

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

MONDAY, MAY 6, 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.

BUDGET REVIEW: PLANNING & ZONING OFFICE

9:15:34 AM

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

Grieve reviewed goals and objectives for the Planning and Zoning Office along with performance measure workload indicators. Their preliminary budget expenditures and revenue estimates for the office were briefly summarized. Grieve proposed transferring extra fee revenue into their CIP account.

BUDGET REVIEW: FAIRGROUNDS

9:30:02 AM

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

Campbell presented a brief overview of goals and objectives as well as performance measure and workload indicators for the Fairgrounds. Their preliminary budget for fiscal year FY13-14 was briefly summarized along with their CIP. Campbell proposed increasing the Office Assistant III position at the Fairgrounds to 1.0 FTE due to increasing workloads.

Commissioner Krueger expressed his opinion regarding making safety improvements at the Fairgrounds.

BUDGET REVIEW: COUNTY ATTORNEY'S OFFICE

9:45:01 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Amy Dexter, County Attorney Ed Corrigan, County Attorney Office Manager Vickie Eggum, Clerk Kile

Corrigan reviewed the budget for the County Attorney's Office. Brief discussion was held relative to unknown costs they possibly could incur.

BUDGET REVIEW: CLERK & RECORDER'S OFFICE

10:00:44 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, Clerk & Recorder Paula Robinson, Plat Room Supervisor Vicki Gallo, Recording & Election Manager Monica Eisenzimer, Clerk Kile

Robinson and staff presented a brief overview of their performance measures and workload indicators along with preliminary budgets for the Plat Room, Records Preservation and Recording & Election Department. Robinson reviewed details concerning the purchase of a DS850 for the Election Department, and noted a half time position for Records Preservation is being proposed.

CONSIDERATION OF HR TRANSMITTALS: UPDATE JOB DESCRIPTIONS/EMERGENCY MEDICAL SERVICES MANAGER, ADMINISTRATIVE FINANCIAL SUPPORT SPECIALIST, EMERGENCY MANAGEMENT COORDINATOR, EMS PROGRAM ASSISTANT II AND FIRE SERVICE AREA MANAGER

10:24:30 AM

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

Skramovsky reviewed the revised job descriptions pertaining to a change in supervisory roles for the Emergency Medical Services Manager, Administrative Financial Support Specialist, Emergency Management Coordinator, EMS Program Assistant II and Fire Services Area Manager.

Commissioner Krueger made a **motion** to approve the H.R. Transmittals for five job descriptions. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

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(Continued)

PUBLIC HEARING: PENNEY & TILLOTSON ZONE CHANGE/ HIGHWAY 93 NORTH ZONING DISTRICT

10:30:42 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 Erick Mack, Gerald Penney, Shannon Penney, Pat Donovan, Rob Nicholson, Art Peterson, Felix Jimenez, John Muhlfeld, Dale W. Voightlander, Wayne Veeneman, Jeannie Veeneman, Donna Gans Newman, Alison Young, Ben Pomerantz MD, Scott Strellnauer, Clerk Kile

Mack reviewed the proposed zone change request submitted by Penney and Tillotson that would change zoning on 40 acres from SAG10 (Suburban Agricultural) to R 2.5 (Rural Residential). The property is located ½ mile east of Whitefish Stage right off Hodgson Road. He noted originally that Mr. Penny came to the office asking to do a family transfer in order to give land to his son; staff advised him because of zoning that a family transfer would not be allowed. He explained the reason he is including all 40 acres is to minimize the potential for spot zoning. Mack noted Plantation Pines, which borders the property is zoned SAG10 and the subdivision used the clustering provision allowed in zoning so the 20 lots are actually 1.9 to 4.6 acres in size, and they were required to leave 80 plus acres of open space in order to get that small of a lot. He reviewed some of the concerns and objections expressed at the Planning Board hearing held and noted a recommendation of approval was forwarded to the commission.

Chairman Holmquist opened the public hearing to anyone wishing to speak in regards to the proposed zone change.

Gerald Penney the applicant for the proposed zone change said the request is only for re-zoning of the property. He said he has no intentions of a subdivision at all as it would be highly unfeasible with the cost. All I want to do is break off a piece of property (like three acres) and do a family transfer, which he would be able to do if the zone change is approved. Penney noted the property has been in the family since the early 1950's, and he has lived there his entire life. He reiterated this is not a plan for a subdivision by any means.

