
MONDAY, MAY 2, 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.

Present for public comment: Wayne Loeffler, David Vale, Laura Meissenburg, Diane Kautzman, Gretchen Gates, Donna Lawson, Clarice Ryan, Connie Gress, D. Vanderberg, John Lang, D. Lang, Ken Bjorge, Paul Mutascio, Jill Gotschalk, Steve Cawdrey

Donna Lawson, Chairman of Bigfork Festival of Arts spoke in support of the road closure.

Chairman Dupont stated he just recently spoke to individuals against the road closure, and to his understanding, an agreement has been reached.

Wayne Loeffler, Bigfork Fire Chief said there were some safety concerns as well as other issues. He noted the safety concerns are not just for this one event; throughout the year, there are safety concerns in downtown Bigfork. Loeffler stated he feels they are now on the right track.

Paul Mutascio stated the Festival of Arts and 4th of July parade are pivotal events that take place not only for Bigfork, but also for the entire community. He said they have had their act together for 33 years now although there are some who are not satisfied. Mutascio noted the Community Foundation for a Better Bigfork is in great support of the road closure.

John Lang stated he is the director of Bigfork Chamber of Commerce as well as the owner of a private business in the area. He explained a video produced last year tells the story of a year of events in Bigfork. Lang told of a positive incident with a visitor who said Bigfork was the perfect town.

Steve Cawdrey stated he is the chair of a new group in Bigfork called "Bigfork Tourist Assessment Board", which is all about marketing. He noted he relocated here 13 years ago, and is grateful to have the opportunity to participate in the community. Cawdrey explained his wife has been participating in the Bigfork Arts Festival for many years and then spoke in support of the road closure.

Ken Bjorge stated he has been a resident for approximately 25 years now and has invested a lot of time volunteering. He said one of the things the community does is provide an opportunity for artists and vendors to enjoy the community, and at the same time, they create excitement for two days in the town. Bjorge encouraged the commission to allow the road closure.

Michael Hebert stated he received a letter from FVCC inviting him as a candidate to participate in a board meeting April 25, 2011. This letter was an invitation to meet with the school board in order that they would have an opportunity to meet the candidates and find out more about them. Hebert stated when he showed up for the meeting media was present along with heads of the union of the state and deans of all the departments. The candidates he noted were put into an embarrassing spot, as they were not aware it was going to be a campaign forum. He explained it turned into a campaign circus and said from the board meeting an article was printed in the Missoulian on April 26, in which the entire race was highly politicized. Hebert presented school by-laws and MCA and added that Montana law dictates that we do not use governmental resources for our own personal gain. He asked that they review the article in the Missoulian along with MCA and that the violation be addressed.

Claire Ryan presented a letter sent to the editor of the Whitefish Pilot to the commission and read the following letter.

FVCC is in need of new trustees to enhance and further develop a college experience for students. Accomplishment number one has been achieved in Flathead County with the evaporation of apathy during the short term campaigning for the May 3 election of FVCC board of trustees. It just may be a record turnout for this year's school elections.

However, in all the flurry let's keep the eye on the ball. Our goal and objective should be that of updating and expanding the scope of educational opportunities to meet the demands of the job market. It is the prospective employers as well as the entrepreneur investor who are the ultimate consumers of the product of the education system. Education must provide the curriculum that equips students with these skills and technologies needed in a very competitive worldwide market place.

Once in office trustees must avoid becoming so focused on human and political complexities of managing and financing overall operation that they lose sight of the interests and goals of the student body. Students invest in college courses for a variety of reasons. There are some who simply seek enrichment of their lives through broadening their interest, insight and skills. More critical are those seeking expertise to better themselves by qualifying for higher income levels. A balance of both would be ideal.

It is unfortunate here in Montana that we find ourselves at the bottom economically nationwide in per capita income. Especially in science and math, about 50 percent of our students entering universities require remedial courses at personal expense which should have been provided in tax supported K-12 levels. Our country unfortunately rates very low academically with other developed countries.

