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## MONDAY, MAY 23, 2011

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

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

John Pickar, 826 Spruce Mountain Road spoke about concerns regarding in not allowing citizens to recycle at the container site in Columbia Falls.

Chairman Dupont explained the Solid Waste Board is the one making the decisions and suggested he attend one of their board meetings to express his concerns. Discussion was held relative to liability concerns.

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

### **BI-MONTHLY MEETING W/ JOE RUSSELL, HEALTH DEPT.**

[9:02:08 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Health Dept. Director Joe Russell, Clerk Kile

Russell reported on Environmental Health issues, which he stated are currently very slow. Discussion was held relative to federal funding for the Health Clinic and potential flooding issues. Russell spoke about the immunization rate in Flathead County which he reported is at 95 percent.

### **COS REVIEW: WALLACE**

[9:30:27 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Allison Mouch, Jamie Reed, Jim Wallace, Liz Wallace, Clerk Kile

Mouch reviewed the family transfer request received from Wallace to give each of their children a one acre parcel on Blacktail Road.

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

### **CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: ADD "PROFESSIONAL OFFICES" TO RC-1 ZONING/ FLATHEAD COUNTY ZONING REGULATIONS**

[9:35:01 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planning and Zoning Director B. J. Grieve, Tom Hoover, Clerk Kile

Commissioner Holmquist made a **motion** to adopt final Resolution 955HJ. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

#### RESOLUTION NO. 955 HJ

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 18<sup>th</sup> day of April, 2011, to consider an amendment to the text of the Flathead County Zoning Regulations;

WHEREAS, the Board of Commissioners did hear public comment on the proposed amendment at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of Flathead County Planning Board regarding the proposed amendment;

WHEREAS, based upon that recommendation and the testimony of the public, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 955 HI dated April 18, 2011) to amend the Flathead County Zoning Regulations amending Section 3.14.030 Conditional Uses (RC-1) under SECTION 3.14 RC-1 RESIDENTIAL CLUSTER replacing #14 "Real estate office" with "*Professional Offices*" to the definition section; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on April 21 and April 28, 2011, and the Board of Commissioners did not receive written protests to the amendments from forty percent (40%) of the real property owners within County zoning districts.

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(Continued)**

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Flathead County Zoning Regulations by amending Section 3.14.030 Conditional Uses (RC-1) under SECTION 3.14 RC-1 RESIDENTIAL CLUSTER replacing #14 "Real estate office" with "Professional Offices" to the definition section. The definition will read:

SECTION 3.14 RC-1 RESIDENTIAL CLUSTER

- |          |   |
|----------|---|
| 3.14.030 | Conditional Uses (RC-1)                                     |
| 1.       | Cellular towers. *  |
| 2.       | Churches and other places of worship.                       |
| 3.       | Community center buildings operated by a non-profit agency. |
| 4.       | .....   |
| 14.      | Professional Offices.                                       |
| 15.      | .....   |

DATED this 23<sup>rd</sup> 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/Dale W. Lauman  
Dale W. Lauman, Member

By/s/Diana Kile  
Diana Kile, Deputy

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

**CONSIDERATION OF ADOPTION OF RESOLUTION: LIFT LOAD LIMITS/ ROAD DEPT.**

9:30:30 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

Commissioner Lauman made a **motion** to lift load limits on all but five roads with Resolution #2286C. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

Resolution No. 2286C

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>	—	Ashley Lake Road from intersection with North Ashley Lake Road on the east end to Highway 2 West.
<u>*350</u>	—	FAS 486 (North Fork Road) from the intersection with Whale Creek Road north to the end of the road at the border.
<u>350</u>	—	Lost Prairie Road from end of pavement to Pleasant Valley Road.
<u>350</u>	—	North Ashley Lake Road for the entire length of the road.
<u>350</u>	—	Thompson River Road from Highway 2 to County Line

**\*Note changes for 2011.**

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(Continued)**

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

BE IT FURTHER RESOLVED, that this resolution shall be effective May 23, 2011, and shall be in effect until load limits are removed by motion of this Board.

Dated this 23<sup>rd</sup> 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/Dale W. Lauman  
Dale W. Lauman, Member

By/s/Diana Kile  
Diana Kile, Deputy

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

**BOARD APPOINTMENT: AOA BOARD**

[9:33:17 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 appoint Steve Combes to the AOA Board. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**TAKE ACTION: LOGAN ESTATES**

[9:33:51 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

Chairman Dupont read into the record Logan Estates is declared a dead file.

