
MONDAY, DECEMBER 13, 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 14, 2010.

TUESDAY, DECEMBER 14, 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

[9:30:36 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, Fairgrounds Director Mark Campbell, Clerk Kile

Mark Campbell met with the commission and reviewed current projects which included winter maintenance tasks, work done with the City of Kalispell Water Department on potential cross contamination issues and proposed gate and exterior landscape improvements. Campbell noted he is wrapping up paperwork for entertainment attractions for the 2011 Fair and has completed review and analysis of fair related revenue and expenses for 2010. The upcoming scheduled events were then reviewed.

MEETING W/ ALLISON MOUCH/PLANNING & ZONING OFFICE RE: MACKIN SUBDIVISION SIA

[9:45:27 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, Planner Allison Mouch, Clerk Kile

Allison Mouch gave a brief history of the SIA which was for improvements to the apron of Mackin Subdivision. She explained the applicant would like to further subdivide a lot and waited to do the improvements; he is now requesting additional time to complete the apron.

Commissioner Lauman made a **motion** to grant an SIA extension to Mackin Subdivision to June 1, 2011. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

BI-MONTHLY MEETING W/ KAROLE SOMMERFIELD, 4-H OFFICE

[10:00:29 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, 4-H Director Karole Sommerfield, Clerk Kile

Karole Sommerfield reported she received a national award for achievement of service at a 4-H Conference she attended in Phoenix. She reported their annual banquet was held, leadership training classes were completed, weight in of steers is complete and a \$2,000 grant was received from Plum Creek that will go towards planting trees at Lone Pine.

TUESDAY, DECEMBER 14, 2010
(Continued)

DOCUMENT FOR SIGNATURE: FY11 EXTENSION SERVICE AGREEMENT

[10:07:53 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, 4-H Director Karole Sommerfield, Clerk Kile

Commissioner Lauman made a **motion** to approve the extension service agreement for Karole Sommerfield. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

ENDORSEMENT OF COPS PROJECT BLUE LIGHTING CEREMONY

[10:15:52 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, Undersheriff Pete Wingert, Becky Sturdevant, Clerk Kile

Pete Wingert explained COPS is a national organization that assists family and friends of fallen law enforcement officers killed in the line of duty. He stated Becky Sturdevants son Trooper Evan Schneider died in the line of duty in August, 2009 at which time the Flathead County chapter was started. Wingert explained a blue tree lighting ceremony will be held on December 16.

Becky Sturdevant stated the ceremony is not just for fallen officers but active duty ones as well.

Commissioner Dupont PT commended Ms. Sturdevant for starting the COPS organization in Flathead County with the several tragedies there have been over the past few years.

Commissioner Lauman stated that he also wants to show community support.

Commissioner Lauman made a **motion** to endorse the COPS Blue Lighting Tree Ceremony. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

CONSIDERATION OF PRINTING BIDS: LIBRARY

[10:18:05 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Commissioner Lauman made a **motion** to authorize the chair to sign the print bid from Trippet's Printing for 5,000 labels for \$400.00. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

BUDGET AMENDMENTS: MISCELLANEOUS

[10:20:31 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Lora Burger, Clerk Kile

Commissioner Lauman made a **motion** to approve Budget Amendment Resolution 2277. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

BUDGET AMENDMENT RESOLUTION # 2277

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

**TUESDAY, DECEMBER 14, 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 14th day of December, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Absent
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

DATE OF ISSUE:		12/1/2010	BUDGET ENTRY		VOUCHER NO.:	
DATE OF RECORD:			Resolution 2277		Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2160	0238	460240	398	Other Contracted Serv	22,000.00	
2200	0227	440700	900	Capital Outlay	8,000.00	
2281	0276	521000	820	Transfer to	6,100.00	
2394	0204	420150	380	Training Services	75.00	
2850	0221	420750	370	Travel	7,000.00	
2970	0190	440176	110	Salaries	105.00	
4012	0201	411200	305	Operating Expenses	3,000.00	
4012	0201	411200	350	Prof Services	5,500.00	
4012	0201	411200	900	Capital Outlay	9,000.00	
4026	0221	420750	900	Capital Outlay	732,701.00	
5410	0220	521001	820	Transfer to	150,000.00	
Explanation					943,481.00	0.00
Increase FY10 Budget Expenditures for overspent funds						

