
MONDAY, FEBRUARY 14, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

Chairman Dupont opened public comment on matters within the Commissions' Jurisdiction.

Beth Puckett said she wanted to express serious concerns regarding the North Fork Land Use Advisory Committee. According to the North Fork Landowners Association website the NFLUAC was created in 1987 by the Flathead County Board of Commissioners and believes the criticisms conveyed were not the intention of the commissioners when they authorized the committee. The fact is they are the conditions regarding the NFLUAC as it exists today. The manner in which members of the committee are seated is by design, predetermined and causes this to be nothing less than a rigged public committee solely determined by who wins seats as officers of the NFLA. This committee is a public committee in control of a private organization, yet sanctioned by the commission. The committee is currently populated with nine members; six of them are automatically seated as members of the NFLUAC to positions they are automatically appointed to because they are officers of the NFLA. This automatically gives this private organization control of this public committee. Two additional members of this committee are automatically seated by being chosen by the North Fork Preservation Association, which is another private organization and the other is chosen by the North Fork Compact another private organization, and the last member of the committee is appointed by the county. The last member is almost always a member of the NFLA, NFPA or the North Fork Compact. The system almost automatically prohibits representation on the NFLUAC by anyone other than members of these private organizations. It was pointed out the NFLUAC website is hosted and administered as part of the NFLA website at the discretion of NFLA. While the NFLA has attempted to window dress itself as separate from the NFLUAC, clearly the impact the NFLA has on the committee is overwhelming and controlling. In a letter dated November 12, 2007, Jon Cole, the head of the NFLUAC at the time, responded to a letter sent to him regarding NFLUAC business. His response clearly associates the NFLUAC as reliant on the NFLA organization. It is important to note in order to be a voting member of the NFLA membership dues have to be paid; therefore, anyone who is not a member of the NFLA, NFPA or the North Fork Compact has very little, if any representation on this public committee. Is the commission comfortable with a private organization automatically having control of this public committee and almost exclusively having this committee under the control of private organizations, which a citizen has to pay for as a member for any representation? Would this be acceptable anywhere else in the county and if not, why is it acceptable in the North Fork?

Greg Puckett stated each time the NFLA board meets it constitutes a quorum of the land use planning advisory committee, who this past year scaled back the number of members on the committee from eleven to nine. At the same time the committee scaled back the number of members from the NFLA Board from eight to six and left the NFLA maintaining a quorum control of the committee, and leaving the NFLA the option of choosing which of their six board members they want on the committee; it remains a rigged public committee. The NFLA Board has debated the North Fork Neighborhood Plan, zoning items, and the like in private without public notification of the meetings where a quorum of the NFLUAC was present, which we don't believe is proper or legal. The public should have full notification and access to the meetings anytime a quorum of the committee meets to discuss land issues; this hasn't been the case. Betsy Holycross, president of the NFLA, has stated to them that the NFLA is a private organization, and not required to make the meeting minutes public when a quorum is present. She also has claimed when they meet as the NFLA they are not obligated to notify the public or make the meeting information open. We respectfully disagree and have pointed out to her occasions where the NFLA Board constituting a quorum has had closed meetings discussing North Fork land use issues. Given each time the NFLA Board meets with a quorum of the NFLUAC members present; we believe they as members of a public committee are in violation of Montana opening meetings laws, regardless of the position the NFLA takes on the issue. Open meeting laws are intended to prevent concerns citizens may have of behind closed door meetings. Members of the land use committee have a responsibility to adhere to the laws anytime they meet with a quorum of members of a committee present. I currently am a paid member of the NFLA, and even as a paid member of the NFLA I believe the land use committee is a rigged system. The way in which the NFLA is structured, the processes and procedures under which they operate, and their own position that they have no obligation to adhere to open meeting laws; even when land use issues are being discussed, demonstrates to me that no private organization should be in control of a public committee. As a member of the NFLA they have refused to provide documentation and minutes requested. The people who control the NFLA have their own private agenda, and want to keep it that way to keep control of the land use committee. It is a rigged system to automatically have the private organization control the land use committee with a quorum of their officers as members. It is a corrupted system simply by the fact that unless a citizen or land owner pays money to be a member of the organization they cannot be comfortable they are fairly and openly represented; even as a member, I believe I am not fairly represented and the county should separate itself from this sort of activity. The structure of the committee needs to change; in no way should a private organization be in control of public committees. We request the commission review this and change it so all property owners may be fairly represented.

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

MONTHLY MEETING W/ MARK CAMPBELL, FAIRGROUNDS

[8:45:25 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Fair Director Mark Campbell, Clerk Kile

Campbell met with the commission and gave an update on current projects, which included potential exterior and gate entrance improvements and contracting with the Clerk & Records office for short term use of Fairground space during elections. He reported a draft of the 2011 Fair Book is currently being reviewed and discussed other fair related events and activities.

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(Continued)

CONSIDERATION OF WILDLAND URBAN INTERFACE PLANNING MAP

[9:15:25 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Fire Service Area Manager Lincoln Chute, Clerk Kile

Chute reviewed the minor changes on the updated map referenced in the Community Wildfire Protection Plan.

