
MONDAY, AUGUST 3, 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.

CONSIDERATION OF ADOPTION OF RESOLUTION: SAFETY INCENTIVE FOR FLATHEAD COUNTY EMPLOYEES

[9:29:37 AM](#)

Members present:

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

Others present:

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

Raeann reported the Executive Risk Management Team Committee met and a decision was made to create a safety incentive program. County Attorney Jonathan Smith stated this resolution was to create the program.

Commissioner Brenneman made a **motion** to adopt Resolution #2218 Safety Incentive for Flathead County Employees. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

RESOLUTION NO. 2218

WHEREAS, the Board of Commissioners of Flathead County, Montana, has contracted with Liberty Mutual Insurance Company to provide Workers' Compensation coverage as required by State law;

WHEREAS, a provision of that retrospective rating workers compensation contract allows for return of premium paid by the County in the event that the County's losses are lower than forecasted and that its safety programs are effective in reducing workplace injuries, thereby reducing the premiums charged by Liberty Mutual; and

WHEREAS, the Board of Commissioners has determined that, when a return premium is received by the County, thereby demonstrating that its safety programs are effective in reducing workplace injuries, which lower the premiums charged by Liberty Mutual, it should determine whether a portion of the return retrospective premium should be shared with County employees.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that it hereby creates a safety incentive for employees of Flathead County.

IT IS FURTHER RESOLVED that when a return of retrospective premiums is received by the County, thereby demonstrating effective safety policies are being followed, and that they are effective in reducing workplace injuries, thereby reducing the premiums charged by Liberty Mutual, the Board will consider whether to share a portion of these return retrospective premiums with employees of Flathead County.

Dated this 3rd day of August, 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

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

ATTEST:
Paula Robinson, Clerk

By/s/D. DeReu
D. DeReu, Deputy

CONSIDERATION OF HR TRANSMITTALS: PROGRAM ASSISTANT I/ HEALTH DEPT. AND ADMIN. ASSISTANT & VOLUNTEER COORDINATOR/ ANIMAL SHELTER

[9:31:16 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, HR Director Raeann Campbell, Clerk DeReu

Raeann reported Joe Russell and the Health Department Board approved to continue the Program Assistant position and the Administrative Assistant along with the Volunteer Coordinator for the Animal Shelter.

Commissioner Brenneman made a **motion** to approve Human Resource Transmittals Health Department and Animal Shelter. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

MONDAY, AUGUST 3, 2009
(Continued)

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #09-07-5-21-008-0

[9:36:12 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, HR Director Raeann Campbell, Clerk DeReu

Commissioner Brenneman made a **motion** to approve DPHHS Contract #09-07-5-21-008-0. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #10-07-5-31-007-0

[9:37:30 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 DPHHS Contract #10-07-5-31-007-0. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MSU EXTENSION SERVICES AGREEMENT/ EXTENSION OFFICE

[9:38:54 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 MSU Extension Services Agreement/Extension Office. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: AGREEMENT/ OFFICE OF THE COURT ADMINISTRATOR

[9:42:35 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 Agreement/Office of the Court Administrator. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ANNEXATION TO SOUTH KALISPELL FIRE DISTRICT/ LEISURE ISLAND

[9:59:52 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 DeReu

Commissioner Dupont made a **motion** to authorize to Publish Notice of Public Hearing: Annexation to South Kalispell Fire District/Leisure Island. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 7-33-2126, 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 South Kalispell Fire District; said territory to be withdrawn and annexed is located in Sections 21, 22, 27 and 28, all in Township 28 North, Range 21 West, Flathead County, Montana, according to the attached map and is known as Leisure Island, Kalispell, MT.

The Board of Commissioners has received a petition in writing by the owners of 80% 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 South Kalispell Fire District.

MONDAY, AUGUST 3, 2009
(Continued)

The public hearing will be held on the 28th day of **August, 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 3rd day of August, 2009.

