
MONDAY, SEPTEMBER 19, 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/ JIM ATKINSON, AOA

[9:00:31 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Clerk Kile

Atkinson met with the commission and discussed the future of J.R.'s Pizza and Margie's Café.

General discussion was held regarding fundraisers, payment for back rent, utilities and a for profit business taking over Margie's Café.

Commissioner Holmquist reviewed conversations she had with Sherry Stevens with United Way and Carol Nelson with GCC regarding paying back rent and utilities. She noted Sherry and Carol told her they would figure out what the county owes for rent. She then stated in her opinion Flathead County would be subsidizing the for profit enterprise with another entity taking over Margie's Café and she would not support it.

Chairman Dupont asked if a total value of the equipment has been prepared yet.

Atkinson said J. R. has compiled a list of their equipment in Margie's Café totaling \$33,000.

Commissioner Holmquist said your letter says you have \$56,000 in startup supplies, \$22,000 in the building and \$28,000 in improvements.

Atkinson replied the equipment they would be leasing out is worth \$33,000.

Commissioner Holmquist added if we took all the money we are going to owe out of the equation; this is not making any money, it is going in the hole every month. She stated in her opinion we need to think about an exit strategy.

Atkinson said this would be the exit strategy as far as Margie's Café is concerned, and if they can make money with another organization coming in working with them off J. R.'s Pizza; then I think we ought to do it to try to cover our costs.

Commissioner Holmquist said in my opinion, I don't feel we are going to come out of this in a good situation. She stated this is not a good business plan/ venture.

Chairman Dupont stated he agreed, and added that is why he asked what we have into the business; sell it and take the loss and go on he said.

Commissioner Holmquist said that would be her thought to make the equipment affordable, nothing down and get whatever we can and move on. She stated she feels the county needs to get out of the restaurant business.

Pence asked if the potential tenant is able to pay a market rate for the equipment. He stated I feel we need to get as much as we can.

Atkinson stated he could not speak for them and was not sure.

General discussion was held relative to a price.

Atkinson explained why he feels they need to stick with J. R.'s Pizza until the end of December. He stated currently United Way is putting together a month-by-month rental agreement for them; once they do that they will state in the rental agreement that we owe from July 1 forward. When that happens, he noted the back rent would not need to be paid. Atkinson said if we get that rental package together then it would cover the \$25,000. He went on to say that it is imperative that United Way and Majestic Café work together to get them started with Margie's Café by October 1 to hopefully make the money they need to in order to pay back the debit.

Commissioner Holmquist said we need to talk about a lease to purchase up front; not get into it first and then talk about it.

Atkinson stated he agreed; that it would be up front with Majestic Café. He said he would encourage them to let them work towards getting a month-to-month agreement with GCC.

General discussion continued in regards to when a lease was first received and if it was signed. The commission agreed to put this back on the agenda when pending reports are received.

MONDAY, SEPTEMBER 19, 2011
(Continued)

CONSIDERATION OF EXTENSION REQUEST: EAGLE'S CREST BLUFFS, RESUBDIVISION OF LOT 11

[9:17:27 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Planner Alex Hogle, Clerk Kile

Hogle reviewed the standard extension request from Montana Mapping regarding an extension for Eagle's Crest Bluffs, Resubdivision of Lot 11. He explained there are complications regarding water and sewer utilities that have led to the request, which will be coming back before them. Hogle noted the commission approved preliminary plat on October 15, 2008.

Commissioner Holmquist made a **motion** to approve the extension request for Eagle's Crest Bluff's, Resubdivision of Lot 11. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

BOARD APPOINTMENT: ANIMAL ADVISORY COMMITTEE

[9:20:35 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 Dax VanFossen to the Animal Advisory Committee. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MDOT CONTRACT #105567 AMENDMENT NO. 1/ AOA

[9:22:20 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 MDOT Contract #105567/ Amendment No. 1 for AOA. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

PUBLIC HEARING: ROAD NAME APPEAL/ SONIC WAY

[9:30:49 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, GIS Analyst Nathan Holm, Plat Room Lucie Foster, Bryan Block, Niki Dezzani, Clerk Kile

Holm's reported naming of the road was initiated by the county on June 13, 2011 and ballots were due back on July 18, 2011. He explained 17 properties were involved that either had access off of, had an address assignment on them, or were located along the road to be named. Of the 17 properties, 8 votes were received; 3 were for Vic's Way which was considered invalid as a first name; 3 were for Paradise Trail which was also considered invalid with 5 other road names already beginning with the word Paradise; one vote for Sonic Way was the only valid vote received, therefore, selected as the new road name. Holms explained address assignments were made on August 1 to take effect on August 29; on August 26 and appeal was received is why we are here today.