Scott Strellnauer, 357 Plantation Drive said being a neighboring property owner in a development that includes green space and the assurance of having green space, I am speaking against the proposed re-zoning into 2 ½ acre tracts. He stated if he could be assured that it would never become a subdivision, then he would be okay with the zoning so they could split off a piece. He noted there is an adjacent 10 acre parcel right now for sale, and said he could only imagine that if this goes through now that could be split into four parcels. Strellnauer said there are ways to ensure that they would only use one parcel to split off for a family transfer by doing a deed restriction in perpetuity on the rest of the property. If that were the case he stated I would be okay with the zone change.

Pat Donovan, 10 Penney Lane said he purchased his property last June and the reason they purchased it was because of the neighborhood character being semi rural and agricultural surroundings. He noted as the Planning Board stated in their review this is inconsistent with the area completely. Donovan said the difference between this and Plantation Pine that would be somewhat of a justification is that Plantation Pines results in about 6.75 acres per lot density; much more in keeping with a 10 acre zoning district. He stated he felt this is overkill in trying to create just one lot, and believes there are other ways such as a boundary line adjustment that would result in a single lot they could transfer. Donovan said he believes like the previous speaker, that if this is re-zoned it will be sold and subdivided.

Wayne Veeneman, 1080 Hodgson Road an adjoining landowner to the Penney property said he moved to the location because of the SAG10 zoning, which was ideal for his horse operation. He explained prior to moving to Hodgson Road he lived right in Whitefish (behind the Mountain Mall) and was forced out by zoning. Venneman said he moved to Hodgson Road for the privacy and beauty of the area. He asked if indeed the reason for the Penney's wanting to be able to give their son two acres of land why they are developing the whole 40 acres. He asked if there was any reason why they could not build a home on the 10 acres they have right now for their son, if they wanted to bequeath the property to him. If 16 – 2.5 acre zoning is approved it will change the whole landscape he said. Another thing that would probably impact the property he noted if indeed it ever is zoned 2.5 acres is concerns regarding water and 14 possible septic systems.

Dale Voightlander, 405 Tetrault Road said he manages the Candy Bar Ranch which is south of the Penney property. He voiced his concerns for the owner of the property. Voightlander noted the property was originally zoned SAG10 a number of years ago, and now we are going to try to change it to R 2.5. He pointed out if this is zoned R 2.5 a precedence would be set. He said he understands what the Penney's are trying to do, yet disagrees with how they are going about doing it.

John Muhlfeld, 325 Plantation Drive summarized the following letter submitted to the Planning Board.

The Penney's previously subdivided this property in 1995 creating four 10-acre parcels consistent with the underlying zoning and growth policy. This proposal in front of you does not meet the underlying zoning and does not comply with the growth policy. As defined by your zoning code a SAG10 district is to provide and preserve agricultural functions, provide a buffer between urban and unlimited agricultural uses and to provide areas of estate type residential development. Allowing this property to be further subdivided would deteriorate the character and nature of our neighborhood, and would clearly exceed the flexibility provided to your board by the growth policy. The addition of 16 new septic leaching fields will impact water quality in the shallow aquifer. As you are aware all the homes in Plantation Pines and adjacent neighborhoods derive their domestic water from wells developed in the shallow aquifer. This is a valid concern, and should be considered when evaluating the merits of this land use application. I urge you to deny the requested proposed zone change from SAG10 to R 2.5.

Rob Nicholson, President of Plantation Pines HOA said their biggest concern is the precedence this would set of having 16 potential lots created that would change the whole nature and character of the area. When Plantation Pines was established, they were required to follow zoning regulations in order to obtain a cluster permit he said. He explained Plantation Pines is 135 acres in size with around 20 homes in the subdivision that are spaced out throughout the 135 acres. In order to get the 2 – 4 acre lots they were required to leave over 60 percent of open space so there are 80 acres of open space that will never change. Nicholson said there biggest concern is the precedence this would set of allowing 2.5-acre lots turning into a high-density rural residential area.

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Felix Jimenez, 333 Plantation Drive said as you can see I am not a local person or from this country; therefore, am very kosher when I speak, because I respect my host country and the way my neighbors behave. He said he was surprised at the Planning Board public hearing that started well with staff explaining very well how this proposal did not conform to the laws. They clearly said this does not conform he pointed out. Jimenez said he commended Mr. Penney for wanting to give his son some land, but added that opening the door to a huge development he is opposed to.

