
MONDAY, MAY 7, 2012

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

1:30 p.m. Commissioner Lauman: RSVP Volunteer Lunch @ FVCC Meeting Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 8, 2012.

TUESDAY, MAY 8, 2012

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

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

MONTHLY MEETING W/ CINDY MULLANEY, DEPUTY OES DIRECTOR & LINCOLN CHUTE, FIRE SERVICES AREA MANAGER

[10:30:04 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, OES Deputy Director Cindy Mullaney, Clerk Kile

Mullaney met with the commission and reported in terms of flooding things are looking good so far. She spoke about training their Type 3 Team received at an exercise in Salt Lake City. She reviewed additional exercises to be held this year and explained a communications plan is being worked on for Flathead County.

Chute reviewed progress with the Ashley Lake Fire Hall and annexation of properties in the area. He reported with grant funds he purchased a new portable gel machine. He spoke about continued work on Mt. Aeneas and installation of a temporary antenna.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: FZTA 11-01/ VARIOUS TEXT AMENDMENTS

[11:00:52 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Office Administrator Mary Fisher, Office Assistant Donna Valade, Clerk Kile

Hogle reported no protests or concerns regarding amendments to the text of the zoning regulations were submitted.

Commissioner Holmquist made a **motion** to adopt Final Resolution 955HN as read. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

RESOLUTION NO. 955 HN

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 28th day of March, 2012, 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 HM dated March 28, 2012) to amend the Flathead County Zoning Regulations for the purpose of improving administration; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on April 2 and April 9, 2012, 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.

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 for the purpose of improving administration are described as follows:

- 1) Eliminate plural endings for words in descriptions of permitted and conditional uses throughout the regulations which erroneously imply that multiple instances of a use are permitted on a single tract of record.
- 2) Delete the second paragraph of § 3.38.160, which refers to the Ashley Lake Neighborhood Plan for regulatory authority.

TUESDAY, MAY 8, 2012
(Continued)

- 3) Add a sentence to § 5.07.010 to clarify that there is no restriction on the number of livestock animals in agricultural zoning districts.
- 4) Delete the first sentence of § 5.05.030 which removes the one year time-frame to meet 'greenbelt' landscaping requirements.

Dated this 8th day of May, 2012.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Dale W. Lauman
Dale W. Lauman, Chairman

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

By/s/Calvin L. Scott
Calvin L. Scott, Member

ACCLAMATIONS & APPOINTMENTS: RURAL FIRE DISTRICTS AND LAKESIDE COMMUNITY COUNCIL

[11:07:44 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, Clerk Kile

Commissioner Scott made a **motion** to appoint Richard Prestbye to Badrock Rural Fire District, John Devine to Marion Rural Fire District, Laurel Therrien, Gary Kober and Vincent Marks to Olney Rural Fire District. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

Commissioner Scott made a **motion** to appoint the following candidates by acclamation. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

Badrock Rural Fire District	Doyle Catlett
Big Mtn. Rural Fire District	Arthur Harris and Lois Marshall
Bigfork Rural Fire District	Kristy Oster and William Taylor
Blankenship Rural Fire District	Dan Diamond
Columbia Falls Rural Fire District	Stephen Marquesen and Gregg Price
Coram/West Glacier Rural Fire District	John Gillespie and Frank Kellenbeck
Creston Rural Fire District	Myron Mast and Donald Vogel
Evergreen Rural Fire District	Julie Reid and Frank Miller
Lakeside Community Council	Meredith Coopman and Barbara Miller
Marion Rural Fire District	Karren Brown
Smith Valley Rural Fire District	Marvin Berg and Rod Gilman
South Kalispell Rural Fire District	Roger W. Stevens and Larry Smith
West Valley Rural Fire District	Myron Boulden and Diane Woosley
Whitefish Fire Service Area	William LaBrie and Bertram May

DOCUMENT FOR SIGNATURE: DNRC RRGL GRANT APPLICATION/ BIGFORK STORMWATER PROJECT

[11:07:39 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Pierson reported the document is a support letter and some of the required components for the application. She noted the basic request is for \$100,000 from DNRC RRGL to support construction for the Bridge Street component of the Bigfork Stormwater Project.