Commissioner Lauman made a **motion** to approve Budget Amendment Resolution 2278. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

BUDGET AMENDMENT RESOLUTION # 2278

WHEREAS, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2010-2011, 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 14th day of December, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Absent
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

TUESDAY, DECEMBER 14, 2010
(Continued)

DATE OF ISSUE:		12/7/2010		BUDGET ENTRY		VOUCHER NO.:	
DATE OF RECORD:						Entered by:	
Resolution 2278							
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
2850	0221	420750	110	Salaries		18,829.00	
2850	0221	420750	120	Overtime	33,400.00		
2850	0221	420750	130	Accum Sick & Vacation			
2850	0221	420750	141	Unemployment	52.00		
2850	0221	420750	142	Industrial Accident		49.00	
2850	0221	450750	143	Group Insurance	268,494.00		
2850	0221	420750	144	FICA	87,483.00		
2850	0221	420750	145	PERS	98,710.00		
2850	0221	420750	147	Medicare Tax	20,577.00		
2850	0221	420750	150	Life Insurance	1,032.00		
2850	0221	420750	226	Clothing & Uniforms	12,000.00		
2850	0221	521000	820	Transfer to		50,000.00	
2370	0221	420750	144	FICA		86,057.00	
2370	0221	420750	145	PERS		97,283.00	
2370	0221	420750	147	Medicare Tax		20,126.00	
2380	0221	420750	143	Group Insurance		258,402.00	
2380	0221	420750	150	Life Insurance		1,032.00	
2370	0221	420160	144	FICA		55,935.00	
2370	0221	420160	145	PERS		63,784.00	
2370	0221	420160	147	Medicare Tax		13,079.00	
2380	0221	420160	143	Group Insurance		179,241.00	
2380	0221	420160	150	Life Insurance		768.00	
2370	0221	420161	144	FICA		5,355.00	
2370	0221	420161	145	PERS		6,106.00	
2370	0221	420161	147	Medicare Tax		1,252.00	
2380	0221	420161	143	Group Insurance		7,547.00	
2380	0221	420161	150	Life Insurance		32.00	
Explanation					521,748.00	864,877.00	
Adjust 911 Expenditure amounts to match approved budget							
Move Benefits from 2370 and 2380 to 2850/adjust benefits based on adjusted salaries							
Decrease Budgeted Benefits from 2370 & 2380 for Communications & Public Communications activity							

DATE OF ISSUE:		12/7/2010		BUDGET ENTRY		VOUCHER NO.:	
DATE OF RECORD:						Entered by:	
Resolution 2278 (Continued)							
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
2919	0190	331021		Cops Grant		38,795.00	
2919	0190	420110	110	Salaries	27,531.00		
2919	0190	420110	141	Unemployment	69.00		
2919	0190	420110	142	Industrial Accident	1,544.00		
2919	0190	420110	143	Health Insurance	4,821.00		
2919	0190	420110	144	FICA	1,707.00		
2919	0190	420110	146	Sheriff Retirement	2,705.00		
2919	0190	420110	147	Medicare Tax	399.00		
2919	0190	420110	150	Life Insurance	19.00		
Explanation					38,795.00	38,795.00	
To Establish the Budget for Cops Grant							

DOCUMENT FOR SIGNATURE: ANIMAL SHELTER OIL & GAS LEASE

10:24:22 AM

Members present:

- Commissioner Dale W. Lauman
- Commissioner James R. Dupont PT

Members absent:

- Chairman Joseph D. Brenneman

Others present:

- Assistant Mike Pence, Deputy County Attorney Paul Nicol, Clerk Kile

Paul Nicol explained the oil and gas lease document which guarantees Flathead County \$1,500.00.