Commissioner Lauman made a **motion** to adopt the changes made to the Wildland Urban Interface Planning map. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

TAX REFUND: STEVENS

[9:17:55 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Pence reported the recommendation submitted from the Department of Revenue is to deny the request based upon failure by the applicant to file within a timely manner of any proposed changes.

Commissioner Holmquist made a **motion** to deny the tax refund request. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

PUBLIC HEARING: NO BUILDING IN SETBACKS NORTH FORK ZONING TEXT AMENDMENT/ FLATHEAD COUNTY ZONING REGULATIONS

[9:30:38 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Allison Mouch, Molly Shepherd, Randy Kenyon, Donna Harrison, Gary Krueger, Ardis Larsen, Gerry Stearns, Greg Puckett, Beth Puckett, Clerk Kile

Allison Mouch reviewed the proposed text amendment which would require temporary structures to abide by setbacks established from public roads and bodies of water in the North Fork Zoning District; amending Section 3.40.040 as well as adding a new definition under Section 3.40.050 of the Flathead County Zoning Regulations. Mouch explained the amendment would clarify a countywide misunderstanding of interpretation of temporary structures. A recommendation of approval was forwarded from the Planning Board with a 4-3 vote with the Planning Boards Findings of Fact supporting the change based on review criteria.

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

Greg Puckett stated he is opposed to the text amendment proposed by the North Fork Land Use Advisory Committee; specifically to setbacks as they apply to the North Fork Road. The North Fork Land Owners Association website dated September 12, 2008 recaps the adoption of the North Fork Neighborhood Plan and states preparation of the final draft of the plan required some four years of work by the North Fork Land Use Advisory Committee. Can you conceive how 11 people can go through three or four years revising a neighborhood plan, and somehow miss that they didn't know what the county's definition of a building was. As far back as 2004 I began examining county zoning and was comfortable in that it was legal to place a portable structure in the setback since it didn't fit in the definition of a building. In the summer of 2006 we placed a portable storage unit within the 150 foot setback of the North Fork Road. Early in 2006 I contacted Jeff Harris to verify what he was reading in the zoning regulations and was met with an unprofessional attitude when he was attempting to verify the building definition as it applied to the North Fork. It was obvious at that time Mr. Harris didn't want to admit a structure on skids was allowed in the 150 foot setback, because they are not considered a building. Mr. Harris also stated Jon Cole, Head of the North Fork Land Use Advisory Committee, knew about the definition of a building. As early as 2006 the Flathead County Planning and Zoning Office knew full well that a structure on skids was not considered a building and therefore is allowed. I knew what the definition of a building was in Flathead County; I read the zoning regulations and the planning office knew it too. Are we to accept that over a three to four year time span that wrapped up in 2008 that none of the 11 North Fork Land Use Advisory Committee members bothered to review the Flathead County Zoning Regulations as to how they applied to the North Fork. If that truly were the case then what kind of statement does that make regarding how dysfunctional the committee is when it comes to reviewing and advising regarding land use issues. Some of these people may try and tell you they didn't know it and that the county changed it on them, but this is an excuse. Are we to believe that the Flathead County Planning and Zoning Office which was working closely with the land use committee on the neighborhood plan revision process didn't understand what the definition of a building is in Flathead County. If they did understand it they didn't mention it; I know it's not true. Now this committee is here trying to push through a text amendment to redefine zoning regarding setbacks. Some may try to use the position that the county changed the definition of a building; they didn't. I would submit they didn't miss this at all but rather they didn't want to put the item to the test with all the land owners paying close attention during the revision process of the neighborhood plan. Aside from my previous conversation with Mr. Harris another reason I know this is when the North Fork Neighborhood Plan was in process, Andrew Hagemeyer with the Planning & Zoning Office attempted to change the word "building" in the neighborhood plan to the word "development".

