

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

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## MONDAY, MARCH 10, 2014

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson 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 11, 2014.

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## TUESDAY, MARCH 11, 2014

### [Audiofile](#)

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

Chairperson Holmquist led the Pledge of Allegiance.

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

### **DOCUMENT FOR SIGNATURE: MACO JPIA AMENDED BY-LAWS**

#### **9:45:00 AM**

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

Commissioner Scott made a **motion** to approve the document for signature. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

### **DOCUMENT FOR SIGNATURE: MOTOROLA PROPOSAL ASTRO 25 VHF TRUNKED RADIO SITE (COLUMBIA FALLS) / OES**

#### **9:46:00 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, Clerk Kile

Chute reported the northeast corner of Flathead County has a lack of emergency radio reception, so with excess funds from Northern Tier new equipment will be installed at the Bad Rock Fire Hall location near Columbia Falls.

Chairman Holmquist pointed out that Flathead County would not be liable if the equipment failed.

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

Commissioner Krueger asked how the lack of reception is discovered.

General discussion was held relative to frequency coverage and the hole in the communications system.

Motion carried unanimously.

### **BOARD APPOINTMENTS: SWAN HILL TV DISTRICT AND COLUMBIA FALLS CITY-COUNTY PLANNING BOARD**

#### **9:51:00 AM**

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

Commissioner Krueger made a **motion** to appoint Fred Keiser to the Swan Hill TV District. Commissioner Scott **seconded** the motion. Motion carried unanimously.

Commissioner Scott made a **motion** to appoint Stephen Duffy to Columbia Falls City-County Planning Board. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

### **OPEN BIDS: ANIMAL SHELTER CAT ADDITION**

#### **10:00:00 AM**

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

Bids received with bid bonds enclosed from Sirius Construction Inc. for \$187,731 and Outback Construction, Inc. for \$130,000.

Commissioner Scott made a **motion** to take the bids under consideration. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

**TUESDAY, MARCH 11, 2014**  
**(Continued)**

**AUTHORIZATION TO PUBLISH NOTICE OF CDBG ED PUBLIC HEARING: MOUNTAIN MEADOW HERBS, INC.**

**10:02:30 AM**

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

Pierson reported a component of the CDBG application process is to hold a second public hearing for the economic development project for Mountain Meadow Herbs. She noted a presentation would be done by MWED at the public hearing.

Commissioner Scott made a **motion** to authorize publication of the Notice of Public Hearing/ Mountain Meadow Herbs, Inc. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

**NOTICE FOR SECOND PUBLIC HEARING**

The Flathead County Board of Commissioners will hold a public hearing at 10:00 a.m. on March 31, 2014 in the Flathead County Commissioners Chambers located on the third floor of the historic Flathead County Courthouse, 800 South Main Street, Kalispell, MT, 59901. The hearing is for the purpose of obtaining public comment on a proposed application for Mountain Meadow Herbs to the Montana Community Development Block Grant Economic Development Program, administered by the Montana Department of Commerce. Mountain Meadow Herbs is a local manufacturer of herbal health solutions located at 765 MT Highway 82, Kalispell, MT 59901. At the public hearing, the proposed application will be explained, including the proposed area of the project, activities, and budget, and all interested persons will be given the opportunity to express their opinions regarding this proposed application. Testimony may be given orally at the hearing or submitted in writing by 9:00 a.m., March 31, 2014.

Anyone who would like further information or who wants to submit comments should contact Debbie Pierson, Flathead County Grant Administrator, (406) 758-2467 or [dpierson@flathead.mt.gov](mailto:dpierson@flathead.mt.gov) or Tina Oliphant, Montana West Economic Develop, (406) 257-7711 ext. 1 or [tina@dobusinessinmontana.com](mailto:tina@dobusinessinmontana.com). Portions of and/or a summary of the CDBG-ED application are available for review at Montana West Economic Development, 314 Main Street, Kalispell, MT 59901 during regular office hours.

Flathead County makes reasonable accommodation for any known disability that may interfere with a person's ability to participate in this public hearing. Persons needing an accommodation must notify the Flathead County Commissioners Office no later than March 27, 2014 to allow adequate time to make needed arrangements. You can call (406) 758-5501 or write to the Flathead County Board of Commissioners, 800 S. Main Street, Room 302, Kalispell, MT 59901 to make your request known.

