

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

MONDAY, MAY 19, 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.

OPEN BIDS: ANIMAL SHELTER CAT ADDITION

9:00:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, John Peterson, Roy Beckman, Josh Giffin, Clerk Kile

Bids were received with bid bonds enclosed from:

Camas Creek Contracting	\$138,500.00
Outback Construction	\$130,000.00
Meredith Construction Company	\$153,000.00

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

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

9:03:00 AM

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

Chairperson Holmquist read into the record the list of acclamations and appointments to the following fire districts and BLUAC:

- | | |
|---------------------------------------|---|
| • Bad Rock Rural Fire District | Mike Crimmins, Carol Daly |
| • Big Mountain Rural Fire District | Steve Snellen, Paul Okerberg |
| • Bigfork Rural Fire District | Robert Borges |
| • Blankenship Rural Fire District | Ed Smith, Jim Swab, Neil Baumann |
| • Columbia Falls Rural Fire District | Mike Chapin |
| • Creston Rural Fire District | Greg Phillips, Tom Arnone |
| • Evergreen Rural Fire District | Shawn Baker |
| • Marion Rural Fire District | Vargie Williams, Susan Gero |
| • Martin City Rural Fire District | Ron Rabiue, Donna Meskimen |
| • Olney Rural Fire District | Norma McBroom |
| • Somers Rural Fire District | Fran VanRinsum, Dan Vachal |
| • South Kalispell Rural Fire District | Gordon Sheldon |
| • West Valley Rural Fire District | Kurt Carda |
| • BLUAC | James Bonser, John Bourquin, Al Johnson |

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

Chairperson Holmquist read into the record those elected to the following fire districts and Lakeside Community Council:

- | | |
|------------------------------------|----------------------------|
| • Coram/ West Glacier Rural Fire | Matthew Cox |
| • Smith Valley Rural Fire District | David Roberts, Bryan Block |
| • Lakeside Community Council | Colby Lenz, Warren David |

Commissioner Scott made a **motion** to approve the elected candidates to Coram/West Glacier Rural Fire District, Smith Valley Rural Fire District and Lakeside Community Council. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

MONTHLY MEETING W/ MARK CAMPBELL, FAIRGROUNDS

9:15:00 AM

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

Campbell summarized the following monthly report with the commission.

FLATHEAD COUNTY FAIRGROUNDS

Current Projects

- Grandstand Renovation Project – Outback Construction started working the week of May 5. Roofing and fixtures (lights, PA, etc.) are being removed. Electrical has begun. Timeline for project completion is approximately June 30.
- Fairgrounds infrastructure – 6 companies attended the pre-bid walkthrough. Anticipated construction timeline of June 1 – July 31 and if necessary, completion following the fair.
- Planted four beds of hops at end of CFK and north bleachers. These are plants from a test plot and will provide education/landscaping in that area.
- Cleared paddock area allowing for contractor storage and expanded customer space during fair events.

**MONDAY, MAY 19, 2014
(Continued)**

NW Montana Fair & Rodeo

- Grandstand tickets, camping spaces and advanced sale items began May 1. Current sales show a slight increase from previous years.
- Focusing on sponsorships, promotions, and marketing opportunities for June –August.
- Starting work on minor improvements requested by department superintendents such as outlets, ventilation, shelving and layouts.
- Livestock and barn set-ups begin as space is available.

Upcoming Events & Activities

- May 19, Sheep weigh-in
- May 31, Vance Crash Spring Rodeo
- June 3, Election Day
- June 17 – 18, Eagle Transit Driver Training
- June 21 – 22, Jurassic Quest
- June 21 – 22, Mega Promotions Monster Trucks
- July 3, Three River Bank
- July 3 – 6, Mini Horse Show
- July 5, Shrine Circus
- July 10, Rocky Mtn. Elk Foundation Sponsor Dinner
- July 19, Class of '74 Reunion
- July 19, Agape' Livestock Training Seminar
- July 25 – 27, Up in Arms Gun Show

CONSIDERATION OF FY14-15 CIP TRANSFER AMENDMENT, FAIRGROUNDS

9:28:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fairground Operations Manager Mark Campbell, Finance Technician Tamara Helmstetler, Clerk Kile

Commissioner Krueger made a **motion** to approve the CIP transfer amendment of \$199,377. Commissioner Scott **seconded** the motion. Motion carried unanimously.

MONTHLY MEETING W/ LISA SHEPPARD, AOA

9:30:00 AM

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

Sheppard reviewed the following monthly report with the commission.

