
MONDAY, MAY 17, 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

[9:00:08 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Clerk Kile

Atkinson reviewed the bus ridership, outreach program, homemaker services, respite services, information services, home delivered meal and congregate meal statistics for the month of April.

Discussion was held relative to availability of a taxi service in the valley and pizza sales at Gateway West Mall.

OPEN BIDS: RSID #149 (SWAN HORSESHOE)

[9:30:07 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Dave Crow, Kyle Schellinger, Dave Steely, Al Logan, Jeff Goudreau, Marc Liechti, Clerk Kile

Bids received with bid bonds enclosed from:

	<u>Schedule 1</u>	<u>Schedule 2</u>
Schellinger Construction	\$89,562.50	\$287,388.00
Knife River	\$89,360.00	\$254,990.00
LHC, Inc.	\$65,026.23	\$236,652.08

Commissioner Lauman made a **motion** to take the bids under advisement. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: INTERIM EMS MANAGER CONTRACT

[9:36:42 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

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

MONDAY, MAY 17, 2010
(Continued)

CONSIDERATION OF PRINTING BIDS: HEALTH DEPT.

[9:38:54 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 approve the print bid from Insty Prints for 2,000 Flathead Community Health Center appointment cards for \$77.40 and 1,000 business cards for \$44.95 and 500 each business cards for \$24.95 from Great Northern Printing. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

TAX REFUND: BIGFORK MARINA ASSOCIATION

[9:45:33 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner Dale W. Lauman
Commissioner James R. Dupont
Others present:
Assistant Mike Pence, Clerk Kile

Pence explained the refund for \$1,655.33 is due to double charges.

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

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC MEETING: BIGFORK STORMWATER PROJECT

[9:45:46 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 explained the Public Meeting is with the Stormwater Advisory Committee and 48 North to hear public input on the design process for Grand Drive and River Street.

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

Notice of Public Meeting
Bigfork Area Stormwater Improvements

The Flathead County Commissioners and the Bigfork Stormwater Advisory Committee invite the public to attend a public meeting on Monday, June 7, 2010 at 7:00 p.m. at Bethany Lutheran Church, 8559 MT Hwy 35, in Bigfork, Montana for the purpose of obtaining public comment regarding the Bigfork Stormwater Project Improvements to Grand Drive and River Street. The County's consulting engineer, 48 North Civil Engineering will present an update on the project and discuss current engineering progress. The County will be submitting grant applications to help fund the project and would like to obtain public comment on the project. At the public meeting everyone will be given the opportunity to express their opinions regarding this project.

Written comments are encouraged and may be submitted in advance of the public meeting to Sue Hanson, Bigfork Stormwater Advisory Committee, 220 Swan River Road, Bigfork, MT 59911 or btflly@montanasky.net.

Dated this 17th day of May, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on May 20 and May 27, 2010.

MONDAY, MAY 17, 2010
(Continued)

CONSIDERATION OF HR TRANSMITTALS: STAFF DENTIST AND DENTAL DIRECTOR/ HEALTH CLINIC

[9:48:10 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, H.R. Director Raeann Campbell, Clerk Kile

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

COS REVIEW: MAC DONALD

[10:00:54 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planner Andrew Hagemeyer, Jim Burton, Donna Brown, Pat MacDonald, Clerk Kile

Hagemeyer reviewed the request to divide a 20 acre parcel located northwest of Columbia Falls on Trumble Canyon Road north of the intersection with Tamarack Lane into the following:

Parcel A	5.00 acres to be transferred to Mitchell E. Johnson, Son
Parcel B	5.00 acres to be transferred to Donald Johnson, Son
Parcel C	5.01 acres to be transferred to Sandra G. Johnson, Daughter
Parcel D	5.00 acres to be transferred to Donna Brown, Daughter

Hagemeyer stated the parcel was 30 acres in size in 2001. In 2001 Patricia MacDonald performed a family transfer splitting Tract 4B that created Tract 4BA and Tract 4BB (COS 14703). In 2005 Brent Duval performed a family transfer splitting Tract 4BB and created tract 4BBA and Tract 4BBB (COS 17927). This proposal will result in 7 tracts created through a family transfer.

Burton explained the history of ground water concerns related to how the tracts were divided.

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

MEETING W/ RAEANN CAMPBELL/ HUMAN RESOURCE OFFICE RE: HEALTH INSURANCE RENEWAL

[10:15:29 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, H.R. Director Raeann Campbell, Clerk Kile

Campbell met with the Commission and reviewed the recommendations regarding Flathead County's Health Insurance renewal plan. The proposed recommendation is to leave the stop loss limit at \$100,000.00, increase the counties portion of the contribution by 7% which would leave the employees' portion the same, increase the mammogram benefit by \$10.00 and increase dental coverage from \$750.00 to \$1,000.00.

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

ACCLAMATIONS & APPOINTMENTS: MISCELLANEOUS FIRE DISTRICTS

[10:30:40 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 approve the acclamations and appointments as listed.