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At that time I pointed out in writing that the change left too many resulting statements in the plan open to interpretation. The attempt to change the wording was met with immediate opposition when it was brought up at the community meeting. The opposition to change the word "building" to "development" was there, because it was so obvious that the planning office and land use committee were attempting to set up the process to change the zoning with what was to be allowed in the setbacks. They attempted to slide this in hoping nobody was paying attention; it didn't work. Everyone knew Jon Cole who headed up the North Fork Land Use Advisory Committee at that time, and headed up the process of revising the neighborhood plan stated on numerous occasions the neighborhood plan revisions would only be done to support the current zoning and would not attempt to change zoning. Most land owners who were paying attention during the process knew this position was being taken to get planned revisions completed. However, subsequent to this I heard Mr. Hagemeyer began recommending text amendments to North Fork zoning in order to get the changes they wanted. I bring this up because when the North Fork Neighborhood Plan revision process began it was represented to land owners that revisions in the plan would not be done that would affect North Fork zoning. Puckett read a letter and e-mail from Jon Cole in regards to revisions in the plan not affecting North Fork zoning. The neighborhood plan process continued and to my knowledge there was no mention by the land use committee of a building definition and the zoning was to remain the same. Most property owners thought that was the end of it. Unfortunately we are here today because a small group of people are attempting to fundamentally change zoning after years of scrutiny during the neighborhood plan revisions. They are trying to use the same North Fork Neighborhood Plan as justification for doing this. Are we really to believe none of these people understood the definition of a building. The people on this committee e-mailed and called their friends to make it look like there is wide spread support for this, but what is really happening is they are trying to slide this in again hoping property owners would not be paying attention as most of them thought this was resolved. If passed the text amendments will only be used to target some land owners; we know we have been unjustifiably targeted by some of the people including staff and the planning office. The argument that may be used by some in support of the changes that they want to preserve their view when they drive to and from town. There are true zoning violations in the North Fork that none of the land use committee members will address because the land owners are their friends. There are setback and density violations that have occurred within the last few years and some of the existing violations are by other land owners who served on the NFLUAC when their violations occurred. If these text amendments were specifying reasonable setback distances of 20 to 30 feet I wouldn't be opposed to them; 150 feet is excessive and unreasonable. The text amendments are poorly written, unless of course you don't care about a landowner's right to use their property in a reasonable way. If they are approved the land owner would have to pay the zoning office \$400 to \$700 just to try to get a variance to use their property for reasonable uses. We have plans to enclose six foot by six foot small structures for security and safety reasons. If approved the text amendments will be used to target some land owners and not others; a land owner should have the right to expect equal treatment, and since we have previously been targeted by the planning office scheming with some of these folks we fully understand what it's like to be targeted. Targeting some property owners and not others is all these text amendments are about. I am opposed to these text amendments as written and would be satisfied if zoning remains as it is as was represented by the land use committee during the revision of the neighborhood planning process. Property owners should be able to look forward with reasonable predictability of how they can use their property in the future based on zoning in place. There is a better solution, perhaps examples as permit no structures within 20 feet of the road, and if a structure permanent or portable is within the zone of 20 to 50 feet of the road perhaps it should have a footprint no larger than 12 foot by 12 foot, if it is within a zone maybe 50 to 100 feet from the road maybe specify something like 20 foot by 20 foot maximum, if its 100 to 150 feet from the road maybe a structure no larger than 75 foot by 75 foot. I suspect planning for perimeters like this didn't come up in the committee meeting on the subject and the reason is that nothing short of an all out restriction of a landowners right to use this portion of the property would be enough for this land use committee. Common sense in representation of my rights as a property owner does not matter to the committee pushing this; only their view matters to them. This change is not land owner driven but the product of the land use committee and the planning office. The land use committee does not represent me and in the future any proposed zone changes need to be available for review and input by any North Fork landowner. Any of the meetings the committee has had this past year were not properly advertised and too few landowners even knew what they were up to. They should not be allowed to slide through with an off season approach that is occurring here.

Molly Shepherd, 15333 North Fork Road stated she is a member of the North Fork Land Owners Association and North Fork Land Use Advisory Committee. She said this hearing is not about setbacks on Highway 93, Idaho or on LaSalle Road; it's about setbacks from public roadways and the river on the North Fork Road. In 2003 the commission recognized the North Fork is different by adopting a zoning district that was specifically created for the unique characteristics of the North Fork. For example we have a 20 foot minimum for new lots, have five definitions that are specific to the North Fork that don't apply anywhere else in the county and have 150 foot setbacks from public roadways and rivers. The community members who wrote the zoning regulations intended to prohibit any buildings within the setbacks and thought that is what they had done. They sincerely believe that is what they had accomplished when zoning regulations were passed. About five years later a North Fork landowner installed a couple of big sheds right along the North Fork Road and someone complained, confident the sheds violated their existing setback requirements. Flathead County Planning and Zoning Office found the violation because the buildings were on skids; therefore, not permanently attached to the ground. The landowner then put up more sheds in the setback and what you see when you drive by the property defeats the purpose of zoning regulations. It also undermines the vision that was expressed in the North Fork Neighborhood Plan. Those sheds I have referred to are grandfathered in. The North Fork Land Owners Association was concerned about the future and decided to try to fix the problem with a text amendment so this couldn't happen again. Since they already had some definitions that applied only in the North Fork District it made sense to them to add another unique definition. They came up with their own definition of a temporary structure that borrows expressly from the definition of temporary in the county zoning regulations. We then made the temporary structures subject to the current setback standards; as with new buildings any temporary structure that cannot satisfy the setback standards because of size or topographic limitations they will be given a variance. One of the commissions' purposes in creating the North Fork Land Use Advisory Committee was to allow North Fork landowners and residence active participation in shaping and plighting the future of the area. The North Fork Land Use Advisory Committee has tried to live up to that purpose by closing what amounts to a loophole in their zoning regulations. The committee passed the proposed text amendment unanimously last August after more than a year of consideration and no one spoke against it in the numerous public hearings. Please help us by adopting the text amendment that will help to close a loophole in the zoning regulations; it is a North Fork solution to a North Fork problem.