DATED this 11<sup>th</sup> day of March, 2014.

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

Publish on March 16 and March 23, 2014.

**DOCUMENT FOR SIGNATURE: CTA FEE PROPOSAL FOR FLATHEAD COUNTY ADA SURVEY**

**10:04:00 AM**

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

Pence explained the selection process has been narrowed down to CTA who suggested the county do some of the survey in house with county staff trained by CTA to reduce the cost to \$37,800; \$50,000 was budgeted and if the commission is willing to enter into the agreement the suggestion is to use the dollars still available to use it for improvements.

General discussion was held relative to use of grant fund used to evaluate senior citizen centers and the ADA survey the county is required to have along with a transition plan. Other discussion points included the transition report that will be written by CTA; use of the report once it is written; cost to have all of the evaluations done by a professional firm instead of using county staff.

Fran Quiram pointed out for clarification that every single transition plan will be written by CTA.

Commissioner Scott made a **motion** to approve the document for signature. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

**OPEN BIDS: LIQUID ASPHALT/ ROAD DEPT.**

**10:24:00 AM**

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

Bids received with bid bonds enclosed from:

Idaho Asphalt Supply Inc.

Asphalt PG64-22	\$665.00/ Ton
Asphalt 64-22 w/0.5% Antistrip	\$685.00/ Ton
Asphalt PG58-28	\$665.00/ Ton
Asphalt PG58-28 w/1% Antistrip	\$715.00/ Ton
Asphalt SS1 – Tack Oil	\$625.00/ Ton

**TUESDAY, MARCH 11, 2014**  
**(Continued)**

Calumet Montana Refining:

Asphalt PG64-22	\$555.00/ Ton
Asphalt 64-22 w/0.5% Antistrip	\$572.00/ Ton
Asphalt PG58-28	\$555.00/ Ton
Asphalt PG58-28 w/1% Antistrip	\$589.00/ Ton
Asphalt SS1 – Tack Oil	\$535.00/ Ton

Commissioner Krueger made a **motion** to take the bids under consideration. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: MAJOR LAKESHORE VARIANCE/ UNIVERSITY OF MONTANA BIOLOGICAL STATION (LORANG & BLACKWOOD) #FLV 14-02**

**10:25:00 AM**

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

Commissioner Krueger made a **motion** to authorize publication of the Notice of Public Hearing/ Major Lakeshore Variance. Commissioner Scott **seconded** the motion. Motion carried unanimously.

NOTICE OF PUBLIC HEARING  
FLATHEAD COUNTY LAKE & LAKESHORE PROTECTION REGULATIONS

The Board of Commissioners of Flathead County, Montana, hereby gives notice, that the Board of Commissioners will hold a public hearing to consider a request by Dr. Mark Lorang, on behalf of Rick and Robin Blackwood, for a Major Lakeshore Variance to the fill standards of Flathead County Lake and Lakeshore Protection Regulations, specifically Sections 4.3F(2)(h)(2), 4.3(F)(2)(h)(5) and 4.3F(2)(h)(6).

The subject property is legally described as:

*Tract 18AB and 18AB-200 in Section 36, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana, located at 240 Holt Drive, Bigfork, MT.*

The proposed Major Lakeshore Variance to be considered would allow placement of 4 to 6 feet of rock along 400 lineal feet of lake frontage that is subject to strong wave action, at approximately 4 feet in depth for a total of 1465 cubic yards to protect the shoreline and a dock from erosion due to wind and wave action. The applicants are requesting a variance from the regulations because fill is not permitted in sites subject to strong wave action, and a variance to the Flathead County Lake and Lakeshore Protection Regulations is necessary to permit more than 4 to 6 inches of fill and a volume of fill exceeding 1 cubic yard per 16 lineal feet of shoreline.

The Flathead County Lake and Lakeshore Protection Regulations are on file for public inspection at the Office of the Clerk and Recorder, located at 800 South Main, Kalispell, Montana, 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](http://flathead.mt.gov/planning_zoning/downloads.php). Documents related to the request for a Major Lakeshore Variance, including a copy of the applicant's Environmental Impact Statement (EIS) are on file for public inspection at the Flathead County Planning and Zoning Office.

The public hearing will be held on the **31<sup>st</sup> day of March, 2014, at 9:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, third Floor, Old Courthouse, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the requested Major Lakeshore Variance.

