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## MONDAY, SEPTEMBER 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.

### NO MEETINGS SCHEDULED

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

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## TUESDAY, SEPTEMBER 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.

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

Bill Tanner, 688 Echo Lake Road and owner of Echo Lake Marina spoke about his desire to re-open Echo Lake causeway. He explained the closure has caused many inconveniences, especially with his family as owners of Echo Lake Marina. Tanner stated the water is well below the causeway now. He said he suggested last year to the Road Department that some riprap be installed along the shoreline that was not done, and now the wave action has caused undercut on the south side of the roadway. He asked the commission to do what they could in getting the road open again and asked if the county would raise the level of the causeway. He spoke about dust on LaBrant Road and the inconvenience the road closure has caused for kids going to school.

Greg Alsbury, a resident on Echo Lake Road seconded Mr. Tanner's concerns, and stated the road needs to be re-opened to through traffic.

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

### DOCUMENT FOR SIGNATURE: MONTANA WOOL GROWERS ASSOCIATION, MOU

[10:00:21 AM](#)

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

Commissioner Scott made a **motion** to approve signature of the Montana Wool Growers MOU document. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

### DOCUMENT FOR SIGNATURE: MDOT SECTION 5311 CONTRACT/ AOA

[10:01:06 AM](#)

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

Commissioner Scott made a **motion** to approve the MDOT Section 5311 contract. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

### DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #12-22A-A009 MODIFICATION/ AOA

[10:02:17 AM](#)

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

Commissioner Scott made a **motion** to approve DPHHS #12-22A-A009 contract modification. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

### DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #13-07-5-51-062-0/ HEALTH DEPARTMENT

[10:03:13 AM](#)

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

Commissioner Scott made a **motion** to approve DPHHS #13-07-5-51-062-0 document for the Health Department. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

### CONSIDERATION OF PRINT BIDS: HUMAN RESOURCES AND CLERK & RECORDER'S OFFICE

[10:04:13 AM](#)

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

Commissioner Scott made a **motion** to award the print bid to Insty Prints for 3,000 Flathead County employment applications for \$630.00. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

Commissioner Scott made a **motion** to award the print bid to Eagle Flight Business Forms for 10,000 regular return address envelopes for \$304.80. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**TUESDAY, SEPTEMBER 11, 2012**  
**(Continued)**

Commissioner Scott made a **motion** to award the print bid to Master's Touch for 5,000 regular return address envelopes for \$164.75. Chairman Lauman **seconded** the motion. **Aye –** Lauman and Scott. Motion carried by quorum.

**TAKE ACTION: KAUFFMAN ESTATES**

[10:07:05 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Planner Alex Hogle, Clerk Kile

Chairman Lauman read into the record Kauffman Estates is declared a dead file.

**CONSIDERATION OF EDUCATIONAL ASSISTANCE REQUEST: CERTIFIED MEDICAL SERVICE ASSISTANT**

[10:07:37 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Peter Steele, H. R. Director Tammy Skramovsky, Clerk Kile

Skramovsky reported a step was missed by the department head in not filling out an educational assistance request form prior to classes beginning for approval. She noted the employee did complete her portion of the procedure required. She explained a motion was made by the Health Board to approve the request at a Health Board meeting held on April 19. Skramovsky recommended approval of the educational assistance request for the \$1,000 lifetime maximum limit.

Commissioner Scott made a **motion** to approve the educational assistance request. Chairman Lauman **seconded** the motion. **Aye –** Lauman and Scott. Motion carried by quorum.

**PUBLIC HEARING: EAGLE ROCK 2 PUD**

[10:10:01 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Peter Steele, Planner Alex Hogle, Eric Mulcahy, Clerk Kile

Hogle reviewed the request received from Michael Brooks to abandon Eagle Rock 2 PUD that is adjacent to Holt Drive in Bigfork. He noted preliminary plat was recently reviewed for a portion of the subject property. The existing PUD overlay would revert back to the underlying R-2 One Family Residential and RC-1 Residential Cluster zoning districts. He reviewed history of zoning on the subject property that overlies two separate zone areas. Hogle explained the most defensible way to reverse the PUD, according to County Attorney Peter Steele would be to reverse the process used to create it.

**Chairman Lauman opened the public hearing to anyone wishing to speak in regards to abandonment of Eagle Rock 2 PUD.**

Eric Mulcahy, representing Michael Brooks said the abandonment is part of a two-part application; one is the preliminary plat that was looked at previously and the other is abandonment of the PUD. He explained there did not appear to be any benefit to the community or the developer for the PUD. Mulcahy noted the configuration of the development on the west side was reconfigured along with the access.

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

Steele pointed out statute does not give any guidance of how to abandon a PUD.

Commissioner Scott made a **motion** to approve Resolution 1893A Eagle Rock 2 PUD abandonment. Chairman Lauman **seconded** the motion. **Aye –** Lauman and Scott. Motion carried by quorum.

RESOLUTION NO. 1893A

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following the publication of legal notice, on the 11<sup>th</sup> day of September, 2012, to consider abandoning the Eagle Rock Planned Unit Development (PUD);

WHEREAS, the PUD was originally created under Resolution No. 1893 on October 31, 2005;

WHEREAS, the PUD is located on Holt Drive, Bigfork, Montana, in the Bigfork Zoning District, on property zoned RC-1 (Residential) and R-2 (One Family Limited Residential);

WHEREAS, the proposed PUD abandonment would abandon the zoning overlay of approximately 17.679 acres being developed into 17 single-family residential lots;

WHEREAS, the Board of Commissioners did hear public comment on the proposed abandonment of the Planned Unit Development at that hearing;

WHEREAS, the Board of Commissioners has reviewed the recommendation of the Flathead County Planning Board regarding the abandonment of the Planned Unit Development;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby abandons the Eagle Rock Planned Unit Development.

**TUESDAY, SEPTEMBER 11, 2012**  
**(Continued)**

BE IT FURTHER RESOLVED that the PUD abandonment is located on property described as Assessor's Tracts 8AA, 2E, 2, 2F and a portion of Tracts E and 1 of Eagle Bend Golf Course in Sections 23 and 26 of Township 27 North, Range 20 West, P.M.M., Flathead County, Montana.

DATED this 11<sup>th</sup> day of September, 2012.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

By/s/Absent  
Pamela J. Holmquist, Member

ATTEST:  
Paula Robinson, Clerk

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

By/s/Diana Kile  
Diana Kile, Deputy

**DOCUMENT FOR SIGNATURE: FLATHEAD CONSERVATION DISTRICT AGREEMENT FOR 310 PERMIT MAPPING WEBSITE/ GIS**

[10:24:28 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, I.T. Director Vicki Saxby, GIS Supervisor Mindy Cochran, Clerk Kile

Cochran reviewed history of the mapping application developed by the GIS Department for Flathead Conservation District approximately three years ago. At the time a MOU was in place, whereby they paid \$1,000 to get the website up and running for them; the next year \$500 was paid to host it on county servers. The following year the MOU was not renewed. They now would like to turn the website back on and will pay \$500. The new agreement will include up to five hours of staff's work time if new permits need added throughout the year.

Commissioner Scott made a **motion** to approve the agreement with Flathead Conservation District. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: FOY'S COMMUNITY FOREST SERVICE GRANT (HERRON PARK LAND PURCHASE)**

[10:28:04 AM](#)

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

Steele explained the Foy's Community Forest Service Grant is for \$400,000. He noted the county has to put up a match for the \$400,000, which we already have with 50 acres that Foy's to Blacktail is holding.

