
MONDAY, FEBRUARY 21, 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.

COUNTY OFFICES CLOSED – PRESIDENTS' DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 22, 2011.

TUESDAY, FEBRUARY 22, 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.

R. B. introduced himself as Head of Mission Mountain and presented transcribed minutes from a meeting he spoke at on February 1, 2011. He said the county website refers to the commissioners as the county executive and legislative branch, which he stated seems confusing as every sheriff manual he has ever read or owns says that the sheriff is the executive branch. He noted e-mails were sent to them with relevant correspondence regarding incorrect oath of offices. R.B. stated Chuck Curry corrected his oath of office and filed it on February 9, 2011. He explained he will continue to make inquiries to see if the county is going to do anything. He noted his wife has asked Sheriff Chuck Curry for a restraining order against the City of Whitefish. Also stated he is trying to get things situated, whereby citizens can exercise their rights as duly given to them by the constitution and God.

Dane Clark said he came to speak on behalf of a few citizens. He stated we are facing a lot in this world currently and things seem to be escalating; right now we are facing the start of skyrocketing fuel and food prices. He asked if the county has put any effort into any type of preparedness, and if not would they be willing to put together a committee to do some research on what can be done at a local level.

Commissioner Lauman noted a Master Gardener Class is available through the Extension Office.

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

MONTHLY MEETING W/ JIM ATKINSON, AOA

[9:00:47 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, H.R. Director Raeann Campbell, Clerk Kile

Atkinson summarized bus ridership and independent living services statistics which are rising. He noted an additional \$90,000 was received this year from MDOT for Eagle Transit. Atkinson explained J.R.'s and Margie's Café at Gateway West Mall is a non-profit business, yet an option and opportunity to do fundraising. Fundraising opportunities were summarized. He spoke about concerns in regards to federal legislation eliminating all RSVP funds, which are integral to AOA. Discussion was held relative to the need for a contract for current rent at Gateway West Mall.

DOCUMENT FOR SIGNATURE: EMPLOYMENT AGREEMENT/ ATKINSON

[9:15:33 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, H.R. Director Raeann Campbell, Clerk Kile

Commissioner Lauman made a **motion** to approve the employment agreement with Atkinson. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

TUESDAY, FEBRUARY 22, 2011
(Continued)

OPEN BIDS: COURTHOUSE NETWORK CABLING

[9:30:06 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, I.T. Director Vicki Saxby, I. T. Technical Operations Mgr. Jae Carnsew, K. Rosenwood, Edward Ek, Clerk Kile

Bid received with bid bond enclosed from: Source Network for the installation price of \$31,958.00.

Bid received **without** a bid bond from: Digital Communications Systems for the installation price of \$32,276.00.

Commissioner Lauman made a **motion** to take the bids under advisement. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

OPEN BIDS: COURTHOUSE DOORS & DOOR ENTRY SYSTEM

[9:33:29 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, I.T. Director Vicki Saxby, I. T. Technical Operations Mgr. Jae Carnsew, K. Rosenwood, Edward Ek, Clerk Kile

Bid received **without** a bid bond from: Atlas Security Products for the installation price of \$4,780.85.

Bid received with a bid bond enclosed from: Flathead Security and Alarm for the installation price of \$6,085.75.

Commissioner Holmquist made a **motion** to take the bids under advisement. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: BIGFORK STORMWATER CONSTRUCTION CHANGE ORDER NO. 1

[9:35:49 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, 48 North Engineer Brett Walcheck, Clerk Kile

Brett Walcheck reviewed the cost for setting up a temporary traffic light on Bridge Street in order to alleviate traffic concerns.

General discussion was held relative to the benefits vs. the cost of \$10,197.00 and various rental scenarios.