Below are two tables, one for performance measures and one for workload indicators, showing FY 2013 actuals, FY 2014 targets, March-April 2014 totals and fiscal year-to-date totals. Some information is not yet available and will be reported in future months. Additional detail may be reported in the program sections below. Numbers highlighted in yellow have been revised since the last report.

The general target is 83.33%, keeping in mind that some numbers will be unevenly distributed throughout the year.

MEASURE	FY 2013 Actuals	FY 2014 Target	March-April 2014	Total Last Report	Total/Avg. to Date	% Target
# Receiving Independent Living Services	317	350	42	253	295	84%
# Receiving Meals on Wheels	349	373	54	352	406	109%
# of Seniors Receiving Congregate Meals	817	832	77	737	814	98%
# of Eagle Transit Dial-A-Ride Customers	368	470	44	636	680	145%
# of RSVP Volunteer Hours	40,468	32,000	3573	33,249	36,822	115%
# of Public Outreach/Education/Media Efforts	35	48	11	53	64	135%
% of Ind. Liv. Recipients/Intake at Moderate to High Risk of Institutionalization	N/A	70%	not yet available	84%	84%	120%
Per Meal Cost of Nutrition Services	\$6.08	\$6.00	\$5.86	\$5.91	\$5.91	99%
% of Annual Survey Respondents Who Indicate Overall Satisfaction with AOA Services	N/A	90%	N/A	N/A	N/A	N/A
Maximum # of Public Complaints About Transportation Services (5 per month, no more than 60 annually)	N/A	60	2	15	17	28%

WORKLOAD INDICATOR	FY 2013 Actuals	FY 2014 Target	March-April 2014	Total Last Report	Total/Avg. to Date	% Target
Nutrition						
Meals Served	76,893	78,000	15,399	55,389	70,788	91%
# Nutritional Assessments Conducted	not available	560	not yet available	300	300	54%
Transportation - March only						
Total Ride Count	93,833	96,000	8,405	60,634	69,039	72%
Dial-A-Ride Count	34,083	40,320	not yet available	20,331	20,331	50%
City, Commuter and Other Ride Count	59,750	55,680	not yet available	40,351	40,351	72%
Information and Referral - March only						
Outreach, Info and Referral Contacts	15,896	16,300	1,404	12,334	13,738	84%
Independent Living						
Homemaker Units of Service	3,318	3,780	510	2,042	2,552	68%
Escorted Transportation Units of Service	1,845	1,768	458	1,337	1,795	102%
Respite Units of Service	2,742	2,932	341	1,534	1,875	64%
Community Support Units of Service	N/A	N/A	123	229	352	N/A
Medicare/Insur. Counseling Units of Service – March only	1,793	1,300	129	1438	1,567	121%
RSVP						
Volunteers Recruited/Enrolled	493	500	8	488	496	99%
Volunteer Work Stations Developed and Maintained	59	60	4	83	87	145%
RSVP Newsletters Produced and Distributed	4	6	2	4	5	83%

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(Continued)

AOA Administration

Budget

- FY 2014: Admin staff are in the process of revising the FY 14 DPHHS contract budget based on recent instruction from DPHHS regarding additional funding and other changes in allocations; final revisions to AOA's FY 14 county budget will be made accordingly at a later date
- FY 2015: County Administrative budget review held on 4/14 and Commissioner review on 5/13/14. FY 2015 DPHHS contract budgets are due at the end of May.
- We are requesting Commissioner approval to purchase a new vehicle before the beginning of the new fiscal year. We are short one vehicle and are having difficulty meeting staff needs for transportation on county business. The money is available in CIP and Finance has okayed the purchase pending commissioner approval.

State/Legislative Issues

- M4A: Along with two other Area Agency directors, Lisa met with DPHHS Director Richard Opper and other senior DPHHS staff to discuss aging services funding needs and priorities for the upcoming legislative session in January 2015.
- Lisa Sheppard, AOA Director, and J.R. Isles, Nutrition Manager, participated in a community forum meeting on 3/21/14 to discuss challenges and legislative priorities related to long term care.
- Area Plan: We have begun to gather information for the next Area Plan, which will cover October 2015-September 2019. As part of the process, we are working with a volunteer consultant to help us develop and implement program specific surveys and interviews.

Building

- **New building:** Lisa has been participating in discussions with county administration regarding the south campus option.
- **Kelly Road:** Pat McCarthy from PayneWest Insurance performed an annual walk-through of the building in January and submitted a report in February addressing progress and continuing challenges regarding safety and functional issues since his review in February of 2013.

