

\*\*\*\*\*

## MONDAY, APRIL 19, 2010

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

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

### **MONTHLY MEETING W/ JIM ATKINSON, AOA**

[9:00:21 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, AOA/ RSVP Director Jim Atkinson, Clerk Kile

Atkinson met with the Commission and reported ridership and services to seniors still continue to increase. He then reported on progress with the new bus barn and stated interviews will be held this week for an RSVP position. In other business Atkinson reported the Relocation Advisory Committee is looking at three locations for relocating: Gateway West Mall, Fairgrounds and Sykes.

### **BUDGET MEETING: AOA & RSVP**

[9:30:45 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt, AOA/ RSVP Director Jim Atkinson, RSVP Office Administrator Wes Hula, Clerk Kile

Atkinson and Hula presented the projected budget for Agency on Aging and RSVP for FY10-11.

### **BUDGET MEETING: FAIRGROUNDS**

[10:09:44 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt, Interim Fairgrounds Manager Ted Dykstra, Fair Board Member Joy Struble and Butch Woolard, Clerk Kile

Dykstra reviewed the FY10-11 projected budget for the Fairgrounds.

### **BUDGET MEETING: COUNTY ATTORNEY'S OFFICE**

[10:23:09 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt, County Attorney Ed Corrigan, Office Administrator Vicki Eggum, Clerk Kile

Corrigan reviewed the FY10-11 projected budget for the County Attorney's Office.

### **BUDGET MEETING: SOLID WASTE DISTRICT**

[11:00:07 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt, Public Works Director Dave Prunty, Operations Manager Solid Waste Jim Chilton, Clerk Kile

Prunty & Chilton reviewed Solid Waste's proposed budget for FY10-11.

MONDAY, APRIL 19, 2010  
(Continued)

**OPEN BIDS: GRAVEL/ ROAD DEPT.**

[11:34:49 AM](#)

Members present:

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

Others present:

Public Works Director Dave Prunty, Operations Manager Road and Bridge Dept., Guy Foy, Clerk Kile

Bids received with bid bonds enclosed from LHC, Schellinger and Nelcon.

		<b>75,000 Tons</b>			<b>8,000 Tons</b>	
		<u>Surface Course Aggregate</u>			<u>Seal Coat Aggregate</u>	
LHC, Inc.	\$3.35/ Unit	Total Bid	\$251,250.00	\$25.50/ Unit	Total Bid	\$204,000.00
Schellinger	\$4.00/ Unit	Total Bid	\$300,000.00	\$ 8.00/ Unit	Total Bid	\$ 64,000.00
Nelcon, Inc.	\$3.20/ Unit	Total Bid	\$240,000.00	\$23.00/ Unit	Total Bid	\$184,000.00

Commissioner Lauman made a **motion** to refer the bids to the Road Department for consideration. Commissioner Dupont **seconded** the motion. **Aye** – Brenneman, Lauman and Dupont. Motion carried unanimously.

**BOARD APPOINTMENT: DESERT MOUNTAIN TV DISTRICT**

[11:38:38 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Dupont made a **motion** to appoint Jamie Foster and Jared Lako to Desert Mountain TV District. Commissioner Lauman **seconded** the motion. **Aye** – Brenneman, Lauman and Dupont. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: GOING TO THE SUN ROAD TRANSIT PROJECT THIRD PARTY ADMINISTRATION/ EAGLE TRANSIT**

[11:39:12 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Eagle Transit Director Dave Polansky, Clerk Kile

Commissioner Dupont made a **motion** to approve the third party administrator contract with Eagle Transit and authorized the chair to sign. Commissioner Lauman **seconded** the motion. **Aye** – Brenneman, Lauman and Dupont. Motion carried unanimously.

**BUDGET AMENDMENT: WEED & PARKS**

[11:41:22 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Weed & Parks Director Jed Fisher, Clerk Kile

Commissioner Lauman made a **motion** to approve Budget Amendment #2254. Commissioner Dupont **seconded** the motion. **Aye** – Brenneman, Lauman and Dupont. Motion carried unanimously.

