

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

MONDAY, AUGUST 18, 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/ 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 – work is essentially completed with punch list items remaining. Reviewing all Fair costs incurred during construction. Discussions with contractor not scheduled yet but will be soon. Final pay notice submitted to architect.
- Fairgrounds Infrastructure phase 1 - 99% complete with hydro seeding and one asphalt patch remaining.
- Addendum for phase 2 engineering services by Carver is prepared and being sent this week for County Attorney's review.
- Clean-up.

NW Montana Fair & Rodeo

All numbers are being reviewed and not considered final at this time.

- 8,009 entries submitted by 1,012 exhibitors on-line and by paper copy. Ratio continues at 65%+ on-line and 35% by form. Overall, most departments were pleased with new processes and printed tags. Changes in reporting need to continue.
- Weather played a small factor in attendance and bigger concern with arena conditions on Friday, Sat AM, and Sunday. A minimum of .42 inches of rain fell week of fair.
- Total Grandstand attendance was 18,594 in 2014 compared with 17,398 (prior to Chris Young cancellation) in 2013, a increase of 6%. Most operations were smooth with satisfied customers but minor changes in events or processes required.
- Fair safety was excellent throughout. Near same numbers of first aid calls. Posse and Search and Rescue provided great support with over 2,000 combined hours of service.
- Jr Livestock Auction was supported heavily by community buyers with \$328,000 in sales.

Upcoming Events and Activities

- NW Montana Arms Collectors – September 5-7th
- Bead Stampede – September 6-7th
- NW Search and Rescue Conference September 10 – 14th
- MT Department of Ag Chemical recycling, September 16th
- Flathead 50 Wilderness Celebration – September 20th
- Taste of Home, September 23rd
- Flathead Quilt Show, Sept 26-27th
- Log Jam benefit, October 4th

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.

AOA

Budget

- FY 2014: Admin staff is working to reconcile the FY 2014 DPHHS contract with final program expenditures as they are recorded in CSA. Upon completion, a final budget amendment will be required for both the DPHHS contract budget and the County budget.
- FY 2015: the FY 2015 DPHHS contract has been approved by the Commissioners and submitted to DPHHS.
- Capital purchases: We have purchased a new vehicle.

State/Legislative Issues

- Development of Area Plan for October 2015-September 2019:
 - A key element of the plan is to determine what services the seniors in Flathead County want and need and how AOA is or is not currently meeting those needs. We decided to use surveys as one of the techniques to gather this information (which will also fulfill one of our performance measures for the County). We recently conducted a survey of meal recipients and have the results of the onboard survey completed by our transportation consultant as part of our Five Year Transportation Development Plan, both of which we will use to inform our Area Plan. We decided to focus a new survey on those who receive our Independent Living services to round out our data. With the assistance of volunteer consultant, Sam Herbert, we developed a targeted survey that we sent to 250 IL recipients on 7/31/14, with a due date of 8/6/14. We received 75 responses (30% return rate). Additionally, Mr. Herbert will complete individual interviews of approximately 15 randomly selected survey respondents who agreed to be interviewed. He will then prepare and analysis and report of the survey results and interview themes.
 - We have received the Area Plan guidelines and template from DPHHS. Emphasis is on core programs, three specific programs (ADRC, Evidenced-based Disease Prevention and SHIP/SMP), participant directed/person-centered planning, and elder justice (includes ombudsman)
 - Our initial draft is due to the State on 3/1/15; the final draft is due on 5/1/15

Building

- **New building:** County Commissioners have chosen CTA Architects to design the new South Campus building. Lisa participated on the proposal scoring committee.
- **Kelly Road:** We added a second electrical box to handle increased load from kitchen appliances.

Outreach/Education/Media - Increased outreach is a goal in our Area Plan on Aging (Oct. 2011- Sept. 2015); Note: transportation-related efforts reported separately in the Eagle Transit section below.

- Three articles were printed on the Care Farm program (of which AOA is a sponsor/partner). The stories included highlights of AOA clients:
 - "Farm Life," West Shore Montana news, 7/2/14
 - "Farm Aid," The Daily Inter Lake, 7/12/14
 - "LifeSide Farms," Senior Echoes, Western Montana Area VI. Agency on Aging, Inc., June edition
- 7/3/14, "County Plans for New Agency on Aging Building," Flathead Beacon (Lisa interviewed)
- 7/7/14, Lisa was interviewed on KGEZ (regular spot).
- On 7/9/14, Lisa presented on AOA services to Kalispell BNI (approximately 15 people in attendance).
- 7/14/14, "Depleted Highway Trust Fund Could Have Big Impacts on Montana's Roads," Flathead Beacon (Lisa interviewed)
- Outreach Coordinator Christine Neater visited the Kalispell (7/23 and 7/25), Whitefish (7/14), Lakeside (7/17) and Bigfork (7/18) Senior Centers to talk about AOA services and promote the legal clinic (scheduled to take place on 7/30/14 in Whitefish but postponed until 9/16/14) – approximately 55 people.

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Eagle Transit

- The RouteMatch onsite consultation was scheduled for last week, but the consultant became ill and couldn't travel. We are awaiting word on when they are prepared to reschedule.
- Transportation Manager Jim Boyd and Lisa participated in the Healthy Communities Workshop on 7/22, hosted by City of Whitefish, North Valley Hospital and the Flathead County Health Department. One area of focus was the role of public transportation in the Valley.
- Eagle Transit was noted in the Best of the Flathead reader poll in the best bus driver category (7/26/14).
- Outreach/Education/Media:
 - Eagle Transit provided bus service to the July 4th fireworks in Whitefish (666 rides)
 - Ad in Flathead Beacon 7/2/14
 - Weekly radio ads on KOFI
- MDT
 - Compliance review: draft document has been submitted to MDT and onsite is schedule for 8/21/14
 - 4th quarter reports are due at the end of this month; we received an extension from 7/31/14 to allow for all expenditures to be recorded in CSA for the fiscal year close-out.
- Glacier National Park:
 - The Eagle Transit Advisory Committee (TAC) took its annual trip to GNP on 8/7/14. Members were joined by Commissioners Holmquist and Scott. The trip featured a Q&A session with Superintendent Jeff Mow and Chief of Facilities Management Jim Foster as well as a shuttle ride to Logan Pass.
 - Lisa and Jim Boyd met with Jim Foster (GNP) and Audrey Allums (MDT) on 8/12/14 to discuss revamping the Winter Lease Program and to begin preparations for the next agreement modification due in December 2014 and the next 5-year agreement due the following year.
 - We anticipate a budget amendment will be needed before the end of the season to accommodate higher than expected fuel costs.

