

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

MONDAY, SEPTEMBER 8, 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 September 9, 2014.

TUESDAY, SEPTEMBER 9, 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, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Deputy County Attorney Tara Fugina, Deputy County Attorney David Randall, Deputy County Attorney Caitlin Overland, Planner Erik Mack, Planner Lawson Moorman, Marcia Sheffels, James Stack, Frank Sweeney, Richard Hildner, Ron Hauf, Erica Wirtala, David Taylor, David Turner, Mayre Flowers, Rick Blake, Andy Feury, Mary VanBuskirk, Bruce Lutz, Koel Abell, Clerk Kile

Chairperson Holmquist read the following statement: Although we do not discourage public comment, we closed the public hearing on the Whitefish Rural Interim Zoning District last week. If your comments today are about this subject they will become part of the public record, but will not be used for consideration on any decision today in regards to the Interim Zoning District.

9:00:00 AM

James Stack read the following letter.

Dear County Commissioners,

I was originally appointed to the Whitefish Lake and Lakeshore Protection Committee by the Flathead County Commissioners in 1992, and was subsequently reappointed by the County Commissioners 7 additional times. Overall, I served more than 20 years on the Lakeshore Committee with the majority of those years as Chairman.

Perhaps the irony is that when I was first appointed, the reason I applied was because I was opposed to some of the regulations that prohibited doing things in the lakeshore protection zone. After realizing that the lakeshore regulations were actually a result of protecting not just the lake, but also property values for lakeshore owners, I quickly became one of the strongest supporters of the regulations.

Many do not realize that the original Montana State government legislation allowing governing bodies to adopt lakeshore regulations came from a violation on Whitefish Lake. Most people also do not know that the first regulations were approved and adopted for Whitefish Lake, and that Flathead County regulations as well as other county regulations in the state were adapted from the Whitefish regulations.

While I was on the lakeshore committee, most Flathead County lakeshore regulation changes came from changes to Whitefish regulations that were recommended by the Whitefish Lake & Lakeshore Protection Committee. The majority of these changes were not necessarily "tightening" regulations, but most often clarifying and sometimes even easing of regulations. Allowing a one-time application of gravel to a property owner's beach was one such change in which the Whitefish Lake Protection Committee consulted with Fish, Wildlife & Parks specialists, and proposed the standards that would allow a property owner that benefit. It is now also in the County lakeshore regulations.

I am most proud of the fact that during my 20-year tenure on the Whitefish Lake Protection Committee, we focused only on our designated objective and strived to maintain neutrality in spite of numerous jurisdictional disagreements going all the way back to the old Flathead Regional Development Office. In so doing, the Whitefish Lake Protection Committee earned the continuous trust and support from both governing bodies - the Flathead County Commissioners and the Whitefish City Council. And during my 12 years as Chairman, not a single recommendation for lakeshore permit approval or denial was overridden by the County Commissioners.

In 2007, the Whitefish Lakeshore Committee undertook a major revision of the lakeshore regulations with the objective of making the regulations more easily understandable and user-friendly. It was an 18 month process that involved multiple public meetings at the committee level, and two public hearings at the City-County Planning Board level -*even though none were required*. The regulation update earned unanimous City-County Planning Board support before approval by the Whitefish City Council in 2009.

More importantly, the lakeshore committee actively sought and received support from the Flathead County Commissioners and County Planning office throughout this update process. County Planner,

TUESDAY, SEPTEMBER 9, 2014
(Continued)

George Smith, was on board during the entire process and attended every lakeshore committee work session and meeting, as well as both public hearings. I also made routine presentation updates to the County Commissioners. Attached are:

- 1) My final letter to the Flathead County Commissioners in July 2009 thanking them for their support, and urging eventual approval by the County if or when jurisdiction was restored.
- 2) A May 2009 letter from County Planner George Smith, written after completion of the update, urging adoption of the recommended regulation changes.

Needless to say, there are those who oppose lakeshore regulations today. A small group disseminated blatantly false information during our update process in 2008-09. This is referenced in Planner George Smith's letter. I would anticipate possibly the same opposition and misinformation as the Commissioners consider whether to restore the pre-existing cooperative agreement with the City of Whitefish to have a joint Whitefish Lake Protection Committee, and whether to adopt the 2009 regulation update.

I urge the County Commissioners to move forward in restoring the joint Whitefish Lake Protection Committee, and in adopting the well-vetted 2009 regulation update. Needless to say, what is at stake is one of the most priceless public assets for the community of Whitefish, as well as the "donut" residents.

Sincerely,



Jim Stack
WLPC Member, 1992-2013
WLPC Chairman, 1999-2013
...and a "donut" resident

Stack also submitted a copy of a letter he sent to the Flathead County Commissioners in 2009, and a copy of a letter sent by George Smith, an employee in the Flathead County Planning & Zoning Office sent to the City of Whitefish in 2009.

Whitefish Lake & Lakeshore Protection Committee

P.O. Box 158
Whitefish, Montana 59937

Date: July 14, 2009

To: Flathead County Commissioners

From: Jim Stack, Chairman; Whitefish Lake & Lakeshore Protection Committee

RE: Status of Lakeshore Regulation Update and Whitefish Lake permit/violation process

Dear Commissioners,

First, I want to express my appreciation to the Commissioners for your support of the Whitefish Lake & Lakeshore Regulation update in my meetings with you in June of last year and on February 17th of this year.

As the Commissioners are aware, although this update was initiated by the Whitefish City Council through a special AdHoc Committee (comprised of City staff, Council members, and WLPC members), our committee made the decision very early in this process to involve the Flathead County Planning Office and to ultimately seek approval through both governing bodies. Our objective was to avoid the controversies and legalities of the Critical Areas Ordinance. *This is not a Critical Areas Ordinance.*

Throughout this process, our committee has openly solicited public comment and input. From multiple informal hearings by our WLPC earlier this year, to a full review of the Whitefish City-County Planning Board (which, to my understanding, was not required), to a final public hearing at the Whitefish City Council, we have responded to public comments and tried to address any and all public concerns.

Above all, it is important to note that this update makes very few content changes to the original regulations, as they existed in 2004 prior to the Interlocal Agreement. Instead, it reorganizes and clarifies the regulations into a more user-friendly, easier-to-understand format. Yet based on the inflammatory radio ads that were running prior to the City Council hearing, one would think this is an entirely new set of onerous, more burdensome regulations about to be dropped –like a bombshell– into the lap of unsuspecting lakeshore property owners. *Such ads have been not only misleading, they've been blatantly false!*

Instead of tightening regulations, this update actually eases the regulations in a number of areas that benefit lakeshore property owners, including:

- Substantially shortens the approval time for docks by up to one-half, by allowing most dock permits to be issued administratively. Dock permits represent over 80% of the permits processed.
- Removes the requirement for a permit to replace an existing buoy or shorestation.
- Increases allowable dock slip length and gangway provisions for private marinas.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

- Removes configuration restrictions on shared docks.
- Specifically allows sprinkler drip lines in the lakeshore protection zone in order to encourage revegetation by property owners.
- Increases the maximum damage, by fire or other calamity, that can occur to a nonconforming house or boathouse from 50% to 90%, for which repair can occur without requiring a variance.

And lastly, I would like to express my appreciation for the involvement of the Flathead County Planning Office, and Planner George Smith. His participation and input proved invaluable in the final stages of this update process, and particularly in our committee's decision to adopt the Flathead County standard for nonconforming structures (with minor changes). This process was clearly the appropriate path in case the Interlocal Agreement is overturned or rescinded, and the County regains control over a significant portion of Whitefish Lake.

As a result of the extensive review process, the proposed regulation update was recommended for approval by the Whitefish City-County Planning Board in a unanimous 5:0 vote. The first reading was approved by the Whitefish City Council last week on a 5:1 vote. And it would be appropriate and beneficial to move these regulations for Whitefish Lake through approval at the County level at whatever time the Commissioners deem appropriate.