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 11<sup>th</sup> day of March, 2014.

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 March 14 and March 21, 2014.

**DOCUMENT FOR SIGNATURE: BUY-SELL AGREEMENT/ PORTION OF COUNTY PROPERTY LOCATED AT 1290 BELTON STAGE ROAD**

**10:26:51 AM**

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

Fugina noted the 30 foot strip of property is on the south end of the former landfill on Belton Stage Road which was designed to give access to a single family residence. She pointed out the buy sell is contingent upon the owner purchasing additional property, and that the owner may not have the access to further subdivide the property. If a fence is erected it must be between the edge of the property and the landfill.

Commissioner Krueger made a **motion** to approve the document for signature/ portion of county property located at 1290 Belton Stage Road. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**TUESDAY, MARCH 11, 2014**  
**(Continued)**

**MONTHLY MEETING W/ ELIZABETH BROOKS & CINDY MULLANEY, OES AND LINCOLN CHUTE, FIRE SERVICES AREA MANAGER**

**10:30:00 AM**

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

Brooks met with the commission and spoke about their hiring process and training procedures; reported a recent supervisor meeting held with each of the law enforcement agencies helped clarify confusion and brought about understanding as far as why certain things are done the way they are; reported dispatchers continue to do their jobs efficiently and professionally.

Mullaney reported Tetra Tech is continuing to work on the Pre-Disaster Mitigation Plan; spoke about hazards that have the potential to impact Flathead County; reviewed upcoming local events; spoke about training that will be held; reviewed emergency exercises scheduled; reviewed BNSF Geographic Response Plan and Flathead County's involvement in it; spoke about avalanche activity recently and local flooding. Mullaney presented a release of liability application to the commissioners and asked for their direction in regards to supplying sandbags and sand to residence.

The commission unanimously agreed they did not feel there was a need to declare an emergency in Flathead County at this time and that the county would not supply sand or bags.

Chute summarized work pertaining to the Fire Service Area that included wildland training to be held; reported leased lots on state/federal lands (around 300-325) do not pay anything towards fire protection; summarized progress with the Ashley Lake Fire Hall.

**CONSIDERATION OF PRELIMINARY PLAT EXTENSION REQUEST: SWAN PEAK HOMESTEAD**

**11:00:00 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Deputy County Attorney Tara Fugina, Planner Alex Hogle, Eric Mulcahy, Clerk Kile

Hogle reported Swan Peak Homestead received preliminary plat approval on April 14, 2011, which is set to expire on April 14, 2014. The developer has requested a two year extension and if approved would extend preliminary plat approval to April 14, 2016.

Commissioner Krueger made a **motion** to approve the preliminary plat extension for Swan Peak Homestead. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**CONSIDERATION OF PRELIMINARY PLAT EXTENSION REQUEST: SADDLEHORN II**

**11:01:00 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Deputy County Attorney Tara Fugina, Planner Alex Hogle, Clerk Kile

Hogle reported Saddlehorn II received preliminary plat approval on May 12, 2011 which is set to expire on May 12, 2014. The developer has requested a two year extension and if approved would extend preliminary plat approval to May 12, 2016.

Commissioner Krueger made a **motion** to approve the preliminary plat extension for Saddlehorn II. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**PRELIMINARY PLAT: GLACIER INTERNATIONAL BUSINESS PARK**

**11:03:00 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Deputy County Attorney Tara Fugina, Planner Alex Hogle, Rick Breckenridge, Clerk Kile

Hogle entered into record Staff Report FPP 13-06; an application submitted by Bill Reddig with technical assistance from Montana Mapping, Inc. for a ten-lot commercial light industrial major subdivision in the southwest corner of the intersection of Birch Grove Road and Highway 2. The 29.6 acre site south of the airport wraps around the west and south sides of Jagz Restaurant and fronts Highway 2 and Birch Grove Road. He noted the project was approved in 2008 and preliminary plat expired a couple years ago. The unzoned property is a mixture of open fields and wooded land. All lots would be served by onsite drainfields and a combination of individual and shared wells along with an existing public water system. Hogle further summarized neighboring properties, access to parcels, and groundwater.

General discussion was held relative to setbacks in unzoned areas.

Commissioner Krueger made a **motion** to adopt Staff Report FPP 13-06 along with Findings of Fact. Commissioner Scott **seconded** the motion. Motion carried unanimously.

