
MONDAY, JULY 13, 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. 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 July 14, 2009.

TUESDAY, JULY 14, 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/LAURIE REBUCK, JUVENILE DETENTION CENTER

9:35:50 AM

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Juvenile Detention Director Laurie Rebeck, Clerk Kile

Rebeck reported juvenile inmate numbers have been up yet things are going well. She then reported the new generator is now installed and up and running. Discussion was then held relative to staffing concerns.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ANNEXATION TO BIGFORK FIRE DISTRICT/LEWIS

10:05:00 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 authorize the publication of the Notice of Public Hearing and authorized the chairman to sign. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

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withdraw territory from the Creston Rural Fire District and annex it to the Bigfork Fire District; said territory to be withdrawn and annexed is located in the Southwest Quarter of Section 7, Township 27 North, Range 19 West, Flathead County, Montana, and is known as McCaffery Woods Subdivision, Bigfork, MT.

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Commissioners has received a petition in writing by the owners of 100% of the privately owned lands of the area to be withdrawn and annexed, who constitute a majority of the taxpaying freeholders within that area, according to the last-completed assessment roll, asking that such area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

The public hearing will be held on the **29th** day of **July, 2009**, at **10:00 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 14th day of July, 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 July 18 and July 25, 2009.

TUESDAY, JULY 14, 2009
(Continued)

DOCUMENT FOR SIGNATURE: DIVIDEND-STAFFING SERVICES AGREEMENT/ AOA

[10:00:52 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Dupont made a **motion** to approve the agreement with Workplace Inc. and authorized the chairman to sign the document. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

MEETING W/ JOE RUSSELL/ HEALTH DEPT RE: ANIMAL SHELTER FEES

[10:15:36 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Health Dept. Director Joe Russell, Clerk Kile

Russell reported the Animal Shelter Advisory Board approved an increase in their boarding fees as well as agreed to charge a new intake fee. He explained commissioner approval of the new schedule of fees is required.

Commissioner Dupont made a **motion** to adopt the new fee schedule for the Animal Shelter. 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

[10:30:11 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, Clerk Kile

Mullaney presented a completed copy of the Pre-Disaster Mitigation Plan to the commission. She then reported on other projects worked on which included reviewing with Ken Mesch, Montana DES Administrator, what they do, they also meet with the NEMO Team Public Information Officer, participated in a table top exercise at Glacier and held a strategic planning committee meeting with LAPC where a decision was made that they will not handle hazardous chemicals. Mullaney then reported she will be meeting with fire chiefs, law enforcement and EMS to prepare a plan for how they will do the review of the Emergency Operations Plan.

Chute then reported a four day long strike team leader class was held which included haz-mat training also. He then said wildland training has been wrapped up in preparation for this summer and he is working with the Road Department for possible equipment needs this summer. Chute then explained Martin City Rural Fire District and Hungry Horse Rural Fire District are continuing to work together on a merger. Discussion was then held relative to moisture content on the valley floor and in the mountains.

MEETING W/ JIM STACK RE: WHITEFISH LAKE & LAKESHORE REGULATIONS UPDATE

[11:00:47 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Jim Stack, Planning & Zoning Director Jeff Harris, Planner George Smith, Deputy County Attorney Peter Steele, Clerk Kile

Stack expressed his appreciation to the commission for their support in the Whitefish Lake and Lakeshore Regulations revisions. He noted that throughout the process the committee has openly solicited public comment and input during the hearings held. He stated their goal was to reorganize and clarify the regulations into a more user friendly easier to understand format. He explained that instead of tightening regulations the updates actually ease regulations in a number of areas that benefit lakeshore property owners. Appreciation to the Planning and Zoning Office and Planner George Smith was then expressed for their involvement and participation in the process, which he stated proved invaluable in the final stages. Stack then stated the proposed regulations have been recommended for approval by the Whitefish City-County Planning Board with a unanimous vote.

General discussion was held relative to moving forward with approval of the regulations at a county level in the event the Interlocal Agreement is rescinded.

TUESDAY, JULY 14, 2009
(Continued)

MEETING W/ ERIC MULCAHY/ SANDS SURVEYING RE: COTTONWOOD ESTATES, CONDITIONS NO. 21 & 24

[11:15:18 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Deputy County Attorney Peter Steele, Planning & Zoning Director Jeff Harris, Eric Mulcahy, Wally Wilkinson, Doug Siderius, Clerk Kile

Mulcahy explained when Cottonwood Estates was approved in 2005 it was not in the Evergreen Sewer District with Evergreen not having the ability to add them to their distribution system without going to the City of Kalispell, and working through an agreement to grant additional capacity for the development and other developments on West Reserve.

Mulcahy then stated a condition of approval was to develop a bike path down to East Evergreen and to provide easement to connect to a road easement that was part of Reserve Drive Estates. Mulcahy further stated they are unable to meet these off site conditions in order to file final plat and asked that the conditions be amended.

Harris explained the subdivision was processed under the old pre 2007 Subdivision Regulations.