Sincerely,



James B. Stack, Chairman



1035 First Ave West
Kalispell, MT 59901
OFFICE 406.751.8200
FAX 406.751.8210
EMAIL planningweb@flathead.mt.gov
WEB flathead.mt.gov/planning_zoning

Date: May 20, 2009

To: Nikki Bond, Whitefish Planning Office, *for distribution to Whitefish City-County Planning Board*

From: George Smith, Planner I

Re: Updated revision of the Whitefish Lake & Lakeshore Protection Regulations

Dear Whitefish City-County Planning Board members,

Part of my duties within the Flathead County Planning & Zoning office includes managing the Flathead County Lake & Lakeshore permitting, inspection and regulation process, county-wide excepting City of Whitefish and Glacier National Park jurisdictions.

During the 'donut' hiatus I prepared and presented permit applications for presentation to the Whitefish Lake & Lakeshore Protection Committee for review and comment.

At the request of that committee and the Whitefish City Planning Office, I was assigned to act as county liaison to the committee to provide non-voting information and opinion concerning the recently completed revisions of the Whitefish Area Lake and Lakeshore Protection Regulations.

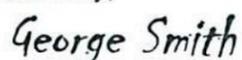
That process was rightly limited to the amendment of the existing regulatory document, principally reorganization, and in some cases, clarification of the regulation as previously promulgated and approved.

Any discussion related to the overall legality of the document en toto, was determined by the WLLPC as outside their authority. It was recommended to the member-presenter that those questions and comments should be directed to the City Attorney, and/or the Montana State Legislature.

There has been much misinformation regarding the intent, history, process, and now the results, published in print and on the internet. Observing the recent postulations, it would appear that we are reliving the Downtown Whitefish 'last minute call out the cavalry' efforts.

As a participant in the rewrite process, and as a citizen of Whitefish (and avid lake recreationalist), it is hoped that your review and determination will retain the perspective of the original task as charged to the WLLPC, and follow the recommendations of that group.

Sincerely,



George T. Smith, Planner I

TUESDAY, SEPTEMBER 9, 2014
(Continued)

9:04:00 AM

Ron Hauf, 2834 Resthaven Drive, Whitefish said he is or was an active member of the Whitefish Lakeshore Protection Committee, and concurs with James Stack in regards to adopting the new regulations. They were nothing more than additional clarification from the old regulations and I think there is a strong need to have an advisory committee for the whole lake; certainly not two committees. I would urge you to get together with the city and come up with a new committee for the lake as a whole.

9:05:00 AM

Koel Abell, 355 Lost Coon Trail, Whitefish said he was graciously appointed to the Whitefish Lakeshore Protection Committee last December by the commission. In the early 1970's a handful of Whitefish Lake shore owners got together and had the foresight to understand the need to preserve Whitefish Lake and all of Montana's very valuable lakes and lakeshores. Through their effort with the help of then legislator Bob Brown a bill was written and passed that gave local Montana governments a primary role in preserving the lakes and lakeshores. My father Charlie Abell was one of the founding fathers of those regulations of which I am very proud. Today I am here to ask two favors of you. First, adopt the 2009 Whitefish Lakeshore Regulations for the county controlled portions of Whitefish and Lost Coon Lakes and the whole of Blanchard Lake. I believe these regulations to be an excellent balance between property owner rights and the preservation of our lakes and lakeshores. Secondly, I ask that you keep this City-County Whitefish Lakeshore Protection Committee intact as it has been for years and work with the City of Whitefish and use the committee's recommendations to aid in ruling on each of your own jurisdictions. This will allow the entire lake and lakes to be ruled under one set of regulations. In fact working together with the City of Whitefish and the county is how the lakeshore committee has been through most of its tenure.

9:07:00 AM

Marcia Sheffels, 450 Parkway Drive, Whitefish stated she supports what Mr. Stack and Mr. Abell just stated. She served as a member on the committee for 12 years, and during that time served on a joint committee with the county that worked very well. I am very supportive of there being a separate lakeshore committee for the lakes in Flathead County. She explained they worked very hard on the 2009 regulations that took around two years to complete. They were all very involved along with a county planner whose guidance and expertise was used as they proceeded through the process. I am concerned that we have separate advisory boards to the commissioners, city council and planners who already have so much to do in our growing county. Another set of eyes and ears for lakeshore issues is needed, and I would hope that we could maintain a separate advisory board for the lakes that are our most natural and greatest asset here in the county.

9:08:00 AM

Richard Hildner read the following letter.

Commissioners, thank you for the opportunity to speak with you this morning about zoning in the former Whitefish ETA.

My name is Richard Hildner, 104 E. 5th St., Whitefish. I am an active community member and a member of the Whitefish City Council.

Given that the emergency you have identified is the need to provide interim zoning in areas previously under the zoning jurisdiction of the City of Whitefish, it only makes sense that the best way to meet the criteria of adopting zoning compatible with the nearby municipality, i.e. Whitefish, is to adopt existing zoning which has Whitefish and County zoning designations.

These zoning designations have been in place for decades and are familiar to residents and property owners. Shifting them to inconsistent interim zoning disturbs this familiarity and predictability so vital to those who may wish to develop their properties.

I would also like to point out that the City and community of Whitefish have invested a considerable amount of time and money in developing a growth policy and neighborhood plan for the Hwy. 93 West corridor. For the most part, County lands in the Hwy. 93 West study area are wholly surrounded by the city limits of Whitefish. There are additional public process requirements when county property is wholly surrounded that would not be met with the planned interim zoning. It would be a disservice to the interested parties, public and private, to create new interim zoning criteria inconsistent with current zoning and the neighborhood plan. These properties will require rezoning again upon annexation once they hook up to city services.

It is apparent that the uses and criteria for County I-2 Heavy Industrial Zone are not compatible with the existing WI zone. Adopting the uses and criteria of the WI zone solves this disparity.

I hope you will also consider Whitefish's interest in protecting our water supply in Second and Third Haskill Creeks. The loss of First Creek is ample warning as to what happens when inadequate protections are put in place. When it comes to protecting our primary water source the WA Zone with 15-acre minimums is far preferable to the SAG-10 proposed by the County interim zone.

In conclusion, adopting Whitefish zoning criteria in the former ETA solves the problem of compatibility with zoning ordinances of nearby municipalities, protects the water supply for the City of Whitefish, is responsive to the emergency necessitating the interim zoning, and provides continued predictability for those wishing to further develop their properties and at the same time protect the interests of existing land owners.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

I encourage you to adopt current zoning and administer City and County zoning for the former ETA. Such a move will afford the County and the City time to work together and create the necessary framework for more permanent County zoning. I also encourage you to schedule evening meetings in order to involve more citizens and I invite you to hold one or more of these meetings in Whitefish.

9:11:00 AM

Dave Turner, 6010 Highway 93 South, Whitefish stated he and his wife applied for and received a zone change on a six acre parcel so they could build a home on it. In researching the zoning as it has come to light he has found that the City of Whitefish has the property listed incorrectly on their GIS map on line, and as such the county picked up that zoning which is in error and is proposing to change it to something different than what it actually should be. He explained he just wanted to make sure that the zoning he has in place currently is consistent with what they currently have now.

9:12:00 AM

Andy Feury, 930 Pack Rat Lane, Whitefish read the following letter.

September 5, 2014

To: Flathead County Commissioners

From: Andy Feury, Board President, Whitefish Lake Institute

RE: Status of Whitefish Lakeshore Protection Committee

I would like to encourage the Flathead County Commissioners to maintain a working relationship with the City of Whitefish in regard to the Whitefish Lakeshore Protection Regulations as existed prior to the Interlocal Agreement.

Prior to the Interlocal Agreement, the City of Whitefish processed permit applications within city limits via recommendations to City Council from the mutually appointed Lakeshore Protection Committee. The Flathead County Planning Office forwarded recommendations to the county commissioners from the same committee for areas outside Whitefish city limits.