**MONDAY, APRIL 19, 2010  
(Continued)**

**BUDGET AMENDMENT  
RESOLUTION # 2254**

**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 19<sup>th</sup> day of April 2010.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

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

ATTEST:  
Paula Robinson, Clerk

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

By/s/Diana Kile  
Diana Kile, Deputy

<b>DATE OF ISSUE:</b>		<b>4/15/2010</b>		<b>BUDGET ENTRY</b>		<b>VOUCHER NO.:</b>	
<b>DATE OF RECORD:</b>						Entered by:	
				<b>RESOLUTION #2254</b>			
<b>Fund</b>	<b>Dept</b>	<b>ACTIVITY</b>	<b>OBJECT</b>	<b>ACCOUNT DESCRIPTION</b>	<b>DEBIT</b>	<b>CREDIT</b>	
2211	0259	460430	932	CAPITAL OUTLAY PARK FACILITIES	233,000.00		
2140	0246	431100	900	CAPITAL OUTLAY	221,000.00		
<b>Explanation</b>					454,000.00		0.00
ESTABLISH SPENDING AUTHORITY FOR PARKS CASH IN LIEU AND WEED FOR FY10							

<b>DATE OF ISSUE:</b>		<b>4/15/2010</b>		<b>BUDGET ENTRY</b>		<b>VOUCHER NO.:</b>	
<b>DATE OF RECORD:</b>						Entered by:	
<b>Fund</b>	<b>Dept</b>	<b>ACTIVITY</b>	<b>OBJECT</b>	<b>ACCOUNT DESCRIPTION</b>	<b>DEBIT</b>	<b>CREDIT</b>	
2210	0259	521000	820	TRANSFER TO	100,000.00		
2992	0259	383000		TRANSFER FROM		100,000.00	
2995	0201	430235	357	PROFESSIONAL SERVICES	37,000.00		
2840	0246	334025		WEED TRUCK GRANT		7,500.00	
2840	0246	431100	212	SMALL ITEM EQUIPMENT	3,842.00		
1000	0200	331008		CDBG/Eco Dev		549,600.00	
1000	0200	331009		CDBG/Glacier Stone Supply		2,570.00	
1000	0200	360000		Misc Revenue		10,050.00	
1000	0200	371010		Investment Earnings		100.00	
1000	0200	410100	115	Special Payroll	23,700.00		
1000	0200	410510	398	Other Contracted Services	1,015.00		
1000	0200	410514	792	Grant Pass Through	552,110.00		
1000	0200	410515	228	Educational Supplies	1,000.00		
1000	0200	521000	820	Transfer to		47,000.00	
<b>Explanation</b>					718,667.00		716,820.00
INCREASE FY10 SPENDING AUTHORITY FOR WEED/PARKS PROJECTS. ADJUST FY10 BUDGET TO REFLECT ADDITIONAL REVENUE/EXPENSES.							

MONDAY, APRIL 19, 2010  
(Continued)

**AUTHORIZATION TO PUBLISH CALL FOR BIDS: RSID #149/ SWAN HORSESHOE**

[11:44:04 AM](#)

Members present:

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

Others present:

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

Commissioner Dupont made a **motion** to authorize publication of Call for Bids and authorized the chair to sign. Commissioner Lauman **seconded** the motion. **Aye** – Brenneman, Lauman and Dupont. Motion carried unanimously.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the drainage work and paving of RSID #149 – Swan Horseshoe near Bigfork, Montana.

The project generally consists of paving approximately 98,600 square feet with 3-inch thick asphalt, 6-inch of 1-1/2-inch crushed gravel, and improving existing drainage swales/detention features on and near the shoulder of the existing roadway. The contract documents, consisting of half size drawings and the project manual, may be examined or obtained at the office of APEC Engineering, Inc., 2593 Highway 2 East, Kalispell, MT 59901. The required deposit of \$50.00 per set is non-refundable. Payment of an additional \$20.00 is required for express mail.