Chairman Dupont opened the public hearing to anyone wishing to speak in regards to the proposed road name.

Bryan Block stated he was the property owner that submitted Sonic Way as the proposed name of the road. He said he called several of the neighbors before submitting the proposed name, and did not hear back from any of them.

Niki Dezzani, 624 Badrock Drive said she was the property owner who submitted the appeal. She stated she was not aware of the criteria to submit a vote. She stated if she knew her suggested road name would not count she would have changed her vote. Dezzani said the proposed name does not go with the neighborhood and she does not like it.

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

Chairman Dupont asked for clarification as to if road naming guidelines are sent along with the ballot.

Holms explained guidelines are sent along with their ballot, and the county website is referenced for their concerns along with a phone number for questions.

**MONDAY, SEPTEMBER 19, 2011
(Continued)**

Commissioner Lauman made a **motion** to adopt Resolution 2308 to name Sonic Way. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2308

WHEREAS, Flathead County has proposed to name a private road generally running southerly off Badrock Drive and located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, and also in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, all in Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on September 19, 2011 concerning the proposal, after publication and mailing of notice thereof on September 5 and September 12, 2011, and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has determined that the road should be named **Sonic Way**.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Commissioners of Flathead County that the private road generally running southerly off Badrock Drive and located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, and also in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, all in Township 30 North, Range 20 West, P.M.M., Flathead County, should be, and it hereby is, named **Sonic Way**.

BE IT FURTHER RESOLVED that the naming of **Sonic Way** shall be effective on September 19, 2011.

Dated this 19th day of September, 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/Pamela J. Holmquist
Pamela J. Holmquist, Member

By/s/Diana Kile
Diana Kile, Deputy

DOCUMENT FOR SIGNATURE: AMENDED SCHOOL BUDGETS

[9:45:56 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Superintendent of Schools Marcia Sheffels, Finance Technician Cheryl Morgan, Clerk Kile

Sheffels reported their office received information late, which has changed the FY2011-2012 school budgets approved on September 8, 2011. The changes included revisions to the elementary retirement levy from 25.50 to 25.51 and the high school retirement levy from 12.89 to 12.90.

Commissioner Lauman made a **motion** to approve the amended school district budgets presented. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

MEETING W/ DAVE PRUNTY & JED FISHER RE: RED BRIDGE FENCING

[9:47:54 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

Prunty reported approximately five years ago, the county removed the east and west approaches to the bridge to prevent access to the bridge and bridge way. He noted a chain link fence was installed which has been cut numerous time and repaired.

Discussion was held relative to signage on the bridge, rotten planking on the bridge, removal of the bridge, the possibility of installing razor wire to prevent access and the counties liability.

The commission unanimously agreed to continue addressing safety issues, and to ensure the fence is repaired as well as to continue looking for grant money to possibly remove the bridge.

MONDAY, SEPTEMBER 19, 2011
(Continued)

AUTHORIZATION TO PUBLISH CALL FOR BIDS: NON-METAL SHELVING MATERIAL/ RECORDS PRESERVATION

[9:57:56 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 publication of the call for bids request for non-metal shelving and authorized chair to sign. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, is accepting bids for shelving materials, excluding the metal and metal construction materials, for shelves to hold county records. This bid is for materials only as county employees will construct the shelves.

The specifications for the non-metal shelving materials which must be met by the bidder may be obtained from the Flathead County Weeds, Parks, Recreation and Building Maintenance Department, 309 FFA Drive, Kalispell, MT 59901, (406) 758-5798, or from the Flathead County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, (406) 758-5530.

Each bidder must deposit with his bid, a bid security in the amount of ten percent (10%) of his bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase and sale of the shelving materials. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

The Seller shall include with his bid a contract form to be executed by the parties. Flathead County reserves the right to negotiate the terms of the said proposed contract, excluding the prices, and to consider the terms of the proposed contract in determining the award of said bid.