BLUAC	Charles Gough	3 year term
Blankenship Rural Fire	Robert Love	3 year term
	Peter Berger	3 year term
Columbia Falls Rural Fire	Dan Soennichsen	3 year term
Coram/ West Glacier Fire	Michael Woods	3 year term
	Clifford Wilkins	3 year term

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(Continued)**

Creston Rural Fire	Allen Zimmerman	3 year term
Evergreen Rural Fire	John T. Fallon	3 year term
	Shawn Baker	1 year term
Marion Rural Fire	Larry L. Brower	3 year term
Olney Rural Fire	Renaefredrickson	3 year term
	Roxanne Street	3 year term
Somers Rural Fire	Bernie Olson	3 year term
	Steve Dooling	3 year term
	Fran VanRinsum	1 year term
West Valley Rural Fire	Terry Rothacher	3 year term
Whitefish Fire Service Area	Dud Mahler	3 year term
	Steve Carlson	3 year term

Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

NOTE: The following motion was made on May 20, 2010 to correct the appointment made to Blankenship Fire District. Peter Berger asked to be replaced on the board.

Commissioner Dupont made a **motion** to appoint William Jones to the Blankenship Fire District. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONTINUATION OF CONSIDERATION OF ADOPTION OF RESOLUTION: ISSUANCE & SALE OF BONDS/ RSID #146 (BADROCK DRIVE)

[10:34:59 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, Public Works Director Dave Prunty, Clerk Kile

Fugina reported the bond issuance will be for \$173,000.00 payable over a term of 20 years beginning in 2011.

Commissioner Lauman made a **motion** to approve Resolution 2202B for the Issuance and Sale of Bonds for RSID #146 and authorized the chair to sign publication of the Notice of Bond Sale. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

RESOLUTION NO. 2202 B

RESOLUTION RELATING TO \$173,000.00 RURAL SPECIAL IMPROVEMENT DISTRICT BONDS (RURAL SPECIAL IMPROVEMENT DISTRICT NO. 146); 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. 146 (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 financed by the District are \$173,000.00, 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 \$173,000.00.

(b) It is necessary that the Bonds be issued and sold in an aggregate principal amount of \$173,000.00 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 \$173,000.00.

Construction	\$113,600.00
Engineering and Testing	\$ 42,000.00
County Administration	\$ 8,700.00
Revolving Fund Deposit	\$ 8,700.00
Total	\$173,000.00

(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 \$169,540.00 (98% of par), plus interest accrued thereon to the date of delivery. Such minimum bid will enable bidders to bid more efficiently for the Bonds by permitting them to submit their bids based on actual market conditions without adjusting the interest rates thereon to provide compensation for their purchase of the Bonds.

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(Continued)**

Section 2. Findings and Determination To Pledge the Revolving Fund. In the Resolution Creating Rural Special Improvement District No. 146, adopted on May 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 2010 (Rural Special Improvement District No. 146) of the County in the aggregate principal amount of \$173,000.00 (the "Bonds") for the purpose of financing the Improvements. The Bonds shall be dated, as originally issued, as of June 1, 2010, and shall bear interest payable semiannually on January 1 and July 1 of each year, commencing January 1, 2011, 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
2011	\$9,000	2021	\$9,000
2012	9,000	2022	9,000
2013	9,000	2023	9,000
2014	9,000	2024	9,000
2015	9,000	2025	9,000
2016	9,000	2026	9,000
2017	9,000	2027	9,000
2018	9,000	2028	9,000
2019	9,000	2029	9,000
2020	9,000	2030	2,000

Bidders will have the option of combining the Bonds maturing on and after 2011 through and including 2015 and on and after 2016 through and including 2030 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 2030, 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 10:00 a.m., MT, on Tuesday, June 1, 2010, 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.

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 17th day of May, 2010.

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

EXHIBIT A
TERMS AND CONDITIONS
\$173,000.00 Rural Special Improvement District Bonds
(Rural Special Improvement District No. 146)

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. 146 in the principal amount of \$173,000.00. Bids for the purchase of the Series 2010 Bonds must be submitted as written sealed bids. Bids for the purchase of the Bonds will be received until 10:00 a.m., M.T., on Tuesday, June 1, 2010, 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.

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(Continued)**

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. 146, 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, semiannual 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 June 1, 2010, 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
2011	\$9,000	2021	\$9,000
2012	9,000	2022	9,000
2013	9,000	2023	9,000
2014	9,000	2024	9,000
2015	9,000	2025	9,000
2016	9,000	2026	9,000
2017	9,000	2027	9,000
2018	9,000	2028	9,000
2019	9,000	2029	9,000
2020	9,000	2030	2,000

Bidders will have the option of combining the Bonds maturing on and after 2011 through and including 2015 and on and after 2016 through and including 2030 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 2030, 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, 2015 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, 2014 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 \$9,000 principal amounts (except that one bond maturing in 2030 will be in the principal amount of \$2,000) 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, 2011, 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.

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(Continued)

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 \$169,540.00 (98% of par) and accrued interest on the principal sum of \$173,000.00 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 \$3,460.00 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.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.

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 2010 Bonds or for the correctness of any numbers printed thereon.