Each bidder should submit bids for and produce a schedule showing when the work can be started and completed. Warranties and schedules will be considered when determining the bid that is in the best interest of the homeowners of Swan Horseshoe RSID and will be included in the consideration of contract for road improvements and paving Swan Horseshoe.

Each bidder must deposit with his/her bid, a bid security in the amount of ten percent (10%) of the bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within 10 days, enter into a formal contract for the completion of the project. 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 bid bond executed by a surety corporation authorized to do business in Montana.

No bidder may withdraw a bid after the actual date of the opening thereof.

A Performance Bond and Labor and Materials Payment Bond each in the amount of One Hundred percent (100%) of the contract sum will be required of the successful bidder, to secure the contractor's covenant to faithfully perform all of the conditions of the contract in accordance with the law and that contract. The successful bidder will also be required to provide proof of Workers' Compensation insurance and/or an independent contractor certification from the State dated after May 1, 2005, and General Liability and Automobile insurance policies, with Flathead County as an additional insured, each in the amount of at least \$1,000,000.00.

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 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 country that enforces a preference for resident bidders equal to the preference given in the other state or country.

All sealed bids, plainly marked "Swan Horseshoe RSID 149 Bid" must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, at or before **5:00 p.m., on May 14, 2010**. Bids will be opened and read at **9:30 a.m., on May 17, 2010**, in the Commissioners' Office at the Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Flathead County reserves the right to accept or reject any bid and to waive any irregularities which are deemed to be in the best interest of the County.

MONDAY, APRIL 19, 2010  
(Continued)

The award of 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 19<sup>th</sup> day of April, 2010.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

By/s/Diana Kile  
Diana Kile, Deputy

Publication dates April 22 and April 29, 2010.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 20, 2010.

\*\*\*\*\*

TUESDAY, APRIL 20, 2010

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

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

**CONSIDERATION OF LAKESHORE PERMIT: PETERSON**

[9:00:01 AM](#)

Members present:

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

Others present:

Planner Bailey Iott, Clerk Kile

Iott entered into record Lakeshore Permit FLP 10-17; a standard permit application submitted by Peterson to place approximately 38 cubic yards of fill material within the lakeshore protection zone of Echo Lake.

Commissioner Lauman made a **motion** to approve Lakeshore Permit FLP 10-17. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

**BI-MONTHLY MEETING W/ DEBBIE PIERSON, GRANT WRITER**

[9:15:52 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Pierson updated the Commission on the progress with the Assistant to Firefighters Grant with the recent opening of three bids. She then summarized the Bigfork Stormwater project and spoke about work the River Commission is doing. Also reported was \$50,000 was received for the Historic Grant applied for and \$25,000 was received for a cardboard compactor at Solid Waste.

**MEETING W/ MONICA EISENZIMER, ELECTION DEPT.**

[9:33:50 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Election Administrator Monica Eisenzimer, Clerk & Recorder Paula Robinson, Deputy County Attorney Tara Fugina, Clerk Kile

Eisenzimer met with the Commission and presented a list of filed candidates for the Primary Election 2010 and a list of total registered voters in each precinct. She explained a combined grant between FVCC and Salish Kootenai College was received to recruit college age poll workers this year. She then stated judge poll worker numbers are being limited this year to between four to six per precinct with absentee voting having taking some of the pressure off the polling places. Eisenzimer stated they would like to get salaried employees to help process absentee ballots on Election Day to cut down on overtime costs.

TUESDAY, APRIL 20, 2010  
(Continued)

**TAKE ACTION: RIVER HORSE**

[9:45:02 AM](#)

Members present:

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

Others present:

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

Chairman Brenneman read into the record River Horse is a dead file.