Ben Pomerantz, 342 Plantation Drive said he has had trouble understanding how the Planning and Zoning Office came up with their conclusion based on their findings of fact. He reviewed the following three findings of fact and said the proposed zone change is not supported by the facts and zoning as it stands now.

- The proposed zoning amendment does not appear to comply with the growth policy.
- The proposed zoning amendment does not appear suitable for particular use, because according to the definition this is not appropriate in areas surrounded by lower density suburban agricultural zones.
- A zoning map amendment does not appear to encourage the appropriateness of land.

Donna Gans, 1181 Hodgson Road said she has two objections to the proposed re-zoning. One being she explained staff at the Planning Board did not recommend this be approved, because it did not meet three points in the guidelines to a zone change. She said she does not know how it was approved after that. Gans stated she doesn't disagree that the Penney's should give property to their kids. She said they have said the only way to do this is to break the property up into a subdivision; although they acknowledge themselves there are alternate ways to do this.

Shannon Penney, 1130 Hodgson Road said when they applied to the Planning and Zoning Office and spoke to the planner they were advised this was the only way they legally could give a parcel to their son. She stated in no way shape or form is it a subdivision; a subdivision wasn't even talked about. They had to do it the legal way she noted and this was the only way Planner Eric Mack said was a possibility. Penney said they would like their son to be able to grow up in the community they do with the cost of land being very expensive. She noted everyone is worried about a subdivision and all this growth, and pointed out 100's of acres of unzoned land surrounds them which they should be more concerned about than giving their son a piece of land.

Art Peterson, 306 Plantation Drive said he attended the meeting held by the Planning Board and everything seemed positive to him as a homeowner, which was against the Penney's proposal. He said then they turned around and said we are going to do this anyway. Peterson said he feels it is admirable of the Penney family to supply a little piece of ground for his son to live on. He stated he disagree with the proposal entirely.

Alison Young, 1025 Hodgson Road said she is very much against the proposed zone change from 10 acres to 2.5 acres. She pointed out she agreed with many others that this would set a precedence. Young said they are just left with the Penney's word that they are not thinking of a subdivision.

No one else rising to speak Chairman Holmquist closed the public hearing.

Commissioner Krueger noted a boundary line adjustment was mentioned.

Grieve pointed out currently the property is zoned SAG 10; you have four 10 acre parcels, and you couldn't boundary line adjustment between a 10 and a 10 to make a 15 and a 5 because the parcels that exist are at a minimum lot size and cannot be adjusted smaller.

Commissioner Scott asked if they could build a single family home on a 10 acre parcel.

Grieve stated that is correct that every parcel in a zoned area is allowed to have one single family dwelling as your primary use.

Chairman Holmquist pointed out when she reviewed the findings of fact there were three negative and seven positive findings.

Deputy County Attorney Paul Nicol pointed out if the Resolution of Intent is approved today that would open up a 30 day written comment period and a final decision would be made at that time.

Commissioner Krueger made a **motion** to adopt Resolution 837BY. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

RESOLUTION NO. 837 BY

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 6th day of May, 2013, concerning a proposal 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);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on April 22 and April 29, 2013;

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Highway 93 North Zoning District; and

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(Continued)

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., adopts this resolution of intention to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 to R-2.5, the boundaries of said area are described on the attached Exhibit A.

BE IT FURTHER RESOLVED that notice of the passage of this resolution of intention, stating the boundaries of the portion of the Highway 93 North Zoning District to be changed, the general character of the proposed designation for the area to be changed, that the regulations for said district are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication of thereof, the Board will receive written protests to the change to the Highway 93 North Zoning District, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within the Highway 93 North Zoning District for a period of thirty (30) days after first publication of that notice, in order that only valid signatures are counted, the freeholders who file protests are either registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

BE IT FURTHER RESOLVED that if forty per cent (40%) of the owners of real property within the Highway 93 North Zoning District protest the proposed change in said district, then the change will not be adopted.

DATED this 6th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Calvin L. Scott
Gary D. Krueger, Member

By/s/Diana Kile
Diana Kile, Deputy

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

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

Commissioner Krueger made a **motion** to authorize publication of the Notice of Passage or Resolution of Intent. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
HIGHWAY 93 ZONING DISTRICT

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 837 BY) on May 6, 2013, 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, 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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For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed for a portion of the Highway 93 North Zoning District from persons owning real property within that District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 6th day of May, 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 May 9, 2013 and May 16, 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

Commissioner Scott clarified this is neither approval nor disapproval today; that this will allow a 30 day period of written public comment. He pointed out it would be in the interest of those concerned to take to heart the 30 day period to submit written comment to the commission.

