
MONDAY, DECEMBER 6, 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.

1ST READING OF SPEED LIMIT ORDINANCE NO. 7

10:33:01 AM

Members present:

- Chairman Joseph D. Brenneman
- Commissioner James R. Dupont

Members absent:

- Commissioner Dale W. Lauman

Others present:

- Deputy County Attorney Peter Steele, Public Works Director Dave Prunty, Clerk Kile

Chairman Brenneman read the first reading of Speed Limit Ordinance No. 7 indicating the only change is to set speed limits to match up with statues.

**PROPOSED AMENDMENT TO ORDINANCE NO. 7
Speed Limits**

WHEREAS, the Board of Commissioners is authorized, pursuant to Sections 7-5-102 through 7-5-107, 7-14-2113, and 61-8-310, M.C.A., to adopt an ordinance and to impose speed limits on certain public roads and highways;

WHEREAS, the Board of Commissioners determined that all speed limits imposed by the Board since 1985 should be codified into a single ordinance, and, therefore, adopted Ordinance No. 7, Speed Limits, on July 5, 1995; and

WHEREAS, the amendment to Ordinance No. 7 set forth below for the following were requested by the Flathead County Road Department.

NOW, THEREFORE, BE IT RESOLVED that, effective 30 days after the second and final adoption of the following amendment, the following amendment to Ordinance No. 7, shall be in force and effect:

Section One: Speed Limits on Named Roadways,

Twenty-five (25) miles per hour is amended by deleting the following portions that are lined through and adding the portions that are underlined:

~~Pleasant Valley Road from US 2 to Bitterroot Drive;~~ and

Two Mile Drive from the city limits to Skyline Drive.

Thirty-five (35) miles per hour is amended by deleting the following portions that are lined through and adding the portions that are underlined:

- East Reserve Drive from US 2 East to the end of the road; and
- Pleasant Valley Road for its entire length; and
- ~~Two Mile Drive (West of Greenbriar Court) for its entire length;~~ and
- Two Mile Drive from Skyline Drive to W. Springcreek Road; and
- Rhodes Draw from Bald Rock Road to the end of county maintenance.

Forty-five (45) miles per hour is amended by deleting the following portion that is lined through:

~~East Reserve Drive from US Highway 2 to Helena Flats Road~~

BE IT FURTHER RESOLVED that following passage of the foregoing amendment on second reading, Ordinance No. 7 shall be updated to include that amendment.

DATED this ____ day of December, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By _____
Joseph D. Brenneman, Chairman

By _____
Deputy

Note: First reading of Ordinances are not signed by the Chairman

MONDAY, DECEMBER 6, 2010
(Continued)

CONSIDERATION OF HR TRANSMITTAL: OES/EMS ASSISTANT

[11:40:43 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 HR Transmittal for a full time OES/EMS Assistant. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: BLACKTAIL MOUNTAIN COMMUNICATIONS LEASE

[11:42:25 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Deputy County Attorney Peter Steele, Clerk Kile

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

MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE RE: INSURANCE

[11:43:00 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Grant Writer Debbie Pierson, Weed & Parks Hailey Meeker, Clerk Kile

Debbie Pierson explained a grant requirement is that the county list additional insured on their policy.

Noted for the record is DNRC Forestry Grant #SPF-10-009 for the Bigfork Stormwater Project and a grant for Parks and Recreation called Flathead Grooming with the Forest Service will be listed as additionally insured on the county policy.

Chairman Brenneman made a **motion** to add a statement to the county policy approving the language be added for DNRC and the Forest Service grant having to do with the Blacktail Ski area. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

BOARD APPOINTMENT: MARION RURAL FIRE DISTRICT

[11:45:23 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Deputy County Attorney Peter Steele, Clerk Kile

Commissioner Dupont made a **motion** to appoint Karren Brown to Marion Rural Fire District. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

MONTHLY MEETING W/ DAVE PRUNTY, ROAD DEPT.