Whitefish Lake is listed by the State of Montana as an A-1 waterbody. The beneficial uses of an A-1 waterbody include water that is suitable for drinking, culinary, and food processing purposes after conventional treatment for removal of naturally present impurities. Water quality must be suitable for bathing, swimming, and recreation; growth and propagation of salmonid fishes and associated aquatic life, waterfowl, and furbearers; and agricultural and industrial water supply.

However, Whitefish Lake is on Montana's 2014 list of impaired waters requiring a Total Maximum Daily Load (TMDL) for sediment, pending an updated assessment. Sediment is delivered to Whitefish Lake from upland and lakeshore land use activities. If the updated assessment continues to list Whitefish Lake as impaired for sediment, numeric standards will be issued for the lake that the community will be required to meet.

The Whitefish Lakeshore Protection Regulations in their current form are the result of decades of cooperation between Flathead County and the City of Whitefish. That cooperation and the high level of proficiency displayed by the Whitefish Lake Protection Committee over the years have provided excellent, long-term water quality protection for the lake.

Every lake has different attributes and pressures. The Whitefish Lakeshore Protection Regulations have incorporated lake specific concerns to safeguard water quality. Examples include the fluctuating level of the lake and the potential for shoreline ice scour.

If the Whitefish Lakeshore Protection Regulations are modified to reflect the broader Flathead County Lakeshore Regulations, then components that don't match this lake would be included, such as; fixed docks that do not account for the fluctuating lake elevation or ice scour with the potential to destroy newly approved structures in the lakeshore zone, as well as the destruction of protective native vegetation and increased erosion in order to build the structure.

Thank you for your time and consideration. The continued high level of protection for Whitefish Lake benefits our collective community through property values and tax revenue, recreational opportunities and quality of life, and clean water for future generations.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

9:15:00 AM

David Taylor, Planning Director for the City of Whitefish read the following letter.

Planning and Building Department
PO Box 158, Whitefish, MT 59937
(406) 863-2410 Fax (406) 863-2409



September 9, 2014

Flathead County Commissioners
800 South Main Street
Kalispell, MT 59901

RE: Whitefish Area Interim Zoning

Dear Commissioners:

The City of Whitefish Planning Office has reviewed your proposed Interim Zoning and we have a few comments for your consideration. First, we applaud your efforts to get zoning issues resolved as quickly as possible. Mitigating any confusion with the public over zoning districts and their application during this transition is paramount. The quicker there is some form of zoning you can administer in the former Whitefish extra-territorial jurisdiction, the better. The City would prefer that you find some way to administer the existing zoning rather than picking zones that are the closest alternatives. The County administered Whitefish zoning prior to the 2005 interlocal agreement, and could again. However, the Planning Office acknowledges that the proposed interim zoning accomplishes that by maintaining status quo until things can be reviewed in more detail as time allows.

If you do interim zoning, we do ask that you make every effort to make the interim zones as compatible as possible with the existing Whitefish zones you are replacing, as required under 76-2-203 of the MCA. Your proposal does a good job creating zoning districts compatible with Whitefish's Business Service District and Resort Residential Zones. We ask that you consider extending that same detail to the Secondary Business District (WB-2) and the Industrial and Warehousing District (WI).

The WB-2 zone is specifically designed to only allow certain retail uses that need highway frontage such as grocery stores and building supply stores, but prohibits uses such as retail that competes with our downtown General Business District (WB-3). The interim zone you adopt for that should match our WB-2 zone permitted and conditional uses as close as possible. The WB-2 also has 'big box' standards that require a conditional use for buildings over 15,000 square feet, so that they can be reviewed on a case-by-case basis. Please consider adding a new temporary zone that has the same standards as are WB-2, rather than your B-2 where all retail sales and services are permitted, which is incompatible with our zoning and Growth Policy.

Likewise, our WI Industrial and Warehousing zone is more of a 'light industrial' district, where heavier industrial uses require a conditional use permit. Your interim zoning should be similar to our current WI standards, rather than opening up those areas (including the BNSF property that bisects our downtown) to much more intensive permitted industrial uses that could negatively impact adjacent properties.

And we would prefer you adopt a 15 acre Agricultural zone to match our WA zone.

We appreciate the opportunity to comment on your proposed changes, and I for one would like to see you expedite whatever you need to do to make sure that the former extra-territorial jurisdiction does not remain a zoning free-for-all.

As a final note, we ask that you please consider cooperatively continuing the Whitefish Lakeshore Protection committee, a committee that has provided a valuable function helping to protect Whitefish's municipal water supply and some of the highest property values in the state for over 30 years. Whitefish Lake was the first in Montana to have Lakeshore Regulations, a model for all the rest, and we hope that you will choose to keep them and the committee intact.

Thank you for your consideration of these matters.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Taylor".

David Taylor, AICP, Director.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

Mayre Flowers, Citizens for a Better Flathead noted written comments were submitted by her yesterday for their review, and stated given the confusion on the process it would be important for the commission to explain the rule of interim zoning and to hold evening meetings and information sessions so there can be a better understanding of the process.

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

OPEN RFP: U.S. 2 PATH CORAM TO WEST GLACIER

9:18:00 AM

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

Responses to request for proposals were received from WMW Engineering, TD & H Engineering, Carver Engineering and Robert Peccia & Associates.

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

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: OWENS ZONE CHANGE/ AIRPORT WEST ZONING DISTRICT

9:19:00 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, Planner Erik Mack, Clerk Kile

Commissioner Krueger made a **motion** to adopt Resolution 770K. Commissioner Scott **seconded** the motion. Motion carried unanimously.

RESOLUTION NO. 770 K

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 28th day of July, 2014, concerning a proposed change in the zoning designation in a portion of the Airport West Zoning District from AG-20 (Agricultural) to SAG-5 (Suburban Agricultural);

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Airport West Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 770 J, dated July 28, 2014) to change the zoning designation in a portion of the Airport West Zoning District from AG-20 to SAG-5; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 31 and August 7, 2014, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Airport West Zoning District to change the zoning designation from AG-20 (Agricultural) to SAG-5 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, for the area described as:

Assessors Tract 3D in Section 9, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana, and more particularly described as follows:

That portion of the Southeast Quarter of the Northwest Quarter (SE¼NW¼) of Section 9, township 29 North, Range 21 West, Flathead County, Montana (Shown as Parcel A of Certificate of Survey No. 11672)

Located at 715 Birch Grove, Kalispell, MT, located on approximately 19.386 acres.

DATED this 9th day of September, 2014.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: HORN ZONE CHANGE/ HIGHWAY 93 NORTH ZONING DISTRICT

9:20:00 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, Planner Erik Mack, Clerk Kile

Commissioner Scott made a **motion** to adopt Resolution 837CD. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

RESOLUTION NO. 837 CD

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 28th day of July, 2014, concerning a proposal to change the zoning designation in a portion of the Highway 93 North Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural);

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

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

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 837 CC, dated July 28, 2014) to change the zoning designation of the property described on the attached Exhibit A, located off Spring Prairie Road, Kalispell, MT, on approximately 37.5 acres, in a portion of the Highway 93 North Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 31 and August 7, 2014, and the Board of Commissioners did not receive written protests to the change.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Highway 93 North Zoning District to change the zoning designation in a portion of the Highway 93 North Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, for the property described on the attached Exhibit A, located off Spring Prairie Road, Kalispell, MT, on approximately 37.5 acres.

DATED this 9th day of September, 2014.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

EXHIBIT A

The property can be legally described as Assessors Tracts 2 and 2B in Section 35, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana, and more particularly described as follows:

Parcel I (Assessors Tract 2): The West Half of the Southwest Quarter of Section 35, Township 30, Range 22 West, P.M.M., Flathead County, Montana. EXCEPTING THEREFROM the following 3 tracts of land:

Tract 1: Tract A of Certificate of Survey No. 9727 situated, lying and being in the West Half of the Southwest Quarter of Section 35, Township 30 North, Range 22 West, P.M.M., Flathead County Montana.