Sealed bids must be marked as "**Bid for Non-Metal Shelving Materials**" and must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, MT, 59901, on or before 5:00 o'clock p.m., on October 7, 2011. Bids will be opened and read at 10:00 o'clock a.m., on October 11, 2011, in the Commissioners' Office in the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County. The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 19th day of September, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk and Recorder

By/s/Diana Kile
Diana Kile, Deputy

Publish on September 22 and September 29, 2011.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: METAL SHELVING MATERIAL/ RECORDS PRESERVATION

[10:00:45 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 Lauman made a **motion** to authorize publication of the call for bids request for metal shelving material and authorized chair to sign. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, is accepting bids for the metal and metal construction materials for shelves to hold county records. This bid is for materials only as county employees will construct the shelves.

The specifications for the metal and metal construction materials which must be met by the bidder may be obtained from the Flathead County Weeds, Parks, Recreation and Building Maintenance Department, 309 FFA Drive, Kalispell, MT 59901, (406) 758-5798, or from the Flathead County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, (406) 758-5530.

**MONDAY, SEPTEMBER 19, 2011
(Continued)**

Each bidder must deposit with his bid, a bid security in the amount of ten percent (10%) of his bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase and sale of the shelving materials. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

The Seller shall include with his bid a contract form to be executed by the parties. Flathead County reserves the right to negotiate the terms of the said proposed contract, excluding the prices, and to consider the terms of the proposed contract in determining the award of said bid.

Sealed bids must be marked as "**Bid for Metal Shelving Materials**" and must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, MT, 59901, on or before 5:00 o'clock p.m., on October 7, 2011. Bids will be opened and read at 10:00 o'clock a.m., on October 11, 2011, in the Commissioners' Office in the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County. The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 19th day of September, 2011.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk and Recorder

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on September 22 and September 29, 2011.

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

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 20, 2011.

TUESDAY, SEPTEMBER 20, 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.

Richard Sauerbier, 115 Ardell Drive read the following protest letter regarding the Faith Baptist Church zone change.

My residence is one of the adjoining properties to the zone change. I am adamantly opposed to this change. This residential area does not need to be commercialized for one individuals benefit, but to the detriment of the rest of the majority of property owners who reside in the area. The property owners adjoining and surrounding this area have been opposed from the start of the process.

There have been numerous attempts by the individual and the planning office members involved to facilitate this change. The Board of Adjustments denied a request for a variance based on the fact, that the property does not meet the required criteria for a change. Somehow, there is now "findings of fact" that says the criteria are met. Whose opinion is put forth here? Another unannounced board meeting or just one planning staff member's opinion? What are the real facts: Are there now sidewalks for the "girl scouts"; is there proper drainage, proper access and egress for business operations?

Where is the City/ County Master Plan in this situation? I find it interesting that the overworked, understaffed planning board office can find time to propose and tout a master plan amendment to facilitate more spot zoning in Flathead County for one individuals benefit. Also, in this proposed master plan amendment it has been stated time and time again that the industrial hub is moving west. Nothing has changed that I know of. The "permitted" garage type businesses that were there 15-20 years ago are still there with their residences also intact on the properties. That change was withdrawn by the planning office because of opposition from the property owners in the neighborhood. All that proposed amendment amounted to was a rouse to circumvent the zoning violations that existed, in my opinion. Moving along the process, the planning office touted another request for a zone change to the Planning Board. After considerable deliberation at two separate meetings, the Planning Board voted to recommend denial of this request.

Why do these boards exist if their recommendations in this process come down to one or two people's opinion? The Board of Adjustment and the Planning Board have been looking at the real facts of this matter for two or three years. Following their recommendations seems reasonable and responsible to me.

Starting in 2005 with a request for a "CUP" many flagrant discrepancies have existed. The planning office ignored the fact the building is out of compliance, the property owner pumped storm water onto the highway, stated privacy fencing does not and never has existed, the building and setbacks on boundary lines could not fit on the property, the owner falsified his home of residence, encroached on neighbors property, just to name a few. I submit to you that the planning office needs to follow their job description, realize they work for all the voting taxpayers of Flathead County and be supervised and evaluated accordingly. Representing their opinion as fact is not in their job description. Neither is choosing who they want to support.