Nutrition

- Educational materials and the "Senior Scoop" are sent out monthly to all Meals on Wheels and nutrition sites (approximately 300 recipients). In July, the information was on dehydration.
- The increase in meals has required us to purchase additional equipment, including warmers to ensure food stays at the proper temperature while awaiting delivery.
- We have been awarded a Walmart Foundation Community Grant of \$1000 for Meals on Wheels.

I & R/Assistance

- Flathead Industries has installed 15 A/C units so far for seniors who need them as part of our expanded loan program.
- We continue to work with IT to complete and refine the needed database reports.
- The Administration on Aging/Administration for Community Living is conducting a quality of service assessment in which reviewers will contact a sample of our clients in the upcoming months.
- The Administration on Aging is changing the criteria for receipt of Older American Act Title III D funds (Health Promotion). These funds can now only be used to support confirmed evidence-based programs. We currently support a variety of activities at area senior centers with III D funds and are in the process of surveying the centers to determine what if any of their current activities meet the new guidelines. We receive less than \$8000 a year total in III D funding.
- Maarten Fischer of A Plus Health Care and Lisa have been accepted as co-presenters on the Care Farm program at the Gerontological Society of America's 67th Annual Scientific Meeting, Nov. 5-9 in Washington, D.C.

RSVP

- CNCS grant update:
 - The new CNCS grant (which will start April 1, 2015 if awarded) is due on 9/9/14. We have been instructed to request our base budget from previous years of \$50,246. No word yet on the possibility of extending the additional pilot funding we received in FY 2014. This new grant will be reviewed and evaluated within a new competitive process. The criteria for volunteers and workstations are changing. Staff are in the process of updating databases, MOUs, job descriptions, etc. to comply with the new requirements.
 - We were randomly selected for an audit of federal funds spent during a six month period (September 2012-June 2013). All documentation has been submitted as requested.
 - We submitted the FFR report covering the period 4/1/14-6/30/14 and are expecting a payment of \$31,803.72.
- RSVP staff and volunteers ran the Senior Rest Area at the Fair. Details will be reported next month.
- The annual volunteer recognition banquet has been set for September 9th.
- Staff and RSVP volunteers are partnering with AARP and United Way to support a free document shredding event on 9/11/14 as part of the grant-required September 11 day of service.
- New workstations being developed include Feed the Flathead and Habitat for Humanity.
- The Advisory Board will not meet this month because of the Fair.

Senior Mobile Home Repair

- Advisory Board meeting was held on 8/12/14.
- 4 projects were completed and 11 are in progress.
- There are an increasing number of requests for roof replacements or major repairs. These jobs are very expensive and will require additional funding to be secured in order to move forward with them.
- Funding:
 - We have submitted a request for a WalMart Foundation Community Grant for \$2000
 - Jim Atkinson applied for a \$5000 grant from the Lambros Foundation
 - The Whitefish Soroptomists have committed \$2000

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

- The scoring committee for the CDBG planning grant to evaluate the senior centers owned by the County will meet on 8/26/14.
- Christine Neater, AOA Outreach Coordinator, has made multiple visits to the Centers to get to know people and learn what services they need or are interested in seeing developed.

Data to note from FY 2013 to FY 2014:

Nutrition

1. The number of meals on wheels recipients *increased* 29%.
2. The number of congregate meal recipients *increased* 5%.
3. The number of total meals served *increased* 15%.
4. The cost per meal *decreased* from \$6.88 per meal in FY 2013 to \$6.28 per meal in FY 2014.
 - Note: A calculation error from FY 2013 that showed per meal cost at \$6.08 has been corrected.

Eagle Transit

1. The number of registered Dial-A-Ride customers *increased* 113%
2. Although we did not reach our target of 96,000, the number of total rides *increased* by 1%.

Outreach/Education/Media Efforts

1. The number of targeted outreach efforts *increased* 165%.

CONSIDERATION OF RFQ: ASSISTANT EXAMINING LAND SURVEYOR

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, Public Works Director Dave Prunty, Clerk Kile

Pence noted the options today would be to accept the only proposal we received which is at a higher cost than what we pay the Examining Land Surveyor, reject the proposal and re-advertise, or hire an individual when needed.

Commissioner Krueger made a **motion** to reject all bids at this time. Commissioner Scott **seconded** the motion. Motion carried unanimously.

AWARD BID: DEMERS PIT GRAVEL CRUSHING/ ROAD DEPT.

10:04:00 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 Scott made a **motion** to award the bid to LHC. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

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(Continued)

DOCUMENT FOR SIGNATURE: REQUEST FOR DECLARATION OF SURPLUS PROPERTY/ SOLID WASTE DISTRICT

10:05:00 AM

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

Chairperson Holmquist noted the surplus property consists of a 2002 Volvo garbage truck with a trade in value of \$4,300.

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

DOCUMENT FOR SIGNATURE: MERCHANT APPLICATION FOR CREDIT CARD MACHINE/ SOLID WASTE DISTRICT

10:15:00 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 approve the document for signature. Commissioner Scott **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF RESOLUTION: CREATION OF FLATHEAD EMERGENCY COMMUNICATIONS SPECIAL DISTRICT

10:16:00 AM

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

Commissioner Krueger made a **motion** to adopt Resolution 2390. Commissioner Scott **seconded** the motion. Motion carried unanimously.