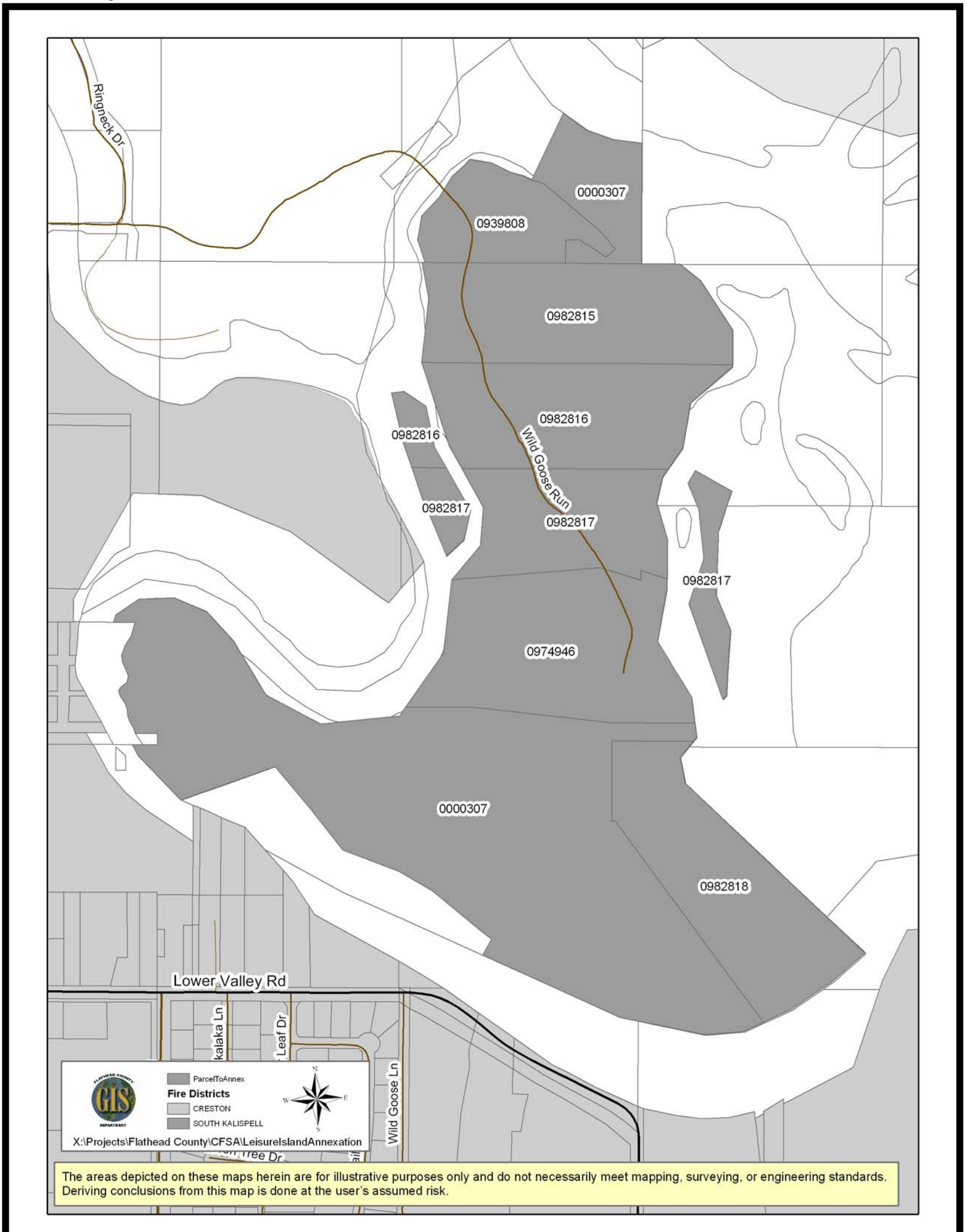
BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/D. DeReu
D. DeReu, Deputy

Publish on August 6 and 13, 2009.



MONDAY, AUGUST 3, 2009
(Continued)

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

10:00:55 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 DeReu

Smith explained the annexation is due to the fact the property owner has more than one piece of property in one fire district.

Commissioner Brenneman made a **motion** to approve authorization to Publish Notice of Public Hearing: Annexation to Bigfork Fire District/Harding. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 7-33-2126, 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 Northerly portion of Lot 1 of Vista Valle Rancho Subdivision lying and being in the Northeast Quarter of the Southeast Quarter of Section 11, Township 27 North, Range 20 West, Flathead County, Montana, and is located in 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 18th day of **August, 2009**, at **10:15 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 3rd day of August, 2009.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:

Paula Robinson, Clerk

By/s/D. DeReu
D. DeReu, Deputy

Publish on August 6 and August 13, 2009.

CONSIDERATION OF ADOPTION OF RESOLUTION AUTHORIZING ISSUANCE & CALLING FOR PUBLIC SALE OF BONDS: RSID #147 MENNONITE CHURCH ROAD

10:01:58 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 DeReu

Commissioner Brenneman made a **motion** to approve Resolution #2210B, calling for Public Sale of Bonds and Authorizing Chairman to sign. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the County of Flathead, Montana (the "County"), hereby certify that the attached resolution is a true copy of Resolution No. 2210 B, entitled: "RESOLUTION RELATING TO \$203,500.00 RURAL SPECIAL IMPROVEMENT DISTRICT BONDS (RURAL SPECIAL IMPROVEMENT DISTRICT NO. 147); AUTHORIZING THE ISSUANCE AND CALLING FOR THE PUBLIC SALE THEREOF" (the "Resolution"), on file in the original records of the County in my legal custody; that the Resolution was duly adopted by the Board of County Commissioners of the County at a meeting on August 3, 2009, and that the meeting was duly held by the Board of County Commissioners and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof Chairman Dale W. Lauman, Commissioner Joseph D. Brenneman and Commissioner James R. Dupont; voted against the same: _____; abstained from voting thereon _____; or were absent: _____.

WITNESS my hand officially this 3rd day of August, 2009.

Paula Robinson, Clerk

By/s/D. DeReu
Deputy

MONDAY, AUGUST 3, 2009
(Continued)

RESOLUTION NO. 2210 B

RESOLUTION RELATING TO \$203,500.00 RURAL SPECIAL IMPROVEMENT DISTRICT BONDS (RURAL SPECIAL IMPROVEMENT DISTRICT NO. 147); AUTHORIZING THE ISSUANCE AND CALLING FOR THE PUBLIC SALE THEREOF

BE IT RESOLVED by the Board of County Commissioners (the "Board") of Flathead County, Montana (the "County"), as follows:

Section 1. Recitals.

(a) This Board has duly and validly created and established in the County under Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended (the "Act"), Rural Special Improvement District No. 147 (the "District"), for the purpose of financing costs of certain public improvements of special benefit to the properties within the District (the "Improvements") and paying costs incidental thereto, including costs associated with the sale and the security of rural special improvement district bonds of the County drawn on the District (the "Bonds"), the creation and administration of the District, the funding of a deposit to the County's Rural Special Improvement District Revolving Fund (the "Revolving Fund"). The total estimated costs of the Improvements, including such incidental costs, to be paid and financed by the District are \$203,500.00, which costs of the Improvements are to be paid from the proceeds of the Bonds, and which are to be payable from special assessments to be levied against property in the District, which property will be specially benefitted by the Improvements in an amount not less than \$203,500.00.

(b) It is necessary that the Bonds be issued and sold in an aggregate principal amount of \$203,500.00 to finance the costs of the Improvements within the District, including incidental costs, described in Subsection (a). The costs of the Improvements and costs incidental thereto are currently estimated as \$203,500.00.