MONTHLY MEETING W/ DAVE PRUNTY, ROAD DEPT.

11:16:26 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 met with the commission and reviewed operations; spoke about the dust cost share program; reviewed the timeline for the upcoming crack seal project; summarized progress with the Federal Lands Access Program (FLAP). In other business, he reviewed a request received from Richard McAtee who would like to build a road to access his property at 2740 Grizzly Spur in West Glacier.

ACCLAMATIONS AND APPOINTMENTS: RURAL FIRE DISTRICTS, BIGFORK LAND USE ADVISORY COMMITTEE AND LAKESIDE COMMUNITY COUNCIL

11:37:02 AM & 11:50:00 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Office Manager Mary Fisher, Clerk Kile

Commissioner Scott made a **motion** to appoint Frosty Buck to Badrock Rural Fire District. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Commissioner Krueger made a **motion** to table the BLUAC appointments pending clarification. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Commissioner Krueger made a **motion** to approve the list of candidates elected by acclamation to fire districts. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

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| ○ Big Mountain Rural Fire District | Glen Nye |
| ○ Bigfork Rural Fire District | Zach Anderson, Lee Leivo, Robert Borges |
| ○ Blankenship Rural Fire District | Robert Love, Peter Bergen |
| ○ Columbia Falls Rural Fire District | Dan Soennichsen |
| ○ Coram/West Glacier Rural Fire District | Clifford Wilkins, Michael Woods |
| ○ Creston Rural Fire District | Allen Zimmerman |
| ○ Evergreen Rural Fire District | John Fallon, Frank Miller |
| ○ Marion Rural Fire District | Larry Brower, Janine Presson, Vargie Williams |
| ○ Martin City Rural Fire District | Connie Strey, Wanda Thomas |
| ○ Olney Rural Fire District | Vincent Marks, Laurel Therrien, Norma McBroom |
| ○ Smith Valley Rural Fire District | Eric Woodring |
| ○ Somers Rural Fire District | Bernie Olson |
| ○ West Valley Rural Fire District | Terry Rothacher |
| ○ Whitefish Fire Service Area | Steven Carlson |

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(Continued)

Commissioner Krueger made a **motion** to appoint J. C. Chaix to Lakeside Community Council. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Commissioner Scott made a **motion** to approve the filed candidates by acclamation to Lakeside Community Council; David Fetveit and Gene Shellerud. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Commissioner Scott made a **motion** to appoint Bryan Block to the resigned position to Smith Valley Rural Fire District. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: TAX INCENTIVE REQUEST/ EMOND

11:43:58 AM

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

Commissioner Krueger made a **motion** to authorize publication of tax incentive Notice of Public Hearing/ Emond. 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 Sections 15-24-1501 and 76-15-103, M.C.A., that it will hold a public hearing to consider the application of Pierre and Camilla Emond, of Columbia Falls, Montana, seeking the application of tax reducing benefits for remodeling the building located at 140 Nucleus Ave, Columbia Falls. If the application is granted, the increased value will be taxed at twenty percent of its taxable value in the first year after approval; in each year thereafter, the percentage will be increased by 20 percent until the full taxable value is attained in the fifth year.

The public hearing will be held on the **29th day of May, 2013, at 10:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Montana, Courthouse, Third Floor, 800 South Main Street, Kalispell, Montana. At the public hearing, the Board of Commissioners will give members of the public an opportunity to be heard regarding the application for tax reduction of Pierre and Camilla Emond.

DATED this 6th day of May, 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 May 10 and May 24, 2013.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: TAX INCENTIVE REQUEST/ RUPP

11:44:44 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 authorize publication of tax incentive Notice of Public Hearing/ Rupp. Commissioner Krueger **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 Sections 15-24-1501 and 76-15-103, M.C.A., that it will hold a public hearing to consider the application of Robert R. and Gerri R. Rupp, of Columbia Falls, Montana, seeking the application of tax reducing benefits for remodeling the building located at 1388 4th Avenue WN, Columbia Falls, from a duplex to a preschool. If the application is granted, the increased value will be taxed at twenty percent of its taxable value in the first year after approval; in each year thereafter, the percentage will be increased by 20 percent until the full taxable value is attained in the fifth year.

The public hearing will be held on the **29th day of May, 2013, at 10:15 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Montana, Courthouse, Third Floor, 800 South Main Street, Kalispell, Montana. At the public hearing, the Board of Commissioners will give members of the public an opportunity to be heard regarding the application for tax reduction of Robert R. and Gerri R. Rupp.