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: CRITERIA FOR ENDING MAINTENANCE ON CERTAIN COUNTY ROADS**

[9:51:40 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Public Works Director Dave Prunty, Clerk Kile

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

NOTICE OF PUBLIC HEARING  
On proposed Resolution adopting  
Criteria for Ending Maintenance on Certain County Roads

The Board of Commissioners of Flathead County, Montana, hereby gives notice, in accordance with Section 7-1-2121, M.C.A., that the Board of Commissioners will hold a public hearing to consider a proposed Resolution adopting Criteria to be used for ending maintenance on certain County Roads.

The criteria to be used as well as a list of roads which are proposed to no longer be maintained available at the Office of the Clerk and Recorder or the Flathead County Commissioners Office, both located at 800 South Main, Kalispell, Montana.

The public hearing will be held on the 24<sup>th</sup> day of May, 2010, at 9:30 o'clock, a.m., in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, 800 South Main, Kalispell, Montana. At the hearing the Board of Commissioners will give members of the public an opportunity to be heard regarding the proposed criteria.

Dated this 20<sup>th</sup> day of April, 2010.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:

Paula Robinson, Clerk and Recorder

By/s/Diana Kile  
Diana Kile, Deputy

Publish on May 8 and May 15, 2010.

**CONSIDERATION OF ADOPTION OF RESOLUTION: INCREASE NUMBER OF MEMBERS ON SWAN HILL T.V. DISTRICT BOARD**

[9:46:11 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Chairman Swan Hill TV District Bill Jaynes, Clerk Kile

Bill Jaynes explained Swan Hill TV District would like to have additional members to share the workload for the site they maintain.

Commissioner Lauman made a **motion** to approve Resolution 1203A. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

**TUESDAY, APRIL 20, 2010  
(Continued)**

RESOLUTION NO. 1203 A

WHEREAS, the Legislature of the State of Montana enacted Senate Bill No. 377, now codified as Sections 7-1-201 through 7-1-203, M.C.A., requiring the Board of County Commissioners to establish certain administrative boards, districts and commissions by the adoption of resolutions;

WHEREAS, the Swan Hill Television District Board was established by the Board of County Commissioners of Flathead County, Montana, by the adoption of Resolution #1203 on September 26, 1996; and

WHEREAS, the Swan Hill Television Board has requested that that Board's membership be increased from three to five members.

NOW, THEREFORE IT IS HEREBY RESOLVED that the Swan Hill Television District Board is established as follows:

1. The Swan Hill Television District Board shall be composed of five members, appointed by the Board of Commissioners of Flathead County, Montana, as follows:

- (a) three members of the Swan Hill Television District Board shall be residents of Flathead County; and
- (b) two members of the Swan Hill Television District Board shall be residents of Lake County, nominated by the Lake County Board of Commissioners;

2. The members of the Swan Hill Television District Board shall serve for terms of three years, commencing on January 1 and ending on December 31. Members appointed prior to the adoption of this resolution shall complete the terms to which they were previously appointed, and shall serve until December 31 of the year in which their terms expire. Terms of the members shall overlap. The two new members appointed will draw lots to determine which member shall serve an initial two year term and which shall serve an initial three year term.

3. The members of the Swan Hill Television District Board shall receive no salary for their service on the Swan Hill Television District Board; members may receive mileage for travel to and from meetings of the Swan Hill Television District Board and may receive mileage and per diem, in accordance with Flathead County personnel policy, for travel outside of Flathead County on business of the Swan Hill Television District Board.

4. The members of the Swan Hill Television District Board shall be residents of the Swan Hill Television District.

5. The Swan Hill Television District Board is hereby assigned the responsibility for the administration of the Swan Hill Television District.

6. The Swan Hill Television District Board is hereby granted the following powers and duties: (former Section 7-13-2510, M.C.A.).