Commissioner Scott made a **motion** to approve the Community Forest Service Grant for Herron Park land purchase. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: BORDER INTEROPERABILITY DEMONSTRATION PROJECT AGREEMENT/MOTOROLA SOLUTIONS, INC.**

[10:31:32 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Radio Systems Administrator Jack Spillman, Clerk Kile

Spillman noted the contract with Motorola is their portion for the purchase of the Border Interoperability Grant that is 100 percent refundable. He stated this will add additional trunking to the Marion site along with an automatic vehicle location system and coverage when outside of the Verizon service area.

Commissioner Scott made a **motion** to approve the agreement with Motorola. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**MONTHLY MEETING W/ CAL BERINGER, OES & LINCOLN CHUTE, FIRE SERVICES AREA MANAGER**

[10:33:46 AM](#)

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

Mullaney reviewed the scenarios of a full-scale exercise held at Columbia Falls Aluminum Plant and another at Hungry Horse Dam. She then reported an additional full-scale exercise in the Whitefish area would be held in December. Mullaney also spoke about redesigning their website and assisting Meadow Lake Golf Course with an emergency evacuation plan.

Chute reported on wild land fire danger conditions in Flathead County. In other business, he noted the Fire Service Area Advisory Board updated their by-laws, Ashley Lake Fire Hall is progressing, and work to install new repeaters on all nine-mountain sites is moving forward.

**TUESDAY, SEPTEMBER 11, 2012  
(Continued)**

**HONORING VETERANS AT DEMERSVILLE CEMETERY**



**Veterans of Demersville Cemetery**  
*Tuesday, September 11<sup>th</sup>, 2012 @ 2:00pm*

**Music**  
Rod Douglas, Montana Highlanders Association  
Mixed slow Airs' and Marches

**Welcome**  
Dale Lauman, Chair, Flathead County Commissioner

**Prayer**  
Kenneth E. Duvall, Colonel  
State Chaplain, Montana Army National Guard  
Accompanied Music, Rod Douglas, Montana Highlanders Association  
Amazing Grace

**Music**  
Rod Douglas, Montana Highlanders Association  
America the Beautiful Melody  
&  
**Recital of *Pledge of Allegiance***  
Dale Lauman, Chair, Flathead County Commissioner

**History of Demersville Cemetery**  
Richard Hardesty, Chair, Flathead County Museum Board

**Invited Guests or their Representatives**

**Reading of the Veterans Names**  
Cal Scott, Flathead County Commissioner  
Accompanied Music, Rod Douglas, Montana Highlanders Association  
Flowers of the Forrest

**VFW Honor Guard**  
Taps and 21 gun salute

**Open invitation for the public to explore and experience grounds**  
Commissioner Lauman

**VETERAN LIST by WAR**

<b>CIVIL WAR</b>			
PRIVATE.....	EDWARD B TRUEMAN.....	COMPANY B.....	3RD KENTUCKY CAVALRY
PRIVATE.....	JAMES ELMER.....	COMPANY C.....	17TH IOWA INFANTRY REGIMENT
PRIVATE.....	WILLIAM P EMERSON.....	COMPANY K.....	8TH MAINE INFANTRY REGIMENT
PRIVATE.....	EDWARD POWERS.....	COMPANY G.....	2ND IOWA INFANTRY REGIMENT
PRIVATE.....	ELTON EMERY.....	COMPANY D.....	8TH ILLINOIS INFANTRY REGIMENT
PRIVATE.....	ALONZO WIEDER.....	COMPANY B.....	118TH ILLINOIS INFANTRY REGIMENT
PRIVATE.....	WILLIAM A HETRICK.....	COMPANY H.....	58TH PENNSYLVANIA INFANTRY
<b>WORLD WAR II</b>			
PRIVATE 1ST CLASS..	JOHN H HALLETT.....	US MARINE.....	WORLD WAR II
CORPORAL.....	DONALD CROPEY.....	US ARMY.....	WORLD WAR II
SERGEANT.....	LEWIS MALCOM WATTERS.....	US MARINE.....	WORLD WAR II
PRIVATE.....	HARLEY JUD SANFORD.....	US ARMY.....	WORLD WAR II
PRIVATE.....	AMEDEO ROMERO.....	US ARMY.....	WORLD WAR II
unknown.....	MATT A SCHERER.....	US ARMY.....	WORLD WAR II
<b>KOREAN WAR</b>			
	ERNEST H NEIMAN.....	US ARMY.....	KOREAN CONFLICT
<b>VIETNAM WAR</b>			
SEAMAN.....	KENNETH D CONWAY.....	US NAVY.....	VIETNAM
MASTER SERGEANT..	MICHAEL ALLEN GUEST.....	US ARMY.....	VIETNAM
SERGEANT.....	WILLIAM L CROUSE.....	US MARINE.....	VIETNAM
unknown.....	RICHARD E DAHL JR.....	US ARMY.....	VIETNAM
<b>INDIAN UPRISING</b>			
unknown.....	JOSEPH BURKE.....	ARMY.....	INDIAN UPRISING
<b>HONORABLE MENTION</b>			
unknown.....	GLEN EDWARD CAPDEVILLE.....	ARMY NATIONAL GUARD	
<b>MUSIC</b>			
Rod Douglas, Pipe Major, MHAPB, with the Montana Highlanders Association pipe and drum band.			
Rod believes people can probably discover their heritage through the music for which they have an affinity. Rods' passion is the Great Highland bagpipe, a tangible icon of his Scottish pride. "The pipes are an extension of my soul, that's all I can say," Rod expresses with conviction. Rod has played the bagpipe for 11 years and currently serves as pipe major with the Montana Highlanders Association pipe and drum band. The association plays at parades, weddings, funerals and other special occasions and can be reached @ <a href="http://montanahighlanders.com/">http://montanahighlanders.com/</a> . Rod also competes individually. When he's not honing his skills on the bagpipe, Rod works at the Flathead County Landfill. His 1-year-old granddaughter, Jenna, is also a joy in his life.			

**TUESDAY, SEPTEMBER 11, 2012  
(Continued)**

*Jane Johnson read the following letter on behalf of Senator Baucus.*

MAX BAUCUS  
MONTANA

WASHINGTON, DC  
(202) 224-2651  
MONTANA TOLL FREE NUMBER  
1-800-332-6106  
INTERNET:  
<http://baucus.senate.gov>

**United States Senate**  
WASHINGTON, DC 20510-2602

September 11, 2012

Dear Friends,

I'm sorry that I can't be with you to reflect on the day that greatly impacted our history and changed our country forever. Thank you to all the volunteers who worked so hard to bring people together here today.

I'm sure all of you, as I do, still recall exactly what you were doing and where you were when the news broke of the tragic attacks. The sadness and horror on that day impacted us all.

Yet, out of the tragedy we rose. Many Montanans responded to the call to duty. The rate of men and women to volunteer their service after the 9/11 attacks in Montana was higher than any other state in the nation. Ordinary men and women became heroes, and our nation showed the strength and resolve that makes us America. The next day we went back to work, our children went back to school, life continued.

We will never forget those who lost their lives on 9/11; we will never forget the feelings we felt as we watched the tragedy unfold.

And we will not forget those whose lives have been lost since. Dozens of Montanans have lost their lives fighting for our country. More than 300 Montanans have been wounded. Today we recognize their bravery and thank them for their sacrifices to protect our state and country.

Today, we honor our memory of 9/11 and forge ahead with the goal of building a stronger and safer America for our children.

Let's never forget those who were lost.

All the best,

Max 

BILLINGS (406) 657-6790    BOZEMAN (406) 586-6104    BUTTE (406) 782-8700    GLENDALE (406) 365-7002    GREAT FALLS (406) 761-1574    HELENA (406) 449-6480    KALISPELL (406) 796-1150    MISSOULA (406) 329-3123

*Amy Croover read the following letter on behalf of Senator Tester*

JON TESTER  
MONTANA

SENATE HART BUILDING  
SUITE 724  
WASHINGTON, DC 20510  
202-224-2644  
MONTANA TOLL FREE NUMBER  
1-800-954-4403  
INTERNET:  
<http://tester.senate.gov/contact>

COMMITTEES:  
APPROPRIATIONS  
BANKING  
INDIAN AFFAIRS  
VETERANS' AFFAIRS  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

**United States Senate**

**EVENT: September 11<sup>th</sup>/Vets event**  
**DATE: September 11**  
**LOCATION: Demersville**

Thank you for inviting me to share a few words.