Construction	\$136,935.00
Engineering and Testing	\$ 46,215.00
County Administration	\$ 10,175.00
Revolving Fund Deposit	\$ 10,175.00
Total	\$203,500.00

(c) The County is authorized by Montana Code Annotated, Section 7-12-2172(1) to sell the Bonds at a price less than the principal amount thereof, but including interest thereon to the date of delivery, if this Board determines that such sale is in the best interests of the District and the County. This Board further determines to fix the minimum price for the Bonds at \$203,500.00, plus interest accrued thereon to the date of delivery.

Section 2. Findings and Determination to Pledge the Revolving Fund. In the Resolution Creating Rural Special Improvement District No. 147, adopted on July 28, 2009, this Board found it to be in the public interest, and in the best interest of the County and the District, to secure payment of principal of and interest on the Bonds by the Revolving Fund and authorized the County to enter into the undertakings and agreements authorized in the Act in respect of the Bonds, based on the factors required to be considered under Section 7-12-2185 of the Act. Those findings and determinations are hereby ratified and confirmed. It is hereby covenanted and recited that the County has the power under the Act to pledge the Revolving Fund to payment of the principal of and interest on the Bonds.

Section 3. Terms of the Bonds. This Board hereby authorizes the issuance and sale of Rural Special Improvement District Bonds, Series 2009 (Rural Special Improvement District No. 147) of the County in the aggregate principal amount of \$203,500.00 (the "Bonds") for the purpose of financing the Improvements. The Bonds shall be dated, as originally issued, as of August 31, 2009, and shall bear interest payable semiannually on January 1 and July 1 of each year, commencing January 1, 2010, at a rate or rates designated by the successful bidder at public sale and approved by this Board. If issued as serial bonds, the Bonds shall mature on July 1 in each of the following years and amounts:

Year	Amount	Year	Amount
2010	\$11,000	2020	\$11,000
2011	11,000	2021	11,000
2012	11,000	2022	11,000
2013	11,000	2023	11,000
2014	11,000	2024	11,000
2015	11,000	2025	10,000
2016	11,000	2026	10,000
2017	11,000	2027	10,000
2018	11,000	2028	5,000
2019	11,000	2029	3,500

Bidders will have the option of combining the Bonds maturing on and after 2010 through and including 2019 and on and after 2019 through and including 2029 into one or more term bonds. If any Bonds are issued as term bonds, such term bonds will be subject to annual mandatory sinking fund redemption in the principal amount set forth in the foregoing schedule on each July 1, concluding no later than 2029, at a redemption price equal to the principal amount of such Bonds or portions thereof to be redeemed with interest accrued thereon and payable on January 1 and July 1 to the redemption date, in installments and in the same amounts and on the same dates as the Bonds would have matured if they were not included in a term bond. The Bonds shall be issuable only as fully registered bonds and shall be executed by the manual or facsimile signatures of the Chair of the Board of County Commissioners, the County Treasurer, and the County Clerk and Recorder. The Bonds shall be secured by the Revolving Fund.

Section 4. Public Sale. The Bonds shall be sold at a public competitive sale, the sealed bids for which shall be submitted to the County Clerk and Recorder until 9:30 a.m., M.D.T., on Thursday, August 20, 2009, at which time bids will be opened and tabulated by the Clerk and Recorder. The tabulation of bids will be presented to the County Commissioners at a meeting immediately thereafter. This Board will consider the bids and, if a responsive and acceptable bid is received, award the sale of the Bonds. Award of sale will be made to the bidder with the lowest true interest cost ("TIC") by the Board. The County will receive sealed bids for the Bonds and the Bonds will be sold in accordance with the Official Terms and Conditions attached hereto as Exhibit A (which is hereby incorporated and made a part hereof). The County Clerk and Recorder is authorized and directed to cause notice of the sale to be published, as required by Montana Code Annotated, Sections 7-12-2172, 7-7-4252 and 17-5-106, in the *Daily Inter Lake* once each week for two successive weeks preceding the week which contains the date of sale.

MONDAY, AUGUST 3, 2009
(Continued)

The notice of sale shall be published in substantially the form set forth as Exhibit B to this resolution and this Board hereby adopts the terms and conditions set forth in such notice of sale as the terms and conditions of the sale of the Bonds.

Section 5. Continuing Disclosure. Bidders and other participating underwriters in the primary offering of the Bonds need not comply with paragraph (b) (5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), because the aggregate principal amount of the Bonds and any other securities required to be integrated with the Bonds is less than \$1,000,000. Consequently, the County will not enter into any undertaking to provide disclosure of any kind with respect to the Bonds.

PASSED AND ADOPTED by the Board of County Commissioners of Flathead County, Montana, this 3rd day of August, 2009.

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

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

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

ATTEST:
Paula Robinson, Clerk

By/s/D. DeReu
D. DeReu, Deputy

EXHIBIT A

TERMS AND CONDITIONS

\$203,500.00 Rural Special Improvement District Bonds
(Rural Special Improvement District No. 147)

FLATHEAD COUNTY, MONTANA

NOTICE IS HEREBY GIVEN that Flathead County, Montana (the "County"), will sell to the lowest and best bidder for cash, as evidenced by sealed bids, the above-described Bonds drawn against the funds of Rural Special Improvement District No. 147 in the principal amount of \$203,500.00. Bids for the purchase of the Series 2009 Bonds must be submitted as written sealed bids. Bids for the purchase of the Bonds will be received until 9:30 a.m., M.D.T., on Thursday, August 20, 2009, in the Flathead County Courthouse, 800 S. Main Street, Kalispell, Montana, at which time the bids will be opened and tabulated. The Board of County Commissioners of the County will meet immediately thereafter in the Courthouse to consider the bids and to award the sale of the Bonds.

