

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

MONDAY, SEPTEMBER 15, 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 a portion of punch list items remaining, finished mid-September. Reviewing all Fair costs incurred during construction. Discussions with contractor regarding delays and impacts are on-going. Final pay notice has been approved by Architect and in claims process to be paid 9/19. Retainage amounts to \$11,907.11.
- Fairgrounds Infrastructure phase 1 - is complete with hydro seeding 9/17 and one asphalt patch remaining. Both items will be addressed in month of September.
- Addendum for phase 2 engineering services by Carver being reviewed. Preferred course of action is Alternative Design process.
- Clean-up.

NW Montana Fair & Rodeo

- All numbers are being reviewed and not considered final at this time.
- Continuing to wrap-up competitive exhibit process. Actual judged entries at 7,000 with 1,015 exhibitors. Premium checks are being processed and will be sent before end of September.
- Food concessions are all in. Total sales down 3.2% with 22 food locations. Fair receipts of \$66,233.06, down .07%.
- Finalizing fair related budget targets. Many areas at or slightly above expectations with gate admissions continuing to be flat.
- Gate and banking procedures were helpful but further work and procedures need to be implemented.

Upcoming Events and Activities

- Charter Communications – September 15-22nd (Cable box distribution)
- NW Search and Rescue Conference September 10 – 14th
- MT Department of Ag Chemical recycling, September 16th
- Flathead 50 Wilderness Celebration – September 20th
- Health and Safety Fair – September 20th
- Paper To Trees – Paper Drive – September 20th
- Taste of Home, September 23rd
- Flathead Quilt Show, September 26-27th
- Log Jam benefit, October 4th
- Flu Clinic – October 7th
- Three Rivers Bank dinner – October 9th
- McDonald's House fundraiser – October 10th

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

MEASURE	FY 2013 Actuals	FY 2014 Target	FY 2014 Actuals	FY 2014 as % FY 2013	Aug. 2014	Total Last Report	Total/Av g. to Date	FY 2015 Target	% Target
# Receiving Independent Living Services	317	350	319	101%	not yet available	not yet available	not yet available	350	not yet available
# Receiving Meals on Wheels	349	373	451	129%	23	218	241	350	65%
# of Seniors Receiving Congregate Meals	817	832	858	105%	77	379	456	820	55%
# of Eagle Transit Dial-A-Ride Customers	368	470	787	214%	787	0	787	550	167%
# Eagle Transit DAR unduplicated riders for FY	N/A	N/A	N/A	N/A	263		263		
# of RSVP Volunteer Hours	40,468	32,000	48,999	121%	not yet available	not yet available	not yet available	32,000	not yet available
% of Service Recipients at Moderate to High Risk of Institutionalization	N/A	70%	88%	N/A	85%	78%	85%	70%	121%
Per Meal Cost of Nutrition Services	\$6.88	\$6.00	\$6.28	91%	\$5.55	\$4.23	\$5.55	\$6.50	85%
% of Annual Survey Respondents Who Indicate Overall Satisfaction with AOA Services	N/A	90%	survey will occur in FY 2015	N/A	N/A	N/A	N/A	90%	N/A
Maximum of 4 Public Complaints About Transportation Services per month (48 annual total)	N/A	60	17	N/A	4	3	7	48	8%

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WORKLOAD INDICATOR	FY 2013 Actuals	FY 2014 Target	FY 2014 Actuals	FY 14 as % FY 13	Aug. 2014	Total Last Report	Total/Avg. to Date	FY 2015 Target	% Target
Outreach/Education/Media									
Public Outreach/Education/Media Efforts (excluding Eagle Transit)	35	48	93	266%	6	11	17	60	35%
Nutrition									
Meals Served	69,510	78,000	80,001	115%	6,935	7,048	13,983	77,000	18%
Nutritional Assessments Conducted	N/A	560	539	N/A	146	505	651	560	116%
Transportation									
Total Ride Count	93,833	96,000	94,535	101%	7,119	8,221	15,340	94,000	16%
Dial-A-Ride Count	34,083	40,320	25,662	75%	2,326	2,377	4,703	32,900	14%
City, Commuter and Other Ride Count	59,750	55,680	68,873	115%	4,793	5,844	10,637	61,100	17%
Eagle Transit Outreach/Special Events	N/A	N/A	N/A	N/A	3	3	6	8	75%
Information and Referral/Assistance									
Info and Referral/Assistance Contacts	15,896	16,300	16,666	105%	1,489	1,387	2,876	16,300	18%
Independent Living									
Homemaker Units of Service	3,318	3,780	3,065	92%	not yet available	not yet available	not yet available	3,187	not yet available
Escorted Transportation Units of Service	1,845	1,768	2,285	124%	not yet available	not yet available	not yet available	2,813	not yet available
Respite Units of Service	2,742	2,932	2,348	86%	not yet available	not yet available	not yet available	3,000	not yet available
Community Support Units of Service	N/A	N/A	419	N/A	not yet available	not yet available	not yet available	375	not yet available
Home Chore Jobs	N/A	N/A	N/A	N/A	8	25	33	N/A	N/A
Medicare/Insur. Counseling Units of Service	1,793	1,300	1,968	110%	96	110	206	1,793	11%
Ombudsman consults/cases opened	N/A	N/A	N/A	N/A	27	14	41	45	91%
RSVP									
Volunteers Recruited/Enrolled	493	500	410	83%	2	391	393	400	98%
Volunteer Work Stations Developed and Maintained	59	60	87	147%	0	75	75	50	150%
RSVP Newsletters Produced and Distributed	4	6	4	100%	0	1	1	4	25%