And to all of the service members and veterans here today: thank you for your service.

The role of America's armed forces has changed dramatically since September 11.

Our fighting men and women are spending longer and longer tours overseas trying to take down an enemy that has no country.

Yet our troops have done more than their duty and made this nation proud.

Now, we owe it to them to never break the promises we made to them as a nation.

As your Senator, I will continue to fight to get our troops and veterans the health care, education and job training they need to provide for their families and enter the private sector if they choose.

Know that my staff and I are available to help out in any way we can.

Thanks again.



BOZEMAN (406) 586-4450    BUTTE (406) 723-3277    GLENDALE (406) 365-2391    GREAT FALLS (406) 452-9585    HELENA (406) 449-5401    KALISPELL (406) 257-3300  
BILLINGS (406) 252-0550    MISSOULA (406) 728-3003

Tom Schultz read the following letter on behalf of Congressman Denny Rehberg.

<b>Denny Rehberg</b> State of Montana	<b>Congress of the United States</b> <b>House of Representatives</b>	<small>Appropriations Committee Labor, Health and Human Services, and Education Chairman Energy and Water Development Legislative Branch</small>		
September 11, 2012				
Demersville Veterans Cemetery c/o Flathead County Clerk and Recorder 800 South Main Kalispell, MT 59901				
Dear Friends,				
Thank you for your invitation to honor the veterans interred at the Demersville Cemetery. I wish I could be there to join you.				
Today, our nation pauses to remember the senseless and cowardly September 11th terrorist attacks. We reflect on those who died, including the heroic first-responders who came to the aid of their fellow Americans. Their sacrifices will live on in the memories of their loved ones and all those who stand in awe of their amazing deeds.				
And we must also remember the ongoing sacrifice of our men and women in uniform whose service has allowed Americans to go about our daily lives free from the fear of another attack. To those who gave and those who continue to give, the gratitude of a nation is with you.				
Our soldiers are recognized and honored around the world as a force for good and for freedom. At the same time, they are feared by the very tyrants who rule through fear and murder. There is no other soldier in the history of the world that has fought so valiantly for the cause of freedom and liberty as the American soldier.				
We must honor our fallen soldiers by genuinely caring for their brothers and sisters with whom they have served. Keeping our promises to service members and veterans must be a priority.				
Thank you again for your invitation, and please don't hesitate to contact me if I can be of assistance in the future.				
Sincerely,				
				
Denny Rehberg Montana's Congressman				
2448 Rayburn House Office Building Washington, DC 20515 (202) 225-3911	1201 Grand Avenue, Suite 1 Billings, MT 59102 (406) 256-1019 Toll Free: 1-888-232-2626	950 North Montana Avenue Helena, MT 59601 (406) 443-7878	301 East Broadway Suite 2 Missoula, MT 59802 (406) 543-9550	105 Smelter Avenue, NE Suite 16 Great Falls, MT 59404 (406) 454-1096
<a href="http://rehberg.house.gov">rehberg.house.gov</a> <a href="http://www.facebook.com/denny.rehberg.mt">www.facebook.com/denny.rehberg.mt</a> <a href="http://www.twitter.com/dennyrehberg">www.twitter.com/dennyrehberg</a>				

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 12, 2012.

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### WEDNESDAY, SEPTEMBER 12, 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.

- 11:00 a.m. County Attorney meeting @ Co. Atty's Office**
- 1:15 p.m. 911 Board meeting @ FECC**
- 6:00 p.m. Commissioners meeting w/ Flathead County Planning Board @ Earl Bennett Bldg.**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 13, 2012.

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### THURSDAY, SEPTEMBER 13, 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/ B. J. GRIEVE, PLANNING & ZONING OFFICE**

**9:00:02 AM**

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

Grieve reviewed staff's workload, budget matters, fee revenue, pending revisions to local floodplain regulations, CTEP consultant selection procedures and review procedures of Conservation District permits. He spoke about enforcement of violation complaints, tracking of enforcement complaints and updating the enforcement policy.

**THURSDAY, SEPTEMBER 13, 2012**  
**(Continued)**

**DOCUMENT FOR SIGNATURE: CDBG PLANNING GRANT/ GATEWAY COMMUNITY CENTER**

9:30:05 AM

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

Pierson explained the document is the CDBG planning grant application that will be pursued on behalf of the Gateway Community Center for them to complete a preliminary architectural report for their project.

Commissioner Scott made a **motion** to approve the CDBG Planning Grant for Gateway Community Center. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**BIGFORK STORMWATER ADVISORY COMMITTEE UPDATE RE: RSID**

9:30:50 AM

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Grant Writer Debbie Pierson, Public Works Director Dave Prunty, Sue Hanson, Brett Walcheck, Camillia Lanham, David Christensen, Harry Hyatt, Clerk Kile

Hanson reviewed the following BSAC report with the commission.

Sue Hanson Chairman 837-5323 David Christensen Vice Chairman 837-4565 Harry Hyatt 982-3428	 <p>IT'S UP TO YOU TO KEEP IT BLUE! Flathead Lake Bigfork Stormwater Advisory Committee</p>	Bob Keenan 250-4111 Paul Rana 837-1102 Mike Koopal Whitefish Lake Institute 862-4327
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220 Swan River Road, Bigfork, MT 59911

September 13, 2012  
Flathead County Commissioners

**A. Bridge Street North & South:** Engineering and construction cost estimates are completed for the last two construction phases of the Bigfork Stormwater Project. Projections for Maintenance for the total project are also complete. (copies attached)

**B. RSID Process:** Committee members recommend proceeding with developing the legal boundary (\$500) and RSID engineering costs (\$6,555) to prepare for the Resolution of Intent documents.

This project was implemented in 2007. Flathead County has received over \$1.3 million dollars in grant funding which included a partnership with Bigfork Schools to install a filtration/retention system on school grounds to greatly reduce the amount of stormwater flowing onto Grand Drive. Construction is complete on Grand Drive, Lake Street, North Electric Avenue and River Street. (Breakout of grant funding attached)

Yet to be constructed are the improvements to Bridge Street North and South. Flathead County has applied for grant funding in the amount of \$100,000 from DNRC, which would reduce the projected annual assessment of \$38 to \$34.

Issues on Bridge Street:

- Flooding and property damage (photo attached)
- Antiquated conveyance system (photo attached)
- Pollutants entering the Swan River (Analysis attached)
- Safety Issues: Open drainage ditch in heavy foot traffic area.

Survey info: (attached)

- Survey area A Sewer District – 47% approved, 42% opposed without knowing what the assessment would be.
- 62% supported fixing the problems.
- 58% of the Businesses in supported the project.

**C. Sample Analysis-Post Construction:** Stelling Engineers, Inc. completed the first post-construction sampling on May 21, 2012. (Report attached) There will be a total of 7 samples to complete post-construction sampling.