Dr. Ed Berry reveals there are currently six positions open in advanced technological fields in Bozeman with a salary range of \$80,000 to \$120,000 per year, for which there appear to be no qualified applicants available in the State of Montana. He indicated that a two-year college could have provided the needed training. For over 25 years, we have been hearing and reading in such publications as the Wall Street Journal about the tremendous shortage of qualified people to fill high paying management and technical positions in America. A professor once told me that we have young people who are very smart, but uneducated. Qualified people are being brought in from other countries to meet the industry needs.

**MONDAY, MAY 2, 2011
(Continued)**

Unfortunately, in Montana there is a shortage of businesses offering this type of opportunity. Here again it gets back to education as well as policies providing a healthy business environment. Voters may be electing to office people who themselves might have benefited from a more extensive business background and philosophy. As we allow increasing federal intrusions through land acquisition, and close down energy and natural resources the economy and business opportunities in our state decline. Ever changing and more intrusive federal policies discourage job creating capital investment. Our elected officials have failed in assuring a more secure and healthy environment for new business and industry.

Our education system supports the primary philosophy of ever more federal government funding with increasing control and involvement. As long as our universities produce graduates indoctrinated with socialistic philosophies, it is a deterrent to our free enterprise system. Profit motivated business and industry has been stymied.

To save our state from further decline we must take steps toward greater emphasis on business administration, management and marketing. Socialism will continue to creep in as long as colleges idealize government as the ultimate provider while private enterprise, essentially in competition, is suppressed. Taxpayers will become the servants of the government as opposed to government serving the people as intended by our Constitution.

FVCC would benefit from having new college trustees' bringing to the classroom fresh new ideas, perspectives and philosophies to compliment and enhance the education program already in place. It would provide students with additional choices and opportunities to broaden their perspectives as well as equipping them to better provide for their own needs and destinies.

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

CONSIDERATION OF EMERGENCY LAKESHORE AUTHORIZATION: FINCHER

[9:45:57 AM](#)

Members present:

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

Others present:

Planning & Zoning Director B. J. Grieve, Clerk Kile

Grieve reviewed the emergency lakeshore request submitted by Walter Fincher to mitigate erosion and further potential erosion on the north shore of his property located at 800 Blaine View Lane.

Commissioner Lauman made a **motion** to authorize chair to sign the emergency lakeshore work request. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MEETING W/ PHIL MITCHELL AND MIKE COLLINS RE: WHITEFISH LIBRARY

[10:00:34 AM](#)

Members present:

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

Others present:

Library Director Kim Crowley, Rishara Finsel, Phil Mitchell, Mike Collins, Michael Morton, Connie Leistiko, Jane Lopp, Clerk Kile

Mitchell and Collins met with the commission and explained their frustration in regards to disagreements between Flathead County Library Board and the Whitefish Community Library Board with the division of assets, after Whitefish City Council chose to terminate the interlocal agreement. Other concerns expressed included reduction of service and early closure, division of books, materials, computers and cash.

Leistiko stated before the Whitefish City Council made the decision to break away from the Flathead County Library system they were given input from the Flathead County Library Board as to why they felt it was not in the best interest of the citizens. She stated after the decision was made by Whitefish City Council they looked at what the statutory obligations under state law were. She explained state law taxes them with exclusive control of the operation of the library. Leistiko said they looked at what the agreement said that was being terminated, and they were to remove the assets of the Flathead County Library system from the building that was provided by the City of Whitefish. She clarified the 2001 Interlocal Agreement says specifically that it takes the place of and supersedes any previous agreement.

General discussion was held relative to concerns expressed.

Chairman Dupont asked if the Flathead County Library Board has had an official meeting with the Whitefish Board to work out an agreement.

Lopp explained the interlocal agreement is with the City of Whitefish.

