
MONDAY, NOVEMBER 23, 2009

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

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

Kim Fleming, 166 Troutbeck Road stated she appreciated the work done by Charles Lapp and the Road Department on Grayling Road which leads up to the subdivision she lives in. She then said the road is now completely paved past her lot on one side and that lot 1 does not have a home on it. Fleming stated she supports the RSID that will be brought before them today, but would like her lot to be excluded since it has pavement in front of it already. It was then asked that another 25 MPH speed limit sign be posted on the road per a request from a homeowners meeting. Also asked was if the homeowners would be allowed to put up a temporary speed bump during the summer months.

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

MONTHLY MEETING W/ JOE RUSSELL, HEALTH DEPT.

[9:00:55 AM](#)

Members present:

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

Others present:

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

Russell reported H1N1 Clinics have been well attended in the community with several clinics still pending. He then spoke about the new report that will be available regarding restaurant inspections that will be available on the county website. Discussion was then held relative to the Whitefish Growth Policy and erroneous information in regards to septic systems. Russell also spoke about the Animal Shelter and the positive changes that have taken place.

DOCUMENT FOR SIGNATURE: DEQ 319 FINAL APPLICATION/ BIGFORK STORMWATER PROJECT

[9:30:53 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

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

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

[9:33:42 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Dupont made a **motion** to adopt Resolution 2233 and authorized the publication of the Notice of Public Hearing and authorized the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

RESOLUTION NO. 2233

WHEREAS, Section 7-33-2125, M.C.A., allows for annexation of adjacent property into a fire district upon petition by at least 50% of the owners in an area to be annexed and approval by the Trustees of the Fire District;

WHEREAS, a petition was received from more that 50% of the owners of property that is currently in the Flathead County Fire Service Area, to be annexed into the Smith Valley Rural Fire District and that petition was approved by the Board of Trustees of the Smith Valley rural Fire District;

WHEREAS, the property to be annexed is described as follows:

the SW4, S2/NW4 and W2/SE4 Section 25, Section 26, E2/NE4/NE4 Section 34, Section 35, SW4 & W2/NE4, Section 36, all in Township 28 North, Range 23 West, P.M.M., Flathead County, Montana, containing approximately 1860 acres.

WHEREAS, Section 7-33-2125, M.C.A., requires that the Board of Commissioners hold a hearing on the petition to annex;

WHEREAS, Section 7-33-2401, M.C.A., allows the Board of Commissioners to alter the boundaries of the Flathead County Fire Service Area upon petition and after passage of a resolution of intent and conduct of a public hearing; and

MONDAY, NOVEMBER 23, 2009
(Continued)

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that it intends to alter the boundaries of the Flathead County Fire Service Area by transferring the property described above into the Smith Valley Rural Fire District.

BE IT FURTHER RESOLVED that the Board of Commissioners will hold a public hearing on its intent to alter said boundaries and the petition to annex the property into the Smith Valley Rural Fire District on the 10th day of December, 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 accept written protests from property owners of the property described above and will receive general protests and comments relating to the alteration of the Flathead County Fire Service Area boundaries.

Dated this 23rd day of November, 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/Diana Kile
Diana Kile, Deputy

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Sections 7-33-2125 and 7-33-2401, M.C.A., that it will hold a public hearing to consider a petition to annex territory into the Smith Valley Rural Fire District, said territory being described as the SW4, S2/NW4 and W2/SE4 Section 25, Section 26, E2/NE4/NE4 Section 34, Section 35, SW4 & W2/NE4, Section 36, Township 28 North, Range 23 West, P.M.M., Flathead County, Montana, containing approximately 1860 acres, and to alter the boundaries of the Flathead County Fire Service Area.

The Board of Commissioners has received a petition in writing by the owners of more than 50% of the land of the area to be annexed asking that such area be annexed into the Smith Valley Rural Fire District and has passed a Resolution of Intent to alter the boundaries of the Flathead County Fire Service Area by transferring the property described SW4, S2/NW4 and W2/SE4 Section 25, Section 26, E2/NE4/NE4 Section 34, Section 35, SW4 & W2/NE4, Section 36, Township 28 North, Range 23 West, P.M.M., Flathead County, Montana, containing approximately 1860 acres, into the Smith Valley Rural Fire District.

The public hearing will be held on the 10th day of **December, 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 annexation, and will consider whether a protest petition signed by a majority of the landowners of the area proposed for annexation, which would prevent the annexation, is presented at the hearing.

DATED this 23rd day of November, 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 November 27 and December 4, 2009.

BI-MONTHLY MEETING W/ MINDY COCHRAN, GIS

9:45:47 AM

Members present:

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

Others present:

Assistant Mike Pence, GIS Director Mindy Cochran, Clerk Kile

Cochran reported the elementary school district legal description boundaries are completed and high school boundaries are being worked on. She then noted they are wrapping up their testing for migration of the new ArcGIS Server Technology that will be released the first of the year with in house training sessions to follow. It was then explained a customized web application is in the works for Environmental Health that will map restaurant inspection grades for the public to more readily have access to. She then reported of the 42,000 addresses submitted to the Census Bureau 18,000 address records were denied, and they now are tasked with going through to determine if the denials are valid; 3,000 of them have Century-Tel phone numbers assigned to them. Also noted was the Open County web service implemented by I.T. has been a project requiring additional work to migrate GIS data from the ftp server to the new application. Cochran then reported they are working with the Treasurer's Office to map mobile home assessor numbers across the county in order to start auditing district taxes.

MONDAY, NOVEMBER 23, 2009
(Continued)

CONSIDERATION OF ADOPTION OF RESOLUTION: CREATION OF RSID #148 (TROUTBECK RISE)

10:15:39 AM

Members present:

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

Others present:

Deputy County Attorney Tara Fugina, Terry Richmond, Clerk Kile

Tara Fugina reported Morrison & Maierle is the engineer for RSID #148 (Troutbeck Rise) which was created by a petition from the residents for improvements to the road with the total estimated costs of \$453,506.00.