Sue Hanson  
BSAC Chairman



*Dedicated to protecting local water resources,  
Bigfork Stormwater Advisory Committee*

**THURSDAY, SEPTEMBER 13, 2012  
(Continued)**

**TAX PROJECTIONS FOR MAINTENANCE  
BIGFORK STORMWATER PROJECT  
GRAND DRIVE, ELECTRIC AVENUE, AND RIVER STREET BASINS  
BRIDGE STREET NORTH AND SOUTH BASINS  
DATE: 08/24/2012**

**GRAND DRIVE, ELECTRIC AVENUE, AND RIVER STREET**

Annual Minimum		Annual Maximum		Annual Average	
Catch Basins	Vacuuming 38 units: \$3,990.00	Catch Basins	Vacuuming 38 units: \$3,990.00	Catch Basins	Vacuuming 38 units: \$3,990.00
Filters	County Maintained, 4 units: \$1,000.00	Filters	Filters Maintained, 4 units: \$1,200.00	Filters	County Maintained, 4 units: \$1,100.00
Stormceptor	Vacuuming 2 Units: \$420.00	Stormceptor	Vacuuming 2 Units: \$420.00	Stormceptor	Vacuuming 2 Units: \$420.00
Jellyfish	Vacuuming 1 unit every 2 years: \$315.00 7 yr cartridge replacement (19 cartridges): \$1,360.00 <b>Estimated Minimum Annual Maintenance Cost: \$7,085.00</b>	Jellyfish	Vacuuming 1 unit every 1 years: \$630.00 4 yr cartridge replacement (19 cartridges): \$2,375.00 <b>Estimated Maximum Annual Maintenance Cost: \$8,615.00</b>	Jellyfish	Vacuuming 1 unit every 1.5 years: \$472.50 5.5 yr cartridge replacement (19 cartridges): \$1,867.50 <b>Estimated Maximum Annual Maintenance Cost: \$7,850.00</b>

**BRIDGE STREET NORTH AND SOUTH**

Annual Minimum		Annual Maximum		Annual Average	
Catch Basins	Vacuuming 32 units: \$3,360.00	Catch Basins	Vacuuming 32 units: \$3,360.00	Catch Basins	Vacuuming 32 units: \$3,360.00
Stormceptor	Vacuuming 2 Units: \$420.00	Stormceptor	Vacuuming 2 Units: \$420.00	Stormceptor	Vacuuming 2 Units: \$420.00
Jellyfish	Vacuuming 2 units every 2 years: \$630.00 7 yr cartridge replacement (24 cartridges): \$1,360.00 <b>Estimated Minimum Annual Maintenance Cost: \$5,770.00</b>	Jellyfish	Vacuuming 2 units every 1 years: \$1,260.00 4 yr cartridge replacement (24 cartridges): \$3,000.00 <b>Estimated Maximum Annual Maintenance Cost: \$8,040.00</b>	Jellyfish	Vacuuming 2 units every 1.5 years: \$945.00 5.5 yr cartridge replacement (24 cartridges): \$2,160.00 <b>Estimated Average Annual Maintenance Cost: \$6,905.00</b>

**COMBINED MAINTENANCE COST**

Combined Annual Average		Semi-Annual Average	
Catch Basins	Vacuuming 70 units: \$7,350.00	Catch Basins	Vacuuming 35 units: \$3,675.00
Filters	County Maintained, 4: \$1,100.00	Filters	County Maintained, 4: \$550.00
Stormceptor	Vacuuming 4 Units: \$840.00	Stormceptor	Vacuuming 2 Units: \$420.00
Jellyfish	Vacuuming 4 units every 1.5 years: \$1,417.50 5.5 yr cartridge replacement (43 cartridges): \$4,047.50 <b>Estimated Average Annual Maintenance Cost: \$14,755.00</b>	Jellyfish	Vacuuming 2 units every 1 years: \$708.75 5 yr cartridge replacement (43 cartridges): \$2,023.75 <b>Estimated Average Semi-Annual Maintenance Cost: \$7,377.50</b>

**SEMI-ANNUAL PAYMENT PER PARCEL (BASED ON 3,099 PARCELS) \$2.46**

YEAR	AMOUNT COMMITTED	BREAK OUT
2007	\$40,000	• \$15,000 DNRC Planning Grant • \$25,000 DEQ 319
2008	\$153,700	• \$95,000 DEQ 319 • \$5,000 Flathead Basin Commission • \$53,700 Bigfork School District
2009	\$192,356	• \$140,000 DEQ 319 • \$52,356 Bigfork School District
2010	\$761,930	• \$200,000 DEQ 319 • \$451,930 TSEP • \$100,000 DNRC RRGL • \$10,000 DNRC Forestry
2011	\$223,000	• \$123,000 DEQ 319 • \$100,000 DNRC RRGL
<b>TOTAL:</b>	<b>\$1,370,986.00</b>	

**ENGINEERS ESTIMATE FOR CONSTRUCTION IMPROVEMENTS  
BIGFORK STORMWATER PROJECT  
BRIDGE STREET NORTH BASIN  
BRIDGE STREET SOUTH BASIN  
DATE: 08/24/2012**

Item No.	Description	Unit Measure	Estimated Quantity	Unit Price	Total Price
1	Mobilization, Bonding, Submittals & Permits	L.S.	1	\$38,903.83	\$38,903.83
2	Erosion Control Measures	L.S.	1	18,000.00	18,000.00
3	Traffic Control	L.S.	1	40,000.00	40,000.00
4	Construction Survey & Material Testing	L.S.	1	22,000.00	22,000.00
5	Site Work	L.S.	1	35,000.00	35,000.00
6	36" I.D. Catch Basin / Cover & Apron	E.A.	20	2,500.00	50,000.00
7	30" I.D. Catch Basin / Cover	E.A.	8	2,000.00	16,000.00
8	60" I.D. Catch Basin / Cover	E.A.	4	3,900.00	15,600.00
9	Retrofit Existing Catch Basin	E.A.	1	1,500.00	1,500.00
10	8" Storm Drain - A2000	L.F.	34	53.00	1,802.00
11	8" Storm Drain - SDR 35	L.F.	223	47.50	10,592.50
12	10" Storm Drain - SDR 35	L.F.	44	49.50	2,178.00
13	12" Storm Drain - SDR 35	L.F.	1,294	51.00	65,994.00
14	15" Storm Drain - SDR 35	L.F.	180	53.00	9,540.00
15	18" Storm Drain - SDR 35	L.F.	465	56.00	26,010.00
16	Hydrodynamic Separator-Stormceptor STC 900	E.A.	2	16,500.00	33,000.00
17	Filtration System-Jellyfish JFB	E.A.	2	105,000.00	210,000.00
18	Bedrock Trenching	L.F.	250	40.00	10,000.00
19	Road Reconditioning - Asphalt Removal/Finishing Subgrade	L.S.	1	21,000.00	21,000.00
20	Road - 3" Minus Select Subbase	C.Y.	162	35.00	5,670.00
21	Road - 3/4" Minus Base Course	C.Y.	363	60.00	21,780.00
22	Asphalt Concrete Pavement	S.Y.	4,350	20.00	87,000.00
23	Concrete Curb & Gutter	L.F.	1,758	25.00	43,975.00
24	Concrete Sidewalk	S.F.	3,990	4.15	16,420.00
25	Sidewalk Trench Drains	E.A.	4	650.00	2,600.00
26	Concrete Valley Gutter	L.F.	77	85.00	6,545.00
<b>SUBTOTAL ITEMS 1 to 26</b>					<b>\$816,980.33</b>
<b>TOTAL ITEMS</b>					<b>\$816,980.33</b>
CONSTRUCTION SUBTOTAL: \$ 816,980.33					
CONTINGENCY 15%: \$ 122,547.05					
CONSTRUCTION TOTAL: \$ 939,527.37					
RS&D ENGINEERING (5%): \$ 46,976.37					
CONSTRUCTION ENGINEERING (12.5%): \$ 117,440.92					
PROJECT TOTAL: \$ 1,103,944.66					
COUNTY ADMINISTRATIVE FEES (5%): \$ 55,197.23					
REVOLVING FUND CONTRIBUTION (5%): \$ 55,197.23					
BOND COUNSEL (2.5%): \$ 27,598.62					
TOTAL AGGREGATE PRINCIPAL: \$ 1,241,937.75					
TOTAL INTEREST (5%-20YR-2 PMTS/YR): \$ 737,027.12					
TOTAL ASSESSMENT \$ 1,978,964.87					
SEMI-ANNUAL PAYMENT (5%-20YR-2 PMTS/YR) \$ 49,474.12					
SEMI-ANNUAL PAYMENT PER PARCEL (BASED ON 3,099 PARCELS) \$ 16.49					