Independent Living

- Although we did not meet our FY 2014 target, the number of individuals receiving independent living services *increased* 1% from FY 2013 to FY 2014. The total numbers for FY 2015 are likely to stay the same or possibly go down as we have raised the rates we pay to contracted providers to ensure high quality service provision.
- 88% of the people we served in FY 2014 were considered at moderate to high risk of institutionalization based on assessment of presenting issues related to physical health (including nutritional needs), mental health, cognitive functioning, ability to complete ADLS or IADLS, mobility, communication, transportation, social connectivity, caregiver support and access to needed services.
- We did not meet our overall FY 2014 target for units of service for all IL services. However, we provided 3% *more* services in FY 2014 than FY 2013. The largest growth was seen in Escorted Transportation, which was up by 24%.
- Medicare counseling services *increased* by 10% over FY 2013.

Information and Assistance

- General information and assistance contacts *increased* 5% from FY 2013.

RSVP

- Volunteer hours served in FY 2014 were 48,999, an *increase* of 21% over FY 2013. Using the Montana value of an hour of volunteer service (\$15.28), these hours represent \$748,705 in assistance to the County and nonprofits in the Valley.
- The number of volunteers considered active *decreased* from 493 in FY 2013 to 410 in FY 2014 as a result of data clean-up and redefinition of volunteer roles in preparation for new grant criteria.

Nutrition

- The number of meals on wheels recipients *increased* 29%.
- The number of congregate meal recipients *increased* 5%.
- The number of total meals served *increased* 15%.
- 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

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

Outreach/Education/Media Efforts

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

AOA Administration

Budget

- FY 2014: Admin staff continues to work on reconciling the FY 2014 DPHHS contract with final program expenditures as they are recorded in CSA. The process should be complete by the end of this week.

State/Legislative Issues

- Development of Area Plan for October 2015-September 2019:
 - The survey and interviews are complete. Staff will meet with volunteer consultant, Sam Herbert, next week to review the results.
- Lisa will join Erin McGowan at the MACo conference on 9/23/14 to report on M4A activities; Lisa and Jim Boyd will attend the Transportation session that afternoon.
- Lisa and Kathi will attend the M4A meeting in Helena at the end of October.

Building

- New building:** County Commissioners approved the CIP and FY 2015 budget which includes funding for the new South Campus building.
- Kelly Road:** We are in the process of adding required lighting and exit signs. Pat McCarthy inspected the building on 8/20/14 and noted in a letter dated 8/28/14 that many issues originally noted in January and February of 2013 remain unaddressed as they are systemic to the building.

Advisory Council

- The Council met on 9/11/14. Members broke into the following committees to discuss focus and potential tasks: Advocacy, By-laws and Board Development, Community Education and Outreach, 501(c)(3) and Program Income.

Outreach/Education/Media - Increased outreach is a goal in our Area Plan on Aging (Oct. 2011- Sept. 2015). Note: Transportation related outreach will be noted in the Eagle Transit section below.

- 8/11/14, Lisa was interviewed on KGEZ (regular spot).
- Volunteer Ruth Pomeroy provided fraud education at the RSVP Senior Rest Area at the Fair 8/13-15, reaching approximately 250 people.

