
MONDAY, MAY 9, 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.

PUBLIC MEETING: CAB-7 TAX REDUCTION/ COLUMBIA FALLS ALUMINUM COMPANY @ FLATHEAD COUNTY SCHOOL DISTRICT #6 ADMINISTRATION BOARD ROOM (501 6TH AVENUE WEST, COLUMBIA FALLS)

[7:00:34 PM](#)

Flathead County Commissioners:

Members present:

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

Columbia Falls School District #6 Representatives:

Members present:

Michael Nicosia, Dustin Zuffelato, Scott Emmerich, Barbara Riley, Jim Henjum, Darrell Newby, Larry Wilson, Dean Chisholm, Gail Pauley, Jill Rocksund

Others present:

County Administrator Mike Pence, Deputy County Attorney Tara Fugina, Haley Beaudry, Larry Voss, Brian Doyle, Les Logan, Kurt Skyba, Dan Ellman, Dee Brown, Virginia Sloan, Melanie White, Don Bennett, Kelli Danielson, Stefan Belman, Rick Hanners, Shelley Ridenour, Carol Pike, Kira Kamrud, Gene Marcille, Lyle Mitchell, William Smith, Mike Burr, Clerk Kile

Chairman Dupont called the meeting to order and stated the joint meeting between Flathead County Board of County Commissioners and School District No. 6 Board of Trustees is to consider Columbia Falls Aluminum Company's application to reduce valuation of personal property and real property improvements by 95% for tax year 2011. He explained CFAC would be called to present their position and comments would then be taken by the public. The boards will then vote separately; if both boards approve the reduction in valuation, the application will be approved.

Fugina explained what is before them is a draft resolution only and is not vindictive of any predetermined outcome; if the evaluation is denied by either board or both boards the resolution will not be signed.

Beaudry representing Columbia Falls Aluminum Company explained the tax reduction is being sought under provisions of a new state law designed to give tax breaks to companies that closed their doors due to economic downturn. He stated as you know Columbia Falls Aluminum has been a major employer and contributor to the economic well being of Flathead County for over 55 years. He noted production ceased on October 31, 2009 after failing to negotiate a power agreement with Bonneville Power. Beaudry reviewed operation of the aluminum plant prior to the notice of shutting the plant down. It was stated they have continued negotiations with Bonneville Power in acquiring a long term power supply agreement. Their cost projections in restarting the plant include man hours, raw material, power costs and property taxes. Beaudry said the tax reduction is being sought in order that there would be less of a hurdle to get over in restarting the plant which would create 250-300 jobs.

Discussion was held relative to MCA 15-24-2102 which states:

15-24-2102. Reduction in assessment of taxable value of commercial and industrial property -- application -- approval. (1) (a) For property tax years 2009, 2010, and 2011, the governing bodies of a county or consolidated local government unit, incorporated city or town, if the property is located in the city or town, and school district may jointly reduce by 95% the taxable value of commercial real property improvements, personal property, or any combination of that property, other than land, that is subject to taxation. The reduction in taxable value under this section applies only to commercial or industrial property taxed under [15-6-134](#) or [15-6-138](#). A taxpayer that has not been operating the property for at least 6 months immediately preceding the request for reduction in taxable value and that does not intend to use the property for at least 6 months following the reduction in taxable value qualifies under this section.

(b) (i) Except as provided in subsection (1)(b)(ii), an application for the reduction in taxable value allowed under this section must be made to the affected local governing bodies by April 15 of the property tax year.

(ii) An application for the reduction in taxable value allowed under this section for property tax year 2009 must be made to the affected local governing bodies by May 15, 2009.

(c) For the purposes of [15-24-2103](#) and this section, a local governing body includes the board of trustees of a school district.

(2) (a) In order for a taxpayer to receive the tax benefits described in subsection (1), the governing bodies of the affected county or consolidated local government unit, incorporated city or town, if the property is located in the city or town, and school district must have approved by a separate, joint resolution for each commercial or industrial property, following due notice as defined in [76-15-103](#) and a public hearing, the taxable value reduction provided for in subsection (1) for the respective jurisdictions. The presiding officer of the governing body of the affected county or consolidated local government unit is the presiding officer of the joint meeting of the affected taxing jurisdictions. If the property is located in more than one county, the presiding officer of the governing body of the county in which most of the property is located is the presiding officer of the joint meeting.

(b) For the purpose of this subsection (2), each affected governing body shall provide due notice of the joint meeting.

(c) Subject to [15-10-420](#), the governing bodies may end the tax benefits by majority vote at any time, but the tax benefits may not be denied to a commercial or industrial business that previously qualified for the benefits in the tax year.

(d) The joint resolution provided for in subsection (2)(a) must include a description of the improvements and personal property that qualify for the tax treatment that is to be allowed in the taxing jurisdictions. The joint resolution may provide that commercial real property improvements, personal property, or any combination of that property, other than land, is eligible for the tax benefits described in subsection (1).

(3) The joint resolution must state that the reduction in taxable value is in the best interest of the governing body based on full disclosure of all pertinent financial information by the owner of the real and personal property as required by the local governing body. The joint resolution must be approved by a majority vote of the governing body of each affected taxing jurisdiction referred to in subsection (2)(a).

(4) The governing bodies may refuse to reduce the taxable value of the property if they determine that the business is restructuring the ownership of the property for the primary purpose of escaping payment of property taxes or if the governing bodies determine that the reduction in taxable value is not in the best interest of the local governments.

