
MONDAY, SEPTEMBER 3, 2007

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

COUNTY OFFICES CLOSED - LABOR DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 4, 2007.

TUESDAY, SEPTEMBER 4, 2007

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

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

Ron Thibert, 3795 Hwy 2 West, spoke about growing up here in the valley and stated that during that time he was involved with the FFA Program. He then said that his advisor always said that he based his comments on pure knowledge and wisdom. Thibert then said that the audit that was done in regards to horse racing does not tell you if any money was made. He also added that it states in the audit report that money was juggled around from one fund to another and he questions how you could know if any money was made. He then said that he would like to see the Commission step up and appoint a three member race horse commission for the Flathead. He then reported that a race horse task force that he is a member of proposed bills to help out horse racing passed through the legislature this year. He then stated that he would like to see Flathead County get on board and back the Turf Club.

Commissioner Hall spoke about the education that was presented to the Turf Club in regards to insurance costs as to why horse races were eliminated; not only in the Flathead but across the state.

Ron Thibert said that the State Commissioner stated that any cost to the county in regards to insurance would be reimbursed through the state.

Mike Pence said that he hasn't seen any communication in regards to them covering liability.

Commissioner Hall then said that the Commission takes the Fair Boards recommendation into consideration, and they happen to agree on their position. He then added that they are stewards of the tax payer's money and are not willing to take the risk.

Discussion was then held relative to the Turf Club bringing forth a proposal that has not been received.

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

PRELIMINARY PLAT: LARCHWOOD SUMMER HOMES, AMENDED PLAT OF LOT 7

[9:33:46 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Assistant Planning & Zoning Director B J Grieve, Dale Wick, Elaine Wick, Brian Quay,
Clerk Kile

Grieve reviewed the application submitted by Dale and Elaine Wick with technical assistance from Sands Surveying for preliminary plat approval of Larchwood Summer Homes, Amended Lot 7; a two lot minor subdivision creating two townhouse lots and a common area on .70 acres that will be served by Lakeside public sewer and water systems. This subdivision is located just north of Lakeside, off Lakeside Blvd in an unzoned area.

Grieve then reviewed the findings of fact 1-11 and the summary of findings.

Commissioner Hall made a **motion** to adopt findings of fact. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Discussion was held relative to Larch Wood Lane and fire access issues.

Commissioner Hall made a **motion** to approve Larchwood Summer Homes, Amended Plat of Lot 7. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Conditions:

1. Exact building footprints and structure protrusions that meet the setback requirements of Section 5.4 (D) of the Flathead County Subdivision Regulations shall be shown on the face of the final plat.
2. Any construction occurring on existing natural grade of 25% or more shall submit a geo-technical soils analysis by a licensed engineer confirming the adequacy of the slope to support the structure.

