and Steve Marquesen to the Columbia Falls Rural Fire Department. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: EMPLOYER STOP LOSS APPLICATION

[9:41:56 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, HR Director Raeann Campbell, Clerk Kile

Campbell stated the document is an application to increase the stop loss amount on health insurance from \$80,000.00 to \$100,000.00.

Commissioner Brenneman made a **motion** to approve the document for signature and authorized the chairman to sign. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: HOSPITAL PROVIDER AGREEMENT/ PATHWAYS

[9:43:23 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Clerk Kile

Commissioner Brenneman made a **motion** to approve the annual agreement with Pathways and authorized the chairman to sign. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ANNEXATION TO SMITH VALLEY FIRE DISTRICT/ PARSONS

[9:44:10 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Clerk Kile

Commissioner Brenneman made a **motion** to authorize publication of the notice of Public Hearing and authorized the chairman to sign. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

**THURSDAY, JUNE 11, 2009
(Continued)**

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 7-33-2126(3), M.C.A., that it will hold a public hearing to consider a petition to withdraw territory from the West Valley Fire District and annex it to the Smith Valley Fire District, said territory to be withdrawn and annexed, described on the attached Exhibit A, is located in Section 12, Township 28 North, Range 22 West, Flathead County, Montana.

The Board of Commissioners has received a petition in writing by the owners of 100% of the privately owned lands of the area to be withdrawn and annexed, who constitute a majority of the taxpaying freeholders within that area, according to the last-completed assessment roll, asking that such area be transferred to and included in the Smith Valley Fire District.

The public hearing will be held on the **30th** day of **June, 2009**, at **9:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed transfer and will consider whether protests by owners of 40% or more of the real property in either district and owners of property representing 40% or more of the taxable value in either district, were received.

DATED this 11th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on June 16 and June 23, 2009.

EXHIBIT "A"

A tract of land in the Southwest Quarter of Section 12, Township 28 North, Range 22 West, M.P.M., Flathead County, Montana, particularly described as that parcel on COS #1062, excepting therefrom: the tract of land described by Warranty Deed recorded June 26, 1996, in the Office of the Flathead County Clerk & Recorder under Reception No. 199617815450; and

Excluding therefrom the tract of land described by Bargain and Sale Deed recorded September 4, 1998, in the Office of the Flathead County Clerk & Recorder under Reception No. 199824716340; and

Excluding therefrom the tract of land described by Bargain and Sale Deed recorded September 4, 1998, in the Office of the Flathead County Clerk & Recorder under Reception No. 199824716330.

12:00 p.m. Commissioner Brenneman: Bigfork Steering Committee Public Forum @ Bethany Lutheran
2:00 p.m. Commissioner Lauman: AOA Board meeting @ Kalispell Senior Center
6:00 p.m. Fair Board meeting @ Fair Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 12, 2009.

FRIDAY, JUNE 12, 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.

8:30 a.m. Commissioner Brenneman: Mosquito Control Board meeting @ Earl Bennett Building
9:00 a.m. Subdivision Review Committee meeting @ Commissioners' Meeting Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 15, 2009.