Chairman Dupont clarified the library board is autonomous to them; we appoint the members to the board and that is it for their authority over them. He suggested the boards sit down and work out a solution. Dupont asked if a plan is in place yet to serve residence in the north end of the valley.

Leistiko said once the Whitefish Library is set up and assets are relocated they will then see if there is a need for another branch library. She explained Whitefish has said the library will not be exclusively for city residence, so there may not be a need.

Lopp said once assets are moved Flathead County Library Board will start discussions on strategic planning.

**MONDAY, MAY 2, 2011
(Continued)**

Commissioner Holmquist said she is frustrated as well in that they do not have authority over the board. She expressed her concern with books being thrown away.

Commissioner Lauman also explained his concern in regards to books being recycled.

Rishara Finsel explained the procedures in removing books from the shelves which she stated is a carefully thought out process. The books that are removed she said are books that are of a low interest and they are removed in order to make space for other new items that people want on the shelves. She stated an in-depth collection analysis is done based on topics and any books removed from their collection she noted are offered to the Friends of the Library, who reviews them to determine what can be sold. The ones they do not feel they can sell are recycled.

General discussion continued in regards to procedures in removing books from the shelves.

OPEN BIDS: CHEMICALS/ WEED DEPARTMENT

[10:50:19 AM](#)

Members present:

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

Others present:

Clerk Kile

Bids received with bid bonds/ cashier's checks enclosed from:

Wilbur Ellis	360 Gallons	Tordon 22K Herbicide/ or equivalent	\$ 43.75	\$15,750.00
	130 Gallons	Transline Herbicide/ or equivalent	\$137.97	\$17,396.10
	780 Gallons	Curtail Herbicide/ or equivalent	\$ 29.37	\$22,908.60
	240 Gallons	2, 4-D Amine (Aquatic)/ or equivalent	\$ 10.79	\$ 2,589.60
	5 Gallons	Lontrel Herbicide/ or equivalent	\$560.00	\$11,200.00
	100 Gallons	Milestone Herbicide/ or equivalent	\$264.97	\$26,497.00
	56.25 Pounds	Chaparral Herbicide/ or equivalent	\$ 70.93	\$ 3,989.81
	100 Gallons	Banvel Herbicide/ or equivalent	\$ 28.79	\$ 2,879.00
Alligare	360 Gallons	Tordon 22K Herbicide/ or equivalent	\$ 40.35	\$14,526.00
	130 Gallons	Transline Herbicide/ or equivalent	\$123.95	\$16,113.50
	780 Gallons	Curtail Herbicide/ or equivalent	\$ 21.05	\$16,419.00
	240 Gallons	2, 4-D Amine (Aquatic)/ or equivalent	\$ 12.05	\$ 2,892.00
	5 Gallons	Lontrel Herbicide/ or equivalent	No Bid	_____
	100 Gallons	Milestone Herbicide/ or equivalent	No Bid	_____
	56.25 Pounds	Chaparral Herbicide/ or equivalent	No Bid	_____
	100 Gallons	Banvel Herbicide/ or equivalent	\$ 29.90	\$ 2,990.00
CHS	360 Gallons	Tordon 22K Herbicide/ or equivalent	\$ 46.49	\$16,736.40
	130 Gallons	Transline Herbicide/ or equivalent	\$144.13	\$18,736.90
	780 Gallons	Curtail Herbicide/ or equivalent	\$ 32.48	\$25,334.40
	240 Gallons	2, 4-D Amine (Aquatic)/ or equivalent	\$ 11.52	\$ 2,764.80
	5 Gallons	Lontrel Herbicide/ or equivalent	\$154.28	\$ 771.40
	100 Gallons	Milestone Herbicide/ or equivalent	\$268.98	\$26,898.00
	56.25 Pounds	Chaparral Herbicide/ or equivalent	\$ 70.80	\$ 3,982.50
	100 Gallons	Banvel Herbicide/ or equivalent	\$ 30.45	\$ 3,045.00

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

TAKE ACTION: HUNGRY HORSE VILLAGE, PHASES 1-4

[10:40:42 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, Clerk Kile

Grieve reported preliminary plat for Hungry Horse Village, Phase 1-4 officially expired on April 30, 2011. He noted an attempt was made to contact the applicant through their last known address on file and their technical representative CTA.