Dated: May 17, 2010.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS

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

MONDAY, MAY 17, 2010
(Continued)

EXHIBIT B
NOTICE OF BOND SALE

\$173,000.00 Rural Special Improvement District Bonds
(Rural Special Improvement District No. 146)

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 \$173,000.00 Rural Special Improvement District Bonds (Rural Special Improvement District No. 146) (the "Bonds") in the Clerk and Recorder's Office in the Flathead County Courthouse, 800 S. Main Street, Kalispell, Montana, until 10:00 a.m., M.T., on Tuesday, June 1, 2010, 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. 146; 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
2011	\$9,000	2021	\$9,000
2012	9,000	2022	9,000
2013	9,000	2023	9,000
2014	9,000	2024	9,000
2015	9,000	2025	9,000
2016	9,000	2026	9,000
2017	9,000	2027	9,000
2018	9,000	2028	9,000
2019	9,000	2029	9,000
2020	9,000	2030	2,000

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 \$9,000 each or any integral multiple thereof of single maturities (except that one bond maturing in 2030 will be in the principal amount of \$2,000). Bidders will have the option of combining the Bonds maturing on and after 2011 through and including 2015 and on and after 2016 through and including 2030 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 2030, 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 dated, as originally issued, as of June 1, 2010, and shall bear interest payable semiannually on January 1 and July 1 of each year, commencing January 1, 2011, 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 \$169,540.00 (98% 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 (\$3,460.00) 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: May 17, 2010.

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on May 20 and May 27, 2010.

MONDAY, MAY 17, 2010
(Continued)

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. 2202 B, entitled: "RESOLUTION RELATING TO \$173,000.00 RURAL SPECIAL IMPROVEMENT DISTRICT BONDS (RURAL SPECIAL IMPROVEMENT DISTRICT NO. 146); 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 May 17, 2010, 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 Brenneman, Commissioner Dupont and Commissioner Lauman**; voted against the same: _____; abstained from voting thereon _____; or were absent:

WITNESS my hand officially this 17th day of May, 2010.

Paula Robinson, Clerk



By/s/Diana Kile
Deputy

CONSIDERATION OF EXTENSION REQUEST: HIDDEN LAKES SUBDIVISION

10:37:11 AM

Members present:

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

Others present:

Assistant Mike Pence, Assistant Planning & Zoning Director B J Grieve, Clerk Kile

Grieve reported preliminary plat for Hidden Lakes Subdivision was approved on June 27, 2007 and the extension request is in order.

Commissioner Dupont made a **motion** to grant an extension to Hidden Lakes Subdivision. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman 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 May 18, 2010.

TUESDAY, MAY 18, 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.

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 19, 2010.

WEDNESDAY, MAY 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.

- 9:15 a.m. **Commissioner Lauman: RSVP Board meeting @ Heritage Place**
- 4:00 p.m. **Audit Committee meeting @ Earl Bennett Bldg., Conference Room C**

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

THURSDAY, MAY 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.

FY09 AUDIT REPORT

[9:00:27 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, Treasurer Adele Krantz, I.T. Director Vicki Saxby, Cindy Dooley, Stefani Freese, Clerk Kile

Stefani Freese, External Auditor with Anderson Zurmuehlen & Company summarized the 2009 Audit Report. She reported a clean opinion on financial statements as presented within the report was given. She reported three findings this year which included concerns related to the travel policy, claim documentation and completeness and accuracy of financial statements. Freese stated every finding from last year management took to heart and followed their recommendation.

Discussion was held relative to funding requirements for retirees' and blended premiums.

PUBLIC HEARING: NOBLE TEXT AMENDMENT/ CANYON AREA LAND USE REGULATORY SYSTEM

[9:30:52 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Deputy County Attorney Peter Steele, Assistant Planning & Zoning Director B. J. Grieve, Lindsey Bengtson, Wayne Bengtson, Nicolas Lee, Victoria Noble-Lee, Sally Thompson, Ann Fagre, Clerk Kile

Grieve reviewed the text amendment proposal to add a use to the Middle Canyon Area Land Use Regulatory System and to add performance standards to accompany the use. He stated this would only impact the Middle Canyon and does not impact the Upper Canyon. Any future land use that would utilize this use would require a Major Land Use Permit. The applicant proposes to do a dog day care operation. The Middle Canyon Land Use Advisory Committee and Flathead County Planning Board both recommend approval. A recommendation to add a statement regarding USDA standards was made by the Flathead County Planning Board.

Chairman Brenneman opened the public hearing to anyone wishing to speak in regards to the text amendment.

Ann Fagre a member of the Middle Canyon Area Advisory Board spoke in support of the process the Middle Canyon residents went through to consider the proposal for the dog day care and performance standards. She stated the public meetings and workshops provided an important forum for the neighbors to come together and discuss the change in their regulations. Fagre asked that the conditions they arrived at for operation of the dog day care proposal be considered.

Sally Thompson a resident in West Glacier spoke in support of the proposal. She noted this would be a seasonal day time operation that would complement their rafting business with so many more people traveling with their pets. Thompson asked that it be approved quickly in order to be implemented this summer.