Tract 2: Parcel A of Certificate of Survey No. 6077 situated, lying and being in the West Half of the southwest Quarter, Section 35, Township 30 North, Range 22 West, P.M.M., Flathead County Montana.

Tract 3: Parcel B of Certificate of Survey No. 6077 situated, lying and in the Northwest Quarter of the Southwest Quarter, Section 35, Township 30 North, Range 22 West, P.M.M., Flathead County Montana.

Parcel II (Assessors Tract 2B); Parcel B of Certificate of Survey No. 6077, situated, lying and being in the Northwest Quarter of the Southwest Quarter, Section 35, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana.

DOCUMENT FOR SIGNATURE: REIMBURSABLE AGREEMENT FOR BLACKTAIL MOUNTAIN ROAD – FLAP

9:20:00 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

Prunty reported the document pertains to paving 1.8 miles of Blacktail Road that the county will be reimbursed for. He noted the project is scheduled for next summer.

Commissioner Scott made a **motion** to approve the reimbursable agreement for Blacktail Mountain Road. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

DOCUMENTS FOR SIGNATURE: REQUEST FOR DECLARATION OF SURPLUS PROPERTY/ I. T. AND FAIRGROUNDS

9:22:00 AM

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

Chairperson Holmquist noted the I.T. equipment on the surplus list is old obsolete/ broken equipment.

Commissioner Krueger made a **motion** to approve the document for signature/ surplus property, I.T. Commissioner Scott **seconded** the motion. Motion carried unanimously.

Chairperson Holmquist noted the Fairgrounds surplus items include three vehicles that are in poor shape.

Commissioner Krueger made a **motion** to approve the document for signature/ surplus property, Fairgrounds. Commissioner Scott **seconded** the motion. Motion carried unanimously.

**TUESDAY, SEPTEMBER 9, 2014
(Continued)**

CONSIDERATION OF LAKESHORE PERMIT EXTENSION: SPEIERMAN, FLP 13-66

9:23:00 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, Planner Lawson Moorman, Clerk Kile

Moorman reported the request is for an additional one year extension for Lakeshore Permit FLP 13-66; an application to dredge the area surrounding a dock to allow boat access to the slip. The permit is set to expire on October 23, 2014, and if an extension is granted the permit will then expire on October 23, 2015.

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

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: BUDGET AMENDMENT FY 13-14

9:24:00 AM

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

Commissioner Krueger made a **motion** to authorize publication of the Notice of Public Hearing/ Budget Amendment FY13-14. Commissioner Scott **seconded** the motion. Motion carried unanimously.

NOTICE OF HEARING ON PROPOSED BUDGET AMENDMENT

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Flathead County, Montana intends to amend the budget for the 2013-2014 fiscal year and that said budget amendment affects the following functions: general government; public safety; public works; public health; social and economic services; culture and recreation and solid waste. Details are open to public inspection in the Office of the Flathead County Clerk and Recorder, 800 South Main, Kalispell, Montana and also available on the county website at <http://flathead.mt.gov/finance/downloads.php>

The Board will meet on the 29th day of September, 2014 at 9:30 a.m. for the purpose of holding a hearing and consideration of the amendment to the original budget. Said meeting is to be held in the Commissioner Chambers, Third Floor, 800 South Main, Kalispell, Montana.

Any taxpayer or resident may appear at the hearing and will be heard for or against any part of the proposed budget amendment.

For further information, please contact Sandy Carlson, Finance Director, 800 South Main, Room 214, Kalispell, Montana 59901, Telephone (406) 758-5539.

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 9th day of September, 2014.

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

Publish on September 13 and September 20, 2014.

MONTHLY MEETING W/ TAMMY SKRAMOVSKY, HUMAN RESOURCE OFFICE

9:30:00 AM

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

Skramovsky reviewed the following monthly report with the commission.

<u>July</u>	<u>August</u>	<u>WORK INDICATORS</u>
3	9	Job postings closed
61	73	Applications received
3	1	UI claims responses submitted
29	7	Employment verifications completed
2	1 (ongoing)	Investigations conducted that consisted of:
6	1	interviews
1	0	Disciplinary Hearing
0	2	Educational Leaves of Absence

<u>July</u>	<u>August</u>	<u>PERSONNEL TRANSACTION LIST:</u>
5	3	Flathead County employment terminations
2	1	FECC employment terminations
5	2	Exit meetings conducted
3	2	Formal exit interviews conducted
6	2	Flathead County new hires
0	0	FECC new hires
3	2	New hire orientation sessions conducted

Commissioner Krueger made a **motion** to approve the July/August H.R. Transmittals. Commissioner Scott **seconded** the motion. Motion carried unanimously.

<u>July</u>	<u>August</u>	<u>HR TRANSMITTALS APPROVED:</u>
12	2	<u>Job Descriptions</u> <ul style="list-style-type: none">• Assistant Manager, Treasurer's Office• Motor Vehicle/Tax Clerk, Treasurer's Office

**TUESDAY, SEPTEMBER 9, 2014
(Continued)**

- Human Resources Generalist, Human Resources
 - Accounting Technician, Superintendent of Schools
 - Administrative Assistant, Superintendent of Schools
 - MHIP Social Worker, Health Clinic
 - Clinic & Patient Support Specialist, Health Clinic
 - Health Prog Asst II-Billing/Finance Asst, Health Clinic Residency Program
 - Office Coordinator, Planning & Zoning
 - Tax Clerk, Sheriff's Office
 - Payroll Specialist, Finance
 - Accounts Payable Technician, Finance
 - Quality Assurance Technician, Health Clinic
 - Clinic & Patient Support Specialist, Health Clinic
- 8 3 **Position Changes**
- Human Resources Generalist, add 1.0 FTE
 - MHIP Social Worker, add 1.0 FTE
 - Clinic & Patient Support Specialist, change 1.0 FTE from Outreach-Eligibility Worker
 - Health Prog Asst II-Billing/Finance Asst, add 0.50 FTE
 - Library Advisors, adjust FTE's with zero net effect
 - Tax Clerk, add 0.40 FTE
 - CHS Program Coordinators, Health, reduce 1.0 FTE by deleting CHS Director position and promoting 2 nurses to coordinator roles
 - Temporary Community Health Nurse, add 0.60 FTE
 - WIC Nutritionist, chg'd 0.60 FTE from Cert. Prof. Authority position
 - Bus Driver I, change 1.0 FTE from Office Assistant II
 - Potential chg from Social Worker, to LPN or RN, depending on applications
- 2 2 **Position Replacements**
- Detention Officer, Sheriff's Office, to replace Rodney Weber
 - Detention Officer, Sheriff's Office, to replace Adam Shaver (internal transfer)
 - Health Program Asst I, Health/WIC, to replace Krista LaRoque
 - Office Asst III, Clerk of Court, to replace Gina Barker
- 2 0 **Tuition Assistance Requests**
- 1 0 **Stop Loss Agreement for Health Insurance**
- 2 0 **Union MOU's**
- Road Teamster Pension agreement – employee contribution change
 - Solid Waste Operator's COLA

TRAINING SESSIONS:

FMLA TRAINING:

- July 15th – Health Clinic

HR TRAINING:

- August 14th – The Future of HR, presented by Morrie Sheckman, Flathead Valley SHRM monthly meeting

WORK COMP

- Charts for Plan Years 2009-current
- Summary of incidents for current plan year

HEALTH INSURANCE TRUST FUND

- Trust Fund balance average is \$5.6 million for August 2014.