Purpose and Security

The Bonds will be issued for the purpose of financing the cost of construction of certain local improvements (the "Improvements") within or for the benefit of Rural Special Improvement District No. 147, in accordance with the provisions of Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended. The Bonds will be special, limited obligations of the County and do not constitute general obligations of the County. The Bonds are payable primarily from the collection of a special tax or assessment which is a lien against the assessable real property within the respective District benefitted by the Improvements to be undertaken therein or therefor. The special assessments are payable in equal, semi-annual installments of principal and interest over a 20-year term, with unpaid installments of the special assessments bearing interest at a rate equal, from time to time, to the sum of (i) the average rate of interest borne by the then outstanding Bonds, plus (ii) one-half of one percent (0.50%) per annum.

The Bonds are further secured by the Rural Special Improvement District Revolving Fund of the County (the "Revolving Fund"). The County will agree to make a loan from the Revolving Fund to the sinking fund established for the District to make good any deficiency then existing in the principal and interest subaccounts therein and to provide funds for the Revolving Fund by levying a tax or making a loan from the County's general fund to the extent authorized by law, and if necessary to reduce other property tax levies to meet any applicable levy limits.

Date and Type

The Bonds will be dated, as originally issued, as of August 31, 2009, and will be issued as negotiable investment securities in registered form as to both principal and interest.

Maturities and Redemption

If issued as serial bonds, the Bonds shall mature, subject to redemption, on July 1 in the following years and amounts:

Year	Amount	Year	Amount
2010	\$11,000	2020	\$11,000
2011	11,000	2021	11,000
2012	11,000	2022	11,000
2013	11,000	2023	11,000
2014	11,000	2024	11,000
2015	11,000	2025	10,000
2016	11,000	2026	10,000
2017	11,000	2027	10,000
2018	11,000	2028	5,000
2019	11,000	2029	3,500

MONDAY, AUGUST 3, 2009
(Continued)

Bidders will have the option of combining the Bonds maturing on and after 2010 through and including 2019 and on and after 2019 through and including 2029 into one or more term bonds. If any Bonds are issued as term bonds, such term bonds will be subject to annual mandatory sinking fund redemption in the principal amount set forth in the foregoing schedule on each July 1, concluding no later than 2029, at a redemption price equal to the principal amount of such Bonds or portions thereof to be redeemed with interest accrued thereon and payable on January 1 and July 1 to the redemption date, in installments and in the same amounts and on the same dates as the Bonds would have matured if they were not included in a term bond.

Redemption

Mandatory Redemption. If on any interest payment date there will be a balance in the sinking fund constituting the aggregation of the district funds (the "Sinking Fund") after payment of the principal and interest due on all Bonds drawn against it, either from the prepayment of special assessments levied in the District or from the transfer of surplus money from the Construction Account to the Principal Account, outstanding Bonds, or portions thereof, in an amount which, together with the interest thereon to the interest payment date, will equal the amount of such funds on deposit in the Sinking Fund on that date are subject to mandatory redemption on that interest payment date. The redemption price shall equal the amount of the principal amount of the Bonds to be redeemed plus interest accrued to the date of redemption.

Optional Redemption. The Bonds maturing on and after July 1, 2020, are subject to redemption, in whole or in part, at the option of the County from sources of funds available therefor other than those described under "Mandatory Redemption" on July 1, 2013, and any date thereafter from the proceeds of refunding rural special improvement district bonds or warrants. The redemption price shall equal the principal amount of the Bonds to be redeemed plus interest accrued to the date of redemption, without premium.

Selection of Bonds for Redemption. If less than all of the Bonds are to be redeemed, Bonds shall be redeemed in order of the stated maturities thereof. If less than all Bonds of a stated maturity are to be redeemed, the Bonds of such maturity shall be selected for redemption in \$1,000.00 principal amounts (except that one bond maturing in 2029 will be in the principal amount of \$500.00) selected by the Registrar by lot or other manner it deems fair.

Interest Payment Dates, Rates

Interest will be payable each January 1 and July 1, commencing January 1, 2010, to the registered owners of the Bonds as such appear in the bond register as of the close of business on the 15th day (whether or not a business day) of the immediately preceding month. All Bonds of the same stated maturity must bear interest from date of original issue until paid at a single, uniform rate. No interest rate may exceed five and seventy-five hundredths percent (5.75%) per annum, and the difference between the highest and lowest rates of interest may not exceed one percent and seventy five hundredths (1.75%) per annum. Each rate must be expressed in an integral multiple of 1/8 or 1/20 of 1%. No supplemental or "B" coupons or additional interest certificates will be permitted.

Bond Registrar, Transfer Agent and Paying Agent

The County shall select a bond registrar, transfer agent and paying agent (the "Registrar") in connection with the Bonds. The bond register will be kept, transfers of ownership will be effected and principal of and interest on the Bonds will be paid by the Registrar. The County will pay the charges of the Registrar for such services. The County reserves the right to remove the Registrar and to appoint a successor.

Delivery

Within 40 days after the sale, the County will deliver to the Registrar the printed Bonds ready for completion and authentication. The original purchaser of the Bonds must notify the Registrar, at least five business days before issuance of the Bonds, of the persons in whose names the Bonds will be initially registered and the authorized denominations of the Bonds to be originally issued. If notification is not received by that date, the Bonds will be registered in the name of the original purchaser and, if serial bonds, will be issued in denominations corresponding to the principal maturities of the Bonds. On the day of closing, the County will furnish to the purchaser, an arbitrage certification and a certificate verifying that no litigation in any manner questioning the validity of the Bonds is then pending or, to the knowledge of officers of the County, threatened. Payment for the Bonds must be received by the County in immediately available funds at its designated depository on the day of closing. As a condition of delivery, the purchaser must certify to the County in writing the initial reoffering prices of the Bonds.