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Gary Krueger, 805 Church Drive said for the purpose of promoting public, health, safety, morals and general welfare the board of county commissioners adopted a growth policy, pursuant to chapter 1 which is authorized to adopt zoning regulations. Where he asked in this simple line of state code are committees' given the right to regulate private property for a vista? Health, safety, morals and general welfare; all zoning regulations must be based by one or more of the criteria. Neighborhood plans promoted by loose interpretation of these Montana codes have led the public to believe that they may regulate through a perceived legislative process use of private property. Supporting individuals on the North Fork Advisory Committee and the Flathead County Planning Board are ignoring the fact that property ownership and use is a right protected by the United States Constitution and the Montana Constitution, which they have taken an oath to uphold. It is further protected in MCA 76-2-201 that allows counties the privilege of zoning. In this case it doesn't carry any weight if every other person in the county wants to tar and feather one North Fork landowner with the zoning text. That landowner is protected through the minority. The zoning text presented here is a breach of property owner's rights for no good reason and no legal reason. I ask that you vote no, and send a message to Flathead County that the minority property owners will be protected. I am particularly disturbed by statements made by planning staff that this is for health, safety and morals. A wood shed would be safe if it had dust on it or had snow plowed onto it; it isn't a safety issue for a wood shed and has been implied as so. If there is anything to support these findings the office has come up with I would like to see them.

Beth Puckett said she owns a home in the North Fork and does not agree with the proposed text amendments. She stated she wanted to clarify and document misinformation that has been communicated to the public and Flathead County Planning Board. First, there is a website in the North Fork News that states the text amendment was unanimously approved by the planning board which is incorrect. The fact is from the December 8, 2010 planning board meeting it clearly states the text amendment was passed on a 4-3 vote; not unanimously as reported. Secondly, in the December 8, 2010 planning board meeting minutes on the county website it states Mr. Kenyon of the North Fork Land Use Advisory Committee comments on an individual who sent a comment letter against the application. I resent that; I am a property owner in the North Fork as well as my husband and we both sent the letter. I resent the fact that Mr. Kenyon chooses to ignore my comments and makes a claim that the individual attended a majority of the meetings of the NFLUAC. The fact is I attended no meeting in 2010 and my husband attended two; one of them they talked about the text amendment and the other they voted on the gravel amendment. This type of misinformation is common with the NFLUAC. This is a rigged committee. This is why we choose not to attend NFLUAC meetings. We chose to hold our comments until the process reached the planning board and now you the commissioners. I believe this group of people were hoping no one would show up to protest the changes, since most North Fork land owners leave the area in the winter. Why isn't this being done in mid-summer when more voices can be heard, and more so, why is it being attempted at all when the neighborhood plan went through a four year process revision. These changes are not land owner driven, but instead are driven by the Land Use Advisory Committee. The story they are putting forth they didn't know what a building was in Flathead County is ridiculous. I read the zoning in 2004 – 2008, and I knew what the definition of a building was. Numerous people they have spoken with around the county knew that a structure on skids was not considered a building in Flathead County. It is important to note we filed a formal complaint with the commissioners on April 27, 2006 in regards to the definition of a building. Jeff Harris, B. J. Grieve and Jon Cole knew what the definition of a building was; are we to believe the lame excuse they didn't know what the definition of a building was, so now after the neighborhood plan is done it needs to be changed. Knowing what I know now regarding the whole process, I don't believe the story. The excuse of dust from the road as justification for the changes is nonsense. Our property is on the paved portion of the North Fork Road and they don't have a dust problem on their property; we want our property exempted from the text amendment. I'm okay with reasonable zoning. I estimate that we own about 1/10th of a mile of road frontage on both sides of the road, and with a simple calculation adopting the text amendments it will take about 158,000 square feet of our property by attempting to restrict the use of it. These text amendments are unreasonable; exempt our property. How would you like it if someone came along and told you 150 feet of your front yard could not be used whether you were in the North Fork or not. You can't put a gazebo there, a woodshed or doghouse. The way the text amendment is written, I can't even put a birdhouse within 150 feet of the road. My property is 30 miles in the middle of nowhere, and my nearest neighbor is a half mile away; yet people who live from 5 to 25 miles up the road want to tell me I can't use my property along the road. When someone drives up the North Fork would they be offended to see a structure. It isn't offensive to me. Structures near to the road are common; it's part of the scenery and character of the North Fork from what I have witnessed. I don't have a problem with property owners using their property; none of them should have a problem with me using mine. Much gets made about the scenic qualities of the North Fork to justify the taking of property rights from a landowner; however, scenic quality is the eye of who is viewing it. For example, there is a gathering of ramshackle buildings, a trailer painted with logs, a barn very close to the road, junk vehicles left for very long periods of time, which I don't have a problem with. All landowners should have the option to use their property in the same way that is consistent with historic scenic qualities of land use in the North Fork. The owner of the property is John Frederick the current head of North Fork Land Use Advisory Committee and the one who is pushing the text amendment. We believe we should have the right to use our property if we so choose to just like he is using his. Should the land use planning committee attempt such changes in the future; we believe the same level of land owner input should occur that occurred with the neighborhood plan. After all they told us during the 3-4 years of the revision process that they were not trying to change zoning. That it would remain the same; look where we are today. The same people are trying to change zoning and using a lame excuse to justify it. At a minimum a reasonable review of the definition and size perimeters of what is permissible should be incorporated into any such amendment, so costly variances are not required for a landowner to reasonably use their own property.