UNION CONTRACTS:

Dept	Employees	Representative	Contract Start Date	Next End Date
SO	Non-Sworn	AFSCME Local 3364	1/1/2012	12/31/2014
SO	Sworn	AFSCME Local 3531	1/1/2012	12/31/2014
Road	Truck Drivers/Teamsters	Teamsters Local 2	7/1/2012	6/30/2015
Solid Waste	Operators/Truck Drivers	Operating Engineers Local 400	7/1/2012	6/30/2015
FECC	911 Dispatchers	AFSCME Local 3032	7/1/2012	6/30/2015
Road	Operators	Operating Engineers Local 400	7/1/2013	6/30/2016
Health	Health Dept Employees	MPEA	7/1/2014	6/30/2016

COMMUNICATIONS:

Email – July Safety Newsletter, July 2nd

Email – No parking for Arts & Crafts Fair, July 1st and 9th

Email – August Safety Newsletter, August 21st

UPDATE:

BreAnn Hanson, the new HR Generalist, will be starting on September 15, 2014.

AUTHORIZE APPOINTMENT OF SPECIAL DEPUTY PROSECUTOR: STATE V. CLIFTON OLIVER

9:45:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, County Attorney Office Administrator Vicki Eggum, Clerk Kile

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

DOCUMENT FOR SIGNATURE: BORDER INTEROPERABILITY DEMONSTRATION PROJECT AGREEMENT CHANGE ORDER #002/ MOTOROLA

9:47:00 AM

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

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

AUTHORIZATION TO PUBLISH RFQ: CONSTRUCTION MANAGER-GENERAL MANAGER/ HISTORIC JAIL RENOVATION

9:55:00 AM

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

Commissioner Scott made a **motion** to authorize publication of RFQ/ Construction Manager-General Manager, Historic Jail Renovation. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

**TUESDAY, SEPTEMBER 9, 2014
(Continued)**

**PUBLIC NOTICE/ REQUEST FOR QUALIFICATIONS
CONSTRUCTION MANAGER - GENERAL CONTRACTOR**

The Flathead County Commissioners is requesting qualifications from qualified Construction Manager-General Contractor (CM-GC) firm(s) to participate in a collaborative process with Flathead County and Architects/Engineers of Record, to assist in the finalization and development of the design, value engineering, influence the methods and sequencing of the construction phase and participate in the delivery of the following project:

1. Flathead County Historic Jail and Juvenile Detention Center Renovation and Additions.

The CM-GC will be required to provide a Guaranteed Maximum Price for pre-construction services, general conditions, and a specified percentage of construction for the construction fee. The CM-GC will also be required to provide proof of the ability to bond 100% of the project.

Specifications and questions which arise from this request for qualifications can be obtained from the following architect:

David Mitchell/Fran Quiram
CTA Architects Engineers
2 Main Street, Suite 205
First Interstate Bank Building
Kalispell, MT 59901

To be considered: 1) Responses to this Request for Qualifications for GCCM Consulting and Construction Services are due Monday, September 29, 2014 at the offices of CTA Architects Engineers no later than 10:00 a.m. Provide six (6) copies of the Qualifications. 2) Selection of Qualified General Contractors/Construction Managers will be determined and notified on Wednesday, October 1, 2014. Those Selected GCCM will then be invited to submit a proposal for the consulting and construction services. 3) Responses to this Request for Proposals for GCCM Consulting and Construction Services are due Monday, October 6, 2014, at the Flathead County Commissioners Office no later than 9:00 a.m. Provide six (6) copies of the Proposal. All proposals must be plainly marked "FCJAILREN Construction Manager – General Contractor (CM-GC)." The Proposals will be opened at the Commissioners meeting at 10:15 a.m. on October 6, and may be taken under advisement for review. 4) A pre-proposal conference and facility tour will be conducted at 2:00 p.m. on Thursday, September 18, 2014, on the Project site located at 800 South Main, Kalispell, MT 59901. All interested parties are to meet outside on the South side of the Courthouse.

The Flathead County Commissioners, Kalispell, Montana reserves the right to reject any and all proposals, to waive formalities, and to accept the proposal deemed most advantageous to Flathead County.

Flathead County Commissioners Office
Mike Pence
800 South Main, Room 302
Kalispell, MT 59901

Publish: September 12 and September 18, 2014.

MEETING W/ B. J. GRIEVE, PLANNING & ZONING OFFICE RE: FLATHEAD COUNTY LAKE & LAKESHORE PROTECTION REGULATIONS PROCESS FOR WHITEFISH & LOST COON LAKES

10:00:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Erik Mack, Planner Lawson Moorman, Stacey Schnabel, Mayre Flowers, Bruce Lutz, Rick Blake, David Taylor, Richard Hildner, James Stack, Ron Hauf, Koel Abell, Frank Sweeney, Andy Feury, Clerk Kile

Grieve stated after the July 15, 2014 Supreme Court Ruling and the letter received from the City of Whitefish saying they are withdrawing from administering the interlocal agreement area. There became the question as to what would be done with the lakeshore regulations. They started using the Flathead County Whitefish Area Lake and Lakeshore Protection Regulations; the version that was originally adopted in 1990 when Lost Coon and Whitefish Lake were split out from the county wide lakeshore regulations. He summarized past history of various versions of the lakeshore regulations used for governing approximately 57 lakes in Flathead County. In 1990 Whitefish Lake and Lost Coon Lake were split out from the regulations and Resolution 769 was adopted by the county adopting Whitefish and Lost Coon Lake regulations. The document was administered jointly with the City of Whitefish administering regulations for city properties and the county administering regulations for county properties; both the city and county took the permit applications to the Whitefish Lakeshore Protection Committee for review and then back to their corresponding governing bodies for decisions. In 2005 when the interlocal agreement went into place on the eve of the interlocal there was still one book of regulations that governed Whitefish and Lost Coon Lakes, and when the interlocal went into place Whitefish continued to use those regulations. Soon after the interlocal went into place they amended it to include Blanchard Lake, which was entirely in the doughnut. Then they kept with the regulations and updated them during the time of the interlocal agreement. During the time of the interlocal the county had no use for the regulations as it was not under county jurisdiction so amendments to the regulations did not come before the commission. The county version of the regulations he pointed out is a version frozen in time from 2004; Flathead County and Whitefish Area Lake and Lakeshore Protection Regulations. Whitefish took the version and continued to revise and update it and move forward with it. In 2009 a substantial revision was done. With the interlocal going away the county unfroze the version and started using it. To date one permit has been received and is being processed according to the development/construction standards from those regulations.

Commissioner Krueger inquired as to when the regulations were adopted.

Grieve stated the current Flathead County Whitefish Area Lake and Lakeshore Protection Regulations were originally adopted in 1990; Resolution 769. He pointed out in the beginning of August the Planning & Zoning Office communicated with the City Planning Office (David Taylor) to inquire as to what was going on with the committee. David Taylor told him he received word from the Whitefish City attorney that the organization, since it had joint city and county membership could not meet and continue to function until the situation was dealt with from a legal point of view. There are regulations in place he explained and we are administering Flathead County Whitefish Area Lake and Lakeshore Protection Regulations, but we do need to figure out where to go after this as there are a lot of different options as to where the county could go now that Whitefish Lake is a lake split by jurisdiction. There are city and county properties both on Whitefish Lake and Lost Coon Lake. According to MCA the governing body shall seek the recommendation of the Planning Board. He reviewed the following options being considered for the Planning Board to look at.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

- Take the current Flathead County Lake and Lakeshore Protection Regulations and simply amend them to include Whitefish and Lost Coon Lakes.
- Put on fiscal year 2016 a work plan to update the regulations.
- Continue using Flathead County Whitefish Area Lake and Lakeshore Protection Regulation (the version we are using now) which we unfroze after the interlocal went away.
- Adopt Whitefish Area Lake and Lakeshore Protection Regulations.
- Work with the public and Whitefish to create some sort of new Whitefish Lake and Lost Coon Lake regulations that are agreeable to both governing bodies.
- Discuss with the City of Whitefish some type of mutually agreeable arrangement to give the city lakeshore jurisdiction for the entire lake.

Commissioner Krueger asked for clarification on what the county is currently regulating.