Commissioner Holmquist made a **motion** to approve signature of the document for DNRC RRGL Grant Application for the Bigfork Stormwater Project. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

CONSIDERATION OF LIFTING 2012 LOAD LIMITS

[11:08:49 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Commissioner Scott made a **motion** to approve lifting of load limits effective May 8, 2012. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

TUESDAY, MAY 8, 2012
(Continued)

BOARD APPOINTMENT: LAKESIDE COMMUNITY COUNCIL

[11:10:54 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Office Manager Mary Fisher, Office Assistant Donna Valade, Clerk Kile

Commissioner Holmquist made a **motion** to appoint Mike Wilson to the Lakeside Community Council as the county representative. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

9:30 a.m. Juvenile Detention Facility Tour
1:00 p.m. Commissioner Holmquist: Flathead Regional Wastewater Mgmt. Group meeting @ EBB

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 9, 2012.

WEDNESDAY, MAY 9, 2012

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioner Scott 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 10, 2012.

THURSDAY, MAY 10, 2012

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

[8:45:50 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Rick Schaeffer, Clerk Kile

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

Rick Schaeffer spoke about concerns regarding issues he has encountered at the green box container site in Columbia Falls. He explained he is not a dumpster diver, but a concerned citizen involved in keeping Flathead Valley clean. Schaeffer reviewed problems he has faced regarding an employee that manages the site and the way citizens are treated. He suggested a handicapped type box should be placed at the site along with a tire drop off location. Schaeffer noted he has met with management of the site on several occasions and has attended Solid Waste Board meetings in the past. He stated he has had discussion with other citizens in the Columbia Falls area who also have concerns regarding the container site employee. Schaeffer said they should not be confronted and bullied at the green box sites. He also noted since the hours have been changed more issues and problems have been raised. He questioned smoking in public buildings which have been built with public funds, and questioned what alternatives he has in regards to the abuse. Pictures of his concerns were presented to the commission.

Commissioner Scott said he is aware of the concerns and would study regulations over the next few days and would get back to him.

Chairman Lauman thanked Mr. Schaeffer for the service he provides to the county with his volunteer service in cleaning roadways.

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

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

[9:00:34 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Clerk Kile

Grieve reviewed staff's workload, spoke about revising the fee schedule, reviewed budget statistics, reviewed his interpretation of political sign postings and reviewed progress with enforcement files. He reported a public hearing regarding the growth policy is scheduled to be held on June 13. In other business, he spoke about inspections done on levees by the Army Corp of Engineers, the Evergreen PMR deadline and potential changes to the CTEP policy.

THURSDAY, MAY 10, 2012
(Continued)

SECOND READING OF ORDINANCE NO. 4/ PARK RULE ENFORCEMENT

[9:33:09 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Peter Steele, Clerk Kile

Chairman Lauman read into the record the changes to Ordinance No. 4/ Park Rule Enforcement.

Commissioner Scott made a **motion** to approve the 2nd Reading of Ordinance No. 4. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

ORDINANCE NO. 4
PARK RULE ENFORCEMENT

WHEREAS, the Board of Commissioners, Flathead County, Montana, recognize that the County contains a substantial number of public county parks and facilities which are now receiving and do receive heavy and intense public use, and

WHEREAS, such use requires greater policing and monitoring that the County Sheriff's Department can be expected to provide on a continuing basis, and,

WHEREAS, the public deserves the quiet, safe, and peaceful use of the County parks and facilities, and,

WHEREAS, under Section 7-16-2322, M.C.A., the County Park Board has the authority to pass park rules and regulations to govern and control the use of the County park facilities and to assure their enjoyment for the members of the public using the park facilities, and,

WHEREAS, the County Park Board has adopted rules and regulations and under Section 7-16-2322, M.C.A., and, the County governing body may adopt an ordinance which will provide for the enforcement of these rules and regulations, provide for penalties for violation of the rules and regulations, and authorize the county Park Board to employ a County Park Warden to enforce the Park rules and regulations, and,

WHEREAS, Section 7-5-102, M.C.A., through 7-5-107, M.C.A., provide the Commissioners with the authority to adopt ordinances.