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

TUESDAY, SEPTEMBER 20, 2011
(Continued)

QUARTERLY MEETING W/ DEBBIE PIERSON, GRANT WRITER

[9:26:49 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Pierson presented an update on Grand Drive, which she noted is complete with the exception of the slip line on the pipe above the public dock. She reported remaining DNRC RRGL funds would be utilized towards River Street Outfall, Phase III and Electric Avenue North, Phase II. She also spoke about a survey to be sent out regarding the Bigfork Stormwater Project. Pierson summarized the Intermountain Providence Home grant and spoke about work on a grant for OES.

CONSIDERATION OF RED BRIDGE CTEP APPLICATION

[9:33:13 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, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Public Works Director Dave Prunty, Weed and Parks Director Jed Fisher, Barry Conger, Clerk Kile

Hogle briefly summarized history of the Red Bridge CTEP project. He explained on August 4, 2010 the commission approved directing \$500,000 of available CTEP funds towards the Old Red Bridge project in Columbia Falls, which would have been spread over two allocation cycles. At that time, the engineer's rough estimate of probable costs was around \$843,000. He noted the Planning & Zoning Department received a draft application on December 7, 2010, at which time staff reviewed the application, and subsequent discussions with local sponsor groups were held regarding finances. A second engineer's rough estimate was provided on March 14, 2011, which estimated the project to be around \$1,900,000. He stated on May 16, 2011, the commission discussed the Columbia Falls/ Old Red Bridge CTEP application, and considered:

- Financial status and implications regarding cost of local match, timeline and general project viability.
- Further action on the project based on apparent limitation of funds included: Continuing efforts toward full completion of bridge? Altering project scope? Terminating/postponing the project?
- After discussion the commission unanimously agreed to give the project sponsors (First Best Place) four months to organize fund-raising and gather matching funds in a manner to allow the county to proceed confidently with the proposed CTEP project.

Hogle stated as of September 16, 2011 no productive correspondence or information has been received from the local sponsor group regarding status on estimated matching funds, or the ability of the group to adequately provide matching funds which would be required in order for the county and MDT to proceed with the project.

Commissioner Lauman said \$500,000 is a large amount of CTEP funds being committed to one project, although I don't have a problem with that. He stated in the economic times we are in that this may not be the right time for First Best Place to draw together the funds; maybe in the future it can come back and they will look at it again.

Commissioner Holmquist stated she certainly agreed the funds should be reallocated to another project with the economic times being tight.

Chairman Dupont asked Barry Conger why First Best Place didn't submit a proposal to the commission as requested.

Conger said they do have a project plan, yet felt it was a foregone conclusion the commission was not going to continue to support the project. He stated an awful lot of work has been cut off at the knees by endless phone calls by citizens that felt the project was dead. He said where they are at this point is that their intention today was to come in and propose that they sit down as a partnership between the City of Columbia Falls and Flathead County, and walk through step by step the strategic plan in how they would make the project happen. Conger said they would rather they did not reallocate the \$500,000 at this time, but instead sit down and walk through their plan.

Chairman Dupont explained the publicity with the project all came about from somebody who commented the bridge was a nightmare to begin with, and it changed from a bike path to a bridge; not that the commission did or didn't want to support the CTEP project. The second thing that happened he added was the matching funds were non-existent, let alone that the engineer costs could not be matched. He stated your organization asked what the county would do with the bridge if the project was not done, and my comment was if we can't fix it we will take it down. Dupont said the county's stand was not to throw a grenade at the project.

Grieve clarified what is essentially being asked is for a motion to unencumber the money; there is no project to which we would like it reallocated to per say. He explained the CTEP Administrative Policies that will be coming before them next week would establish guidelines for future projects, and the Red Bridge could certainly be a future application.

Commissioner Holmquist commented that the breakdown in communications came when no one in their organization actually came and talked to them; we received two letters and that was it.

Conger stated the intention today was to take a step back and work as a partnership with the City of Columbia Falls, Flathead County and First Best Place to work through a specific strategic plan.

Commissioner Lauman made a **motion** to unencumber \$500,000 of county CTEP allocations previously aimed for the Columbia Falls Red Bridge project, realizing that they can come back and re-apply in the future. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

TUESDAY, SEPTEMBER 20, 2011
(Continued)

CONSIDERATION OF ADOPTION OF RESOLUTION: BUDGET AMENDMENTS FY2010-2011 & FY2011-2012

[9:45:56 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Finance Director Sandra Carlson, Clerk Kile

Carlson reviewed the proposed budget amendments with the commission in regards to cleaning up FY 2011.