Grieve explained the Flathead County Lake and Lakeshore Protection Regulations cover Blanchard Lake and always has. Blanchard Lake does not have any city properties on it. Lost Coon Lake and Whitefish Lake do have city and county properties on them, therefore they are lakes split by jurisdictions. If you take away prior to the interlocal you had two lakes that had split jurisdictions where as Blanchard Lake you did not. When the interlocal went into place the boundary of the interlocal takes in Blanchard Lake so they added Blanchard Lake to their Whitefish and Lost Coon Lakes Regulations. The county never amended out Blanchard Lake from our regulations, so if someone came in with a permit today we would process it under the Flathead County Lake and Lakeshore Protection Regulations.

General discussion was held relative to the options stated for the Planning Board to look at and interpretation of MCA.

The commission unanimously agreed to have the Planning Board hold a workshop on the lakeshore protection regulations.

MONTHLY MEETING W/ ELIZABETH BROOKS, OES AND LINCOLN CHUTE, FIRE SERVICES AREA MANAGER

10:30:00 AM

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

Brooks summarized activities at the OES Department that included 911 dispatch trainers attending refresher courses; training of two new dispatchers; updating the job description for the wireless tech position; fire chief meetings held; fair and air show coverage.

Chute summarized activities pertaining to the Fire Service Area that included an update on the Fire Season 2014; spoke about the building used for the Desert Mountain TV District site and the Martin City Fire District building; spoke about the Hay Creek complex fire started by lightning strikes; reported he was notified excess equipment that is fairly new is available through a program administered through the Department of Defense for firefighting equipment and Road Department equipment; reported a communications site in the Middle Fork is a valuable asset they would like to keep.

CONSIDERATION OF RURAL WHITEFISH INTERIM ZONING DISTRICT

11:00:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Erik Mack, Planner Lawson Moorman, Stacey Schnabel, Mayre Flowers, Bruce Lutz, Rick Blake, Ben Cavin, Charles W. Davis II, C. Luke, Sean Frampton, David Taylor, Clerk Kile

Fugina noted the public hearing was closed and public comment has been received and reviewed by the commission up to and through the end of the public hearing held on September 2, 2014 concerning Whitefish Interim Zoning District. She explained several comments addressed whether there was an actual emergency that required the commission to enact interim zoning. From my offices perspective there is an emergency as we did not expect the City of Whitefish to disallow the jurisdiction of Whitefish in the ETA immediately after the Supreme Court ruling. However, that is what they did, and I believe that did create a vacuum for processing new applications as well as enforcement of old rules. In analyzing the situation, it became clear that Whitefish's regulations had never been adopted by the county and it became difficult if not impossible for the county to enforce those regulations. Something needed to be put in place and whether that was a wholesale adoption of Whitefish's regulations or something else. In reviewing Whitefish's regulations it seemed that would almost be impossible to administer as Whitefish had; we simply don't have the same processes. In many cases we don't have the same authorities that a municipality does. For instance some of the ordinance overlays as I call them, the dark skies, what was previously known as the critical areas ordinance are not things the county can wholesale adopt as an ordinance like a municipality can. In reviewing the options, it seemed that enacting an interim zoning district that imposed similar regulations that the county already has to the Whitefish zones may be the best option. In some cases that was not possible and so new zones were created. That seemed to be the best balance of expectations of all parties. In the public comments we heard and saw that there were several varying views within the ETA itself about what should be done with the properties. Some people wanted to expand their uses, some wanted to keep things exactly the way they are and we need time to resolve those conflicts to the best of our ability. Unfortunately, in the interim something had to be done to promote stability in the area so that the county could enforce regulations that would somehow at least partially satisfy property owner's expectations as to their property rights. That is where the interim zoning district comes into play, and that is why I believe there is an emergency. To highlight that, we just had a reported violation about a wedding facility in the ETA that allegedly does not conform to the zoning regulations that Whitefish put in place for that area. It begs the question, "how does the county then enforce the expectations of the neighbor's property rights as to the wedding facility". We certainly expect that there will be more because we have them throughout the county, so why shouldn't they exist in the ETA as well. The interim zoning is basically a stop gap measure and is temporary by its very nature and is enacted under a truncated process under MCA 76-2-206 and if there is going to be any permanent zoning in the area the process under MCA 76-2-203 has to be followed. I believe it is the county's intent and commissioner's intent to follow through with that process to allow extensive public participation to determine whether or not permanent zoning if any should be enacted in the ETA in respect to specific properties. That would go through the Planning Board and it will be a big job. The county always anticipated eventually it would be a big job if the lawsuit was won.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

Commissioner Krueger thanked staff for making them incredibly knowledgeable about what was going on through many discussions with staff and attorneys as they considered all the different options. He stated he was ready to make a decision.

Chairperson Holmquist stated she reiterated the same. That staff has done a remarkable job with providing them with information as she too spent time with staff that was very helpful as they moved through the process. She stated the public comment brought before them has been considered and she too is ready to make a decision.

Commissioner Scott stated that makes it unanimous.

Fugina inquired of the commission if they believed that an emergency does exist.

The commission unanimously agreed it does.

Fugina asked if they could explain why.

Chairperson Holmquist said right now there is no planning in place that can be administered in the area and feels this is an emergency; something has to be in place. This will give us time to listen to the public as we go through the process of interim zoning and still have some form of planning in place.

Commissioner Krueger said for Flathead County to administer into the current zones that are there, which I believe are still there. It is my belief there is varying discussion from different legal advice for them to try to administer into there is impossible. So a use that may or may not be in compliance is impossible for them to enforce. I believe that if something was happening out of compliance with the current zoning that is there, and we refuse to enforce it that would not be in the best interest of Flathead County and would end up no doubt in more legal wrangling. I believe an emergency absolutely does exist for that reason.

Commissioner Scott echoed two statements that this promotes stability, because without it we would have instability and confusion for our people and that is not the way we want to represent citizens. The other is to have the best balance to be able to handle the situation and proceed with the public vetting and the input that is necessary to take on this task; without that it would be chaotic to say the least.

Commissioner Krueger made a **motion** to adopt Resolution 2394. Commissioner Scott **seconded** the motion. Motion carried unanimously.

RESOLUTION NO. 2394

WHEREAS, on January 24, 2005 the Flathead County Board of Commissioners entered into an agreement with the City of Whitefish to establish an extraterritorial area (ETA) around the City's annexed areas and assign planning jurisdiction to the Whitefish City-County Planning Board (Resolution No. 1783 A); and

WHEREAS, after adoption of the Interlocal Agreement the City of Whitefish designated some county zones with Whitefish zoning designations and adopted Whitefish zoning designations within some areas previously unzoned within the ETA of the Interlocal Agreement; and

WHEREAS, on July 15, 2014 the Montana Supreme Court issued a decision on Phillips v City of Whitefish, 2014 MT 186 which affirmed the prior District Court determination that the Interlocal Agreement between Flathead County and the City of Whitefish (2010IA) has been terminated according to the express terms which provide for withdrawal by either party and that therefore there is no valid Interlocal Agreement between the parties; and

WHEREAS, on July 28, 2014 the mayor of the City of Whitefish issued a letter to the Flathead County Board of Commissioners regarding transitioning of jurisdiction of the ETA to Flathead County; and

WHEREAS, on August 6, 2014 the Flathead County Board of Commissioners issued a letter of response to the mayor of the City of Whitefish clarifying its current position regarding transitioning of jurisdiction of the ETA formerly encompassed by the 2005 and 2010 Interlocal Agreements between Flathead County and the City of Whitefish back to Flathead County; and

WHEREAS, recognizing a vacuum of governance and the prompt need to serve the citizenry within the ETA, the Commissioners indicated in their August 6, 2014 letter the County would begin administering immediate control over the ETA; and

WHEREAS, after considering multiple potential scenarios for administering the re-acquired ETA jurisdiction Flathead County decided to adopt an interim zoning district; and

WHEREAS, in conformance with 7-1-2121 M.C.A. and 76-2-206(3)(a) M.C.A., the Flathead County Planning and Zoning Office did prepare a Notice of Public Hearing stating the boundaries and zoning designations of the proposed interim zoning district, the specific emergency compelling the establishment of the proposed interim zoning district and regulations, the general character of the proposed interim zoning district and regulations, and stating that the proposed interim zoning district and regulations are on file for public inspection at the office of the Flathead County Clerk and Recorder and for review on the Flathead County Planning and Zoning Office website; and