No one else rising to speak, Chairman Brenneman closed the public hearing.

Chairman Brenneman stated he did receive a call from a concerned citizen in regards to barking dogs and noted the performance standards do include the requirement that if a dog is barking that it be kept inside. He asked if that was to happen what the recourse would be for addressing the issue.

Grieve said so strong was the interest in barking and the potential impacts to neighbors that the language included in performance standard #11 states:

Excessive barking by dogs at a permitted day care operation will be grounds for revocation of a Major Land Use permit. ("Excessive" barking that can be attributed to a poorly run operation rather than one particular dog being cared for shall be defined as monotonous barking for more than 30 minutes at a time for more than 2 days.)

Chairman Brenneman asked what the process for neighbors would be if there was excessive barking.

Grieve stated obviously dogs will bark at times but a well run facility would not exhibit long term barking day in and day out.

Chairman Brenneman asked if a neighbor observes and documents that a dog is barking for four hours for two days what his recourse would be.

Grieve said according to the Performance Standards for the Dog Day Care #11 states that it would be revocation of the Major Land Use Permit.

THURSDAY, MAY 20, 2010
(Continued)

General discussion continued in regards to the legal process.

Steele explained statute allows zoning violations to be charged as a criminal or civil defense and as a civil matter they would ask the judge to revoke the permit. He noted this is a little different than most Conditional Use Permits that go to the Board of Adjustments; this is a Major Land Use Permit so it is before the Commission.

Chairman Brenneman stated he was okay in going ahead with this and told the applicant it was up to them to make sure it works. He then asked the applicant if they were comfortable in being able to provide a service that doesn't have barking dogs.

Nicolas Lee stated he was comfortable in being able to perform the service outlined by the Performance Standards.

Commissioner Dupont noted he knows the applicants and doesn't feel there would be a problem with barking.

Discussion continued in regards to standards and problems that could be encountered later on.

Commissioner Dupont made a **motion** to adopt Resolution 1049H and authorized publication of the Notice of Passage of Resolution of Intent and authorized the chair to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 1049 H

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 20th day of May, 2010, concerning a proposal by Victoria Noble to amend the text of the Canyon Area Land Use Regulatory System, by adding a "Dog Day Care" to the list of uses requiring a major land use permit in the Middle Canyon region in Chapter 6 of CALURS, as well as add performance standards in Chapter 4 of CALURS that dog day care operations must meet in order to mitigate potentially deleterious impacts of dog day care operations in a primarily residential zone;

WHEREAS, notice of that hearing was posted for at least 45 days prior to the public hearing and published on May 6 and May 13, 2010, pursuant to Section 76-2-205(1), M.C.A.;

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed amendment to the Canyon Area land Use Regulatory System in the Middle Canyon Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(4), M.C.A., hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the Canyon Area Land Use Regulatory System, by adding a "Dog Day Care" to the list of uses requiring a major land use permit in the Middle Canyon region in Chapter 6 of CALURS, as well as add performance standards in Chapter 4 of CALURS that dog day care operations must meet in order to mitigate potentially deleterious impacts of dog day care operations in a primarily residential zone.

BE IT FURTHER RESOLVED that notice of the passage of this resolution, stating the general character of the proposed change to the Canyon Area Land Use Regulatory System, that said proposed changes and those regulations are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication of thereof, the Board will receive written protests to the change to the Canyon Area Land Use Regulatory System, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within the Middle Canyon Zoning District for a period of thirty (30) days after first publication of notice of that notice, provided that, in order that only valid signatures are counted, the freeholders who file protests are either registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

BE IT FURTHER RESOLVED that if forty per cent (40%) of the freeholders protest the proposed change, then the change will not be adopted.

DATED this 20th day of May, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Dale W. Lauman, Member

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

THURSDAY, MAY 20, 2010
(Continued)

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 1049 H) on May 20, 2010, to amend the text of the Canyon Area Land Use Regulatory System, (CALURS) by adding a "Dog Day Care" to the list of uses requiring a major land use permit in the Middle Canyon region in Chapter 6 of CALURS, as well as add performance standards in Chapter 4 of CALURS that dog day care operations must meet in order to mitigate potentially deleterious impacts of dog day care operations in a primarily residential zone.

The proposed amendment of the text of the Canyon Area Land Use Regulatory System would affect the property within the Canyon Area previously zoned under the Canyon Area Land Use Regulatory System (CALURS).

The proposed Canyon Area Land Use Regulatory System Regulations and the proposed changes thereto are on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, at 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.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed text of the CALURS for the Middle Canyon Zoning District from persons owning real property within that District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 20th day of May, 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

Publish on May 25 and June 1, 2010.