3. Evidence of sewer and water connections authorized by the Lakeside Sewer and Water District shall be submitted with final plat.
4. The final plat shall show two building footprints (townhouse lots) and the remaining land shall be designated "common area" and held in common by the two lot owners. The signed and filed legal documentation of this arrangement, similar to the draft covenants submitted for preliminary plat review, shall be submitted with final plat.
5. Evidence of the legal mechanism by which the "cabin" will be retained as private property within the common area and transferred solely with one of the townhouse lots, similar to the draft covenants submitted for preliminary plat review, shall be submitted with the final plat.
6. The applicant shall submit a Storm Water Drainage Plan that shall be approved and reviewed by the Flathead County City-County Environmental Health Department and the Montana Department of Environmental Quality (Section 3.12, FCSR).
7. The applicant shall submit a copy of the Storm Water Pollution Prevention Plan and subsequent permit from MT DEQ that was obtained prior to construction of infrastructure (Section 3.13, FCSR).
8. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. The property shall be sprayed as often as needed during construction and prior to sale of lots to control noxious weeds. Weeds covering a significant portion of disturbed terrain shall be grounds for not approving final plat. Spray shall not be used on the east side of Lakeside Boulevard. [7-22-2116 MCA and Section 3.12(J), FCSR]
9. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626. Street addressing shall be assigned by the Address Coordinator." [Section 3.9(I)(7), FCSR]
10. The applicant shall comply with reasonable fire suppression and access requirements of the applicable fire district. A letter from the fire chief stating that an agreement has been made shall be submitted with the application for Final Plat. [Section 3.20, FCSR]
11. Only Class A or B fire rated roofing materials are allowed. [Section 3.21, FCSR]
12. Defensible Space Standards (as allowable with given setbacks) shall be incorporated around all structures. [Appendix G, FCSR]
13. If required by the postmaster, the developer shall provide a common mailbox facility in accordance with Flathead County Subdivision Regulations. [3.22, FCSR].
14. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All addresses shall be visible from the road.
 - b. All utilities shall be placed underground.
 - c. Lot owners should be aware they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
 - d. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - e. Lot owners should be aware they are living in an area mapped as an extreme fuels reduction priority area.
 - f. Only Class A or B fire rated roofing materials are allowed. [Section 3.21, FCSR]
 - g. Defensible Space Standards shall be incorporated around all primary structures. [Appendix G, FCSR]
 - h. Homeowners must be aware of the potential for vegetation damage by wildlife, particularly from deer feeding on green lawns, gardens, flowers, ornamental shrubs, and trees in this subdivision. Homeowners should be prepared to take the responsibility to plant non-palatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Landscape plantings of certain species of native vegetation are less likely to suffer extensive feeding damage by deer.
 - i. Fruit-producing trees and shrubs should be fenced utilizing electric fencing to deter bears. Keep produce and any fruit picked and off the ground. Ripe or rotting fruit or vegetable material can attract bears, deer, skunks, and other wildlife. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller or electric fences utilized.
 - j. Garbage must be stored either in secure, bear-resistant containers or indoors (or both) to avoid attracting wildlife such as bears. If stored indoors, garbage cans may not be set out until the morning of garbage pickup and must be brought in no later than that same evening. If home sites are occupied seasonally or if the occupants are to be away from the household for 7 days or more, garbage from the home, other buildings, or containers must be removed from the property prior to their departure.
 - k. Do not feed wildlife or offer supplements (such as salt or mineral blocks), attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that can lead to overuse of vegetation, disease transmission, and other adverse effects to wildlife (such as foundering of deer). Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-3-130) to purposely or knowingly attract bears with supplemental food attractants (any food, garbage, or other attractant for game animals) or to provide supplemental feed attractants in a manner that results in "an artificial concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety." Also, homeowners must be aware that deer might attract mountain lions to the area.
 - l. Pet food should be stored indoors, in closed sheds, or in bear-resistant containers in order to avoid attracting wildlife such as bears, mountain lions, skunks, and other wildlife. When feeding pets, do not leave food out overnight.
 - m. Barbecue grills should be stored indoors. Keep all portions of the barbecues routinely clean. Permanent outdoor grills are discouraged. Food spills and smells on and near the grill can attract bears and other wildlife.
 - n.

Waiver of Protest
Participation in Special Improvement District

_____ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes _____ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that _____ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. _____ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in

interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for _____ Subdivision.

15. Electrical and telephone utilities shall be extended underground to abut and be available to each townhouse lot, in accordance with a plan approved by the utility companies. Utilities and easements shall comply with [Section 3.17 and 3.18 of the Flathead County Subdivision Regulations].
16. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Appendix C (I) (A), FCSR].
17. The final plat shall comply with the requirements of Section 2.7 (final plat process) of the Flathead County Subdivision Regulations. [2.7, FCSR].
18. All required improvements shall be completed in place or a Subdivision Improvement Agreement, in accordance with Chapter 8 of the Flathead County Subdivision Regulations, shall be provided by the subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
19. Preliminary plat approval is valid for three years. [Section 2.5(D) #6, FCSR].

CONSIDERATION OF HR TRANSMITTAL: PROGRAM COORDINATOR/ ANIMAL CONTROL

[10:04:12 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, HR Director Raeann Campbell, Clerk Kile

Commissioner Lauman made a **motion** to approve the job description change for a Program Coordinator. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[10:06:09 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, HR Director Raeann Campbell, Clerk Kile

Campbell reported on the personnel transactions for the month of August. She then reviewed the work comp claims, trust fund balance, employee turnover statistics, EAP changes and the new long term disability plan that went into effect on July 1, 2007.