WHEREAS, on August 21, 2014 the Board of Commissioners of Flathead County, Montana did authorize the publication of the Notice of Public Hearing, and, in conformance with 7-1-2121 M.C.A., the notice did appear in the August 24, 2014 and August 31, 2014 editions of the Daily Interlake; and

WHEREAS, the Board of Commissioners of Flathead County, Montana did hold the legally noticed public hearing on September 2, 2014 at which the Commission gave the public an opportunity to be heard regarding the proposed establishment of the interim zoning district and regulations and closed the public hearing after which the Commission continued board discussion to September 9, 2014 to allow time for consideration of all comment received; and

WHEREAS, on September 9, 2014 the Commission did discuss the public's comments and whether to adopt interim zoning in light of the comments; and

TUESDAY, SEPTEMBER 9, 2014
(Continued)

WHEREAS, the interim zoning district shall replace the City of Whitefish zoning designations within the ETA with similar designations that are found in the Flathead County Zoning Regulations and as shown in Exhibit A; and

WHEREAS, the BR-4 (Resort Business) classification requires approval of an overall development plan and 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; and

WHEREAS, Flathead County additionally creates two new zoning designations (RR-1 and BSD), as set forth in Exhibits B and C, to replace current City of Whitefish zoning designation that have no similar designation in the Flathead County Zoning Regulations; and

NOW THEREFORE, BE IT RESOLVED, that to address the emergency that exists to the general welfare of the citizenry within the ETA, the Flathead County Commissioners do hereby adopt the interim zoning district and regulations as set forth herein and in Exhibits A, B and C attached hereto for a period of one year effective immediately.

Dated this 9th day of September, 2014.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

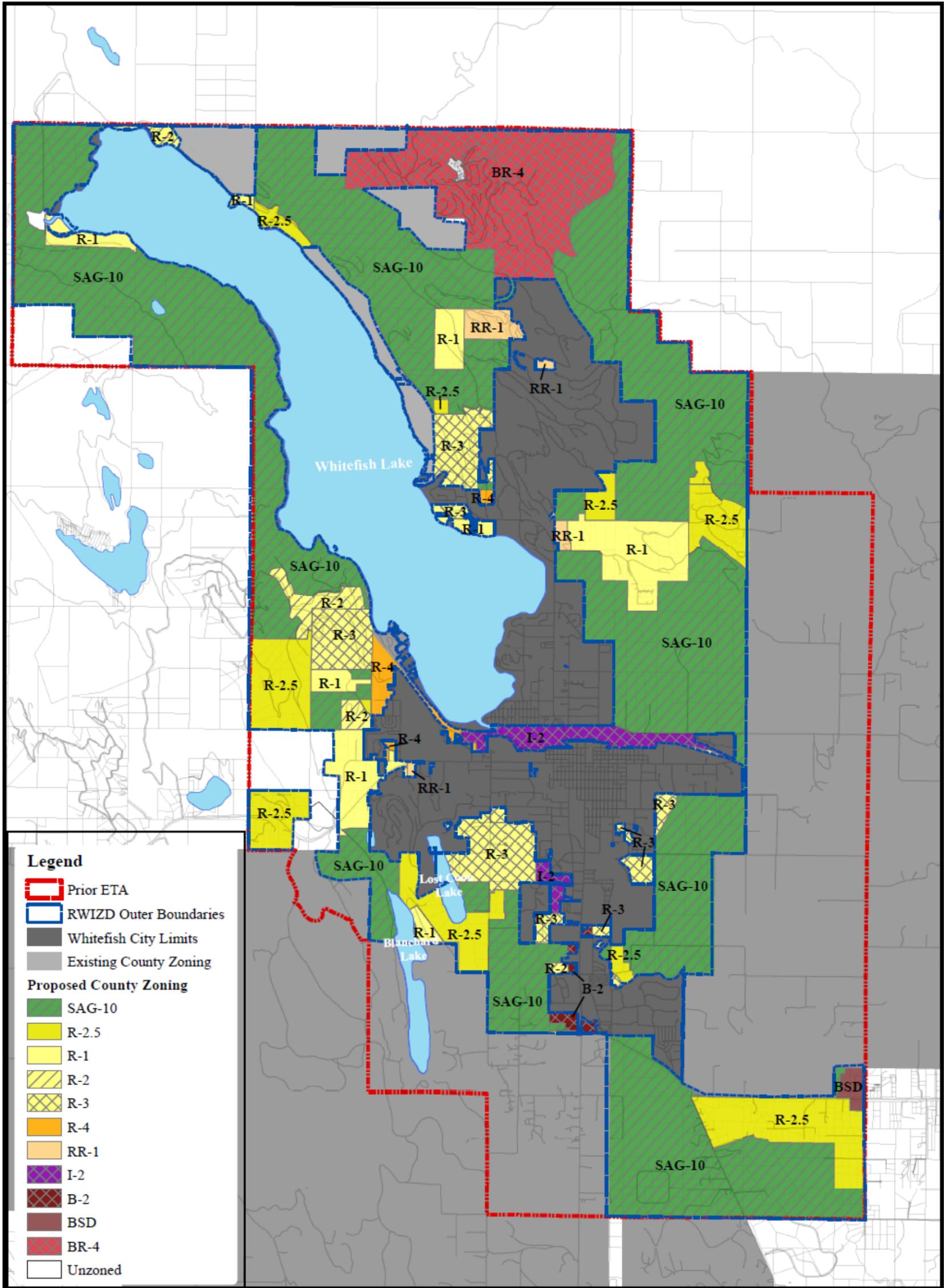
By/s/Calvin L. Scott
Calvin L. Scott, Member

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

TUESDAY, SEPTEMBER 9, 2014
(Continued)

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



**TUESDAY, SEPTEMBER 9, 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.
---------------	----------

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

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.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

** 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.

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.

TUESDAY, SEPTEMBER 9, 2014
(Continued)

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)

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:

TUESDAY, SEPTEMBER 9, 2014
(Continued)

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.

3:30 p.m. Commissioner Holmquist: RSVP Volunteer Recognition Banquet @ Northridge Lutheran Church

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 10, 2014.

WEDNESDAY, SEPTEMBER 10, 2014

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

11:00 a.m. County Attorney meeting @ Co. Atty's Office
12:00 p.m. Commissioner Holmquist: MWED Board meeting @ First Interstate Bank

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 11, 2014.

THURSDAY, SEPTEMBER 11, 2014

[Audiofile](#)

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

Chairperson Holmquist led the Pledge of Allegiance.

Chairperson Holmquist opened public comment on matters within the Commissions' Jurisdiction.

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Ed Luke, Denise Luke, Clerk Kile

Ed Luke, 1805 Karrow Avenue, Whitefish spoke about concerns pertaining to the type of zoning he has on his property. He stated the Whitefish City County Planning Board zoned neighboring properties to the benefit of the property owners and his 60 acres cannot be divided less than 20 acres, whereas neighboring properties across the road 100 feet away are zoned as small as 2.5 acre tracts. He further summarized zoning on neighboring properties and stated he wants the zoning to be fair and the same on both sides of the road.

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

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

9:00:00 AM

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

Grieve summarized staff's workload; spoke about lakeshore regulation research; summarized enforcement/violation issues; reported a CIP amendment is necessary due to a plotter not working in their office; reviewed fee revenue and budget statistics; spoke about risk map floodplain mapping revisions in which a notice from FEMA has been received starting the official 90 day period to appeal the preliminary maps; reported the current mapping at 6010 Highway 93 in Whitefish is incorrect due to an error; spoke about interim zoning in Whitefish and noted a workshop will be held by the Planning Board on September 24, 2014.