Chairman Dupont read into the record Hungry Horse Village, Phases 1-4 is declared a dead file.

MONDAY, MAY 2, 2011
(Continued)

BOARD APPOINTMENT: BIGFORK STORMWATER ADVISORY COMMITTEE

[10:45:42 AM](#)

Members present:

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

Others present:

Clerk Kile

Commissioner Holmquist made a **motion** to appoint Bob Keenan to the Bigfork Stormwater Advisory Committee. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: FAITH BAPTIST CHURCH ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

[10:44:28 AM](#)

Members present:

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

Others present:

Planner Allison Mouch, County Attorney Legal Assistant Debbie Boreson, Clerk Kile

Commissioner Lauman made a **motion** to authorize publication of the notice of public hearing for a zone change request from Faith Baptist Church. 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 a request by Faith Baptist Church; Clint Theline, Pastor, to change the zoning designation in a portion of the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business).

The boundaries of the area proposed to be amended from R-2 to B-2 are described as (Tract 3AB and Tract 5FAB) Parcel A of Certificate of Survey No. 18835, located in the Northeast Quarter of Section 32, and the Northwest Quarter of the Northwest Quarter of Section 33, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana. The property is located at 108 West Reserve Drive and containing .65 acres.

The proposed change would generally change the character of the zoning regulations applicable to the property from providing a residential district for large tract development in suburban areas, beyond sanitary sewer and/or water lines, to providing for retail sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, by outdoor commercial amusement and recreational activities, and by businesses serving the general needs of the tourist and traveler.

The regulations defining the R-2 and B-2 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, Courthouse, temporarily located at 1035 1st Avenue West, Kalispell, Montana, at 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 zone change are also on file for public inspection at the Office of the Clerk and Recorder and the Flathead County Planning and Zoning Office.

The public hearing will be held on the **23rd day of June, 2011, at 9:30 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 in the regulations for the described portion of the Evergreen and Vicinity Zoning District.

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 2nd day of May, 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 June 2 and June 9, 2011.

MONDAY, MAY 2, 2011
(Continued)

ACCLAMATIONS AND APPOINTMENTS: FIRE DISTRICTS, BIGFORK LAND USE ADVISORY COMMITTEE AND LAKESIDE COMMUNITY COUNCIL

[10:47:28 AM](#)

Members present:

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

Others present:

Clerk Kile

Commissioner Holmquist made a **motion** to appoint the following individuals by acclamation or appointment per the Election Department. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

Bigfork Land Use Advisory Committee (elected by acclamation)

- John Bourquin 3 year term 2014
- John Righetti 3 year term 2014
- Joyce Mitchell 2 year unexpired term 2013

Bigfork Rural Fire District (elected by acclamation)

- David L. Armstrong 3 year term 2014
- William T. Taylor 1 year unexpired term 2012
- Kristy Oster 1 year unexpired term 2012

Blankenship Rural Fire District (elected by acclamation)

- Jay Roach 3 year term 2014
- Jim Swab 3 year term 2014

Columbia Falls Rural Fire District (appointed)

- Bruce Lutz 3 year term 2014
- Dan Smith 3 year term 2014

Coram/ West Glacier Fire District (elected by acclamation)

- Matthew Cox 3 year term 2014

Creston Rural Fire District (elected by acclamation)

- Thomas Arnone 3 year term 2014
- Greg W. Phillips 3 year term 2014
- Donald C. Vogel 1 year unexpired term 2012