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the County of Flathead, Montana (the "County"), hereby certify that the attached resolution is a true copy of Resolution No. 2390 (the "Resolution"), on file in the original records of the County in my legal custody; that the Resolution was duly adopted by the Board of County Commissioners of the County at a meeting on August 18, 2014, and that the meeting was duly held by the Board of County Commissioners and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof: **Chairperson Holmquist, Commissioner Scott & Commissioner Krueger**; voted against the same; _____; abstained from voting thereon _____; or were absent _____.

WITNESS my hand officially this 18th day of August, 2014.

Paula Robinson,
Clerk & Recorder



By/s/Diana Kile
Diana Kile, Deputy Clerk

RESOLUTION NO. 2390

WHEREAS, the Flathead County Board of Commissioners may create a special district under Montana Code Annotated Title 7, Chapter 11, Part 10, whenever the public convenience and necessity may require;

WHEREAS, the Flathead County Board of Commissioners believe that public convenience and necessity require the creation of a special district to provide funding for emergency dispatch and supporting communication services, equipment, and infrastructure for Flathead County and its municipalities;

WHEREAS, the boundaries of the proposed special district include all property located within the boundaries of Flathead County, Montana, as shown on Exhibits A and B, except as otherwise excluded or exempt by law;

WHEREAS, the proposed special district will be administered by the Flathead County Board of Commissioners;

WHEREAS, the estimated annual cost of the proposed special district to be funded through this assessment is \$1,900,000.00, and the Flathead County Board of Commissioners will assess the percentage of the cost of the program or improvements against the entire district based upon the character, kind, and quality of service for a residential or commercial unit, taking into consideration the nature of the property or entity assessed; a calculated basis for the program or service, including volume or weight; the cost, incentives, or penalties applicable to the program or service practices; or any combination of these factors.

WHEREAS, the maximum initial proposed annual assessments for fees that would be imposed are \$25.00 per residential unit or \$50.00 per commercial unit, up to a maximum of 30 commercial units;

WHEREAS, the Flathead County Board of Commissioners wishes to order a referendum on the creation of a special district to serve the inhabitants of the special district;

IT IS HEREBY ORDERED that a referendum on the creation of a special district to serve the inhabitants of the special district shall be placed on the ballot for the November 4, 2014, general election and shall be in substantially the following form:

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REFERENDUM

To organize a special district to provide funding for emergency dispatch and supporting communication services, equipment, and infrastructure for Flathead County and its municipalities. The estimated annual cost of the proposed special district to be funded through this assessment is \$1,900,000.00. The maximum initial proposed assessments that would be imposed are \$25.00 per residential unit or \$50.00 per commercial unit, up to a maximum of 30 commercial units. The proposed boundaries of the district include all, and are limited to, the boundaries of Flathead County. The Flathead County Board of Commissioners will be the administrator of this special district.

Shall the proposition to organize the Flathead Emergency Communications Special District be adopted?

- Yes, it shall be adopted.
- No, it shall not be adopted.

DATED this 18th day of August, 2014.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

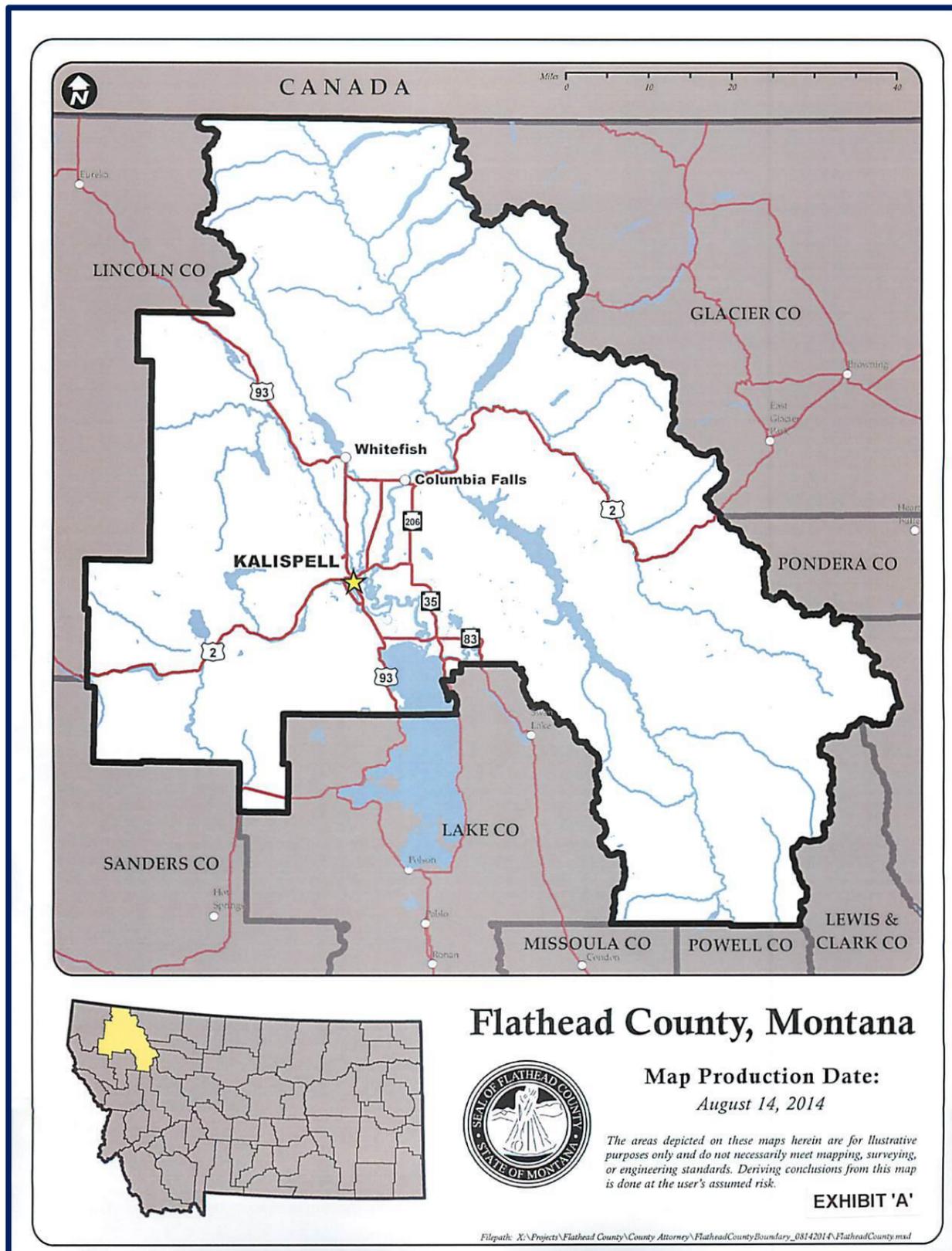
By/s/Pamela J. Holmquist
Pamela J. Holmquist, Chairman