[11:11:57 AM](#)

Members present:
Chairman Joseph D. Brenneman
Commissioner James R. Dupont
Members absent:
Commissioner Dale W. Lauman
Others present:
Public Works Director Dave Prunty, Clerk Kile

Dave Prunty presented a report to the Commission on hours worked for plowing, sanding and grading county roads with YTD statistics. Discussion was held relative to the Road Department budget and money spent on winter operations. Prunty explained the Road Advisory Committees concerns they would like to address which included: ending maintenance on certain county roads, inventorying all gravel pits, expectations of operator quality assurance and performance, a priority system for road classifications and privatization of services. Discussion was then held relative to call board employees. He noted APEC Engineering prepared a potential improvement estimate for Bigfork Stage Road.

MONDAY, DECEMBER 6, 2010
(Continued)

AUTHORIZATION TO PUBLISH CALL FOR BIDS: CONSTRUCTION OF EARL BENNETT PARKING LOT

11:36:59 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

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

**ADVERTISEMENT FOR BIDS
EARL BENNETT BUILDING
PARKING LOT IMPROVEMENTS
FLATHEAD COUNTY, MONTANA**

Flathead County, Montana will receive sealed bids for all labor, materials and equipment necessary for construction of the Earl Bennett Building Parking Lot Improvements. Bids will be received by the County Clerk & Recorder on or before 9:30 o'clock a.m. on the 4th day of January, 2011, at which time bids will be publicly opened and read aloud.

WORK TO BE PERFORMED WILL INCLUDE:

Work generally includes: Removal of existing asphalt pavement, concrete sidewalk, curb, and landscaping; and the construction of a new 91-space parking lot with concrete approaches, sidewalks, curbs, landscaping, irrigation and drainage system. The work also includes the widening and reconstruction of the alley between 10th Street West and 11th Street West and a new solid waste container site.

Bids shall be addressed to the Flathead County Clerk & Recorder, 800 South Main, Kalispell, Montana 59901, and must be sealed and entitled "EARL BENNETT BUILDING PARKING LOT". All bidders shall possess an appropriate Montana Contractor's License and no contract shall be awarded to any bidder unless he or she is the holder of a license in the class within which the value of the project falls. The bidder's Montana Contractor's License number and address shall appear on the sealed bid envelope.

Plans, Specifications, Bidding and Contract Forms may be inspected at the office of the Consulting Engineer - Carver Engineering; 1995 Third Ave. East; Kalispell, Montana 59901. Copies of these documents may be obtained at the office of Carver Engineering upon payment of \$100.00 (non-refundable) for each complete set.

All bids offered shall be accompanied by a check payable to the Flathead County Treasurer, certified by a responsible bank, or a Bid Bond for an amount which shall not be less than ten (10%) percent of the aggregate of said proposal. The Bids shall, in open session, be publicly opened and examined and declared the same; provided, however, that no Bid shall be considered unless accompanied by said check or Bid Bond. The County may reject any and all Bids should it deem this for the public good, and also the Bid of any party who has been delinquent or unfaithful in any former contract with the County, and shall reject all Bids, other than the lowest regular bid of any responsible bidder, and may award the Contract for such work or improvement to the lowest responsible bidder at the prices named in his or her bid.

The checks or Bid Bonds of the three (3) low responsible bidders accompanying such accepted Bids shall be held by the County until the Contract for doing said work, as hereinafter provided, has been entered into, whereupon said checks or Bid Bonds shall be returned to said bidders. If the lowest responsible bidder fails, neglects, or refuses to enter into the contract to perform said work or improvements, as hereinafter provided, then the check or Bid Bond accompanying his or her bid, and the amount therein mentioned, shall be declared to be forfeited to the County. After a Contract is awarded, the successful bidder will be required to furnish a Performance and Payment Bond in the amount of one-hundred (100%) percent of the Contract.

No bidder may withdraw his bid for at least sixty (60) days after the scheduled time for receipt of bids.

Bidders on the work will be required to comply with Montana Prevailing Wage Rates. It is incumbent upon each employer to pay, as a minimum, the rate of wages including fringe benefits for health and welfare and pension contributions, and travel allowance provisions, provided in the most current Prevailing Wage Rates. Bidders on the project will also be required to pay the State's 1% Contractor's withholding tax.