Advisory Council

- The AOA Advisory Council met on 4/10/2014. There was no Finance Committee meeting held in April. The meetings were canceled for May due to staff and council member participation in the Governor's Conference on Aging, May 6-7 in Kalispell.
- The primary topic discussed at the April meeting was the status of preparation for the Governor's Conference and final steps needed leading up to the event.

Governor's Conference on Aging – May 6-7, 2014 in Kalispell at the Red Lion Hotel

- Updated AOA web page on County website with Governor's Conference information – thanks IT!
- The conference was a huge success!
 - There were approximately 280 people in attendance on day one and 230 on day two. Final numbers will be available in the June report.
 - Governor Steve Bullock honored 14 local centenarians at the luncheon on day one.
 - On day two, AOA honored four individuals who have contributed to the agency's mission and who embody the theme of "Inspired Aging": Commissioner Cal Scott; Diane Queen Miller, producer of KGEZ's morning show; Millie Nielsen, long-time RSVP volunteer; and Polly Nikolaisen, senior advocate and former AOA Director.
 - More than 25 vendors participated in the onsite resource fair.
 - The conference was made possible by the financial support of the many sponsors, vendors and advertisers. Major sponsors included: Kalispell Regional Healthcare, North Valley Hospital, Immanuel Lutheran Communities and Conservator Corporation of Montana.
 - Written evaluations collected by DPHHS were all very positive.

Outreach/Education/Media - Increased outreach is a goal in our Area Plan on Aging (Oct. 2011- Sept. 2015)

- On 3/31/14, Lisa was a featured speaker on the KGEZ morning show. Lisa is scheduled for a regular spot on the morning show the first Monday of every month at 7:20.
- On 4/4/14, Lisa spoke about the Governor's Conference and other happenings at AOA at the Columbia Falls potluck lunch.
- The March and April editions of the Whitefish Community Center newsletter, The Golden Gazette, featured articles on the Governor's conference.
- April/May issue of Montana Senior News:
 - Article on Governor's conference
 - Ad for AOA services
 - Ad for Eagle Transit
- RSVP:
 - In February, staff briefly presented on RSVP at a veteran's Training course at FVCC (approximately 50 in attendance)
 - Staff presented at ASSIST training in March (approximately 7 in attendance)
 - On 3/18/14, advisory board member Jerry O'Brien was featured on KGEZ talking about RSVP and the benefits of being a member
 - Staff participated in the United Way Share Fare at Kalispell Center Mall on 4/5/14

Eagle Transit

- The annual United Way application was submitted in March and a presentation was made to the Citizens' Review Board on May 14, 2014. We requested \$10,000 to assist with match funding for a new bus.
- The Eagle Transit Advisory Committee (TAC) met on 4/3/14. Topics included the United Way application, Title VI requirements, FY 14 and FY 15 budgets, the maintenance plan, RouteMatch issues and a review of the draft of proposed bylaw changes.
 - Lisa submitted the proposed bylaw changes to Tara Fugina in the County Attorney's office and has revised them based on her recommendations. The new version has been emailed to TAC members for review. The Committee did not meet in May because of the Governor's Conference and so will approve final recommendations at the meeting on June 5, 2014, which will then be sent to the Commissioners for action.
 - Guest speaker at the June meeting will be Jim Foster, Chief of Facilities Management at Glacier National Park.
- We have finalized plans to use the additional \$27,000 in New Freedom funds to expand service hours in Whitefish and Columbia Falls starting in mid-June. The Montana Department of Transportation (MDT) has approved carry-over of the unspent funds into FY 15.
- We completed and submitted the 3rd quarter report to MDT at the end of April.
- Lisa and Transportation Manager Jim Boyd met with MDT staff on 4/30 to discuss continuing problems with RouteMatch. They will assist us to get the issues resolved.

Nutrition

- Educational materials and the "Senior Scoop" are sent out monthly to all Meals on Wheels and nutrition sites (approximately 300 recipients). Recent topics include: how to avoid scams aimed at seniors, guidelines for protein intake, and nutrient rich snack foods. We also distributed voter registration applications the first week of May.
- The Nutrition Committee met on 3/18/14. Main topic of discussion was the increase in MOW requests, especially in Olney and Hungry Horse/Coram, and exploring options to obtain more fresh produce.
- Staff sent out annual nutrition survey. Results available in June report.
- Staff participated in training on low sodium diets, and J.R and baker Stephanie Leite attended a food show in Spokane in April.