Commissioner Lauman made a **motion** to approve the HR Transmittals for the month of August. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: EDWARDS

[10:35:17 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Planner George Smith, Clerk Kile

Smith reviewed the application submitted by Stephen and Kathryn Edwards to build a boat shelter and boat lift on an existing dock. The boat shelter roof is 26 feet by 16 feet and will incorporate an overhead boat lift with the eave overhang portion of the dock already included in the impervious cover total. The total impervious cover is 1,241 sq. feet, which is the property shoreline allowance. All work will be done from the existing dock and no heavy equipment will contact the lake.

Commissioner Hall made a **motion** to approve Lakeshore Permit FLP 07-100 and authorized the Chairman to sign. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: C & G RENTAL PROPERTIES ZONE CHANGE/ BIGFORK ZONING DISTRICT

[10:45:49 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Hall made a **motion** to authorize the publication of the Notice of Public Hearing for C & G Rental Properties Zone Change request and authorized the Chairman to sign. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by C & G Rental Properties, to change the zoning designation in a portion of the Bigfork Area Zoning District from R-4 (Two-family Residential) to B-2 (General Business).

The boundaries of the area proposed to be amended from R-4 to B-2 are the boundaries of Lot 17, Block 1, Bigfork Village, Section 36, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana.

The proposed change would generally change the character of the zoning regulations applicable to the property from a residential district intended to provide lot areas for urban development, requiring all public utilities and all community facilities, and allowing duplexes, to providing for retail sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, by outdoor commercial amusement and recreational activities, and by businesses serving the general needs of the tourist and traveler.

The regulations defining the R-4 and B-2 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, Kalispell, Montana, in Permanent File No. 93270 13500.

The public hearing will be held on the **27th day of September, 2007, at 10:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change in the regulations for the described portion of the Bigfork Area Zoning District.

DATED this 4th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By:/s/Diana Kile
Diana Kile, Deputy

By:/s/Joseph D. Brenneman
Joseph D. Brenneman, Chairman

Publish on September 8 and September 15, 2007.

CONSIDERATION OF HR TRANSMITTAL: OA II & OA III/ FAIRGROUNDS

[10:50:48 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Fairgrounds Director Jay Scott, Clerk Kile

Scott reported on the Fairgrounds office staff re-organization.

Commissioner Hall made a **motion** to approve the HR Transmittals for an OAI and OAIII at the Fairgrounds. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #08-07-6-11-018-0

[11:02:49 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Clerk Kile

Pence reported that the DPHHS Contract is for a bio-terrorist grant.

Commissioner Lauman made a **motion** to approve DPHHS Contract #08-07-6-11-018-0. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING & SITE ADDRESSING

[11:04:25 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Hall made a **motion** to authorize the publication of the Notice of Public Hearing for the Road Naming & Site Addressing system request and authorized the Chairman to sign. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

NOTICE OF PUBLIC HEARING
ROAD NAMING AND SITE ADDRESSING SYSTEM
OF THE FLATHEAD COUNTY CLERK & RECORDER'S OFFICE

The Board of Commissioners of Flathead County, Montana, hereby gives notice, that the Board of Commissioners will hold a public hearing to consider a revised Road Naming and Site Addressing System of the Flathead County Clerk & Recorder's Office.

The proposed revised Road Naming and Site Addressing System Resolution is available for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main Street, Kalispell, Montana, and at the Flathead County GIS Department, 800 South Main Street, Kalispell, Montana. It is also available on-line at the Flathead County GIS Department's page on the Flathead County website.

The Road Naming and Site Addressing System Resolution defines the procedures and specifications for naming roads and assigning addresses within the jurisdictional boundary of Flathead County. The proposed revisions clearly define this process. The proposed revisions also reduce the processing time for road namings and address assignments by allowing the Clerk & Recorder's Office to determine road names using the procedures therein.

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

The public hearing will be held on the 27th day of September, 2007, at 10:30 a.m., in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, 800 South Main, Kalispell, Montana. At the hearing the Board of Commissioners will give members of the public an opportunity to be heard regarding the proposed Road Naming and Site Addressing System.

DATED this 4th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Joseph D. Brenneman
Joseph D. Brenneman, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on September 9 and September 16, 2007.