Commissioner Holmquist made a **motion** to approve Budget Amendment Resolution 2309 for FY2010-2011 as presented. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

BUDGET AMENDMENT
RESOLUTION # 2309

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;

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 20th day of September, 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/Pamela J. Holmquist
Pamela J. Holmquist, Member

By/s/Diana Kile
Diana Kile, Deputy

Account	Description	Debit	Credit
1000.000.0200.521000.820	TSFR TO HAZMAT FR OES	16,711.40	
2398.000.0000.383000.000	TSFR TO HAZMAT FR OES		16,711.40
2110.000.0218.521000.820	TSFR BADROCK RSID/CTY MATCH	169,711.73	
4246.000.0000.383000.000	TSFR BADROCK RSID/CTY MATCH		169,711.73
2190.000.0218.521000.820	TSFR ROAD/REPLACE VEHICLE	38,725.00	
2110.000.0000.383000.000	TSFR ROAD/REPLACE VEHICLE		38,725.00
2251.000.0231.521000.820	TSFR TO CIP 4014	5,500.00	
4014.000.0000.383000.000	TSFR TO CIP FROM 2251		5,500.00
2270.000.0222.521001.822	REIMB BOEHM SETTLEMENT	65,000.00	
2901.000.0000.383000.000	REIMB BOEHM SETTLEMENT		65,000.00
2270.000.0222.521001.820	GLACIER BANK DEBT PYMT	100,000.00	
3201.000.0000.383000.000	GLACIER BANK DEBT PYMT		100,000.00
3201.000.0222.490500.610	GLACIER BANK DEBT PYMT	96,078.25	
2270.000.0222.521001.822	LOAN 3RD FLOOR EBB-PILT REPAY	60,000.00	
4002.000.0222.383000.000	LOAN 3RD FLOOR EBB-PILT REPAY		60,000.00
2272.000.0222.521000.820	TSFR TO CIP 4019	30,000.00	
4019.000.0000.383000.000	TSFR TO CIP FROM 2272		30,000.00
2374.000.0224.521000.820	TSFR TO HEALTH DEBT SVC	10,000.00	
3201.000.0000.383000.000	TSFR TO HEALTH DEBT SVC		10,000.00
2374.000.0224.521000.820	3RD FLOOR LOAN PYMT	60,000.00	
3201.000.0222.383001.000	3RD FLOOR LOAN PYMT		60,000.00
2901.000.0201.521000.820	KILA PATH CTY MATCH	65.49	
2994.000.0201.383000.000	KILA PATH CTY MATCH		65.49