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

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy Clerk



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LEGAL DESCRIPTION
FLATHEAD COUNTY

Commencing on the 49th parallel of latitude at a point where the same is intersected by the summit of the main range of the Rocky mountains;
thence in a southerly direction following the summit of said mountain range to an intersection with the south line of the north tier of sections of township 21 north;
thence running westerly along said line to the summit of the Swan range of the Rocky mountains;
thence northerly and northwesterly along the Swan divide between the Swan river and the south fork of the Flathead River, approximately 40 miles to where a line so drawn intersects the southern boundary of township 27 north, range 18 west;
thence west along the township line to the northeast corner of section 5, township 26 north, range 19 west;
thence south along the east section line of said section 5 to the southeast corner of said section;
thence west along the south section line of said section 5 to the southwest corner of said section;
thence south along the east section line of section 7, township 26 north, range 19 west to the southeast corner of said section 7;
thence west along the section lines to the meander corner on the south line of section 12, township 26 north, range 20 west;
thence south along the east shore of Flathead Lake to a point due east of the south boundary of township 26 north, range 20 west;
thence due west across the lake to the meander corner on the south line of section 33, township 26 north, range 20 west;
thence west along the south boundary of the townships to the northwest corner of township 25 north, range 22 west;
thence south along the west boundary to the southwest corner of said township 25 north, range 22 west;
thence east along the south boundary of said township to the northeast corner of township 24 north, range 23 west;
thence south along the east boundary to the southeast corner of said township 24 north, range 23 west;
thence west along the south boundary to the southwest corner of said township 24 north, range 23 west;
thence north along the west boundary to the northwest corner of said township 24 north, range 23 west on the 6th standard parallel north;
thence west and along said parallel to the southeast corner of section thirty-one 31, township 25 north, range 26 west;
thence north along said section line to the southeast corner of section 18, township 26 north, range 26 west;
thence west 1 mile to the southwest corner of said section 18;
thence north to the northeast corner of township 27 north, range 27 west;
thence west to the southwest corner of section 34, township 28 north, range 27 west;
thence north to the northwest corner of section 3 in township 28 north, range 27 west;
thence east to the southeast corner of township 29 north, range 26 west;
thence north along the Horse Plains guide meridian to the northeast corner of township 32 north, range 26 west;
thence west to the southeast corner of township 33 north, range 26 west;
thence north along the Horse Plains guide meridian to the northeast corner of township 33 north, range 26 west;
thence east about 12 miles to the summit of the watershed dividing the Stillwater river and White Fish creek;
thence in a northwesterly direction along said watershed to its intersection with the forty-ninth parallel of latitude;
thence east along said parallel to the place of beginning.

EXHIBIT 'B'

DOCUMENT FOR SIGNATURE: REQUEST FOR DECLARATION OF SURPLUS PROPERTY, HEALTH DEPARTMENT

10:17:00 AM

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

Chairperson Holmquist noted the surplus property is a mosquito magnet.

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

COMMISSIONERS' BUDGET WORKSHOP

2:00:00 PM

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

Pence noted the purpose of the workshop is to get direction from the commission prior to the public hearing scheduled for the 28th of August.

Carlson summarized the regular tax levy requirement schedule and changes made since the commission adopted the preliminary budget on June 16, 2014.

Chairperson Holmquist expressed concern in that the cash balance has gone down with big projects coming up that will take most if not all of our PILT funds on the projects.

General discussion was held relative to projected project funding; SRS funds; Permissive Medical Levy; funding additional CIP projects.

Commissioner Krueger stated he is in favor of the seven year plan that gets them \$7 to \$9 million dollars over a seven year period put to a CIP for a jail and a gym.

Commissioner Scott concurred and said he firmly believed we need to use forward thinking in where the county will be in the future and step up for it; now in today's dollars, today's cost rather than tomorrows and be proactive looking to the future rather than additional costs later down the road; we are catching up is what we are doing.

Chairperson Holmquist stated she disagreed in that she doesn't believe you can recapture what has already happened and would vote against it. She stated she feels the Permissive Medical Levy should be kept at 5% which has done the county well through the years.

After discussion was held direction was given to Finance to:

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- 1) Put in the full amount of \$958,000 and if they don't receive the full amount anticipated they will lower the revenue. They will not do another \$500,000 in the CIP.
- 2) Leave the cash reserve percentage at 24.88 percent.
- 3) Recapture the full amount for the Permissive Medical Levy and not reduce the family of funds.
- 4) Amend the CIP to include the jail and a gym.

Chairperson Holmquist further pointed out she would like to hold off on some of the projects the county has planned.

Commissioner Krueger inquired as to which ones.