Qualified Tax-Exempt Obligations

The Bonds will be designated by the County as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), and financial institutions described in Section 265(b)(5) of the Code may treat the Bonds for purposes of Sections 265(b)(2) and 291(e)(1)(B) of the Code as if they were acquired on August 7, 1986.

Type of Bid and Good Faith Deposit

Sealed bids for not less than \$203,500.00 (100% of par) and accrued interest on the principal sum of \$203,500.00 must be received at the office of the Clerk and Recorder, 800 South Main, Kalispell, MT, prior to the time stated above. Bidders must bid for all or none of the Bonds. Each bid must be unconditional. Except for a bid by or on behalf of the Board of Investments of the State of Montana, a good faith deposit (the "Deposit") in the form of money, cashier's check, certified check, bank money order, or bank draft drawn and issued by a federally chartered or state chartered bank insured by the federal deposit insurance corporation or a financial surety bond in the sum of \$4,070.00 payable to the order of the County is required for a bid to be considered. If money, cashier's check, certified check, bank money order, or bank draft is used, it must accompany the bid and be delivered to the County Clerk and Recorder. If a financial surety bond is used, it must be from an insurance company licensed and qualified to issue such a bond in the State of Montana and such bond must be submitted to the County Clerk and Recorder prior to the opening of the bids. The financial surety bond must identify each bidder whose Deposit is guaranteed by such financial surety bond. If the Bonds are awarded to a bidder utilizing a financial surety bond, then that purchaser is required to submit its Deposit to the County in the form of a cashier's check (or wire transfer such amount as instructed by the County) not later than 1:00 p.m., M.D.T., on the next business day following the award. If such Deposit is not received by that time, the financial surety bond may be drawn by the County to satisfy the Deposit requirement. No interest on the Deposit will accrue to the purchaser. The Deposit will be applied to the purchase price of the Bonds. In the event the purchaser fails to honor its accepted bid, the Deposit will be retained by the County as liquidated damages. The Deposit of the unsuccessful bidders will be returned immediately on award of the Bonds to the purchaser or after rejection of all bids.

**MONDAY, AUGUST 3, 2009
(Continued)**

Award

The bid authorizing the lowest true interest cost (total interest on all Bonds from their date of delivery to their maturities, less any premium or plus any discount), will be deemed the most favorable. In the event that two or more bids state the lowest true interest cost, the sale of the Bonds will be awarded by lot. The Board will consider sealed bids. No oral bid will be considered. The County reserves the rights to reject any and all bids, to waive informalities in any bid and to adjourn the sale.

Continuing Disclosure

Bidders and other participating underwriters in the primary offering of the Bonds need not comply with paragraph (b) (5) of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (the "Rule"), because the aggregate principal amount of the Bonds and any other securities required to be integrated with the Bonds is less than \$1,000,000.00. Consequently, the County will not enter into any undertaking to provide disclosure of any kind with respect to the Bonds.

CUSIP Numbers

The County will pay the costs of printing the Bonds, the fees and charges of the Registrar. The County will apply for CUSIP numbers but will assume no cost or obligation for the printing of CUSIP numbers on the Series 2009 Bonds or for the correctness of any numbers printed thereon.

Dated: August 3, 2009.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS

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

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

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

ATTEST:
Paula Robinson, Clerk

By/s/D. DeReu
D. DeReu, Deputy

EXHIBIT B
NOTICE OF BOND SALE

\$203,500.00 Rural Special Improvement District Bonds
(Rural Special Improvement District No. 147)

FLATHEAD COUNTY, MONTANA

NOTICE IS HEREBY GIVEN that the Board of County Commissioners (the "Board") of Flathead County, Montana (the "County"), will receive sealed bids for the purchase of \$203,500.00 Rural Special Improvement District Bonds (Rural Special Improvement District No. 147) (the "Bonds") in the Clerk and Recorder's Office in the Flathead County Courthouse, 800 S. Main Street, Kalispell, Montana, until 9:30 a.m., M.D.T., on Thursday, August 20, 2009, at which time the bids will be opened and tabulated. The bids will be presented to the Board at its regular meeting immediately thereafter on the same day, at which time the Board will consider the bids received, and if a responsive and acceptable bid is received, the Board will award sale of the Bonds to the responsive bidder whose bid reflects the lowest true interest cost (TIC). The Bonds will be issued for the purpose of financing the cost of construction of certain local improvements (the "Improvements") within or for the benefit of Rural Special Improvement District No. 147; and paying costs associated with the sale and issuance of the Bonds. The Bonds shall mature, subject to redemption, on July 1 in the following years and amounts (unless combined into one or more term bonds):

Year	Amount	Year	Amount
2010	\$11,000	2020	\$11,000
2011	11,000	2021	11,000
2012	11,000	2022	11,000
2013	11,000	2023	11,000
2014	11,000	2024	11,000
2015	11,000	2025	10,000
2016	11,000	2026	10,000
2017	11,000	2027	10,000
2018	11,000	2028	5,000
2019	11,000	2029	3,500

The Bonds shall be issuable only as fully registered bonds and shall be executed by the manual or facsimile signatures of the Board Chair, the County Treasurer, and the County Clerk and Recorder. The Bonds shall be secured by the County's Rural Special Improvement District Revolving Fund (the "Revolving Fund").