(5) The reduction in taxable value granted by the joint resolution may be only for the current tax year. The governing bodies may grant a reduction in taxable value for the same owner of the property in the subsequent tax year under the provisions of this section, but they may not grant a reduction in taxable value for more than 3 tax years as provided in this section. The tax benefit granted under this section applies for the entire tax year.

(6) The tax benefits may not be granted under this section if the business owes delinquent property taxes for prior tax years.

(7) (a) If the reduction in taxable value is granted by a majority vote of the governing body of each affected taxing jurisdiction, the reduction applies only to mills levied in the affected county or consolidated local government unit, the affected incorporated city or town, and the affected school district.

(b) The benefit described in subsection (1) does not apply to levies or assessments required under Title 15, chapter 10, [20-9-331](#), [20-9-333](#), or [20-9-360](#) or otherwise required under state law.

(8) Within 15 days of approving the joint resolution to grant a reduction of taxable value but not later than July 15 of the tax year for which the reduction is granted, the governing body of the affected county or consolidated local government unit shall notify the department of the approval by each of the affected governing bodies. Upon receipt of the notification of approval by the governing body of the affected county or consolidated local government unit, the department shall make the assessment change pursuant to this section for each affected taxing jurisdiction.

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Beaudry stated he feels there is an opportunity to restart the plant with the hurdles in front of them being achievable. He explained Senator Tester and Baucus have gone directly to Bonneville Power and spoke to them on behalf of CFAC; late in 2010 they did come close to having the terms of a contract worked out.

Trustee Wilson questioned where the millions of dollars of profit the plant has generated in the past has gone.

Beaudry explained the company pays profits to the parent company when there is a profit; in 2007 a profit was made, yet in 2008 and 2009 the plant was operating at a loss. He stated obviously in its history it has made a profit, although there have been ups and downs.

General discussion was held relative to the employment status of Beaudry, start up costs, terms of the tax abatement, a potential worst case scenario if CFAC was to never re-open, value of CFAC land, status of their 2009 protested property taxes and availability of qualified labors if CFAC was to restart.

Chairman Dupont opened the public meeting to anyone wishing to speak in regards to the tax reduction request.

William Smith stated in 1975 Ireland was the 6th poorest country in the world and by 2002 they had become the 6th richest country. Smith said they did it by taking the tax burden off the businesses and many businesses from the United States and Europe moved to Ireland. The prosperity that followed ended the civil war and put citizens back to work. He explained money that would be spent with kids coming back to the schools would be to everyone's benefit.

Stefan Belman stated he certainly has compassion for the unemployed plant workers. He said if this tax abatement was so important to Glencore they themselves would have had a representative here to speak on their behalf. Belman asked if those present were aware that Glencore Corporation controls most of the aluminum made in the world through ownership of plants in China and Russia, along with many other resources that come out of the ground. He reported they have assets of between \$60 to \$80 billion dollars and should be here themselves, if they feel the plant is economically viable to reopen. He spoke about the plant being antiquated, and stated even with the cost of getting raw material here the cost of power and lack of a modern facility they can't compete in the world market. Belman stated he is opposed to them reopening and said as he understands it, after the plant is closed for a certain number of years EPA would demand a cleanup, which they could pay for by selling the beautiful land on the bench of Teakettle Mountain.

Dee Brown said she has attended meetings in support of CFAC for over 20 years and this is the first time, however, that I have come as an opponent to what those at CFAC want to do to our community. She stated CFAC has always been a good partner with the community until Glencore came into the picture, and since that time it has been spotty. Brown said until they decide what they are doing we can't hedge our bet and give them any tax break; they still own the land and it is time that they either come and clean it up or put some people to work.

Melanie White said she owns 90 acres around the plant and still has to pay her taxes.

Don Bennett, 1000 Columbia Drive said like Dee Brown he has been a big supporter of CFAC and jobs in the community. He stated he would welcome them to start back up and get the good jobs going again; however, I have tried to deal with people at Glencore and made very realistic offers to them to purchase some property from them at fair value. He said it is like they come to them on bended knee when they want something, but when we need something they turn a deaf ear. Bennett added by providing them a tax break you would actually be giving them an incentive to not open for six months.

Brian Doyle said he currently is the president of the steel workers union representing approximately 225 men from CFAC. He stated he is all about getting jobs back and providing what is best for our valley, yet agrees with comments made earlier by Mr. Bennett.

Mike Burr, 560 Talbott Road echoed comments made by Mr. Bennett as well. He said for years they have written letters in support of CFAC for lower power rates. Burr stated I don't think there is a sole in this room that wouldn't give them every opportunity and tax break possible if they would commit to re-opening.

No one else rising to speak, Chairman Dupont turned the public meeting over to the school board.

Trustee Riley made a **motion** to deny the tax reduction request for CFAC. Trustee Emmerich **seconded** the motion.

Trustee Wilson said he has been involved in tax break requests from CFAC for 30 years at various times with community meetings having been held in support for the plant. He stated right now I feel it is extremely arrogant for them to come and ask for a tax break given the situation locally. We would be looking at taking the portion of money CFAC pays for school district taxes, and placing that burden on private landowners; homes are being foreclosed on in town right now as citizens are unable to make their house payments and are leaving the area.

Trustee Emmerich explained if he or his wife lost their jobs and asked for a 95 percent reduction in their taxes they would be asked to sell their property and let the next person pay the tax burden.

