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## MONDAY, AUGUST 16, 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.**

### **AUTHORIZATION TO PUBLISH CALL FOR BIDS: CONSTRUCTION/ BIGFORK STORMWATER PROJECT**

[9:45:30 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Commissioner Dupont made a **motion** to authorize the chair to sign the publication of Call for Bids for the Bigfork Stormwater Project. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

### **INVITATION TO BID FLATHEAD COUNTY COMMISSIONERS BIGFORK STORMWATER PROJECT – GRAND DRIVE IMPROVEMENTS**

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the construction of approximately 1832 lineal feet of stormwater conveyance pipes, stormwater treatment facility, stormwater bmp's, curb & gutter, asphalt paving, and restoration. The proposed project is located in Bigfork, Montana and is generally within the right of way of Grand Drive, approximately between the Bigfork School District and Electric Avenue.

All sealed bids, plainly marked "**Bigfork Stormwater Project – Grand Drive Improvements**" must be delivered to the Commissioners' Office, 800 South Main, Kalispell, Montana 59901, at or before **3:00 p.m., local time, September 8, 2010**. All Bids that have been duly received will be opened and read aloud in the Commissioners' Office at the 800 South Main, Kalispell, Montana, **on 9:45 a.m., Thursday, September 9, 2010**.

All Bids must be in accordance with the Contract Documents on file at the following locations: Flathead County Commissioners Office, 800 South Main Street, Kalispell, MT (406) 758-5503; 48 North, P.C. Civil Engineering Services, 151 Business Center Loop, Suite A, Kalispell MT (406)756-4848, and designated Plans Exchanges. Contract Documents for use in preparing Bids may be obtained from 48 North, P.C. Civil Engineering Services at the address listed above upon receipt of a non-refundable deposit of \$100.00, payable to 48 North, P.C. for each set of documents including drawings. Prospective bidders must obtain or request Contract Documents no later than 2 days prior to bid opening. All sealed bids must be submitted on original forms. Copies of the Contract Documents obtained from other sources shall not be accepted. No bids shall be withdrawn for a period of 60 days after the scheduled closing time for receipt of bids.

Each bidder must deposit with his 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 ten (10) days, enter into a formal contract for 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, as 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.

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 must contract to pay federal prevailing wage rates as a minimum in accordance with the Federal Labor Standards Provisions (Davis-Bacon), and will be subject to withholding of 1% of all payments for transmittal to the Montana Department of Revenue to pay the public contract tax.

No bid shall be considered that does not carry the bidder's Montana Contractor's Registration Number on the bid form.

A pre-bid conference will be held at the office of 48 North, P.C. Civil Engineering Services commencing at **2:00 P.M.** on **Tuesday, August 31, 2010**. Those interested in bidding the project should plan on attending this meeting.

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(Continued)

Completion of the work is required within 80 calendar days after commencement on approximately October 4, 2010 and according to the construction schedule to be determined after the Notice to Proceed is issued. The project includes liquidated damages that will be assessed as set forth in the Special Provisions at \$1000.00 per calendar day, in addition to any damages required under the Contractor Reimbursed Engineering Costs Section of the Supplementary Conditions if the work is not complete within the allotted contract time.

Flathead County reserves the right to accept or reject any bid, to waive any irregularities, and to accept the lowest responsive and responsible bids which are deemed to be in the best interest of the County. 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 16<sup>th</sup> day of August, 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 Dates:

Wednesday, August 25, 2010: Daily Inter Lake  
Sunday, August 29, 2010: Daily Inter Lake  
Sunday, September 5, 2010: Daily Inter Lake

**AUTHORIZATION TO PUBLISH ENVIRONMENTAL ASSESSMENT: BIGFORK STORMWATER PROJECT**

9:46:29 AM

Members present:

Chairman Joseph D. Brenneman  
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Commissioner Dupont made a **motion** to approve publication of the Environmental Assessment and authorized the chair to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

**Draft Environmental Assessment  
Montana Department of Commerce  
Treasure State Endowment Program**

The Treasure State Endowment Program (TSEP) has prepared a draft environmental assessment for the construction of Flathead County Stormwater Improvements for the community of Bigfork. The proposed project is located along Grand Drive in Bigfork. TSEP construction grant funds were awarded to Flathead County by the 2009 Montana Legislature through passage of House Bill 11.

