

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611(2) (b).

MONDAY, MARCH 11, 2013

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Holmquist, Commissioner Scott and Krueger, 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 March 12, 2013.

TUESDAY, MARCH 12, 2013

Audiofile

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

Chairman Holmquist led the Pledge of Allegiance.

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

CONSIDERATION OF CONSULTANT SELECTION: BLACKTAIL TRAIL, LAKESIDE

9:30:46 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Paul Nicol, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Barbara F. Miller, Clerk Kile

Hogle reported TD & H ranked the highest by the CTEP Selection Committee and recommended the proposal be awarded to them.

Commissioner Krueger stated he would like to consider the top two proposals received at the commissioner level.

Commissioner Krueger made a **motion** to take under consideration the top two proposals received. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONSIDERATION OF REQUEST TO CANCEL AGREEMENT WITH CGI COMMUNICATIONS/ I.T.

9:33:22 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, I. T. Director Vicki Saxby, Deputy County Attorney Tara Fugina, Kellie Danielson, Clerk Kile

Pence explained the agreement is to cancel a contract with CGI Communications.

Discussion was held relative to the promotional video on the county website. Vicki Saxby and Kellie Danielson expressed reasons why they support cancelling the contract.

Commissioner Krueger made a **motion** to cancel the contract with CGI Communications. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

DOCUMENTS FOR SIGNATURE: DECLARATION OF SURPLUS PROPERTY/ EAGLE TRANSIT, GIS, SOLID WASTE

9:36:17 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Krueger made a **motion** to approve the surplus property list. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: CROSS, FLP 13-12

9:45:00 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Eric Mack, Clerk Kile

Mack reported a lakeshore permit application was received from Ratelle and Laura Cross to move an existing boat lift to a smaller slip, install a new boat lift into the larger slip, and run an underground electrical line through a PVC pipe to the dock, and attach it to the boat lifts on Flathead Lake. The utility line will extend from the house through the lakeshore protection zone to the dock located at 250 Sunny Slope Road.

Commissioner Krueger made a **motion** to approve FLP 13-12. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

TUESDAY, MARCH 12, 2013
(Continued)

CONSIDERATION OF LAKESHORE PERMIT: VEEDER, FLP 13-11

9:46:00 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Eric Mack, Clerk Kile

Mack reported a lakeshore permit application was received from David and Linea Veeder to place pilings to create a boat slip and construct a boat ramp in the lake and lakeshore protection zone prior to issuance of a permit. The applicant is now requesting a permit for the existing boat ramp and pilings; additionally the applicant is proposing to install a second boat lift and construct a flow through on the existing crib dock on Flathead Lake at 467 Conrad Point. Mack reviewed various concerns that have come up.

Grieve reviewed the interpretation he made regarding three driving miles and spoke about a painted/stained boat shelter that is not permitted within the lakeshore protection zone. He noted his determination that even though the painted/stained shelter is a violation, removing it or stripping it would cause more harm.

Commissioner Krueger made a **motion** to approve Lakeshore Permit FLP 13-11. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: ASSISTANCE AGREEMENT FINAL CLOSEOUT/ DOE EECBG GRANT

9:53:55 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Deputy County Attorney Paul Nicol, Grant Writer Debbie Pierson, Clerk Kile

Pierson explained the document pertains to closing out a grant initiated in 2009 for Courthouse West improvements, the Animal Shelter HVAC system and courthouse windows.

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

AWARD BID: 5 YEAR DEVELOPMENT PLAN/ EAGLE TRANSIT

10:06:19 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Eagle Transit Director Dave Polansky, Clerk Kile

Polansky reported the Transportation Advisory Committees recommendation is to award the bid to LSC.

Commissioner Krueger made a **motion** to award the bid to LSC Transportation Consultants. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: PENNEY & TILLOTSON ZONE CHANGE/ HIGHWAY 93 NORTH ZONING DISTRICT

10:00:19 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Paul Nicol, Planning & Zoning Director B. J. Grieve, Clerk Kile

Commissioner Krueger made a **motion** to authorize publication of the Notice of Public Hearing. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. 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 Gerald Penney, Bartley and Ardith Tillotson, Barbara Penney and Thomas Penney to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to R-2.5 (Rural Residential).

The boundaries of the area proposed to be amended from SAG-10 to R-2.5 are described on Exhibit "A" attached hereto. The properties are located at 1100, 1130, 1150 and 1170 Hodgson Road, Columbia Falls, MT, on 40.114 acres.

The proposed change would generally change the character of the zoning regulations applicable to the property from those intended to protect and preserve agricultural land for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction of uses will be minimized, and providing for estate type residential development, to those intended for rural, primarily residential areas where larger, estate-type lot sizes are appropriate and agricultural/silvicultural/horticultural operations are a decreasingly viable land use. Minimum lot size would decrease from 10 acres in the SAG-10 classification to 2.5 acres in the R-2.5 classification.

The regulations defining the SAG-10 and R-2.5 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, Courthouse, located at 800 South Main, Kalispell, Montana, at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php. Documents related to the proposed zone change are also on file for public inspection at the Office of the Clerk and Recorder and the Flathead County Planning and Zoning Office.

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The public hearing will be held on the **6th day of May, 2013, at 10:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Third Floor Old Courthouse, 800 South Main, Kalispell, Montana.. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change to the Highway 93 North Zoning District.

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.