Chairperson Holmquist said because of the cash balance she isn't sure they should be moving forward with the infrastructure improvements at the fairgrounds, phase 2.

General discussion continued regarding fairground improvements.

7:00 p.m. Commissioner Holmquist: River Commission meeting @ EBB

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 19, 2014.

TUESDAY, AUGUST 19, 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.

1:30 p.m. Commissioner Scott: Demersville Cemetery Committee meeting @ Flathead Industries

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

WEDNESDAY, AUGUST 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.

**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 August 21, 2014.

THURSDAY, AUGUST 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.

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.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: RURAL WHITEFISH INTERIM ZONING DISTRICT

9:30:00 AM

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

Absent: Commissioner Gary D. Krueger

Grieve briefly reviewed the proposed zoning for establishing an interim zoning district in Whitefish now that the area outside Whitefish city limits is back under county jurisdiction.

Commissioner Scott made a **motion** to authorize publication of the Notice of Public Hearing/ Rural Whitefish Interim Zoning District. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

NOTICE OF PUBLIC HEARING

The Board of County Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-206(3)(a), M.C.A., that it will hold a public hearing to consider the establishment of an interim zoning district. Interim zoning regulations are allowable under Montana law for up to one year, with up to one extension of one year. The boundaries of the proposed interim zoning district are within approximately one mile from the Whitefish city limits, excluding areas already zoned with County zoning, and are specifically shown in Exhibit "A" attached hereto.

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(Continued)

The exigent circumstance compelling the establishment of the proposed interim zoning district is the City of Whitefish's position that it no longer has jurisdiction over an extraterritorial area (ETA) after a July 15, 2014, Montana Supreme Court decision. The City is now declining to exercise any authority in the ETA, including processing land use permits and applications. In order to serve the needs of the citizenry in the ETA, the County has no option but to begin administering immediate control over the ETA and to do so the establishment of the proposed interim zoning is needed. It is imperative for an orderly progression of events for interim zoning to be established until the County holds public meetings and conducts studies to establish permanent zoning in the area.

The general character of the proposed interim zoning district is that it will replace the current City of Whitefish zoning classifications with similar classifications that are found in the Flathead County Zoning Regulations and create two new zoning classifications to replace current City of Whitefish zoning classification that have no similar classification in the Flathead County Zoning Regulations. The Flathead County zoning classifications would be SAG-10 (Suburban Agricultural), R-1 (Suburban Residential), R-2 (One Family Limited Residential), R-3 (One Family Residential), R-4 (Two-Family Residential), R-2.5 (Rural Residential), B-2 (General Business), BR-4 (Resort Business), and I-2 (Heavy Industrial). During the effective period of the interim zoning district, RR-1 (Resort Residential) and BSD (Business Service District) zoning classifications are being adopted as part of the interim zoning district (see Attachments B and C) to replace the City of Whitefish's WRR-1 and WBSD zoning classifications, and will be subject to all chapters of the Flathead County Zoning Regulations.

The general character of the SAG-10 (Suburban Agricultural) classification is suburban agricultural. This classification provides and preserves agricultural functions and provides a buffer between urban and unlimited agricultural uses, encouraging separation of such uses in areas where potential conflict of uses will be minimized, and provides areas for estate-type residential development.

The general character of the R-2.5 (Rural Residential) classification is residential. This classification is 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.

The general character of the R-1 (Suburban Residential) classification is residential. This classification provides estate type development normally located in rural areas away from concentrated urban development or in areas where it is desirable to permit only low density development (for example, areas with extreme topography or, areas adjacent to flood plains).

The general character of the R-2 (One Family Limited Residential) classification is residential. This classification provides for large tract development in suburban areas generally served by either sewer or water lines.

The general character of the R-3 (One Family Residential) classification is residential. This classification provides adequate lot size for urban development, is typically in proximity to community and neighborhood facilities, i.e., schools, parks, shopping areas, and will normally require all public utilities.

The general character of the R-4 (Two-Family Residential) classification is residential. This classification provides lot areas for urban residential development and is required to be served by all public utilities.

The general character of the B-2 (General Business) classification is commercial. This classification provides for retail sales and service functions and operations that are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, outdoor commercial amusement and recreational activities, and operations serving the general needs of the tourist and traveler.

The general character of the BR-4 (Resort Business) classification is resort commercial. This classification is intended for resort purposes and provides for the development of medium and high density resort uses, including hotels, motels, resort condominiums and other similar uses oriented towards tourism and resort businesses. This classification allows meeting rooms, convention facilities, bars, lounges and restaurants, and retail and commercial uses intended primarily for the guests of the facilities, and requires approval of an overall development plan. The overall development plan for the BR-4 zoning classifications to be used include the Big Mountain Whitefish, Montana Neighborhood Plan/Overall Development Plan adopted on July 17, 2006 by the Whitefish City Council and the Big Mountain West Neighborhood Plan/Overall Development Plan adopted on December 2, 2003 by the Flathead County Commissioners

The general character of the I-2 (Heavy Industrial) classification is industrial. This classification provides for uses to accommodate heavy manufacturing, processing, fabrication and assembling of products or materials and prevents the encroachment of non-industrial uses or unspecified commercial uses within the district.

During the effective period of the interim zoning, the following zoning classifications, RR-1 (Low Density Resort Residential) and BSD (Business Service District) are adopted as part of the interim zoning district (see Attachments B and C). RR-1 and BSD will be classified and regulated as separate zoning classifications and subject to all applicable chapters of the Flathead County Zoning Regulations.

Additionally, the interim BSD zoning classification requires approval of a site plan, vicinity map and building concepts. The materials to be used for the BSD zoning classification includes the East Entrance Corridor Whitefish, Montana site plan and vicinity map adopted on November 2, 2009 by the Whitefish City Council and updated February 2, 2014.