I & R/Assistance

- AOA staff has updated client information in the new database that did not export from the old system. We are now working with IT to complete the needed reports.
- We have hired a new Community Outreach Coordinator. Welcome Christine Neater!
- Our current contractor for Independent Living services does not plan to renew their contract with us for FY 15, so we are in the process of transitioning to three new providers and are taking the opportunity to make some changes in how we implement these services. This is a time intensive effort and will be a major focus for staff over the next month.
- The Lifeside Farm (previously Care Farm) and Pickleball were highlighted at the Governor's Conference.

RSVP

- The annual United Way application was submitted in March and a presentation to the Citizens' Review Board was made on 5/14/14. We have requested \$10,000 to help with volunteer recognition and to meet match requirements.
- RSVP grant and financial reports for the last quarter have been submitted.
- All funds for the grant period ending March 31, 2014 have been requested and received.
- The RSVP Advisory Board met on 3/19/14 and 4/16/14.
- A volunteer opportunities notice was distributed to 300 people in March and the RSVP newsletter went out 4/1/14.
- Staff are participating in the Hunger Group (formerly called the New Group), the Flathead Valley Homeless Youth group and the Veterans' Service Provider Group with a focus on how to incorporate RSVP volunteers into the ongoing efforts to address these community issues.
- The Winter Ready Program and Cribbage were highlighted at the Governor's Conference.

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Senior Mobile Home Repair

- Advisory Board meetings were held 4/8/14 and 5/13/14.
- 1 project was completed in April.
- 10 projects are in progress.
- Funding:
 - \$1500 was awarded from Flathead Electric/Roundup for Safety.
 - The Kalispell Rotary has been awarded a \$2500 district grant to benefit the program, which when combined with matching funds from the club will total \$5000.
- The program was highlighted at the Governor's Conference.

Senior Centers - A primary AOA focus is outreach to area Senior Centers to build relationships, extend support, and explore new opportunities for partnership.

- Whitefish: The Whitefish Summer Solstice Bluegrass Bash fundraiser will be held on Saturday June 21st at the Community Center. Tickets are on sale now. Adults \$20 and children \$10. The Center has "embarked" on an effort to get seniors engaged in the community called "Out and About Tours". The next one will be this week, 5/21 to Applied Materials. Innovative efforts at the Center were highlighted in the Governor's Conference materials.
- Kalispell: Office Manager Khit Harding has a regular spot on KGEZ. The house is now ready for rent. The Center hosted a "Business Partner and Volunteer Helpers" award dinner on April 26th. The next general meeting and potluck is 5/29/14 at 5:00 pm.
- Columbia Falls: The 3/21 pancake supper to help raise funds for a new freezer was a big success. The Center has a noon potluck the first Friday of every month.

OPEN BIDS: FAIRGROUNDS INFRASTRUCTURE PHASE I

10:00:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fairground Operations Manager Mark Campbell, Tom Cowan, Chuck Pisk, Mitchell Hill, Bill Johnson, Kevin Malloy, David Steely, Clerk Kile

Bids received with bid bonds enclosed from:

LHC, Inc.	\$324,505.89
Sundry Construction	\$409,331.00
Paveco, LLC	\$374,296.50

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

DOCUMENT FOR SIGNATURE: APPLICATION FOR APPROVAL OF FIRING RANGE/ MILLS

10:00:00 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 approve the document for signature. Commissioner Scott **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #14-07-5-01-088-0

10:03:00 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 approve DPHHS Contract #14-07-5-01-088-0. Commissioner Scott **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: CUSTOMER BUSINESS ASSOCIATE AGREEMENT/ CIGNA HEALTH & LIFE INSURANCE COMPANY

10:04:00 AM

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

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

CONSIDERATION OF AND DOCUMENT FOR SIGNATURE: MDOT ENCROACHMENT APPLICATION & PERMIT/ VEHICLE SPEED FEEDBACK SIGNS NORTH AND SOUTH OF SOMERS ON HIGHWAY 93

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, Public Works Director Dave Prunty, James Freyholtz, Ron Hopkins, Kay Hopkins, Clerk Kile

Prunty reported the SLOW (Saving Lives on the Westshore) project was initiated by west shore citizens who have raised funding for automatic feedback indicator signs in Somers on Highway 93. He noted MDT now requires the encroachment permit to come from the local government. Prunty pointed out that maintenance would not come from the county and that it would be up to the group to maintain the signs which are solar powered and anticipated to have a five year lifetime.