PUBLIC HEARING: CADY, ET AL, ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

9:45:03 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Deputy County Attorney Peter Steele, Planner Andrew Hagemeyer, Erica Wirtala, Jeff Carlson, Wendy Carlson, Clerk Kile

Hagemeyer entered into record staff report FZC 09-07; an application submitted by Richard Cady, MTH LLC, Rick Clay and Frank Miller with technical assistance from Sands Surveying to change zoning on 4.4 acres from R-2 to B-2 on the corner of West Reserve and Hwy 2 between Shadow Lane and Scenic Drive. Hagemeyer explained in reviewing the proposed map amendment it is consistent with policies implemented through zoning, but is not consistent with the Master Plan Map in the Kalispell City County Master Plan. The Master Plan does have a provision in it that states the map is one component that is to be weighed equally with the polices and text; there are polices that appear to support this proposal. The proposal is consistent with the Growth Policy and appears to be consistent with the policies and text in the Master Plan.

Chairman Brenneman opened the public hearing to anyone wishing to speak in regards to the zone change.

Wirtala representing the applicants said there are several existing businesses that are already functioning that are either grandfathered in, non-conforming uses or working under the home occupation clause. The applicants feel the proposed zoning would be a better fit for the area with several adjoining properties having converted to B-2 zoning. She noted neighborhood meetings have been held in regards to converting from a residential to a business district there, and discussions have been held with MDOT whom they have a favorable recommendation from that they anticipate it would not be problematic to get additional access or change of use permits. Wirtala stated that as far as compliance with the City County Master Plan Map they don't know how to address it.

Jeff Carlson, 615 Scenic Drive said his concern is in regards to B-2 zoning on Tract 4 and Tract 5 with the only access from Tract 4 onto Scenic Drive. He stated Scenic Drive is a residential neighborhood with a dead end street and if it goes to B-2 it could result in a lot of traffic on Scenic Drive, and already during busy times of the day it is impossible to turn left. Carlson asked that if it is zoned B-2 that it access from Reserve Drive and not Scenic Drive.

Carey Gemignani, 665 Shadow Lane said his concerns also relate to access as they too have a problem getting out onto Reserve Drive as vehicles are going much faster than the speed limit which is 40 MPH. Gemignani spoke about devaluation of his property with the proposed zoning.

Jerry Doty, 715 Shadow Lane stated he also has concerns about increased traffic flow with a business zone designation and only one access to Shadow Lane, which will jeopardize them being able to get out on the road.

Jeff Carlson, 615 Scenic Drive presented pictures and a petition signed by neighbors. He stated the pictures show that currently the area is residential and flows with the neighborhood. Carlson suggested transitional zoning for the area which would be consistent with everything else there.

No one else rising to speak, Chairman Brenneman closed the public hearing.

**THURSDAY, MAY 20, 2010
(Continued)**

Chairman Brenneman noted Finding of Fact #5 addresses traffic concerns and Finding of Fact #11 addresses property values. He then asked if the zone change is made if anything that can be done within the boundaries of B-2 can be done without any kind of review.

Hagemeier stated anything that is a permitted use.

General discussion was held relative to possible uses and traffic concerns.

Wirtala pointed out a cabinet shop presently is on Tract 4 and the owner has it landscaped in a way to look like a residential unit.

Commissioner Dupont questioned use of the properties presently.

Wirtala stated that both of Mr. Swindall's properties are operating commercially under a Conditional Use Permit, the day care is allowed in the residential zone and Tool Tyme and the small engine repair shop have been operating as such for quite some time, and the only one with the residential use at the north is Mr. Cady's property on the east end that would have the potential to change.

Commissioner Dupont made a **motion** to adopt Resolution 797FE and authorized publication of the Notice of Passage of Resolution of Intent and authorized the chair to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 797 FE

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 20th day of May, 2010, to consider a request by Richard Cady, Rick Clay, Frank Miller, and MTH LLC, to change the zoning designation on five parcels, 4.4 acres, in a portion of the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business);

WHEREAS, notice of that hearing was posted for at least 45 days prior to the public hearing and published on May 6 and May 13, 2010, pursuant to Section 76-2-205(1), M.C.A.;

WHEREAS, the Board of Commissioners received public comment on the proposed zoning change; and

WHEREAS, the Board of Commissioners reviewed the recommendations of the Flathead County Planning Board regarding the proposed change in the Evergreen and Vicinity Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning for a portion of the area in the Evergreen and Vicinity Zoning District from R-2 to B-2 on five parcels containing approximately 4.4 acres in Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana, located off West Reserve Drive, between Scenic Drive and Shadow Lane and legally described on the attached Exhibit A;

BE IT FURTHER RESOLVED that notice of the passage of this resolution, stating the boundaries of the portion of the Evergreen and Vicinity Zoning District to be changed, the general character of the proposed change in regulations for the area, that the regulations for said district are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication of thereof, the Board will receive written protests to the change to the Evergreen and Vicinity Zoning District, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within the Evergreen and Vicinity Zoning District for a period of thirty (30) days after first publication of that notice, provided that, in order that only valid signatures are counted, the owners of real property who file protests are either registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

BE IT FURTHER RESOLVED that if forty per cent (40%) of the owners of real property within the Evergreen and Vicinity Zoning District protest the proposed change in said district, then the change will not be adopted.