Attention is called to the "Instructions to Bidders" on file with the Plans and Specifications, which instructions are to be followed in all respects. All Proposals shall be submitted on the forms provided in the Specifications and shall not be removed from the bound copy.

Award of the Contract will be made solely by issuance of a Notice of Award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 6th day of December, 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 December 15, December 22 and December 29, 2010.

MONDAY, DECEMBER 6, 2010
(Continued)

DOCUMENT FOR SIGNATURE: RELM RADIO CONTRACT/ ROAD DEPT.

[11:35:15 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

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

1:30 p.m. Commissioner Brenneman: Health Board / Community Health Center Coordinating Committee meeting @ Earl Bennett Bldg., Conf. Room A/B
8:30 a.m. Weed & Parks Board meeting @ Weed & Parks Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 7, 2010.

TUESDAY, DECEMBER 7, 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.

BI-MONTHLY MEETING W/ VICKI SAXBY, I.T.

[9:15:32 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, I.T. Director Vicki Saxby, Clerk Kile

Vicki Saxby met with the Commission and presented bi-monthly reports from October and December. She reported the COOP plan is complete and turned over to OES and the new 911 Call Log web page for the Sheriff's Office has been completed. Other items discussed included the Merlin System for DMV, the new county wide payroll system, concerns regarding transferring data for the court system, the substantial increase of online tax payment use, work on the City of Kalispell's website and statistics on Flathead County website hits.

PUBLIC HEARING: ROAD NAME APPEAL/ PILEATED PLACE

[9:33:00 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, GIS Nate Holm, Plat Room Karen Yerian, Tom McCabe, Glen Fehlhaber, Clerk Kile

Nate Holms reviewed the background for naming the property off Lost Creek Drive. He noted it was originally balloted out by the addressing coordinator in February, 2009. He explained it was re-balloted in September, 2010 at which time three votes were returned; two for Pileated Place and an additional vote for Tranquil Trail that was late so was not valid.

Chairman Brenneman opened the public hearing to anyone wishing to speak in regards to the road name.

Glen Fehlhaber, 721 Lost Creek Drive stated he received an official letter from the county telling them their name would be Larkspur Lane over a year ago. He then said all of a sudden he received a letter that said it wasn't their name. Fehlhaber asked what the process is in picking a name.

Tom McCabe, 715 Lost Creek Drive stated they too received a letter naming the road Larkspur Lane and questioned the process. He said he understands the process of naming roads and stated his concerns with the proposed name of Pileated Place. McCabe said he would like to see the neighbors get together and come up with a potential name for the road.

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

Chairman Brenneman stated if you can get together relatively quickly with the neighbors and come up with a name that would be their first choice. Discussion was held relative to a timeline of 30 days.

TUESDAY, DECEMBER 7, 2010
(Continued)

DOCUMENT FOR SIGNATURE: STATE OF MONTANA VISION NET SERVICE/ SHERIFF'S OFFICE

[9:44:51 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Sheriff Mike Meehan, Detention Commander Kathy Frame, Clerk Kile

Kathy Frame reviewed the contract with Vision Net and stated it is their recommendation to go with them.

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

Discussion was held relative to the need to have a backup position at Juvenile Detention in the absence of the Chief Juvenile Detention Officer. Following discussion the Commission agreed.

9:30 a.m. Commissioner Brenneman: Environmental Impact Committee meeting @ Earl Bennett Bldg.
6:30 p.m. Flathead Lakers Public Presentation: Channel Migration Zone Study @ Commissioners' Meeting Room

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

WEDNESDAY, DECEMBER 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.

10:00 a.m. Commissioner Brenneman: Meeting w/ Robin Steinkraus
11:00 a.m. County Attorney meeting @ Co. Atty's Office
7:00 p.m. Commissioner Brenneman: Bigfork Water & Sewer Board meeting in Bigfork

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

THURSDAY, DECEMBER 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.