Commissioner Krueger pointed out he feels the fake cop cars in Somers and Lakeside are already a distraction to drivers.

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

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(Continued)

AUTHORIZE DAVE PRUNTY TO TERMINATE LEASE FOR ESSEX CONTAINER SITE

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, Public Works Director Dave Prunty, Clerk Kile

Commissioner Krueger made a **motion** to authorize Dave Prunty as signatory to terminate the lease at the Essex Container Site. Commissioner Scott **seconded** the motion. Motion carried unanimously.

11:30 a.m. Canvass Rural Fire Districts and Lakeside Community Council Elections

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 20, 2014.

TUESDAY, MAY 20, 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 May 21, 2014.

WEDNESDAY, MAY 21, 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.

SALARY COMPENSATION BOARD MEETING RE: FY 14-15 COLA

3:00:00 AM

Compensation Board Members Present: Commissioner Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, County Attorney Ed Corrigan, Sheriff Chuck Curry, Treasurer Adele Krantz, Clerk of Court Peg Allison, Taxpayer Member Anita Hoyer

Compensation Board Member Absent: Cathy Muri

Others Present: Assistant Mike Pence, H. R. Director Tammy Skramovsky, Finance Technician Amy Dexter, Deputy County Attorney Tara Fugina, Deputy County Attorney David Randall, Clerk Kile

Skramovsky noted she provided them each with a spreadsheet prepared by the Finance Department to show what elected officials salaries are currently, adjustment to their wages and a COLA of 1.5 percent.

The Compensation Board held general discussion in regards to making a recommendation to the commission for a 1.5 percent COLA for county employees and elected officials.

Sheriff Curry made a **motion** to recommend a 1.5% COLA increase. The motion was **seconded** by Clerk of Court Peg Allison. **Aye** – Holmquist, Scott, Corrigan, Curry, Krantz, Allison, Hoyer. Motion carried by quorum.

For the record Chairman Holmquist and Commissioner Scott voted in favor of a 1.5 percent COLA.

9:15 a.m. Commissioner Krueger: RSVP Board meeting @ Heritage Place
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 22, 2014.

THURSDAY, MAY 22, 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.

Present for public comment: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Lee Wight, Florence Wight, Clerk Kile

THURSDAY, MAY 22, 2014
(Continued)

Lee Wight, 188 Beach Road stated he is a property owner next to the Pearson property which is on the agenda today for a lakeshore variance. He asked if when a major variance permit is issued in the Lakeshore Protection Zone if that would circumvent all of the rules of the Lakeshore Regulations.

Chairperson Holmquist pointed out that during the public comment period the commission is there to listen to public comments. She directed Mr. Wight to talk to the Planning & Zoning Director for an answer to his question.

Wight said he has asked the question before yet hasn't gotten an answer. He explained the major variance that was granted for the original Pearson property was a disaster as far as the regulations were concerned. He stated the regulations say no pit run gravel will be put in the lake bottom and they put in several thousand cubic yards. Wight spoke about baffles on both slips; Blackwood property and Pearson property, and concerns about Pearson's road.

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

CONSIDERATION OF SUIT FOR DELINQUENT PRIVILEGE TAX: MCALLISTER ENTERPRISES, INC.

9:30:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Plat Room Sheena Sterling, Plat Room Karen Yerian, Treasurer's Office Sue Wagner, Clerk Kile

Sterling reported McAllister Enterprises has a privilege tax that is delinquent and it would be up to the commission to decide if they want to file a judgment against McAllister Enterprise, Inc. for the delinquent privilege tax with District Court.

Commissioner Krueger made a **motion** to file a warrant with District Court for delinquent privilege tax/ McAllister Enterprises, Inc. Commissioner Scott **seconded** the motion. Motion carried unanimously.

Noted for the record: A privilege tax is a tax placed on industrial, trade, or other business use of tax-exempt property.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: 2014 CRACK SEAL PROJECT/ ROAD DEPARTMENT

9:31:00 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

Commissioner Krueger made a **motion** to authorize publication of Call for Bids/ 2014 Crack Seal Project. Commissioner Scott **seconded** the motion. Motion carried unanimously.

