
MONDAY, AUGUST 22, 2011

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

9:00 a.m. Commissioner Holmquist: Regional Wastewater Management Group Environmental Health Conference Room

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

TUESDAY, AUGUST 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.

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

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

WEDNESDAY, AUGUST 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.

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

Fred Hodgeboom, 1125 Whispering Pines presented a map to the commission from Montanan's for Multiple Use. He explained the organization has been active in trying to maintain or increase public access to national forests. He stated the organization has filed numerous appeals as the Forest Service closes road after road and trail after trail. Hodgeboom said they have asked the Forest Service to do an accumulative effect analysis on closures, which they have never done. He urged the commission to initiate formal consultations with the Forest Service regarding public access to roads/ trails.

Derek Skees, 119 Sinopah stated by statue the commission does have authority regarding road closure issues. He explained when he was in the legislative session he worked on Senate Bill 117, which was a coordination bill that would force the government to come to the table and work with them on a plan they devise. Skees said the county could actually remove the gates if they pushed the fight strong enough and demanded more access.

Clarice Ryan spoke about concerns regarding wolves.

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

DOCUMENT FOR SIGNATURE: DNRC RRGL/ BIGFORK STORMWATER PROJECT

[9:15:13 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 reported the contract with DNRC is for \$100,000 and will be utilized towards the Bigfork Stormwater Project; specifically for Electric Avenue improvements.

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

DOCUMENT FOR SIGNATURE: 48 NORTH SERVICE ORDER NO. 3 / ELECTRIC AVENUE

[9:17:47 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 reported the service order is related to construction and engineering on Electric Avenue North and is not to exceed \$18,150.00.

WEDNESDAY, AUGUST 24, 2011
(Continued)

Commissioner Lauman made a **motion** to authorize chair to sign 48 North Service Order No. 3/ Electric Avenue. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: 48 NORTH SERVICE ORDER NO. 4 / RIVER STREET OUTFALL

[9:19:37 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 reported the service order is related to the River Street Outfall and is not to exceed \$14,020.00.

Commissioner Holmquist made a **motion** to authorize chair to sign 48 North Service Order No. 4/ River Street Outfall. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: 48 NORTH SERVICE ORDER NO. 5 / BRIDGE STREET BASIN

[9:20:49 AM](#)

Members present:

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

Others present:

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

Pierson reported the service order is for design work in the remainder of Bigfork Village including Bridge Street North, Bridge Street South, and Electric Avenue South and is not to exceed \$120,000.

Commissioner Lauman made a **motion** to authorize chair to sign 48 North Service Order No. 5/ Bridge Street Basin. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: NODDING ONION, LLC ZONE CHANGE/ LOWER SIDE ZONING DISTRICT

[9:22:00 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, Planner Allison Mouch, Clerk Kile

Commissioner Holmquist made a **motion** to authorize chair to sign the Notice of Public Hearing for Nodding Onion zone change. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by Nodding Onion, LLC, to change the zoning designation in a portion of the Lower Side Zoning District from I-1H (Light Industrial Highway) to I-2 (Heavy Industrial).

The boundaries of the area proposed to be amended from I-1H to I-2 are located at 980 Demersville Road and can be legally described as follows:

A Tract of land, situated, lying and being in the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section 33, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana. (Tract 2 of Certificate of Survey No. 10434)

The proposed change would generally change the character of the zoning regulations applicable to the property from allowing light industrial uses and service uses that typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odors, smoke, etc.) which extend beyond the lot lines, that are located along state and federal highways to allowing industrial uses accommodating heavy manufacturing, processing, fabrication and assembling of products or materials.

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

The public hearing will be held on the **13th day of October, 2011, at 9:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change in the regulations for the described portion of the Lower Side Zoning District.

**WEDNESDAY, AUGUST 24, 2011
(Continued)**

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

DATED this 24th day of August, 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 September 29 and October 6, 2011.

CONSIDERATION OF PRINT BIDS: HEALTH DEPT.

[9:23:33 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 award the print bid to O'Neil Printers for 3,000 vaccine consent forms for \$124.00 and 2,000 vaccine forms for \$78.00 for the Health Department. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

Commissioner Holmquist made a **motion** to award the print bid to Great Northern Printing for 500 business cards for \$24.95 and 1,000 business cards for \$48.95 for the Animal Shelter. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

Commissioner Lauman made a **motion** to award the print bid to Insty Prints for 250 business cards for \$34.95 and 2,000 appointment cards for \$80.15 for the Health Department. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

MONTHLY MEETING W/ DAVE PRUNTY, SOLID WASTE DISTRICT

[9:31:03 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, Solid Waste Operations Manager Jim Chilton, Clerk Kile

Prunty reported the Solid Waste Board authorized him to execute 10-year leases for the Bigfork and Lakeside container sites. He spoke about non-profit organizations collecting re-usable items at the container sites, their long-term strategic plans, the liner construction project and proposed plans to purchase property for an Essex container site. Prunty reviewed tonnage volume and gave an update on the landfill gas to energy project.

BI-MONTHLY MEETING W/ KIM CROWLEY, LIBRARY

[10:01:52 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Library Director Kim Crowley, Clerk Kile

Crowley reported the Library Board is working with School District #5 regarding air conditioning that is not working at the Main Library building. She noted an informational community meeting was held in Columbia Falls to inform citizens of library services provided throughout the county. Crowley reviewed national funding statistics, and explained Flathead County is funded at \$16.60 per capita and the national average for libraries is \$48.00 per capita.