Evergreen Rural Fire District (elected by acclamation)

- Denise Cofer 3 year term 2014

Lakeside Community Council (elected by acclamation)

- Craig Koontz 3 year term 2014

Marion Rural Fire District (elected by acclamation)

- Philip Jones 3 year term 2014
- Karen Marr 3 year term 2014
- Karren Brown 1 year unexpired term 2012
- Larry Marr 1 year unexpired term 2012

Martin City Rural Fire District (elected by acclamation and appointment)

- Sandy Welch 2 year unexpired term 2013
- Sean Thompson 3 year term 2014
- Donna Meskimen 3 year term 2014

Olney Rural Fire District (elected by acclamation)

- Teresa M. Christian 3 year term 2014
- Diane Brown 1 year unexpired term 2012

Smith Valley Rural Fire District (elected by acclamation)

- David Roberts 3 year term 2014
- Tab Young 3 year term 2014

Somers Rural Fire District (elected by acclamation and appointment)

- Francis VanRinsum 3 year term 2014
- Dan Vachal 3 year term 2014

South Kalispell Rural Fire District (elected by acclamation)

- Gordon Sheldon 3 year term 2014

West Valley Rural Fire District (elected by acclamation)

- Andrew Kelly 3 year term 2014

MONDAY, MAY 2, 2011
(Continued)

REVISED DOCUMENT FOR SIGNATURE: COURTHOUSE DOOR ENTRY SYSTEM

[10:47:36 AM](#)

Members present:
Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Others present:
Clerk Kile

Commissioner Lauman made a **motion** to authorize chair to sign the document for signature. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF PRINT BID: HEALTH DEPT.

[10:49:13 AM](#)

Members present:
Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Others present:
Clerk Kile

Commissioner Holmquist made a **motion** to approve the print bid from Great Northern Printing for two sets of 500 business cards for \$24.95 each, 500 business cards for \$44.95, 1,000 appointment cards for \$45.95, 2,000 appointment cards for \$81.90 and 1,000 reminder cards for \$138.62 for the Health Department. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MONTHLY MEETING W/ DAVE PRUNTY, ROAD DEPARTMENT

[11:00:12 AM](#)

Members present:
Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Others present:
Public Works Director Dave Prunty, Clerk Kile

Prunty met with the commission and presented a final dust cost share participants lists and reported the bid price this year is approximately \$1.11 per linear foot. He then reviewed monthly statistics for the Road Department. Prunty gave an update and detailed pending gravel road projects with improvements pending on Tetrault Road and Prairie View Road. He noted LHC has offered to contribute 4,500 tons of pit run for repair work on Stillwater Road. Discussion was held relative to slumping issues on Browns Meadow Road and North Fork Road, concern with junk vehicles near Smith Lake that are surrounded by water and bridge work still needed on Del Rey Road. Prunty asked for commissioner input in regards to applying for MDOT funds that are set aside for safety improvements and enhancements throughout the state. He explained a crash history throughout the county is what would be required.

DISCUSSION OF DOCUMENT FOR SIGNATURE: ROAD CLOSURE PERMIT/ GRAND DRIVE AND ELECTRIC AVENUE

[11:30:57 AM](#)

Members present:
Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Others present:
Public Works Director Dave Prunty, Clerk Kile

Prunty stated a road closure permit was received from Bruce Solberg with the Bigfork Chamber of Commerce for their 33rd Annual Bigfork Festival of the Arts to be held on August 6 and August 7, 2011. The request is to close Grand Drive and Electric Avenue.

Discussion was held relative to citizen concerns which Chairman Dupont noted he received word have been addressed.