DATED this 20th day of May, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Dale W. Lauman, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

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

Exhibit A

Tract 1: (53 West Reserve Drive; Richard Cady) Lot 8 of Block 1 of Scenic Tracts, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Tract 2: (55 West Reserve Drive; Frank Miller) Lot 9 of Block 1 of Scenic Tracts, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Tract 3: (59 West Reserve Drive; Rick Clay) Lot 10 of Block 1 of Scenic Tracts, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

**THURSDAY, MAY 20, 2010
(Continued)**

Tract 4: (603 Scenic Drive; MTH Investments, LLC) Lot 1 of the Amended Plat of Lot 11 Block 1 Scenic Tracts Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Tract 5: (65 West Reserve Drive; MTH Investments, LLC) Lot 2 of the Amended Plat of Lot 11 Block 1 Scenic Tracts Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
EVERGREEN AND VICINITY ZONING DISTRICT**

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 797 FE) on May 20, 2010, to change the zoning designation in a portion of the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business).

The boundaries of the area proposed to be amended from R-2 to B-2 are on five parcels containing approximately 4.4 acres in Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana, located off West Reserve Drive, between Scenic Drive and Shadow Lane and legally described on the attached Exhibit A.

The proposed change would generally change the character of the zoning regulations applicable to the property from providing a residential district for large tract development in suburban areas, beyond sanitary sewer and/or water lines, to providing for retail sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, by outdoor commercial amusement and recreational activities, and by businesses serving the general needs of the tourist and traveler.

The regulations defining the R-2 and B-2 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, at 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 amendment are also on file for public inspection at the Office of the Clerk and Recorder and at the Flathead County Planning and Zoning Office.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed for a portion of the Evergreen and Vicinity Zoning District from persons owning real property within that District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 20th day of May, 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

Publish on May 25, 2010 and June 1, 2010.

Exhibit A

Tract 1: (53 West Reserve Drive; Richard Cady) Lot 8 of Block 1 of Scenic Tracts, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Tract 2: (55 West Reserve Drive; Frank Miller) Lot 9 of Block 1 of Scenic Tracts, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Tract 3: (59 West Reserve Drive; Rick Clay) Lot 10 of Block 1 of Scenic Tracts, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Tract 4: (603 Scenic Drive; MTH Investments, LLC) Lot 1 of the Amended Plat of Lot 11 Block 1 Scenic Tracts Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

Tract 5: (65 West Reserve Drive; MTH Investments, LLC) Lot 2 of the Amended Plat of Lot 11 Block 1 Scenic Tracts Subdivision, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

THURSDAY, MAY 20, 2010
(Continued)

PUBLIC HEARING: SCHLEGEL & BOLL ZONE CHANGE/ BIGFORK ZONING DISTRICT

[10:06:19 AM](#)

Members present:

Chairman Joseph D. Brenneman

Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Planning & Zoning Director B. J. Grieve, Deputy County Attorney Peter Steele, Erica Wirtala, Bill Schlegel, Robin Jenkins, Clerk Kile

Grieve reviewed the request submitted by Louis Schlegel, Mark Schlegel, Jeff and Danielle Boll with technical assistance from Sands Surveying to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-20 to SAG-5. The property is located east of Hwy 35 near McCaffrey Road. It was noted the Planning Board modified Finding of Fact #2 and recommended approval.

Chairman Brenneman opened the public hearing to anyone wishing to speak in regards to the zone change.

Wirtala representing the applicants said this was approved unanimously by the Bigfork Land Use Advisory Committee as well as the Planning Board.

Robin Jenkins a neighbor said from what he gathers the proposal is to give a piece of land to his daughter which he and the neighbors have no objection to. The objection that some may have is that many have bought their piece of property with the idea they don't want to see their property values diminished. He said a concern is that in the future if someone else buys the property and starts dividing it up property values will go down.

Bill Schlegel said the property would be put in a trust so that his family would acquire it after him.

Robin Jenkins asked if the family members would have the ability to sell the property off.

Robin Jenkins stated he is a native with seven generations above and below ground and they are not those kind of people.

No one else rising to speak, Chairman Brenneman closed the public hearing.

Chairman Brenneman asked for clarification on the zoning being considered.

Grieve stated the subject property is 42 acres which is currently zoned AG-20 and the request is for SAG-5. Under the current zoning it could be split or re-arranged into two twenty acre lots and with the proposed zoning it can be split or re-arranged into eight lots.

Chairman Brenneman asked why SAG-10 was not being proposed.

Schlegel said he was told they had to go to SAG-5 because it adjoined them to the south.

Wirtala explained you can't pick a zone you're not contiguous to.

Commissioner Dupont made a **motion** to adopt Resolution 956CU and authorized publication of the Notice of Passage of Resolution of Intent and authorized the chair to sign.

Chairman Brenneman said I recognize the gentlemen's concerns about possible propagation of sprawl; this is consistent with the area and is a logical change supported by the findings.

Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 956 CU

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 20th day of May, 2010, concerning a proposal by Louis Schlegel, Mark Schlegel and Jeff and Danielle Boll, to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-20 (Agricultural) to SAG-5 (Suburban Agricultural);

WHEREAS, , notice of that hearing was posted for at least 45 days prior to the public hearing and published pursuant to Section 76-2-205(1), M.C.A., on May 6 and May 13, 2010;

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Bigfork Area Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board, and in accordance with Section 76-2-205(4), M.C.A., adopts this resolution of intention to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-20 to SAG-5 are described as the boundaries of Tract 1: (Tracts 3H and 3E, Louis Schlegel) Shown as Tract 2 of Certificate of Survey No. 3934; Tract 2: (Tracts 3 and 3F, Mark Schlegel) Shown as Tract 3 of Certificate of Survey No. 3934 and Tract 3: (Tract 3C, Jeff and Danielle Boll) Shown as Tract 3 of Corrected Certificate of Survey No. 3982 all located in Section 12, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana. The property is located north of Bigfork and west of Highway 35 about 1800 feet south of McCaffery Road and contains approximately 42 acres.

**THURSDAY, MAY 20, 2010
(Continued)**

BE IT FURTHER RESOLVED that notice of the passage of this resolution, stating the boundaries of the portion of the Bigfork Area Zoning District to be changed, the general character of the proposed designation for the area to be changed, that the regulations for said district are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication of thereof, the Board will receive written protests to the change to the Bigfork Area Zoning District, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within the Bigfork Area Zoning District for a period of thirty (30) days after first publication of that notice, provided that, in order that only valid signatures are counted, the freeholders who file protests are either registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

BE IT FURTHER RESOLVED that if forty per cent (40%) of the freeholders within the Bigfork Area Zoning District protest the proposed change in said district, then the change will not be adopted.

DATED this 20th day of May, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Dale W. Lauman, Member

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
BIGFORK AREA ZONING DISTRICT**

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 956CU) on May 20, 2010, to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-20 (Agricultural) to SAG-5 (Suburban Agricultural).

The boundaries of the area proposed to be amended from AG-20 to SAG-5 are described as the boundaries of Tract 1: (Tracts 3H and 3E, Louis Schlegel) Shown as Tract 2 of Certificate of Survey No. 3934; Tract 2: (Tracts 3 and 3F, Mark Schlegel) Shown as Tract 3 of Certificate of Survey No. 3934 and Tract 3: (Tract 3C, Jeff and Danielle Boll) Shown as Tract 3 of Corrected Certificate of Survey No. 3982 all located in Section 12, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana. The property is located north of Bigfork and west of Highway 35 about 1800 feet south of McCaffery Road and contains approximately 42 acres.

The proposed change would generally change the character of the zoning regulations applicable to the property from regulations intended to protect and preserve agricultural land for the performance of a wide range of agricultural functions, intended to control the scattered intrusion of uses not compatible with an agricultural environment, including, but not limited to, residential development, to regulations intended to protect and preserve smaller agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential conflict of uses will be minimized, and to provide areas of estate-type residential development. The AG-20 classification has a minimum lot size of 20 acres; a change to SAG-5 would result in a minimum lot size of 5 acres.

The Flathead County Zoning Regulations defining the AG-20 and SAG-5 Zones are on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, at 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 amendment in the Bigfork Area Zoning District are also on file for public inspection at the Office of the County Clerk and Recorder and the Flathead County Planning and Zoning Office.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed for a portion of the Bigfork Area Zoning District from persons owning real property within the Bigfork Area Zoning District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 20th day of May, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on May 25 and June 1, 2010.

THURSDAY, MAY 20, 2010
(Continued)

CONSIDERATION OF PRINTING BIDS: FINANCE DEPT.

[10:15:55 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Clerk Kile

Commissioner Dupont made a **motion** to approve the print bid from Trippet's Printing for 1,250 payroll warrants for \$219.50 for the Finance Department. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTAL: OUTREACH-ELIGIBILITY WORKER/ COMMUNITY HEALTH CENTER

[10:16:53 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Director Health Dept. Joe Russell, H. R. Director Raeann Campbell, Clerk Kile

Commissioner Dupont made a **motion** to approve the job classification and HR Transmittal for a new Outreach Eligibility position. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CORRECT PREVIOUS BOARD APPOINTMENT: BLANKENSHIP FIRE DISTRICT

[10:20:31 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Clerk Kile

Commissioner Dupont made a **motion** to appoint William Jones to the Blankenship Fire District. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

MEETING W/ MARCIA SHEFFELS/ SUPT. OF SCHOOLS RE: SCHOOL DISTRICT BOUNDARIES

[10:30:06 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Assistant Mike Pence, Deputy County Attorney Peter Steele, Superintendent of Schools Marcia Sheffels, GIS Director Mindy Cochran, R. Morris, Clerk Kile

Marcia Sheffels met with the Commission and summarized the work done on school district boundaries in order to meet the statutory requirements required every three years by the Superintendent of Schools. She then explained:

Pursuant to MCA 7-1-2111 Flathead County is classified as 1A. As such the Geographical Information System (GIS) Department of the County Clerk and Recorder's Office, with the vast advancement of technology, has worked diligently to improve the accuracy of the county's taxation records. All special districts, including school district, have benefited which substantiates the county's conscientious stewardship of taxpayer's money. With the work of the GIS Department, the county superintendent is able to submit updated information to the Board of Commissioners and to the Office of Public Instruction.