INVITATION TO BID

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive sealed bids for:

2014 Crack Seal Project

All sealed bids, **plainly marked "SEALED BID – 2014 CRACK SEAL PROJECT"** must be in the hands of the County Clerk and Recorder, 800 South Main, Room 302, Kalispell, MT, 59901, on or before **11:00 a.m., local time, June 10, 2014**. Bids will be **opened and read immediately thereafter**, in the Commissioner's Office at the County Courthouse.

The project consists of placing crack sealing throughout the Flathead County Roadway System.

Various roadways will be receiving crack sealing improvements in Flathead County, and the Contractor should be prepared to mobilize equipment on a daily basis.

All Bids must be in accordance with the Contract Documents on file with the Flathead County Road & Bridge Department, 1249 Willow Glen Drive, Kalispell, Montana, (406) 758-5790.

Copies of the Contract Documents for use in preparing Bids may be obtained from Flathead County Road Department at the address stipulated above upon receipt of a non-refundable deposit of \$50.00 for each set of documents including drawings.

A prebid conference will be held at the office of **Flathead County Road Department**, commencing at **10:00 a.m., June 2, 2014**. Those interested in bidding the project are encouraged to attend this meeting.

Bids will be received on a price basis as described in the Contract Documents. Bid security in the amount of 10 percent of the total Bid must accompany each Bid.

Within 10 calendar days after the Notice of Award, the successful Bidder will be required to furnish a Performance Bond and a Labor and Materials Payment Bond guaranteeing faithful performance and the payment of all bills and obligations arising from the performance of the contract. The bonds will each be equal to 100 percent of the contract amount.

Work at the site is to commence within 10 calendar days after the written Notice to Proceed is issued. Completion of the work is required within **Fourteen (14) consecutive calendar days** following commencement of work and must be completed by July 12, 2014. The project includes liquidated damages that will be assessed as set forth in the Special Provisions per calendar day if the work is not complete within the allotted contract time.

Each bidder will be required to be registered with the State of Montana, Department of Labor and Industry prior to bidding this project. Forms for registration are available from the Department of Labor and Industry, P.O. Box 8011, 1805 Prospect, Helena, Montana 59604-8011. Information on registration can be obtained by calling 1-406-444-7734. All laborers and mechanics employed by Contractor or subcontractor in performance of the construction work shall be paid prevailing wages at rates as may be required by the laws of Flathead (County) and the state of Montana.

Flathead County will withhold a 1% gross receipts tax to be forwarded to the State of Montana.

No Bid may be withdrawn within a period of 60 days after the date for opening bids.

THURSDAY, MAY 22, 2014
(Continued)

Flathead County reserves the right to reject all Bids, to waive informalities, and to reject nonconforming, irregular, non-responsive or conditional Bids.

Flathead County is an Equal Opportunity Employer.

DATED this 22nd day of May, 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 May 27 and June 3, 2014.

DOCUMENTS FOR SIGNATURE: CENTURYLINK CHANGE OF RESPONSIBILITY AND RELEASE AGREEMENTS, ACCOUNT #300050357, #300050358, #300050354/ INFORMATION TECHNOLOGY

9:33:00 AM

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

Saxby reported the three accounts with CenturyLink do not correspond with any county addresses, therefore need to be removed from Flathead County's account.

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

DOCUMENT FOR SIGNATURE: W.E. DUST CONTROL CONTRACT, DUST COST SHARE PROGRAM/ ROAD DEPT.

9:34:00 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

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

CONSIDERATION OF H.R. TRANSMITTALS: JOB OPENINGS – HEALTH PROGRAM ASSISTANT I, LPN, COMMUNITY HEALTH NURSE/ HEALTH CLINIC

9:35:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney Tara Fugina, H. R. Director Tammy Skramovsky, Health Dept. Director Joe Russell, Clerk Kile

Skramovsky reported the Health Program Assistant I and LPN pertain to the new residency program the Health Department is preparing for in anticipation of the program starting.

Commissioner Scott made a **motion** to approve the H. R. Transmittal for a Health Program Assistant I. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

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

Skramovsky noted the H. R. Transmittal for a Community Health Nurse is for a full time and a part time position for the home visiting program.

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

CONSIDERATION OF LAKESHORE PERMIT VARIANCE: PEARSON (ROOKERY, LLC) FLV 14-03

9:45:00 AM

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

Mack reported the variance request for Pearson is in conjunction with a previous permit (FLP 13-38) to install an 'F' shaped dock and a deck within the Lakeshore Protection Zone at 104 Beach Road on Flathead Lake. He noted during a site visit on the previous permit staff discovered the applicant constructed a breakwater baffle board within three feet of the lake bottom; the applicant has now submitted a minor variance request to allow for the breakwater baffle board. Mack summarized five draft Findings of Fact.