Terry Richmond reported the road is approximately 1 ½ miles in length and consists of 72 lots; he noted there were questions in regards to lot numbers and stated lot 56 does not exist. He then spoke about three lots that front on Grayling Road 35, 36 and 37 that are not part of the RSID because they are served by Grayling Road. Richmond reported the homeowners wish to have the RSID setup so that each lot shares equally in the cost/ per lot basis.

Discussion was held relative to excluding lot 1 in which Terry Richmond stated it is a corner lot that fronts on Grayling Road and Troutbeck Road.

Tara Fugina noted there is a procedure to follow if someone wishes to be excluded.

Commissioner Brenneman made a **motion** to adopt Resolution 2234 and authorized publication of the Notice of Passage of Resolution of Intent and authorized the 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. 2234, entitled: "RESOLUTION RELATING TO RURAL SPECIAL IMPROVEMENT DISTRICT NO. 148; DECLARING IT TO BE THE INTENTION OF THE BOARD OF COUNTY COMMISSIONERS TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF RURAL SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE COUNTY'S RURAL SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND" (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 November 23, 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 Lauman, Commissioner Dupont & Commissioner Brenneman; voted against the same: _____; abstained from voting thereon _____; or were absent: _____.

WITNESS my hand officially the 23rd day of November, 2009.



Paula Robinson, Clerk

By/s/Diana Kile
Deputy

RESOLUTION NO. 2234

RESOLUTION RELATING TO RURAL SPECIAL IMPROVEMENT DISTRICT NO. 148; DECLARING IT TO BE THE INTENTION OF THE BOARD OF COUNTY COMMISSIONERS TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF RURAL SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE COUNTY'S RURAL SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND

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

Section 1. Proposed Improvements; Intention To Create District. The County proposes to undertake certain local improvements (the "Improvements") to benefit certain property located in the County. The Improvements consist of the making improvements to approximately 170,000 square feet of Troutbeck Road, as more particularly described in Section 5. The total estimated costs of the Improvements are \$453,506. The costs of the Improvements are to be paid from the rural special improvement district bonds hereinafter described. It is the intention of this Board to create and establish in the County under Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended, a rural special improvement district (the "District") for the purpose of financing the costs of the Improvements and paying costs incidental thereto, including costs associated with the sale and the security of rural special improvement district bonds drawn on the District (the "Bonds"), the creation and administration of the District, and 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 financed by the Bonds are \$453,506. The Bonds are to be payable primarily 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 \$453,506.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Rural Special Improvement District No. 148, of the County of Flathead, Montana.

MONDAY, NOVEMBER 23, 2009
(Continued)

Section 3. Boundaries of District. The limits and boundaries of the District are depicted on a map attached as Exhibit A hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on Exhibit B hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on Exhibit C hereto.

Section 4. Benefitted Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits A and B are hereby declared to be the rural special improvement district and the territory which will benefit and be benefitted by the Improvements and will be assessed for the costs of the Improvements as described in Section 1. The property included within said limits and boundaries is hereby declared to be the property benefitted by the Improvements.

Section 5. General Character of the Improvements. The general character of the Improvements is the design, engineering and construction for paving a three inch asphalt layer on top of a three inch crushed gravel sub-base, on approximately 170,000 square feet of Troutbeck Road, with drainage improvements.

Section 6. Engineer and Estimated Cost. Morrison & Maierle, Inc. shall be the engineer for the District. The Engineer has estimated that the cost of the Improvements, including all incidental costs, is \$453,506.

Section 7. Assessment Method - Equal Assessments. All properties in the District will be assessed for their proportionate share of the costs of the project. The total estimated cost of the project is \$453,506 and shall be assessed against each lot, tract or parcel of land in the District equally, such that each lot, tract or parcel in the District shall be assessed for the same amount of the cost of the project.

The costs of the project per lot, tract or parcel to be assessed shall not exceed \$6,298.70. The assessment for each lot, tract or parcel of land for the project will be 1/72 of the total and will not exceed \$6,298.70.

Assessment Methodology Equitable and Consistent with Benefit. This Board hereby determines that the method of assessment and the assessment of costs of the specific Improvements against the properties benefitted thereby as prescribed in this Section 7 are equitable and in proportion to and not exceeding the special benefits derived from the respective Improvements by the lots, tracts and parcels to be assessed therefor within the District.

Section 8. Payment of Assessments. The special assessments for the costs of the Improvements shall be payable over a term not exceeding 20 years, each in equal semiannual installments of principal, plus interest, or equal semiannual payments of principal and interest, as this Board shall prescribe in the resolution authorizing the issuance of the Bonds. Property owners have the right to prepay assessments as provided by law.

Section 9. Method of Financing; Pledge of Revolving Fund; Findings and Determinations. The County will issue the Bonds in an aggregate principal amount not to exceed \$453,506, in order to finance the costs of the Improvements. Principal of and interest on the Bonds will be paid from special assessments levied against the property in the District. This Board further finds it is 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 hereby authorizes the County to enter into the undertakings and agreements authorized in Section 7-12-2185 in respect of the Bonds.

In determining to authorize such undertakings and agreements, this Board has taken into consideration the following factors:

(a) Estimated Market Value of Parcels.

The Board reasonably expects that the market value of the lots, parcels or tracts in the District as of the date of adoption of this resolution, will increase by at least the amount of the special assessment to be levied under Section 7 against each lot, parcel or tract in the District, as a result of the construction of the Improvements.

(b) Diversity of Property Ownership.

Analysis of the number of property owners, business or family relationships, if any, between property owners, the comparative holdings of property by owners in the District indicated that of the 72 properties, there are 64 different owners. The substantial diversity in ownership makes it less likely that financial difficulties of one or related property owners will require the Revolving Fund to make a loan.