The proposed project will replace and upgrade the storm pipe system along Grand Drive and install hydrodynamic devices for treatment. The estimated cost of the project is \$1,038,368. TSEP grant funds will be limited to a total of \$519,184.

A copy of the environmental assessment can be obtained by contacting the Department of Commerce at the address listed below. A copy of the environmental assessment will also be available for public inspection at the Flathead County Commissioners Office, 800 South Main, Kalispell, Montana. Please provide any written comments by September 3, 2010 to: Valerie Short, Montana Department of Commerce, Treasure State Endowment Program, PO Box 200523, Helena, MT 59620-0523, phone number 841-2787, TDD number 841-2702.

DATED this 16<sup>th</sup> day of August, 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 August 19 and August 26, 2010.

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(Continued)

**DOCUMENT FOR SIGNATURE: MDOT CONTRACT #104547 AMENDMENT NO. 2/ EAGLE TRANSIT**

[9:46:10 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 sign MDOT Contract #104547. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: AWARD LETTER FOR THE EMPG GRANT/ OES**

[10:02:07 AM](#)

Members present:  
Chairman Joseph D. Brenneman  
Commissioner James R. Dupont  
Members absent:  
Commissioner Dale W. Lauman  
Others present:  
Assistant Mike Pence, Deputy Director OES Cindy Mullaney, Clerk Kile

Cindy Mullaney reported the grant is for \$136,000 which is double to what was received last year.

Commissioner Dupont made a **motion** to authorize the chair to sign the EMPG Grant. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

**10:00 a.m. Commissioners' Budget Workshop**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 17, 2010.

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**TUESDAY, AUGUST 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.

**8:00 a.m. Commissioner Brenneman: Waterton-Glacier Superintendents' Hike**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 18, 2010.

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**WEDNESDAY, AUGUST 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.

**9:15 a.m. Commissioner Brenneman: Waterton-Glacier Superintendents' Hike**  
**9:15 a.m. 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 August 19, 2010.

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## THURSDAY, AUGUST 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.

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

### **BI-MONTHLY MEETING W/ JED FISHER, WEED/PARKS/MAINTENANCE**

[9:01:07 AM](#)

Members present:

Commissioner Dale W. Lauman  
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Weed & Parks Director Jed Fisher, Clerk DeReu

Fisher met with the Commission and explained his concerns related to recent vandalism in Lakeside. Discussion was then held relative to the recent anthrax scare at the Earl Bennett Building and the need for employee training in order to be better prepared. He then questioned what county policy is in regards to collecting past due accounts and spoke about revising procedures used in allocating CTEP funds. Fisher spoke about the Park & Rec's Trail Plan which will be before them soon, concerns related to weeds in Columbia Falls and explained the delays caused by drainage issues for paving of the Earl Bennett parking lot. In other business he reported there may be additional expenses incurred in remodeling the Blue Building due to unknown beam issues.

### **DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #10-07-5-51-062-0**

[9:31:40 AM](#)

Members present:

Commissioner Dale W. Lauman  
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Clerk DeReu

Commissioner Lauman made a **motion** to authorize the chair to sign the DPHHS contract. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum

### **CONSIDERATION OF RELEASE OF COLLATERAL: SUMMIT VIEW**

[9:33:06 AM](#)

Members present:

Commissioner Dale W. Lauman  
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Interim Planning & Zoning Director BJ Grieve, Planner Bailey Iott, Clerk DeReu

Grieve reported final plat was granted to Summit View with an SIA for \$53,500.00. He noted on June 11 certification was received from the engineer certifying \$17,100.00 worth of improvements were complete and requested partial release of that collateral. On June 23, 2010 the Commission granted partial release of that collateral. Grieve explained on August 2, 2010 the engineer submitted certification that the remaining infrastructure improvements were complete. These improvements included street pavement, onsite water supply, street signs, and some removal of driveway approaches. Grieve stated a visual inspection was done and all appears to be complete and said the recommendation is to release the remaining amount of \$36,400.00.