Trustee Wilson stated if anyone could afford the taxes Glencore could; I hear them talk a lot about jobs, but not about the millions they have sucked out of here.

Trustee Henjum agreed that the taxes are not the hurdle keeping the plant idle.

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Trustee Riley said they have been battling for 11-12 years in the school district; fighting for every dollar to keep schools open for the kids. We are closing a school in Hungry Horse because we don't have adequate money; we can't afford another hit. Our real estate industry has been hit valley wide along with construction and development, and I don't see anybody bailing me out. As much as I would like to see CFAC reopen, I would like them to be a local business owner and not a multi-billion dollar international corporation.

Aye – Emmerich, Riley, Henjum, Newby, Wilson, Chisholm, Pauley and Rocksund. Motion carried unanimously.

Commissioner Lauman said he is disappointed that the plant is not operating like it was years ago employing up to 500 workers; I agree their equipment is old and in reality I don't think they ever would like to reopen. They will probably make more money salvaging the material than in reopening. It is unfortunate that the local school district taxpayer is being asked to assume a burden of a multi-billion dollar corporation in Switzerland.

Commissioner Holmquist stated she concurred with Commissioner Lauman and made a **motion** to deny the tax reduction request. Commissioner Lauman **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 May 10, 2011.

TUESDAY, MAY 10, 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.

Duane Onstad, 64 Pickwick Court spoke about concerns with county snow plows damaging his lawn. He stated he would like to know of some way this could be marked so it does not continue to happen.

Discussion was held relative to putting up reflective markers.

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

OPEN RFP: DEMAND DEPOSIT/OPERATING & WARRANT BANKING ACCOUNTS/ TREASURER'S OFFICE

[9:14:54 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, County Treasurer Adele Krantz, Clerk DeReu

Responses to request for qualifications were received from Glacier Bank, Wells Fargo Bank and First Interstate Bank.

Commissioner Lauman made a **motion** to refer the RFP's to the Treasurer for a recommendation. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

QUARTERLY JUVENILE DETENTION TOUR

[9:30:54 AM](#)

Members present:

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

MONTHLY MEETING W/ MARK CAMPBELL, FAIRGROUNDS

[10:00:09 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Fairground Operations Manager Mark Campbell, Clerk DeReu

Campbell reviewed current projects, ticket sales, upcoming events and activities. He reported fair by-laws have been approved by the board and are being reviewed by the county attorney for approval.

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(Continued)

MEETING W/ RAEANN CAMPBELL RE: INSURANCE RENEWAL

[10:15:59 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Human Resource Director Raeann Campbell, Clerk DeReu

Campbell reviewed insurance renewal options and funding projections with the overall recommendation to increase the stop loss to \$110,000 and increase dental from \$1,000 to \$1,250 and vision from \$100 to \$200 per person. Campbell noted the overall increase on the employer's side would be 5 percent with the non-grandfathered status.

Commissioner Lauman made a **motion** to approve the insurance plan as submitted. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MONTHLY MEETING W/ SCOTT SAMPEY & CINDY MULLANEY, OES & LINCOLN CHUTE, FIRE SERVICES AREA MANAGER

[10:30:30 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, OES Director Scott Sampey, OES Deputy Director Cindy Mullaney, Fire Service Area Manager Lincoln Chute, Clerk DeReu

Sampey reviewed the planning that has gone into preparing for a potential flood this spring and noted a command system is in place with the sheriff. He explained work being done with citizens and the procedures involving the Planning and Zoning Office with recovery for those that might be affected. Discussion was held relative to procedures in declaring an emergency/disaster declaration.

Mullaney noted if an emergency declaration is in place the Corp of Engineers will supply additional sandbags. Discussion was held relative to an EMG grant and potential distribution of funds.

Discussion was held relative to disbursement of sand bags and requests for them.

Chute spoke about progress with the annual operations plan and coop plan. He reported on the Ashley Lake fire hall to be built.

CONSIDERATION OF RESOLUTION: CREATION OR DISSOLUTION OF RSID #150/ TROUTBECK RISE

[11:00:36 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Elmer Whitcraft, Chris Campbell, Paul Stanton, Sally Fiala-Farhang, J. Farhang, Jack Rasmussen, 3 illegible names, Clerk DeReu

Chairman Dupont noted bids for RSID #150 came in much higher than the original cost estimate so no action could be taken for six months.

Commissioner Lauman made a **motion** to dissolve RSID #150 for Troutbeck Rise/ Resolution 2270A. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2270 A

RESOLUTION RELATING TO RURAL SPECIAL IMPROVEMENT DISTRICT NO. 150

WHEREAS the Flathead County Board of Commissioners passed Resolution No. 2270 on September 7, 2010, indicating its intent to create Rural Special Improvement District No. 150 to undertake certain local improvements to approximately 170,000 square feet of Troutbeck Rise subdivision;

WHEREAS a public hearing was held on October 18, 2010, prior to which the Board of Commissioners received 38 valid written protests to the creation of this Rural Special Improvement District, as well as several oral dissents from lot/tract/parcel owners at the public hearing; and

WHEREAS the Board of Commissioners has considered this matter and does not wish to create Rural Special Improvement District No. 150 against the will of the majority of the 72 lot/tract/parcel owners within the proposed District;

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(Continued)**

BE IT RESOLVED by the Flathead County Board of County Commissioners that Rural Special Improvement District No. 150 shall not hereafter be created pursuant to the intent to create manifested in Resolution No. 2270. Any further efforts to create a rural special improvement district concerning those properties must begin anew, according to the appropriate statutes.