(c) Comparison of Special Assessments and Property Taxes and Market Value.

The amount of the proposed assessments against each lot, parcel or tract in the District (\$6,298.70), compares favorably to the estimated market value of each lot, parcel, or tract, which range in value (land only, not including improvements) from approximately \$25,944 to \$37,739. The amount of security for any Revolving Fund loan is more than adequate. Since the estimated market value of each parcel compares favorably to the sum of special assessments any loan from the Revolving Fund loan would be adequately secured.

(d) Delinquencies.

There are no delinquencies in the payment of outstanding property taxes levied against property in the District. The lack of delinquent taxes suggests that the likelihood of financial difficulties is small, making the necessity for a Revolving Fund loan unlikely.

(e) The Public Benefit of the Improvements.

The public benefit to be derived from the Improvements is substantial. The Improvements meet an urgent and important need of the County to pave roads in rural areas of the County for public health and safety reasons.

(f) Newly Platted Subdivision.

The District is not a recently platted subdivision or proposed subdivision plat. The lots are not owned by a developer, but are owned by 64 different parties.

MONDAY, NOVEMBER 23, 2009
(Continued)

Section 10. Public Hearing; Protests. At any time within thirty-two (32) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the District subject to assessment and taxation for the cost and expense of making the Improvements may make and file with the County Clerk and Recorder until 5:00 p.m., M.S.T., on the expiration date of said 32-day period (December 28, 2009), written protest against the proposed Improvements, or against the creation of the District or both, and this Board will at its next regular meeting after the expiration of the thirty-two (32) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said regular meeting will be held on Tuesday, the 4th day of January, 2010, at 10:00 o'clock, a.m., in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Section 11. Notice of Passage of Resolution of Intention. The County Clerk and Recorder is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the Daily Interlake, a newspaper of general circulation in the County on November 26 and December 3, 2009, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the District listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

PASSED AND ADOPTED by the Board of County Commissioners of the County of Flathead, Montana, this 23rd day of November, 2009.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

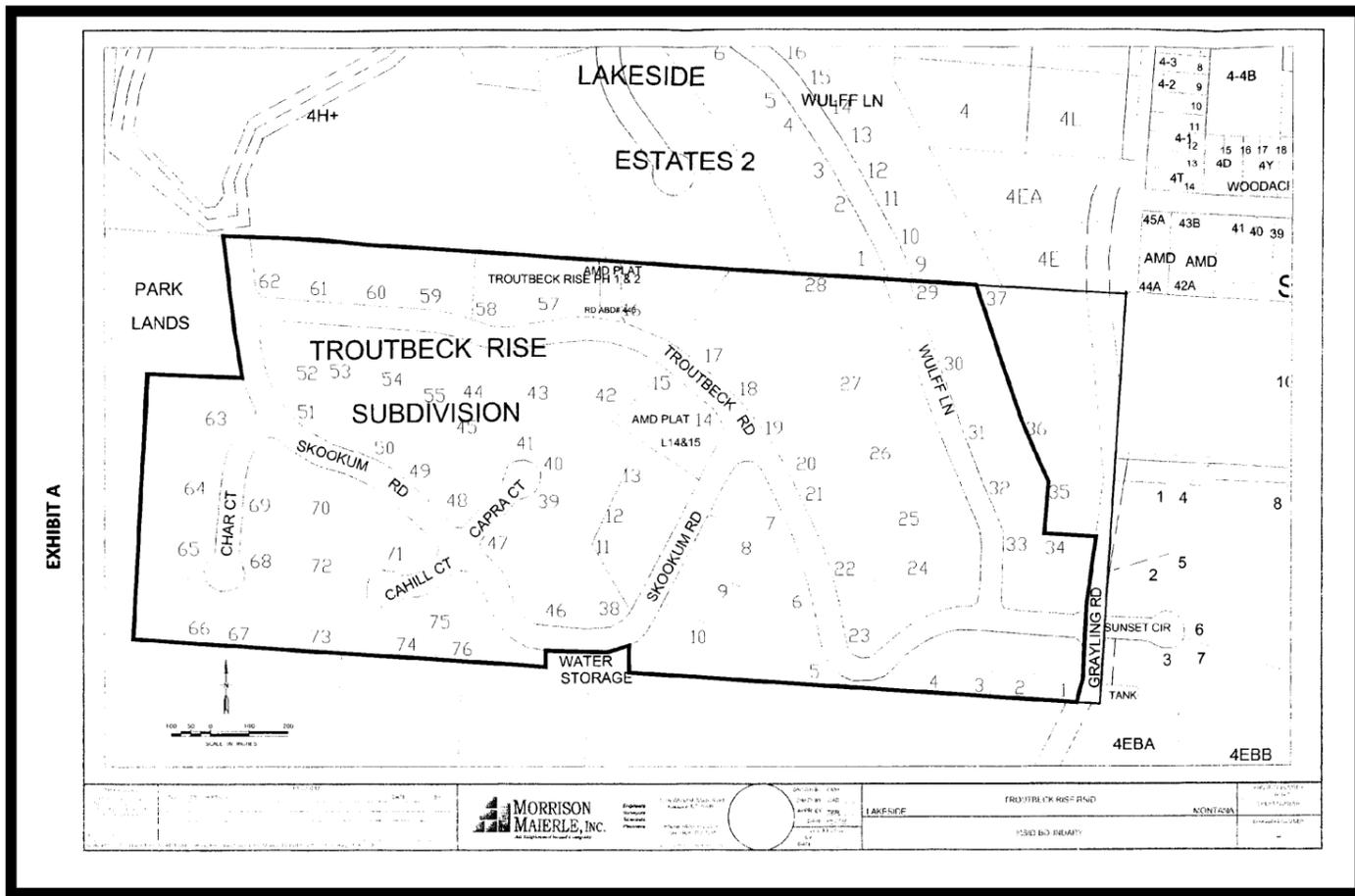
By/s/Dale W. Lauman
Dale W. Lauman, Chairman

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

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy



MONDAY, NOVEMBER 23, 2009
(Continued)

Troutbeck Rise Subdivision SID Legal Description

Said land lying in Troutbeck Rise Subdivision Phase 1 and 2, Section 12, Township 26 North, Range 21 West, P.M.M.