NOW THEREFORE, BE IT RESOLVED, that effective thirty-one (31) days after the second reading and final adoption, the following ordinance shall be in force and effect in all of Flathead County inclusive of the limits of the incorporated cities.

SECTION ONE
DEFINITIONS

A. Board of County commissioners. Board of Commissioners shall mean the Board of Commissioners of Flathead County, Montana.

B. Camping Site. Camping site, when used in this Ordinance, shall be a duly designated and posted overnight camping site.

C. County Park Board. County Park Board shall mean the duly appointed county Board of Park Commissioners as provided for in Title 7, Chapter 16, part 23, of the Montana Code Annotated.

D. Swimming Area. Swimming area shall mean the duly designated area within a lake or other body of water which shall be marked by red and white or blue and white buoys and within said buoys shall be the designated swimming area and outside of said buoys shall not be a designated swimming area.

E. Power Boat. Power boat shall mean any boat powered by a gasoline powered or electrically powered motor or engine.

F. Warden. Warden, when used in this Ordinance, shall mean the Flathead county Park Warden or Park Ranger employed by the county Park Board and as authorized under Section 7-16-2322 (2) (b), M.C.A.

G. Water Skier. Water Skier shall include an individual water skier or water skiers being towed by a power boat and shall also include a person or persons being towed by a power boat upon any type of device such as a surfboard, inner tube, or other floating device. Water skiers shall also include any sailboat and any board-sailing device.

SECTION TWO
WARDEN

The Warden is hereby vested with the power and authority necessary to enforce the provisions of this Ordinance.

The Warden shall serve at the will and the pleasure of the County Park Board and may not be a peace officer as defined in Section 46-1-201, M.C.A.

**THURSDAY, MAY 10, 2012
(Continued)**

**SECTION 3
RULES AND REGULATIONS**

Section Number		Bond Fees
0-1	No person shall discharge any fireworks, firearm, air or gas weapon (this includes paintball guns), or arrow from a bow on or over either land or water.	85.00
0-2	No person shall permit a pet animal to run at large in a designated public recreation area, but must restrain all pet animals and keep them under control on a leash at all times.	125.00
0-2.1	No dogs shall be allowed at Conrad Complex or Hillcrest Parks in Kalispell; Camelot Park in Evergreen; Aero Lane, Carlyle Johnson, or Potoczny Parks in Bigfork; Lake Park Addition in Whitefish; or Volunteer Park in Lakeside.	On leash 85.00 Off leash 125.00
0-3	No motor vehicle shall be driven off authorized roads, except into parking areas provided.	85.00
0-4	No motor vehicle shall be driven at a speed greater than the posted speed.	85.00
0-5	No person shall park any vehicle, trailer, camper, boat, or other vehicle except in designated parking areas.	85.00
0-5.1	No person shall place any vehicle, trailer, camper, boat, on park property to display for sale or leave unattended overnight.	85.00
0-6	No person shall camp overnight in any county-owned or county administered shelter building.	85.00
0-7	No person shall build or maintain a fire in any designated recreation area.	85.00
0-8	No person shall destroy, deface, injure, remove, or otherwise damage any natural or improved property or shall willfully or negligently cut, destroy, or mutilate any tree, shrub, or plant.	85.00
0-9	No person shall disturb or remove the topsoil cover. This prohibits digging for worms, burying of garbage, allowing pets to dig holes, or prospecting.	85.00
0-10	No person shall permit livestock to graze in any area properly fenced to restrict the passage of livestock unless the area is specifically leased to the owner grazing.	100.00
0-11	No person shall enter upon any portion of any area posted as restricted to public passage.	85.00
0-12	No person shall dump fish or animals or parts thereof, human excrement, refuse, rubbish, or wash water (except in receptacles provided for this purpose) nor pollute or litter in any manner a public recreational area.	85.00
0-13	No commercial or political signs shall be posted.	85.00
0-14	No boats shall be launched from any boat trailer, car, truck or other conveyance except at an established launching area if such a facility is provided.	85.00
0-15	No person shall use these lands for any commercial purpose without first securing permission from the County Park Board and/or its Supervisor and meeting any necessary insurance standards or liability risks. Upon approval, the county will charge according to comparative prices of the private sector, whenever possible.	1 st offense 85.00 2 nd offense 170.00 3 rd offense 255.00
0-16	Disorderly conduct such as drunkenness, use of vile or profane language, fighting, indecent exposure or operation of a motor vehicle in a manner as to create a nuisance or annoyance to others, or loud or noisy behavior during the hours of darkness is prohibited; and in addition to any other penalty provided, the participant may be expelled from the area, and/or subject to any penalties enforced by the sheriff's office.	100.00
0-17	Swimming areas, when designated, are limited to red and white buoys, or blue and white buoys. No person shall swim from such designated swimming area to any area beyond that which is so marked or limited. No person shall disturb, deface, remove or relocate such buoys unless authorized by the County Park Board. No boat shall be operated within fifty (50) feet of the exterior boundary of a designated swimming area.	85.00
0-18	No power boat shall be operated or beached within a designated swimming area nor shall be operated with its motor in operation so that any portion of such boat approaches closer than fifty (50) feet to any swimmer in the water. The term "swimmer" as used herein shall not mean any water skier then engaged in water skiing and using said boat as towing power. This regulation is applicable only in water areas which are within one hundred (100) feet of the nearest shoreline and shall not apply to emergency or lifesaving situations.	85.00