DATED this 6th day of May, 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 May 10 and May 24, 2013.

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(Continued)**

AWARD BID: 2013 DUST COST SHARE PROGRAM/ ROAD DEPT.

11:30:28 AM

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

Commissioner Scott made a **motion** to award the 2013 Dust Cost Share Program bid to Montana Dust Control. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MS-ISAC MEMBER AGREEMENT/ I.T.

11:35:34 AM

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

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

8:30 a.m. Weed & Parks Board meeting @ Weed & Parks Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 7, 2013.

TUESDAY, MAY 7, 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 opened public comment on matters within the Commissions' Jurisdiction.

Present for public comment: r.b. and Philip Anderson

r.b. spoke about a traffic citation he received the previous day when he was headed to the Courthouse to present a certificate of service that Floyd Huntington served to the City of Whitefish. He explained he gave the police officer (KPD) a document he filed in the county, and they wanted additional information. r.b. said they held him for half an hour. He said he asked the police officer for his oath of office, bonds and commission, which he did not give to him; that's a violation he stated. He presented a copy of the ticket to Chairman Holmquist and noted the information on the ticket was not given to the police officer. He gave them the only information that he knows to be true he said. With the document referenced he said he surrendered his driving privileges, because of problems with his birth certificate and passport. The gentlemen issued the ticket and none of the information on it he volunteered. r.b. stated this is identity theft and since they wrote it on a ticket this is a forged instrument. He said he took the ticket over to the mayor's office who was not available. He spoke to the city attorney who hung up on him after he asked her for her oath of office and bond. r.b. said he turned the ticket into an invoice and right now the City of Kalispell owes him \$705,000 for unlawful detainment. He referred to a case in Tampa where it is \$23,500 a minute for unlawful detainment; Chuck Curry has such a letter in his office. He said unless the City of Kalispell can prove otherwise that he gave them the information on the ticket they owe him \$705,000 within 10 days; they stole the information. r.b. then spoke about mortgage fraud and Peg Allison telling him a case was closed. He further spoke about concerns regarding other cases and documents.

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

Chairman Holmquist led the Pledge of Allegiance.

BUDGET REVIEW: SUPERINTENDENT OF SCHOOLS

9:01:19 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, Superintendent of Schools Marcia Sheffels, Clerk Kile

Sheffels reviewed performance measure and workload indicators for the Superintendent of School's Office and briefly summarized their budget.

BUDGET REVIEW: JUSTICE COURT

9:15:55 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, Judge Mark Sullivan, Judge Daniel Wilson, Justice Court Office Administrator Kimberly Dumon, Clerk Kile

Dumon briefly summarized their performance and workload measure indicators along with their preliminary budget.

TUESDAY, MAY 7, 2013
(Continued)

BUDGET REVIEW: WEED & PARKS

9:30:57 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, Weed/Parks & Maintenance Director Jed Fisher, Clerk Kile

Fisher briefly reviewed the preliminary budget for the Weed Department and reviewed their CIP. He spoke about potential issues regarding aquatic weed control. He then summarized the Parks/ Recreational Department preliminary budget.

BUDGET REVIEW: MAINTENANCE

9:50:00 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, Weed/Parks & Maintenance Director Jed Fisher, Clerk Kile

Fisher briefly summarized the Maintenance Departments preliminary budget and spoke about making improvements at the Kalispell Feed and Grain property. He spoke about potentially relocating the building maintenance shop out at the Weed & Parks Department location and review planned use of CIP funds.

BUDGET REVIEW: HUMAN RESOURCE OFFICE

10:01:00 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, H. R. Director Tammy Skramovsky, Clerk Kile

Skramovsky reviewed goals and objectives for the Human Resource Department along with performance measure workload indicators. Their preliminary budget was briefly summarized.

BUDGET REVIEW: DISTRICT COURT

10:15:44 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, Judge David Ortley, Judge Heidi Ulbricht, District Court Office Administrator Marcy Hall, Clerk Kile

Hall reviewed changes made to their program description and briefly summarized the preliminary budget for District Court.

Discussion was held relative to future improvements to Court Room 2 in their CIP, and a potential change to their I.T. support from the county level to the state level.