MEETING W/ RICHARD STEPHON & HELEN JACKSON RE: ASHLEY LAKE LOT

11:07:02 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Helen Jackson, Richard Stephon, Clerk Kile

Discussion was held relative to a lot on Ashley Lake that is in need of silt being removed.

Chairman Brenneman suggested that they speak with George Smith at the Planning & Zoning Office to apply for a Lakeshore Permit in order to proceed with the work.

3:00 p.m. Commissioner Brenneman to 911 Foundation Train Trip (meet @ Whitefish Train Depot)
4:00 p.m. Commissioner Hall to RAC meeting @ Commissioners Meeting Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 5, 2007.

WEDNESDAY, SEPTEMBER 5, 2007

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

10:00 a.m. Commissioner Lauman to Audit Committee meeting @ Commissioners Meeting Room
11:00 a.m. County Attorney meeting @ Co. Atty's Office
1:30 p.m. Commissioner Lauman to External Auditor meeting @ Co. Commissioners Meeting Room
4:00 p.m. Commissioner Brenneman traveling to Havre

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 6, 2007.

THURSDAY, SEPTEMBER 6, 2007

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

Commissioner Hall PT opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Commissioner Hall PT closed the public comment period.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: CONCRETE FLOOR/ FAIRGROUNDS PAVILLION

[9:21:04 AM](#)

Members present:

Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Members absent:

Chairman Joseph D. Brenneman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Fairgrounds Director Jay Scott, Terry Richmond, Clerk Kile

Commissioner Lauman made a **motion** to approve the call for bids for a concrete floor at the Fairgrounds Pavilion. Commissioner Hall PT **seconded** the motion. **Aye** - Hall and Lauman. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the installing of a portland cement concrete floor in the Fairgrounds Livestock Pavilion.

The project generally consists of pouring approximately 45,000 square feet of portland cement concrete 6-inch thick slab on grade. Potential bidders are encouraged to pick up a set of plans from Morrison-Maierle at 1228 Whitefish Stage Road, Kalispell, Montana. They can also be reached at (406) 752-2216.

Each bidder should submit bids for and produce a schedule showing when the work can be started and completed. Warranties and schedules will be considered when determining the bid that is in the best interest of the Flathead County Fair Board and will be included in the contract for the Flathead County Pavilion.

Each bidder must deposit with his/her bid, a bid 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 10 days, enter into a formal contract for the completion of 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 bid bond executed by a surety corporation authorized to do business in Montana.

No bidder may withdraw a bid after the actual date of the opening thereof.

A Performance Bond and Labor and Materials Payment Bond each in the amount of One Hundred percent (100%) of the contract sum will be required of the successful bidder, to secure the contractor's covenant to faithfully perform all of the conditions of the contract in accordance with the law and that contract. The successful bidder will also be required to provide proof of Workers' Compensation insurance and/or an independent contractor certification from the State dated after May 1, 2005, and General Liability and Automobile insurance policies, with Flathead County as an additional insured, each in the amount of at least \$1,000,000.00.

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 contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from 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 country that enforces a preference for resident bidders equal to the preference given in the other state or country.

All sealed bids, plainly marked "Flathead County Pavilion" must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, at or before 5:00 o'clock p.m., on September 26, 2007. Bids will be opened and read at 10:15 a.m. on September 27, 2007, in the Commissioners' Office at the Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Flathead County reserves the right to accept or reject any bid and to waive any irregularities which are deemed to be in the best interest of the County.

The award of 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 6th day of September, 2007.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:

Paula Robinson, Clerk

By: /s/Gary D. Hall P.T.
Joseph D. Brenneman, Chairman

By: /s/Diana Kile
Diana Kile, Deputy

Publish on September 11 and September 18, 2007.