Beginning at the Southeast corner of Lot 1 in said Troutbeck Rise Subdivision;

Thence N86°08'25"W a distance of 1154.4 feet along the south line of Lots 1, 2, 3, 4, 5, and 10 to the Southwest corner of Lot 10;

Thence N00°33'36"W a distance of 68.6 feet along the west line of Lot 10 to the Northeast corner of the Water Storage Area;

Thence S72°50'20"W a distance of 56.5 feet along the north line of the Water Storage Area;

Thence N88°34'28"W a distance of 116.0 feet along the north line of the Water Storage Area to the Northwest corner of the Water Storage Area;

Thence S03°58'24"W a distance of 41.4 feet along the west line of the Water Storage Area to the Southwest corner of the Water Storage Area;

Thence N86°06'27"W a distance of 1060.5 feet along the south line of Lots 76, 74, 73, 67, and 66 to the Southwest corner of Lot 66;

Thence N03°22'32"E a distance of 680.6 feet along the west line of Lots 66, 65, 64, and 63 to the Northwest corner of Lot 63;

Thence S87°28'14"E a distance of 238.5 feet along the north line of Lot 63 to the Northeast corner of Lot 63;

Thence N17°15'14"W a distance of 14.6 feet along the east line of the Park;

Thence N08°37'07"W a distance of 54.1 feet along the east line of the Park;

Thence N06°52'33"W a distance of 242.1 feet along the east line of the Park to the Northeast corner of the Park;

Thence S87°59'29"E a distance of 69.1 feet to the Northwest corner of Lot 62;

Thence S86°11'58"E a distance of 1870.1 feet along the north line of Lots 62, 61, 60, 59, 58, 57, 16, 17, 28, 29 to the Northeast corner of Lot 29;

Thence S18°41'26"E a distance of 404.2 feet along the east line of Lots 29, 30, and 31;

Thence S25°19'27"E a distance of 134.1 feet along the east line of Lots 31 and 32;

Thence S04°23'12"W a distance of 132.3 feet along the east line of Lot 32 to the Southeast corner of Lot 32;

Thence S86°42'36"E a distance of 134.2 feet along the north line of Lot 34 to the Northeast corner of Lot 34;

Thence S07°42'02"W a distance of 176.9 feet along the east line of Lot 34 to the Southeast corner of Lot 34;

Thence S06°16'41"W a distance of 100.2 feet to the Northeast corner of Lot 1;

Thence S07°19'03"E a distance of 33.5 feet along the east line of Lot 1;

Thence S05°22'43"W a distance of 57.7 feet along the east line of Lot 1;

Thence S12°28'43"W a distance of 60.2 feet along the east line of Lot 1 to the point of beginning.

MONDAY, NOVEMBER 23, 2009
(Continued)

Exhibit C - List of Properties
RSID No. 148, Troutbeck Road

Lot in Troutbeck Rise Subdivision	Assessor Number	Section, Township, Range	Lot in Troutbeck Rise Subdivision	Assessor Number	Section, Township, Range
1	0691451	S12, T26N, R21W	49	0882699	S12, T26N, R21W
2	0023031	S12, T26N, R21W	50	0882701	S12, T26N, R21W
3	0023031	S12, T26N, R21W	51	0882710	S12, T26N, R21W
4	0023031	S12, T26N, R21W	52	0119006	S12, T26N, R21W
5	0514963	S12, T26N, R21W	53	0882711	S12, T26N, R21W
6	0407230	S12, T26N, R21W	54	0882702	S12, T26N, R21W
7	0739040	S12, T26N, R21W	55	0882703	S12, T26N, R21W
8	0882667	S12, T26N, R21W	57	0957020	S12, T26N, R21W
9	0882668	S12, T26N, R21W	58	0215076	S12, T26N, R21W
10	0882669	S12, T26N, R21W	59	0882651	S12, T26N, R21W
11	0382614	S12, T26N, R21W	60	0882704	S12, T26N, R21W
12	0138238	S12, T26N, R21W	61	0882712	S12, T26N, R21W
13	0208500	S12, T26N, R21W	62	0119007	S12, T26N, R21W
14	0604345	S12, T26N, R21W	63	0119008	S12, T26N, R21W
15	0882674	S12, T26N, R21W	64	0119009	S12, T26N, R21W
16	0882671	S12, T26N, R21W	65	0119011	S12, T26N, R21W
17	0976324	S12, T26N, R21W	66	0119012	S12, T26N, R21W
18	0882677	S12, T26N, R21W	67	0119013	S12, T26N, R21W
19	0621520	S12, T26N, R21W	68	0119014	S12, T26N, R21W
20	0882679	S12, T26N, R21W	69	0119015	S12, T26N, R21W
21	0882680	S12, T26N, R21W	70	0882713	S12, T26N, R21W
22	0882681	S12, T26N, R21W	71	0882650	S12, T26N, R21W
23	0491395	S12, T26N, R21W	72	0882714	S12, T26N, R21W
24	0467475	S12, T26N, R21W	73	0882715	S12, T26N, R21W
25	0083025	S12, T26N, R21W	74	0882705	S12, T26N, R21W
26	0882685	S12, T26N, R21W	75	0882706	S12, T26N, R21W
27	0882686	S12, T26N, R21W	76	0882707	S12, T26N, R21W
28	0882687	S12, T26N, R21W			
29	0033610	S12, T26N, R21W			
30	0063500	S12, T26N, R21W			
31	0514960	S12, T26N, R21W			
32	0563130	S12, T26N, R21W			
33	0031085	S12, T26N, R21W			
34	0103776	S12, T26N, R21W			
38	0382613	S12, T26N, R21W			
39	0882665	S12, T26N, R21W			
40	0882664	S12, T26N, R21W			
41	0882660	S12, T26N, R21W			
42	0893380	S12, T26N, R21W			
43	0981308	S12, T26N, R21W			
44	0882694	S12, T26N, R21W			
45	0882672	S12, T26N, R21W			
46	0882690	S12, T26N, R21W			
47	0275200	S12, T26N, R21W			
48	0882673	S12, T26N, R21W			