- ✓ *The variance is being requested to allow for the breakwater baffle board to be a few inches off the lake bed. According to the applicant there is only three feet of water depth at the end of the dock. The request for the variance is to keep logs from getting wedged under the dock and then tearing it apart when the big waves come with summer storms.*

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Commissioner Scott made a **motion** to approve the variance as stated. He stated for the record that he feels it is important to point out the variance is with regard to the baffle boards only; not any of the other procedures past or potentially in the future that one may have planned for that particular project. It is in keeping with our rules and regulations, and I think it is important for everyone to understand that we have provided rules and regulations with regard to these matters; if someone objects to that and there are violations they can contact the Planning & Zoning Compliance Officer, or if they want to be instrumental in any changes to the regulations they can present to the Planning Board and pursue the due process to do so. However, the county is following its rules and regulations. Again, this is only with regard to the baffle boards and the Findings of Fact support that recommendation.

Commissioner Krueger **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT AMENDMENT: DRIVER SPOON LLC, FLP 14-38A

9:49:00 AM

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

Mack reported the applicant wishes to amend a currently active Lakeshore Construction Permit that included multiple activities; including removing trees, an old dock and fencing at 7205 Highway 93 South in Lakeside/ Volunteer Park. The request is to remove additional aspen trees 14 inches in diameter.

Commissioner Krueger made a **motion** to approve FLP 14-38A. Commissioner Scott **seconded** the motion. Motion carried unanimously.

MEETING W/ SARAH DAKIN RE: GATEWAY TO GLACIER TRAIL

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, Weed/ Parks & Maintenance Director Jed Fisher, Planning & Zoning Director B. J. Grieve, Planner Erik Mack, Public Works Director Dave Prunty, Sarah Dakin, Valerie Parsons, Mary Ruby, Clerk Kile

The Glacier to Gateway Trail group met with the commission regarding a potential FLAP grant they intend to pursue for a bicycle path, which would be constructed approximately three miles in length along Highway 2 East from the Flathead River Bridge east of Columbia Falls north to the existing public access site near the entrance to Bad Rock Canyon. The grant requires a 13 percent match that will be raised by Glacier Trail with fundraisers. A letter of support from the Weed & Parks Board was presented to the commission, and a letter of endorsement from the commission was requested for the FLAP grant and a proposed parking area for those using the trail between Coram and West Glacier.

Parson's spoke about the need for a parking area for those using the trail and said a support letter from Flathead County and Glacier Trail would be needed as partners for maintenance of the parking area.

Chairperson Holmquist said she has supported the endeavor all along, and as long as the trail maintenance is in their hands down the road she would support the grant. She stated she would not be in favor of moving forward with the parking lot proposal with the maintenance requirement.

Commissioner Krueger said he concurred and stated maintenance on trails all over the valley is difficult for the commission as the Road Department is seeing less funds coming to them than they already need to take care of the roads we have. He stated when we make commitments to other things then someone else has to take up the slack in order for us to do maintenance on a trail. Krueger suggested a maintenance district be looked into for maintenance of the parking lot/ pavilion which he would support.

Commissioner Scott said he echoed Commissioner Krueger's comments in thinking of perpetuity; the decisions we make today with regard to our involvement in the county, and our partnerships in the community carry on forever. He stated he supports the FLAP grant, especially since the administration of it would not be carried on by the county and that they have met with MDT who I assume is taking into consideration the two remaining plans for the road improvements with the bridge and the road through Bad Rock Canyon in reviewing the layout for the trail. With regard to the parking lot area he stated he had no real information on it to be able to render an opinion at this point. Esthetically it would be nice, but we need to take a view from all the taxpayers' interest to make sure we are doing this the right way.

TAX REFUND REQUEST: PLUMB

10:20:00 AM

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

Hannah Plumb presented the following letter to the commission which she summarized.

Dear Flathead County Board of Commissioners,

In 2008, a significant error was made in the assessment of the property owned by William Plumb at 755 Northwood's Drive in Whitefish. At the time, assessor Dan Lapan valued this property at \$549,100. Part of that valuation was based on an erroneous response to the question of the property having a view. Mr. Lapan checked that the property did have a view.

When I received the 2008 assessment, the value felt greatly inflated. At that time, the real estate market was in great flux and I assumed the assessor would know the value and so did not further question it.