**THURSDAY, MAY 10, 2012
(Continued)**

0-19	No operator of a power boat shall tow any water skier so that such water skier is caused to approach within fifty (50) feet from any swimmer in the water. No water skier, while afloat on water skis, shall approach any swimmer in the water within fifty (50) feet or ski within the bounds of any designated swim area.	85.00
0-20	No group of more than twenty (20) people shall use a County Administered recreation area except with prior permission by the Superintendent or his agent. User permit must be in possession.	85.00
0-21	No person shall operate over the snow equipment on any county owned or county administered recreation area.	85.00
0-22	No person shall camp overnight in a county-administered recreation area unless one has prior approval from the Superintendent.	85.00
0-23	The hours of public use for <u>all</u> county recreation facilities are from 6:00 a.m. to 11:00 p.m. Public use is prohibited from 11:00 p.m. to 6:00 a.m. unless otherwise specified by Board and/or it's Supervisor, or Board of Commissioners. Varying hours may be put into effect by the Board of Directors.	85.00

The above enumerated rules and regulations shall be posted in a conspicuous place at all county parks and park facilities and shall also be made available by the Park Department in pamphlet form and made available to the public at the Park's Department Office, and the Office of the Board of County Commissioners.

SECTION FOUR

PENALTIES

The penalties for violation of this Ordinance or any part thereof, including the specific rules and regulations as promulgated herein, shall be a fine not to exceed \$500.00 or six (6) months imprisonment, or both, for each separate offense. All fines collected pursuant to the provisions of this Ordinance are to be paid to the County Treasurer for application to the County General Fund.

SECTION FIVE

SEVERABILITY CLAUSE

If any provisions of this Ordinance are held invalid, such invalidity shall not affect the other provisions which can be given effect without the invalid provisions. To this end, provisions of these regulations are to be severable.

DATED this 10th day of May, 2012.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Dale W. Lauman
Dale W. Lauman, Chairman

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

By/s/Calvin L. Scott
Calvin L. Scott, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

ORDINANCE ADOPTED - AUGUST 26, 1985

AMENDED - June 4, 1987
AMENDED - August 12, 1999
AMENDED - April 16, 2009
AMENDED - May 10, 2012

DOCUMENT FOR SIGNATURE: SOLID WASTE DISTRICT LETTER OF UNDERSTANDING/ OPERATING ENGINEERS LOCAL 400

[9:37:13 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Peter Steele, Public Works Director Dave Prunty, Clerk Kile

Prunty presented an overview of the MOU put together between the Solid Waste District and the Operating Engineers. He explained the container site monitor position in Columbia Falls started out as a non-union position, and the union has requested it be put on the union side. He noted a start time of August 4, 2011 will give the employee the ability to be on the pension side of the union for last year.

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

THURSDAY, MAY 10, 2012
(Continued)

AUTHORIZATION TO PUBLISH CALL FOR BIDS: 2012 CRACK SEAL PROJECT/ ROAD DEPT.