DATED this 10th day of May, 2011, by the Flathead County Board of County Commissioners.

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/D. DeReu
D. DeReu, Deputy

AWARD BIDS: CHEMICALS/ WEED & PARKS

11:01:00 AM

Members present:
Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Others present:
Assistant Mike Pence, Clerk DeReu

Commissioner Holmquist made a **motion** to award the chemical bids to Wilbur Ellis and Alligare. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: SUB RENTAL AGREEMENT/ J R'S PIZZA & / MARGIE'S CAFÉ

11:03:09 AM

Members present:
Chairman James R. Dupont
Commissioner Dale W. Lauman
Commissioner Pamela J. Holmquist
Others present:
Assistant Mike Pence, Clerk DeReu

Pence explained the lease is with Gateway Community Center for ten years. General discussion was held relative to a termination clause.

Commissioner Lauman made a **motion** to table the document for signature for further clarification. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

Commissioner Holmquist stated the common area maintenance charges need reviewed as well.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 11, 2011.

WEDNESDAY, MAY 11, 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 Holmquist: N. W. Montana Agency Administrator's Wildland Fire Workshop @ Hilton Garden Inn**
- 11:00 a.m. County Attorney meeting @ Co. Atty's Office**
- 12:00 p.m. Commissioner Holmquist: Annual Friends of Scouting Support Event @ Hilton Garden Inn**
- 1:15 p.m. Commissioner Dupont: 911 meeting @ FECC**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 12, 2011.

THURSDAY, MAY 12, 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.

MONTHLY MEETING W/ B. J. GRIEVE, PLANNING & ZONING OFFICE

[9:00:42 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 reviewed his work on post flood recovery operations and their administration of the National Flood Insurance Program. He spoke about their requirement to assess substantial damage if flooding occurs and then floodplain development permitting for those who choose to rebuild. He reported FEMA and the state will be holding a training session for floodplain administrators in Flathead County on May 27, 2011.

Grieve reviewed staff projects, projected revenue and expenditures, and results from their survey checking for ADA accessibility. He spoke about enforcement issues and reported unresolved zoning and community decay violations have all been inventoried. He noted HB 522, which changed statutory language regarding the length of approval for preliminary plats was approved by the legislature, which now leaves concerns in that the effective date is October 1, 2011 and many applications are being received now. Discussion was held relative to closing the office during lunch hours for a two-week trial period.

CONSIDERATION OF APPEAL: SADDLEHORN NO. 11 ADDITIONAL LOT

[9:31:09 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 Alex Hogle, Mike Fraser, Jim Frizzell, Doug Averill, Clerk Kile

Grieve stated preliminary plat for Saddlehorn No. 11 was reviewed by the Flathead County Planning Board on April 13, 2011. He explained after the hearing he received a request from the developers to add a lot to Saddlehorn No. 11. Grieve stated subdivision regulations state that within 15 working days of receiving the amended application for preliminary plat the planning director shall determine if the changes to the subdivision application for preliminary plat are material. If the planning director determines the changes are not material, the 60 day review period resumes. If he determines the changes are material, the subdivider may schedule a new pre-application meeting. Grieve stated he made the decision that adding a lot would be a material change to Saddlehorn No. 11 preliminary plat. He explained when a lot is added the environmental assessment and vehicle trips per day do change. On April 26 it was noted a letter was written to the applicants technical representative with his determination along with the reasons why; the letter contains a variety of justifications. The applicant pointed out in his request there was no net increase to the number of lots in the overall Saddlehorn development, because in order to add this lot to Saddlehorn II they would take away a lot from another final platted subdivision elsewhere within Saddlehorn. He noted in his response to that he stated he pointed out that it would add a lot to the specific preliminary plat application that has already been reviewed and considered. Grieve explained once the determination is made by the planning director there are provisions in the subdivision regulations that allow for an appeal of the decision before the commission. If the commission concluded the changes made to the major subdivision application for preliminary plat are material the subdivider shall be required to re-submit the application for preliminary plat; if the determination is that the changes are non-material then they go back to their 60 day time line for processing.

Averill stated they are caught in a procedural issue which was just explained by Grieve. He then explained why the request is being made and reviewed history of the project. The history of lots C1, C2 and open space were reviewed and trading of location of lots. Averill noted the number of lots would not change that the density would stay the same.

Fraser said the decision hinges on whether this is a significant change or material change. He explained the 96 lots in Saddlehorn have gone through a full review and what is being requested is strictly internal. The area was reviewed he pointed out and reviewed findings of fact and the set of conditions that are to be complied. Fraser noted he finds no significant material change; subdivision regulations allow for this if the change is not significant. He asked that the decision made by the planning director be overturned. If they are not successful he pointed out they will submit an application to amend Saddlehorn along with a lot, and they will be back again with the same results.

Commissioner Holmquist said it's important to stick with and adhere to our policies and not set any precedence for any other subdivisions that come before them. She stated it is unfortunate that it was not caught and presented wrong and agreed with the decision made by the planning director.

Commissioner Lauman said he agreed and understands the situation, although feels we need to live within our policy and regulations; if we start deviating from them we will have problems. It is unfortunate that the economy did what it did in causing a lot of grief and headaches for developers in developing their properties. In this case, I think we had better stick to our policies.