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

TUESDAY, DECEMBER 14, 2010
(Continued)

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

[10:32:09 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, EMS Director Scott Sampey, OES Deputy Director Cindy Mullaney, Clerk Kile

Scott Sampey reviewed work being done by Fire Services Area Manager, Lincoln Chute. He reviewed concerns in regards to ice build up on radio towers located on Big Mountain and reported finalization of a land transfer for the Fire Department at Ashley Lake is almost complete. He noted the wildland fire grant is nearly complete and work is continuing in getting the Hungry Horse Fire Department operational. Sampey reviewed concerns related to the new 911 Center building and noted an audit will be done on 911 funds. Discussion was held relative to the counties liability when students are observing with various fire departments.

Cindy Mullaney reported a LAPC meeting was recently held and once the committee is functional officers will be elected and by-laws written. She noted an all hazard incident management team conference was just attended and they would like to consider N.W. Montana as a state resource and asked the commission to weigh in on the proposal. Discussion was held relative to a burn permitting process for the county and getting approval to start working on a statement of work for it.

CONSIDERATION OF FLATHEAD COUNTY TRAVEL POLICY

[11:00:09 AM](#)

Members present:

Commissioner Dale W. Lauman
Commissioner James R. Dupont PT

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Mike Pence, Clerk & Recorder Paula Robinson, Finance Director Sandy Carlson, I.T. Director Vicki Saxby, Clerk Kile

Sandy Carlson noted the meeting today is for consideration of approval for the travel policy which has been revised by department heads and approved by the Audit Committee.

Commissioner Lauman made a **motion** to adopt the Flathead County Travel Policy as presented. Commissioner Dupont PT **seconded** the motion. **Aye** - Lauman and Dupont. Motion carried by quorum.

8:30 a.m. Commissioner Brenneman: Interoperability Montana Project Directors meeting in Helena

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 15, 2010.

WEDNESDAY, DECEMBER 15, 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. RSVP Board meeting @ Heritage Place
11:00 a.m. County Attorney meeting @ Co. Atty's Office
11:30 a.m. Commissioner Brenneman: Agency Administrator's meeting @ Famous Dave's

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 16, 2010.

THURSDAY, DECEMBER 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.

Linda Christensen, 600 Bayou Road spoke about concerns in regards to the Planning Boards recommendation to delete the five acre density requirement and connection to public sewer for subdivisions where ground water is less than eight feet. She explained the cost for stream preservation would be around \$210,000, but to restore it would be around \$675,000.

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

THURSDAY, DECEMBER 16, 2010
(Continued)

MEETING W/ KIM CROWLEY, LIBRARY RE: COLUMBIA FALLS BRANCH LIBRARY

8:30:50 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Library Director Kim Crowley, Library Assistant Connie Behe, Jane Lopp, Theresa Conner, Heidi Desen, Barry Conger, Rick Prestbye, Fred McCracken, Pam Holmquist, Leslie Allen, Clerk Kile

Barry Conger, First Best Place Director presented an overview of the background for creation of a new branch library being proposed at Glacier Discovery Square with a full-fledged community center. He explained the First Best Place Task Force is a nonprofit group dedicated to revitalizing Columbia Falls and then presented substantial statistics for the use of the building this past year. He noted funding has been secured for remodeling the lower level and they are now ready to remodel the upper portion of the building that will be used for a library. Conger stated they have approximately \$300,000 committed so far out of an estimated budget of about one million for that piece of the project. He said their request from the county is for approximately \$268,000 to relocate the library and remodel the upper level which would provide them with twice the space they currently have and now need. Letters of support from community members were reviewed as well. Conger stated the counties \$268,000 investment would buy partnership into a \$1.5 million dollar facility that would be a showcase for the entire valley.

Kim Crowley noted the budget presented to them was prepared by her and stated the numbers are estimates based on prior work and purchases they have done at the main library. She stated an automatic material return and sorting system would be great to have and save staff time but is expensive.

Chairman Brenneman questioned the total cost of the proposed project and asked where the different funds were.