[9:41:08 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Peter Steele, Public Works Director Dave Prunty, Clerk Kile

Prunty reported the annual crack seal project has \$100,000 in the budget for work to be completed before chip sealing operations start.

Commissioner Scott made a **motion** to authorize publication of the Call for Bids/ 2012 Crack Seal Project. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

INVITATION TO BID

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive sealed bids for construction of:

2012 Crack Seal Project

All sealed bids, **plainly marked** "**SEALED BID – 2012 CRACK SEAL PROJECT**" must be in the hands of the County Clerk and Recorder, 800 South Main, Room 302, Kalispell, MT, 59901 at **9:30 a.m.**, local time, **Tuesday, June 12, 2012**. Bids will be **opened and read immediately thereafter** in the Commissioner's Chambers, 3rd Floor Courthouse.

The proposed work includes placing crack sealing throughout the Flathead County Roadway System.

Various roadways will be receiving crack sealing improvements in Flathead County, and the Contractor should be prepared to mobilize equipment on a daily basis.

All Bids must be in accordance with the Contract Documents on file with the Flathead County Road & Bridge Department, 1249 Willow Glen Drive, Kalispell, Montana, (406) 758-5790 and at the office of Robert Peccia & Associates, 102 Cooperative Way, Suite 300, Kalispell, Montana: (406) 752-5025.

Copies of the Contract Documents for use in preparing Bids may be obtained from Robert Peccia & Associates at the address stipulated above upon receipt of a non-refundable deposit of \$50.00 for each set of documents including drawings.

A prebid conference will be held at the office of **Robert Peccia and Associates**, commencing at **11:00 a.m., Monday, June 4, 2012**. Those interested in bidding the project are encouraged to attend this meeting.

Bids will be received on a price basis as described in the Contract Documents. Bid security in the amount of 10 percent of the total Bid must accompany each Bid.

Within 10 calendar days after the Notice of Award, the successful Bidder will be required to furnish a Performance Bond and a Labor and Materials Payment Bond guaranteeing faithful performance and the payment of all bills and obligations arising from the performance of the contract. The bonds will each be equal to 100 percent of the contract amount.

Work at the site is to commence within 10 calendar days after the written Notice to Proceed is issued. Completion of the work is required within **Fourteen (14) consecutive calendar days** following commencement of work **and must be completed by July 27th, 2012**. The project includes liquidated damages that will be assessed as set forth in the Special Provisions per calendar day if the work is not complete within the allotted contract time.

Each bidder will be required to be registered with the State of Montana, Department of Labor and Industry prior to bidding this project.

No Bid may be withdrawn within a period of 60 days after the date for opening bids.

Flathead County reserves the right to reject all Bids, to waive informalities, and to reject nonconforming, irregular, non-responsive or conditional Bids.

Flathead County is an Equal Opportunity Employer.

Dated this 10th day of May, 2012.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By/s/Dale W. Lauman
Dale W. Lauman, Chairman

By/s/Diana Kile
Diana Kile, Deputy

Publish on May 24 and May 31, 2012

CONSIDERATION OF EXTENSION REQUEST: TAYLOR SRR

[9:42:44 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Planner Bailey Minnich, Clerk Kile

Hogle reviewed the standard one year extension request for Taylor SRR. He noted preliminary plat approval was granted on June 1, 2009.

THURSDAY, MAY 10, 2012
(Continued)

Commissioner Holmquist made a **motion** to approve a standard one year extension for Taylor SRR to June 1, 2013. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

CONSIDERATION OF EXTENSION REQUEST: HARMONY HOMESITES, PHASES 2 & 3

[9:44:15 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Planner Bailey Minnich, Clerk Kile

Hogle reviewed the standard one year extension for Harmony Homesites, Phases 2 & 3. He noted preliminary plat approval was granted on June 27, 2006 and a one year extension was granted on February 5, 2009. Final plat of Phase 1 was granted on June 15, 2010, and according to the subdivision regulations the timing for preliminary plat approval of a phased subdivision is you have two years approval after the first phase goes final. Each phase is then also able to ask for an extension.