Randy Kenyon, 403 7th Avenue West stated he is a property owner on Moose Creek Road, and is also a member of the NFLUAC. Kenyon said he is shocked and disappointed by the sinister interpretation of the whole process, which has been done completely above board, and done according to all county and state regulations. I would like to make a point here in when they originally set up the North Fork Neighborhood Plan, and did the revisions that were spoken to earlier the setback zoning was in place, and they recognized they knew the zoning was in place. They had no response on that section when the North Fork Neighborhood Plan was revised. The people who are disagreeing were well aware of the restriction. When it came time they had a report there were buildings in the setback, and the Flathead County Planning Office was notified; they made the interpretation. It was generated by the planning board and not by the land use advisory committee. They have amended that section of the zoning, and all it does is simply take them back to where they were prior to, and does not change the long term implication of the neighborhood plan; everything remains exactly as it was prior to the interpretation of what is going on. This is not a sinister attempt by the land use committee, and in fact probably is not true when people speak about the majority of the land owners being against this; we have heard nothing until today that there were any objections. We are simply taking this back to where it was prior to the counties interpretation of a building.

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Gerry Stearns, 635 Moose Creek Road said the North Fork Land Use Advisory Committee does in fact speak for her as a property owner. She stated I have had many opportunities to give input to the committee that was formed by the county commissioners to work on issues regarding land use planning in the North Fork. This particular text amendment was addressed at many meetings; not just the North Fork Land Use Advisory Committee meetings, but also at the monthly meetings of the North Fork Landowners Association, which has four meetings the first Saturday of every month beginning in June and ending in October. The meetings are well attended with this issue having been brought up at all the meetings. The August meeting when elections are held usually has the most landowners present. No one voiced any opposition to the text amendment; most people are in favor of it. Mr. Puckett would make you believe it is his property that Molly Shepherd referred to, yet in fact it was a completely different property with temporary buildings. In my mind a temporary building is a structure someone puts up and fills with possessions; once filled it is there for life. There is very little distinction between a shed that has been filled with lumber, and a small cabin someone lives in sitting on a couple logs; that you could presumably move very easily. It took more than a year to adopt this text amendment and throughout that period every time there was a land use advisory meeting signs were posted at the Polebridge Mercantile, and also out on the North Fork Road near the turn off to Polebridge. As was mentioned our zoning already has an automatic variation that is provided for owners whose properties cannot meet the setback requirement, and other buildings would be grandfathered in. I urge you to pass the text amendment that is driven by the landowners; we see it as a way to clarify our existing zoning.

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

Commissioner Holmquist made a **motion** to deny the North Fork text amendment for no buildings in setbacks. Commissioner Lauman **seconded** the motion for discussion.

Chairman Dupont said he has issues in that the text amendment would take out a lot of property, such as for the Puckett's who own property on both sides of the highway. He stated he is more concerned in that this is not a safety issue; it seems to have started more as a neighborhood dispute rather than something for public safety. He said when I look at those who have been there for 30 years and have permanent structures within 150 feet of the road, and now we are automatically going to start banning everyone else from having a structure for storage. Dupont said the definition of the proposed text amendment is unclear.

Commissioner Holmquist stated the definition imposes undue restrictions on private property in a rural area.

Aye – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT EXTENSION: WELLNER

[10:19:42 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

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

Minnich noted the request is a one year extension for Lakeshore Permit FLP 10-11; an application submitted by Wellner to install a floating dock at 4030 North Ashley Lake Road.

Commissioner Lauman made a **motion** to approve the extension request for Wellner. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MEETING W/ JAY MC MILLAN/ LHC RE: HAPPY VALLEY WATER DISTRICT

[10:21:24 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Jay McMillan, Clerk Kile

Jay McMillan reported Happy Valley Water District proposes to detour traffic while work is being done to install new water mains on Antelope Trail and Goat Trail.

Commissioner Lauman made a **motion** to authorize closure of the road. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 15, 2011.

TUESDAY, FEBRUARY 15, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

4:00 p.m. Commissioner Holmquist: Flathead County Coalition meeting @ Sykes

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 16, 2011.

WEDNESDAY, FEBRUARY 16, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

9:00 a.m. Commissioner Dupont: 911 Board meeting @ FECC
9:15 a.m. Commissioner Lauman: RSVP Board meeting @ Heritage Place
11:00 a.m. County Attorney meeting @ Co. Atty's Office
3:00 p.m. Commissioner Holmquist: MWED Evergreen commercial area discussion @ EBB

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 17, 2011.

THURSDAY, FEBRUARY 17, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, and Clerk Robinson were present.

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

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

[9:00:00 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

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

Fisher met with the commission and asked for direction in regards to pursuing a community gymnasium in order to provide improved opportunities for recreational team events. He explained gym space is currently difficult to acquire with events starting earlier in the morning and lasting later into the evening. Fisher noted their current income is approximately \$150,000 per year on intramural sports programs provided, which if was run more as a business could create a cash flow and provide funding for other park issues. He explained upcoming maintenance projects that require funds from the county.

Chairman Dupont spoke about his concerns with the economic times we are in.

Unanimous commissioner approval was given to have the Park Board complete a feasibility study. Fisher was given the direction to put together a good solid business plan and bring a feasibility study.

Discussion was held relative to the need to have a written county policy in place for departments to surplus property.