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION TO CREATE RURAL SPECIAL IMPROVEMENT DISTRICT NO. 148 AND TO ISSUE RURAL SPECIAL IMPROVEMENT DISTRICT NO. 148 BONDS OF THE COUNTY IN THE AGGREGATE PRINCIPAL AMOUNT OF \$453,506, SECURED BY THE RURAL SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND

FLATHEAD COUNTY, MONTANA

NOTICE IS HEREBY GIVEN that on November 23, 2009, the Board of County Commissioners of Flathead County, Montana (the "County"), adopted a Resolution of Intention to Create Rural Special Improvement District No. 148 (the "District") for the purpose of financing the costs of certain local improvements (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, and the funding of a deposit to the County's Rural Special Improvement District Revolving Fund (the "Revolving Fund"). The Improvements shall be constructed and installed pursuant to plans and specifications prepared by Morrison & Maierle, Inc.

A complete copy of the Resolution of Intention (the "Resolution") is on file with the County Clerk and Recorder which more specifically describes the nature of the Improvements, the boundaries and the area included in the District, the location of the Improvements and other matters pertaining thereto and further particulars. A map of the proposed District accompanies this notice.

The Improvements consist of the design, engineering and construction of paving on approximately 170,000 square feet of Troutbeck Road, currently a gravel road.

The County would issue the Bonds in an aggregate principal amount not to exceed \$453,506, in order to finance the costs of the Improvements. Principal of and interest on the Bonds will be paid from special assessments levied against the property in the District in the aggregate principal amount of \$453,506 and such payment will be secured by the Revolving Fund. **Subject to the limitations of Montana Code Annotated, Section 7-12-4222, the general fund of the County may be used to provide loans to the Revolving Fund or a general tax levy may be imposed on all taxable property in the County to meet the financial requirements of the Revolving Fund.**

MONDAY, NOVEMBER 23, 2009
(Continued)

All properties in the District will be assessed for their proportionate share of the costs of the Paving Improvements. The total estimated cost of the Paving Improvements is approximately \$453,506, and shall be assessed against each lot, tract or parcel of land in the District equally, such that each lot, tract or parcel in the District shall be assessed for the same/proportional amount of the cost of the Paving Improvements. There are 72 lots, tracts or parcels in the District. The estimated cost of the Paving Improvements per lot, tract or parcel to be assessed is \$6,298.70.

On January 4, 2010, at 10:00 o'clock, a.m., in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, 800 South Main, Kalispell, Montana, the Board of County Commissioners will conduct a public hearing and pass upon all written protests against the creation of the District, or the making of Improvements, that may be filed in the period hereinafter described.

Written protests against the creation of the District and the making of the Improvements may be filed by an agent, person, firm or corporation owning real property within the proposed District whose property is liable to be assessed for the Improvements. For purposes of protest, the owner of a property created as a condominium is collectively the owners of all units having an undivided interest in the common elements. The protest must be filed by the president, vice president, secretary or treasurer of the condominium owners' association, and such protest must be in writing, identify the condominium property, include a declaration or other document that shows how votes of unit owners in the condominium are calculated and be signed by owners of units in the condominium sufficient to constitute an affirmative vote for an undertaking relating to the common elements under the condominium declaration, as more particularly set forth in Section 7-12-2141, M.C.A. Such protests must be delivered to the County Clerk and Recorder at the Flathead County Courthouse, 800 South Main, Kalispell, Montana 59901, no later than 5:00 p.m., M.S.T., on December 28, 2009. As provided by law, such protests must be in writing, identify the property in the District owned by the protestor and be signed by all owners of the property. The protest must be delivered to the County Clerk and Recorder, who shall endorse thereon the date of its receipt by her.

Further information regarding the proposed District or the Bonds or other matters in respect thereof may be obtained from the Board of Commissioners at 800 South Main, Kalispell, Montana, or by telephone at 406/758-5503.

DATED this 23rd day of November, 2009.