Barry Conger explained the figures presented are for the entire conceptual project for Discovery Square and includes the lower level being remodeled. He noted \$400,000 has been secured of the \$1.4 million and the remaining upper level remodel will be approximately \$1 million of which they have \$300,000 pledged set aside. Conger stated the \$268,000 they are asking for will certainly not complete the project; their hope is to put themselves over the halfway mark, and utilize a commitment from the county to further facilitate other grant/ funding opportunities.

General discussion was held relative to reallocating material in Whitefish and the timeframe of opening a new library in Columbia Falls.

Chairman Brenneman asked that someone explain to him the letter received from the Columbia Falls Library Association stating they are perfectly happy where they are.

Barry Conger stated they have been working with the library association from the beginning of the project and considered them one of their partners. He noted they are a very conservative group and committed a small amount of change to the project, although they are not ready to write a check yet; they like a lot of folks want to make sure funding is in place.

Discussion was held relative to conversations held with the City of Columbia Falls, maintenance and utility concerns and future funding.

Kim Crowley stated she would like to see a commitment to transfer \$250,000 to the library capital budget which they have, and if the other funding doesn't come about then it would go back into the county fund.

Commissioner Dupont asked who currently owns the building they propose to move to.

Barry Conger stated First Best Place owns the building and they are a non-profit 501-C3 community organization incorporated in the State of Montana with an 11 member board.

Discussion was held relative to the use of the present building, proposed new space, potential stream of revenue and FTE's that would be needed to run the new facility.

Jane Lopp, Chairman of the Flathead County Library Board stated the board feels this is a great project, however, in terms of agreements they have they feel the funding should be in their budget and they would have no intent to expend it in places or on things they currently don't spend it on. The project would benefit the entire valley she noted.

Chairman Brenneman noted the commission is authorized to make budgetary decisions, yet would take the matter under advisement.

Commissioner Dupont stated he would like to take the time to look at where the funding would come from and said he is not prepared to make a decision today. He noted employees are being laid off and an incoming commissioner would be on board in January. Dupont said he sees no rush and would like to see it back on the agenda in 30 days.

Chairman Brenneman said because of what he regards as good financial management over the past six years he is aware that they do in fact have money available. He added whether ill informed or political claims to the contrary Flathead County has a budget that is in good shape. He stated we do have money and could allocate it for this; as a matter of fact the money is presently being considered to be allocated for new offices for the commissioners. He stated if it was up to him and apparently it isn't going to be, he would heartedly endorse delaying building new offices for the commissioners when an opportunity like this comes up to give back to the community who has been paying the taxes, and are in a situation where amenities like this are in fact extremely valuable. He noted it has been shown in significant numbers of studies that communities that have these sorts of things available are in fact the ones that will experience economic growth and stability. Brenneman stated he would support it even if it meant delaying the building project for their personal benefit.

THURSDAY, DECEMBER 16, 2010
(Continued)

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

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

[9:02:58 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Weed & Parks Director Jed Fisher, Clerk Kile

Jed Fisher reviewed progress with proposed Verville Park in Columbia Falls which currently is an unmaintained area of overgrown vegetation. He then spoke about Church Slough and noted an attorney from MACo is representing them in the lawsuit. Fisher explained everything that was done was permitted through the Planning Department and Fish, Wildlife and Parks and there were absolutely no deed restrictions on the property. He then reported a homeowners group in Country Way Estates is interested in donating land for a trail that would almost connect all the way to Glacier High School with some church property to the west of Country Way Estates and then some county owned property before Mountain Villa Apartments. Fisher reported a \$40,000 grant from a noxious weed trust fund was submitted. Discussion was held relative to personal space heaters, elected officials designated parking spaces and other vehicles that park in the courthouse loop.

BERNE ROAD RSID PRESENTATION BY LINDA SMITH

[9:22:00 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, Linda Smith, Toby McIntosh, Clerk Kile

Linda Smith reported an RSID packet was re-submitted for their review after the traffic study was completed. She noted the engineer has provided a new estimate based on the traffic study.