**THURSDAY, SEPTEMBER 13, 2012  
(Continued)**

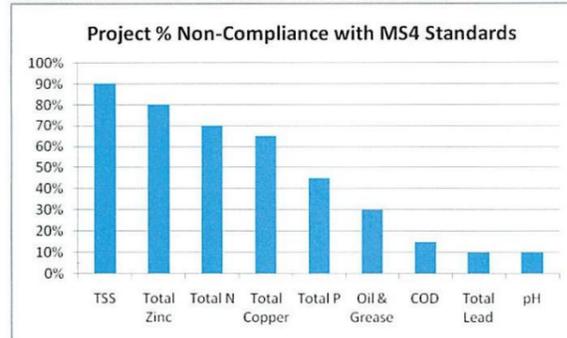


In summary, 120 total samples were collected during the study period covering a myriad of water quality parameters with N=65 (54%) that exceeded MS4 General Permit benchmarks. Table 5.2 and Figures 5.13-5.16 display the percent of samples that did not achieve the MS4 General Permit Benchmark for each site and each parameter. For the project, Total Suspended Sediment was the most non-compliant MS4 General Permit benchmark parameter. A combination of Total Nitrogen, Total Phosphorus, Total Zinc and Total Copper generally make up the second through fourth highest non-compliant parameters for the study.

**Table 5.2. Percent of samples for all sample dates that failed to meet MS4 General Permit Benchmarks.**

MS4 Parameter / Site	GD-1	RS-1	BS-1	Overall
pH	29%	0%	0%	10%
Total Suspended Sediment	100%	83%	86%	90%
Chemical Oxygen Demand	14%	0%	29%	15%
Total Phosphorus	86%	33%	14%	45%
Total Nitrogen	100%	33%	71%	70%
Total Copper	86%	50%	67%	65%
Total Lead	0%	17%	14%	10%
Total Zinc	86%	67%	86%	80%
Oil & Grease	29%	33%	29%	30%

**Figure 5.13. Percent of total samples collected by study that did not meet the MS4 General Permit benchmark.**



INFORMATIONAL STORMWATER SURVEY ANALYSIS SUMMARY									
AREA "A"									
SIZE (# of Owners)	RESPONSE (# of Responses)	ASSESSMENT SUPPORT			SUPPORT for FIXING PROB. (Q3)	BUSINESS SUPPORT		EFFECT ON BUS./REC. (Q6)	
		YES	NO	UNDECIDED		YES	NO	YES	NO
1985	578	270	240	63	360	60	43	213	296
	29%	47%	42%	11%	62%	58%	42%	42%	58%
AREA "A + C"									
SIZE (# of Owners)	RESPONSE (# of Responses)	ASSESSMENT SUPPORT			SUPPORT for FIXING PROB. (Q3)	BUSINESS SUPPORT		EFFECT ON BUS./REC. (Q6)	
		YES	NO	UNDECIDED		YES	NO	YES	NO
2315	661	301	295	65	413	72	56	248	339
	29%	46%	45%	10%	62%	56%	44%	42%	58%
AREA "A + B + C"									
SIZE (# of Owners)	RESPONSE (# of Responses)	ASSESSMENT SUPPORT			SUPPORT for FIXING PROB. (Q3)	BUSINESS SUPPORT		EFFECT ON BUS./REC. (Q6)	
		YES	NO	UNDECIDED		YES	NO	YES	NO
3382	958	413	460	85	586	94	82	327	527
	28%	43%	48%	9%	61%	53%	47%	38%	62%

**THURSDAY, SEPTEMBER 13, 2012  
(Continued)**

Chairman Lauman expressed appreciation to Sue Hanson and the committee for their dedication to the project.

David Christensen reviewed the following comments he made to the commission.

**David Christensen's Comments**

**For**

**Commissioners Meeting Regarding Proceeding with the BF Storm-water RSID**

- Presently, the County has committed to maintaining the newly installed facilities (mainly Grand Dr. and River St.), at an estimated cost of \$7,850 per year. The proposed BF Storm-water improvement district has a maintenance component that would cover those costs, therefore saving the county from this amount out of the General Fund.
- If the Storm-water Improvement District is not formed now, we stand to lose our Engineer, without significant extensions to his contract. This could be costly if a new Engineer has to pick up the design intent later on.
- The Bridge St. South Design has components in it that mitigate erosion and flooding for this area. If this design is not implemented, the County will still have an obligation to correct these issues.
- The County could be mandated at some future time to implement storm-water improvements such as proposed in the Bridge Street Design. If this happens, the costs could soar, due to agency oversight and administration costs.
- The Bond and Construction costs are now at the lowest levels in some years. Future implementation of a BF Storm-water improvement district could be far more costly than now.
- The Bridge St. Designs, for which the RSID would cover, are DEQ approved and shovel ready. Now is the time to implement them.

Harry Hyatt, a member of Bigfork Stormwater Advisory Committee and resident of Bigfork said I think it is imperative that we understand that as Bigfork continues to develop and grow, more and more contaminants will unsafely go into the river and bay. All the pavement in Bigfork certainly makes the area nicer, yet certainly doesn't make it easier to control the contaminants that come down. As a step where we have a project that is half done and has measured out to do what was promised; to continue on to do this will make the whole harbor area less contaminated. We need to when we can make the safe guards to protect our water system; I urge you to take the next step in moving forward with an RSID.

Prunty reviewed the maintenance completed this spring by the Road Department on Grand Drive and part of Electric Avenue. He stated in his opinion an RSID is certainly a good way to go for maintenance on serving the whole system.

Chairman Lauman stated the proposal would be taken under advisement.

Pierson entered into record the following e-mails received in favor of creating an RSID.

Dear Commissioner Holmquist,

Moving forward on the Bigfork Stormwater Project ought to be a "no-brainer", but you also deserve to know that doing so enjoys public support.

Forming a Rural Special Improvement District to help finance the remaining two phases is the least we can do to combat the declining water quality of Flathead Lake, our own world-renowned natural asset and major regional economic driver.

I cannot imagine that any parcel owner would find the proposed yearly assessment onerous, unreasonable or not worth the expense. I am happy to pay it.

We need to take care of this magnificent lake. The Stormwater Project is aiding in this worthwhile effort.

Sincerely,  
Woody Nedom  
assessment code: 0000354611

**Dear Commissioner Holmquist:**

**I am absolutely in favor of establishing a Rural Special Improvement District to fund the last two phases of the Bigfork Stormwater project and I urge you to vote for it. You must surely understand that it isn't just a Bigfork issue....the ultimate goal is to protect and preserve this beautiful Flathead Lake that belongs to us all.**

**Thank you for understanding.**

**Charlotte French  
Bigfork**

THURSDAY, SEPTEMBER 13, 2012  
(Continued)

September 6, 2012

Dale Lauman, Chair  
Pam Holmquist  
Cal Scott  
Flathead County Commissioners  
800 South Main  
Kalispell, MT 59901

RECEIVED  
SEP 10 2012  
FLATHEAD COUNTY  
COMMISSIONERS

Dear Commissioners Lauman, Holmquist and Scott:

The Flathead Lakers support the Bigfork Stormwater Advisory Committee's proposal for a Rural Special Improvement District to fund the final phases of the Bigfork Stormwater Project.

