
MONDAY, NOVEMBER 7, 2011

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

8:30 a.m. 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 November 8, 2011.

TUESDAY, NOVEMBER 8, 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 November 9, 2011.

WEDNESDAY, NOVEMBER 9, 2011

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

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 November 10, 2011.

THURSDAY, NOVEMBER 10, 2011

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

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

Shelby Farnham, 610 West Springcreek Drive spoke about concerns regarding zoning on a parcel of property currently zoned AG20 that she proposes to put a coffee shop on, and eventually a business. She asked for commissioner guidance in working with the Planning and Zoning Office to change the zoning designation.

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

PUBLIC AUCTION FOR EAST AND WEST ANNEX BUILDINGS @ JUSTICE CENTER

8:30:37 AM

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, County Attorney Legal Assistant Debbie Boreson, Weed, Parks & Maintenance Director Jed Fisher, Clerk Kile

Auction was held at 8:30 a.m. in the Justice Center. No bidders were present.

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

8:49:37 AM

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Planning and Zoning Director B. J. Grieve, Deputy County Attorney Peter Steele, Clerk Kile

Grieve reviewed planning staff's workload for the month of October. He reported an update of the Flathead County Growth Policy would be ready in January for review. In other business, he reviewed their tracking systems implemented, spoke about upcoming land use board appointments, enforcement issues and budget projections and expenditures. CTEP fund allocations were reviewed, and he noted Columbia Falls is interested in receiving \$70,000 for a bike trail. Grieve reviewed eight proposed housekeeping amendments to the subdivision regulations, and asked for commissioner approval to expend resources to work on them as a file. The commission gave unanimous verbal approval. Also during his report he asked for commissioner input regarding the possibility of charging a modest processing fee to cover expenses for extension agreements. The commission gave unanimous verbal approval to pursue the suggestion. He further reported a grant application for \$250,000 has been submitted for removal of the Old Red Bridge in Columbia Falls.

THURSDAY, NOVEMBER 10, 2011
(Continued)

MONTHLY MEETING WITH SCOTT SAMPEY/ OES, LINCOLN CHUTE/ FIRE SERVICES AREA MANAGER AND JACK SPILLMAN/ RADIO SYSTEMS ADMINISTRATOR

[9:34:59 AM](#)

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, OES Director Scott Sampey, Fire Services Manager Lincoln Chute, Radio Systems Administrator Jack Spillman, Clerk Kile

Sampey spoke about new studies pertaining to changes to CPR procedures and reviewed research stats. He reported Mary Granger currently is in the process of training local EMT's on the revised procedures. Sampey noted Emergency Medical Dispatch (EMD) instruction books are being worked on. In other business, he reported an emergency disaster exercise will be held in January. Sampey spoke about a bank sloughing off on Whitefish Stage Road and the county possibly being a sub-recipient of a grant to help with stabilization of the bank. He noted Olney Rural Fire District and Lakeside QRU were each awarded a \$140,000 state grant to purchase an ambulance.

Discussion was held relative to concerns related to the Interoperability Montana Border Grant and a countywide burn permit system.

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

[10:00:52 AM](#)

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Carlson reviewed the following monthly cash balance report for October. She reported the auction for the sale of restaurant equipment was completed.