DATED this 12th day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on April 22 and April 29, 2013

EXHIBIT A

A Zone Change request in the Highway 93 North Zoning Districts by Gerald Penney, Bartley & Ardith Tillotson, Barbara Penney and Thomas Penney. The proposal would change the zoning on 40.114 acres from SAG-10 (Suburban Agricultural) to R-2.5 (Rural Residential). The properties are located at 1100, 1130, 1150 and 1170 Hodgson Road and can legally be described as follows:

Assessors Tract 6B (Bartley & Ardith Tillotson): The Northwest Quarter of the Northeast Quarter of the Northeast Quarter (NW 1/4 NE 1/4 NE 1/4) of Section 28, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana. Shown as Tract 1 of Certificate of Survey No. 12126

Assessors Tract 6 (Barbara Penney): The Southwest Quarter of the Northeast Quarter of the Northeast Quarter (SW 1/4 NE 1/4 NE 1/4) of Section 28, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana. Shown as Tract 2 of Certificate of Survey No. 12126

Assessors Tract 6AA (Thomas Penney): The Northeast Quarter of the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4 NE 1/4) of Section 28, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana. Shown as Tract 3 of Certificate of Survey No. 12126

Assessors Tract 6A (Gerald Penney): The Southeast Quarter of the Northeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4 NE 1/4) of Section 28, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana. Shown as Tract 4 of Certificate of Survey No. 12126

AUTHORIZATION TO PUBLISH CALL FOR BIDS: LAPTOPS AND ACCESSORIES/ OES

10:01:19 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Deputy County Attorney Paul Nicol, Clerk Kile

Commissioner Scott made a **motion** to authorize publication of the Call for Bids for laptops and accessories for OES. Commissioner Krueger **seconded** the motion. **Aye** – Holmquist and Scott. **Opposed** - Krueger. Motion carried by quorum.

**ADVERTISEMENT FOR BIDS/ LAPTOP COMPUTER EQUIPMENT FOR BIDP GRANT
FLATHEAD COUNTY, MONTANA**

Flathead County, Montana and Flathead County Office of Emergency Services will receive sealed bids for the purchase of laptop computers and accessories required for the Border Interoperability Demonstration Project Grant. All **sealed bids**, plainly marked as such shall be in the hands of the County Clerk and Recorder on or before **10:30 o'clock a.m. on April 1, 2013**. Bids will be publically opened and read immediately thereafter.

Flathead County has been designated as the lead agency for administration of the BIDP Grant, and is seeking a vendor to provide forty (40) ruggedized/semi-ruggedized laptops and assorted accessories; and fourteen (14) non-ruggedized laptops and accessories.

Bids shall be addressed to Flathead County Commissioners, 800 South Main, Room 302, Kalispell, Montana 59901, and must be sealed and entitled "**FLATHEAD COUNTY COURTHOUSE - BIDP GRANT.**"

Complete specifications are on file in the Flathead County Commissioners Office, 800 South Main Street, Room 302, Kalispell, Montana 59901.

All bids offered shall be accompanied by a check payable to the Flathead County Treasurer, certified by a responsible bank, or a Bid Bond for an amount which shall not be less than ten (10%) percent of the aggregate of said proposal. The Bids shall, in open session, be publicly opened and examined and declared the same; provided, however, that no Bid shall be considered unless accompanied by said check or Bid Bond. The County may reject any and all Bids should it deem this for the public good, and also the Bid of any party who has been delinquent or unfaithful in any former contract with the County, and shall reject all Bids, other than the lowest regular bid of any responsible bidder, and may award the Contract for such work or improvement to the lowest responsible bidder at the prices named in his or her bid.

The checks or Bid Bonds of the three (3) low responsible bidders accompanying such accepted Bids shall be held by the County until the Contract for doing said work, as hereinafter provided, has been entered into, whereupon said checks or Bid Bonds shall be returned to said bidders. If the lowest responsible bidder fails, neglects, or refuses to enter into the contract to perform said work or improvements, as hereinafter provided, then the check or Bid Bond accompanying his or her bid, and the amount therein mentioned, shall be declared to be forfeited to the County.

No bidder may withdraw his bid for at least sixty (60) days after the scheduled time for receipt of bids.

TUESDAY, MARCH 12, 2013
(Continued)

Award of the Contract will be made solely by issuance of a Notice of Award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 12th day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on March 16 and March 23, 2013.

MEETING W/ DAVE DE GRANDPRE, LAND SOLUTIONS RE: POTENTIAL CORRIDOR STUDY OF WHITEFISH DONUT AREA

10:15:30 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Paul Nicol, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Dave DeGrandpre, Duncan Scott, Ardis Larsen, Karen Reeves, Clerk Kile

Dave DeGrandpre, a private land planning consultant in Lake County met with the commission and stated his reason for meeting with them is to inform them of a project he has been asked to start in the Whitefish donut area. He explained as an open handed gesture he simply wanted them to know what landowners in the non-incorporated portion of Whitefish are doing.

Chairman Holmquist asked legal staff if it would be appropriate for them to move forward with discussions when the county is in a lawsuit regarding the matter.

Nicol said with the understanding that the jurisdiction of the area is involved in litigation at this point and may end up back in Flathead County possession that this is just an informative session.