Maps of the proposed interim zoning district which comprise the outer boundary of the proposed interim zoning district and the boundaries of the individual zoning classifications, and a copy of both the existing Flathead County Zoning Regulations and the RR-1 and BSD zoning classifications to be used are available for public inspection at the Office of the Clerk and Recorder, Courthouse, located at 800 South Main, Kalispell, MT, the Flathead County Planning and Zoning Office located at 1035 First Avenue West, Kalispell, MT and at the Flathead County Planning and Zoning Office website at http://flathead.mt.gov/planning_zoning/Drafts.php. Those with questions may contact Erik Mack, Planner II of the Flathead County Planning and Zoning Office at (406) 751-8200. 1035 First Avenue West, Kalispell, MT.

The public hearing will be held on the 2nd day of September, 2014 at 9:00 o'clock a.m., in the Office of the Board of Commissioners of Flathead County, Third Floor Courthouse, 800 South Main, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed interim zoning boundaries, individual classifications and/or regulations.

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 21st day of August, 2014.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

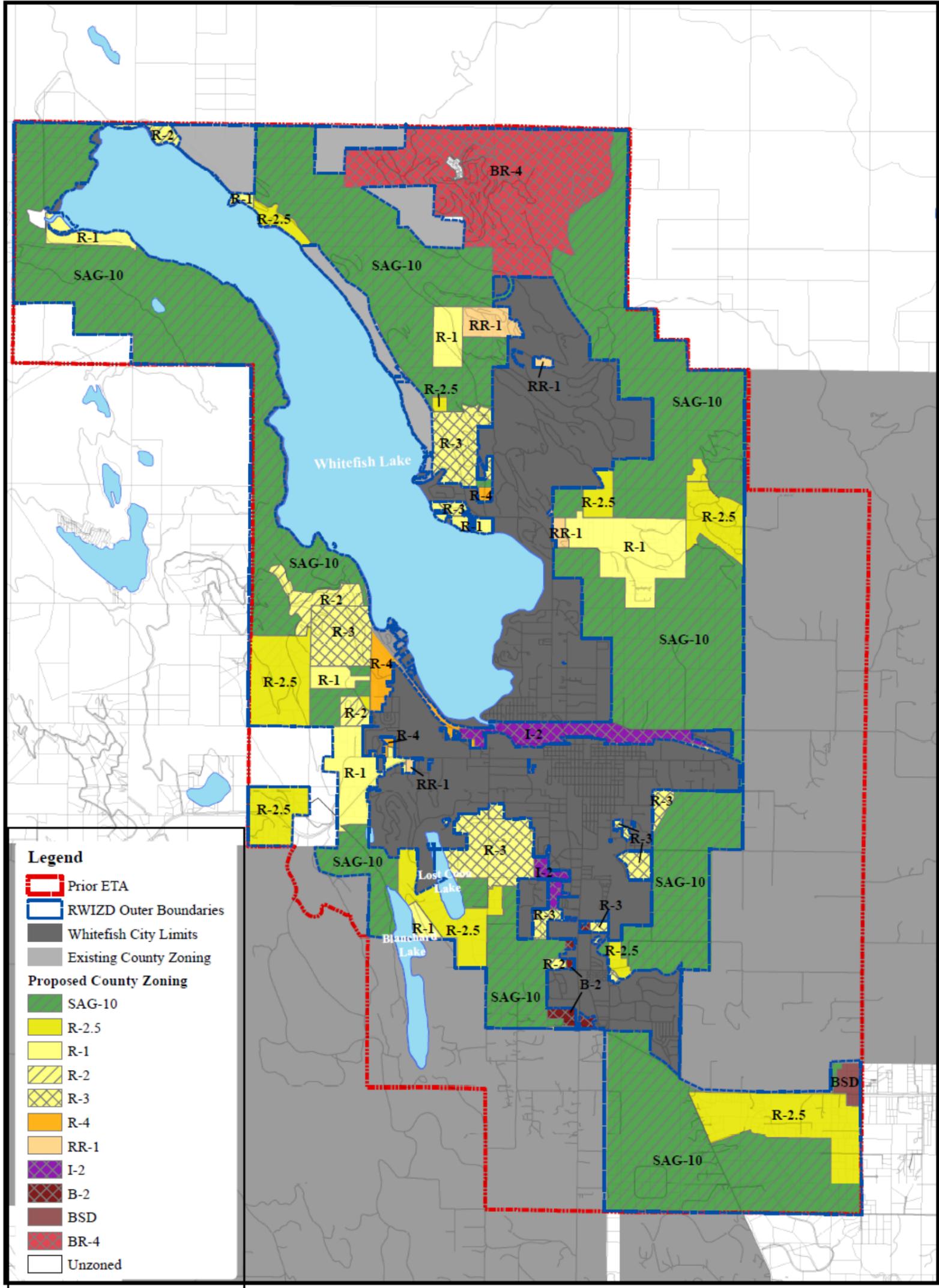
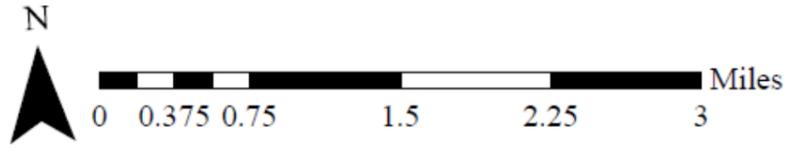
By/s/Pamela J. Holmquist
Pamela J. Holmquist, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on August 24 and August 31, 2014

EXHIBIT A: PROPOSED RURAL WHITEFISH INTERIM ZONING DISTRICT (RWIZD)



- Legend**
- Prior ETA
 - RWIZD Outer Boundaries
 - Whitefish City Limits
 - Existing County Zoning
 - Proposed County Zoning**
 - SAG-10
 - R-2.5
 - R-1
 - R-2
 - R-3
 - R-4
 - RR-1
 - I-2
 - B-2
 - BSD
 - BR-4
 - Unzoned

THURSDAY, AUGUST 21, 2014
(Continued)

EXHIBIT B:
RR-1 LOW DENSITY RESORT RESIDENTIAL**

Definition:

A district to provide a low density setting for secondary residential resorts.