Two years ago, that same property underwent a remortgaging with Glacier Bank which required a property assessment. During the final phase of that, the loan officer questioned the value assessed by the Montana Department of Revenue Property Assessment Division as it was significantly higher than the appraisal made by their contracted property assessor. Glacier Bank strongly urged me to request a review of the initial assessment, which I did a month later in November of 2012. The response from that request was made by the original assessor, Dan Lapan, and read as follows:

"Adjusted land value from \$430,621 to \$212,095. Adjusted improvement value from \$118,479 to \$106,398. Total value changed from \$549,100 to \$318,493 as of July 1, 2008." (formal review done on 2/22/13)

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While that enormous change in value was reflected in the 2013 taxes, it did not compensate for the earlier five years the property was erroneously valued and ultimately taxed. That taxable value is approximately \$1,000/ year, which adds up to \$5,000 for all those years.

After speaking with Mr. Lapan, he explained that when the property was originally valued in 2008, he wrongly noted it was property and a home with a view. When he came out to the property for the reassessment, he realized that was not the case and adjusted the value accordingly. I later learned that due to the number of homes that must be assessed and the limited number of assessors, often a property value is based, not on the specific home and property, but by other properties in that area. That would explain the error made attaching a view to this property. While I appreciate the limitations of funding and or limited assessors, I do not feel the cost of such an error should fall on the homeowner. As taxpayers, we trust that the taxes we are paying are made correctly and by professionals trained in making such valuations.

I am writing to request a refund for those five years my family over paid property taxes based on the incorrect value of our land and home. Had we tried to sell our property in those five years, it would have become apparent that the value was incorrect and we would have received a significantly lower price for the property than what we were paying based on the county assessment. As we hope to live on this land for many years, the error was discovered by our mortgage company and addressed promptly after that discovery was made.

I have attached a copy of the refund request which has been notarized and signed by my father, the owner, William I Plumb. The notary was made in New Jersey as that is his place of residence. I am the current resident of 755 Northwood's Drive and am writing on behalf of my father and our family property. Also, please find attached a copy of his W-9.

Thank you for your time and consideration of this request. If you have any further questions, I might be able to answer, please do not hesitate to contact me.

Sincerely

Hannah D. Plumb

Commissioner Scott stated he does not have the necessary information to make a decision, and questioned what the mill levy rate was during that five year period.

Chairperson Holmquist said as a member of the commission she has been through this process before, and stated this happens yet it is out of their hands as the DOR assesses property the best way they can. She said I don't think we can set the precedence of saying "no" to one and "yes" to another; it is important that we stick to our guidelines, policies and procedures, which I have always felt about any issue that comes before the commission. So it is my thought today Holmquist stated is that we deny the request as we have done in the past.

Commissioner Krueger said when you receive your assessment you are given an opportunity to contest your assessment and we need to follow the policy in place.

Commissioner Krueger made a **motion** to deny the tax refund request. Chairperson Holmquist **seconded** the motion. **Aye** – Holmquist and Krueger. **Abstained** – Scott. Motion carried by quorum.

TAX REFUND REQUEST: CARR

10:28:00 AM

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

Commissioner Krueger made a **motion** to deny the tax refund request/ Carr. Chairperson Holmquist **seconded** the motion. **Aye** – Holmquist and Krueger. **Abstained** – Scott. Motion carried by quorum.

MEETING W/ DEPT. OF NATURAL RESOURCES & CONSERVATION RE: FLOODPLAIN MAPS

10:42:37 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Public Works Director Dave Prunty, Weed/ Parks & Maintenance Director Jed Fisher, Planner Erik Mack, Planner Alex Hogle, Planning & Zoning Compliance Officer George Ferris, Deputy OES Director Cindy Mullaney, Clerk Kile

Others Present: DNRC Representatives: Marc Pitman, Steve Story, and Tiffany Lyden
FEMA Representatives: Marijo Brady, Sean McNabb
Floodplain Mapping Representatives: Dan March, Julie Baxter, Sean McNarr, Carrie Hijnbutham

Grieve summarized history of the risk map project initiated in 2011 to update existing mapped floodplains in Flathead County with more accurate information. He said the detailed floodplain studies were conducted to replace the existing mapped floodplain and pointed out the preliminary maps and study will undergo public review prior to being finalized.

Montana Department of Natural Resources & Conservation and Federal Emergency Management Agency (FEMA) representatives summarized a power point presentation explaining the review process

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 23, 2014.

FRIDAY, MAY 23, 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 May 26, 2014.