DeGrandpre clarified he was not asking for anything from them and simply wanted to inform them of what landowners are initiating. He said the zoning south of Whitefish along Highway 93 (SAG-5) Suburban Agricultural is very restrictive and doesn't allow for much flexibility in terms of land use; residential and agricultural zoning district. This area of Whitefish is no longer a residential area and is along a major five lane highway, and the residential properties are falling into disrepair because there is very little flexibility the zoning allows; therefore, there is a disincentive to upgrade properties. The commercial uses you see along the road for the most part are non-conforming uses he noted; meaning they can't be expanded or upgraded or they are conditional uses. The landowners are in a difficult position with litigation going on for several years. When the Whitefish Growth Policy was adopted back in 2007, the landowners and I requested that Whitefish consider doing a corridor plan to provide some flexibility to landowners. He said Whitefish is very concerned about its downtown, business owners and having an attractive functional corridor as well as protecting landowners and downtown businesses, which is the core of the community. DeGrandpre said there needs to be somewhat of a balance; the landowners would like to have some sort of flexibility in what they can do with their properties, while still respecting the City of Whitefish and trying to do things in a tasteful manner that doesn't promote strip development, and take away from the downtown commercial core. He explained he has been talking with the City of Whitefish and Whitefish landowners about corridor planning since 2007, but given the litigation people are uncertain about how this is going to end up and no one has been inspired to take any action. Landowners have approached him and said they would like to get something going or at least investigate a planning process for the corridor. He noted he has been in touch with Planning & Zoning Director B. J. Grieve and David Taylor the planning director in Whitefish in hopes of doing a cooperative plan of some sort with the city, county, MDOT and landowners at the table along with other interested parties. He further explained he would be holding a couple of neighborhood meetings next month to gauge landowner interest.

MONTHLY MEETING W/ ROGER LAFERRIERE, OES & LINCOLN CHUTE, FIRE SERVICES AREA MANAGER

10:32:52 AM

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

Chute reported he is continuing to work with DNRC and local agencies in order to bring training for everyone up to industry standards. He also noted the Fire Wardens Association has invited him to be on a state committee as the representative from Western Montana. In other business, he spoke about grass fires; prevention work with the media; progress with the Ashley Lake Fire Hall; GPS locations for alert landing zones; wildland fires; communication improvements made with the simulcast grant funds.

Mullaney reported the multiyear training and exercise plan has been completed and submitted. She said she is working with the Evergreen School District on a tabletop exercise to be held with them regarding their internal disaster plan in May. In addition, she reported a draft recovery plan is being finished; reported a field operations guide has been prepared for Kenwood radio users; discussed their involvement regarding social media with emergency situations; spoke about the county wide communications plan. Mullaney reported they would be attending a wildland training conference in Reno.

1:30 p.m. Commissioner Scott: TAC meeting @ MDOT 2nd Floor Conference Room, Kalispell

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 13, 2013.

WEDNESDAY, MARCH 13, 2013

[AudiofilePart1](#) [AudiofilePart2](#)

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

COMMISSIONERS & PLANNING BOARD WORKSHOP

6:00:00 PM

Present: Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Eric Mack,

Flathead County Planning Board Members: Robert Faulkner, Gene Shellrud, Jeff Larsen, James Heim, Marie Hickey-AuClaire, Noah Bodman, Greg Stevens

Others Present: Ronald Buentemeier, Ole Netteberg, Mayre Flowers, Maarten Fischer, Lamont Kinkade, Les Keller, Dennis Thornton, Jim Kramer

WELCOME AND INTRODUCTION

Hickey-AuClaire called the meeting to order and clarified the order of the agenda with Grieve.

Grieve requested agenda item #3. Discussion of the Planning and Zoning Office's Fiscal Year 2014 work plan be moved to before the last public comment and gave the reasons why he requested the move.

The board and commissioners saw no reason not to move the agenda item.

PUBLIC COMMENT

(not related to agenda items)

Mayre Flowers, Citizens for a Better Flathead, commented there was no information posted on the planning website for meeting information for tonight's workshop but under calendar of events, the workshop was posted with an agenda.

Ronald Buentemeier, 2225 Dillon Rd, chair of the Flathead Conservation District, commented on floodplain applications linked with 310 permit applications. He gave a history and explanation of the permits handled by different groups. He also explained the streambed preservation act. He felt the change in direction concerning how the floodplain was handled was a train, which had left the station and had been already derailed. He did not want the county to do anything to jeopardize the ability to purchase flood insurance, but he went on to explain the rules needed to be revised or revisited to make them more applicable to 2013. He went on to explain and give examples in detail of failings, which could be addressed and improved.

Les Keller, 563 McMannamy Draw, commented on the possibility of the board and planning office to update the West Valley neighborhood plan, and recommended work be done on updating the neighborhood plan.

Dennis Thornton commented on neighborhood plans, specifically the updating of the neighborhood plans. He quoted different planning and zoning acts and said there was nowhere in state law which mentioned neighborhood plans. He went on to explain the reasons why he was against neighborhood plans and how they should proceed if the board and commissioners wished to continue to update the neighborhood plans.

DISCUSSION OF CHAPTER 10 OF THE FLATHEAD COUNTY GROWTH POLICY

Part 1 called for a review of the Implementation Plan (Appendix C) after each Growth Policy update cycle, but this was at the discretion of the Board. Did the Planning Board wish to schedule this review for a future meeting?

Part 7 called for an "Initial Amendment" after adoption of the Growth Policy. This "Initial Amendment" was done after the original adoption of the Growth Policy in 2007. Did the Planning Board feel that after the most recent October, 2012 update another call for written submissions and public hearing was appropriate, or did the Planning Board feel that this was vestige language applicable only to the original adoption back in 2007?