Commissioner Lauman made a **motion** to re-evaluate the change order at a later date. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MEETING W/ B. J. GRIEVE, PLANNING & ZONING OFFICE RE: FEES

[9:50:53 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, Deputy County Attorney Peter Steele, Ardis Larsen, Clerk Kile

Grieve summarized the feedback received related to the proposed changes to Flathead County Planning and Zoning fees.

General discussion was held relative to concerns regarding fees charged for creation of a new neighborhood plan, administrative fees, conditional use permits, floodplains fees and establishing policy guidelines.

Following discussion the commission agreed to table the proposed changes until further discussion of the process.

TUESDAY, FEBRUARY 22, 2011
(Continued)

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

[10:14:57 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, City of Whitefish Planning and Building Director David Taylor, Ardis Larsen, Clerk Kile

Taylor reviewed the proposal received from the City of Whitefish that would require mandatory commercial zoning compliance permits along Highway 93 in Whitefish.

Commissioner Holmquist explained her concerns regarding the pending lawsuit against Flathead County.

Chairman Dupont said he was reluctant to weigh in on a decision, and is surprised they wanted feedback before the lawsuit was resolved.

Commissioner Lauman stated he would hope a ruling would come down soon and agreed.

Following discussion the commission agreed they would have no input until the lawsuit was settled.

MEETING RE: HORSE RACING AT FAIRGROUNDS

[10:30:33 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Fair Director Mark Campbell, Janis Schoepf, Debbie Cunnington, Mike Tatsey, Clerk Kile

Schoepf met with the commission and reported she was one of the dedicated individuals involved in the return of horse racing to the N.W. Montana Fair last year at the spur of the moment. She explained the return of racing last year was done with private funds and a huge commitment by Flathead businesses. She stated the fair benefitted greatly from horse racing last year and Flathead County reaped the benefits; she is still approximately \$3,000 in the hole from expenses incurred. Also noted was they were not able to use or access county equipment last year which gave them additional expenses. Schoepf said horse racing is viable for the success of the fair and they need the county to step up and support them.

Chairman Dupont explained the commission appoints Fair Board members and the issues being brought up need to be addressed by the Fair Board.

Tatsey gave insight as to what the state board is willing to bring forth for horse racing. He explained last year they put very little money into the races since they started so late in the year and expects this year to be able to pay for the insurance, and put up at least one days worth of purses, if not more.

Commissioner Lauman said he was pleased last year with the association stepping up to the plate and proving horse racing would increase attendance at the fair. He stated he would like to see them sit down with the Fair Board and Fair Manager Mark Campbell and develop a working agreement.

Cunnington asked for clarification as to who they should go to with their questions and be able to get answers.

Commissioner Lauman stated they need to get their answers from Mark Campbell or the Fair Board before coming to them.

5:00 p.m. Commissioner Dupont: Refuse Board meeting @ Solid Waste District Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 23, 2011.

WEDNESDAY, FEBRUARY 23, 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.

WEDNESDAY, FEBRUARY 23, 2011
(Continued)

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ADD "PROFESSIONAL OFFICES" TO RC-1 ZONE/
FLATHEAD COUNTY ZONING REGULATIONS**

9:15:20 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 Lauman made a **motion** to authorize publication of the Notice of Public Hearing and authorized chair to sign. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider changes proposed by Flathead County Planning and Zoning Office to the text of the Flathead County Zoning Regulations.

The proposed amendment would amend Section 3.14.030 Conditional Uses (RC-1) under SECTION 3.14 RC-1 RESIDENTIAL CLUSTER replacing #14 "Real estate office" with "*Professional Offices*" to the definition section. The proposed definition would read:

SECTION 3.14 RC-1 RESIDENTIAL CLUSTER

3.14.030 Conditional Uses (RC-1)

1. Cellular towers. *
2. Churches and other places of worship.
3. Community center buildings operated by a non-profit agency.
- 4.....
14. *Professional Offices.*
- ~~14. Real estate office.~~
- 15.....