**TUESDAY, SEPTEMBER 20, 2011
(Continued)**

Account	Description	Debit	Credit
2965.000.0190.521000.820	TRSF CASH BAL FROM 2965 TO 2972	698.19	
2972.000.0000.383000.000	TRSF CASH BAL FROM 2965 TO 2972		698.19
2984.000.0190.521000.820	TRSF CASH BAL FROM 2984 TO 2990	980.86	
2990.000.0000.383000.000	TRSF CASH BAL FROM 2984 TO 2990		980.86
2160.000.0238.521000.822	CERF TRANSFER	654.00	
4017.000.0244.383000.000	CERF TRANSFER		654.00
2270.000.0222.521001.821	TRSF HEALTH TO SOLID WASTE	3,000.00	
5410.000.0000.383000.000	TRSF HEALTH TO SOLID WASTE		3,000.00
2272.000.0222.521000.820	TRNSF COST SHARE RADIO-EMS	10,000.00	
2391.000.0201.521000.820	FIRE SERVICE CONT TO BUILD	16,000.00	
2395.000.0202.521000.820	CERF TRANSFER	436.00	
4017.000.0244.383000.000	CERF TRANSFER		436.00
2210.000.0259.460410.900	LAKESIDE PARK CONT	1,339,643.00	
2210.000.0259.365000.000	LAKESIDE PARK CONT		1,339,643.00
2901.000.0000.383000.000	REPAYMENT OF LOAN TO PILT		410,000.00
2260.000.0201.520000.820	REPAYMENT OF LOAN TO PILT	410,000.00	
2120.000.0201.450141.351	TRNSF TO POOR FUND FROM PILT	25,650.00	
2120.000.0201.450141.716	TRNSF TO POOR FUND FROM PILT	39,850.00	
2120.000.0000.383000.000	TRNSF TO POOR FUND FROM PILT		65,500.00
2901.000.0201.521001.820	TRNSF TO POOR FUND FROM PILT	65,500.00	
1000.000.0213.411200.342	911 UTILITY PD BY MAINT FROM PILT	12,000.00	
1000.000.0213.411200.344	911 UTILITY PD BY MAINT FROM PILT	20,000.00	
2901.000.0201.521001.820	TRNSF FROM PILT TO TROUTBECK RSID	50,814.36	
4248.000.0000.383000.000	TRNSF FROM PILT TO TROUTBECK RSID		50,814.36
2110.000.0218.383000.000	REDUCE PILT TRNSF TO ROAD	500,000.00	
2901.000.0201.521001.820	REDUCE PILT TRNSF TO ROAD		500,000.00
2200.000.0227.440700.222	MOSQUITO SUPPLIES	10,100.00	
2200.000.0227.440700.229	MOSQUITO SUPPLIES	3,250.00	
2211.000.0259.460430.230	PARKS IN LIEU SUPPLIES	6,300.00	
2210.000.0259.460433.900	PARKS IN LIEU CAPITAL		6,300.00
2211.000.0259.460430.932	PARKS IN LIEU CAPITAL	7,678.00	
2290.000.0190.450410.229	4H/EXTENSION SUPPLIES	2,850.00	
2290.000.0190.450410.110	4H/EXTENSION SALARIES	1,350.00	
2290.000.0190.450410.141	4H/EXTENSION UNEMPLOYMENT	4.00	
2290.000.0190.450410.142	4H/EXTENSION INDUSTRIAL ACC	35.00	
2290.000.0250.334045.000	4H/EXTENSION CHERRY TREE GRANT		10,000.00
2391.000.0201.521000.820	TRNSF FROM FIRE 2391 TO CIP 4018	89,000.00	
4018.000.0201.383000.000	TRNSF FROM FIRE 2391 TO CIP 4018		89,000.00
2830.000.0707.367000.000	JUNK VEHICLE-BUD AMEND		765.00
2830.000.0707.430800.241	JUNK VEHICLE-BUD AMEND	765.00	
2840.000.0246.431100.398	WEED TRUCK GRANT	2,264.76	
2902.000.0201.420740.900	FOREST RESERVE TITLE II-CAPITAL	33,372.96	
2916.000.0190.331050.000	BCC/DRUG INV TEAM		28,053.99
2916.000.0190.420142.110	BCC/DRUG INV TEAM	6,287.86	
2916.000.0190.420142.120	BCC/DRUG INV TEAM	1,033.15	
2916.000.0190.420142.141	BCC/DRUG INV TEAM	239.21	
2916.000.0190.420142.142	BCC/DRUG INV TEAM	2,550.87	
2916.000.0190.420142.143	BCC/DRUG INV TEAM	309.47	
2916.000.0190.420142.145	BCC/DRUG INV TEAM	73.16	
2916.000.0190.420142.146	BCC/DRUG INV TEAM	755.11	
2916.000.0190.420142.377	BCC/DRUG INV TEAM	30.00	
2916.000.0190.420142.398	BCC/DRUG INV TEAM	16,775.16	
2939.000.0190.334120.000	BIGFORK STORMWATER		185,668.00
2939.000.0190.410110.354	BIGFORK STORMWATER	30,830.00	
2939.000.0190.410110.397	BIGFORK STORMWATER	161,033.00	
2939.000.0190.410513.354	BIGFORK STORMWATER	33,957.00	
2939.000.0190.334121.000	BIGFORK STORMWATER		50,000.00