Grieve explained his wording of the agenda. He read from the Growth Policy concerning categories for policy implementation and asked for clarity and guidance as to if the board and commissioners wanted to update the implementation plan. He went on to explain where the current plan came from and what had been done for implementation so far concerning the Growth Policy update.

Heim and Larsen stated their thoughts were the wording was for the initial implementation of the Growth Policy, not the subsequent updates.

Grieve and Scott discussed a concern on the wording of updating the maps, etc.

Grieve and Heim briefly discussed Grieve's definition of 'vestige'.

The general thoughts were there did not need to be a separate meeting for a review of the implementation plan.

UPDATE ON ADOPTION OF REVISED FIRM PANELS AND FLOODPLAIN REGULATIONS REVISIONS EFFECTIVE JANUARY 01, 2013

WEDNESDAY, MARCH 13, 2013
(Continued)

Grieve reviewed in detail the process of the adoption of the revised FIRM panels to date which included what was in the old regulations and in the new, processes the office should be doing, interaction with the public concerning the new requirements, who created the flood insurance maps, what information was included in the maps, areas of detailed study, determination of approximate 'A' zones, the fee for a floodplain permit, the difference between a floodway fringe and a floodway, the challenge of rip rap and the fact all jurisdictions were under the same state regulations.

The board and Grieve discussed the process for emergency provisions and what that entailed, examples of emergency flood control, the mapped floodplain at Lost Creek, and approximate A floodplain areas. They also discussed if the fee could be abated by the commissioners in certain circumstances, an emergency permit possibility for private land owners, the option of solving certain problems with common sense as opposed to large surveys, alternatives to large studies, the reasons for improving the process and the balancing of fulfilling the requirements without being unreasonable. They also discussed a day of outreach by the DNRC which included a meeting with local officials to discuss floodplain, meeting with local technical representatives for a question and answer session, an open house for the public about flood insurance, how the new panels affected the Evergreen area and how that could be an opportunity to clarify what the DNRC required instead of a full blown study.

Grieve summarized conversations he had with DNRC concerning these issues, especially rip rap, and offered other potential solutions to a study he could present to DNRC.

The board, commissioners and Grieve continued to discuss lower cost options, what work needed permits in the floodplain, what constituted 'common sense' in solutions, where it was referenced and what the floodplain administrator was authorized to do.

The board, the commissioners and Grieve discussed the process for the adoption of the revised FIRM panels. The Planning Board hearing is scheduled for April 10, 2013. They also discussed in detail if there was a list of properties which were now in the floodplain in the Evergreen area, what was available currently concerning the affected area in Evergreen, if the floodplain maps were available in the property lookup option through the planning website and how a member of the public would obtain a FIRM designation.

BUDGET AND PLANS FOR UPDATING COUNTY DOCUMENTS

Krueger stated that he has learned since taking on the job of commissioner, everything took money. He wanted to discuss with the board if there were a number of plans which weren't needed and if they thought they should find an alternate funding source. Everyone in the county paid into the system, yet not everyone was a part of a neighborhood plan, etc. He deferred to Grieve to explain the costs involved in the process of updating neighborhood plans.

Grieve said for the sake of transparency Krueger had given him the last three agenda items 48 hours ago which is why he put Krueger's name after the items on the agenda. He had not prepared to give a comprehensive analysis of the costs to update the neighborhood plans.

Krueger and Grieve discussed how the planning office was funded, the fact the office had been told to hold the line on the number of people employed, the number of neighborhood plans in effect, work which was discretionary and non-discretionary, work which was covered by fees and work which was not, the availability of one half of a full time employee to work on discretionary projects and past discretionary projects.

Grieve asked for guidance from the board and commissioners as to which projects they wished for the one half of a full time employee's time to be used for. He spoke about issues paid for by the budget which happened behind the scenes such as enforcement, feuds between neighbors and general information seeking phone calls.

Krueger suggested a review of the zoning regulations when updating a neighborhood plan.

Grieve said when an item in the zoning regulations was an issue which might need to be looked at closer and updated, they were flagged and brought before the planning board for approval or disapproval. He gave examples of what needed to be looked at. He again asked for guidance on what the board and commissioners wanted him to do concerning the issue.

Krueger felt a need existed for an update on the zoning regulations.

Grieve and Krueger discussed the scope of updating which was needed, involvement of the public, how labor intensive an update was, specific examples of places in the zoning regulations which needed to be updated such as home based businesses in certain zones, recreational uses and non-conforming uses.

The board and Grieve discussed if the issues were local or not, the complications of updating the zoning regulations, what the zoning administrator was allowed and not allowed to approve, the gray area of interpretation in the regulations, the lifespan of uses such as retail, the use of conditional use permits to mitigate impacts and other jurisdictions which focused more on impacts expected than uses. They also discussed the different types of zoning such as use, performance and form, CALURS use of major and minor land use designations, the possibility of a text amendment which would give some leeway to not having a performance standard and the CVR zoning in Bigfork. They continued to discuss the complications of telling people what they could and could not do with their property, the challenges with a zoning plan, nuisance laws, areas of change such as Evergreen, the differences between the uses in the same zoning designations between the city of Kalispell and the county and the specifics of use of a conditional use on property.

Stevens, Krueger and Grieve discussed the ability of a property owner to have a house on a piece of property which already had a use and renting a house for a vacation rental.