October 31, 2011
REVIEW OF CASH BALANCE

FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE (\$12 beginning cash)	YTD CASH BALANCE AS OF October 31, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
1000	GENERAL FUND	9,923,570	2,742,038	12,665,608	2,274,546	1,263,141	2,837,711	1,574,570	28.60%
2120	POOR FUND	376,983	79,048	456,031	77,894	(45,801)	119,731	165,532	31.76%
2130	BRIDGE FUND	982,767	202,252	1,185,019	380,541	117,218	201,301	84,083	20.48%
2140	WEED	607,720	125,519	733,239	137,812	86,817	125,517	38,700	20.65%
2160	COUNTY FAIR	1,131,199	227,004	1,358,203	174,387	148,157	140,505	(7,652)	12.42%
2180	DISTRICT COURT	728,618	147,960	876,578	225,774	141,067	141,521	454	19.42%
2190	COMP INS	831,237	174,435	1,005,672	312,536	(432,139)	151,890	584,029	18.27%
2210	PARK	624,232	126,365	750,597	230,358	87,687	89,365	1,678	14.32%
2220	LIBRARY	1,357,016	338,940	1,695,956	355,287	(1,933)	283,177	285,110	20.87%
2280	AREA ON AGING	230,199	46,510	276,709	276,709	36,772	18,156	(18,616)	7.89%
2290	4H/EXT	134,503	27,141	161,644	24,005	(11,467)	27,142	38,609	20.18%
2300	SHERIFF	8,169,291	2,304,266	11,473,557	1,974,461	(127,866)	2,315,092	2,442,958	25.25%
2370	RETIREMENT	2,567,825	524,138	3,091,963	1,465,705	874,487	460,162	(414,325)	17.92%
2380	GROUP INS	2,766,360	616,798	3,383,158	1,385,422	557,063	1,730,832	1,173,769	62.57%
2396	JUV DETENTION	644,798	142,835	787,633	207,629	45,401	121,393	75,992	18.83%
TOTAL COUNTYWIDE NON-VOTED		32,076,318	7,825,249	39,901,567	9,314,820	2,738,604	8,763,495	6,024,891	27.32%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	CASH RESERVES (\$ needed for 1st 4mos FY11)	YTD CASH BALANCE AS OF October 31, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2110	ROAD FUND	7,101,142	2,138,815	9,239,957	2,409,440	223,059	1,645,950	1,422,891	23.18%
2251	PLANNING	400,601	131,738	532,339	121,227	50,337	131,739	81,402	32.89%
TOTAL OUTSIDE CITIES NON-VOTED		7,501,743	2,270,553	9,772,296	2,530,667	273,396	1,777,689	1,504,293	23.70%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	CASH RESERVES (\$ needed for 1st 4mos FY11)	YTD CASH BALANCE AS OF October 31, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2270	HEALTH FUND	2,116,971	565,278	2,682,249	601,918	328,515	569,499	240,984	26.90%
TOTAL LEVIED FUNDS		2,116,971	565,278	2,682,249	601,918	328,515	569,499	240,984	26.90%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	CASH RESERVES (\$ needed for 1st 4mos FY11)	YTD CASH BALANCE AS OF October 31, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2200	MOSQUITO	181,289	57,611	238,900	23,511	(7,556)	31,287	38,843	17.26%
2272	EMS PROGRAM	230,375	71,529	301,904	73,864	14,302	71,592	57,290	31.08%
2273	SPECIAL EMS PROGRAM	446,772	70,708	517,480	56,499	83,449	70,708	(12,741)	15.83%
2372	PERMISSIVE MED LEVY	1,176,851	-	1,176,851	-	68,764	-	(68,764)	0.00%
2382	SEARCH & RESCUE LEVY	223,624	69,343	292,967	69,302	48,568	44,180	(4,388)	19.76%
2990	TRANSPORTATION	1,963,873	288,244	2,252,117	416,514	27,679	344,126	316,447	17.52%
3001	911 GO BOND DEBT SERVICE	455,294	48,868	504,162	20,193	45,906	92,369	46,463	20.29%
TOTAL COUNTYWIDE VOTED/EXEMPT		4,678,078	606,303	5,284,381	659,883	281,112	654,262	373,150	13.99%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	CASH RESERVES (\$ needed for 1st 4mos FY11)	YTD CASH BALANCE AS OF October 31, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2260	EMERGENCY/DISASTER	330,156	45,847	376,003	45,847	48,271	45,847	(2,424)	13.89%
TOTAL OUTSIDE CITIES VOTED		330,156	45,847	376,003	45,847	48,271	45,847	(2,424)	13.89%

DOCUMENT FOR SIGNATURE: ENGAGEMENT LETTER/ ANDERSON, ZURMUEHLEN & COMPANY

[10:00:52 AM](#)

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Commissioner Lauman made a **motion** to authorize chair to sign the engagement letter for audit services. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

CONSIDERATION OF EXTENSION REQUEST: MEADOWBROOK PARK

[10:15:59 AM](#)

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Planner Alex Hogle, Clerk Kile

Hogle reviewed the request received from Sands Surveying for a one-year standard extension for Meadowbrook Park.