General discussion was held relative to a solution with preliminary plat expiring October 11, 2009.

Suggested language for Condition 21 was: Adjacent to the 20 foot right of way preservation denoted along the preliminary plat, a bike and pedestrian path shall be developed. The path shall extend south along Helena Flats Road to East Evergreen Drive; if an easement can be obtained from adjacent land owners a cross walk shall be designated to allow for safe pedestrian travel to the Evergreen School.

Commissioner Dupont made a **motion** to amend condition 21. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

Suggested language for Condition 24 was: The north-east internal road cul-de-sac will have a 30 foot road access easement off centerline connecting to the northern boundary of property.

Commissioner Dupont made a **motion** to amend condition 24. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

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

WEDNESDAY, JULY 15, 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 Lauman: RSVP Board meeting @ Heritage Place
12:00 p.m. Safe Kids Safe Community meeting @ Earl Bennett Building

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on July 16, 2009.

THURSDAY, JULY 16, 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/ JAY SCOTT, FAIRGROUNDS

[9:15:57 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Fair Director Jay Scott, Clerk Kile

Scott reported plans are being made to add a small playground area for kids to play on during the Fair with donated funds. He then reported ticket sales are down 31% from last year and explained that most of their sales have been on credit cards.

TUESDAY, JULY 14, 2009
(Continued)

Discussion was then held relative to safety concerns with showing 4-H animals with the lack of shavings available this year from Plum Creek and Stoltz Lumber.

DOCUMENT FOR SIGNATURE: ADG AGREEMENT FOR COURTHOUSE ELEVATOR STUDY

[9:32:42 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Treasurer Adele Krantz, Clerk Kile

A general description of the study is to investigate the possibility of providing an elevator handicapped access at the Courthouse.

Commissioner Dupont made a **motion** to approve the document for signature for a Courthouse elevator study and authorized the chairman to sign. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: ADG AGREEMENT FOR BLUE BUILDING INTERIOR REMODELING STUDY

[9:34:11 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Treasurer Adele Krantz, Clerk Kile

A general description of the study is to investigate the possibility of locating all Treasurer Department activities on the upper floor of the Blue Building. A portion of the study may include an entry addition with an elevator, removal of a public entry and possible addition of exit stairways.

Commissioner Dupont made a **motion** to approve the document for signature for a study of the remodel of the Blue Building and authorized the chairman to sign. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

CONTINUATION OF CONSIDERATION OF RELEASE OF OLD COLLATERAL & ACCEPTANCE OF NEW COLLATERAL: HARVEST VIEW SUBDIVISION

[9:45:33 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Planning & Zoning Director B J Grieve, Deputy County Attorney Peter Steele, Clerk Kile

Grieve reviewed the old SIA for \$85,120 and stated the new SIA is for \$48,000.

Commissioner Dupont made a **motion** to release the old collateral and accept the new collateral for Harvest View Subdivision. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: PLAT/ RESTHAVEN

[9:48:11 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Deputy County Attorney Peter Steele, Deb Boreson, Clerk Kile

Steele explained the transfer is from an RSID project on Resthaven Drive in which the county is being given land for a road in exchange for a parking spot. It was noted the first deed done to transfer the easement had an incorrect legal description.

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

TUESDAY, JULY 14, 2009
(Continued)

DOCUMENT FOR SIGNATURE: CONTRACT/ MOONLIGHTING

[10:00:51 AM](#)

Members present:
Chairman Dale W. Lauman
Commissioner James R. Dupont
Members absent:
Commissioner Joseph D. Brenneman
Others present:
Deputy County Attorney Jonathan Smith, Ike Eisentraut, Clerk Kile

Commissioner Dupont made a **motion** to approve the contract with Moonlighting Services and authorized the chairman to sign. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

MEETING W/ PETE WINGERT RE: JAG GRANT

[10:15:04 AM](#)

Members present:
Chairman Dale W. Lauman
Commissioner James R. Dupont
Members absent:
Commissioner Joseph D. Brenneman
Others present:
Assistant Mike Pence, Undersheriff Pete Wingert, Office Administrator Karen Moore, Clerk Kile

Wingert summarized the Edward Byrne Memorial Justice Assistance Grant which is being applied for through the U.S. Department of Justice under the JAG Act for \$19,712.00 for the purchase of 6 vehicle mounted radars and 2 speedentry shield radars. He explained the speedentry shield radars are portable and easy to mount under an existing speed limit sign and are quickly attached or removed for use at various locations in the county as needed for school zones and special functions.

Commissioner Dupont made a **motion** to approve the grant application for the Sheriff's Office which is available for public review at the Sheriff's Office. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

11:00 a.m. Commissioner Dupont: Meeting w/ Eileen Ryce, State Aquatic Invasive Species Coordinator
2:00 p.m. Health Board meeting @ Earl Bennett Building

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on July 17, 2009.

FRIDAY, JULY 17, 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.

9:00 a.m. Subdivision Review Committee meeting @ Commissioners' Meeting Room
9:00 a.m. Commissioner Lauman: Mental Health Council & CDC meetings in Superior

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