The Flathead Lakers is a nonprofit organization working to protect water quality in Flathead Lake and its watershed. The Flathead Lakers was founded in 1958 and currently has 1,500 members. Flathead Lake is truly a national treasure and greatly contributes to quality of life and economic vitality in Flathead County.

Stormwater runoff from impervious surfaces in Bigfork has been increasing, with much of it draining directly into Bigfork Bay. Water quality in Flathead Lake has been declining due to nutrient enrichment. Stormwater runoff is a major source of nutrients. The State of Montana has declared Flathead Lake an impaired water body. Through the TMDL (Total Maximum Daily Load) process required by the Clean Water Act, the Montana Department of Environmental Quality and the Flathead Basin Commission determined that at least a 15 percent reduction in nutrient pollution is needed to safeguard clean water in Flathead Lake.

The Bigfork Stormwater Advisory Committee, with the help of Flathead County, the Bigfork School District, and others, has been committed to reducing stormwater runoff in Bigfork to protect water quality for several years. The committee was successful in securing numerous grants that total \$1.3 million. That funding helped achieve significant results, including new stormwater management and treatment systems for the Grand Drive, River Street, and Electric Avenue areas, plus design and engineering for stormwater management for the Bridge Street North and South areas.

The Bigfork Advisory Committee is proposing an RSID to fund construction of the Bridge Street projects, the final two phases of the Bigfork Stormwater Project. Advisory Committee Chairperson Sue Hanson informed us that grant requests will no longer be considered without local project funding.

Reducing the amount of stormwater runoff and improving its quality will help reduce pollution of Flathead Lake and help meet TMDL water quality targets. The Flathead Lakers have supported this project since its inception and commend Flathead County for taking the steps needed over the past few years to help Bigfork solve its stormwater problems to improve and protect water quality.

We encourage you to support establishment of the RSID to fund completion of the Bigfork Stormwater Project.

Sincerely,  
  
Robin Steinkraus  
Executive Director

From: Edd Blackler [mailto:blackled@bigfork.com]  
Sent: Sunday, August 26, 2012 4:57 PM  
To: Dale Lauman; Pamela Holmquist; Cal Scott  
Subject: Bigfork Stormwater Project

AUG 27 2012  
FLATHEAD COUNTY  
COMMISSIONERS

Flathead County Commissioners:  
As you know, the Bigfork Stormwater Advisory Committee has carefully shepherded this premier project along through the first two phases, and the Village of Bigfork has benefited greatly thus far. It would be regretful if the project were not completed to insure that the maximum protection of the waters in the Bigfork Bay and Flathead Lake was not provided.

It is imperative that a Rural Special Improvement District be established in order that funding for the final two phases of the stormwater project can be completed.

I strongly urge you to take the necessary actions to make this happen. It is in the best interests of the residents of Bigfork and the entire Flathead County, as well as those who rely on the purity of Flathead Lake, to see to it that the stormwater project is funded and completed.

Thank you for your concern for this important matter.

Sincerely,  
Edd Blackler, Bigfork

Pam -

I would hope that you and the other two commissioners would indorse this project for the clarity of Flathead Lake. As you know the original storm water system had wooden pipes which has been patched over the years, plugged up, and cut off. In fact the system is so old and non-functioning that the Storm Water Committee decided to abandon it and start over.

There is never a good time to raise taxes whether it's via a SID or some other means and particularly now with the tough economic times; however, for the health of Flathead Lake and the Bigfork Bay now is the time. It is the right thing to do. We have owned lake front property on Flathead since 1998. We and our neighbors have noticed an increase of algae on the rocks and a scum line just off shore in the last several years. I have no idea whether a properly operating storm water system would eliminate or reduce the algae and scum line but it sure can't hurt. We have to start somewhere for the future of Flathead Lake. - John

John Bourquin 406-837-0669

From: susan hanson [mailto:hs@montanasky.net]  
Sent: Sunday, August 26, 2012 2:02 PM  
To: Sue Hanson  
Subject: Support for Stormwater Project

The Bigfork Stormwater Advisory Committee is seeking support to complete the final two phases of the Bigfork Stormwater Project. It is now in the hands of the Flathead County Commissioners to move forward with the process to establish a Rural Special Improvement District to fund these last two phases.

To date, the project has received \$1.3 million in grant funding and completed Phase I - Grand Drive and Phase II - Electric Avenue and River Street. Our grant funding sources will no longer consider grants without local funding. Design engineering and construction engineering for the Bridge Street North and South (final two phases) has been completed and is estimated to cost:

Construction	\$ 1.10 Million
County Fees & revolving Fund	\$ 0.11 Million
Bond fees and interest (20 years)	\$ 0.72 Million
TOTAL	\$1.93 Million

Estimated cost per parcel is \$38 per year.

The Bigfork Stormwater Advisory Committee will be meeting with the Flathead County Commissioners on September 13, 2012 at 9:30 a.m. Community support will determine whether the Commissioners choose to move forward. We are asking that you show your support by either attending the meeting or write/email each Commissioner before September 13<sup>th</sup>. Contact information:  
Pam Holmquist - pholmquist@flathead.mt.gov

#### MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

10:00:35 AM

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Tamara Helmstetler, Health Dept. Director Joe Russell, Clerk Kile

Carlson reviewed the following cash balance report. In other business, she reported a cash balance of \$33,000 was left in the Resthaven RSID, and refunded to the current 65 property owners. She then asked for commissioner guidance in preparing a policy for disposal of surplus property. General discussion was held relative to determining a value on surplus property.