Commissioner Holmquist made a **motion** to approve the extension request to January 12, 2013. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

THURSDAY, NOVEMBER 10, 2011
(Continued)

CONSIDERATION OF PRINT BIDS: HEALTH DEPT.

[10:17:38 AM](#)

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

Chairman Dupont read the following low bid results.

Signs Now, 2 banners for \$180.00
O'Neil Printers, 600 on site evaluation receipt books for \$142.50
Great Northern Printing, 500 business cards for \$24.95
Insty Prints, 600 receipt books for \$103.04

Commissioner Lauman made a **motion** to approve the print bids read. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #12-07-5-31-007-0

[10:19:42 AM](#)

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

Commissioner Holmquist made a **motion** to approve DPHHS Contract #12-07-5-31-007-0. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

COS REVIEW: REYNOLDS

[10:30:31 AM](#)

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Planning & Zoning Director B. J. Grieve, Planner Bailey Minnich, Jamie Reed, Betty Personett-Reynolds, Clerk Kile

Minnich reviewed FCE 11-08 for Betty Reynolds. She explained the property is located near the corner of Witty Lane and Chubb Lane north of Columbia Falls. The proposal is to divide a 9.6-acre tract into two tracts: 1.8 acres to the son, and the remainder will be retained by the current owner.

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

MEETING W/ ROB BLAIR

[10:45:44 AM](#)

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Weed, Parks & Maintenance Director Jed Fisher, Rob Blair (RB), Dane Phillips, Mark Pengh, Shawn Gaymon, Kevin Savrow, Clerk Kile

Rob Blair read the following letter his wife sent to Governor Schweitzer, Steve Bullock, Mary VanBuskirk, Commissioner Dupont, Commissioner Holmquist, Commissioner Lauman and County Attorney Ed Corrigan.

Mr. Schweitzer,

A man, while temporarily here in Flathead Valley, has been prosecuted by the City of Whitefish for a 'crime' not recognized by the Constitutions or treaty laws, but under Title 61 of your State 'codes', however the man was arrested and jailed for a violation of Title 45 of your 'codes' for 'criminal contempt' and there doesn't seem to be any evidence of a trial, or conviction for the said 'crime'. He was jailed because he couldn't afford to 'pay' a fine: Imprisoned for a debt, since he couldn't "deliver up his estate" (as from your Section 27, Article II). How did this happen? Can that happen to me? Or can I or just anyone be incarcerated in the State of Montana without the benefit of a trial?

Furthermore, weren't you a resident of Whitefish prior to assuming your duties as the Governor of this state? You should have no problem answering the following questions: Who and /or what is the CITY OF WHITEFISH? Does the City of Whitefish even exist? They (the city of Whitefish) do not seem to be registered with the Secretary of state's Office to do business in the state of Montana. Who and or what is the: TOWN OF WHITEFISH A RESOLUTION TO ADVANCE THE TOWN OF WHITEFISH, FROM A TOWN TO A CITY OF THIRD CLASS? This entity has a Certified File Number of D007210 with Linda McCulloch's office, and appears to be some kind of charitable organization?...due to its 'perpetual' nature as stated in their (T.O.W.A.R.T.A.T.T.O.W.F.A.T.T.A.C.O.T.C.) Certificate of Fact (enclosed) issued by Linda McCulloch., as you know or should know, according to your Montana constitution: perpetuities are not allowed, except for charitable purposes, are they not?