CONSIDERATION OF PRELIMINARY PLAT EXTENSION REQUEST: GLACIER RANCH, PHASE 3

10:30:57 AM

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

Hogle reported Glacier Ranch is a five-phase subdivision that received preliminary plat approval on August 9, 2004. He noted to date Phase 1 and Phase 2 have received final plat approval; Phase 2 granted in 2009, which established the expiration date for Phase 3 to May 14, 2011 under the regulations it was reviewed by. He further noted Phase 3 had an original expiration date established when final plat of Phase 2 occurred. Hogle said to date Phase 3 has received two previous extensions, and the current expiration date is May 14, 2013; a two-year extension has been requested.

Commissioner Scott made a **motion** to approve the preliminary plat extension for Glacier Ranch, Phase 3 to May 14, 2015. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONSIDERATION OF PRELIMINARY PLAT EXTENSION REQUEST: FLATHEAD VISTA

10:33:33 AM

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

Hogle reported the commission granted preliminary plat approval for Flathead Vista on May 27, 2009 and was due to expire on May 27, 2012. A one-year extension was granted and now the developer has requested a two year extension that would re-establish their preliminary plat approval date to May 27, 2015.

Commissioner Krueger made a **motion** to approve a preliminary plat extension for Flathead Vista to May 27, 2015. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

FIRST READING: SPEED LIMIT ORDINANCE NO. 7

10:34:35 AM

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

Chairman Holmquist read the first reading of Speed Limit Ordinance No. 7 which follows.

TUESDAY, MAY 7, 2013
(Continued)

A PROPOSED AMENDMENT TO ORDINANCE NO. 7
Speed Limits

WHEREAS, the Board of Commissioners is authorized, pursuant to Sections 7-5-102 through 7-5-107, 7-14-2113, and 61-8-310, M.C.A., to adopt an ordinance and to impose speed limits on certain public roads and highways;

WHEREAS, the Board of Commissioners determined that all speed limits imposed by the Board since 1985 should be codified into a single ordinance, and, therefore, adopted Ordinance No. 7, Speed Limits, on July 5, 1995; and

WHEREAS, the amendment to Ordinance No. 7 set forth below for the following were requested by the Flathead County Road Department.

NOW, THEREFORE, BE IT RESOLVED that, effective 30 days after the second and final adoption of the following amendment, the following amendment to Ordinance No. 7, shall be in force and effect:

Section One: Speed Limits on Named Roadways,

Twenty-five (25) miles per hour is amended by deleting the following portion that is lined through:

~~Echo Lake Road (loop Road) for its entire length~~

adding the following portion:

LaBrant Rd from the FWP boat launch, east to the end of the road; and

Echo Lake Road for its length north and west of Foothill Road.

Thirty-five (35) miles per hour is amended by deleting the following portion that is lined through:

~~LaBrant Road for its entire length; and~~

~~Echo Lake Road for its entire length~~

adding the following portion:

LaBrant Rd from Montana 35, east to the FWP boat launch; and

Echo Lake Road from Montana 83 to Foothill Road.

BE IT FURTHER RESOLVED that following passage of the foregoing amendment on second reading, Ordinance No. 7 shall be updated to include that amendment.

DATED this 7th day of May, 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

BUDGET REVIEW: 4-H OFFICE & MSU EXTENSION OFFICE

10:45:16 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, MSU Agricultural Extension Agent Pat McGlynn, 4-H Youth Development Agent Tammy Walker, Clerk Kile

Walker and McGlynn reviewed goals and objectives for the 4-H Office and MSU Extension Office along with performance measure workload indicators.

BUDGET REVIEW: SOLID WASTE DISTRICT

11:00:43 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technicians Amy Dexter and Tamara Helmstetler, Public Works Director Dave Prunty, Kim Schwegel, Jera Schwegel, Mayre Flowers, Clerk Kile

Prunty reviewed goals and objectives for Solid Waste and briefly summarized the preliminary budgets for Solid Waste and Junk Vehicle.

BUDGET REVIEW: LIBRARY

11:35:53 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Library Director Kim Crowley, Assistant Library Director Connie Behe, Library Office Administrator Teri Dugan, Michael Morton, Jane Lopp, Connie Leistiko, Clerk Kile

Crowley reviewed performance measure and workload indicators for the Library and briefly summarized their budget. Their CIP projects were then reviewed.

**TUESDAY, MAY 7, 2013
(Continued)**

MEETING W/ ADELE KRANTZ, TREASURER RE: ATM PLACEMENT IN TREASURER'S OFFICE

11:59:23 AM

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

General discussion was held relative to installing an ATM at Courthouse West in which Krantz noted two bids were received. The commission unanimously agreed that due to privacy and space issues they could not support having an ATM on the second floor of the building.