Mike Pence explained the project has evolved from a bigger project after Linda Smith and other neighborhood citizens attempted to get most of Jensen Road and the north end of Berne Road paved. He noted there is not enough support from the residence on Jensen Road. Pence said Linda Smith's proposed RSID is for just Berne Road since enough support is there by property owners. He noted when the traffic study was done it was just done on the Berne Road section and they found that the through traffic usage is 80 percent. He explained in this case the county will need to pay 80 percent of the cost if they move forward with it.

Discussion was held relative to other roads in the area and the support they have. Following discussion the commission agreed to move forward if community support is maintained.

PUBLIC HEARING: SUBDIVISION REGULATIONS

[9:31:47 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, Planning & Zoning Director B J Grieve, Planner Alex Hogle, Eric Mulcahy, Dave DeGrandpre, Marc Liechti, Jane Eby, Mayre Flowers, Jeff Larsen, Toby McIntosh, Pam Holmquist, Terry Kramer, Laverne Sultz, Dan K. Olson, Shelly Gonzales, Clerk Kile

Chairman Brenneman said three years ago the subdivision regulations were reviewed by the planning board and the commission held numerous workshops and adopted the regulations they thought addressed changes in the law; shortly thereafter, a committee was formed to look at the usability and functionality of the regulations to make sure they were not unduly onerous. Brenneman thanked the committee for their work and stated he appreciated their willingness to give their time and expertise in helping.

Commissioner Dupont stated he also is pleased with the committees result and thanked them for their commitment in helping Flathead County.

Chairman Brenneman noted the proposed regulations were posted on the website and have been available for the public to review.

Chairman Brenneman opened the public hearing to anyone wishing to speak in regards to the proposed changes to the subdivision regulations.

**THURSDAY, DECEMBER 16, 2010
(Continued)**

Jeff Larsen, Vice-President of Montana Environmental Consultants Association stated they weighed in on the regulations from the very beginning and after they were approved there was a lot of concern in their organization. He said in regards to the proposed changes to the subdivision regulations they are in full support of them being approved. Larsen stated the committee did a wonderful job addressing many of the concerns they had through the years with the regulations and thanked the commission for letting the group of professionals that work in the profession create these regulations. He noted he feels the secondary access issue still needs tweaking as well as the offsite improvement formula.

Linda Christensen asked that they not delete the provision that does away with the requirement that a subdivisions density be at least five acres per lot if the groundwater in the area is less than eight feet. She stated it would cost the county much less money to protect water resources rather than restore water resources. Christensen said 5-20 acre density reduces impacts to water resources which is important to the future of the Flathead

Robin Steinkraus representing Flathead Lakers said their comments and recommendations were submitted throughout development of the growth policy and revisions of the subdivision regulations. She stated one of their main concerns has been in regards to protecting the shallow aquifer. Steinkraus urged the commission to maintain the provisions already in the subdivision regulations that limit development over the aquifer less than eight feet from the surface. They disagree she stated with the committees claim that the provisions violate MCA, which does not allow local or federal agents to be more stringent than state subdivision and sanitation regulations. If any change is to be made she said it should be to delete the section that excludes subdivisions connected to a sewer system. Steinkraus asked that it be noted the letter sent by Dr. Jack Stanford to the planning board in 2006 explains how important the shallow aquifer is.

Dan Olson stated he agreed with the comments made by Linda Christensen and Robin Steinkraus and added he is against Canadian mines and gas/oils; here we are doing more or less the same thing in our own back yard.

Mayre Flowers, Citizens for a Better Flathead said their supporters are concerned with the growth and development occurring within the community. She stated they participated actively in both the growth policy and the original subdivision regulation updates; they attempted to take part in the meetings that took place with the Subdivision Review Committee. Flowers asked that they delay their vote on the proposed changes and appoint another subcommittee to review the revisions. She stated if the changes are approved the public at large hasn't had the opportunity to participate in the process. It was noted the expertise on water quality put into the subdivision regulations and growth policy are extensive and provide the rational for maintaining eight foot to ground water. Flowers maintained the current regulations in place are adequate.

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

Chairman Brenneman said should they decide to proceed with adopting the proposed changes it would be done so in form of a resolution.