Grieve, the commissioners and the board discussed a single family dwelling on a piece of property and other uses allowed at the same time, primary uses versus secondary uses and the ability of the board to look at and fix issues such as this.

Krueger and Grieve discussed how long the time frame was to fix issues and the reasons why the time should be shorter.

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The board, commissioners and Grieve also discussed the difference between privately initiated and publicly initiated zoning text amendments, how projects would be prioritized, the time needed to approve either a conditional use permit or text amendment, the authority of the zoning administrator, administrative determinations and the possible loss of business if the zoning regulations were not revised. They also discussed in depth the process which needed to be followed to put zoning issues as an agenda item for the next available board meeting. They discussed what regulations had been updated, which regulations needed updating, what would happen if Evergreen wasn't zoned, what would happen if Evergreen had the plan intact but was not zoned, the number of zone changes done in different districts since 2001, the processes which needed to be followed to change uses and zones in different areas, the benefits or problems with zoning or unzoning areas and the fluidity of zoning.

The board, commissioners and Grieve talked about possible increases in workload which included the Whitefish donut area and what that would entail.

Hickey Au-Claire and Grieve discussed what the process would be to authorize items for a work plan for the next fiscal year, especially an update on the zoning regulations.

Larsen wanted to state for the record he was totally opposed to starting any new neighborhood plans until the neighborhood plans which needed updating were updated. He thought updating the plans would be a lot of work. He felt Grieve should look at the zoning regulations a bit deeper than the amendments Grieve already had tagged and see if there was a way to look at them more closely yet not spend two years updating them. He thought the zoning regulations were outdated and did need work. He mentioned a document with previous work done to update the regulations in the 1990's which might be at the county attorney's office and could be a good place to start.

Stevens, Larsen and Grieve discussed briefly the information from the meetings in the '90's.

The board, commissioners and Grieve discussed options for how to update the zoning regulations, court cases, the B-2 zone, the benefits of changing the zoning in Evergreen, business and industrial zones and why they were where they were, B-2HG zoning and the fact it was currently in court and Large Tract Rural zoning.

Grieve reviewed the process for getting a work plan authorized for the planning office. He summarized what he had heard from the board would be the work plan which included working on the zoning regulations, not updating any neighborhood plans.

Shellerud suggested hiring more staff.

Grieve said that was up to the Commissioners.

Larsen felt the zoning regulations would be more pertinent. He didn't think the office had enough staff to do both updating the zoning regulations and neighborhood plan.

Grieve agreed there were many things which were frustrating but they would never get the regulations perfect. He didn't think the office could update both the neighborhood plans and zoning regulations. A modest review of the zoning was possible and he summarized what was involved in that process.

The board and Grieve discussed at length the pros of updating the regulations, options of how to update them and the process from this point on.

PUBLIC COMMENT

Ole Netteberg, 5491 Highway 93 S, chair of the Whitefish City-County Planning Board, commended the board on common sense. He said the added workload of the reversion of the Whitefish donut zone shouldn't be planned on. He didn't think it would happen. He commented on his acreage, how it was split between Whitefish and county zoning and the difficulties of that issue. He gave the history of the property and how he was stymied on doing anything with the property. He asked that the second the board could do anything with the Whitefish donut area not to put them on the back burner, they needed representation.

Jim Kramer, 745 Dusty Acre Plain, felt it was time to eliminate the neighborhood plans because they add more to the general zoning. He gave an example of where that was the case. He thought nothing would get done on updating neighborhood plans because there were so many people involved with differing opinions.

Dennis Thornton, said he had watched the whole meeting and saw everyone talking about updating the neighborhood plans, and zoning. He asked where the money and time would come from to do it. He asked Grieve what good a neighborhood plan did.

Grieve deferred talking about the pros and cons of neighborhood plans at this late of a time in the evening.

Thornton said neighborhood plans lacked legal authority.

Hickey-AuClaire reminded Thornton to direct his comments to the board.

Thornton said all that was created with a neighborhood plan was something that made someone feel good. Unless the next step was taken and the plan was made a zoning document, it was nothing and wasted time. He felt updating the plans were like a treadmill, once they started to be updated, it would never end. If type one zoning was done, it could be used and paid for in the district instead of taking money from the general fund and making someone who lived in Marion pay for something someone wanted in Lakeside and giving someone in Lakeside or Bigfork preferential treatment. He didn't think what was going on in Flathead County was legal. Anytime a boundary was created around something a district was created. State law said if a district was created it had to be funded from within the district. Money kept being taken out of the general fund and it was not going to go on for much longer because he was not going to allow it. So he felt it had better be looked at. If there were going to be neighborhood plans, fund them within the district.

**WEDNESDAY, MARCH 13, 2013
(Continued)**

Go to type one zoning, go to the zoning enabling act and it would tell them how to do that. You get sixty percent of the ownership, advertise, have public meetings, you don't have meetings on a logging road in an out of the way place and don't have secret websites. He was telling the board if the updating of the neighborhood plans was going to happen, it was going to get funded from within the district, because he was going to make sure that it was.

Mayre Flowers, Citizens for a Better Flathead, 35 4th Street West, wanted to commend the board and commissioners on the discussion. A lot of important topics were discussed and it was important the public was able to come and listen. She appreciated the fact public comment was allowed at both the beginning and end because otherwise issues and questions would not be allowed to be raised. She was interested in the economics of zoning and the community could be worked with to remove barriers. She suggested looking at the bigger picture which included businesses wanting to locate here as well as tourism and support both. There was a broad range of issues. She thought it would be good to look at the economy and zoning together.