**CONSIDERATION OF PRINT BID: FINANCE DEPT.**

[9:37:34 AM](#)

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

Commissioner Lauman made a **motion** to approve the print bid from Cenveo for 15,000 window envelopes for \$646.50 for the Finance Department. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF RESOLUTION: BUDGET AMENDMENTS / MISCELLANEOUS**

[9:38:29 AM](#)

Members present:  
Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist  
Others present:  
Assistant Mike Pence, Finance Director Lora Sandy Carlson, Finance Technician Lora Burger, Clerk Kile

Commissioner Lauman made a **motion** to approve Budget Amendment Resolution #2293. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

BUDGET AMENDMENT  
RESOLUTION NO. 2293

**WHEREAS**, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2010-2011, are required, and;

**WHEREAS**, Section 7-6-4031, M.C.A. and Budget Resolution No. 1689, allow budget transfers to be made between items in the same fund.

**NOW, THEREFORE, BE IT RESOLVED**, that the attached list of transfers and revisions shall be made in the budget for Flathead County for Fiscal Year 2010-2011; and

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(Continued)**

**BE IT FURTHER RESOLVED**, that this Resolution and the attached list of transfers and revisions shall be entered into the minutes of the Board of Commissioners.

Dated this 23<sup>rd</sup> 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/Dale W. Lauman  
Dale W. Lauman, Member

By/s/Diana Kile  
Diana Kile, Deputy

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

DATE OF ISSUE:		5/23/2011	BUDGET ENTRY Resolution 2293-1		VOUCHER NO.:	
DATE OF RECORD:					Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2283	0190	334111		Flathead Valley Safe Kids		6,785.00
2283	0190	365000		Donations		5,500.00
2283	0190	440117	110	Salaries	3,000.00	
2283	0190	440117	143	Health Insurance	400.00	
2283	0190	440117	145	PERS	50.00	
2283	0190	440117	228	Educational Supplies	8,835.00	
Explanation					12,285.00	12,285.00
Adjust Buckle Up Flathead FY2011 Revenue and Expenditure Budget						

DATE OF ISSUE:		4/25/11	BUDGET AMENDMENT RES 2293-2		VOUCHER #:	
DATE OF RECORD:					Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
1000	0200	331285		FRWMG REVENUE		\$89,983
1000	0200	440161	110	SALARIES	\$5,206	
1000	0200	440161	141	UNEMPLOYMENT	\$22	
1000	0200	440161	142	INDUSTRIAL ACCIDENT	\$94	
1000	0200	440161	144	FICA	\$538	
1000	0200	440161	145	PERS	\$613	
1000	0200	440161	147	FICA INS	\$126	
1000	0200	440161	150	LIFE INSURANCE	\$9	
1000	0200	440161	210	OFFICE SUPPLIES	\$250	
1000	0200	440161	378	TRAVEL	\$750	
1000	0200	440161	380	MEETING EXPENSES	\$4,000	
1000	0200	440161	398	CONTRACTED SERVICES	\$78,375	
Explanation					\$89,983	\$89,983
BUDGET for Flathead Wastewater Management Working Group Grant. Runs 1/1/11 - 12/31/11						

DATE OF ISSUE:		4/27/2011	BUDGET AMENDMENT RESOLUTION 2293-3		VOUCHER NO.:	
DATE OF RECORD:					Entered by:	
FUND	DEPT	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2971	0190	331141		WIC		\$28,265
2971	0190	440171	378	TRAVEL	\$900	
2971	0190	440171	380	TRAINING	\$4,122	
2971	0190	440171	397	CONTRACTED SERVICES	\$80	
2971	0190	440171	398	OTHER CONTRACTED SERVICES	\$23,163	
Explanation					28,265.00	28,265.00
Budget Amendment for WIC (see attached Contract)						