DOCUMENT FOR SIGNATURE: SOLUS ARCHITECTURE CONTRACT/ SENIOR CENTER PAR

9:37:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Grant Support Debbie Pierson, Ken Huff, Clerk Kile

Pierson reported Solus Architecture will do the PAR for all the senior centers and will contract with Morrison & Maierle to conduct the environmental checklist on the center that is identified with the greatest need. She noted the contract is not to exceed \$34,240 and pointed out the county has a \$30,000 CDBG grant that is sponsored by the City of Kalispell with a match portion.

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

THURSDAY, SEPTEMBER 11, 2014
(Continued)

DOCUMENT FOR SIGNATURE: AGREEMENT FOR DIGITAL IMAGES OF RECORDED DOCUMENTS/ BLACK KNIGHT REAL ESTATE DATA SOLUTIONS, LLC

9:38:00 AM

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

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

DOCUMENT FOR SIGNATURE: ELECTRONIC RECORDING TRUSTED SUBMITTER AGREEMENT/ INDECOMM HOLDINGS, INC.

9:39:00 AM

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

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

DOCUMENT FOR SIGNATURE: ELECTRONIC RECORDING MOU/ E-RECORDING PARTNERS NETWORK, LLC

9:40:00 AM

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

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

CONSIDERATION OF H.R. TRANSMITTAL: JOB OPENINGS – 4 SITE CONTAINER MONITORS/ SOLID WASTE DISTRICT

9:41:00 AM

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

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

CONSIDERATION OF CIP AMENDMENT: DUMP TRUCK/ ROAD & BRIDGE DEPT.

9:42:00 AM

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

Pilsch explained the request is to adjust their CIP in order to purchase a local truck. He noted it is in their CIP for FY 14-17.

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

DOCUMENT FOR SIGNATURE: REQUEST FOR DECLARATION OF SURPLUS PROPERTY/ ROAD DEPT.

9:43:00 AM

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

Chairperson Holmquist noted the surplus item will be transferred to the Fairgrounds who are in need of a fuel truck.

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

MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.

10:00:00 AM

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

Carlson summarized the following cash balance report with the commission.

**THURSDAY, SEPTEMBER 11, 2014
(Continued)**

August 31, 2014 REVIEW OF CASH BALANCE

FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY15)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY15 beginning cash)	YTD CASH BALANCE AS OF August 31, 2014	PROJECTED CASH BALANCE AS OF JUNE 30, 2015	PROJECTED DIFFERENCE	CASH RESERVE %
1000	GENERAL FUND	13,345,474	4,448,491	17,793,965	2,532,340	1,987,942	3,147,391	1,159,449	23.58%
2120	POOR FUND	365,900	121,967	487,867	27,835	18,836	87,509	68,673	23.92%
2130	BRIDGE FUND	949,474	316,491	1,265,965	446,129	369,500	230,769	(138,731)	24.30%
2140	WEED	643,681	214,560	858,241	268,628	277,395	150,579	(126,816)	23.39%
2160	COUNTY FAIR	1,372,322	457,441	1,829,763	59,912	326,045	95,409	(230,636)	6.95%
2180	DISTRICT COURT	669,349	223,116	892,465	514,443	471,699	167,990	(303,709)	25.10%
2190	COMP INS	995,856	331,952	1,327,808	661,619	(201,382)	248,615	449,997	24.96%
2210	PARK	716,009	238,670	954,679	358,085	326,708	177,655	(149,053)	24.81%
2220	LIBRARY	1,562,239	520,746	2,082,985	357,972	266,815	355,361	88,546	22.75%
2280	AREA ON AGING	238,708	79,569	318,277	55,601	41,647	58,392	16,745	24.46%
2290	4H/EXT	132,808	44,269	177,077	35,495	26,682	30,448	3,766	22.93%
2300	SHERIFF	9,841,011	3,280,337	13,121,348	4,066,435	3,576,297	2,464,538	(1,111,759)	25.04%
2370	RETIREMENT	3,014,270	1,004,757	4,019,027	1,167,139	1,186,627	745,105	(441,522)	24.72%
2380	GROUP INS	2,960,481	986,827	3,947,308	995,959	653,012	739,254	86,242	24.97%
2396	JUV DETENTION	725,255	241,752	967,007	347,328	285,694	178,313	(107,381)	24.59%
TOTAL COUNTYWIDE NON-VOTED		37,532,837	12,510,946	50,043,783	11,894,920	9,613,517	8,877,328	(736,189)	23.65%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY15)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY15 beginning cash)	YTD CASH BALANCE AS OF August 31, 2014	PROJECTED CASH BALANCE AS OF JUNE 30, 2015	PROJECTED DIFFERENCE	CASH RESERVE %
2110	ROAD FUND	7,740,854	2,580,285	10,321,139	3,034,286	2,370,561	2,318,413	(52,148)	29.95%
2251	PLANNING	456,757	152,252	609,009	201,195	167,600	133,309	(34,291)	29.19%
TOTAL OUTSIDE CITIES NON-VOTED		8,197,611	2,732,537	10,930,148	3,235,481	2,538,161	2,451,722	(86,439)	29.91%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY15)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY15 beginning cash)	YTD CASH BALANCE AS OF August 31, 2014	PROJECTED CASH BALANCE AS OF JUNE 30, 2015	PROJECTED DIFFERENCE	CASH RESERVE %
2270	HEALTH FUND	2,300,173	766,724	3,066,897	681,835	557,595	670,550	112,955	29.15%
TOTAL LEVIED FUNDS		2,300,173	766,724	3,066,897	681,835	557,595	670,550	112,955	29.15%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY15)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY15 beginning cash)	YTD CASH BALANCE AS OF August 31, 2014	PROJECTED CASH BALANCE AS OF JUNE 30, 2015	PROJECTED DIFFERENCE	CASH RESERVE %
2200	MOSQUITO	170,887	56,962	227,849	96,952	95,089	52,439	(42,650)	30.69%
2272	EMS PROGRAM	254,873	84,958	339,831	78,636	67,613	76,801	9,188	30.13%
2273	SPECIAL EMS PROGRAM	543,000	181,000	724,000	84,703	114,615	36,778	(77,837)	6.77%
2372	PERMISSIVE MED LEVY	2,219,698	739,899	2,959,597	-	74,781	-	(74,781)	0.00%
2382	SEARCH & RESCUE LEVY	287,791	95,930	383,721	108,609	110,035	88,982	(21,053)	30.92%
2990	TRANSPORTATION	1,230,870	410,290	1,641,160	326,084	91,825	362,097	270,272	29.42%
3001/3002	911 GO BOND DEBT SERVICE	488,017	162,672	650,689	122,695	153,844	107,528	(46,316)	22.03%
TOTAL COUNTYWIDE VOTED/EXEMPT		5,195,136	1,731,712	6,926,848	817,679	707,802	724,625	16,823	13.95%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY15)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY15 beginning cash)	YTD CASH BALANCE AS OF August 31, 2014	PROJECTED CASH BALANCE AS OF JUNE 30, 2015	PROJECTED DIFFERENCE	CASH RESERVE %
2260	EMERGENCY/DISASTER	-	-	-	374,818	377,498	374,818	(2,680)	#DIV/0!
TOTAL OUTSIDE CITIES VOTED		-	-	-	374,818	377,498	374,818	(2,680)	#DIV/0!
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY15)	TOTAL REQUIRED	RESOURCES AVAILABLE (FY15 beginning cash)	YTD CASH BALANCE AS OF August 31, 2014	PROJECTED CASH BALANCE AS OF JUNE 30, 2015	PROJECTED DIFFERENCE	CASH RESERVE %
2901	PILT	5,650,000	1,883,333	7,533,333	3,645,522	5,843,669	479,267	(5,364,402)	8.48%

FY15 Review August 31, 2014.xlsx

9/11/2014

General discussion was held relative to the additional workload to the Finance Department in helping fire districts.

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

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

FRIDAY, SEPTEMBER 12, 2014

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

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 15, 2014.