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Chairman Dupont said he agreed with the developer in that it isn't a significant change at all; the same amount of lots on both sides of the fence. He stated he feels we should totally stick to our guns when it comes to significant changes in plats; we have made minor changes before, and I don't see where this is a major significant change.

Commissioner Holmquist made a **motion** to deny the lot change request. Commissioner Lauman **seconded** the motion.

Commissioner Lauman stated he can see both sides of the picture, yet the economy is a big factor.

Averill said I totally understand you wanting to maintain the policy, yet this is more than going back through the process for us. He stated they have an individual leading the charge for reactivating Saddlehorn. He explained they are not talking about going through a simple procedure here; they would like to just do away with the lot if they could, yet they can't. Averill stated if they go into the summer with litigation and problems because of this the project can't survive. An amendment is what we are asking for which is a procedural thing. He asked that a quick decision not be made with it having an enormous impact on the development and the valley.

Frizzell stated he initiated re-platting Saddlehorn II and said they had 96 lots and will still have 96 lots overall.

Aye - Holmquist. **Opposed** - Lauman & Dupont. Motion failed.

Commissioner Lauman said he sees both sides of the story and stated I don't see this as a significant change trading one lot for another.

Commissioner Lauman made a **motion** to support the change. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont and Lauman. **Opposed** - Holmquist. Motion carried by quorum.

Grieve stated as listed on the agenda later today, we will bring you preliminary plat of Saddlehorn II with what you have determined to be a non-material change shown on preliminary plat for your consideration.

ACKNOWLEDGEMENT & PRESENTATION OF GFOA DISTINGUISHED BUDGET AWARD FY11

[10:00:59 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, Finance Technician Wendy Marquardt, Clerk Kile

Pence read a news release regarding the award of the GFOA Distinguished Budget Award from the Government Finance Officers' Association. He thanked Sandy Carlson, Lora Burger and Wendy Marquardt for their excellent work.

On behalf of the Board of County Commissioners Chairman Dupont presented the award to Finance Technician's Lora Burger and Wendy Marquardt and thanked them for their work.

Commissioner Lauman thanked County Administrator Mike Pence for his excellent work as well.

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

[10:07:59 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, Finance Technician Wendy Marquardt, Clerk Kile

Carlson reviewed the following cash balance report. She reported the 911 board approved additional issuance of the remaining \$800,000 bond authority passed by the voters. Carlson proposed a new RFP be done for mail services and spoke about implementing a red flag policy in Flathead County.

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(Continued)**

April 30, 2011
REVIEW OF CASH BALANCE

FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY11 beginning cash)	YTD CASH BALANCE AS OF Apr 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2011	PROJECTED DIFFERENCE	CASH RESERVE %
1000	GENERAL FUND	7,243,651	2,086,609	9,330,260	2,865,361	1,581,378	1,971,964	390,586	27.22%
2120	POOR FUND	281,083	71,616	352,699	97,014	27,428	41,616	14,188	14.81%
2130	BRIDGE FUND	958,380	260,948	1,219,328	493,361	250,114	317,389	67,275	33.12%
2140	WEED	610,132	159,213	769,345	35,028	194,805	136,978	(57,827)	22.45%
2160	COUNTY FAIR	988,860	311,314	1,300,174	336,886	131,580	58,306	(73,274)	5.90%
2180	DISTRICT COURT	733,628	204,694	938,322	303,048	209,314	159,053	(50,261)	21.68%
2190	COMP INS	860,000	220,965	1,080,965	149,352	(46,744)	229,369	276,113	26.67%
2210	PARK	605,366	162,659	768,025	207,721	129,253	144,453	15,200	23.86%
2220	LIBRARY	1,453,828	405,311	1,859,139	348,884	89,873	350,403	260,530	24.10%
2280	AREA ON AGING	243,576	42,203	285,779	40,566	62,085	83,780	21,695	34.40%
2290	4H/EXT	119,011	27,314	146,325	53,209	2,948	24,856	21,908	20.89%
2300	SHERIFF	8,897,258	1,776,161	10,673,419	1,256,160	836,137	2,168,310	1,332,173	24.37%
2370	RETIREMENT	3,199,368	868,314	4,067,682	657,980	880,915	1,230,193	349,278	38.45%
2380	GROUP INS	3,286,589	947,412	4,234,001	851,876	(121,644)	1,193,211	1,314,855	36.31%
2396	JUV DETENTION	648,783	193,932	842,715	208,718	126,064	181,808	55,744	28.02%
TOTAL COUNTYWIDE NON-VOTED		30,129,513	7,738,665	37,868,178	7,905,164	4,353,506	8,291,689	3,938,183	27.52%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY11 beginning cash)	YTD CASH BALANCE AS OF Apr 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2011	PROJECTED DIFFERENCE	CASH RESERVE %
2110	ROAD FUND	8,184,629	2,422,672	10,607,301	3,576,613	1,714,461	2,383,428	668,967	29.12%
2251	PLANNING	477,656	87,283	564,939	100,674	28,644	65,099	36,455	13.63%
TOTAL OUTSIDE CITIES NON-VOTED		8,662,285	2,509,955	11,172,240	3,677,287	1,743,105	2,448,527	705,422	28.27%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY11 beginning cash)	YTD CASH BALANCE AS OF Apr 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2011	PROJECTED DIFFERENCE	CASH RESERVE %
2270	HEALTH FUND	2,106,271	635,965	2,742,236	579,196	552,800	750,081	197,281	35.61%
TOTAL LEVIED FUNDS		2,106,271	635,965	2,742,236	579,196	552,800	750,081	197,281	35.61%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY11 beginning cash)	YTD CASH BALANCE AS OF Apr 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2011	PROJECTED DIFFERENCE	CASH RESERVE %
2200	MOSQUITO	248,211	42,251	290,462	60,676	12,039	(9,741)	(21,780)	-3.92%
2272	EMS PROGRAM	283,160	56,867	340,027	115,806	56,445	53,001	(3,444)	18.72%
2273	SPECIAL EMS PROGRAM	431,850	47,635	479,485	32,713	97,897	47,635	(50,262)	11.03%
2372	PERMISSIVE MED LEVY	1,141,330	-	1,141,330	-	676,192	-	(576,192)	0.00%
2382	SEARCH & RESCUE LEVY	200,031	57,668	257,699	57,176	84,558	47,354	(37,204)	23.67%
2990	TRANSPORTATION	2,621,627	589,437	3,211,064	338,008	106,174	618,963	512,789	23.61%
3001	911 GO BOND DEBT SERVICE	414,869	54,182	469,051	-	148,997	335,427	186,430	80.85%
TOTAL COUNTYWIDE VOTED/EXEMPT		5,341,078	848,040	6,189,118	604,379	1,182,302	1,092,639	(89,663)	20.46%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY11 beginning cash)	YTD CASH BALANCE AS OF Apr 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2011	PROJECTED DIFFERENCE	CASH RESERVE %
2260	EMERGENCY/DISASTER	340,000	113,098	453,098	453,098	455,536	113,098	(342,438)	33.26%
TOTAL OUTSIDE CITIES VOTED		340,000	113,098	453,098	453,098	455,536	113,098	(342,438)	33.26%