WEDNESDAY, AUGUST 24, 2011
(Continued)

OPEN BIDS: BIGFORK STORMWATER PROJECT/ PHASE II – ELECTRIC AVENUE NORTH & PHASE III – RIVER STREET OUTFALL

[10:15:58 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, Kevin Neumann, David Steely, Melissa Fortuna, Clerk Kile

Bids received with bid bonds enclosed from:

LHC	\$112,576.70
APEX Contracting	\$103,845.60
NCC Neumann Construction Co.	\$ 93,575.50

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

DOCUMENT FOR SIGNATURE: MISSOULA COUNTY PROFESSIONAL SERVICES CONTRACT/ HEALTH DEPT.

[10:21:37 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, Health Department Director Joe Russell, Clerk Kile

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

BOARD APPOINTMENT: ROAD ADVISORY COMMITTEE

[10:22:18 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to appoint Jeff Larsen to the Road Advisory Committee as an at large member. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: AUDIO-VIDEO SYSTEM/ COMMISSIONERS' MEETING ROOM & CONFERENCE ROOM

[10:25:09 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 authorize chair to sign the contract with TRC. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

FIRST READING OF SPEED LIMIT ORDINANCE NO. 7

[10:26:36 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, Joan Gales, Clerk Kile

Steele noted petitions were received from residence living on Two Mile Drive requesting the change back from 25 MPH to 35 MPH.

Chairman Dupont read the first reading of Speed Limit Ordinance No. 7 indicating the only change is to set the speed limit on Two Mile Drive from the city limits to West Springcreek Road back to 35 MPH.

Commissioner Lauman made a **motion** to accept the first reading of Speed Limit Ordinance No. 7 as presented. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

WEDNESDAY, AUGUST 24, 2011
(Continued)

**PROPOSED AMENDMENT TO ORDINANCE NO. 7
Speed Limits**

WHEREAS, the Board of Commissioners is authorized, pursuant to Sections 7-5-102 through 7-5-107, 7-14-2113, and 61-8-310, M.C.A., to adopt an ordinance and to impose speed limits on certain public roads and highways;

WHEREAS, the Board of Commissioners determined that all speed limits imposed by the Board since 1985 should be codified into a single ordinance, and, therefore, adopted Ordinance No. 7, Speed Limits, on July 5, 1995; and

WHEREAS, the amendment to Ordinance No. 7 set forth below for the following were requested by the Flathead County Road Department.

NOW, THEREFORE, BE IT RESOLVED that, effective 30 days after the second and final adoption of the following amendment, the following amendment to Ordinance No. 7, shall be in force and effect:

Section One: Speed Limits on Named Roadways,

Twenty-five (25) miles per hour is amended by deleting the following portion that is lined through:

~~Two Mile Drive from the city limits to Skyline Drive.~~

Thirty-five (35) miles per hour is amended by deleting the following portion that is lined through and adding the portion that is underlined:

~~Two Mile Drive from Skyline Drive to W. Springcreek Road~~

Two Mile Drive from the city limits to W. Springcreek Road

BE IT FURTHER RESOLVED that following passage of the foregoing amendment on second reading, Ordinance No. 7 shall be updated to include that amendment.

DATED this 24th day of August, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

CONSIDERATION OF H.R. TRANSMITTAL: R. N. FOR PREGNANT AND PARENTING TEENS/ HEALTH DEPT.

10:28:53 AM

Members present:

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

Others present:

Assistant Mike Pence, Health Department Director Joe Russell, Clerk Kile

Russell reviewed the request to hire an additional FTE with grant funding. He noted three individuals will make up the FTE with the proposed restructure.

Commissioner Holmquist made a **motion** to approve the H.R. Transmittal presented. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

COS REVIEW: TURNER

10:31:50 AM

Members present:

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

Others present:

Deputy County Attorney Peter Steele, Planner Allison Mouch, Planner Bailey Minnich, Jamie Reed, Hubert Turner, Wayne Turner, Clerk Kile

Mouch reviewed the 20 year history/ ownership of the proposed family transfer of two acres to be split into two parcels on Suzy Lane.

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

WEDNESDAY, AUGUST 24, 2011
(Continued)

MEETING W/ DAVE PRUNTY RE: ROAD DEPT. APPLICATION FOR RESOURCE ADVISORY COUNCIL

[10:46:38 AM](#)

Members present:

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

Others present:

Public Works Director Dave Prunty, Road and Bridge Supervisor Ovila Byrd, Clerk Kile

The following proposed 2012 summer projects to be submitted to the Resource Advisory Council for consideration were reviewed and discussed.

2012 Requests for RAC Funding				
Name of Road	Description of Improvement	RAC Funding Requested	Road Dept Contributions	Total Projected Cost of Project
North Fork Road	Dust abate approx 8 miles	25,350	25,350	\$50,700.00
Ashley Lake Road	Dust abate approx 5 miles	15,850	15,850	\$31,700.00
Blankenship Road	Dust abate approx 3 miles	9,500	9,500	\$19,000.00
Ashley Lake Road	Apply layer of crushed gravel on approx 5 miles	61,400	61,400	\$122,800.00
North Fork Road	Define & establish a narrower road width down to 26-28 feet for approx 10 miles to reduce the cost of maintenance	35,250	35,250	\$70,500.00
Star Meadows Road	Apply thin overlay on portions of road to extend the life of the existing asphalt that is deteriorating on approx 3 miles	124,250	124,250	\$248,500.00
Totals		<u>\$271,600.00</u>	<u>\$271,600.00</u>	<u>\$543,200.00</u>

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

12:00 p.m. Commissioner Holmquist: MWED Board meeting @ First Interstate Bank

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

THURSDAY, AUGUST 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.

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

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

FRIDAY, AUGUST 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.

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 29, 2011.