B J Grieve suggested they consider postponing the effective date because of new fees and other changes that might affect projects already in the works.

Commissioner Dupont stated this is a living document and if they run into issues that need revised they certainly can do that. He said his only dilemma is that a new commissioner is coming on board and one is currently out today which concerns me.

Chairman Brenneman said he agrees with Jack Stanford's observation and agrees the aquifer is tremendously vulnerable, but has also become firmly convinced that state statute does not allow the regulation. He stated that means the community needs to decide how to go about protecting the aquifer; or don't protect it and then deal with trying to clean it up. Brenneman said state statues could be changed and the DEQ could make administrative rules that he feels address it, but under present statue and DEQ requirements they don't have the authority to make the requirement. The community could also address this he stated by zoning. He clarified the Subdivision Review Committee meetings were noticed and anyone was welcome to attend, yet relatively few did.

Chairman Brenneman made a **motion** to direct the county attorney to draw up a resolution that would make the changes effective April 1, 2011. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: MDOT AGREEMENTS FOR USE OF MILLED MATERIALS FOR JCT. MT. 40 SOUTH AND MT. 40 SF079 S & C TWLT/ ROAD DEPT.

[10:30:35 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, County Attorney Ed Corrigan, County Attorney Office Manager Vicki Eggum, Public Works Director Dave Prunty, Road Department Supervisor Ovila Byrd, Clerk Kile

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

THURSDAY, DECEMBER 16, 2010
(Continued)

DOCUMENT FOR SIGNATURE: LHC, INC. CONTRACT FOR GRAVEL CRUSHING/ ROAD DEPT.

[10:34:46 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, Road Department Supervisor Ovila Byrd, Clerk Kile

Commissioner Dupont made a **motion** to authorize the chair to sign the document for signature with LHC, Inc. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF PRINTING BIDS: COUNTY ATTORNEY'S OFFICE, SHERIFF'S OFFICE AND COMMISSIONERS' OFFICE

[10:35:37 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 print bid from Insty Prints for two sets of 500 each business cards for \$24.95 for the County Attorney's Office and Justice Center. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

Commissioner Dupont made a **motion** to approve the print bid from Kalispell Copy Center for 1,000 business cards for \$34.95 for Pam Holmquist. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

Commissioner Dupont made a **motion** to approve the print bid from Kalispell Copy Center for 2,000 FCCAC brochures for \$246.00 and a bid of \$450.00 for design of a new logo for the Sheriff's Office. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF TRANSFERRING POSITION TO SHERIFF'S OFFICE: CRIME VICTIM ADVOCATE/ COUNTY ATTORNEY'S OFFICE

[10:38:01 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, County Attorney Ed Corrigan, Sheriff Mike Meehan, County Attorney Office Manager Vicki Eggum, Clerk Kile

Ed Corrigan explained the efficiencies that could be gained by moving the position to the Sheriff's Office.

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

DOCUMENTS FOR SIGNATURE: WAIVER PAGE/ BEST VIEW ESTATES AND MAJORS CORNER SUBDIVISION

[10:39:47 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 noted Best View Estates and Majors Corner Subdivision have asked to waive the requirement of approval from the Board of Commissioners to amend their CC&R's.

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

THURSDAY, DECEMBER 16, 2010
(Continued)

AWARD BIDS: LEGAL ADVERTISING 2011

[10:41:28 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 award the legal advertising bid to The Daily Inter Lake. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

MEETING W/ LARRY ANDERSON REPRESENTATIVE FROM REHBERG'S OFFICE RE: UPDATE

[11:04:55 AM](#)

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

Larry Anderson met with the Commission and reported Erin Gabrian would be taking his place at the end of the year. Discussion was then held relative to concerns related to applying for a CDBG grant, Flathead County Growth Policy, North Fork Road and allocation of Secure Rural Schools money.

1:30 p.m. Commissioner Brenneman: Health Board meeting @ Stoltz Lumber re: Septage Treatment System

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

FRIDAY, DECEMBER 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.

9:00 a .m. Commissioner Brenneman & Dupont: 911 Radio Meeting @ FECC

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