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

WEDNESDAY, MAY 8, 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.

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 May 9, 2013.

THURSDAY, MAY 9, 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 opened public comment on matters within the Commissions' Jurisdiction.

Present for Public Comment: r.b. and Susan Louise

Rob Blair, 800 South Main presented an envelope addressed to Robert B. Young from the City of Kalispell, and said Patti Olson the owner of the UPS Store said it was returned for an attempted mail fraud. He explained the UPS Store is tired of this and has filed several mail fraud complaints, with no response from the postal inspector. He said I believe the commissioners have subpoena power and wanted to confirm that with County Administrator Mike Pence. He presented a document to Commissioner Krueger. He said I dropped this off the other day (copy of a ticket) that he asked to be initialed. He explained he is still under affirmation so everything he says is on and for the record always. This is testimony and I am going to require that this be transcribed, and if there are any costs incurred Floyd Huntington has told him to put forth his \$10,000 bond for him, and besides that his word is his bond and if any costs are incurred and I fail in this I will pay all fees. Blair said he is using the commissioner's office address out of private necessity. He has had general posts and has dropped off an envelope to you guys day before yesterday that Ken Dowerhour returned when he was suppose to report mail fraud, and I found out that Mr. Dowerhour was using general post up there and has been returning mail that is supposed to be held for 30 days. I cannot use the postal service so will use this address out of private necessity, since I am here all the time and will check my mail once a week. I have used general post for several years, but when you have a postmaster that trashes your mail ---- undependable. I am having all you people as my witnesses. Anytime I come in here, it is a blessing and if I do not come back, you are all my witnesses.

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

Chairman Holmquist led the Pledge of Allegiance.

MEETING W/ JOE RUSSELL, HEALTH DEPT. RE: MOSQUITO CONTROL BOARD

8:45:03 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Paul Nicol, Health Dept. Director Joe Russell, Clerk Kile

Russell reviewed history of creating the Mosquito Control Board and explained to the commission the duties of the board could be accomplished through the Health Board. He proposed dissolving the board and asked for commissioner input.

The commission unanimously agreed to dissolve the board through a resolution.

CONSIDERATION OF H.R. TRANSMITTAL: DEPUTY HEALTH OFFICER

8:48:53 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Paul Nicol, Health Dept. Director Joe Russell, Clerk Kile

Commissioner Scott made a **motion** to approve the H.R. Transmittal for a Deputy Health Officer. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

THURSDAY, MAY 9, 2013
(Continued)

CONTINUATION OF DOCUMENT FOR SIGNATURE: DPHHS CONTRACT 1102 PROS 0178 MODIFICATION

8:51:06 AM

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

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

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

9:01:00 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

Grieve reviewed planning staff's workload; reviewed budget and fee revenue statistics; presented an update on Rosewater Subdivision; spoke about floodplain insurance and federally backed loans and reviewed violation complaints received.

BUDGET REVIEW: INFORMATION TECHNOLOGY

9:33:08 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Amy Dexter, I.T. Director Vicki Saxby, GIS Program Manager Mindy Cochran, Clerk Kile

Cochran reviewed goals and objectives and performance measure workload indicators for the GIS Department.

Saxby reviewed goals and objectives and performance measure workload indicators for the I.T. Department. She reviewed the need for an additional FTE, spoke about District Courts usage of their services and summarized their CIP projects.

CONSIDERATION OF AND DOCUMENTS FOR SIGNATURE: LETTER OF AGENCY TO CHANGE TELEPHONE SERVICE PROVIDER AND LETTER OF CANCELLATION

10:00:16 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Amy Dexter, I.T. Director Vicki Saxby, Clerk Kile

Saxby reviewed changes to county phone lines that are currently with CenturyLink. The proposed change will save around \$950 per month by switching over to Bresnan.

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

CONTINUATION OF ACCLAMATION AND RATIFICATION: BIGFORK LAND USE ADVISORY COMMITTEE

10:02:39 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Office Manager Mary Fisher, Clerk Kile

Commissioner Krueger made a **motion** to appoint Joyce Mitchell, Susan Johnson and Al Johnson by acclamation to Bigfork Land Use Advisory Committee. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Commissioner Scott made a **motion** to ratify the appointment of James Bonser to Bigfork Land Use Advisory Committee. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF RESOLUTION: LIFT LOAD LIMITS

10:04:37 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 reported load limits will be lifted on all remaining roads except for Causeway Lane.