Commissioner Holmquist made a **motion** to approve the road closure permit on Grand Drive and Electric Avenue. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

AWARD BID: 2011 CRACK SEAL PROGRAM, ROAD DEPARTMENT

[11:25:42 AM](#)

Members present:
Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Others present:
Public Works Director Dave Prunty, Ryan Mitchell, Clerk Kile

Commissioner Lauman made a **motion** to authorize chair to sign the notice of award with Z & Z Seal Coating for \$100,000 for the crack seal program. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MONDAY, MAY 2, 2011
(Continued)

AWARD BID: 2011 DUST COST SHARE PROGRAM/ ROAD DEPARTMENT

11:27:36 AM

Members present:

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

Others present:

Public Works Director Dave Prunty, Ryan Mitchell, Clerk Kile

Prunty explained the low bid submitted did not meet bid specs, therefore did not qualify. He noted the recommendation is to award the bid to Montana Dust Control.

Commissioner Holmquist made a **motion** to authorize chair to sign the notice of award with Montana Dust Control for the dust cost share program. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF RESOLUTION: LIFT LOAD LIMITS

11:24:26 AM

Members present:

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

Others present:

Public Works Director Dave Prunty, Clerk Kile

Commissioner Lauman made a **motion** to lift load limits off the valley floor and approve Resolution #2286B. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

Resolution No. 2286B

WHEREAS, the Board of Commissioners of Flathead County, Montana, is responsible for the maintenance of public highways under its jurisdiction;

WHEREAS, said public highways can be seriously damaged or destroyed by deterioration, rain, snow, thawing, or other climatic conditions unless the permissible vehicle weights are reduced;

WHEREAS, the Board of Commissioners of Flathead County, Montana, has the authority under Section 61-10-128, M.C.A., to impose restrictions on the weight of vehicles traveling on public roads under its jurisdiction;

WHEREAS, the public safety requires the immediate imposition of limits on county roads as an emergency measure to prevent accidents and damage to property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Flathead County, Montana, pursuant to Section 61-10-128, M.C.A., that the following load limits shall apply until further order of the Board.

Load limit single axle 7 tons, tandem axle 14 tons, 350 lbs. per inch width of tire, however, at no time will the weight exceed 14,000 lbs. per single axle and 28,000 lbs. per tandem axle. Speed limit as posted.

Load limit single axle 8 tons, tandem axle 16 tons, 400 lbs. per inch width of tire, however, at no time will the weight exceed 16,000 lbs. per single axle and 32,000 lbs. per tandem axle. Speed limit as posted.

The load limit on the following roads shall be 350 to 400 pounds per inch of tire width as marked as well as 35 miles per hour speed limit: (If a particular road on this list has not been marked then no load limit is imposed at this time.)

<u>350</u>	<u>400</u>	<u>pounds per inch of tire.</u>
<u>350</u>	—	Antelope Trail from Highway 93 to Hodgson Road.
<u>350</u>	—	Ashley Lake Road from Highway 2 to intersection with North Ashley Lake Road
<u>350</u>	—	Batavia Lane from Highway 2 to Ashley Lake Road
<u>350</u>	—	Beaver Lake Road from Hwy 93 N. to the end of the road.
<u>350</u>	—	Belton Stage Road from Hwy 2 to Hwy 2.
<u>350</u>	—	Bitterroot Drive from Highway 2 to Pleasant Valley Road
<u>350</u>	—	Blankenship Road for the entire length of the road.
<u>350</u>	—	Browns Meadow for the entire length of the road.
<u>350</u>	—	Coram Stage for the entire length of the road.
<u>350</u>	—	East Edgewood Drive for the entire length of the road.
<u>*350</u>	—	FAS 486 (North Fork Road) from end of the oil, north to end of road
<u>350</u>	—	Gladys Glen Road for the entire length of the road.
	400	Good Creek Road from American Timber entrance off of Highway 93
<u>350</u>	—	Gopher Lane from Highway 2 to Pleasant Valley Road
<u>350</u>	—	Grayling Road from Bierney Creek Rd. to Troutbeck Rd.
<u>350</u>	—	Hodgson Road from Hwy 93 to Hwy 2.
<u>350</u>	—	Hoffman Draw from Highway 2 to end of road
<u>350</u>	—	Hog Heaven from Highway 29 to end of road
<u>350</u>	—	Hubbart Dam Road from Highway 2 to Crossover Road