The Flathead County Zoning Regulations apply in all County zoning districts created under Section 76-2-205, M.C.A., and are on file for public inspection at the Office of the Clerk and Recorder, and the Flathead County Planning and Zoning Office, 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 amendments to those regulations are on file for public inspection at the Office of the County Clerk and Recorder and at the Flathead County Planning and Zoning Office.

The public hearing will be held on the **18th day of April, 2011, at 11:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change to the text of the Flathead County Zoning Regulations.

Written comments are encouraged and will be reviewed by the Commissioners prior to the hearing if received by the Flathead County Commissioners' Office at least three business days prior to the hearing.

DATED this 23rd 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 April 4 and April 11, 2011.

DOCUMENT FOR SIGNATURE: FY2012 TRANSPORTATION GRANT/ EAGLE TRANSIT

9:15:57 AM

Members present:

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

Others present:

Assistant Mike Pence, Eagle Transit Director Dave Polansky, Clerk Kile

Polansky briefly reviewed the FY2012 Transportation Grant which included increased operation costs and bus capital.

Commissioner Lauman made a **motion** to approve the FY2012 Transportation Grant presented. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

WEDNESDAY, FEBRUARY 23, 2011
(Continued)

CONSIDERATION OF HR TRANSMITTALS: TECHNICAL OPERATIONS SUPERVISOR/ I.T. AND CONTAINER SITE EDUCATOR/ SOLID WASTE

[9:20:38 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, I.T. Director Vicki Saxby, Public Works Director Dave Prunty, Clerk Kile

Saxby explained the H.R. Transmittal is for a job description change in the Technical Operations Supervisor position, which does not qualify for the non-dot drug testing requirement.

Commissioner Lauman made a **motion** to approve the H.R. Transmittal for the Technical Operations Supervisor. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

Prunty explained the H.R. Transmittal is for a job description change for the Columbia Falls Site Educator who will now report to the Operations Manager at Solid Waste.

Commissioner Holmquist made a **motion** to approve the H.R. Transmittal for the Columbia Falls Site Educator. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF PRINTING BIDS: HEALTH DEPT.

[9:25:12 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the print bid from Insty Prints for 2 sets of business cards for \$29.95 each, 1000 family planning appointment cards for \$59.90, 200 FCHC lab test result forms for \$44.00 and from North Star Printing 1000 TB test cards for \$47.00, 3 receipt books for sewage treatment for \$114.00 and 3 miscellaneous receipt books for Environmental Health for \$114.00. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

BOARD APPOINTMENTS: ANIMAL SHELTER ADVISORY COMMITTEE AND BLANKENSHIP FIRE DISTRICT BOARD

[9:26:08 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to appoint Angie McCrorie to the Animal Shelter Advisory Board and Peter Bergen to the Blankenship Fire District Board. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MONTHLY MEETING W/ DAVE PRUNTY, SOLID WASTE DISTRICT

[9:30:19 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Operations Manager Solid Waste Jim Chilton, Clerk Kile

Prunty reported the Solid Waste Board held their monthly meeting and discussed litter issues, container site consolidation on Highway 2 East, extension of the contract with SWT Engineering and mobile home disposal fees.

WEDNESDAY, FEBRUARY 23, 2011
(Continued)

BI-MONTHLY MEETING W/ KIM CROWLEY, LIBRARY

[10:02:00 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Library Director Kim Crowley, Clerk Kile

Crowley gave an update on the forthcoming Whitefish Library changes and spoke about her concerns in regards to processing and relocating 44,000 items in a short period of time. She reported their e-book inventory recently doubled and checkouts have doubled for them.

MEETING W/ KELLIE DANIELSON/MWED RE: UPDATE

[10:15:15 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Montana West Economic Development Director Kellie Danielson, Clerk Kile

Danielson met with the commission and gave an update on economic development within Flathead County. She spoke about attracting investments, retaining industries, rotating staff members, development of a video that will be shown at the airport and outreach programs.