Serial bonds shall be in the denomination of \$1,000.00 each or any integral multiple thereof of single maturities (except that one bond maturing in 2029 will be in the principal amount of \$500.00). Bidders will have the option of combining the Bonds maturing on and after 2010 through and including 2019 and on and after 2019 through and including 2029 into one or more term bonds. If any Bonds are issued as term bonds, such term bonds will be subject to annual mandatory sinking fund redemption on each July 1, concluding no later than 2029, at a redemption price equal to the principal amount of such Bonds or portions thereof to be redeemed with interest accrued thereon and payable on January 1 and July 1 to the redemption date, in installments and in the same amounts and on the same dates as the bonds would have matured if they were not included in a term bond.

MONDAY, AUGUST 3, 2009
(Continued)

The Bonds shall be dated, as originally issued, as of August 31, 2009, and shall bear interest payable semiannually on January 1 and July 1 of each year, commencing January 1, 2010, at a rate or rates designated by the successful bidder at public sale and approved by this Board; provided that interest rates must be in level or ascending order, no supplemental or B coupons or additional interest certificates shall be permitted and rates shall be expressed in integral multiples of 1/8 or 5/100 of one percent. The Bonds with stated maturities on or after July 1, 2015 will be subject to redemption on July 1, 2014, and any date thereafter, at the option of the County, in whole or in part, at a redemption price equal to the principal amount thereof to be redeemed plus interest accrued to the redemption date, without premium. The Bonds are also subject to mandatory redemption on an interest payment date if the amounts in the Sinking Fund, either from prepayment of assessments or transfers from the Construction Account to the Principal Account, are sufficient to pay outstanding Bonds, or portions thereof, with interest thereon to that interest payment date.

The Bonds will be sold for not less than \$203,500.00 (100% of par) with accrued interest on the principal amount of the Bonds to the date of their delivery. The Board reserves the right to reject any and all bids, to waive any informality in any bid, and to adjourn the sale. A good faith deposit in the form of money, cashier's check, certified check, bank money order, or bank draft drawn and issued by a federally chartered or state chartered bank insured by the Federal Deposit Insurance Corporation or a financial surety bond in the sum of 2% of the aggregate principal amount of the Bonds (\$4,070) payable to the order of the County is required for each bid to be considered, as further specified in the Official Terms and Conditions of Sale.

Copies of the Official Terms and Conditions of Sale may be obtained from the Flathead County Clerk and Recorder, 800 S. Main, Kalispell, MT 59901, telephone 406/758-5537.

Dated: August 3, 2009.

ATTEST:
Paula Robinson, Clerk

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

By/s/D. DeReu
Deputy

Publish on August 6 and August 13, 2009.

MEETING W/ SHERIFF MIKE MEEHAN RE: CIVIL FEES

[10:14:41 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, Sheriff Mike Meehan, Kathy Frame, Clerk DeReu

Sheriff Meehan passed out a handout proposing new fees for service of process. Sheriff Meehan explained that based on the competition and the rapid increase of the amount of civil work done through the Sheriff's Office he is requesting an increase in fees for service of process which would become effective on September 1, 2009. There was discussion regarding the increase of the work load.

Commissioner Brenneman inquired if there had been a comparison with other counties fees. Sheriff Meehan explained there had been a survey in Cascade County which is approximately the same population and size as Flathead County. Sheriff Meehan stated this handout was the model that Cascade used.

Kathy Frame stated the process fees can be waived by the Judge if there is a hardship.

County Attorney Jonathan Smith stated he would draw up a resolution next week if the Commissioners approved the proposed fees for service of process.

Commissioner Dupont made a **motion** to approve the fees for service of process. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

MONTHLY MEETING W/ JOE RUSSELL, HEALTH DEPT.

[10:29:44 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Health Department Director Joe Russell, Clerk DeReu

Russell reported they have had a good year in the Home Health Department. Russell reported to the Commissioners that he was impressed with the Medical Practitioner and his staff along with the Dentist and the Dental Hygienist. There was discussion regarding a public increase at the available county medical and dental programs due to the economy.

Russell stated they received some stimulus money and used it for video recording equipment. There was brief discussion held in this regard.

General discussion was held in regards to board members and a possible upcoming vacancy.

There was brief discussion regarding the Animal Shelter and the Huskies that were rescued.

Discussion was held regarding the Tax Department utilizing space at the Health Dept while renovation takes place.

MONDAY, AUGUST 3, 2009
(Continued)

Discussion was held regarding the completion of the Health Department's parking lot. Pence stated he would like the County fleet cars not to park in the parking lot discussed.

AWARD BID: RSID #147 MENNONITE CHURCH ROAD

[10:59:39 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 DeReu

Knife River Incorporated was low bidder for RSID #147 Mennonite Church Road for \$606,205.00.

Commissioner Brenneman made a **motion** to award the bid to Knife River Incorporated and authorized the chairman to sign. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

MONTHLY MEETING W/ DAVE PRUNTY & GUY FOY, ROAD DEPT.

[11:01:07 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, Manager Road and Bridge Dept. Guy Foy, Charles Lapp, Clerk DeReu

Prunty passed out a handout regarding a chipping schedule update and stated the list will be complete within two days. There was brief discussion regarding this matter.

There was discussion regarding Badrock RSID. Prunty stated they are in contact with Flathead Electric Company and hope to get the utilities moved shortly. The goal is to get this part of the project completed. There was continued discussion regarding this matter.

Foy commented on the bus turnaround on McMannamy Draw and they have agreed to move it up the road to O'Neil Creek. Foy stated he did not have any problem with that so they have agreed to give permit approval.

Prunty discussed with the Commissioners the strong commitment in having roads engineered and the consensus regarding this at the board meetings.

There was discussion held regarding dust control and Prunty commented there have been fewer complaints than in past years. Discussion was held regarding dust control on county roads.