MID YEAR POLICY VISIT W/ GREG JACKSON, MACo, JPIA

[9:32:27 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, H.R. Director Raeann Campbell, Greg Jackson, Kim Thomas, Brad Salonen, Clerk Kile

Jackson presented an overview of public entity pooling for JPIA property and liability and workers' compensation trust. The structure of the program was reviewed along with liability losses by policy years. Jackson summarized minor manuscript changes which included: setting a limit on insured motorist at a statutory limit of \$25,000/\$50,000; any claim or cause seeking injunctive relief is now "declaratory, mandatory or similar"; coverage dispute procedures, a sentence was added that says "the authority should not be responsible for any cost associated with claims incurred prior to filing of the written appeal".

PUBLIC HEARING: N.W. DEV GROUP, LLC ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

[10:04:07 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Deputy County Attorney Peter Steele, Planner Allison Mouch, Erica Wirtala, Clerk Kile

Allison Mouch reviewed the request submitted by N.W. Dev Group, LLC with technical assistance from Sands Surveying to change zoning on a portion of property located south of Rose Crossing and east of Highway 2, near the intersection of the two thoroughfares from SAG-10 to I1-H in the Evergreen Zoning District. The combined area consists of two tracts of property totaling 61.8 acres with the zone change request applying to 30.65 acres on the portion that runs parallel to the railroad and highway on the west side of Trumbull Creek Road.

THURSDAY, FEBRUARY 17, 2011
(Continued)

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

Erica Wirtala, Sands Surveying explained the request originally started in 2006 when CHS began feeling pressured to move out of city property. She noted the proposed plan is to use the property for a grain elevator business, and if approved a boundary line adjustment will be submitted. Wirtala stated the property is currently surrounded by industrial uses on both sides. It was noted if plans for a residential development ever come to fruition a buffer zone will be between the two properties as required.

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

Commissioner Holmquist made a **motion** to adopt Resolution 797FI and authorized publication of the Notice of Passage of Resolution of Intent. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 797 FI

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 17th day of February, 2011, to consider a request by NW Development Group, LLC, to change the zoning designation in a portion of the Evergreen and Vicinity Zoning District from SAG-10 (Suburban Residential) to I-1H (Light Industrial Highway);

WHEREAS, notice of that hearing was posted for at least 45 days prior to the public hearing and published on January 31 and February 7, 2011, pursuant to Section 76-2-205(1), M.C.A.;

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

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

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning for a portion of the area in the Evergreen and Vicinity Zoning District from SAG-10 to I-1H described as Tract 3A and Tract 7F in the NE ¼ of Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana. The amendment requested would change the current zoning on all of Tract 7F and the western half of Tract 3A, running parallel to the highway and west of Trumbull Creek; the eastern portion of Tract 3A would remain under SAG-10. While the combined area of both tracts is 61.8 acres, the amendment would only apply to 30.65 acres of the land involved. The property is located south of Rose Crossing and east of US Highway 2, near the intersection of these two thoroughfares;

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

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

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

DATED this 17th day of February, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Dale W. Lauman
Dale W. Lauman, Member

By/s/Pamela J. Holmquist
Pamela J. Holmquist, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

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

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 797 FI) on February 17, 2011, to change the zoning designation in a portion of the Evergreen and Vicinity Zoning District from SAG-10 (Suburban Residential) to I-1H (Light Industrial Highway).

The boundaries of the area proposed to be amended from SAG-10 to I-1H are described as Tract 3A and Tract 7F in the NE ¼ of Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana. The amendment requested would change the current zoning on all of Tract 7F and the western half of Tract 3A, running parallel to the highway and west of Trumbull Creek; the eastern portion of Tract 3A would remain under SAG-10. While the combined area of both tracts is 61.8 acres, the amendment would only apply to 30.65 acres of the land involved. The property is located south of Rose Crossing and east of US Highway 2, near the intersection of these two thoroughfares.

**THURSDAY, FEBRUARY 17, 2011
(Continued)**

The proposed change would generally change the character of the zoning regulations applicable to the property from allowing a district designed to protect and preserve agricultural land for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction of uses will be minimized, and providing for estate type residential development, to allowing for light industrial uses and service uses that typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odors, smoke, etc.) which extend beyond the lot lines, that are located along state and federal highways.

The regulations defining the SAG-10 and I-1H Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, and the Flathead County Planning and Zoning Office, located at 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php. Documents related to the proposed amendment are also on file for public inspection at the Office of the Clerk and Recorder and at the Flathead County Planning and Zoning Office.

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

DATED this 17th day of February, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on February 22 and March 1, 2011.

CONSIDERATION OF ADOPTION OF RESOLUTION: AUTHORIZE ATTORNEY GENERAL TO ACT AS PROSECUTOR IN STATE V. JESSE JACOBS

[10:30:31 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Lauman made a **motion** to authorize the County Attorney's Office to accept service. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: M.K. HOLDINGS ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

[10:30:52 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Deputy County Attorney Peter Steele, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Clerk Kile

Noted for the record no protest letters were received for the zone change request which would change zoning on a portion of property from R-2 to B-2.

Commissioner Lauman made a **motion** to adopt Final Resolution # 797FH. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 797 FH

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the on the 3rd day of January 2011, to consider a proposal by MK Land Holdings, LLC, to change the zoning designation on property in the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business);

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

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

WHEREAS, based upon that recommendation and the public testimony, 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. 797 FG, dated January 3, 2011) to change the zoning designation from R-2 (One Family Limited Residential) to B-2 (General Business); and

**THURSDAY, FEBRUARY 17, 2011
(Continued)**

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on January 6, 2011 and January 13, 2011, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

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 Evergreen and Vicinity Zoning District to change the zoning designation from R-2 to B-2 as those terms are used and defined in the Flathead County Zoning Regulations for the area located at 1347 Highway 2 East, containing approximately .59 acres and legally described on the attached Exhibit A.