**THURSDAY, SEPTEMBER 13, 2012  
(Continued)**

August 31, 2012 REVIEW OF CASH BALANCE									
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF August 31, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
1000	GENERAL FUND	9,752,344	2,645,997	12,398,341	3,084,387	1,975,332	3,156,644	1,181,312	32.37%
2120	POOR FUND	376,983	96,314	473,297	119,731	76,559	76,230	(329)	20.22%
2130	BRIDGE FUND	889,002	230,768	1,119,770	213,445	123,387	283,382	159,995	31.88%
2140	WEED	598,624	152,766	751,390	131,384	107,834	200,993	93,159	33.58%
2160	COUNTY FAIR	1,324,734	133,643	1,458,377	199,217	358,856	99,861	(250,995)	7.54%
2180	DISTRICT COURT	772,871	175,845	948,716	196,156	171,025	200,962	29,837	26.00%
2190	CAMP INS	890,887	227,379	1,118,266	147,245	(441,296)	455,140	896,436	51.09%
2210	PARK	632,207	153,114	785,321	91,520	83,503	206,217	122,714	32.62%
2220	LIBRARY	1,434,786	346,472	1,781,258	317,458	153,378	363,412	210,034	25.33%
2280	AREA ON AGING	211,825	54,969	266,794	22,028	(14,752)	37,058	51,810	17.49%
2290	4H/EXT	161,218	38,490	199,708	75,513	24,914	54,713	29,799	33.94%
2300	SHERIFF	9,403,550	2,417,260	11,820,810	2,499,791	1,348,925	2,730,272	1,381,347	29.03%
2370	RETIREMENT	2,638,286	670,978	3,309,264	487,475	558,290	1,143,998	585,708	43.36%
2380	GROUP INS	2,880,295	669,474	3,549,769	1,832,474	1,647,785	925,833	(721,952)	32.14%
2396	JUV DETENTION	678,694	176,137	854,831	137,336	128,975	246,063	117,088	36.26%
<b>TOTAL COUNTYWIDE NON-VOTED</b>		<b>32,646,306</b>	<b>8,188,806</b>	<b>40,835,112</b>	<b>9,555,160</b>	<b>6,294,715</b>	<b>10,180,778</b>	<b>3,886,063</b>	<b>31.19%</b>
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF August 31, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2110	ROAD FUND	6,768,126	1,746,135	8,514,261	1,749,235	2,308,460	2,191,866	(116,494)	32.39%
2251	PLANNING	386,181	121,350	507,531	104,102	142,168	124,172	(17,996)	32.15%
<b>TOTAL OUTSIDE CITIES NON-VOTED</b>		<b>7,154,307</b>	<b>1,867,485</b>	<b>9,021,792</b>	<b>1,853,337</b>	<b>2,450,628</b>	<b>2,316,138</b>	<b>(134,490)</b>	<b>32.37%</b>
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF August 31, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2270	HEALTH FUND	2,270,999	591,227	2,862,226	656,779	570,204	703,572	133,368	30.98%
<b>TOTAL LEVIED FUNDS</b>		<b>2,270,999</b>	<b>591,227</b>	<b>2,862,226</b>	<b>656,779</b>	<b>570,204</b>	<b>703,572</b>	<b>133,368</b>	<b>30.98%</b>
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF August 31, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2200	MOSQUITO	183,161	53,253	236,414	3,367	27,491	61,655	34,164	33.66%
2272	EMS PROGRAM	252,979	66,590	319,569	82,571	93,534	86,050	(7,484)	34.01%
2273	SPECIAL EMS PROGRAM	446,772	110,490	557,262	86,158	100,346	101,755	1,409	22.78%
2372	PERMISSIVE MED LEVY	1,175,885	-	1,175,885	-	43,106	-	(43,106)	0.00%
2382	SEARCH & RESCUE LEVY	225,396	61,470	286,866	30,925	65,657	72,682	7,025	32.25%
2990	TRANSPORTATION	1,796,026	153,931	1,949,957	374,187	(15,854)	422,506	438,360	23.52%
3001/3002	911 GO BOND DEBT SERVICE	476,106	49,426	525,532	(19,414)	69,157	96,285	27,128	20.22%
<b>TOTAL COUNTYWIDE VOTED/EXEMPT</b>		<b>4,556,325</b>	<b>495,160</b>	<b>5,051,485</b>	<b>557,794</b>	<b>383,437</b>	<b>840,933</b>	<b>457,496</b>	<b>18.46%</b>
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF August 31, 2012	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2260	EMERGENCY/DISASTER	-	377,078	377,078	377,078	368,153	353,473	(14,600)	#DIV/0!
<b>TOTAL OUTSIDE CITIES VOTED</b>		<b>-</b>	<b>377,078</b>	<b>377,078</b>	<b>377,078</b>	<b>368,153</b>	<b>353,473</b>	<b>(14,600)</b>	<b>#DIV/0!</b>

Helmstetler reviewed the following Hungry Horse Rural Fire District budget for approval by the commission.

FLATHEAD COUNTY BUDGET ESTIMATES-REVENUES FY 2013				
FUND NAME: HUNGRY HORSE FIRE				
FUND NUMBER: 7216				
Revenue Account Name	Prior Year Budget-FY12	Dept Request	Final Budget-FY 13	
<b>NON-TAX REVENUE</b>				
Interest Revenue				
Entitlement		\$4,743	\$4,804	\$4,805
Roundup for Safety Grant				
Fire Services				
INTERNAL LOAN		\$65,000		
<b>SUBTOTAL NON-TAX REV</b>		<b>\$69,743</b>	<b>\$4,804</b>	<b>\$4,805</b>
<b>TAX REVENUE</b>				
	Mill Levy			
Tax/Assessment Revenue =	42.75	\$39,979	\$43,407	\$43,390
2012 Taxable Value =	1,015,359			
<b>SUBTOTAL TAX REVENUE</b>		<b>\$39,979</b>	<b>\$43,407</b>	<b>\$43,390</b>
<b>CASH AVAILABLE @ June 30th</b>		<b>-\$72,532</b>	<b>\$13,130</b>	<b>\$13,130</b>
<b>LESS O/S WARR @ 6/30/12</b>			<b>\$73</b>	<b>\$73</b>
<b>ACT CASH AVAILABLE</b>		<b>-\$72,532</b>	<b>\$13,057</b>	<b>\$13,057</b>
<b>TOTAL RESOURCES</b>		<b>\$37,190</b>	<b>\$61,268</b>	<b>\$61,252</b>
<b>AUTHORIZED SIGNATURE:</b>				

**THURSDAY, SEPTEMBER 13, 2012  
(Continued)**

FLATHEAD COUNTY BUDGET ESTIMATES-EXPENDITURES FY 2013			
FUND NAME: HUNGRY HORSE FIRE			
FUND NUMBER: 7216			
Expenditure Account Name	Prior Year Budget-FY12	Dept Request	Final Budget-FY 13
<b>MAINTENANCE &amp; OPERATION</b>			
Insurance	\$8,400	\$5,200	\$5,200
Truck gas & oil/chemicals	\$2,500	\$1,000	\$2,500
Equipment repair and maintenance			\$1,000
Utilities	\$6,996	\$5,500	\$5,500
Other - Misc	\$2,100	\$1,000	\$1,000
Internal Loan Repayment - Due June 1st	\$7,250	\$7,250	\$16,000
Safety equipment			\$3,000
<b>SUBTOTAL M &amp; O</b>	<b>\$27,246</b>	<b>\$19,950</b>	<b>\$34,200</b>
<b>CAPITAL OUTLAY (ITEMIZE)</b>			
Truck Payment	\$15,000	\$15,000	\$15,000
<b>SUBTOTAL CAP OUTLAY</b>	<b>\$15,000</b>	<b>\$15,000</b>	<b>\$15,000</b>
<b>TRANSFER TO CAP IMP FUND 7281</b>			
<b>SUBTOTAL TRANSFER</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>CASH RESERVE</b>			
	2476	\$11,650	\$12,052
<b>SUBTOTAL RESERVES</b>	<b>\$2,476</b>	<b>\$11,650</b>	<b>\$12,052</b>
<b>GRAND TOTAL</b>	<b>\$44,722</b>	<b>\$46,600</b>	<b>\$61,252</b>
AUTHORIZED SIGNATURE:			
Increase or (decrease) expenses			\$0

Balance	Pymt	Interest	Principal	Pymt #	Due Date
\$65,000.00	\$7,250.00	\$552.50	\$6,697.50	1	Due June 1, 2012
\$58,302.50	\$16,000.00	\$447.88	\$15,552.12	2	Due June 1, 2013
\$42,750.38	\$7,250.00	\$293.14	\$6,956.86	3	Due June 1, 2014
\$35,793.52	\$7,250.00	\$215.66	\$7,034.34	4	Due June 1, 2015
\$28,759.18	\$7,250.00	\$149.15	\$7,100.85	5	Due June 1, 2016
\$21,658.33	\$7,250.00	\$94.00	\$7,156.00	6	Due June 1, 2017
\$14,502.32	\$7,250.00	\$50.56	\$7,199.44	7	Due June 1, 2018
\$7,302.89	\$7,322.07	\$19.18	\$7,302.89	8	Due June 1, 2019
				9	Due June 1, 2020
				10	Due June 1, 2021
	\$66,822.07	\$1,822.07	\$65,000.00		

Principal 65000 Hungry Horse Fire District (7216)  
 Interest 0.0085 @ .85% variable interest rate  
 Term 10 Term is 10 years  
 Payable June 1st

Commissioner Scott made a **motion** to approve the Hungry Horse Rural Fire District budget as presented. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**AWARD BID: ANALOG VHF MOBILE & HANDHELD RADIOS/ OES**

10:15:07 AM

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Radio Systems Administrator Jack Spillman, Clerk Kile

Commissioner Scott made a **motion** to award the Analog VHF Mobile & Handheld Radio bid to Bullitt Communications. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**AUTHORIZATION TO PUBLISH CALL FOR BIDS: SEPTIC SYSTEM/ ANIMAL SHELTER**

10:17:14 AM

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Health Dept. Director Joe Russell, Health Dept. Staff Engineer Dick Montgomery, Clerk Kile

Montgomery reviewed history of the current septic system serving the Animal Shelter. He stated it is imperative that the existing system be replaced with one that uses proper technology and is adequate for their use. Montgomery reviewed several options that were explored.