PUBLIC HEARING: BUDGET FY 07- 08 @ COMMISSIONERS MEETING ROOM

[10:30:49 AM](#)

Members present:

Chairman Joseph D. Brenneman (via conference call)
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Jonathan Smith, Paula Robinson, Laurel Raymond, Ed Corrigan, Vicki Eggum, Jed Fisher, Brenda Hall, Kim Crowley, Karen Marr, Jim Chilton, Carol Norwood, Stefani S. Freese, Julie Kostelecky, Raeann Campbell, Wes Hula, Karole Sommerfield, Vicki Saxby, Guy Foy, Monica Eisenzimer, Mike Meehan, Peg Allison, Marcia Sheffels, Adele Krantz, B J Grieve, Jeff Harris, Jae Carnsew, Teresa Malone, Martha Vonderheide, Cindy Dooley, Bill Breen, Noel Gorton, Lynn Pearce, Clerk Kile

Assistance Pence expressed his appreciation to the employees' and management team for the preparation of the Mission & Core Values Statement that has been prepared for Flathead County.

Flathead County
Mission and Core Values Statement

Our Mission

We provide responsive and accountable services to protect and enhance the Flathead community.

Our Core Values

We are committed to:

- Accountable stewardship of taxpayer resources
- Respectful and responsive communication
- Professional service with quality and integrity
- Proactive and innovative leadership at all levels
- Creating a positive team culture that values all people
- Safety and security throughout the County
- Equal treatment for all

Adopted by the Employees of Flathead County and the Flathead County Board of Commissioners.

Pence then spoke about the budget process that involved Miral Gambradt, who helped prepared a Capital Improvement Program (CIP) for Flathead County. He then thanked Paula Robinson, Laurel Raymond and each department head for their work in directing the effort in putting together the FY 07/08 budget. He then stated that the projected beginning balance is \$38.5 million, with a total revenue projection of \$62.2 million and a total expenditure projection of \$60.0 million with an ending balance of \$40.6 million. Also discussed was the Energy Performance Contract that will be paid for by the savings of energy and will be cost neutral to the county. He then reviewed the biggest expenditure in the budget, which is personnel with 497 full-time employees. Pence reported that they have authorized 8.35 new FTE's for the year that will be funded with additional property taxes. The proposed budget is for a 3.44% increase in the total mill levy and they are proposing a tax levy that is 142.39 mills, compared to 137.66 mills last year. He then said that the proposed mill levy basically allows them to fund the cost of living increase for personnel expenditures and business overhead that continues to include the high price of fuel. An exception to the rule is the inclusion of a 3 mill amount, which is a recapture of mills not used in past years when the county did not levy the maximum mills allowed in the general fund. This is a one time mill levy that will drop off the next budget year and these funds will be used for an administration building project in the future. He then explained that with the continued growth that is being experienced in the County, we are seeing an increase of 11.66% in actual tax dollars collected with the proposed levy compared to 11.75% increase last year. Also discussed was the Road Advisory Committee that has recently been appointed by the Commission and the hiring of a Public Works Director that will be over the Road Department and Solid Waste. The Public Works Director will be responsible for putting together a comprehensive plan for our road system.

Commissioner Hall PT opened the public hearing to anyone wishing to speak in favor or opposition.

Bill Breen, 335 Mountain Meadow Road, addressed the proposed budget and stated that he finds the budget substantially inadequate to provide the essential services needed in the growing county. He then spoke about the Road & Bridge Department, and stated that the roads need to be substantially upgraded with paving and dust abatement. Also stated was the Sheriff's and Health Department budgets are both in need of additional funds. Breen then said that he finds the new format for the proposed county budget informative, but that it lacks goals and objectives with no discussion how goals will be accomplished.

Lynn Pearce, Jensen Road, spoke about road dust and stated that she is surprised that they don't do more oiling of gravel roads in the county. Also stated was that she felt like some of the roads this year that were over-layed didn't appear to need it. Pearce then spoke about RSID's and the problems they cause with some not being able to afford the upgrades to their roads. She then said that she hopes impact fees could be applied to road and questioned why development of subdivision lots isn't generating extra money for roads. Also stated was that the Road Advisory Committee is a good start, yet even then it is going to take years to get anything accomplished. She then added that she hopes the committee will be fair.