Stevens wanted to complement and thank the commissioners for coming to the workshop. His opinion was the commissioners' decisions had more impact than the State's on people's lives in Flathead Valley. He went on to explain that statement. He reiterated how glad he was they had taken the time to attend.

Grieve clarified the decision of the board for Fiscal Year 2014 work plan was to workshop and work on updating the zoning regulations. He thanked the board and commissioners for coming to the workshop.

ADJOURNMENT

The workshop was adjourned at approximately 9:00 p.m.

11:00 a.m. County Attorney meeting @ Co. Atty's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 14, 2013.

THURSDAY, MARCH 14, 2013

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

Commissioner Scott PT led the Pledge of Allegiance.

Commissioner Scott PT opened public comment on matters within the Commissions' Jurisdiction.

Pastor Dawn M. Schnur, 145 Greenbriar Drive, Kalispell thanked the commission for their hard work and said what is being done at the county level regarding AOA and Meals on Wheels is appreciated. She said I know you have a desire to do what is right, and from what is being published in the newspapers; my opinion is that there is money available for AOA. There is an aging population in the valley she added and she is a part of that population. Because of the growth of the aging population, she said we need to step out and do what needs to be done now and act immediately. All the facts are in she stated and for 10 years we have had a temporary building for the Agency on Aging, and approximately \$600,000 has been paid out in rent and things are not getting better. Schnur said she understands it takes time to look at everything but it is time to act now. She spoke about the great job Meals on Wheels does in preparing meals, and said I don't think we will find anything better. Studies can be done until Jesus comes she said, but it is not going to change a whole lot of things until we start acting. I know the money is available she noted, and encouraged the commission to take a stand and support the elderly community.

Reggie Morris, 1044 Copper Road, Kalispell said he agreed with the previous speaker relative to AOA needs. He said what we have been doing and not doing is not helping the community. We have numerous buildings in the county he explained, and we have five very capable cities in the county that can all shoulder part of the responsibility for this. He said grant money is dollars taken from one area or group of people, and handed to someone else or another agency with no strings attached as to how that money is to be distributed or utilized. He spoke about potential use of the old First National Pawn and Wal-Mart properties. Morris stated he spent 45 years as a general superintendent of commercial construction, and offered help in reviewing properties with no strings attached or grants. He said when he sees grant money being talked about he is uncomfortable with some of them for the simple reason being is the management of them draws off such a huge amount of what is suppose to be set aside for people to be helped with. We have people in high places in these different organizations he said that are living very well, and the people they are helping are barely scraping by. Morris stated God tells us time and time again in his word that we are our brother's keeper. He asked how well are we going to keep our brothers and sisters, aunts, uncles and cousins; we need to do that to the utmost of our abilities, as a model to the rest of maybe the Pacific Northwest. He further spoke about combining services currently provided and said let's get it done.

No one else rising to speak, Commissioner Scott PT closed the public comment period.

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

9:00:08 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Clerk Kile

General discussion was held relative to the workshop held on Wednesday with the Planning Board and commission.

**THURSDAY, MARCH 14, 2013
(Continued)**

Grieve reviewed staffs workloads; spoke about their following up on code compliance issues; reviewed fee revenue and expenditures; reviewed progress with pending code enforcement issues; reported Lakeside Community Council needs to update their by-laws; reported he and Alex would be attending a floodplain conference in Bozeman. He then outlined the process of accepting public comments for major subdivisions that have PUD's with them.

CONSIDERATION OF ADOPTION OF FUNCTIONAL CLASSIFICATION MAPS FOR COUNTY ROAD NETWORK/ROAD DEPT.

9:32:11 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Public Works Director B. J. Grieve, Clerk Kile

Prunty reviewed proposed language on the functional classification maps that would state:

These maps are for the purpose of classifying Flathead County roads and do not as standalone documents confer any authority to regulate.

Prunty explained these maps will help the Road Department have a designation for what our county maintained roads are at the local level or collector level, and will also help in the future if they have to designate where they may go and how maintenance is provided based upon any funding issue they may have in the future.

Commissioner Krueger made a **motion** to adopt the maps with modified language as stated. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DEED OF GIFT/ FLATHEAD COUNTY MUSEUM & ROAD DEPT. (1925 ROAD GRADER)

9:34:34 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Prunty reported the road grader originally was at the museum out on Highway 93, and when the county got rid of the museum, it was brought to the Road Department. He explained the machine would be cleaned up in-house and would be put along the entryway of Willow Glen as a display piece.

Commissioner Scott made a **motion** to approve signature of the document. Commissioner Krueger **seconded** the motion.

Commissioner Krueger expressed concern regarding displaying the road grader.

Prunty reviewed language in the document that states: The property must be maintained as a museum display and may not be sold for scrap, or otherwise disposed of unless to another entity for museum purposes.

General discussion was held relative to the meaning of a museum display and liability concerns.

Commissioner Krueger said he would like the document to say how and where the road grader would be displayed.

Commissioner Scott moved to rescind the previous motion for the purpose of reviewing the legal definition of museum display and liability issues. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Prunty suggested the following language: The property must be maintained as a display item and may not be sold.