Commissioner Scott made a **motion** to authorize publication of the call for bids for a septic system at the Animal Shelter. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**THURSDAY, SEPTEMBER 13, 2012**  
**(Continued)**

**CALL FOR BIDS**

Notice is hereby given that sealed bids for the installation of a sewage treatment system for the County Animal Shelter on Cemetery Road, will be received by the County Board of Commissioners of Flathead County, Montana.

The work contemplated consists of the following:

1. Remove and abandon existing water monitoring well
2. Remove and dispose of three trees
3. Import approximately 250 cubic yards of fill material to level the drainfield site
4. Remove and reinstall 50 feet of chain link fence and install 50 feet of new fence
5. Furnish and install two, three feet wide chain link gates and posts
6. Construct a standard drainrock drainfield with 700 ft. of three ft. wide trenches
7. Furnish and install 270 feet of 4" pvc pipe force main buried 6 feet
8. Install a 1,000 gallon concrete pump chamber
9. Remove effluent pump and modify existing concrete tank
10. Furnish and install new effluent pump, controls and power supply

Bid proposals must be submitted on a form to be provided for the purpose, addressed to the Board of County Commissioners, Flathead County Clerk and Recorder, Room 314, 800 South Main, Kalispell, MT 59901, and enclosed in a sealed envelope marked, "Proposal for Animal Shelter Septic System Project". Contractor is required to provide their Special Fuel User Permit Number on the bid form and on the sealed envelope below the bid title referenced above.

No proposal will be considered unless accompanied by a proposal security in the amount of ten percent (10%) of the 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 project. 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.

A performance bond will be required for the faithful performance of the successful contractor in the full amount of the bid.

Specifications, forms of contract, proposal blanks, and full instructions are on file and may be obtained at the Clerk and Recorder's office in the Courthouse at 800 South Main, Kalispell, MT 59901. To ask any questions concerning this project or schedule a site visit, contact Dick Montgomery at 751- 8130 or Joe Russell at 751-8100.

Flathead County shall assess liquid damages of \$100 per day for failure of the contractor to complete the contract in sixty (60) days. This allows thirty (30) days for the contractor to file a public notice of moving and the State change of location notice. Extenuating circumstances will be considered by the County Commissioners for extension of the contract without penalty.

The successful bidder must contract to pay prevailing wage rates set by the Montana Department of Labor and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the Public Contractor's 1% Gross Receipt Tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Employment Relations Division of the Montana Department of Labor and Industry in the proper classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or county that enforces a preference for resident bidders equal to the preference given in the other state or county.

All **sealed bids**, plainly marked as such, must be in the hands of the County Clerk and Recorder, 800 South Main, Room 302, Kalispell, MT 59901, on or before **9:30 o'clock A.M. on October 2, 2012**. Bids will be publicly opened and read aloud immediately thereafter and taken under advisement.

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 13<sup>th</sup> day of September, 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 September 18 and September 25, 2012.

**COS REVIEW: MANGEL**

10:30:39 AM

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Planner Bailey Minnich, Dan Brien, Delores Mangel, Clerk Kile

Minnich explained four parcels including the remaining parcel less than 20 acres in size have been divided from the original tract of record through exemptions on property located off Gateway Drive near Foothills Road. The current proposal would create an additional tract resulting in a total of five parcels less than 20 acres in size.

Tract 1	3.105 acres transferred to Darrell Mangel, Son
Tract 2	4.980 acres retained by Delores Mangel, Property Owner

**THURSDAY, SEPTEMBER 13, 2012**  
**(Continued)**

Commissioner Scott made a **motion** to approve the COS. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**CONSIDERATION OF LAKESHORE PERMIT EXTENSION: EDWARDS**

[10:35:39 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Planner Bailey Minnich, Clerk Kile

Minnich reviewed the request received for Lakeshore Permit FLP11-49 for Richard Edwards. The original permit was issued on September 8, 2011 for restoration of an area around an existing boat ramp on Little Bitterroot Lake. The permit was set to expire on September 8, 2012 and on September 5, 2012 the applicant requested an extension.

Commissioner Scott made a **motion** to approve the extension request for Lakeshore Permit FLP 11-49 to September 8, 2013. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: LEASE AGREEMENT/ OPTIMUM COMMUNICATIONS FOR MOUNT AENEAS COMMUNICATION SITE**

[10:46:13 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Fire Services Area Manager Lincoln Chute, Radio Systems Administrator Jack Spillman, Clerk Kile

Spillman explained the forest service has given the county approval to occupy the communication site on Mount Aeneas. He reviewed the new equipment to be installed. Spillman noted it is a term lease for \$400 per month.

Commissioner Scott made a **motion** to approve the lease agreement with Optimum Communications on Mount Aeneas. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: AMENDED BY-LAWS/ FLATHEAD COUNTY FIRE SERVICE AREA ADVISORY BOARD**

[10:48:19 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Fire Services Area Manager Lincoln Chute, Clerk Kile

Fugina noted the amended by-laws clarify the board is an advisory committee and they have no administrative duties.

Commissioner Scott made a **motion** to approve the amended by-laws prepared for Flathead County Fire Service Area Advisory Board. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: AOA SERVICE PROVIDER AGREEMENT/ AGAPE**

[10:50:06 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Pence explained the document is an addendum to the current contract that removes one line regarding reimbursement of Care Plus. The rate will be paid at \$17.45 per hour.

Commissioner Scott made a **motion** to approve the AOA Service Provider Agreement/ Agape. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**PERSONNEL MATTER**

[10:51:11 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Scott made a **motion** to approve the personnel matter as presented. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: VEHICLE'S / SHERIFF'S OFFICE**

[10:52:04 AM](#)

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

Pence reported the contract is for the purchase of the following from DePratu Ford.

6	-	2012 Super Crew Pickups	\$26,694.92 ea.
3	-	2012 Super Cab Pickups	\$24,784.92 ea.
2	-	2012 Explorers	\$26,429.92 ea.

Commissioner Scott made a **motion** to approve the contracts for signature for Sheriff Office vehicles. Chairman Lauman **seconded** the motion. **Aye** – Lauman and Scott. Motion carried by quorum.

**THURSDAY, SEPTEMBER 13, 2012  
(Continued)**

**MEETING W/ R. B. BLAIR AND DAN CLARK**

[11:00:25 AM](#)

Present: Chairman Dale W. Lauman, Commissioner Calvin L. Scott, R.B., Dan Clark, Clerk Kile

RB spoke about a document titled Claimant's Exceptions to Fees that he said Clerk & Recorder Paula Robinson refused to file. He said prior to that on May 7 he stamped a treatise that he handed to Paula Robinson regarding fees. RB reviewed the treatise document and recorded document No. 201100021773. He stated he is looking for official bond books in the county, which he cannot find, or can he find proper oath's of offices. He presented Standard Federal Form 61 that is the Oath of Office for the federal constitution. He said if your federal oath is not filled out, the state oath is mute. He spoke about common laws, affidavit of appointments, turning his concerns into a federal case, citizens being responsible for their actions, constitutional rights, the Bill of Rights and fear/anger.

**2:00 p.m. Commissioner Lauman & Commissioner Scott: AOA Board meeting @ The Summit**  
**3:00 p.m. Commissioner Lauman & Commissioner Scott: AOA Wellness Committee meeting**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 14, 2012.

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**FRIDAY, SEPTEMBER 14, 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 September 17, 2012.

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