Commissioner Krueger made a **motion** to approve preliminary plat FPP 13-06; Glacier International Business Park and its conditions as presented. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**Conditions:**

1. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626C. All road names shall appear on the final plat. Street addressing shall be assigned by Flathead County. [Section 4.7.16(g)(iv), 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The applicant shall comply with reasonable fire suppression and access requirements of the Evergreen Fire District. A letter from the fire chief stating that the plat meets the requirements of the fire District shall be submitted with the application for Final Plat. [Section 4.7.26(b), FCSR]

**TUESDAY, MARCH 11, 2014**  
**(Continued)**

3. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved shall be submitted with the final plat. [Section 4.7.25, FCSR]
4. Design and construction of all internal subdivision roads shall be certified by a licensed engineer and constructed and paved as proposed in accordance with the *Flathead County Minimum Standards for Design and Construction*, as applicable. [Sections 4.7.16, 4.7.17 FCSR]
5. With the application for final plat, the applicant shall provide a compliant Road Users' Agreement or CC&R document which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision. [Section 4.7.15(e), FCSR]
6. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.23, FCSR]
7. The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed and approved as applicable by the Flathead City-County Health Department, and approved by the Montana Department of Environmental Quality. [Section 4.7.12, 4.7.20, 4.7.21 FCSR]
8. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for final plat. [Section 4.7.28, FCSR]
9. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.22, FCSR]
10. The following statements shall be placed on the face of the final plat applicable to all lots:
  - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c), FCSR]
  - b. All utilities shall be placed underground. [Section 4.7.23, FCSR]
  - c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
  - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR]
  - e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25, FCSR]
11. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i), M.C.A.]
12. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
13. All road names shall be approved by Flathead County and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c), FCSR]
14. Where the aggregate total disturbed area of any infrastructure construction in the proposed subdivision as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction of structures such disturbed area will be equal to, or greater than one acre, a Montana State Department of Environmental Quality (DEQ) General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) shall be obtained prior to any site disturbance or construction and a copy of the DEQ confirmation letter shall be provided to the Flathead County Planning & Zoning office prior to final plat approval. [17.30.1115 Administrative Rules of Montana (A.R.M.)]
15. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.0.16, FCSR]
16. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.1.13, FCSR]
17. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]
18. Bicycle/pedestrian path easements of compliant width (15-feet) shall be shown on the face of the final plat along the subdivision boundaries where they abut Birch Grove Road and US Highway 2. [Section 4.7.19 FCSR]
19. The proposed alleys serving Lots 7-10 shall be constructed with a minimum 16-foot paved driving surface, and the central alley intersection shall be designed and constructed as either a compliant 4-way intersection or a one-way round-about traffic circulation feature. [Sections 4.7.17 , 4.7.18 FCSR]
20. Tarmac Loop shall be equipped with either a gate or chain at the intersection of D&J Lane so the road is accessible for maintenance purposes but is not used regularly for unintended commercial traffic. [Sections 4.7.15, 4.7.16 FCSR]
21. Appropriate utility easements a minimum of 10-feet in width should be established and shown on the face of the final plat for waterlines associated with proposed shared wells between Lots 4-5, Lots 9-10 and for the public water system waterline extending to Lot 1 from the 'Residential Buffer/Greenspace' common area. [Section 4.7.23 FCSR]
22. Prior to final plat the Road User's Agreement for the subdivision shall be amended to correctly include the appurtenant road name(s) to be formally established in the subdivision as approved pursuant to Flathead County Resolution 1626C and shown on the face of the final plat.
23. The proposed water supply and onsite cistern for fire suppression shall meet the applicable requirements of the Evergreen Fire District. A letter from the fire chief stating that the cistern and its water supply meet the requirements of the fire District shall be submitted with the application for Final Plat. [Section 4.7.26(b), FCSR]
24. Prior to final plat approval the applicant shall provide evidence that all applicable water right requirements of the Department of Natural Resources Water Resources Division have been met.[Section 4.7.20 FCSR]