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(Continued)**

DATE OF ISSUE:		4/27/2011			VOUCHER NO.:	
DATE OF RECORD:				BUDGET AMENDMENT RESOLUTION 2293-4	Entered by:	
FUND	DEPT	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2971	0190			WIC PEER COUNSELING		\$6,904
2971	0190	440178	110	SALARIES	\$7,106	
2971	0190	440178	141	UNEMPLOYMENT	\$17	
2971	0190	440178	142	INDUSTRIAL ACCIDENT	\$70	
2971	0190	440178	143	HEALTH INSURANCE		\$3,149
2971	0190	440178	144	FICA	\$441	
2971	0190	440178	145	PERS	\$503	
2971	0190	440178	147	MEDICARE TAX	\$103	
2971	0190	440178	150	LIFE INSURANCE	\$11	
2971	0190	440178	228	EDUCATIONAL SUPPLIES	\$846	
2971	0190	440178	345	TELEPHONE	\$206	
2971	0190	440178	380	TRAINING	\$750	
Explanation					10,053.00	10,053.00
Budget Amendment for WIC Peer Counseling (see attached Contract)						

DATE OF ISSUE:		4/27/11		BUDGET AMENDMENT RESOLUTION 2293-5	VOUCHER #:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2980	0190	331129		OBESITY PREVENTION		5,000.00
2980	0190	440110	228	EDUCATIONAL SUPPLIES	5,000.00	
					5,000.00	5,000.00
NAPA received \$5,000 more for FY11 (see attached)						

DATE OF ISSUE:		4/28/11		BUDGET AMENDMENT RESOLUTION 2293-6	VOUCHER #:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2977	0190	331128		PHER (H1N1 DE-DUPLICATION \$)		10,164.00
2977	0190	440154	398	OTHER CONTRACTED SERVICES	10,164.00	
Explanation					10,164.00	10,164.00

DATE OF ISSUE:		4/25/11		BUDGET AMENDMENT RESOLUTION 2293-7	VOUCHER #:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT
2967	0190	331138		MT CANCER CONTROL PROGRAM		50,003.00
2967	0190	440110	110	SALARIES	29,405.00	
2967	0190	440110	141	UNEMPLOYMENT	136.00	
2967	0190	440110	142	INDUSTRIAL ACCIDENT	135.00	
2967	0190	440110	143	HEALTH INSURANCE	10,991.00	
2967	0190	440110	144	FICA	600.00	
2967	0190	440110	145	PERS	940.00	
2967	0190	440110	147	MEDICARE TAX	131.00	
2967	0190	440110	210	OFFICE SUPPLIES	4,000.00	
2967	0190	440110	311	POSTAGE	470.00	
2967	0190	440110	337	ADVERTISING	1,000.00	
2967	0190	440110	346	CELL PHONE/WIRELESS	200.00	
2967	0190	440110	377	MEALS/PER DIEM	10.00	
2967	0190	440110	378	TRAVEL	500.00	
2967	0190	440110	397	CONTRACTED SERVICES	1,485.00	
2282	0190	331120		CANCER CONTROL PROGRAM	35,000.00	
2282	0190	440116	110	SALARIES		19,773.00
2282	0190	440116	141	UNEMPLOYMENT		49.00
2282	0190	440116	142	INDUSTRIAL ACCIDENT		196.00
2282	0190	440116	143	HEALTH INSURANCE		4,038.00
2282	0190	440116	144	FICA		1,226.00
2282	0190	440116	145	PERS		1,398.00
2282	0190	440116	147	MEDICARE TAX		287.00
2282	0190	440116	150	LIFE INSURANCE		16.00
2282	0190	440116	210	OFFICE SUPPLIES		1,000.00
2282	0190	440116	228	EDUCATIONAL SUPPLIES		1,500.00
2282	0190	440116	229	OTHER OPERATION SUPPLIES		1,000.00
2282	0190	440116	345	TELEPHONE		750.00
2282	0190	440116	380	TRAINING SERVICES		3,331.00
2282	0190	521000	822	TRANSFER TO		436.00
Explanation					85,003.00	85,003.00
BCHP & Comp Cancer were rolled into one program in FY11. They are both now under #2967. (See attached State Contract)						

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(Continued)**

DATE OF ISSUE:		4/25/11		BUDGET AMENDMENT RESOLUTION 2293-8		VOUCHER #:	
DATE OF RECORD:						Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
2979	0190	331136		AIR QUALITY GRANT		4,500.00	
Explanation					0.00	4,500.00	
Air Quality contract was \$4,500 more than budgeted.							