Noel Gorton, 578 Creston Road, stated that it was informative for her to go through the budget. She then spoke about infrastructure funding options and questioned the impact fees that are referenced. Another concern noted was in regards to construction within the Real Estate industry that remains strong in Flathead County with possible sizable impacts. She then asked if that is why all the subdivisions in the county are being approved, even though the infrastructure is not ready for the growth. She then said when she looks at the Road Departments plans for paving in 2008 that they are projecting to pave 1/3 of a mile. She questioned grant opportunities and who will be pursuing them. Gorton spoke in length about county roads and the condition that some of them are, the wage being paid to Guy Foy and questioned new equipment that is being bought. She then added that it is encouraging that the county has appointed a Road Advisory Committee and hopes that it will not be self serving with two developers on the committee.

Commissioner Hall PT thanked Gorton for the thorough investigation of the budget and said that it is refreshing that there are people studying and trying to understand what they as a Commission do. He then noted that Interim Director Guy Foy has been with the Road Department for 33 years and has done an outstanding job for Flathead County, and in his opinion he is not paid enough. Hall then thanked Guy Foy for the heat he has taken and thanked him for the outstanding job he is doing.

Lynn Pearce, Jensen Road, then spoke about a poll that was taken in regards to 30 miles of gravel roads within the county that the DEQ has been contacted for. She then added that there are 23-24 miles of roads in the county that are critical that she feels something should be done with.

Commissioner Hall then added that the public has done a very good job in educating the Commission with the needs that are out there with the roads.

Teresa Maloney, Rocky Trail Court, questioned how it is decided which roads out of 100's of miles will get paved when the money is available in the budget. She also asked why some of the small roads are getting paved when there are no funds for other roads. She then named Manning Road and Foy's Bend Lane.

Commissioner Lauman commented that road up keep is determined by traffic flow and that hopefully by appointing the new Road Advisory Committee they will be able to prioritize the roads that most need attention.

Teresa Maloney then said that by the official road count last year that Vonderheide Lane had 394 vehicles per day and from her observation Manning Road and Foy's Bend are not anywhere near close to that.

Martha Vonverheide then stated that there are 100 homes on Vonderheide Lane and that the traffic is constant. She then added that they have been trying to get the one mile of road paved for years with it being a hazard because of the amount of dust from traffic limiting visibility.

Noel Gorton, 578 Creston Road, then added that she thought the prioritization for paving was based on a road count. She then said that she has concerns that three golf course roads were over-layed this year.

No one else rising to speak Commissioner Hall PT closed the public hearing.

Chairman Brenneman stated that he is in favor of the resolution and that the county needs to continue to examine what we are doing and keep moving in the right direction.

Commissioner Lauman then said that he agrees that a lot of departments within the county are under funded and wishes there were more funds to be able to better support some of the departments. He then added that he feels we have a good budget that is understandable. Lauman then spoke about impact fees in which he stated they have hired a consultant to come in and prioritize the direction they should go. Also stated was that they want things to happen within the Road Department and he looks for some positive accomplishments with the guidance they will be receiving from the Road Advisory Committee. He then thanked all the department heads for their hard work in preparing the budget and said that he feels that the CIP is a giant step forward that gives them a vision for the future in projecting where money needs to be spent in the future and how to budget for it.

Commissioner Hall PT then reflected Commissioner Lauman's comments. He also said that the goals that have come out of the Mission and Core Value Statement he is proud of and thanked those that worked hard on it. Hall then added that the team they have amongst the department heads and Administrator Mike Pence is the best they have had in Flathead County in a long time. Also stated was that improving the cash balance situation in the county has taken some time to do and he feels it has been a monumental task. He then reported that wage increases were provided for personnel; something they have been working on for over five years and that the county is now par or in some cases better paying than other counties. Hall then stated that the budget process they have gone through is the best in the State of Montana.

Commissioner Lauman made a **motion** to adopt Resolution #2094 to approve the Budget and Permissive Medical Levy for FY 07-08. Commissioner Hall PT **seconded** the motion.