DOCUMENT FOR SIGNATURE: CONTRACT/ GRAYLING ROAD

[11:05:07 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, Manager Road and Bridge Dept. Guy Foy, Charles Lapp, Clerk DeReu

Prunty reported that County Attorney Jonathan Smith prepared a contract between Lapp Limited and Flathead County to pave Grayling Road. Prunty explained the agreement was for the reimbursement of paving of Grayling Road. Prunty stated that Lapp would reimburse the county after the project was completed but there would be no interest accumulated the first year. After the first year interest would accumulate at 6 percent. Prunty stated they started the project last week and it should take another week.

Lapp explained the county cleaned up the right of way issues and Troutbeck Rise Subdivision property owners raised the monies to pave Grayling Road. Lapp also explained that Grayling Road has nothing to do with his subdivision and this was an offsite improvement. Lapp stated since the community wanted it completed he would agree to take care of the storm water issues.

Brenneman asked Lapp if this was a condition to a final plat. Lapp explained that yes it was a condition in the phasing plan part of it. Lapp stated he agreed to pave phase II. Brenneman commented that he has an issue with using tax payer money to take care of the road when it is a condition to receive final plat in phase II. There was continued discussion regarding operational benefits to paving and rebuilding the road now versus not having any security for receiving reimbursement and the scrutiny of using taxpayer monies.

Commissioner Dupont made a **motion** to approve document for signature: Grayling Road. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Dupont. **Opposed** - Brenneman. Motion carried by quorum.

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 August 4, 2009.

TUESDAY, AUGUST 4, 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.

BI-MONTHLY MEETING W/ VICKI SAXBY, I.T.

[9:15:56 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

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

Saxby explained she has been working on a county wide policy pertaining to computer equipment purchases and software disposal, in which she asked for commissioner approval in order to implement. She then reviewed network and tech projects, programmer projects and web projects. Her report contained performance measures and workload indicator statistic totals for tech support, training, programming and web with the monthly average visitors to the county web-site reaching 26,467.

DOCUMENT FOR SIGNATURE: N.W. MONTANA ZONE CHARTER/ OES

[9:30:56 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, Clerk Kile

Commissioner Dupont made a **motion** to authorize the chairman to sign the N.W. Montana Zone Charter document. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: ROBINSON SAND & GRAVEL ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

[9:33:00 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, Planning & Zoning Director Jeff Harris, Planner Dianna Broadie, Clerk Kile

Commissioner Dupont made a **motion** to adopt Final Resolution 797FA. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

RESOLUTION NO. 797 FA

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the on the 24th day of June, 2009, to consider a proposal to change the zoning designation on property in the Evergreen and Vicinity Zoning District from R-1 (Suburban Residential) to B-2 (General Business);

WHEREAS, the Board of Commissioners heard public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Evergreen and Vicinity 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. 797 FA, dated June 24, 2009) to change the zoning designation from R-1 (Suburban Residential) to B-2 (General Business); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 29 and July 6, 2009, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

TUESDAY, AUGUST 4, 2009
(Continued)

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 Evergreen and Vicinity Zoning District to change the zoning designation, for the area described as the boundaries of Lots 10 and 11 of Bernard's Park Subdivision located in Section 3, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana and located on the north side of US Highway 35 just east of Bernards Road, containing approximately 1.3 acres, from R-1 (Suburban Residential) to B-2 (General Business), as those terms are used and defined in the Flathead County Zoning Regulations.

DATED this 4th day of August, 2009.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By: _____
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

AUTHORIZATION TO PUBLISH CALL FOR BIDS: CRUSHED GRAVEL/ ROAD DEPT.

9:35:09 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 authorize the publication for call for bids for crushed gravel and authorized the chairman to sign. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that sealed bids for the crushing and stockpiling of gravel at one Flathead County gravel pit will be received by the County Board of Commissioners of Flathead County, Montana.

The work contemplated consists of crushing and stockpiling the following:

Approximately 23,000 tons of 3/4" inch minus crushed gravel at the Demers Pit in the North Fork drainage of the Flathead River. Crushed material to meet FHWA FLH Specification.

TWO PRICES REQUESTED, ONE FOR EACH SET OF SPECIFICATIONS

SPECIFICATION ONE

PERCENTAGE BY WEIGHT PASSING SQUARE MESH SIEVES

Sieve Size

3/4"	97-100 %
1/2"	70-80 % (+/- 5%)
No. 4	50-70 % (+/- 7%)
No. 10	25-40 % (+/- 6%)
No. 40	15-25 % (+/- 5%)
No. 200	8-14 % (+/- 4%)

SPECIFICATION TWO

PERCENTAGE BY WEIGHT PASSING SQUARE MESH SIEVES

Sieve Size

3/4"	97-100 %
1/2"	70-80 % (+/- 5%)
No. 4	50-70 % (+/- 7%)
No. 10	25-40 % (+/- 6%)
No. 40	15-25 % (+/- 5%)
No. 200	8-14 % (+/- 4%)
LL	35
PI	10% (+/- 3%)

Change Article 701.03 (A) (3) to read not less than 60% of coarse aggregate particles by weight shall have at least two mechanically fractured faces as determined by MT-217.

Contractor performs sieve analysis every 1,000 tons.

TUESDAY, AUGUST 4, 2009
(Continued)

Actual amounts to be crushed shall be determined based upon unit prices. Crushed material to be weighed by scales on a belt conveyor, and or cross section of stockpile to be done by engineer to verify quantities. Gradation testing shall be conducted by the contractor in accordance with MT-202. All material up to 4 feet shall be crushed; any material over 4 feet will be considered oversize. Location shown on map attached to the Bid Proposal. Material and pit area may be viewed by making an appointment with the Road Department. The exact location of material to crush and of the stockpile will be designated by the Flathead County Road Department at the time of crushing. Contact the Flathead County Road Department if there are any questions or to set up a time to view the crushing site.