- (a) perform all the acts and take all the necessary or proper steps to ensure that there will be a fair, efficient, and equitable distribution of television services within the area in order that all persons within the service area are supplied by means of an appropriate electrical or electronic system for television program distribution. The authorized system must provide flexibility to permit radical improvements in technical quality without rendering receivers in the area inoperative, but discontinuance of service by the district for improvements or repairs for a temporary period may not be construed as rendering the system inoperative;
- (b) if necessary or proper in the furtherance of the objects of this part, acquire, build, construct, repair, own, maintain, and operate any necessary stations transmitting simultaneous visual and aural signals intended to be received by the general public, relay stations, pickup stations, or any other necessary electrical or electronic system;
- (c) make contracts to compensate any owner of land or other property for the use of the land or property for the purposes of this part;
- (d) make contracts with the United States, any state or municipality, or any department or agency of those entities for carrying out the general purposes for which the district is formed;
- (e) acquire, by gift, devise, bequest, lease, or purchase, real and personal property, tangible or intangible, including lands, rights-of-way, and easements, necessary or convenient for its purposes;
- (f) to make contracts of any lawful nature (including labor contracts or those for employees' benefits) and employ engineers, laboratory personnel, attorneys, other technical or professional assistants, and any other assistants or employees necessary to carry out the provisions of this part;
- (g) issue warrants, payable at the time stated in the warrants, to evidence the obligation to repay money borrowed or any other obligation incurred by the district. Warrants draw interest at a rate fixed by the board, payable annually or semiannually as the board may prescribe.
- (h) contract indebtedness or borrow money for corporate purposes and issue revenue bonds to be repaid from rates and charges, bearing interest as provided in 17-5-102 payable semiannually. The bonds may not be sold for less than par and accrued interest.
- (i) prescribe tax rates for the providing of services throughout the area in accordance with the provisions of this part;
- (j) prescribe installation or ready-to-serve charges to be used for any costs connected with preparation, acquisition, or construction of the system;
- (k) apply for, accept, and be the holder of any permit or license issued by or required under federal or state law; and
- (l) provide FM translator services if authorized as provided in 7-13-2512.

**TUESDAY, APRIL 20, 2010  
(Continued)**

7. A majority of the members of the Swan Hill Television District Board constitutes a quorum for the purpose of conducting business and exercising powers and responsibilities; action may be taken by a majority of members present and voting. (Section 7-1-201(11), M.C.A.).

8. The Swan Hill Television District Board shall organize by electing one of its members chairman, one of its members secretary and one of its members treasurer. The Swan Hill Television District Board must provide for the keeping of written minutes of its meetings, which minutes shall include the final vote on all actions and the vote of each member. (Section 7-1-201(12), M.C.A.). The Swan Hill Television District Board shall provide by rule for the date, time, and place of regularly scheduled meetings and file the information with the Board of Commissioners. (Section 7-1-201(13), M.C.A.).

9. The Swan Hill Television District Board must present a proposed budget to the Board of Commissioners each fiscal year and shall not expend any funds not budgeted by the Board of County Commissioners in the final budget adopted by the Board of County Commissioners.

10. The members of the Swan Hill Television District Board may be removed from the Swan Hill Television District Board for cause.

Dated this 20<sup>th</sup> day of April, 2010.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

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

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

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

**BUDGET MEETING: PLANNING & ZONING OFFICE**

10:30:17 AM

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt, Assistant Planning & Zoning Director B J Grieve, Office Administrator Planning & Zoning Mary Fisher, Clerk Kile

Grieve reviewed the FY10 -11 projected budget for the Planning & Zoning Office.

**BUDGET MEETING: 4-H OFFICE**

10:55:49 AM

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt, Director 4-H Office Karole Sommerfield, Clerk Kile

Sommerfield reviewed the projected FY10 -11 budget for the 4-H Extension Office.

**BUDGET MEETING: MAINTENANCE**

11:00:34 AM

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt, Maintenance/Weed/ Parks Director Jed Fisher, Clerk Kile

Fisher reviewed the FY10 -11 projected budget for the Maintenance Department.