**TUESDAY, SEPTEMBER 20, 2011
(Continued)**

2970.000.0190.331132.000	CONSORTIUM II		643.13
2970.000.0190.440176.110	CONSORTIUM II	8,674.70	
2970.000.0190.440176.141	CONSORTIUM II	32.92	
2970.000.0190.440176.142	CONSORTIUM II	80.36	
2970.000.0190.440176.143	CONSORTIUM II	1,392.19	
2970.000.0190.440176.144	CONSORTIUM II	532.72	
2970.000.0190.440176.145	CONSORTIUM II	603.53	
2970.000.0190.440176.147	CONSORTIUM II	124.33	
2970.000.0190.440176.150	CONSORTIUM II	2.38	
2970.000.0190.440176.351	CONSORTIUM II		10,800.00
2974.000.0190.331139.000	CONSORTIA III/RYAN WHITE		3.05
2974.000.0190.440156.110	CONSORTIA III/RYAN WHITE	3.05	
2995.000.0201.331055.000	CTEP/SAM BIBLER MEMORIAL		20,518.36
2995.000.0201.430235.933	CTEP/SAM BIBLER MEMORIAL	20,518.36	
3538.000.0200.363040.000	BIG MT WATER-PAVING RSIDE#138		209.43
3538.000.0200.371010.000	BIG MT WATER-PAVING RSIDE#138		279.95
3538.000.0200.490300.630	BIG MT WATER-PAVING RSIDE#138	300.00	
4012.000.0201.383000.000	1/2 RECORDS BLDG TRNSF		137,500.00
4012.000.0201.411200.900	RECORDS BLDG	68,000.00	
4012.000.0201.410000.900	RECORDS BLDG	18,137.00	
4012.000.0201.334990.000	COURTHOUSE REMODEL		50,000.00
4012.000.0201.410123.900	COURTHOUSE REMODEL	16,535.00	
4020.000.0248.383000.000	LIBRARY DEP RESERVE-CAPITAL		56,005.00
4020.000.0248.460110.920	LIBRARY DEP RESERVE-CAPITAL	9,490.00	
4249.000.0200.430251.900	SWAN HORSESHOE RSID #149	38,171.00	
7055.000.0248.460110.211	LIBRARY GIFTS & MEMORIALS	2,774.00	
7055.000.0248.365000.000	LIBRARY GIFTS & MEMORIALS		10,333.00
7062.000.0209.420140.305	DRUG FORFEITURE/FED SHARE	256.00	
7062.000.0209.371010.000	DRUG FORFEITURE/FED SHARE		256.00
8050.000.0200.500600.351	GROUP INSURANCE TRUST	314,000.00	
8050.000.0200.362000.000	GROUP INSURANCE TRUST		133,000.00
8050.000.0200.396010.000	GROUP INSURANCE TRUST		135,042.00
8050.000.0200.396012.000	GROUP INSURANCE TRUST		206,363.00
8050.000.0200.396014.000	GROUP INSURANCE TRUST		123,602.00
2973.000.0190.331146.000	PHHV GRANT AMENDMENT		1,091.30
2973.000.0190.440172.110	PHHV GRANT AMENDMENT	878.00	
2973.000.0190.440172.141	PHHV GRANT AMENDMENT	2.00	
2973.000.0190.440172.142	PHHV GRANT AMENDMENT	9.00	
2973.000.0190.440172.143	PHHV GRANT AMENDMENT	72.30	
2973.000.0190.440172.144	PHHV GRANT AMENDMENT	54.00	
2973.000.0190.440172.145	PHHV GRANT AMENDMENT	62.00	
2973.000.0190.440172.147	PHHV GRANT AMENDMENT	13.00	
2973.000.0190.440172.150	PHHV GRANT AMENDMENT	1.00	
2969.000.0190.440510.397	HEALTH CLINIC ADJUSTMENTS	6,000.00	
2969.000.0190.440510.398	HEALTH CLINIC ADJUSTMENTS	4,000.00	
2969.000.0190.440512.397	HEALTH CLINIC ADJUSTMENTS	4,200.00	
2969.000.0190.440512.398	HEALTH CLINIC ADJUSTMENTS	20,000.00	
2969.000.0190.440513.212	HEALTH CLINIC ADJUSTMENTS	17,000.00	
2969.000.0190.440513.215	HEALTH CLINIC ADJUSTMENTS	5,000.00	
2969.000.0190.440513.222	HEALTH CLINIC ADJUSTMENTS	5,000.00	
2969.000.0190.440513.900	HEALTH CLINIC ADJUSTMENTS	10,000.00	

Commissioner Lauman made a **motion** to approve Budget Amendment Resolution 2310 for FY2012 as presented. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**TUESDAY, SEPTEMBER 20, 2011
(Continued)**