CONTINGENT ON OUTCOME OF APPEAL: PRELIMINARY PLAT/ SADDLEHORN NO. 11

10:16:52 AM

Members present:

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

Others present:

Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Doug Averill, Jim Frizzell, Mike Fraser, Clerk Kile

Hogle entered into record Staff Report FPP 10-03; an application submitted by Saddlehorn, LLC with technical assistance from Fraser Consulting and Robert Peccia & Associates for preliminary plat approval of Saddlehorn No. 11, which would create 20 residential lots located one mile southeast of Bigfork within the boundaries of Saddlehorn Subdivision. The single-family residential lots will be served by public water and sewer services of the Bigfork County Water and Sewer District. He explained Saddlehorn Subdivision was established with a PUD that allows particular specifications for 96 lots. Hogle pointed out findings of fact generally support approval with amendments made to findings of fact #4 and #22 along with amendments to conditions #23 and #5.

Noted for the record earlier this morning the applicant submitted an appeal request, which was approved. The consideration approved was not considered at the public hearing, however, they have been determined to be in material.

Commissioner Lauman made a **motion** to approve findings of fact and approved preliminary plat for Saddlehorn II as amended earlier today. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**SADDLEHORN NO. 11 SUBDIVISION
CONDITIONS OF APPROVAL**

- The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626B. All road names shall appear on the final plat. Street addressing shall be assigned by Flathead County. [Section 4.7.18(g)(iv), 4.7.28(c) Flathead County Subdivision Regulations (FCSR)]
- The applicant shall show proof of a completed approach permit from the Montana Department of Transportation for the approach of Saddlehorn Trail onto Mt Highway 209 indicating the approach has been built and received final inspection and final approval. [Section 4.7.18, FCSR]
- The applicant shall comply with reasonable fire suppression and access requirements of the Bigfork Fire District. A letter from the fire chief stating that the plat meets the requirements of the fire district shall be submitted with the application for Final Plat. [Section 4.7.28(b), FCSR]
- All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved shall be submitted with the final plat. [Section 4.7.27, FCSR]
- All internal subdivision roads (including the intersection of Buckaroo Trail and Bridle Court) shall be certified by a licensed engineer and constructed and paved in accordance with the Flathead County Minimum Standards for Design and Construction, as applicable and amended by PUD specifications. The proposed intersection of Buckaroo Trail and Bridle Court must be re-designed to meet the Flathead County Minimum Standards for Design and Construction or else the application must be resubmitted for a Variance review. [Sections 4.7.18, 4.7.19 FCSR]

THURSDAY, MAY 12, 2011
(Continued)