TUESDAY, APRIL 20, 2010  
(Continued)

**BUDGET MEETING: WEED & PARKS**

[11:17:47 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Wendy Marquardt,  
Maintenance/Weed/ Parks Director Jed Fisher, Clerk Kile

Fisher reviewed the FY10 -11 projected budget for the Weed & Parks Department.

**CONTINUATION OF COS REVIEW: HESS**

[11:29:06 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planner Dianna Broadie, Tom Sands, Jim Hess, Bonni Hess, Clerk Kile

Broadie reviewed the request submitted by James Hess to divide a 6.673 acre parcel located between Flathead River and Riverside Road into:

Tract 1	1.416 acres to be transferred to Bonnie Hess, wife
Tract 2	5.257 acres to be retained by James Hess

Broadie then reviewed prior ownership of the properties and explained why it appears to be a pattern.

Jim Hess explained the history of the property since purchasing it and said they are doing estate planning. He then stated it is not their intention to sell the property in the near future.

Chairman Brenneman reviewed Resolution 509D criteria and asked Tom Sands if he felt in his professional opinion this was an attempt to evade the Subdivision and Platting Act.

Tom Sands stated he did not feel it was.

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

**MEETING W/ LANI EGGERTSEN-GOFF/ MDOT, ET AL, RE: NORTH FORK**

[11:45:07 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planner Andrew Hagemeyer, Sheila Ludlow, Lani Eggertsen-Goff, Pam Murray, Clerk Kile

Lani-Eggersten-Goff, Consultant to MDOT reported a public meeting will be held in Columbia Falls in order to allow the public to comment on issues and concerns related to the North Fork Road. She explained a corridor study will be done which will focus on the gravel road between Camus Road north to Blankenship Road.

Sheila Ludlow, MDOT Representative said the hope is to find out the issues and goals of those that use the corridor to see if there is a solution of any kind.

Pam Murray commented they would take all the information into account and see if a balance could be struck.

Discussion was held relative to road maintenance.

<b>2:00 p.m.</b>	<b>Commissioner Brenneman: Travel to Helena</b>
<b>3:00 p.m.</b>	<b>Commissioner Dupont: Flathead County Economic Development Authority meeting at Freedom Bank, Columbia Falls</b>
<b>5:00 p.m.</b>	<b>Commissioner Dupont: Refuse Board meeting @ Solid Waste District Conference Room</b>
<b>6:00 p.m.</b>	<b>Commissioner Dupont: MDOT North Fork Road Feasibility Study</b>

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 21, 2010.

\*\*\*\*\*

**WEDNESDAY, APRIL 21, 2010**

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

**Commissioner Lauman PT opened public comment on matters within the Commissions' Jurisdiction.**

Ron Thibert, 3795 Hwy 2 West said he would appreciate at least two new members appointed to the Fair Board. He stated he knows there are good applicants and would like to see a race horse representative appointed. Thibert said horse racing is a must in order to bring attendance back to the Fair.

**No one else rising to speak, Commissioner Lauman PT closed the public comment period.**

**CONSIDERATION OF LIFTING LOAD LIMITS**

[9:45:31 AM](#)

Members present:

Commissioner Dale W. Lauman PT

Commissioner James R. Dupont

Members absent:

Chairman Joseph D. Brenneman

Others present:

Clerk Kile

Commissioner Lauman PT read a letter from the Road Department requesting load limits be lifted.

Commissioner Dupont made a **motion** to approve lifting load limits in the county. Commissioner Lauman PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

**9:15 a.m. Commissioner Brenneman: Interoperability Montana Strategic planning meeting in Helena**  
**RSVP Board meeting @ Heritage Place**  
**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 April 22, 2010.

\*\*\*\*\*

**THURSDAY, APRIL 22, 2010**

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

**Commissioner Brenneman: Interoperability Montana Strategic planning meeting in Helena**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 23, 2010.

\*\*\*\*\*

**FRIDAY, APRIL 23, 2010**

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

**Commissioner Brenneman: Community Health Clinic/ Board of Health Coordinating Committee meeting**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 26, 2010.

\*\*\*\*\*