PUBLIC HEARING: PERMISSIVE MEDICAL LEVY @ COMMISSIONERS MEETING ROOM

[9:38:33 AM](#)

Members present:

Chairman Joseph D. Brenneman (via conference call)
Commissioner Gary D. Hall
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Jonathan Smith, Paula Robinson, Laurel Raymond, Ed Corrigan, Vicki Eggum, Jed Fisher, Brenda Hall, Kim Crowley, Karen Marr, Jim Chilton, Carol Norwood, Stefani S. Freese, Julie Kostelecky, Raeann Campbell, Wes Hula, Karole Sommerfield, Vicki Saxby, Guy Foy, Monica Eisenzimer, Mike Meehan, Peg Allison, Marcia Sheffels, Adele Krantz, B J Grieve, Jeff Harris, Jae Carnsew, Teresa Malone, Martha Vonderheide, Cindy Dooley, Bill Breen, Noel Gorton, Lynn Pearce, Clerk Kile

Assistant Mike Pence reported that the Permissive Medical Levy allows the county to levy for medical expenses. Because of the large increases in medical coverage for employee's the legislature allows what is called a "Permissive Medical Levy" so with the restrictions on additional new money, basically the law allows the last three years cost of living increase, which has been about 3.2% divided by three, and then you divide that by two and the new money that they can receive on existing valuations through the levy is approximately 1.6%. He then stated that the county could never begin to fund the increases of medical plans. The amount for FY07-08 is \$959,642.00.

Teresa Maloney then said from a recent article from Russ Crowder that there is state money that the county can get for road improvements, and that the county is not going after the money. She then questioned if that was the case.

Assistant Mike Pence stated that was not correct.

Teresa Maloney then asked if the state allows for a levy for emergency medical then why would they not allow a levy for road dust.

Commissioner Hall stated that the legislators approve the levies and that the county has no authorization to do so. He then added that he is working with a local senator to go to the legislators and ask if road funding could be taken out of budget surplus to have available for counties that have severe road issues.

Aye - Brenneman, Hall and Lauman. Motion carried unanimously.

RESOLUTION NO. 2094

A RESOLUTION APPROVING AND ADOPTING THE FLATHEAD COUNTY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2008

WHEREAS, Section 7-6-4030(2) M.C.A. requires that the Board of County Commissioners, by resolution, approve and adopt the budget for each fiscal year;

WHEREAS, the Board of Commissioners, in accordance with Section 7-6-4030(3)(a), MCA, may establish the legal spending limit at a level of detail which will allow more flexibility and has determined that that level of budget control should remain at the Fund/Department level; and

WHEREAS, the proper public hearings have been held in regard to the setting of such budget for the fiscal year ending June 30, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for Flathead County does hereby approve and adopt the final budget for Flathead County for the fiscal year ending June 30, 2008, as set out in the budget document attached and incorporated herein as a part of this resolution.

BE IT FURTHER RESOLVED, that the level of budget control shall be at the Fund/Department level, that any unused budget appropriations for the Personal Services object codes (100's), shall not be used to increase spending in other budget areas, such as Supplies, Purchased Services or Capital Outlay, without specific Board approval, and that budget authority within the remaining object codes, 200 - 900, may be transferred at the fund/department level without line item transfer approval by the Board of Commissioners, provided that total expenditures may not exceed the total fund/department budget.

BE IT FURTHER RESOLVED, that the Board of county Commissioners for Flathead County does hereby approve and adopt the levies required to fund the final budget for Flathead County for the fiscal year ending June 30, 2008, as set out in the budget document attached and incorporated herein as part of this resolution.

BE IF FURTHER RESOLVED, that the Board of County Commissioners for Flathead County does hereby order the Clerk and Recorder to enter the budget document and tax levy schedule in the official minutes of the Board of County Commissioners and to send copies of the budget as approved and adopted to all necessary offices of the county and the State of Montana.

APPROVED AND ADOPTED this 6th day of September, 2007.

BOARD OF COMMISSIONERS
Flathead County, Montana

By: /s/Joseph D. Brenneman
Joseph D. Brenneman, Chairman

By: /s/Dale W. Lauman
Dale W. Lauman, Member

By: /s/Gary D. Hall
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By: /s/Diana Kile
Diana Kile, Deputy

Aye - Brenneman, Hall and Lauman. Motion carried unanimously.

8:30 a.m. Commissioner Lauman to AOA TAB meeting @ Eagle Transit
3:30 p.m. Commissioner Lauman to 75th Anniversary of Waterton-Glacier International Peace Park @ Lake McDonald Lodge Auditorium

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 7, 2007.

FRIDAY, SEPTEMBER 7, 2007

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Brenneman, Commissioners Hall and Lauman, 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 10, 2007.