6. With the application for final plat, the applicant shall provide a Road Users' Agreement which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision. [Section 4.7.17(e), FCSR]
7. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.25, FCSR]
8. The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 4.7.14, 4.7.22, 4.7.23 FCSR]
9. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for final plat. [Section 4.7.30, FCSR]
10. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.24, FCSR]
11. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.28(c), FCSR]
 - b. All utilities shall be placed underground. [Section 4.7.25, FCSR]
 - c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.15, FCSR]
 - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.24, FCSR]
 - e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.27, FCSR]
12. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i), M.C.A.]
13. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.15, FCSR]
14. All road names shall be approved by Flathead County and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.28(c), FCSR]
15. Where the aggregate total disturbed area of any infrastructure construction in the proposed subdivision as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction of structures such disturbed area will be equal to, or greater than one acre, a Montana State Department of Environmental Quality General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) shall be obtained and provided to the Flathead County Planning & Zoning office prior to any site disturbance or construction. [17.30.1115 Administrative Rules of Montana (A.R.M.)]
16. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.4.27, FCSR]
17. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.4.22, FCSR]
18. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. [Section 4.4.20, FCSR]
19. The Fire Prevention Control and Fuels Reduction Plan submitted with the preliminary plat application shall be implemented before approval of the final subdivision plat, and the local/reviewing fire authority shall inspect the subdivision and provide written documentation that all thinning, clearing and other mitigation measures described in the plan have been completed as proposed. [Section 4.7.29(f)]
20. The proposed extensions of the public water and wastewater systems shall comply with the standards and requirements of the Bigfork Water and Sewer District. A letter from the district stating that the water and sewer improvements meet the district requirements shall be submitted with the application for Final Plat. [Sections 4.7.22, 4.7.23 FCSR]
21. Lots C35, C38, 44, 47, 54, and 55 shall be required to undergo a geo-technical soils analysis conducted by a licensed professional engineer prior to final plat approval. The soils analysis must prove that development of this lot would pose no significant geological hazards to either this lot or neighboring properties. The applicant is required to comply with the recommendations of the analysis. [Sections 4.7.7(h) FCSR]
22. The following statements shall be shown on the face of the final plat:
 - f. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.27, FCSR]
 - g. This subdivision is located in the Wildland Urban Interface wildfire priority area where wildfires can and do occur. [Section 4.7.29 (g), FCSR]
 - h. Only Class A and Class B fire-rated roofing materials are allowed. [Section 4.7.29 (g), FCSR]
 - i. Fire-Wise defensible space standards shall be incorporated around all primary structures and improvements. [Section 4.7.29 (g), FCSR]
 - j. Lot owners are alerted to the presence of potentially dangerous wildlife in the area and are reminded that feeding big game is illegal. Lot owners are encouraged to contact the Montana Department of Fish, Wildlife, and Parks to obtain information on safely living near wildlife and minimizing habitat impact, including such things as bear proofing, pet control, wildlife friendly fencing, and removing food sources.
23. Lots C38, C39, 43, 44, 47, and 55 may be subject to steep terrain. With Final Plat application driveway profiles shall demonstrate driveways are able to built in a manner not to exceed 10% grade.

THURSDAY, MAY 12, 2011
(Continued)

CONSIDERATION OF LAKESHORE PERMIT: OLTHUIS LIVING TRUST

[10:45:58 AM](#)

Members present:

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

Others present:

Planner Bailey Minnich, Clerk Kile

Minnich entered into record FLP 11-14; a standard permit application submitted by Olthuis Living Trust to remove an existing keystone wall that is partially eroded and falling apart with a 3-foot concrete stem wall to prevent future undermining of the wall at 658 Echo View Drive on Echo Lake.

Commissioner Holmquist made a **motion** to approve Lakeshore Permit FLP 11-14. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF RESOLUTION OF INTENT & AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ANNEXATION INTO WEST VALLEY FIRE DISTRICT/ RAMSEY

[10:48:08 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 approve Resolution 2292 and authorized publication of the notice of public hearing. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2292

WHEREAS, Section 7-33-2125, M.C.A., allows for annexation of adjacent property into a fire district upon petition by at least 50% of the owners in an area to be annexed and approval by the Trustees of the Fire District;

WHEREAS, a petition was received from 100 % of the owners of property that is currently in the Flathead County Fire Service Area, to be annexed into the West Valley Fire District and that petition was approved by the Board of Trustees of the West Valley Fire District;

WHEREAS, the property to be annexed is described as being in Section 27, Township 29 North, Range 23 West, Flathead County, Montana, and more particularly described on the attached Exhibit A. Properties are located in Kalispell, MT;

WHEREAS, Section 7-33-2125, M.C.A., requires that the Board of Commissioners hold a hearing on the petition to annex; and

WHEREAS, Section 7-33-2401, M.C.A., allows the Board of Commissioners to alter the boundaries of the Flathead County Fires Service Area upon petition and after passage of a resolution of intent and conduct of a public hearing.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that it intends to alter the boundaries of the Flathead County Fire Service Area by transferring the property described as and being in Section 27, Township 29 North, Range 23 West, Flathead County, Montana, and more particularly described on the attached Exhibit A and to alter the boundaries of the Flathead County Fire Service Area., Montana into the West Valley Fire District.

BE IT FURTHER RESOLVED that the Board of Commissioners will hold a public hearing on its intent to alter said boundaries and the petition to annex the property into the West Valley Fire District on the **31st day of May, 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 accept written protests from property owners of the property described above and will receive general protests and comments relating to the alteration of the boundaries of the Flathead County Fire Service Area and the West Valley Fire District.

BE IT FURTHER RESOLVED that notice of the passage of this resolution of intent and of the scheduling of the public hearing shall be published pursuant to the terms of Section 7-1-2121, M.C.A.

Dated this 12th 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

THURSDAY, MAY 12, 2011
(Continued)

Exhibit "A"

The following six parcels:

A tract of land situated, lying and being in the northeast quarter of Section 27, Township 29 North, Range 23 West, P.M.M., Flathead County, Montana, known as Parcel B of Certificate of Survey No. 12886.

That portion of the northeast quarter of Section 27, Township 29 North, Range 23 West, Flathead County, Montana, shown as Parcel A of corrected Certificate of Survey No. 5998.