Commissioner Krueger moved to accept the deed of gift with the statement that we say how the road grader will be displayed. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONSIDERATION OF PRELIMINARY PLAT EXTENSION REQUEST: LAKESIDE ESTATES, PHASES 3-5

9:42:31 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planner Alex Hogle, Dan Brien, Clerk Kile

Hogle reported Lakeside Estates, Phases 3-5 received preliminary plat approval on March 25, 2009, and received an additional extension that extended the expiration date to March 25, 2013. The request today is for a two-year extension that would extend preliminary plat approval to March 25, 2015.

Commissioner Scott made a **motion** to approve the extension request for Lakeside Estates, Phases 3-5 to March 25, 2015. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONSIDERATION OF PRELIMINARY PLAT EXTENSION REQUEST: TRACT 1 OF COS 16455

9:43:37 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planner Alex Hogle, Clerk Kile

Hogle reported Tract 1 of COS 16455 received preliminary plat approval on March 24, 2010, which is set to expire on March 24, 2013. The request today is for a two-year extension that would extend preliminary plat approval to March 24, 2015.

Commissioner Scott made a **motion** to approve the extension request for Tract 1 of COS 16455 to March 24, 2015. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

**THURSDAY, MARCH 14, 2013
(Continued)**

DOCUMENTS FOR SIGNATURE: TEMPORARY ROAD CLOSURE PERMITS/ BRIDGE STREET, GRAND DRIVE AND ELECTRIC AVENUE

9:45:37 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

Prunty reviewed the annual events held in Bigfork during summer months that require road closures.

Commissioner Krueger made a **motion** to approve the road closure permits in Bigfork. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONSIDERATION OF PRINT BIDS: HEALTH DEPT.

9:47:56 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Clerk Kile

Commissioner Scott made a **motion** to award the print bid to Insty Prints for 1,200 environmental health score placards for \$403.10. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Commissioner Scott made a **motion** to award the print bid to O'Neil Printers for 3 each of 4 different kinds of receipt books for \$114.00 each. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

10:15:31 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Clerk Kile

Carlson reviewed the following cash balance report. In other business, she spoke about budget appropriations, bond refinancing, and possibly sharing a copy machine that will be added to their CIP scheduled in 2017. Carlson asked for commissioner guidance regarding unused budget appropriations, and spoke about needed changes regarding the authority that department heads currently have to move funds between object codes.

February 28, 2013 REVIEW OF CASH BALANCE										
FUND	FUND NAME	APPROPRIATION	Amendments	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Feb 28, 2013	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
1000	GENERAL FUND	9,831,149	(9,011)	2,645,997	12,468,135	3,362,282	3,362,493	3,251,272	(111,221)	33.10%
2120	POOR FUND	376,983		96,314	473,297	175,997	141,218	73,531	(67,687)	19.51%
2130	BRIDGE FUND	889,002		230,768	1,119,770	257,721	370,041	262,226	(107,815)	29.50%
2140	WEED	598,624		152,766	751,390	175,349	288,690	210,118	(78,572)	35.10%
2160	COUNTY FAIR	1,328,734	(3,468)	133,643	1,458,909	253,744	295,004	94,865	(200,139)	7.16%
2180	DISTRICT COURT	772,871		175,045	947,916	229,347	300,969	200,827	(100,142)	25.98%
2190	COMP INS	927,687		227,379	1,155,066	373,088	224,639	417,341	192,702	44.99%
2210	PARK	632,207		153,114	785,321	157,036	230,784	209,608	(21,176)	33.15%
2220	LIBRARY	1,434,786		346,472	1,781,258	331,445	298,865	350,512	51,647	24.43%
2280	AREA ON AGING	211,825	(12,516)	54,969	254,278	16,437	49,968	34,883	(15,085)	17.50%
2290	4H/EXT	145,289		38,490	183,779	32,274	9,616	29,034	19,418	19.98%
2300	SHERIFF	9,418,403		2,417,260	11,835,663	2,843,180	1,974,465	2,665,316	690,851	28.30%
2370	RETIREMENT	2,637,033		670,978	3,308,011	716,499	713,349	904,487	191,138	34.30%
2380	GROUP INS	2,880,295		669,474	3,549,769	1,890,648	536,771	727,648	190,877	25.26%
2396	JUV DETENTION	678,694		176,137	854,831	196,202	240,584	244,223	3,639	35.98%
TOTAL COUNTYWIDE NON-VOTED		32,763,582	(24,995)	8,188,806	40,927,393	11,011,249	9,037,456	9,675,891	638,435	29.56%
FUND	FUND NAME	APPROPRIATION	Amendments	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Feb 28, 2013	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2110	ROAD FUND	7,915,126		1,746,135	9,661,261	3,387,967	1,944,360	2,187,630	243,270	27.64%
2251	PLANNING	386,181	(996)	121,350	506,535	153,747	190,804	140,301	(50,503)	36.42%
TOTAL OUTSIDE CITIES NON-VOTED		8,301,307	(996)	1,867,485	10,167,796	3,541,714	2,135,164	2,327,931	192,767	28.05%
FUND	FUND NAME	APPROPRIATION	Amendments	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Feb 28, 2013	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2270	HEALTH FUND	2,258,298		591,227	2,849,525	725,856	618,390	726,560	108,170	32.17%
TOTAL LEVIED FUNDS		2,258,298	-	591,227	2,849,525	725,856	618,390	726,560	108,170	32.17%
FUND	FUND NAME	APPROPRIATION	Amendments	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Feb 28, 2013	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2200	MOSQUITO	218,161		53,253	271,414	45,156	75,405	56,629	(18,776)	25.96%
2272	EMS PROGRAM	252,979		66,590	319,569	104,037	94,486	86,050	(8,436)	34.01%
2273	SPECIAL EMS PROGRAM	446,772		110,490	557,262	77,423	98,754	101,756	3,002	22.78%
2372	PERMISSIVE MED LEVY	1,175,885		-	1,175,885	-	700,207	-	(700,207)	0.00%
2382	SEARCH & RESCUE LEVY	260,655	10,841	61,470	332,966	76,425	93,735	94,468	733	34.80%
2990	TRANSPORTATION	1,796,026		153,931	1,949,957	114,842	(48,008)	494,247	542,255	27.52%
3001/3002	911 GO BOND DEBT SERVICE	476,106		49,426	525,532	42,650	255,038	103,786	(151,252)	21.80%
TOTAL COUNTYWIDE VOTED/EXEMPT		4,626,584	10,841	495,160	5,132,585	460,533	1,269,617	936,936	(332,681)	20.20%
FUND	FUND NAME	APPROPRIATION	Amendments	CASH RESERVES (\$ needed for 1st 4mos FY13)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY13 beginning cash)	YTD CASH BALANCE AS OF Feb 28, 2013	PROJECTED CASH BALANCE AS OF JUNE 30, 2013	PROJECTED DIFFERENCE	CASH RESERVE %
2260	EMERGENCY/DISASTER	-	-	377,078	377,078	351,916	374,378	374,378	-	#DIV/0!
TOTAL OUTSIDE CITIES VOTED		-	-	377,078	377,078	351,916	374,378	374,378	-	#DIV/0!