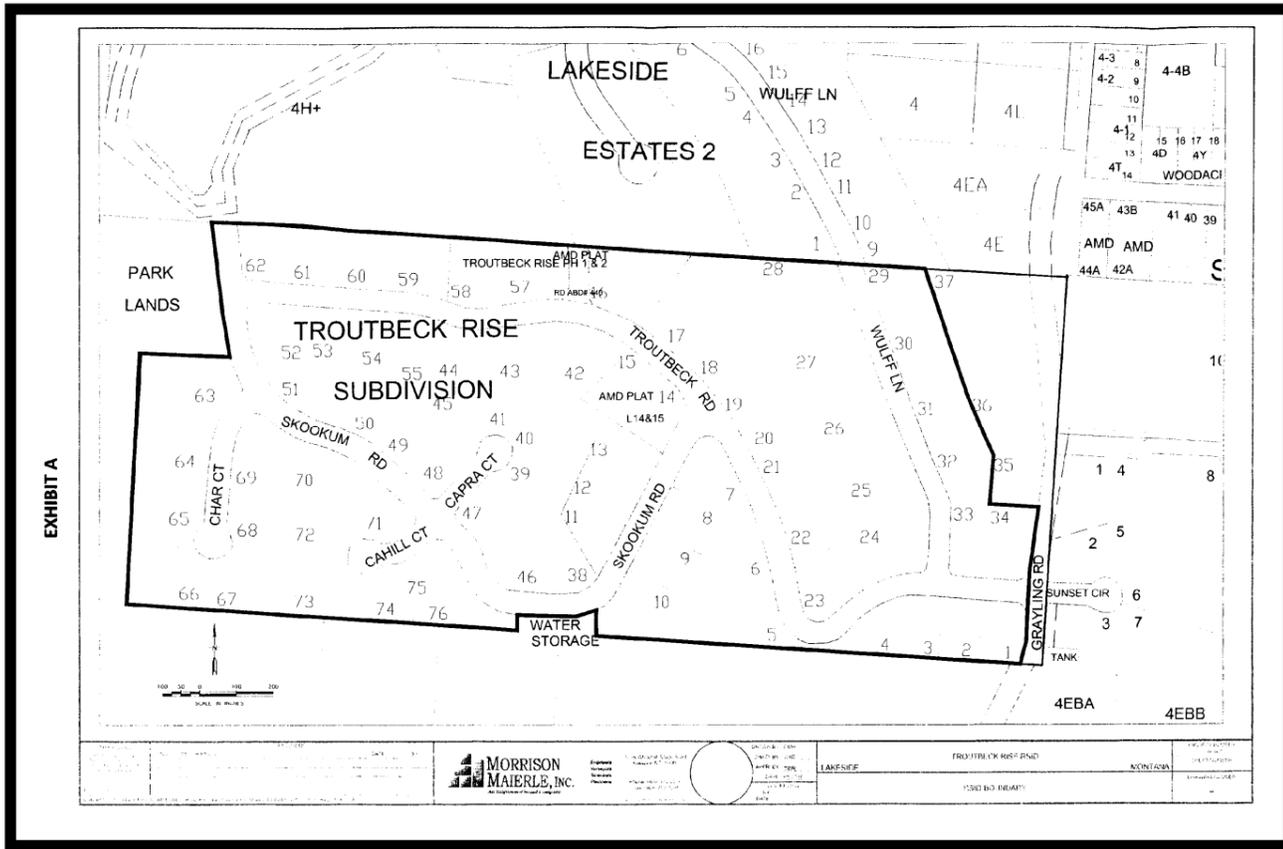
BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on November 26 and December 3, 2009.



PRELIMINARY PLAT: WEST VALLEY VIEWS, RESUBDIVISION OF LOT 2 OF RESUBDIVISION OF LOT 1

[10:30:39 AM](#)

Members present:

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

Others present:

- Deputy County Attorney Tara Fugina, Planner Dianna Broadie, Olaf Ervine, Clerk Kile

Broadie entered into record Staff Report FPP 09-05 West Valley Views, Resubdivision of Lot 2 of Resubdivision of Lot 1; an application submitted by Roy L. Curry with technical assistance from Montana Mapping for two residential lots on 14.96 acres; one approximately five acres and the other 10 acres located west of West Valley Road between Three Mile Drive and Farm to Market Road on Painted Shadow Road. The developer proposes individual wells and septic systems and an internal subdivision cul-de-sac road is already constructed that will serve both lots.

MONDAY, NOVEMBER 23, 2009
(Continued)

Commissioner Brenneman made a **motion** to adopt Findings of Fact in Staff Report FPP 09-05. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

Olaf Ervine stated the conditions were agreeable.

Commissioner Brenneman made a **motion** to grant preliminary plat approval for West Valley Views, Resubdivision of Lot 2 of Resubdivision of Lot 1 with conditions as amended by the Planning Board. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

TAX REFUND: ETZLER

[10:45:08 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Tara Fugina stated there was an error in the description of the Etzler property and then explained the applicant said this was caused by restrictions imposed by Flathead County. She then noted the payment of taxes were the result of the applicants actions.

Commissioner Dupont made a **motion** to approve the Etzler tax refund. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

MEETING W/TOM SANDS RE: MAINTENANCE ON STELLE LANE AND BIG RAVINE DRIVE

[11:00:11 AM](#)

Members present:

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

Others present:

Operations Manager Road & Bridge Dept Guy Foy, Planner Dianna Broadie, Tom Sands, Clerk Kile

Sands reviewed the work the homeowners have done on Stelle Lane and Big Ravine Drive which he stated have been reconstructed to county standards. He then asked if consideration would be made by the county to take over maintenance of these roads.

Foy said they looked at the roads and stated they are in good shape, yet noted the county has been trying to eliminate roads out of the system. He noted they are unmaintained roads like many others in the county.

Sands noted Whitefish Hills Homeowners have been paying for the maintenance on the roads for the past 10 years.

Chairman Lauman clarified that the road is a private easement open to the public.

General discussion continued in regards to the roads.

Commissioner Brenneman said I am very disinclined to take on anymore roads and strongly encourage the commission to not consider taking on this road. He then stated the Road Advisory Committee has recommended that they discontinue maintenance on some of the roads that go to long time county residents that were probably inappropriately granted maintenance sometime long ago.

Commissioner Dupont noted that he agreed.

Chairman Lauman stated he would like to discuss the situation with the County Attorney before making a decision.

Discussion was held relative to sending a letter to Mr. Sand's clients after consulting with the County Attorney.

CONSIDERATION OF HR TRANSMITTALS: FINANCIAL TECH/ SUPERINTENDENT OF SCHOOLS: BRANCH MANAGER I/ LIBRARY; EQUIPMENT OPERATOR/ ROAD DEPT.

[11:15:12 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, HR Director Raeann Campbell, Operations Manager Road & Bridge Dept Guy Foy, Clerk Kile

Campbell noted the Financial Tech position has been put on hold. She then explained the Library Branch Manager position is a revised job description that has been approved by the Library Board.