That portion of the northeast ¼, Section 27, Township 29 North, Range 23 West, Flathead County, Montana described as follows:

Commencing at the northeast corner of Section 27; thence along the north line of the northeast ¼ south 89°58'59" west 934.36 feet to the point of beginning; thence continuing along the north line south 89°58'59" west 950.54 feet; thence south 47°00'00" east 600.00 feet; thence north 89°59'41" east 629.18 feet; thence north 16°00'23" west 425.94 feet to the point of beginning, containing 7.423 acres of land all as shown hereon.

Parcel B of corrected Certificate of Survey No. 5997 located in the north half of the northeast quarter of Section 27, Township 29 North, Range 23 West, P.M.M., Flathead County, Montana.

Parcels A and B of Certificate of Survey 4975 in the northeast ¼ of Section 27, Township 29 North, Range 23 West.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 7-33-2125(1)(b), M.C.A., that it will hold a public hearing to consider a petition to annex territory into the West Valley Fire District, said territory being in Section 27, Township 29 North, Range 23 West, Flathead County, Montana, and to alter the boundaries of the Flathead County Fire Service Area.

The Board of Commissioners has received a petition in writing by the owners of 100% of the land of the area to be annexed asking that such area be annexed into the West Valley Fire District and has passed a Resolution of Intent to alter the boundaries of the Flathead County Fire Service Area by transferring the property being in Section 27, Township 29 North, Range 23 West, Flathead County, Montana, and more particularly described on the attached Exhibit A, into the West Valley Fire District.

The public hearing will be held on the **31st** day of **May, 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 annexation, and will consider whether a protest petition signed by a majority of the landowners of the area proposed for annexation, which would prevent the annexation, is presented at the hearing.

DATED this 12th day of May, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on May 16 and May 23, 2011.

Exhibit "A"

The following six parcels:

A tract of land situated, lying and being in the northeast quarter of Section 27, Township 29 North, Range 23 West, P.M.M., Flathead County, Montana, known as Parcel B of Certificate of Survey No. 12886.

That portion of the northeast quarter of Section 27, Township 29 North, Range 23 West, Flathead County, Montana, shown as Parcel A of corrected Certificate of Survey No. 5998.

That portion of the northeast ¼, Section 27, Township 29 North, Range 23 West, Flathead County, Montana described as follows:

Commencing at the northeast corner of Section 27; thence along the north line of the northeast ¼ south 89°58'59" west 934.36 feet to the point of beginning; thence continuing along the north line south 89°58'59" west 950.54 feet; thence south 47°00'00" east 600.00 feet; thence north 89°59'41" east 629.18 feet; thence north 16°00'23" west 425.94 feet to the point of beginning, containing 7.423 acres of land all as shown hereon.

Parcel B of corrected Certificate of Survey No. 5997 located in the north half of the northeast quarter of Section 27, Township 29 North, Range 23 West, P.M.M., Flathead County, Montana.

Parcels A and B of Certificate of Survey 4975 in the northeast ¼ of Section 27, Township 29 North, Range 23 West.

THURSDAY, MAY 12, 2011
(Continued)

CONSIDERATION OF HR TRANSMITTAL: RESEARCH TECHNICIAN/ EXTENSION OFFICE

[10:49:22 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 HR Transmittal that changes the job description and approve a new FTE grant funded position. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF CITY OF KALISPELL'S REQUEST TO SUPPLY ASPHALT MIX FOR STILLWATER ROAD PROJECT

[10:51:03 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, Fred Zavodny, Terri Loudermilk, Clerk Kile

Pence explained the request is that the county partner with the city and provide mix at cost for repair work on Stillwater Road. The proposed project is between Three Mile and West Reserve. He noted the entire length of the road is in desperate need of repair, which is within city boundaries.

General discussion was held relative to partnering with the City of Kalispell on the project.

Commissioner Lauman made a **motion** to ratify the request from the City of Kalispell to supply asphalt mix for Stillwater Road. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: CARVER ENGINEERING CHANGE ORDER NO. 1/ EARL BENNETT PARKING LOT

[10:57:53 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, Clerk Kile

Pence summarized the change order for the Earl Bennett parking lot which included a vehicle tracking pad for \$900.00, additional south lot work for \$1,600.00, removal of topsoil \$5,140.88, repair pumping areas \$2,035.78 and irrigation water services \$4,030.90. The total increase to the project is \$13,707.56.

Commissioner Holmquist made a **motion** to approve Carver Engineering Change Order No. 1 for the Earl Bennett parking lot. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DEQ CONTRACT #208029 MODIFICATION NO. 2 / BIGFORK STORMWATER PROJECT

[11:01:31 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, Grant Writer Debbie Pierson, Clerk Kile

Pierson explained the agreement is between Montana Department of Environmental Control and Flathead County to extend the completion date for the grant contract.

Commissioner Holmquist made a **motion** to approve DEQ Contract #208029, Modification No. 2 for the Bigfork Stormwater project. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

1:00 p.m. Commissioner Holmquist: Health Board meeting @ Earl Bennett Bldg.
2:00 p.m. AOA Board meeting @ Kalispell Senior Center
6:00 p.m. Fair Board meeting @ Fair Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 13, 2011.

FRIDAY, MAY 13, 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: Flood preparation meeting @ FECC**
- 10:30 a.m. Commissioner Dupont: Meeting w/ Scott Sampey @ OES**

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