<u>350</u>	—	Idaho Hill Road for the entire length of the road
<u>350</u>	—	Kuzmic Lane for the entire length of the road.
<u>350</u>	—	Lake Five Road from Hwy 2 to the Belton Stage Road.
<u>350</u>	—	Lost Prairie Road from Highway 2 to Pleasant Valley Road
<u>350</u>	—	Lupfer Road from Highway 93 to the end of the road.
<u>350</u>	—	Olney Loop Road for the entire length of the road.
<u>350</u>	—	Patrick Creek Road from Foys Canyon Road to the end of the road
<u>350</u>	—	Pleasant Valley Road from Highway 2 to Lost Prairie Road
<u>350</u>	—	Rabe Road for the entire length of the road.
<u>350</u>	—	Reservoir Road from E. Lakeshore to the end. (Northwoods Drive)
	400	Rhodes Draw from Farm-to-Market to the end of the road
<u>350</u>	—	River Bend Drive for the entire length of the road.
<u>350</u>	—	Rogers Lake Road from Highway 2 to Sickler Creek Road
<u>350</u>	—	Sickler Creek Road from Highway 2 to Rogers Lake Road. .
<u>350</u>	—	Smith Lake Road from Whalebone Drive to Kila Road
<u>350</u>	—	South Fork Road from US Hwy 2 to Spotted Bear Road.
	400	Spotted Bear Road from Old US 2 to South Fork Road
<u>350</u>	—	Star Meadows Rd for the entire length of the road.
<u>350</u>	—	Stillwater Rd from first 90 degree corner North of West Reserve to the end of the road.
<u>350</u>	—	Tamarack Creek Road from Hwy 93 N. to the end of the road.
<u>350</u>	—	Tetrault Road for the entire length of the road.
<u>350</u>	—	Thompson River Road from Highway 2 to County Line
<u>350</u>	—	Timber Lane for the entire length of the road.
<u>350</u>	—	Trap Road for the entire length of the road.
<u>350</u>	—	Truman Creek Road for the entire length of the road.
<u>350</u>	—	Wishart Road for the entire length of the road.
<u>350</u>	—	Wolf Creek Road for the entire length of the road.
<u>350</u>	—	Yoeman Hall from Hwy 206 E. to the end of the road.

*Note changes for 2011.

Variations may be granted by permit obtained through the County Road Department.

BE IT FURTHER RESOLVED, that this resolution shall be effective May 2, 2011, and shall be in effect until load limits are removed by motion of this Board.

Dated this 2nd day of May, 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

8:30 a.m. Weed & Parks Board meeting @ Weed & Parks Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 3, 2011.

TUESDAY, MAY 3, 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.

Commissioner Lauman PT opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Commissioner Lauman PT closed the public comment period.

TUESDAY, MAY 3, 2011
(Continued)

MONTHLY MEETING W/ RAEANN CAMPBELL: HUMAN RESOURCE OFFICE

10:00:50 AM

Members present:

Commissioner Dale W. Lauman PT
Commissioner Pamela J. Holmquist

Members absent:

Chairman James R. Dupont

Others present:

H. R. Director Raeann Campbell, Clerk Kile

Campbell presented March personnel transactions for review.

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

She then reviewed work comp expenses with 18 reported YTD and reported the health insurance trust fund balance is at \$3.7 million which is \$450,000 over last year.