Commissioner Krueger made a **motion** to adopt Resolution 2350B lifting load limits. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

RESOLUTION NO. 2350B

WHEREAS, the Board of Commissioners of Flathead County, Montana, is responsible for the maintenance of public highways under its jurisdiction; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has the authority under Section 61-10-128, M.C.A., to impose restrictions on the weight of vehicles traveling on public roads under its jurisdiction; and

WHEREAS, the Board of Commissioners of Flathead County, Montana imposed load limits in Resolutions No. 2350 and 2350A on March 4, 2013 and April 24, 2013; and

WHEREAS, the conditions requiring the imposition of load limits no longer exist.

THURSDAY, MAY 9, 2013
(Continued)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Flathead County, Montana, pursuant to Section 61-10-128, M.C.A., that the load limits imposed in Resolutions No. 2350 and 2350A are hereby lifted.

BE IT FURTHER RESOLVED, that this resolution shall be effective at midnight May 13, 2013, and shall remain effect until action of this Board.

Dated this 9th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

By/s/Gary D. Krueger
Gary D. Krueger, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

AUTHORIZATION TO PUBLISH CALL FOR BIDS: CHEMICALS/ WEED DEPT.

10:05:10 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 authorize publication of Call for Bids/Chemicals. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

CALL FOR BIDS

The Flathead County Weed/Parks/Recreation & Building Maintenance Board (heretofore known as the Flathead County Weed Department) will receive bids for the purchase of chemicals to be delivered FOB at the Flathead County Weed Department office, 309 FFA Drive, Kalispell, Montana 59901.

The chemicals to be purchased include Tordon 22K, or equivalent/generic, Transline or equivalent/generic, 2, 4-D or equivalent/generic, Milestone or equivalent/generic, Opensight or equivalent/generic, Banvel or equivalent/generic, Lontrel or equivalent/generic and Perspective or equivalent/generic. The instructions to bidders, specifications and amounts for the chemicals, and the forms of the bid sheet and contract to be signed, may be obtained from either the Flathead County Weed Department, 309 FFA Drive, Kalispell MT 59901 or the Flathead County Clerk and Recorder, 800 South Main, Room 302, Kalispell MT 59901.

Each bidder must deposit with his bid, a bid security in the amount of ten percent (10%) of the bid to secure the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase of chemicals. 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.

Sealed bids are to be marked "Weed Control Bid" and must be in the office of the County Clerk and Recorder, 800 South Main, Room 302, Kalispell, Montana 59901, on or before 9:15 o'clock a.m., on May 29, 2013. Bids will be opened and read immediately thereafter in the Commissioners' Chambers at the Courthouse, Third Floor, 800 South Main, Kalispell, Montana.

The Flathead County Weed Department reserves the right to reject any and all quotes and to accept the quotes 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 9th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish May 14 and May 21, 2013.

BUDGET REVIEW: AOA, RSVP & EAGLE TRANSIT

10:15:48 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Amy Dexter, AOA Director Lisa Sheppard, AOA Office Assistant Kathi Kallis, Clerk Kile

Sheppard reviewed goals and objectives and summarized the preliminary budget prepared for AOA, RSVP and Eagle Transit.

**THURSDAY, MAY 9, 2013
(Continued)**

BUDGET REVIEW: ROAD & BRIDGE DEPT.

11:01:43 AM & **11:19:14 AM**

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

Prunty reviewed staffing levels and summarized their preliminary budget for FY13-14 for each cost center. Their CIP projects were then reviewed.

General discussion was held relative to having an alternate source of funding if PILT funds become unavailable for the Road Department.

BUDGET REVIEW: CLERK OF DISTRICT COURT

11:13:54 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Finance Director Sandy Carlson, Finance Technician Amy Dexter, Clerk of District Court Peg Allison, Clerk Kile

Allison reported no changes were made to the Clerk of District Court performance measure and workload indicators and preliminary budget compared to last years.

BUDGET REVIEW: COMMISSIONERS' OFFICE

11:51:19 AM

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

Pence reviewed the Commissioners' preliminary budget and performance measure and workload indicators.

BUDGET REVIEW: MISC.

11:54:31 AM

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

Pence and Carlson reviewed several miscellaneous funds.

2:00 p.m. Commissioner Krueger: AOA Board meeting @ The Summit
6:30 p.m. Fair Board meeting @ Fair Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 10, 2013.

FRIDAY, MAY 10, 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 May 13, 2013.