DATE OF ISSUE:		4/25/11		BUDGET AMENDMENT RESOLUTION 2293-9		VOUCHER #:	
DATE OF RECORD:						Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
2966	0190	344085		RADON TEST KIT SALES		843.00	
2966	0190	440110	228	EDUCATIONAL SUPPLIES	843.00		
Explanation					843.00	843.00	
Establish Revenue and Expenditure for sale of Radon Kits							

DATE OF ISSUE:		5/17/2011		BUDGET AMENDMENT RESOLUTION 2293-10		VOUCHER NO.:	
DATE OF RECORD:						Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
4025	0221	420750	212	Small Item Equip	10,750.00		
4025	0221	420750	215	Comp Equip/Sftwr/Hdwr	6,315.00		
4025	0221	420750	229	Other Operation Supplies	115.00		
4025	0221	420750	357	Prof Serv	105,735.00		
4025	0221	420750	398	Other Contracted Serv	6,165.00		
4025	0221	420750	900	Capital Outlay	79,700.00		
Explanation					208,780.00	0.00	
Establish FY2011 Expenditure Budget for Fund 4025 per Board Meeting 3/9/11							

DATE OF ISSUE:		5/17/2011		BUDGET AMENDMENT RESOLUTION 2293-11		VOUCHER NO.:	
DATE OF RECORD:						Entered by:	
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
2282	0190	521000	822	Transfer to	50,011.85		
2284	0190	440175	110	Salaries		2,232.00	
2284	0190	440175	141	Unemployment		6.00	
2284	0190	440175	142	Industrial Accident		22.00	
2284	0190	440175	143	Health Insurance		485.00	
2284	0190	440175	144	FICA		138.00	
2284	0190	440175	145	PERS		158.00	
2284	0190	440175	147	Medicare Tax		32.00	
2284	0190	440175	150	Life Insurance		2.00	
2284	0190	440175	228	Educational Supplies		202.00	
2284	0190	440175	311	Postage		50.00	
2284	0190	440175	337	Advertising		100.00	
2284	0190	440175	345	Telephone		448.00	
2290	0190	450410	229	Other Operation Supplies	1,500.00		
2290	0190	450410	397	Contracted Serv	12,000.00		
2360	0258	521000	820	Transfer to	210,000.00		
2395	0202	521000	820	Transfer to	137,500.00		
2901	0201	521001	820	Transfer to	500,000.00		
2901	0201	521000	820	Transfer to	100,000.00		
2912	0190	430342	397	Contracted Serv	80,000.00		
2912	0191	420342	397	Contracted Serv		80,000.00	
2928	0209	420600	120	Overtime	75,102.94		
2928	0209	420600	141	Unemployment	252.68		
2928	0209	420600	142	Industrial Accident	4,430.73		
2928	0209	420600	144	FICA	4,476.25		
2928	0209	420600	147	Medicare Tax	962.63		
2928	0209	420600	212	Small Item Equip	4,500.00		
2928	0209	420600	231	Gas Oil Diesel	19,298.60		
2928	0209	420600	900	Capital Outlay	129,086.15		



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(Continued)

**CONSIDERATION OF EXTENSION REQUEST: PICNIC HILL SUBDIVISION**

[10:00:22 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, Dawn Marquardt, Clerk Kile

Grieve reviewed the extension request received, which he noted is for one year under the existing provisions.

Commissioner Holmquist made a **motion** to grant a one year extension to Picnic Hill Subdivision. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF EXTENSION REQUEST: WILLOW VIEW PARK SUBDIVISION**

[10:02:16 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 the extension request received, which he noted is for one year under the existing provisions.

Commissioner Lauman made a **motion** to grant a one year extension to Willow View Park Subdivision. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF EXTENSION REQUEST: SCENIC VIEW SUBDIVISION**

[10:03:18 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 the extension request received, which he noted is for one year under the existing provisions.