Hank Galpin, 1885 Stillwater Road stated as a member of the Airport Authority Board he strongly recommends the re-appointed of Tim Grattan to the board. He said he has been a very effective board member over the years and is a fountain of commons sense as well as an intelligent business owner from Whitefish. He explained he has an ongoing conversation with an individual that owns a tract of land in front of the terminal they are interested in acquiring.

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

MONTHLY MEETING W/ B J GRIEVE, PLANNING AND ZONING OFFICE

[9:00:21 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

B J Grieve reviewed a comparison report of full time employees and fee revenue generated for the past several years. A December, 2010 Zoning/Community Decay Violation report was then reviewed. He spoke about revenue and staffing adjustments made and reviewed the revised fee revenue projections for FY2011. It was noted the Planning & Zoning Office recently received a major 17 lot subdivision/ PUD on 120 acres in the Bigfork area. Discussion was held relative to the Planning Board approving a work plan to update the Growth Policy and the requirement by the Commission to adopt a resolution to start the process. Grieve then reported the Master Plan amendment to update land use designation between Highway 2 and the river on West Reserve Drive from suburban agricultural to commercial was withdraw by staff. He also noted a zone change request was received by Faith Baptist Church and also stated Trevor Schaefer has indicated interest in implementing the Lakeside Neighborhood Plan on his property and his property alone. An analysis prepared by FEMA was also reviewed that showed participation by Flathead County enables residence to receive a discount on their flood insurance.

THURSDAY, DECEMBER 9, 2010
(Continued)

OPEN BIDS: LEGAL ADVERTISING 2011

[9:30:52 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Lynette Hintz, Rick Weaver, Clerk Kile

Bids were received with bid bonds enclosed from the Daily Inter Lake and Flathead Beacon.

Daily Inter Lake	64% of the prices outlined in the Administrative Rules of Montana
Flathead Beacon	\$3.25 per column inch based on an 8 point typeface

Chairman Brenneman made a **motion** to take the advertising bids received under advisement. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: BY-LAWS/ RSVP

[9:39:38 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

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

BOARD APPOINTMENTS: MARTIN CITY RURAL FIRE DISTRICT AND BIGFORK LAND USE ADVISORY COMMITTEE

[9:39:38 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 appoint Sandy Welch to Martin City Rural Fire District. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

Commissioner Dupont made a **motion** to appoint Joyce Mitchell to Bigfork Land Use Advisory Committee. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTAL: REGISTERED PROFESSIONAL ENGINEER/ HEALTH DEPT.

[9:38:16 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 the HR Transmittal for a registered professional engineer for the Health Department. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

[10:00:13 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Sandy Carlson presented a cash balance report and reviewed the current balances. Discussion was then held relative to engineering costs for Troutbeck Rise RSID which was dissolved, proposed changes to the county travel policy and operations of the Hungry Horse Fire District.

THURSDAY, DECEMBER 9, 2010
(Continued)

OPEN BIDS: GRAVEL CRUSHING/ 4 CORNERS PIT

[10:30:42 AM](#)

Members present:

Chairman Joseph D. Brenneman

Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Jodi Holt, Mike Eugland, David Steely, Clerk Kile

Bids received with bid bonds enclosed from:

	<u>40,000 Tons Sanding Material</u>	<u>100,000 Tons 1" Minus Crushed Aggregate</u>	<u>100,000 Tons 1" Minus Crushed Aggregate w/ Bentonite</u>
Nelcon	\$7.80/Unit = Total \$312,000	\$4.10/Unit = Total \$410,000	\$4.10/Unit = \$410,000
LHC	\$2.88/Unit = Total \$115,200	\$4.94/Unit = Total \$494,000	\$5.63/Unit = \$563,000
Schellinger	\$5.65/Unit = Total \$226,000	\$6.00/Unit = Total \$600,000	\$5.60/Unit = \$560,000

Commissioner Dupont made a **motion** to take the bids under advisement. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

12:00 p.m. Commissioner Brenneman: Bigfork Steering Committee Public Forum @ Bethany Lutheran
2:00 p.m. AOA Board meeting @ Kalispell Sr. Center
6:00 p.m. Fair Board meeting @ Fair Office

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

FRIDAY, DECEMBER 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.

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 13, 2010.