**TUESDAY, MARCH 11, 2014  
(Continued)**

25. Appropriate traffic control signs required at the intersections of the internal roads shall be installed in accordance with the standards outlined in the Flathead County *Minimum Standards for Design and Construction*, as applicable to ensure safe and efficient traffic flow to, from, and within the proposed subdivision. [Sections 4.7.16, 4.7.17 FCSR]
26. The applicant shall show proof of a completed approach permit from the Flathead County Road and Bridge Department for the approach of the proposed internal subdivision road system onto US Highway 2 indicating the approach has been built and received final inspection and final approval. [Section 4.7.16, FCSR]
27. The applicant shall show proof of a completed approach permit from the Montana Department of Transportation for the approach of the proposed internal subdivision road system onto Birch Grove Road indicating the approach has been built and received final inspection and final approval. [Section 4.7.16, FCSR]
28. The following statement shall appear on the face of the final plat:
  - f. All lots within Glacier International Business Park Subdivision may be subject to seasonally fluctuating high ground water. Construction of features such as basements, crawlspaces, and subterranean parking garages on any Lot is not advised.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 12, 2014.

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**WEDNESDAY, MARCH 12, 2014**

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson 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 March 13, 2014.

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**THURSDAY, MARCH 13, 2014**

[Audiofile](#)

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

Chairperson Holmquist led the Pledge of Allegiance.

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

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

**9:00:00 AM**

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

Grieve summarized staff's workload; reviewed code compliance issues and progress made with violations; spoke about fee revenue and budget statistics; vacancies for a Planner I position and a Water Resource Planner. Other items reported on included pending work on their fiscal year 2014 work plan; concluding and wrapping up the study that constituted the Evergreen Enterprise overlay; possible upcoming work pertaining to jurisdiction in the Whitefish doughnut area; work related to the EA for Intermountain Providence Home; spoke about zoning regulations regarding placement of political signs; spoke about research regarding Kalispell City Airport Zoning and an interlocal agreement with the City of Kalispell granting them the ability to adopt a zoning district around the Kalispell City Airport which is applicable to county properties; reported the Army Corp of Engineers is conducting an analysis of the risk level adjacent to existing levees on the PL84-99 program.

**MEET & GREET W/ JEFF MOW, GLACIER NATIONAL PARK SUPERINTENDENT**

**9:30:00 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Glacier National Park Superintendent Jeff Mow, Glacier National Park Public Affairs Manager Denise Germann, Clerk Kile

After introductions were held, Jeff Mow, Glacier National Park Superintendent gave details of his past job history with the park service, and then cited examples whereby the county and park could work together.

General discussion was held relative to lack of funding to maintain the North Fork Road and use of the road by many going into Glacier National Park. Commissioner Krueger pointed out there is a need to explore ways and means to maintain the road in the future.



**THURSDAY, MARCH 13, 2014  
(Continued)**

**MONTHLY MEETING W/ TAMMY SKRAMOVSKY, HUMAN RESOURCE OFFICE**

**10:15:00 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Human Resource Director Tammy Skramovsky, Clerk Kile

Skramovsky summarized January and February workload indicators and personnel transactions listed below.

<u>JANUARY</u>	<u>FEBRUARY</u>	<u>WORK INDICATORS</u>
8	4	job postings closed
204	65	applications received
7	1	UI claims responses submitted
10	7	employment verifications completed
1	2	ADA accommodation meetings
2	0	Investigations conducted consisting of:
7	0	interviews
0	1	Disciplinary Hearings conducted
<u>JANUARY</u>	<u>FEBRUARY</u>	<u>PERSONNEL TRANSACTION LIST:</u>
5	2	Flathead County employment terminations
0	0	FECC employment terminations
5	2	exit meetings conducted
5	2	formal exit interview conducted
2	4	Flathead County new hires
0	0	FECC new hires
2	4	new hire orientation sessions conducted
0	1	1 benefits review session for 2 returning seasonal employees

Commissioner Krueger made a **motion** to approve the personnel transactions as presented. Commissioner Scott **seconded** the motion. Motion carried unanimously.

In other business, she reviewed training sessions held and attended; summarized work comp claim statistics; reviewed employee accident indicators; reported the health insurance trust fund balance is at \$5.5 million; spoke about upcoming union contract negotiation sessions; reported results of the salary survey are posted on open county; spoke about the Healthy Incentive Wellness Program changes.