Commissioner Brenneman made a **motion** to approve the revised Library Branch Manager job description. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

Campbell explained the Road Department Equipment Operator position is a revised job description also.

**MONDAY, NOVEMBER 23, 2009
(Continued)**

Commissioner Brenneman made a **motion** to approve the revised Equipment Operator job description. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: CIGNA CLIENT AGREEMENT/ HUMAN RESOURCE OFFICE

[11:17:34 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 Kile

Campbell reported they have elected to change pharmacy prescription managers to CIGNA. The document to be signed today is a client/service agreement that each of the companies they contract with sign.

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

DOCUMENT FOR SIGNATURE: EMS BY-LAWS

[11:24:02 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Brenneman made a **motion** to approve the EMS By-laws pending legal approval. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 24, 2009.

TUESDAY, NOVEMBER 24, 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.

12:00 p.m. CDC Board meeting @ Three Rivers Bank
4:00 p.m. Commissioner Dupont: RAC meeting @ Forest Service
5:00 p.m. Commissioner Lauman: Refuse Board meeting @ Solid Waste District Conference Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 25, 2009.

WEDNESDAY, NOVEMBER 25, 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.

FINAL PLAT: HARRIS ESTATES

[9:15:15 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planner Andrew Hagemeyer, Chuck Harris, Judy Harris, Clerk Kile

Hagemeyer entered into record FFP 09-23, Harris Estates; an application submitted by Judy Brooks Harris with technical assistance from Montana Mapping for final plat approval of Holt Harris Estates, a subdivision creating 4 residential lots located on Deer Creek Road north of Lakeside. On May 3, 2007 the Board of Commissioners changed condition 15 requiring a multi-user well to requiring two shared wells. An extension was granted on October 7, 2008 that extended preliminary plat to January 12, 2010. All conditions have been met and staff recommends approval.

Commissioner Brenneman made a **motion** to approve final plat of Harris Estates. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

WEDNESDAY, NOVEMBER 25, 2009
(Continued)

MONTHLY MEETING W/ DAVE PRUNTY, SOLID WASTE DISTRICT

9:31:22 AM

Members present:

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

Others present:

Assistant Mike Pence, Operations Manager Solid Waste Jim Chilton, Clerk Kile

Chilton reported the Solid Waste Board voted to cancel their December meeting. He then spoke about a request received to waive the disposal fees for a burnt mobile home that was granted. Chilton then spoke about the districts strategic plan and board members concerns as to how to address future plans. A report was then given on the west corridor container site closure. Discussion was then held relative to a pending meeting with GENESA, purchase of the Olney container site, mobile home disposal fees and the replacement of the truck damaged in an auto accident. He then noted tonnage was down with 11.5 percent less in September 2009 compared to 2008.

AUTHORIZE COUNTY ATTORNEY'S OFFICE TO ACCEPT SERVICE: ETZLER V. COUNTY

10:00:36 AM

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Fugina reported a lawsuit has been received from Jim and Beverly Etzler: Case No. DE09-1209A; subject of the suit is the creation of Springcreek Zoning District.

Commissioner Dupont made a **motion** to authorize the County Attorney's Office to accept service. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: KRUEGER TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS

10:03:15 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 the 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.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a change to the text of the Flathead County Zoning Regulations proposed by Gary Krueger.

The proposed amendment would add a section to the definitions chapter of the Regulations to define "Gravel Extraction" in the Regulations. The proposed Section 7.08.025 would generally define Gravel Extraction to include mining of gravel and, *inter alia*, the processing of gravel through crushing, screening, asphalt, wash and concrete plants, and transportation and stockpiling of materials on gravel mining sites.

The Flathead County Zoning Regulations apply in all County zoning districts created under Section 7-2-205, M.C.A., and are on file for public inspection at the Office of the Clerk and Recorder, 800 South Main, Kalispell, Montana, and the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php Documents related to the proposed amendments to those regulations are on file for public inspection at the Office of the County Clerk and Recorder and at the Flathead County Planning and Zoning Office.

The public hearing will be held on the **14th day of January, 2010, at 10:30 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 change to the text of the Flathead County Zoning Regulations.

Written comments are encouraged and will be reviewed by the Commissioners prior to the hearing if received by the Flathead County Commissioners' Office at least three business days prior to the hearing.

DATED this 25th day of November, 2009.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on December 31, 2009 and January 7, 2010.

WEDNESDAY, NOVEMBER 25, 2009
(Continued)

BUDGET AMENDMENT

[10:04:34 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Undersheriff Pete Wingert, Clerk Kile

Commissioner Dupont made a **motion** to approve Budget Amendment Resolution 2236. Commissioner Brenneman **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

BUDGET AMENDMENT
RESOLUTION # 2236

WHEREAS, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2009-2010, are required, and;

WHEREAS, Section 7-6-4031, M.C.A. and Budget Resolution No. 1689, allow budget transfers to be made between items in the same fund.

NOW, THEREFORE, BE IT RESOLVED, that the attached list of transfers and revisions shall be made in the budget for Flathead County for Fiscal Year 2009-2010; and

BE IT FURTHER RESOLVED, that this Resolution and the attached list of transfers and revisions shall be entered into the minutes of the Board of Commissioners.

Dated this 25th day of November 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/Diana Kile
Diana Kile, Deputy

DATE OF ISSUE:		BUDGET ENTRY			VOUCHER NO.:	
DATE OF RECORD:		RESOLUTION #2236			Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
7062	0209	420140	900	Capital Outlay	15,000.00	
Explanation					15,000.00	0.00
Amend FY10 Budget to place a fence around Annex for towed vehicles						

DOCUMENT FOR SIGNATURE: GARAGE RENTAL AGREEMENT/ EAGLE TRANSIT

[10:06:53 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

Smith explained the rental agreement is the same; they are only changing the name from Jim Burke to Ruth Burke.