Commissioner Holmquist made a **motion** to grant a one year extension to Scenic View Subdivision. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM/ EXTENSION OFFICE**

[10:04:49 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the supplemental nutrition assistance document for signature. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: 2012 EMPG (EMERGENCY MANAGEMENT PERFORMANCE GRANT) APPLICATION/ OES**

[10:06:30 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

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



MONDAY, MAY 23, 2011  
(Continued)

**CONSIDERATION OF PRINTING BIDS: AOA**

[10:08:00 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Holmquist made a **motion** to approve the print bid from Insty Prints for 2 sets of 500 each business cards for \$59.90 for AOA. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

Commissioner Holmquist made a **motion** to approve the print bid from Master's Touch for 10,000 meal envelopes for \$540.00 for AOA. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF PRINTING BIDS: HEALTH DEPT.**

[10:09:39 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the print bid from American Printing for 5,000 registration cards for \$175.00 for the Health Department. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

Commissioner Lauman made a **motion** to approve the print bid from Great Northern Printing for 500 business cards for \$24.95, 1,000 business cards for \$44.95 and 1,000 FCHC reminder cards for \$138.62; from Insty Prints 5,000 FCHC lab postcards for \$130.00. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF LAKESHORE PERMIT: TAMS**

[10:30:16 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 Lakeshore Permit FLP 11-23; an application submitted by Rob Tams to install two retaining walls approximately 2-3 feet tall and 160 feet long on Lake Blaine.

Commissioner Holmquist made a **motion** to approve Lakeshore Permit FLP 11-23. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF LAKESHORE PERMIT: BALDI**

[10:31:18 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 Lakeshore Permit FLP 11-18; an application submitted by Ed and Marie Baldi to repair an existing rock retaining wall on Echo Lake.

Commissioner Lauman made a **motion** to approve Lakeshore Permit FLP 11-18. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

MONDAY, MAY 23, 2011  
(Continued)

**CONSIDERATION OF RELEASE OF COLLATERAL: EVANS SUBDIVISION**

[10:45:54 AM](#)

Members present:

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

Others present:

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

Mouch noted the SIA was approved at the time of final plat for \$937.50 to construct a driveway approach onto Yeoman Hall Road. She reviewed history of the SIA and concerns related to language in it that did not require an engineer to sign off. She stated an onsite visit was done to verify the approach has been completed.

Commissioner Lauman made a **motion** to approve releasing collateral for Evans Subdivision. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF USE OF COLLATERAL: WEST VALLEY VIEWS II**

[10:50:05 AM](#)

Members present:

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

Others present:

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

Mouch reviewed the unusual circumstances regarding the SIA for West Valley Views II which was to complete a mail pull out area.

Commissioner Holmquist made a **motion** to approve releasing collateral to the Road and Bridge Department for West Valley Views II. 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 24, 2011.

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**TUESDAY, MAY 24, 2011**

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

**12:00 p.m. Commissioner Holmquist: CDC Board meeting @ Three Rivers Bank**  
**12:00 p.m. MWED meeting**  
**5:00 p.m. Commissioner Dupont: Refuse Board meeting @ Solid Waste District Office**  
**7:00 p.m. Commissioner Holmquist: Flathead River Commission meeting @ EBB**

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

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**WEDNESDAY, MAY 25, 2011**

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

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

**MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE RE: PROPOSED POLICY MANUAL CHANGES**

[9:15:47 AM](#)

Members present:

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

Others present:

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

Campbell reviewed proposed policy manual changes, which included revisions to the following sections:

**WEDNESDAY, MAY 25, 2011  
(Continued)**

- Performance Appraisals – elimination of
- Nursing Policy – locations of
- Employee Conduct – regarding consuming alcoholic beverages on county property
- Non-Dot Drug Testing – added new section to policy manual
- Attendance and Leave – clarification in request for sick leave, detailed maternity leave, leave to disabled employees
- Grievances and Appeals – written warning was added
- Employment Practices & Procedures – grievance or appeals

Commissioner Lauman made a **motion** to accept the proposed changes to the policy manual effective July 1, 2011. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**MONTHLY MEETING W/ DAVE PRUNTY & JIM CHILTON, SOLID WASTE DISTRICT**

[9:30:47 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, Solid Waste Operations Manager Jim Chilton, Clerk Kile

Prunty reported the Solid Waste Board approved the proposal to prohibit scavenging/salvaging at the Columbia Falls container sites effective July 1, 2011. Discussion was held relative to Habitat for Humanity having a drop off-site for recycling building materials. He then explained they are in the process of amending district by-laws, revising district goals and their mission statement. Prunty reported on a conversation held with a representative from Nex Energy regarding a new garbage operation technology called plasma enhanced melter. In other business, he spoke about dust issues at the Creston container site, spring litter campaign and refuse statistics.