The same man, jailed without a trial, was informed last week, via a telephonic conversation with Beth Laughlin: the court Administrator for the Supreme Court for the State of Montana that "the Supreme Court (of Montana) does NOT have jurisdiction over the City of Whitefish Municipal Court system." Mark Saylor of the F.B.I. JTTF Montana also told the same man:" F.B.I. does NOT have jurisdiction over the City of Whitefish." Marshall Marvin of the Missoula

THURSDAY, NOVEMBER 10, 2011
(Continued)

U.S. Marshall service told the man involved the same thing: 'no jurisdiction over Whitefish' statement, as did Jim DuPont, Flathead county commissioner, Tara Fugina, Flathead county Attorney's office, as well as Mike Meehan(in 2009), Chuck Curry and Jordan White of the Flathead county Sheriff 's Office. The Question: who or what has an authority over Mr. Brad Johnson as the minister of the Whitefish "court" system? Is it you? or is his position superior to your's also?

Can and will these abominations of law happen to me too?

One more thing, as being a former resident of the valley, how is it that the Flathead Co. Commissioners can hold two (2) branches of this supposed constitutional form of government (Executive AND Legislative)? see their website - under 'Elected and Appointed Officials', first sentence: (cut and pasted) "The County Commission is the Executive as well as the Legislative branch for Flathead County." (website printout enclosed). Could you or Steve Bullock certify the constitutionality of this form of government or is this just a signal or a token that Flathead valley is a Constitutional-free zone meaning the constitutions have been suspended by these 'commissioners'?

The reason for these inquiries and this petition to you; as being this man's bride, these entities have also drug me into a very costly court related expense, after stealing my transportation, leaving me on the side of the road on 93 alone, during storm conditions in mid-February no less, dressed only in office attire, and levying with towing and storage fees: all done without any warrant displayed...as I did asked 'them' for cause; just to be dismissed without a trial, but at great toll for me. The first ticket in my life cost me/us thousands with no apparent value received. Just a great service to the community, I guess...eh?

And finally, will these people be enabled /allowed to deliver physically harm to the point of inflicting physical injury to me as well, as they have my man's body?

A complete response from you personally, within ten (10) days from this 26th day of October A.D. 2011, would be appreciated.

a concerned non-resident woman/wife

cc: Steve Bullock w/PS 3817

RB reviewed and spoke about the following documents presented. A transcript presented for the record from March 1, 2010, a copy of Robert O. Coulson, Failure to File the Oath Vacates the Office Due to Failure to Qualify by Carolyn H. Mann, invoice from Carlson Chiropractic, Title 2 - Government Structure and Administration: Chapter 9 Liability Exposure and Insurance Coverage and Cause Na DV-11-1236(B).

Chairman Dupont stated we have listened to your concerns, and will take them under advisement.

MEETING W/ KEVIN SAVROW

Kevin Savrow stated he wished to turn over his scheduled time to Rob Blair.

MEETING W/ JED FISHER, WEED/ PARKS/ MAINTENANCE DEPT.

11:00:45 AM

Chairman James R. Dupont, Commissioner Dale W. Lauman, Commissioner Pamela J. Holmquist, Assistant Mike Pence, Weed, Parks and Maintenance Director Jed Fisher, Clerk Kile

Discussion was held relative to the cost of renting a lift and the benefits of purchasing one for all county departments to use, in order to keep up with maintenance duties. Fisher stated Midway Rental has a unit that can be purchased for \$26,500.

Commissioner Holmquist made a **motion** to authorize the Weed, Parks and Maintenance Department to purchase a 1999 Genie Lift. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

Discussion was held relative to winter snow removal at the 911 Center.

2:00 p.m. AOA Board meeting @ Kalispell Senior Center

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

FRIDAY, NOVEMBER 11, 2011

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

COUNTY OFFICES CLOSED - VETERANS DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 14, 2011.