COMPENSATION BOARD MEETING

[10:33:24 AM](#)

Members present:

Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Treasurer Adele Krantz (seated [10:42:09 AM](#))
Sheriff Chuck Curry
Clerk & Recorder Paula Robinson
Superintendent of Schools Marcia Sheffels
Member Susan Nicosia (seated [10:46:04 AM](#))

Absent:

County Attorney Ed Corrigan, Member Anita Hoye

Others present:

Assistant Mike Pence, Finance Director Sandra Carlson, Clerk Kile

Carlson summarized a cola comparison sheet with scenarios of 0.80% and 1.60%.

For the record it was noted Ed Corrigan asked that a minimum increase of 1% cola be considered.

Pence explained if they choose to go with the actual CPI cola it would be 1.6 % which historically has been done. He stated two years ago ½ a cola was given and last year not anything was given.

Discussion was held relative to budget reserves and the potential for health insurance costs to increase.

Chairman Dupont said in years past Flathead County has tried to base wages on comparable salaries in surrounding counties and compared that to the private sector. He stated he doesn't see any increase in the private sector at all; decreases but not increases. His recommendation was that no cost of living increase be given, yet doesn't feel employees should take a cut if medical premiums increase.

Commissioner Lauman commented times are still tough and have not changed and concurred that no increase be given.

Nicosia said maintaining status quo too long is also dangerous; it wasn't that long ago she stated that Flathead County was playing catch up. She explained the private sector is seeing growth and when you look at 1.6%, and know that over the last 12 months the food index alone rose 1.8%, the energy index increased 7.3%, and gasoline increased 13.4% that it really is important that the employees not take a step backwards. Nicosia said it is easier to build into your budget small increases along the way instead of playing catch up four years from now.

Curry commented he agreed with the commissioners, especially if an increase in government employee wages would actually raise taxes. He stated on the other hand he agrees that even looking at surrounding counties and the private sector that it will continue to put us further and further behind, and eventually we will have to play catch up, and it won't be popular then either.

Chairman Dupont stated it is a difficult decision right now; if fuel costs go up 10 – 15 percent that it will hurt Flathead County's budget. As far as recovery he said I don't think we are going to recover anything and doesn't feel it is worth one percent.

Nicosia said only a little less than one third of the county budget is funded by tax dollars.

**WEDNESDAY, FEBRUARY 23, 2011
(Continued)**

Chairman Dupont explained when the private sector was climbing everyone was making good money and Flathead County got totally backwards; that isn't happening right now.

Curry stated from his stand point he would support not doing a cola; with a word of caution that eventually perhaps it will catch up with them.

Commissioner Lauman stated his standpoint is no cola; it would be wonderful if we could pay full cola plus, but the dollars are not there. He said he would like to see the county stay on the safe financial side.

Robinson in addition agreed to not give cola and stated she would like to see however, no increased cost for health insurance, and if possible the health insurance program be beefed up.

Curry agreed as well in recommending no increase be given except to a penny to the Sherriff in order for deputies to receive their longevity.

Commissioner Holmquist concurred also.

Clerk and Recorder Paula Robinson made a **motion** to recommend from the County Compensation Board that for Fiscal Year 2011–2012 that elected officials salaries shall be increased by zero percent on the base, and one cent for the Sheriff/Coroner. Sheriff Chuck Curry **seconded** the motion. Motion carries unanimously.

11:00 a.m. County Attorney meeting @ Co. Atty's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 24, 2011.

THURSDAY, FEBRUARY 24, 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.

- 12:00 p.m. Commissioner Holmquist: American Mosquito Control Association webinar "Risky Business Mosquito Management & Risk Assessment" @ Earl Bennett Bldg., Conf. Room A**
- 4:00 p.m. Commissioner Holmquist: Bigfork Land Use Advisory Committee meeting**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 25, 2011.

FRIDAY, FEBRUARY 25, 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 28, 2011.