Permitted Uses (RR-1):

1. Bed and breakfast establishment.
2. Class A manufactured home.
3. Day care home.
4. Duplex.
5. Dwelling, multi-family (4 or fewer units).
6. Dwelling, single family.
7. Home occupation (See Chapter V – Performance Standards and Chapter VII – Definitions).
8. Park and publicly owned recreational facility.
9. Public utility service installation (a minimum of five feet of landscaped area shall surround each building or structure).
10. Tourist accommodation units (4 or fewer units).

Conditional Uses (RR-1):

1. Accessory apartments.
2. Boarding house.
3. Boat launching ramp and dock (commercial).
4. Caretaker's facility.*
5. Churches and other place of worship.
6. Community residential facilities, Class I.
7. Convention hall facility.
8. Day care center.
9. Dwellings, cluster development (See Chapter IV – Conditional Use Standards).
10. Dwelling, multi-family (5 or more units).
11. Golf course.
12. Guest house.
13. Health club.
14. Manufactured home park (5 acre minimum size).
15. Marina (commercial).
16. Professional offices.
17. School, primary and secondary.
18. Tourist accommodation units (5 or more units).

*Administrative Conditional Use Permit (See Section 2.06.045)

Bulk and Dimensional Requirements (RR-1):

1. Minimum District Area: 1 acre.
2. Minimum Lot Area: Not Applicable.
3. Minimum Lot Width: Not Applicable.
4. Maximum Density: 10 dwelling units per acre.
5. Setbacks:
 - A. Minimum Yard Requirements for Principle Structures:

Front:	15 feet.
Side:	10 feet each.
Side Corner:	15 feet.
Rear:	20 feet.
 - B. Detached Accessory Structures:

Front:	15 feet.
Side:	6 feet.
Side Corner:	6 feet each.
Rear:	6 feet.
 - C. A 20-foot setback is required from streams, rivers and unprotected lakes, which do not serve as property boundaries.
 - D. Increase yard requirements as follows when property fronts:

County Road:*	25 feet.
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6. Maximum Height:

Principle Structures:	35 feet.
Accessory Structures:	24 feet.
7. Permitted Lot Coverage: 35%.
8. Maximum Fence Height:

Front:	4 feet.
Side:	6 feet.
Rear:	6 feet.
9. Off-Street Parking: See Chapter VI – Parking and Loading.

* Classified as a collector or major/minor arterial as defined in the County Master Plan or City-County Master Plan.

** Land uses permitted by the RR-1 zoning classification will be subject to the Flathead County Zoning Regulations for purposes including, but not limited to, administration, interpretation, enforcement and placement. For purposes of interpreting requirements of the Flathead County Zoning Regulations that reference specific land uses, (such as parking and loading requirements, definitions of land uses, etc.) the individual land uses that are proposed on the subject property shall be used.

**THURSDAY, AUGUST 21, 2014
(Continued)**

**EXHIBIT C:
BSD BUSINESS SERVICE DISTRICT****

Definition:

The business service district is intended to create defined areas that are appropriate for nonretail limited commercial services and light industrial uses. Typical uses would be light manufacturing and component assembly, office/warehouse showrooms, contractors, wholesale trades, and other nonretail commercial services of a destination nature. The grouping of uses shall be incorporated in order to develop as an island rather than as a strip. Landscaping will be extensive with good quality and effective screening and buffering.

Acceptance of an application for BSD zoning will be contingent upon a site plan, vicinity map and building concepts for the area requested being submitted for review. The site plan, vicinity map and building concepts will address each of the following:

1. The site plan shall include all buildings, structures, parking, driveways, sidewalks, utilities, drainage, landscaping and signage.
2. The site plan shall demonstrate conformance with the zoning regulations and other applicable county regulations. All projects constructed in accordance with an approved site plan shall be permanently maintained as approved.
3. The vicinity map shall include surrounding parcels, buildings, structures, circulation systems and major physical features.
4. Shared driveway access or frontage roads (whether public or private) are required where possible to provide a cohesive internal circulation pattern and to limit access onto arterials and collectors when development contains multiple commercial uses.

Implementation of Site Plan and Vicinity Map:

1. Once the site plan and vicinity map have been adopted, they shall be considered zoning and shall serve as the guidelines for the development.
2. Prior to any site development, a detailed site plan shall be submitted to the zoning administrator to demonstrate compliance with the approved site plan and vicinity map. Any desired subsequent changes shall be submitted for approval as an amendment to the site plan.
3. Minor deviations to the site plan shall be allowed which do not involve more than ten percent (10%) of the building site for a single building. This would include, but is not limited to, the location and/or expansion of the building, parking lot location, signage, number of parking spaces and landscaping. Minor deviations to the site plan shall be reviewed and approved by the zoning administrator.
4. Substantial modifications to the site plan will be required to be reviewed and approved by the County Commissioners. Substantial changes would include, but not be limited to, an increase in the number of buildings, major changes in access or circulation, an increase in building size by more than ten percent (10%), major changes to signage and major changes to landscaping design and location.

