
MONDAY, NOVEMBER 8, 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.

MONTHLY MEETING W/ MARK CAMPBELL, FAIRGROUNDS

9:00:57 AM

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, Fair Director Mark Campbell, Clerk Kile

Mark Campbell met with the Commission and reviewed projects completed at the Fairgrounds which included improving drainage and storm water discharge at the Trade Center, conducting a building assessment to assist with short term and long term planning and correcting safety items identified by a facility evaluation. He reported he has been meeting with various community members in order to get input and ideas on what changes they would like to see at the Fairgrounds. Discussion was held relative to multi uses of the facility.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: JEFFERS TRUST TEXT AMENDMENT/ FLATHEAD COUNTY ZONING REGULATIONS

9:15:53 AM

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

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

Commissioner Lauman made a **motion** to adopt final Resolution 955HG. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

RESOLUTION NO. 955 HG

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 27th day of September, 2010, to consider an amendment to the text of the Flathead County Zoning Regulations;

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

WHEREAS, the Board of Commissioners reviewed the recommendation of Flathead County Planning Board regarding the proposed amendment;

WHEREAS, based upon that recommendation and the testimony of the public, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 955 HF dated September 27, 2010) to amend the Flathead County Zoning Regulations to add a Section 3.34.030 "Community residential facilities" as a conditional use under the West Valley zoning designation with facilities serving eight or fewer residents eligible for an administrative conditional use permit (defined as Class I facilities according to Section 7.04.120 of the zoning regulations); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on September 30 and October 7, 2010, and the Board of Commissioners did not receive written protests to the amendments from forty percent (40%) of the real property owners within County zoning districts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Flathead County Zoning Regulations by adding Section 3.34.030 "Community residential facilities" as a conditional use under the West Valley zoning designation.

DATED this 8th day of November, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Absent
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

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(Continued)

DOCUMENT FOR SIGNATURE: DNRC RRG-10-1440 AMENDMENT NO. 1/ WASTEWATER MANAGEMENT

[9:17:23 AM](#)

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

Commissioner Lauman made a **motion** to approve the wastewater management document for signature DNRC RRG-10-1440. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

CONSIDERATION OF PRINT BIDS: SHERIFF'S OFFICE AND PLANNING & ZONING OFFICE

[9:19:08 AM](#)

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

Commissioner Dupont PT read the following print bids to be approved:

Towne Printer/ Sheriff's Office
2,000 phone card request forms \$37.00
2,000 release forms \$62.00
6,000 module slips \$51.00
2,000 victim notification forms \$37.00

Insty Prints/ Sheriff's Office
6,000 visitor information slips \$58.30

North Star Printing/ Sheriff's Office
5,000 attorney lists \$144.00
10,000 arrest detention forms \$153.00
10,000 inmate request forms \$153.00
10,000 court slips \$99.00

Insty Prints/ Planning & Zoning Office
2 sets of 500 business cards \$49.90

Commissioner Lauman made a **motion** to approve print bids read for the Sheriff's Office and Planning & Zoning Office. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[9:30:33 AM](#)

Members present:
Commissioner Dale W. Lauman
Commissioner James R. Dupont PT
Members absent:
Chairman Joseph D. Brenneman
Others present:
Assistant Mike Pence, HR Director Raeann Campbell, Clerk Kile

Raeann Campbell presented the October personnel transactions for approval.

Commissioner Lauman made a **motion** to approve the personnel transactions presented. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

Raeann Campbell then reported the health insurance trust fund balance is at \$3.6 million compared to \$3.2 million one year ago and the claims are up \$235,000. She explained MACo has indicated there will be increases in our insurance premiums due to liability insurance for automobiles. The work comp expenses were then reviewed with the main driver this year being incidents with the Sheriff's Office. It was noted there were 34 recordable incidents in 2009 and 37 in 2010. Campbell then reported the new payroll system is scheduled to go live this week and alcohol and drug training classes will be wrapped up in December with the new policy taking effect as of January 1, 2011.

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(Continued)

DOCUMENT FOR SIGNATURE: BERNE ROAD TRAFFIC STUDY/ ABELIN TRAFFIC SERVICES

[10:02:31 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Public Works Director Dave Prunty, Clerk Kile

Dave Prunty explained the document is a consulting agreement for a potential RSID on Berne Road where the county agreed to perform the traffic study.

Commissioner Lauman made a **motion** to approve the document for signature and authorized the chair to sign. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: FEE PROPOSAL FOR COUNTY ATTORNEY OFFICE REMODELING/ ARCHITECTS DESIGN GROUP

[10:04:11 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Clerk Kile

Commissioner Lauman made a **motion** to approve the fee proposal document for signature and authorized the chair to sign. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

9:00 a.m. Commissioner Brenneman: Interoperability Montana Finance Committee meeting in Helena

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 9, 2010.

TUESDAY, NOVEMBER 9, 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/ B. J. GRIEVE, PLANNING & ZONING OFFICE

[9:00:19 AM](#)

Members present:

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

Others present:

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

B J Grieve reviewed the current violations report and stated nine have been closed out this past month and no new ones have been reported. He then spoke about revenue concerns and asked for guidance in regards to various alternatives. Discussion was then held relative to current and future projects. Grieve explained he has been working on a work policy fee document that will give office guidelines for what type of work they will accept and how they will accept it in order to establish consistency. Other items discussed included expansion of a designated service center around West Glacier, denial of the North Fork Text Amendment, Whitefish Interlocal Agreement, Highway 93 corridor meetings, Buffalo Mountain Subdivision, land use board appointments and floodplain regulations.