Bid proposals must be submitted on a form to be provided for the purpose, addressed to the Board of County Commissioners, Flathead County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, and enclosed in an envelope marked, "Proposal for Crushing and Stockpiling Gravel."

No proposal will be considered unless accompanied by a proposal security in the amount of ten percent (10%) of his bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase and sale of said materials. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

A performance bond will be required for the faithful performance of the successful contractor in the full amount of the bid.

Plans and specifications, forms of contract, proposal blanks, and full instructions are on file and may be obtained at the Clerk and Recorder's office in the Courthouse at 800 South Main, Kalispell, MT 59901.

Time is of the essence. Liquidated damages in the amount of \$100 per day shall be due in the event that the contractor fails to complete the contract within sixty (60) days. This allows thirty (30) days for the contractor to file a public notice of moving and the State change of location notice. Extenuating circumstances will be considered by the County Commissioners for extension of the contract date.

The successful bidder must contract to pay prevailing wage rates set by the Montana Department of Labor and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Employment Relations Division of the Montana Department of Labor and Industry in the proper classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or county that enforces a preference for resident bidders equal to the preference given in the other state or county.

All sealed bids, plainly marked as such, must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, on or before 5:00 o'clock p.m. on August 19, 2009. Bids will be opened and read at 10:00 o'clock a.m. August 20, 2009 at the Commissioner's Office in the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 4th day of August, 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

Publication dates August 8 and August 15, 2009.

AUTHORIZE PLANNING & ZONING OFFICE TO ADVERTISE FLATHEAD COUNTY PLANNING BOARD OPENING

9:36:40 AM

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

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

Commissioner Dupont made a **motion** to accept the resignation of Planning Board member George Culpepper and authorized the Planning & Zoning Office to advertise for the board opening. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

TUESDAY, AUGUST 4, 2009
(Continued)

MEETING W/ GUY FOY, ROAD DEPT. RE: EMERGENCY RESPONDERS GROUP

[9:45:56 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Manager Road & Bridge Dept Guy Foy, Clerk Kile

Discussion was held relative to adding the Road Department to the EMS Group within Flathead County.

Prunty explained if they were part of the group it would open the door to enable them to apply for grant monies.

Commissioner Dupont made a **motion** to authorize Flathead County Road Department to be a part of the emergency support function within the county. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[10:00:15 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, Clerk Kile

Campbell presented the personnel transactions for the month of July 2009.

Commissioner Dupont made a **motion** to approve the July personnel transactions and authorized the chairman to sign. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

Campbell then reported the Road Department has the highest work comp expenses for the year primarily to two shoulder injuries; this time one year ago there were 19 work related injuries and this year we have 26. She then stated the trust fund balance hit 3 million and claims are down \$200,000.00 from last July. Campbell then reported she also has been working on personnel issues and payroll software changes.

COS REVIEW: LARSEN

[10:15:55 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Planner Dianna Broadie, Joe Kauffman, Roxanne Larsen, Clerk Kile

Broadie reviewed the proposal to divide a 9.98 acre parcel located south of Badrock Drive between Hwy 206 and Middle Road into the following.

Parcel A	5.44 acres to be transferred to Michelle Peterson, Daughter
Parcel B	1.54 acres to be transferred to James Larsen, Son
Parcel C	3.00 acres to be retained by Roxanne Larsen

She explained the division would create two new parcels resulting in a fourth parcel, therefore, presuming to be a pattern of development.

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

MEETING W/ LIL DUPREE, N.W. MONTANA HUMAN RESOURCES RE: CSBG LETTER

[10:24:48 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Development Director N. W. Montana Human Resources Lil Dupree, America Corp Vista Members: Rachael Milne, Jenn White, Laura Yoder, Clerk Kile

Dupree presented the Community Services Block Grant Work Plan for FY2010-2011 to the commission and reviewed their goals and objectives. She then briefly described how the organization helps low income people become more self sufficient.

Discussion was held relative to the replacement of Robin Boon on the board.

**TUESDAY, AUGUST 4, 2009
(Continued)**

Commissioner Dupont made a **motion** to approve the Community Services Block Grant Work Plan for FY2010-2011. Chairman Lauman **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

MEETING W/ MDOT RE: PROJECT UPDATES

[11:00:52 AM](#)

Members present:

Chairman Dale W. Lauman
Commissioner James R. Dupont

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Mike Pence, Doug Moeller, Kyle DeMars, Ben Nunnallee, Shane Stack, Ed Toavs, Clerk Kile

Doug Moeller explained they are meeting with counties to present information in regards to the status of pending projects.

Ben Nunnallee presented a map to the commission with proposed engineered projects that MDOT has in various stages of design. He briefly reviewed approximately 50 projects and the proposed date of construction.

Discussion was held relative to the Courthouse couplet in which Shane Stack noted the EIS was completed, however, a re-evaluation will need to be done. Different options were then discussed in regards to layout of the proposed road design.

Doug Moeller reported a consultant has been retained to do a feasibility study on the North Fork Road. He stated concern has been raised by citizens in regards to the condition of the gravel section of the road. Moeller noted the study will give them an idea of what the future plan is for the state secondary road.

2:00 p.m. Commissioner Brenneman: Bigfork Stormwater Project meeting w/ DNRC & DEQ in Helena

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

WEDNESDAY, AUGUST 5, 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.

**11:00 a.m. Commissioner Brenneman: Flathead Basin Commission meeting @ Glacier National Park
Community Building**

11:00 a.m. County Attorney meeting @ Co. Atty's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 6, 2009.

THURSDAY, AUGUST 6, 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 Dupont: AOA TAB meeting @ Eagle Transit

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 7, 2009.

FRIDAY, AUGUST 7, 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 Dupont: Mosquito Control Board meeting @ Earl Bennett Bldg.

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