PERSONNEL MATTER

10:15:42 AM

Members present:

Commissioner Dale W. Lauman PT
Commissioner Pamela J. Holmquist

Members absent:

Chairman James R. Dupont

Others present:

Deputy County Attorney Tara Fugina, H.R. Director Raeann Campbell, Public Works Director Dave Prunty, Fleet & Shop Supervisor Corey Pilsch, Road Department Office Assistant Karen Rogers, Craig Davis, Greg Steinwand, Doug Cusick, Reynold McMannamy, Clerk Kile

Noted for the record the employee waived his right to privacy and the hearing was publicly held. Deputy County Attorney Tara Fugina presented the disciplinary action and presented Karen Rogers, Cory Pilsch and Dave Prunty as witnesses. Craig Davis and Greg Steinwand presented statements on behalf of the employee. The commissioners took the matter under advisement.

DOCUMENT FOR SIGNATURE: 48 NORTH ENGINEERING CHANGE ORDER NO. 1/ GRAND DRIVE

This meeting was postponed.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: VENTEICHER ZONE CHANGE/ BIGFORK ZONING DISTRICT

11:00:32 AM

Members present:

Commissioner Dale W. Lauman PT
Commissioner Pamela J. Holmquist

Members absent:

Chairman James R. Dupont

Others present:

Planner Allison Mouch, Clerk Kile

Commissioner Holmquist made a **motion** to authorize chair to sign the publication of the notice of public hearing for a zone change in Bigfork. Commissioner Lauman PT **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

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 a request by John Venteicher, to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural).

The boundaries of the area proposed to be amended from SAG-10 to SAG-5 are described as Lot 2 of Evenson Subdivision located in SE ¼ of Section 20, Township 27 North, Range 19 West, P.M.M., Flathead County, Montana. The property is located on the west side of Swan River Road, at the end of Evenson Lane, Bigfork and contains approximately 16 acres.

The proposed change would change the character of the zoning regulations applicable to the property which, in both SAG-10 and SAG-5 districts, are intended 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, by reducing the minimum lot size from 10 acres to five acres.

The regulations defining the SAG-10 and SAG-5 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, Courthouse, temporarily located at 1035 1st Avenue West, Kalispell, Montana, at 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 zone change are also on file for public inspection at the Office of the Clerk and Recorder and the Flathead County Planning and Zoning Office.

**TUESDAY, MAY 3, 2011
(Continued)**

The public hearing will be held on the **27th day of June, 2011, at 9:30 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 in the regulations for the described portion of the Bigfork Area Zoning District.

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 3rd day of May, 2011.

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Dale W. Lauman PT
James R. Dupont, Chairman

Publish on June 13 and June 20, 2011.

TAX REFUND: CUTTERS, LLC

[11:02:05 AM](#)

Members present:
Commissioner Dale W. Lauman PT
Commissioner Pamela J. Holmquist
Members absent:
Chairman James R. Dupont
Others present:
Clerk Kile

Commissioner Lauman PT noted for the record DOR adjusted the taxable value in view of the fact the structure was not totally built when appraised.

Commissioner Holmquist made a **motion** to approve the tax refund request. Commissioner Lauman PT **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: NOXIOUS WEED GRANT/ WEED & PARKS DEPT.

[11:02:56 AM](#)

Members present:
Commissioner Dale W. Lauman PT
Commissioner Pamela J. Holmquist
Members absent:
Chairman James R. Dupont
Others present:
Clerk Kile

Commissioner Holmquist made a **motion** to authorize chair to sign the noxious weed grant document. Commissioner Lauman PT **seconded** the motion. **Aye** - Lauman and Holmquist. Motion carried by quorum.

9:30 a.m. Commissioner Dupont: Flood preparation meeting @ OES

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 4, 2011.

WEDNESDAY, MAY 4, 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.

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 May 5, 2011.

THURSDAY, MAY 5, 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.

8:30 a.m. Commissioner Dupont: AOA TAB @ Eagle Transit
10:00 a.m. Commissioner Dupont: Flood preparation meeting @ OES

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 6, 2011.

FRIDAY, MAY 6, 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 May 9, 2011.