Commissioner Scott made a **motion** to approve the extension request for Harmony Homesites, Phases 2 & 3. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

CONSIDERATION OF LAKESHORE EXTENSION: MENNEGAZZI

[9:45:00 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Bailey Minnich, Clerk Kile

Minnich reported Lakeshore Permit FLP 10-43 to install a deck and gazebo along the shoreline at 585 Blaine Lakeshore Drive on Lake Blaine was approved on June 22, 2010. A one-year extension was granted on May 16, 2011 and a second request for an extension has been received; if approved the permit would expire on June 22, 2013.

Commissioner Holmquist made a **motion** to approve the extension request to June 22, 2013 for Mennegazzi. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

CONSIDERATION OF LAKESHORE EXTENSION: CHAPMAN

[9:47:58 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Bailey Minnich, Clerk Kile

Minnich reported Lakeshore Permit FLP 11-22 to reconstruct a roof between two existing "I" docks located at 301 Lower Hughes Bay on Flathead Lake was granted on May 5, 2011. A request for a one year extension was received on May 2, 2012; if granted the permit would expire on May 5, 2013.

Commissioner Scott made a **motion** to approve the lakeshore extension request to May 5, 2013. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: RARICK

[9:48:41 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Bailey Minnich, Clerk Kile

Minnich reviewed Lakeshore Permit FLP 12-14; a standard permit application submitted by Cindy Rarick to excavate in front of a deteriorating existing crib dock to pour a concrete footer and wall encasing the crib dock. Additionally, the applicant proposes to extend the concrete wall around the existing boathouse and existing retaining wall at 105 Hwy. 93 in Somers on Flathead Lake.

Commissioner Holmquist made a **motion** to approve Lakeshore Permit FLP 12-14. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: WORTHINGTON

[9:50:48 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Bailey Minnich, Clerk Kile

Minnich reviewed Lakeshore Permit FLP 12-15; a standard permit application submitted by Lynnelle Worthington to construct a concrete block retaining wall within the Lakeshore Protection Zone at 1543 Lake Blaine Road. The wall will be approximately 3.5 feet tall and extend approximately 30 feet along the high water mark.

Commissioner Scott made a **motion** to approve Lakeshore Permit FLP 12-15. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

PROCLAMATION TO DESIGNATE MAY 7-11, 2012 SENIOR CORPS WEEK

[9:52:48 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Clerk Kile

Commissioner Scott made a **motion** to designate May 7 – 11, 2012 Senior Corps Week. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

**THURSDAY, MAY 10, 2012
(Continued)**

**FLATHEAD COUNTY
Senior Corps Week Proclamation**

WHEREAS older Americans bring a lifetime of skills and experience as parents, workers, and citizens that can be tapped to meet challenges in our communities; and

WHEREAS for more than four decades Senior Corps, and its three programs – RSVP, Senior Companions, and Foster Grandparents – have proven to be a highly effective way to engage Americans ages 55 and over in meeting national and community needs; and

WHEREAS each year Senior Corps provides opportunities for nearly 330,000 older Americans across the nation, including approximately 414 volunteers in Flathead County, Montana to serve their communities; and

WHEREAS Senior Corps volunteers last year provided more than 96.2 million hours of service, helping to improve the lives of our most vulnerable citizens, strengthen our educational system; protect our environment, provide independent living services, and contribute to our public safety, and;

WHEREAS Senior Corps volunteers build capacity of organizations and communities by serving through more than 65,000 nonprofit, community, educational, and faith-based community groups nationwide; and

WHEREAS at a time of mounting social needs and growing interest in service by older Americans, there is an unprecedented opportunity to harness the talents of 55-plus volunteers to address community challenges; and

WHEREAS service by older Americans helps volunteers by keeping them active, healthy, and engaged; helps our communities by solving local problems, and helps our nation by saving taxpayer dollars, reducing healthcare costs, and strengthening our democracy; and

WHEREAS the third annual Senior Corps Week, taking place May 7-11, 2012, is an opportunity to thank Senior Corps volunteers for their service and recognize their positive impact and value to our communities and nation;

THEREFORE, BE IT RESOLVED that the Flathead County Board of Commissioners, do hereby designate May 7-11, 2012 as Senior Corps Week and urge citizens to recognize Senior Corps volunteers and programs for their valuable impact on our communities.