**CONSIDERATION OF H.R. TRANSMITTALS: CHANGE PT LPN TO FT RN/ HEALTH DEPARTMENT; CHANGE SEASONAL LABORER TO SEASONAL TRUCK DRIVER/ ROAD DEPARTMENT; INCREASE FTE COMMUNITY HEALTH NURSE, HEALTH DEPARTMENT; INCREASE FTE GENERAL PARKS & REC WORKER; REQUEST TO EXTEND USE OF EXCESS VACATION/ HEALTH DEPARTMENT**

**10:30:50 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Human Resource Director Tammy Skramovsky, Clerk Kile

Skramovsky reviewed the following H. R. Transmittals.

**Health Department/ LPN to RN position:** The request is to change 2 part time LPN positions to 1 full time RN position.

Commissioner Krueger made a **motion** to approve the H. R. Transmittal/ LPN to RN. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**Road Department/ Laborer to a Truck Driver:** The request is to change a current seasonal Laborer position to a seasonal Truck Driver position.

Commissioner Scott made a **motion** to approve the H. R. Transmittal/ seasonal Laborer position to a seasonal Truck Driver as stated. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

**Community Health Nurse /Addition of a new position:** The request is to increase the current FTE from .60 to 1.0.

Commissioner Scott made a **motion** to approve addition of a new position. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

**Park & Recreation/ Delete General Parks & Rec. Worker:** The request is to delete a vacant seasonal Building Maintenance/ Weed worker position, and add those hours to a General Parks & Rec. worker position.

Commissioner Krueger made a **motion** to approve the H. R. Transmittal. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**Health Administration/ Extend excess vacation:** Due to a staff shortage in the Administrative Office an employee vacation request was denied. Per MCA 2-18-617 (1)(b) allows excess vacation to be extended.

Commissioner Scott made a **motion** to approve the H. R. Transmittal extension. Chairman Holmquist **seconded** the motion.

General discussion was held relative to the employee losing their vacation time.

Skramovsky further reviewed the request from the employee who had to use their vacation before March 31, 2014. She pointed out the department head denied the vacation request due to staffing shortages in the department; if the department head denies the vacation request then the excess vacation leave can be extended to the end of the calendar year instead of being forfeited.

Commissioner Krueger said normally he would agree with the department head, however in this situation the vacation wasn't used due to lack of an employee that could cover for that person.

**Aye-** Holmquist and Kruger. **Nay –** Scott. Motioned carried by quorum.



**THURSDAY, MARCH 13, 2014**  
**(Continued)**

**DOCUMENTS FOR SIGNATURE: INSURANCE RENEWAL APPLICATIONS/ MACO JPIA LIABILITY; TRAVELERS GOVERNMENT ENTITY CRIME COVERAGE; CHARTIS CYBER COVERAGE**

**10:43:01 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Human Resource Director Tammy Skramovsky, Clerk Kile

Commissioner Krueger made a **motion** to approve the renewal applications. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**CONSIDERATION OF EDUCATIONAL ASSISTANCE REQUEST: PROJECT COORDINATOR, FORENSIC I**

**10:43:37 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Human Resource Director Tammy Skramovsky, Clerk Kile

Commissioner Krueger made a **motion** to approve the educational assistance request. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**COS REVIEW: OWENS**

**10:45:11 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Erik Mack, Rick Breckenridge, John Owens, Clerk Kile

Grieve reported Rick Breckenridge with Montana Mapping submitted a letter of appeal on behalf of the property owner, John Owens who wants to use the family transfer exemption per MCA 76-3-207 (1)(b) in order to divide the existing 16.79 acre parcel into the following:

- Parcel 1            5 acres to be transferred to A. Grundstrom, father
- Parcel 2            6.79 acres to be transferred to John M. Owens Jr., son
- Remainder        5 acres to be retained by John M. Owens, owner

Grieve reviewed the ownership chain of title for the property.

Commissioner Scott made a **motion** to approve the COS. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #14-07-6-11-018-0 AMENDMENT #1**

**10:49:27 AM**

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

Commissioner Krueger made a **motion** to approve the document for signature/ DPHHS Contract #14-07-6-11-018-0 Amendment #1. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**AUTHORIZATION TO PUBLISH CALL FOR BIDS: GRAVEL CRUSHING AT BUSCH PIT, MARION/ ROAD DEPARTMENT**

**10:50:18 AM**

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

Commissioner Krueger made a **motion** to authorize publication of the call for bids/ gravel crushing. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**CALL FOR BIDS**

Notice is hereby given that sealed bids for the crushing and stockpiling of gravel at Flathead County's Busch gravel pit, in Marion, MT, will be received by the County Board of Commissioners of Flathead County, Montana.