Commissioner Brenneman made a **motion** to approve the garage rental agreement as proposed and authorized the chairman to sign. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

WEDNESDAY, NOVEMBER 25, 2009
(Continued)

DOCUMENT FOR SIGNATURE: MDOC CDBG CONTRACT/ SMITH LOGGING, INC.

10:10:02 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, Legal Assistant County Attorneys Office Debbie Boreson, Gary Winship, Clerk Kile

Winship reviewed the State of Montana CDBG Wipers Program document for signature.

Commissioner Brenneman made a **motion** to authorize the chairman to sign the necessary documents to complete the CDBG/ MDOC contract for Smith Logging. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve Resolution 2235 and 2235A along with the sub-recipient agreement and management plan. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

EXHIBIT 2-A.2

Resolution for Designating Environmental Certifying Official

RESOLUTION NO. 2235

WHEREAS, in 2009 the Flathead County applied for federal, state, local and private funding to Smith Logging, Inc.;

WHEREAS, all necessary funding has been received to permit the project to go forward; and

WHEREAS, an Environmental Certifying Official may be designated by formal resolution.

NOW, THEREFORE, BE IT RESOLVED that:

Jeff Harris is designated as the Environmental Certifying Official to produce an Environmental Review Record;

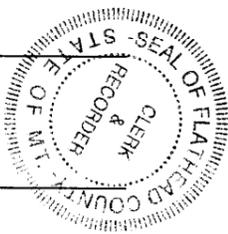
The Flathead County will ensure that it and all of its contractors or agents shall conduct all program matters in a non-discriminatory manner such that all persons regardless of race, gender, age, disability, or other protected class shall be treated equally and further each shall comply with the policies and procedures delineated in the 2009 Flathead County and Smith Logging, Inc. Management Plan, approved by the Montana Department of Commerce Community Development Block Grant Program.

BE IT FURTHER RESOLVED that the above designation shall become effective on November 25, 2009.

NAME OF GRANTEE
Flathead County, Montana

By Dale W. Lauman
Dale W. Lauman, Chairman

Attest Diana Kile



WEDNESDAY, NOVEMBER 25, 2009
(Continued)

EXHIBIT 4-A

BUDGETARY AUTHORITY RESOLUTION

RESOLUTION NO. 2235 A

WHEREAS, on October 16, 2009, Flathead County was awarded CDBG funds in the amount of \$ 210,000.00, for which no provision was made in fiscal 2009 Flathead County budget; and

WHEREAS, Flathead County may appropriate federal or state money received during the fiscal year by formal resolution,

NOW, THEREFORE, BE IT RESOLVED that the Flathead County Commissioners hereby appropriates the sum of \$ 210,000.00 and directs the County Clerk and Recorder to allocate said amount to the following program activities:

<u>EXPENDITURE CODE</u> <i>(LIST)</i>	<u>ADMINISTRATION COSTS</u>	<u>ACTIVITY COSTS</u>
	<u>Jobs Now, Inc.</u>	<u>Smith Logging, Inc.</u>
	<u>\$10,000</u>	<u>\$200,000</u>
TOTALS	<u>\$10,000</u>	<u>\$200,000</u>

BE IT FURTHER RESOLVED that the above appropriation shall become effective on November, 2009.

COUNTY COMMISSIONERS
Flathead County, MONTANA

Attest Diana Kile By Dale W. Lauman
Dale W. Lauman, Chairman

Attest _____ By Joseph D. Brenneman
Joseph D. Brenneman, Member

Attest _____ By Jim Dupont
Jim Dupont, Member

Community Development Block Grant (CDBG) Program
Montana Department of Commerce

CDBG Administration Manual
July 2009

4-A.1

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: TAX INCENTIVE REQUEST/ OKO PROPERTIES, LLC

[10:30:44 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 Dupont made a **motion** to authorize the publication of the Notice of Public Hearing and authorized the chairman to sign. 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 Sections 15-24-1402 and 76-15-103, M.C.A., that it will hold a public hearing to consider the application of OKO Properties, LLC/Western Building Center, located at 1863 13th Street West in Columbia Falls, Montana, seeking the application of tax reducing benefits for the additional \$2,072,330 worth of new improvements and equipment added to the current facility. If the application is granted, the increased value will be taxed at fifty percent of its taxable value in the first five years after approval; in each year thereafter, the percentage will be increased by 10 percent until the full taxable value is attained in the tenth year.

WEDNESDAY, NOVEMBER 25, 2009
(Continued)

The public hearing will be held on the **21st day of December, 2009, at 9:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Montana, Courthouse, West Annex, 800 South Main Street, Kalispell, Montana. At the public hearing, the Board of Commissioners will give members of the public an opportunity to be heard regarding the application for tax reduction of the OKO Properties, LLC/Western Building Center facility.

DATED this 25th day of November, 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 November 30 and December 14, 2009.

DOCUMENT FOR SIGNATURE: CONSULTANT ENGINEERING SERVICES CONTRACT/ RSID #146

[10:31:05 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

Pence explained 48 North Engineering is the engineer for RSID #146 (Badrock Drive) which will move forward next spring. He stated they have been working on the project and have incurred a fair amount of cost and have not been paid for services to date. It was noted the expense would be reimbursed once the bonds are sold.

Commissioner Brenneman made a **motion** to approve the consultant engineering services contract for RSID #146 with 48 North Engineering and authorized the chairman to sign. Commissioner Dupont **seconded** the motion. **Aye** - Lauman, Brenneman and Dupont. Motion carried unanimously.

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

THURSDAY, NOVEMBER 26, 2009

COUNTY OFFICES CLOSED – THANKSGIVING

FRIDAY, NOVEMBER 27, 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.

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 30, 2009.