**DOCUMENT FOR SIGNATURE: HOSPITAL PROVIDER AGREEMENT/ PATHWAYS**

[10:00:30 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 hospital provider agreement with Pathways. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #11-11-2-01-006-0**

[10:02:27 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve DPHHS Contract #11-11-2-01-006-0. Commissioner Holmquist **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/ COOTE**

[10:03:42 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Clerk Kile

Commissioner Holmquist made a **motion** to adopt Resolution #2295 and authorized publication of the Notice of Passage of Resolution of Intent. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2295

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;

**WEDNESDAY, MAY 25, 2011**  
**(Continued)**

WHEREAS, the property to be annexed is described as being in Section 1, Township 29 North, Range 23 West, Flathead County, Montana, and more particularly described as Tract 2 of Certificate of Survey No. 12583 in the southeast ¼, northwest ¼ of Section 1, Township 29N, Range 23W and Parcel B of Certificate of Survey No. 12877 in the southeast ¼, northwest ¼ of Section 1, Township 29N, Range 23W. Property is 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 1, Township 29 North, Range 23West, Flathead County, Montana, and more particularly described as: Tract 2 of Certificate of Survey No. 12583 in the southeast ¼, northwest ¼ of Section 1, Township 29N, Range 23W and Parcel B of Certificate of Survey No. 12877 in the southeast ¼, northwest ¼ of Section 1, Township 29N, Range 23W 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 **14<sup>th</sup>** day of **June, 2011**, at **10:00 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 25<sup>th</sup> 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

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

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

**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, and to alter the boundaries of the Flathead County Fire Service Area. Said territory being in Section 1, Township 29 North, Range 23 West, Flathead County, Montana, and more particularly described as:

Tract 2 of Certificate of Survey No. 12583 in the southeast ¼, northwest ¼ of Section 1,  
Township 29N, Range 23W.

Parcel B of Certificate of Survey No. 12877 in the southeast ¼, northwest ¼ of Section 1,  
Township 29N, Range 23W.

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 1, Township 29 North, Range 23 West, Flathead County, Montana, and more particularly described as Tract 2 of Certificate of Survey No. 12583 in the southeast ¼, northwest ¼ of Section 1, Township 29N, Range 23W and Parcel B of Certificate of Survey No. 12877 in the southeast ¼, northwest ¼ of Section 1, Township 29N, Range 23W., into the West Valley Fire District.

The public hearing will be held on the **14<sup>th</sup>** day of **June, 2011**, at **10:00 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 25<sup>th</sup> day of May, 2011.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

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

Publish on May 30 and June 6, 2011.

WEDNESDAY, MAY 25, 2011  
(Continued)

**DOCUMENT FOR SIGNATURE: NELCON CHANGE ORDER NO. 1/ GRAND DRIVE**

[10:05:42 AM](#)

Members present:

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

Others present:

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

Pierson explained the change order is to repair a portion of the existing rock wall on the north side of Grand Drive that sloughed slightly during construction and to also line a storm line with concrete. Walcheck noted the total change order is for \$48,592.50.

Commissioner Holmquist made a **motion** to approve Nelcon Change Order No. 1 for Grand Drive. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: REQUEST LETTER FOR ACCEPTANCE OF NORTHERN BORDER GRANT/ OES**

[10:08:28 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Radio Communications Administrator Jack Spillman, Clerk Kile

Spillman noted Flathead County is requesting Northern Tier Border Interoperability Project be awarded to the county in lieu of Interoperability Montana, in which Flathead County will assume all responsibilities of the award.

Commissioner Lauman made a **motion** to approve the letter of acceptance of the Northern Tier grant for OES. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: COOPERATIVE WILDFIRE MANAGEMENT 2011-2015 OPERATING PLAN/ OES**

[10:10:01 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 Cooperative Wildfire Management Operating Plan 2011-2015 for OES. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**BI-MONTHLY MEETING W/ MINDY COCHRAN, GIS**

[10:15:33 AM](#)

Members present:

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

Others present:

GIS Director Mindy Cochran, Clerk Kile

Cochran met with the commission and reviewed GIS Department projects.