The work contemplated consists of crushing and stockpiling the following:

**BASE BID**  
**1" MINUS CRUSHED GRAVEL**

Approximately 40,000 tons of 1" inch minus crushed gravel at the Busch Pit in Marion, MT. Flathead County has budgeted \$200,000 for this material and reserves the right to increase or decrease quantities to meet the budget. Crushed material to meet specifications below.

**PERCENTAGE BY WEIGHT PASSING SQUARE MESH SIEVES**

<u>Sieve Size</u>	<u>Job Mix Target Bands</u>
1"	100 %
3/4"	80-95%
1/2"	60-80 %
No. 4	50-70 %
No. 8	37-60 %
No. 40	13-35 %
No. 200	4-18 %

The above gradation bands represent the job mix target limits, which determine the suitability of aggregate for use. The final job mix target gradation must be within the specified bands and uniformly graded from course to fine and not vary from the low limits on one screen to the high limit on the adjacent screen, or vice versa.

Not less than 60% of coarse aggregate particles by weight shall have at least two mechanically fractured faces (ASTM D5821).

**THURSDAY, MARCH 13, 2014**  
**(Continued)**

Contractor performs sieve analysis (AASHTO T27 and T11) and, if necessary, liquid limit (AASHTO T89 Method A & T87), and plasticity index (AASHTO T90) every 1,500 tons.

Actual amounts to be crushed shall be determined based upon quantity and unit prices. Crushed material quantity will be paid for by determining a rodded unit weight (ASTM C29) for product(s) and accompanying owner survey(s) to determine pile volume. All material up to 4 feet shall be crushed; any material over 4 feet will be considered oversize. Material and pit area may be viewed by making an appointment with the Road Department. The exact location of material to crush and of the stockpile will be designated by the Flathead County Road Department at the time of crushing. Contact the Flathead County Road Department if there are any questions or to set up a time to view the crushing site.

Bid proposals must be submitted on a form to be provided for the purpose, addressed to the Board of County Commissioners, Flathead County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, and enclosed in an envelope marked, "Proposal for Crushing and Stockpiling Gravel."

No proposal will be considered unless accompanied by a proposal security in the amount of ten percent (10%) of his bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase and sale of said materials. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

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

Specifications, forms of contract, proposal blanks, and full instructions are on file and may be obtained at the Clerk and Recorder's office in the Courthouse at 800 South Main, Kalispell, MT 59901.

Time is of the essence. Liquidated damages in the amount of \$100 per day shall be due in the event that the contractor fails to complete the contract within sixty (60) days. This allows thirty (30) days for the contractor to file a public notice of moving and the State change of location notice. Extenuating circumstances will be considered by the County Commissioners for extension of the contract date.

The successful bidder must contract to pay prevailing wage rates set by the Montana Department of Labor and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Employment Relations Division of the Montana Department of Labor and Industry in the proper classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or county that enforces a preference for resident bidders equal to the preference given in the other state or county. The successful bidder will also be required to provide proof of Workers' Compensation insurance and/or an independent contractor certification from the State as well as satisfy the County's minimum insurance requirements.

All sealed bids, plainly marked as such, must be in the hands of the County Clerk and Recorder, 800 South Main, Room 302, Kalispell, MT 59901, on or before **10:30 a.m. on March 31, 2014**. Bids will be opened and read immediately thereafter in the Commissioner's Chambers.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13<sup>th</sup> day of March, 2014.

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 March 18 and March 25, 2014.

**CONSIDERATION OF PRINTING BIDS: ELECTION DEPARTMENT**

**10:50:49 AM**

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Recording & Election Manager Monica Eisenzimer, Clerk Kile

Chairman Holmquist read into the record the recommendation is to award the bid to Executive Services for various election envelopes and instruction sheets for \$4,504.

Commissioner Krueger made a **motion** to approve the print bid for the Election Department. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #14221030009/ AOA**

**10:51:48 AM**

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

Commissioner Krueger made a **motion** to approve DPHHS Contract #14221030009/ AOA. Commissioner Scott **seconded** the motion. Motion carried unanimously.

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

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 14, 2014.

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**FRIDAY, MARCH 14, 2014**

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairperson 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 17, 2014.

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