Permitted Uses (BSD):

1. Agricultural/horticultural/silvicultural use.
2. Ancillary retail or showrooms, less than fifty (50%) percent of the gross floor area of each individual lease space or tenant
3. Animal hospital, veterinary clinic.
4. Contractors' storage yard and building supply outlet.
5. Dance, drama, and music school.
6. Dwelling, single family.
7. Farm equipment sales.
8. Feed, seed and farm supply, including grain elevators.
9. Home occupation (See Chapter V – Performance Standards and Chapter VII – Definitions).
10. Homeowners park.
11. Light assembly and manufacturing, fabrication, including light food manufacturing and processing, repairing, packing or storage facilities in enclosed buildings, provided that such uses do not produce objectionable impacts beyond the lot lines and do not involve materials that are explosive, hazardous or toxic.
12. Livestock.
13. Nursery, landscaping materials.
14. Parcel delivery service.
15. Park and publicly owned recreational facility.
16. Personal services with incidental retail sales.
17. Print and copy shop.
18. Produce stand.
19. Professional offices.
20. Public utility service installation (A minimum of five feet of landscaped area shall surround such building or structure).
21. Repair of equipment and consumer items such as appliances, clocks and watches, lawn and garden equipment, computers, televisions, shoes, furniture, and small engines, (no outdoor storage permitted).
22. Riding academy, rodeo arena.
23. Small equipment sales, rental and repair conducted indoors, (no outdoor storage permitted).
24. Stable, public and private.
25. Wholesale trade and warehousing, including offices and showrooms.

Conditional Uses (BSD):

1. Accessory apartments.
2. Ancillary retail or showrooms, more than fifty (50%) percent of the gross floor area of each individual lease space or tenant.
3. Churches and other place of worship.
4. College, business school, trade school.
5. Commercial caretaker's facility in a detached accessory building in conjunction with a business.*
6. Convention hall facility.
7. Day care center.
8. Kennel.
9. Mini-storage.
10. Research laboratory and institution.
11. When not shown on the initial site plan required for zoning or rezoning properties, all new structures with a gross floor area of ten thousand (10,000) square feet or greater, existing structures where an addition causes the total floor area to be ten thousand (10,000) square feet or greater, and additions to structures where the total floor area already is ten thousand (10,000) square feet or greater.

*Administrative Conditional Use Permit (See Section 2.06.045)

**THURSDAY, AUGUST 21, 2014
(Continued)**

Bulk and Dimensional Requirements (BSD):

1. Minimum District Area: 5 acre.
2. Minimum Lot Area: 1 acre.
3. Minimum Lot Width: 125 feet.
4. Setbacks:
 - A. Minimum Yard Requirements for Principle Structures:
 - Front: 30 feet.
 - Side: 10 feet each.
 - Side Corner: 30 feet.
 - Rear: 15 feet.
 - B. When a property abuts the following features, the abutting setback shall be increased to the following:
 - Agricultural – use or zone: 30 feet.
 - Residential – use or zone: 30 feet.
 - Stream – high water mark: 20 feet.
5. Maximum Height:
 - Principle Structures: 35 feet.
 - Accessory Structures: 24 feet.
6. Permitted Lot Coverage: 40%.
7. Maximum Fence Height:
 - Front: 4 feet.
 - Side: 6 feet.
 - Rear: 6 feet.
8. Off-Street Parking: See Chapter VI – Parking and Loading.

Additional Design Standards (BSD):

1. One commercial use permitted per gross acre. Multiple commercial uses should cluster development to include both shared parking areas and internal road access. Buildings shall be grouped into localized areas and shall not be developed in a linear fashion.
2. Clustering:
 - A. Clustering of uses includes incorporation of common shared areas such as courtyards to create central nodes of business/development as opposed to linear development.
 - B. Clustering should include shared access, parking, landscaping, with the overall development designed to protect surrounding properties from adverse impacts.
 - C. For the purpose of clustering, the site will be developed as one lot. Property setbacks for commercial uses shall not apply except for separation from residential uses. This allows for cohesive development on multiple properties developed in conjunction with an overall development theme or business park plan.
3. Landscaping:
 - A. Landscape design shall be in accordance with the concept of a business park. A combination of landscape materials should be arranged in a harmonious manner as an integral part of the project design to enhance building design, public view and interior spaces and provide buffers and transitions, as appropriate.
 - B. Landscaping shall comply with Section 5.05 and parking lot landscaping shall comply with Section 6.13.010(2).
 - C. Exposed utilities, storage areas, machinery, installations, service and loading areas and similar accessory areas and structures shall be set back to the primary structure requirements or screened to minimize the loss of views, privacy and the general aesthetic value of surroundings.
4. Signage:

A combination of natural materials and colors should be arranged in a harmonious manner that complements the overall design of the site and does not create visual clutter, distractions for passing motorists or the obstruction of important architectural or landscaping features.

** Land uses permitted by the BSD zoning classification will be subject to the Flathead County Zoning Regulations for purposes including, but not limited to, administration, interpretation, enforcement and placement. For purposes of interpreting requirements of the Flathead County Zoning Regulations that reference specific land uses, (such as parking and loading requirements, definitions of land uses, etc.) the individual land uses that are proposed on the subject property shall be used.

BOARD APPOINTMENT: LITTLE BITTERROOT LAKE LAND USE ADVISORY COMMITTEE

9:39:00 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

Absent: Commissioner Gary D. Krueger

Commissioner Scott made a **motion** to appoint Anna Marie Bailey and Doug Hill to Little Bitterroot Lake Land Use Advisory Committee. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: MONTANA WOOL GROWERS ASSOCIATION MOU

9:40:00 AM

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

Absent: Commissioner Gary D. Krueger

Commissioner Scott made a **motion** to approve the Montana Wool Growers Association MOU. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

THURSDAY, AUGUST 21, 2014
(Continued)

DOCUMENT FOR SIGNATURE: CITY OF KALISPELL & FLATHEAD COUNTY MOU/ BROWNFIELD'S SUBGRANT FOR HISTORICAL JAIL RENOVATION

9:41:00 AM

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

Absent: Commissioner Gary D. Krueger

Commissioner Scott made a **motion** to approve the MOU/ City of Kalispell and Flathead County for the Brownfield's sub grant. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

1:00 p.m. **Commissioner Krueger: District 10 & District 11 meetings in Polson**
 Commissioner Holmquist: Health Board meeting @ EBB

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 22, 2014.

FRIDAY, AUGUST 22, 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 August 25, 2014.