- 16 roads have been named since 2010 and the structures along the road were re-addressed
- 164 road segments have been added into the GIS database this year
- 53 Certificate of Survey's have been filed/ drafted so far this year
- 21 subdivision plats have been filed/drafted so far this year
- 7 out of 68 trailer courts have been GPSing
- 52 map orders and 43 ownership lists so far this year
- Annual mileage certification for fuel taxes is complete
- IMS website training courses have been held for the Association of Realtors
- Upgrade of software applications to ArcGIS 10 was completed
- Tax audits on miscellaneous districts
- Re-writing scripts to change user accounts that automated processes ran under

WEDNESDAY, MAY 25, 2011  
(Continued)

**CONSIDERATION OF EDWIN X BERRY'S COMPLAINTS AGAINST FLATHEAD VALLEY COMMUNITY COLLEGE BOARD OF TRUSTEES**

[10:30:12 AM](#)

Members present:

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

Others present:

Deputy County Attorney Tara Fugina, Deputy County Attorney Peter Steele, Edwin X Berry, R.C. Lane, Gary Allen, LeeAnn Bear, Gary Henry, Shirley Henry, George Everett, Jerry O'Neil, Clarice Ryan, Roland Horst, Terry Kramer, "Peaceful Inhabitant", Clerk Kile

Fugina noted the meeting today is for commissioner consideration of the complaints received from Mr. Berry on April 27 and May 20, 2011.

Complaint No. 1            Concerning FVCC trustee's improper use of photos owned by FVCC for their personal campaign.

Fugina explained the photos are not copy righted in any way to the university or to an individual. They are posted in public domain without restrictive use that anybody can access. Therefore, I don't believe use by any incumbent trustee or trustee candidate would have been an ethical or statutory violation. When it is public information anybody can use it for any purpose. I believe the allegation has been made that FVCC funds were used to generate those photographs. That may or may not be true, but it is no different than any public fund used to generate any piece of public information; for instance Clerk Kile's minutes are generated using public funds, and are therefore, public information that anyone can use.

Complaint No. 2            Concerning FVCC financial audits

Fugina said these postings are on the state legislative audit website and a hardcopy has been submitted to the commissioners of the most recent one not posted yet. I believe the audits were completed in compliance with state law, and therefore, there is no violation here. If Mr. Berry would like additional information concerning the financial performance and expenditures of FVCC, he can work towards obtaining that from FVCC; yet it isn't anything that FVCC is required to report by law.

Complaint No. 4            Concerning conditions for announcing openings for trustee nominations

Fugina explained MCA 20-15-205 is specifically for proposed community college districts and those nominations are made by the board of regents. This statutory provision is surrounded by other commissions for organization. The preliminary organization is for public community college districts and not for elections conducted for already organized community college districts. Therefore, I think the appropriate statutory provision concerning election of trustees is MCA 20-15-221 and the very title of the provision is: Election of trustees after organization of community college district. That statutory provision requires that witness of the election must be given by the board of trustees, not less than once a week, for two consecutive weeks, with the last insertion to be no more than one week prior to the date of the election. The notice was published on April 13, April 20 and April 27, 2011; it was published an extra week. In addition, something that is outside the requirement of statutory provisions is the board of trustees also, when they passed a resolution on February 28, 2011 for an election their notice was published in the newspaper on March 13, 2011, and they issued a press release on March 15, 2011, which was well in advance of the 30 day deadline.

Complaint No. 3            Concerning Mr. McElwain and his presence in the district

Fugina said this is not something that she could speak to that it would be for Mr. McElwain to respond too. He does have due process rights concerning his position as a member of the board of trustees, and I would recommend that the commissioners request in writing a response from him, so the board could consider the response.

Commissioner Lauman said he would like to hear Mr. McElwain's side of the story either by a letter or by asking to be on the agenda for a public meeting. He stated all sides of the story need to be heard in order to take action based on facts.

Commissioner Holmquist asked if complaints, 1, 2 and 4 were legally unfounded, and if they had any basis for taking action.

Fugina said I believe there is no legal basis for taking action on complaints 1, 2 and 4.

Chairman Dupont questioned the clause of probable cause for removal. It says may seek removal if they have been absent for more than 60 days; for instance, if he was absent for more than 60 days that does not necessarily mean he needs to be removed.

Fugina said correct. That ultimately the commissioners would only suspend a board member and removal of a board member for the charges would be heard by District Court.