DATED this 17th day of February, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Dale W. Lauman
Dale W. Lauman, Member

ATTEST:
Paula Robinson, Clerk

By/s/Pamela J. Holmquist
Pamela J. Holmquist, Member

By/s/Diana Kile
Diana Kile, Deputy

Exhibit A

That portion of Flathead County Assessor's Tracts 8 and 8D in the Northwest ¹/₄ of the Southeast ¹/₄ of the Southwest ¹/₄ of Section 4, Township 28 North, Range 21 West, P.M.,M., Flathead County, Montana, described as follows:

Beginning at the Northwest Corner of Tract 2 per Certificate of Survey No. 9368, records of Flathead County, Montana; Thence along the Westerly boundary of Tract 1 per Certificate of Survey No. 9368, records of Flathead County, Montana, through the following three (3) courses:

North 00°05'30" East 46.47 feet, South 89°54'30" East 72.61 feet, and North 00°05'30" East 55 feet;

Thence leaving said Westerly boundary of Tract 1 per Certificate of Survey No. 9368, West 190 feet, more or less, to the Northerly extension of the East boundary of that parcel as described in Book 266, Page 43, records of Flathead County, Montana;

Thence Southerly 216 feet, more or less, along said Northerly extension and continuing along said East boundary to the Northerly boundary of the existing B-2 zone, said B-2 zone lies 130 feet Northerly of the highway right of way; Thence Northeasterly 127 feet, more or less, along said existing B-2 zone to a point on the West boundary of the above said Tract 2 per Certificate of Survey No. 9368;

Thence along said West boundary of the above said Tract 2 per Certificate of Survey No. 9368, North 00°05'30" East 55 feet, more or less, to the Point of Beginning.

CONSIDERATION OF EXTENSION REQUEST: MOUNTAIN VIEW, AMENDED PLAT OF AMENDED PLAT OF LOT 13, BLOCK 1

[10:32:19 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

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

Commissioner Holmquist made a **motion** to approve the extension request for Mountain View, Amended Plat of Amended Plat of Lot 13, Block 1. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

BUDGET AMENDMENTS: MISCELLANEOUS

[10:33:25 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Lora Burger, Public Works Director Dave Prunty, Shop Foreman Corey Pilsch, Fair Director Mark Campbell, Clerk Kile

Lora Burger reviewed miscellaneous budget amendments.

Commissioner Lauman made a **motion** to approve Budget Amendment Resolution 2285. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**THURSDAY, FEBRUARY 17, 2011
(Continued)**

**BUDGET AMENDMENT
RESOLUTION # 2285**

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 2010-2011; 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 17th day of February, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Dale W. Lauman
Dale W. Lauman, Member

ATTEST:
Paula Robinson, Clerk

By/s/Pamela J. Holmquist
Pamela J. Holmquist, Member

By/s/Diana Kile
Diana Kile, Deputy

DATE OF ISSUE:		2/10/2011	BUDGET ENTRY			VOUCHER NO.:
			RESOLUTION #2285			
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
4012	0201	410121	900	Capital Outlay	106,150.00	
4012	0201	410122	900	Capital Outlay	40,000.00	
4012	0201	410123	900	Capital Outlay	1,186,200.00	
4012	0201	410124	900	Capital Outlay	926,610.00	
4012	0201	410125	900	Capital Outlay	12,075.00	
4012	0201	411200	350	Prof Services	1,700.00	
4012	0201	411200	900	Capital Outlay	100,000.00	
2180	0262	410331	900	Capital Outlay	12,000.00	
2180	0263	410331	900	Capital Outlay	35,000.00	
2130	0219	430244	900	Capital Outlay	48,590.00	
2160	0238	460230	112	Temporary Salaries	11,600.00	
2160	0238	460230	397	Contracted Services	35,500.00	
2160	0238	460230	900	Capital Outlay	80,000.00	
2160	0238	510100	541	Taxes/Special Assessments	15,050.00	
2160	0238	460240	397	Contracted Services	40,600.00	
2160	0238	460240	900	Capital Outlay	12,000.00	
Explanation					2,663,075.00	0.00
Establish Expenditure line items for Fund 4012 (Building Fund)						
Establish Expenditure line items for Fund 2180 (District Court Remodel)						
Increase Bridge CIP for Radio Purchase						
Increase Fair Budget for FY2011						

THURSDAY, FEBRUARY 17, 2011
(Continued)