BUDGET AMENDMENT
RESOLUTION # 2310

WHEREAS, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2011-2012, 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 2011-2012; and;

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 20th day of September, 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

Account	Description	Debit	Credit
2300.000.0209.331191.000	COAST GUARD GRANT		6,000.00
2300.000.0209.420705.120	COAST GUARD GRANT	5,976.00	
2300.000.0209.420705.141	COAST GUARD GRANT	24.00	
2210.000.0259.460430.398	CONRAD COMPLEX WELL PUMP REPAIR	37,000.00	
3002.000.0221.490100.610	RECORD BOND PREMIUM/GO BONDS	35,000.00	
3002.000.0221.490100.620	RECORD BOND PREMIUM/GO BONDS	21,940.43	
3002.000.0000.381040.000	RECORD BOND PREMIUM/GO BONDS		13,440.00
3001.000.0221.490100.620	RECORD BOND PREMIUM/GO BONDS		35,000.00
3001.000.0221.490100.610	RECORD BOND PREMIUM/GO BONDS		8,500.43

**CONTINUATION OF DOCUMENT FOR SIGNATURE: MARION COMMUNICATIONS SITE LEASE NO. 825-5-11-0020/
PLUM CREEK TIMBERLAND, LP**

[10:04:11 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 authorize chair to sign the document for signature/ Marion Communication Site Lease No. 825-5-11-0020. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

PUBLIC HEARING: DISSOLVE DESERT MOUNTAIN TV DISTRICT

[10:05:10 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Chairman Dupont presented an overview of dissolving Desert Mountain TV District. He said citizens in the past have been taxed for Desert Mountain TV District, and it was up and down on a regular basis. He stated we have not been able to keep a board appointed to run the district. Dupont explained through negotiations with the 3 channels the district had it was decided they would take over the complete system and not use district money; all they were asking is for help in moving a signal off of Apgar, which will be done with left over district funds. He further explained it will be converted to digital and will go from 4 channels to 12 and possibly 18.

TUESDAY, SEPTEMBER 20, 2011
(Continued)

Chairman Dupont opened the public hearing to anyone wishing to speak in regards to dissolution of Desert Mountain TV District.

No one rising to speak, Chairman Dupont closed the public hearing.

Commissioner Holmquist made a **motion** to adopt Resolution 2307B to dissolve Desert Mountain TV District. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2307B

RESOLUTION DISSOLVING THE DESERT MOUNTAIN TELEVISION DISTRICT

BE IT RESOLVED by the Board of County Commissioners (the "Board") of Flathead County, Montana (the "County"), as follows:

1. Passage of Resolution of Intention. This Board, on September 6, 2011, adopted Resolution No. 2307A (the "Resolution of Intention"), pursuant to which this Board declared its intention to dissolve the Desert Mountain Television District.

2. Notice. Notice of passage of the Resolution of Intention was duly published in all respects in accordance with law. On September 20, 2011, this Board conducted a public meeting on the dissolution of the District and passed this Resolution.

3. Protests. There were no written protests made by the protest deadline of September 19, 2011. Therefore, the number of protests were insufficient to prohibit passage of this Resolution.

4. Dissolution of the District. As an insufficient number of protests were made by September 19, 2011, the District is hereby dissolved.

5. Deposit of Funds. Any assets remaining after all debts and obligations of the District have been paid, discharged, or irrevocably settled shall be deposited in the Flathead County general fund.

PASSED AND ADOPTED by the Board of County Commissioners of Flathead County, Montana, this 20th day of September, 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

CONSIDERATION OF H.R. TRANSMITTAL: HEALTH PROMOTION SPECIALIST/ TOBACCO USE PREVENTION GRANT

[10:29:43 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 H.R. Transmittal for a budgeted position/Health Promotion Specialist. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #1102 PROS 0178

[10:28:43 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 #1102 PROS 0178 and authorized chair to sign. Commissioner Holmquist **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 September 21, 2011.

WEDNESDAY, SEPTEMBER 21, 2011

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

9:15 a.m. RSVP Board meeting @ Heritage Place
11:00 a.m. County Attorney meeting @ Co. Atty's Office

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

THURSDAY, SEPTEMBER 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.

NO MEETINGS SCHEDULED

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

FRIDAY, SEPTEMBER 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.

NO MEETINGS SCHEDULED

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