Commissioner Lauman made a **motion** to dismiss and take no further action on complaints 1, 2 and 4 submitted by Mr. Berry and to request a response from Mr. McElwain on complaint number 3. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

WEDNESDAY, MAY 25, 2011  
(Continued)

**CONSIDERATION OF ADOPTION OF RESOLUTION OF INTENT: MOBILE HOME DISPOSAL FEE**

10:40:57 AM

Members present:

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

Others present:

Assistant Mike Pence, Deputy County Attorney Peter Steele, Public Works Director Dave Prunty, Clerk Kile

Commissioner Holmquist made a **motion** to adopt Resolution 2294 and authorized chair to sign the publication of the notice of public meeting. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2294

WHEREAS, the Board of Directors of the Flathead County Solid Waste Management District published notice for and conducted a public hearing on April 26, 2011, for the purpose of changing the fee for the disposal of a mobile home;

WHEREAS, the Flathead County Solid Waste Management District requested the Board of Flathead County Commissioners to approve changing the fee charged by the Flathead County Solid Waste Management District for mobile home disposal from \$ 31.05 per ton to a flat rate of \$300.00 per mobile home;

WHEREAS, mobile homes do not fit on the available scales and are difficult to weigh and charging a flat rate fee for mobile home disposal more accurately reflects the landfill's costs in disposing of mobile homes; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, deems the request appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Flathead County, Montana, hereby adopts this resolution of its intention to approve changing the fee charged by the Flathead County Solid Waste Management District for a mobile home from Thirty-one and 05/100 dollars (\$31.05) per ton to a flat rate of Three hundred dollars (\$300.00), to become effective on July 1, 2011.

BE IT FURTHER RESOLVED, that notice of this resolution of intent to change the fee for mobile homes shall be published as provided in Section 7-1-2121, MCA.

BE IT FURTHER RESOLVED objections to the final adoption of the resolution will be heard by the Flathead County Commissioners on the 13<sup>th</sup> day of June, 2011 at 10 o'clock a.m., in the Commissioners Chambers, 800 South Main, Kalispell, Montana.

Dated this 25<sup>th</sup> 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

NOTICE OF INTENT TO APPROVE  
CHANGE OF FEE FOR MOBILE HOME DISPOSAL

The Board of Commissioners of Flathead County, Montana, passed a resolution of intent to approve a change in the fee charged by the Flathead County Solid Waste Management District for the disposal of Mobile Homes. Presently, the fee for mobile home disposal is charged by weight at \$31.05 per ton. Mobile homes, however, are difficult to weigh and do not fit on the scales available at the Flathead County landfill. A flat fee would more accurately reflect the landfill's costs in disposing of a mobile home. The fee for mobile home disposal would be changed to a flat rate of \$300.00.

The Board of Flathead County Commissioners will consider any objections to the final adoption of the resolution on the 13<sup>th</sup> day of June, 2011 at 10 o'clock a.m., in the Commissioners Chambers, 800 South Main, Kalispell, Montana.

DATED this 25<sup>th</sup> day of May, 2011.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

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

Publish on May 30 and June 6, 2011.

WEDNESDAY, MAY 25, 2011  
(Continued)

**DOCUMENT FOR SIGNATURE: DUST CONTROL COST SHARE CONTRACT/ MONTANA DUST CONTROL, LLC**

[10:43:11 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 authorize chair to sign the contract with Montana Dust Control. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: CRACK SEAL CONTRACT/ Z & Z SEAL COATING, INC.**

[10:45:08 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 Holmquist made a **motion** to authorize chair to sign the contract with Z & Z Seal Coating, Inc. Commissioner Lauman **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF LAKESHORE PERMIT: MONTANA EAGLE DEVELOPMENT**

[10:48:27 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 Lakeshore Permit FLP 11-17; an application submitted by Montana Eagle Development, LLC to install a pump-out station in association with the Lakeside Marina on Flathead Lake.

Commissioner Lauman made a **motion** to approve Lakeshore Permit FLP 11-17. Commissioner Holmquist **seconded** the motion. **Aye** – Dupont, Lauman and Holmquist. Motion carried unanimously.

**11:00 a.m. County Attorney meeting @ Co. Atty's Office**  
**12:30 p.m. BSAC meeting @ Bethany Lutheran Church**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 26, 2011.

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**THURSDAY, MAY 26, 2011**

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

**4:00 p.m. Commissioner Holmquist: BLUAC meeting @ Bethany Lutheran Church**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 27, 2011.

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**FRIDAY, MAY 27, 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 30, 2011.

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