DATE OF RECORD:		2/10/2011		BUDGET ENTRY		VOUCHER NO.:	
RESOLUTION #2285 (Continued)							
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
2969	0190	440515	110	Salaries		212,413.00	
2969	0190	440515	141	Unemployment		531.00	
2969	0190	440515	142	Industrial Accident		2,103.00	
2969	0190	440515	143	Health Insurance		48,450.00	
2969	0190	440515	144	FICA		13,168.00	
2969	0190	440515	145	PERS		15,019.00	
2969	0190	440515	147	Medicare		3,081.00	
2969	0190	440515	150	Life Insurance		192.00	
2969	0190	440515	210	Office Supplies		6,000.00	
2969	0190	440515	212	Small Equip		2,500.00	
2969	0190	440515	215	Comp Equip/Software		0.00	
2969	0190	440515	228	Educational Supplies		7,000.00	
2969	0190	440515	311	Postage		5,000.00	
2969	0190	440515	345	Telephone		5,000.00	
2969	0190	440515	378	Travel		12,531.00	
2969	0190	440515	380	Training		8,000.00	
2969	0190	440515	398	Contractual		0.00	
2836	0222	440515	110	Salaries	212,413.00		
2836	0222	440515	141	Unemployment	531.00		
2836	0222	440515	142	Industrial Accident	2,103.00		
2836	0222	440515	143	Health Insurance	48,450.00		
2836	0222	440515	144	FICA	13,168.00		
2836	0222	440515	145	PERS	15,019.00		
2836	0222	440515	147	Medicare	3,081.00		
2836	0222	440515	150	Life Insurance	192.00		
2836	0222	440515	210	Office Supplies	4,400.00		
2836	0222	440515	212	Small Equip	2,500.00		
2836	0222	440515	215	Comp Equip/Software	1,269.00		
2836	0222	440515	228	Educational Supplies	7,000.00		
2836	0222	440515	311	Postage	5,000.00		
2836	0222	440515	345	Telephone	5,000.00		
2836	0222	440515	378	Travel	12,531.00		
2836	0222	440515	380	Training	8,000.00		
2836	0222	440515	398	Contractual	331.00		
Explanation					340,988.00	340,988.00	
Move FCHC budget to MHIP							

DATE OF ISSUE:		2/10/2011		BUDGET ENTRY		VOUCHER NO.:	
RESOLUTION #2285 (Continued)							
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
2934	0209	331027		JAG Grant		54,184.00	
2934	0209	420110	212	Small Item Equip	14,927.00		
2934	0209	420110	900	Capital Outlay	39,257.00		
				Establish JAG Budget			
4006	0212	420742	900	Capital Outlay	16,500.00		
				Establish CIP Budget for North Valley S&R			
2300	0209	410370	110	Salaries	12,997.00		
2300	0209	410370	141	Unemployment	32.00		
2300	0209	410370	142	WorkComp	68.00		
2370	0209	410370	144	FICA	806.00		
2370	0209	410370	145	PERS	919.00		
2370	0209	410370	147	Medicare	188.00		
2370	0209	410370	143	Health Insurance	3,109.00		
2380	0209	410370	150	Life Insurance	12.00		
1000	0210	411100	110	Salaries		12,997.00	
1000	0210	411100	141	Unemployment		32.00	
1000	0210	411100	142	WorkComp		68.00	
2370	0210	411100	144	FICA		806.00	
2370	0210	411100	145	PERS		919.00	
2370	0210	411100	147	Medicare		188.00	
2380	0210	411100	150	Life Insurance		12.00	
1000	0210	383000		Transfer In	22,450.00		
2300	0209	351015		Victims & Advocate Surcharge		14,400.00	
2300	0209	351022		Surcharge HB 257		3,500.00	
Explanation					111,265.00	87,106.00	
Establish Expenditure line item for North Valley Search & Rescue CIP							
Establish Expenditure line item for JAG Grant							
Move Crime Victim Advocate Salary and Revenue from County Attorney to Sheriff's Office							

THURSDAY, FEBRUARY 17, 2011
(Continued)

CONSIDERATION OF PRINT BID: SHERIFF'S OFFICE

[10:37:14 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Holmquist made a **motion** to approve the print bid received from Insty Prints for 8 sets of 500 each business cards for \$309.60 for the Sheriff's Office. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF PROPOSED TEXT AMENDMENT TO LAKE & LAKESHORE REGULATIONS/ CITY OF WHITEFISH REFERRAL

[10:45:18 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Planning & Zoning Director B. J. Grieve, Whitefish Planning & Zoning Director Dave Taylor, Clerk Kile

Discussion was held relative to the referral received from Whitefish in regards to existing concrete structures on Whitefish Lake and the need to apply for a variance in order to add a stone base. The proposed change is to make it a standard permit. The commission agreed they had no problem with it. Discussion continued in regards to establishing a process to handle referrals from the City of Whitefish.

CONSIDERATION OF PROPOSED TEXT AMENDMENT TO WHITEFISH ZONING SPECIAL PROVISIONS/ CITY OF WHITEFISH REFERRAL

This meeting was postponed and will be rescheduled.

TAX REFUND: THUNKER

This meeting was postponed until more information is received.

10:00 a.m. Commissioner Holmquist: Travel to Helena
12:00 p.m. Community Foundation for a Better Bigfork meeting @ Methodist Church, Bigfork
1:00 p.m. Commissioner Dupont: Meeting w/ John Hendricks, KGEZ
2:00 p.m. Health Board meeting @ Earl Bennett Building
7:00 p.m. Commissioner Dupont: RAC meeting @ Solid Waste Office Conference Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 18, 2011.

FRIDAY, FEBRUARY 18, 2011

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Dupont, Commissioners Lauman and Holmquist, 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 February 21, 2011.