QUARTERLY JUVENILE DETENTION FACILITY TOUR & MEETING

[9:35:53 AM](#)

Members present:

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

TUESDAY, NOVEMBER 9, 2010
(Continued)

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

[10:03:02 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Sandy Carlson reviewed the cash balance report as of October 31 with the Commission. She reported the new payroll system will go live this payroll period and then explained concerns related to the use of personal credit cards and asked for direction from the Commission in writing a policy. Also reviewed were four districts that have negative cash balances. Discussion was then held relative to Hungry Horse Fire District assets and potentially merging Hungry Horse Fire and Martin City Fire.

TAKE ACTION: EAGLE'S CREST SUBDIVISION, PHASES V-IX

[10:30:04 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planner Alex Hogle, Clerk Kile

Noted for the record this was pulled from the agenda as ratification of withdrawal and vacation of Eagle's Crest Subdivision preliminary approval was vacated on October 13, 2009.

MONTHLY MEETING W/ SCOTT SAMPEY, OES & LINCOLN CHUTE, FIRE SERVICES AREA MANAGER

[10:32:13 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, EMS Manager Scott Sampey, Fire Services Manager Lincoln Chute, OES Deputy Director Cindy Mullaney, Clerk Kile

Scott Sampey reported EMS will follow the same formula used in the past for ambulance service disbursements for next year. He noted final steps are being done for a mass casualty exercise that will be held at the Airport in April. Sampey reviewed concerns related to 911 addressing communication issues and noted dispatch is working on standardizing their system and establishing policies. Discussion was held relative to establishing an MOU with Lewis & Clark County that explains how Flathead County will function with IM.

Cindy Mullaney then spoke about concerns related to additional work for a Northern Tier exercise. Discussion was held relative to the need to stabilize the bluff above Village Greens and liability concerns. She then noted they are moving forward with a web based burn permit process for county residence to use. Mullaney reviewed the work she has done in order to revive the Local Emergency Planning Committee.

Lincoln Chute reported he is continuing to work with Jack Spillman to prepare for winter operations and to get the remote automated weather site up and running. In addition he reported a request was received from Marion Fire Department to take over the response area near North Ashley Lake.

COS REVIEW: CREIGHTON

[11:01:46 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planner Andrew Hagemeyer, Dave Creighton, Linda Creighton, Clerk Kile

Andrew Hagemeyer reviewed the request submitted by Dave and Linda Creighton to transfer parcels located south of Columbia Falls between Gosney Crossing and Sullivan Crossing to their sons. He noted the proposed family transfer is contiguous with and will share a common road with an existing subdivision. Hagemeyer explained the proposed tracts are of similar size and shape as the adjacent platted lots and the proposed family transfer request is from the same landowner that created those lots. It was further noted the applicant along with his technical representative completed a pre-application meeting for a subdivision on the subject parcel on September 1, 2010.

Chairman Brenneman asked the applicant if it has been explained to him that state laws says if you are going to subdivide land in the State of Montana that you have to go through subdivision review, unless you qualify for an exemption. He explained there are various types of exemptions with one of them being family transfers and it is generally understood the purpose of the family transfer is to give to a immediate relative a piece of property; it is in fact illegal to do that if you are doing it for the purpose of evading subdivision review.

Dave Creighton said that it was understood.

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(Continued)**

Chairman Brenneman said if in fact it is done and it is determined you are doing it for that purpose you can be charged. He then stated the obvious question is this is the completion of a subdivision and asked why a major wasn't done.

Dave Creighton said his original plan would have been to build homes on all the lots and sell one every couple years. Creighton stated since that doesn't look profitable with the economy during his lifetime he thought it might be best to transfer the land to his sons, and maybe have a chance of keeping grandkids close by.

Chairman Brenneman asked if the purpose of the transfer would be to give land to his sons for them to build a home.

Dave Creighton said he wants them to have that option.

General discussion was held relative to vacant lots in the subdivision.

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

- 11:45 a.m. Commissioner Brenneman: State of the County Address at Kalispell Chamber of Commerce Luncheon, Red Lion Hotel**
- 2:00 p.m. Commissioner Dupont and Commission Lauman: Meeting w/ Mike Schestedt/ MACo re: Tutvedt settlement @ Commissioners Meeting Room**
- 4:00 p.m. Commissioner Dupont: RAC meeting @ Forest Service Office**
- 4:00 p.m. Flathead Watershed Sourcebook launch @ Lone Pine State Park Community Room**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 10, 2010.

WEDNESDAY, NOVEMBER 10, 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.

- 11:00 a.m. County Attorney meeting @ Co. Atty's Office**
- 1:00 p.m. Commissioner Lauman: NAMI Mental Health meeting @ Summit Conference Room**
- 2:30 p.m. Commissioner Brenneman: Bigfork Stormwater DEQ 319 meeting**
- 6:30 p.m. Commissioner Lauman: 4-H Leadership Banquet @ Stillwater Grange**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 11, 2010.

THURSDAY, NOVEMBER 11, 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.

COUNTY OFFICES CLOSED – VETERANS DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 12, 2010.

FRIDAY, NOVEMBER 12, 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 November 15, 2010.