Pursuant to MCA 20-6-103 the Board of County Commissioners shall maintain a permanent record that describes the boundaries of each district within the county. The county superintendent shall keep a transcript of the record in the superintendent's office and is responsible for keeping the record current.

Pursuant to MCA 20-6-215 a county superintendent of schools shall review the existing elementary school boundaries in the county at least once every three years.

General discussion was held relative to previous information presented and mapping of overall perimeter legal descriptions of school district boundaries.

Reg Morris said he has been talking to Marcia Sheffels in regards to helping a group of people on the south face of Blue Grass Ridge incorporate into Smith Valley School District. He stated their fire service should be in Smith Valley as well because of access. Morris explained they would like to take the highest point of Blue Grass Ridge and everything south of that would logically be in Smith Valley vs. West Valley.

THURSDAY, MAY 20, 2010
(Continued)

Marcia Sheffels explained she has worked with Mr. Morris and understands the situation but by current law he does not qualify for a territory transfer. The reason being certain criteria has to be reached such as having school age children in the territory and both school boards have to agree, which they don't. Sheffels stated by law she could not accept his petition with him not meeting the criteria.

Commissioner Dupont made a **motion** to approve the school district boundaries. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: FLOODPLAIN REGULATIONS REVISION

[10:45:56 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Planner Bailey Iott, Clerk Kile

Commissioner Dupont made a **motion** to authorize publication of the Notice of Public Hearing for the Floodplain Regulation Revisions and authorized the chair to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

NOTICE OF PUBLIC HEARING
FLATHEAD COUNTY FLOODPLAIN REGULATIONS

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 proposed revisions to the Flathead County Floodplain and Floodway Management Regulations (Floodplain Regulations), adopted pursuant to Section 76-5-101, et seq., M.C.A.

The proposed revisions would update the Floodplain Regulations to (1) bring the regulations into compliance with Montana statutes, (2) create regulations that are easier for property owners to understand and easier for county employees to administer, and (3) reformat regulations to align with the Flathead County Development Code.

The proposed revisions to the Floodplain Regulations are available at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, telephone (406) 758-5526, or at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, telephone (406) 751-8200. The proposed revisions are also available on-line at the Flathead County Planning and Zoning Department's page on the Flathead County website.

The public hearing will be held on the 10th day of June, 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 revisions to the Floodplain Regulations.

Dated this 20th day of May, 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 25 and June 1, 2010.

BUDGET AMENDMENTS: HEALTH DEPARTMENT AND FY10 ADJUSTMENTS

[10:47:05 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Dupont made a **motion** to approve Budget Amendment Resolution 2257. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

**THURSDAY, MAY 20, 2010
(Continued)**

**BUDGET AMENDMENT
RESOLUTION # 2257**

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 20th day of May 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Dale W. Lauman, 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	BUDGET ENTRY		VOUCHER #:		
DATE OF RECORD:		Resolution #2257					
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
1000	0203	371010		investment revenue	250,000.00		
1000	0244	396200		it training revenue	8,500.00		
2180	0263	334090		state aid to district court	30,000.00		
2395	0202	341040		clerk & recorder fees		21,000.00	
2395	0202	341047		non-std document fees		35,000.00	
2952	0201	331055		CTEP/bike path		19,465.00	
2994	0201	365025		donations-CTEP		100.00	
2952	0201	430235	933	capital outlay-bike path	22,482.00		
1000	0210	411100	380	training services		8,000.00	
2830	0707	430800	231	gas oil diesel		8,000.00	
2850	0221	383000		Transfer In		400,000.00	
4025	0221	521000	820	Transfer to	400,000.00		
4026	0221	521000	820	Transfer to	400,000.00		
Explanation					860,982.00	491,565.00	
FY10 ADJUSTMENTS TO EXPENDITURES/REVENUES.							

Commissioner Dupont made a **motion** to approve Budget Amendment Resolution 2258. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

**BUDGET AMENDMENT
RESOLUTION # 2258**

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

**THURSDAY, MAY 20, 2010
(Continued)**

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 20th day of May 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Dale W. Lauman, Member

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

DATE OF ISSUE:		<i>BUDGET ENTRY</i>			VOUCHER #:	
DATE OF RECORD:		Resolution #2258				
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2972	0190	334112		NAT'L WOMEN & GIRLS HIV/AIDS AWARENESS	2,000.00	
2972	0190	440118	210	OFFICE SUPPLIES		100.00
2972	0190	440118	228	EDUCATIONAL SUPPLIES		300.00
2972	0190	440118	337	ADVERTISING		600.00
2972	0190	440118	378	TRAVEL		600.00
2972	0190	440118	398	CONTRACTED SERVICES		400.00
Explanation					2,000.00	2,000.00
Budget for Nat'l Women & Girls HIV/AIDS Awareness						

11:00 a.m. Commissioner Brenneman: 911 Chairmen & Committees meeting
2:00 p.m. Commissioner Brenneman: Health Board meeting @ Earl Bennett Building

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

FRIDAY, MAY 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.

9:30 a.m. Mental Health Council & CDC meetings in Libby

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 24, 2010.