DATED this 10th day of May, 2012.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Dale W. Lauman
Dale W. Lauman, Chairman

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

By/s/Calvin L. Scott
Calvin L. Scott, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

[10:00:35 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Carlson reviewed the cash reserve balances and Hungry Horse Rural Fire District financials. In other business, she spoke about establishing an administrative fee for special districts and reviewed departmental goals and objectives.

MEETING W/ BRAD SALONEN, WESTERN STATES INSURANCE RE: CYBER SECURITY INSURANCE/ I.T.

[10:29:42 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, I.T. Director Vicki Saxby, H. R. Director Tammy Skramovsky, Western States Representative Brad Salonen, Clerk Kile

General discussion was held relative to potential scenarios that could occur and coverage concerns.

Commission Holmquist asked that a review be done in one year on the insurance.

Commissioner Holmquist made a **motion** to approve the purchase of Cyber Security Insurance. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: SUBSTANCE ABUSE POLICY/ EAGLE TRANSIT

[10:38:40 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, H. R. Director Tammy Skramovsky, Wesley Holmquist, Clerk Kile

Skramovsky reviewed the proposed clarification changes to the Substance Abuse Policy with Eagle Transit.

Commissioner Holmquist made a **motion** to approve the new Substance Abuse Policy for Eagle Transit. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

**THURSDAY, MAY 10, 2012
(Continued)**

ACCLAMATION APPOINTMENT: BIGFORK LAND USE ADVISORY COMMITTEE

[10:40:35 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Clerk Kile

Commissioner Scott made a **motion** to appoint James W. Losee and Shelley Gonzales to Bigfork Land Use Advisory Committee. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

MONTHLY MEETING W/ DAVE PRUNTY, ROAD DEPT.

[11:00:02 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Public Works Director Dave Prunty, Wesley Holmquist, Clerk Kile

Prunty reviewed monthly road and bridge department statistics. He reported a request for an easement on Belton Stage Road has been received from Rich and Marcy Mc Atee to access their property at 2740 Grizzly Spur in West Glacier.

Unanimous commissioner approval was given to move ahead with the easement process.

In other business, he reviewed progress with the dust cost share program for 2012 and spoke about road stabilization work on the Batavia side of Ashley Lake Road.

CONSIDERATION OF LAND PURCHASE: HIGHWAY 2 EAST CANYON CONTAINER SITE/ SOLID WASTE DISTRICT

[11:22:57 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Prunty reviewed history leading up to the consolidation of three container sites in the canyon area into one location. He explained the Solid Waste Board will purchase 1.5 acres at the cost of \$10,000 per acre and Martin Marietta will donate 1.5 acres of additional ground. Prunty stated the County Attorney has reviewed documents prepared that include a buy sell agreement, donation agreement and easement.

Commissioner Holmquist made a **motion** to approve the land purchase on Highway 2 East for a container site. Commissioner Scott **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

AUTHORIZE DAVE PRUNTY AS SIGNATORY FOR CLOSING DOCUMENTS ON HIGHWAY 2 EAST CANYON CONTAINER SITE/ SOLID WASTE DISTRICT

[11:28:05 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Commissioner Scott made a **motion** to authorize Dave Prunty as the signatory for the purchase of property on Highway 2 East/ Canyon Container Site. Commissioner Holmquist **seconded** the motion. **Aye** - Lauman, Scott and Holmquist. Motion carried unanimously.

SALARY COMPENSATION BOARD MEETING

[11:31:30 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Assistant Mike Pence, Finance Director Sandy Carlson, Clerk & Recorder Paula Robinson, Treasurer Adele Krantz, County Attorney Ed Corrigan, Supt. of Schools Marcia Sheffels, Sheriff Chuck Curry, Compensation Board Member Kathy Muri, Compensation Board Member Anita Hoye, Finance Technician Amy Dexter, Clerk Kile

The Salary Compensation Board met and discussed a potential COLA (Cost of Living Adjustment) of 2.5 percent for elected officials and county employees for FY2013. The recommendation will be presented to the Board of Commissioners for consideration.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 11, 2012.

FRIDAY, MAY 11, 2012

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Lauman, Commissioner Scott 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 14, 2012.