Commissioner Lauman made a **motion** to release collateral for Summit View. Commissioner Dupont PT **seconded** the motion. **Aye** - Dupont and Lauman. Motion carried by quorum.

### **PUBLIC HEARING: ROAD NAME APPEAL/RERIDE TRAIL**

[10:02:13 AM](#)

Members present:

Commissioner Dale W. Lauman  
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

GIS Nate Holmes, Plat Room Karen Yerian, Jim Roth, Sherrie Bridger, Cameron Lingle, Gerry Banzet, Clerk DeReu

Nate Holmes explained ballots were sent out and of the eight properties that have access off of, have an address assignment, or are located on the road two valid votes were received for Reride Trail.

**Commissioner Dupont PT opened the public hearing to anyone wishing to speak in regards to the road name.**

**THURSDAY, AUGUST 19, 2010  
(Continued)**

Jim Roth, 274 Coclet Lane explained his ballot was received late and said he thought the process would be that the suggested road names would come in and they would choose from them. He stated Reride Trail doesn't roll of the tongue real well and is concerned about his property values with the proposed name.

Sherrie Bridger, 270 Coclet Lane stated she doesn't care for the name of Reride Trail and explained whenever she says the name the response from others is a puzzled look or a derogatory remark. She said she doesn't feel it meets the road naming criteria for 911 purposes and would like the name changed in order to be clear and concise.

Cameron Lingle, 278 Coclet Lane said his complaint is that Reride Trail seems to be a derogatory name and doesn't seem appropriate being a slang word. He stated he would like to see a name that flows and also said they would like to keep their present road number.

Gerry Banzet, 250 Coclet Lane said he doesn't care what the name of the road is but hasn't heard any other suggestions. He stated there were rules to be followed and that it appears Reride Trail was the only one that followed the rules. Banzet noted they had a dog whose name was Reride and they didn't receive any negative response to it. He then asked why we have rules if they are not going to be followed and asked why something isn't being submitted instead of just saying I don't like Reride Trail.

Cameron Lingle said the name of Bridger Path Trail was submitted for consideration.

Nate Holmes stated it was submitted after the deadline and was therefore ruled invalid.

Jim Roth further suggested they be given until Labor Day in order to get together and come up with a name that everybody likes to submit to the board collectively.

Gerry Banzet asked what the point of having rules are if they aren't going to follow them. He stated he doesn't care if the name is Reride Trail and asked that a deadline be set in naming the road.

Sherrie Bridger said as far as Reride Trail goes the criteria states the name has to be in a standardized dictionary and Reride is not in the dictionary.

**No one else rising to speak, Commissioner Dupont PT closed the public hearing.**

Commissioner Lauman explained that he agrees they should be able to sit down and keep peace in the community and come up with a consensus decision and come back to them with it.

General discussion was held relative to submitted names received after the deadline and criteria in naming of the road.

Commissioner Dupont PT stated he agreed with Commissioner Lauman in that he would like to see them name the road.

Commissioner Lauman made a **motion** to delay the decision until September 15 in order for the neighborhood to come up with a name. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

**2:00 p.m. Commissioner Brenneman: Waterton-Glacier Superintendents' Hike  
Health Board meeting @ Earl Bennett Bldg.**

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

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**FRIDAY, AUGUST 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.

**NO MEETINGS SCHEDULED**

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

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