FY13 Review February 28, 2013.xlsx

3/14/2013

CONTINUATION OF CONSIDERATION OF BUDGET AMENDMENT RESOLUTION: FY2013/ MISC.

10:00:37 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Fairgrounds Director Mark Campbell, Clerk Kile

Carlson reviewed proposed budget amendments.

Commissioner Krueger made a **motion** to take the budget amendment request under advisement until Monday. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

**THURSDAY, MARCH 14, 2013
(Continued)**

DOCUMENT FOR SIGNATURE: ARCASEARCH CONTRACT/ CLERK & RECORDER'S OFFICE

10:21:23 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Recording and Elections Manager Monica Eisenzimer, Plat Room Supervisor Vicki Gallo, I. T. Director Vicki Saxby, Records Preservation Manager Jan Hardesty, Clerk Kile

Commissioner Scott made a **motion** to approve the contract with ArcaSearch. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONFERENCE CALL W/ JIM LEWIS, COMSTOR RE: DIGITAL IMAGING BID

10:30:08 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Recording and Elections Manager Monica Eisenzimer, Plat Room Supervisor Vicki Gallo, I. T. Director Vicki Saxby, Records Preservation Manager Jan Hardesty, Clerk Kile

Via Conference Call: Jim Lewis

Jim Lewis asked the commission if they had read the material he presented.

The commission unanimously stated they had.

Lewis asked what their thoughts were in terms of whether there should be more testing to try to save money or if since the contract was signed, that it is a done deal.

Chairman Holmquist noted they have moved forward with the contract,

Lewis asked if any valid points have been made, and asked if this was done again if questions would be asked. He said he knows the county has used ArcaSearch before, and his company that is not being considered is a much lower bid. He asked if it is because they have defects in their ability to provide, and how that has been proven. Lewis said it is normal in most situations that the lowest responsible bidder gets the job; there is nothing in their record with their customers including a number of Montana customers that indicate they cannot perform virtually any scanning job in a quality manner he stated. He asked if any thought was given to that, or since the committee of six recommended ArcaSearch that it was pretty much a slam-dunk in their opinion.

Chairman Holmquist said I believe they went with the recommendation of the six-member panel that looked at everything and that was their recommendation.

Commissioner Scott said in addition to that, the six-member panel had dialogue with ComStar during the process and asked several questions. He stated primarily I think it has a lot to do with the fit in going to a digital image verses scanning, and the ability to handle each individual document; many of which are older. He said in your letter regarding Washington State University that the majority of their documents over the last 25 years or so have been prepared in more of a state of the art fashion than what we have here in Flathead County, and that presented a challenge for us in handling any of our materials in a batch manner. That was a good part of our decision in going for the digital process.

Lewis said they should have presented some other examples they are doing for other counties in Montana. He further spoke about examples of documents they have scanned, and explained they have dealt with all types of documents. He added he wanted them to know they are paying a tremendous premium for the work, and they as well would have made a profit in the price they quoted. He stated as a property owner in Flathead County his taxes have more than doubled and is disappointed to see this awarded without questions asked. He spoke about scanning in black and white verses color and stated he felt this was not a good call. He said if there is anything they could scan for the county in order to give them a chance to show the county what they are capable of doing it would be appreciated.

Commissioner Scott thanked Mr. Lewis for his comments, and stated he have moved beyond that point at this stage. He said he appreciated being able to speak with him, and would take his comments under consideration in the future.

Lewis said he did not intend to go any further forward in making a big deal out of this, and encouraged the commission in the future to look at big difference.

2:00 p.m. Commissioner Krueger: AOA Board meeting @ The Summit

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 15, 2013.

FRIDAY, MARCH 15, 2013

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Holmquist, Commissioner Scott and Krueger, 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 March 18, 2013.