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- Outreach Coordinator Christine Neater visited the Kalispell (8/20), Whitefish (8/28), Lakeside (8/21) and Bigfork (8/22) Senior Centers to promote the shred event on 9/11/4 and the legal clinic, which has been rescheduled for 10/22/14 – approximately 72 people.
- Multiple efforts to promote the Shred and Feed Event co-hosted by AARP, United Way and RSVP, including the RSVP newsletter, article on the Daily Inter Lake senior page and announcements in the Day Book, ad on the Health Department monitors, flyers with Meals on Wheels deliveries, flyers posted at senior housing, senior centers and local businesses, etc.
- Ad for AOA services in the August issue of Montana Senior News
- Flathead Beacon article on Senior Mobile Home Repair Program on 8/30/14: “Agency on Aging Program Keeping Seniors’ Homes Safe”

Eagle Transit

- The RouteMatch onsite consultation is scheduled for this week, 9/16-18.
- Outreach/Education/Media:
 - Daily Inter Lake article on 7/26/14, “War veterans invited to join Flathead Lake boat trip,” noted Eagle Transit as a donor of free transportation for veterans for the event on 8/5/14 (62 rides).
 - Ad in the August issue of the Montana Senior News
 - Weekly radio ads on KOFI
 - On 8/26/14, the Daily Inter Lake ran a letter to the editor from a satisfied Eagle Transit rider (not included in media count)
- Montana Department of Transportation (MDT)
 - MDT staff conducted an onsite compliance review on 8/21/14. No major issues identified.
 - FY 2014 4th quarter reports have been submitted.
 - Lisa, Jim Boyd and Dale Novak will be attending the required MDT training session in Helena October 1st and 2nd.
- Glacier National Park:
 - Lisa, Jim and Dale will meet with Jim Foster (GNP) and Audrey Allums (MDT) on 10/2/14 in Helena to finalize recommendations for the agreement modification due in December 2014 and continue work on the next 5-year agreement due the following year.
 - Final ridership statistics for the season are as follows:
 - 168,566 total rides (second highest ridership to date)
 - 77% of rides were on the west side and 23% were on the east side
 - The shuttles were driven 221,775 miles and used 22,145 gallons of fuel
 - Final expenditures will be reported next month.
- Transportation Advisory Committee (TAC): Did not meet in September. Next meeting scheduled for 11/6/14 at Heritage Place.

Nutrition

- Educational materials and the “Senior Scoop” are sent out monthly to all Meals on Wheels and nutrition sites (approximately 300 recipients). In August, the information was on the importance of eating vegetables in maintaining health.

I & R/Assistance

- The Administration on Aging has changed the criteria for receipt of Older American Act Title III D funds (Health Promotion) to include only evidence-based programs. We have completed a survey of the Senior Centers to determine what if any of their current activities meet the new guidelines and have submitted the results to DPHHS for review. We receive less than \$8000 a year total in III D funding.
- Maarten Fischer of A Plus Health Care and Lisa will be 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 application (which will start April 1, 2015 if awarded) was submitted on 9/8/14. The amount available for Flathead County area is \$50,246. The grant will be judged on a new competitive basis. We don’t know if any other entities have applied for this area.
 - Staff has been engaged in redefining volunteer placements to meet the new criteria. As a result, volunteers considered “active” have been reduced to 393 and the number of work stations has been reduced to approximately 75. We expect this number will decrease slightly as new MOUs are prepared. We do not expect to develop any new work stations at this time.
- 35 volunteers supported the Senior Rest Area at the Fair; approximately 2000 people visited the area each day
- The annual volunteer recognition banquet was held on 9/9/14.
- Staff and seven RSVP volunteers partnered 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.
- Volunteer “Opportunities” emails were sent to 350 people on 8/1 and 8/28.

Senior Mobile Home Repair

- Advisory Board meeting was held on 9/9/14.
- 2 projects were completed and 10 are in progress.
- Funding:
 - Received a Walmart Foundation Community Grant for \$1000 (through Community Action Partnership).
 - A special thanks to WBC and Plum Creek for their support of a recent roofing project!

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

- The Commissioners selected Solus Architecture to complete the CDBG planning grant project to evaluate the senior centers owned by the County.
- Whitefish: The July pickleball event was a success with 21 participants. On 9/10, local musician Kathy Sullivan played at the Center.
- Kalispell: The weekend of October 18-19, the Center will host the ARTstravaganza, a show featuring local artists, a silent auction of miniature artwork, a raffle and an art supply sale to benefit Center programs.
- Columbia Falls: Lisa attended and spoke briefly at the monthly potluck on 9/5/14. The Center held a pancake breakfast fundraiser on 9/7/14.

CONSIDERATION OF RESCINDING 2004 EAGLE TRANSIT OPERATORS MANUAL

9:55:00 AM

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

Sheppard reported the 2004 Eagle Transit Operator Manual is out-of-date and due to state and federal regulations is contradictory. She pointed out the county at the time the manual was approved by the commissioner did not have an H.R. Department.

Commissioner Krueger made a **motion** to rescind the 2004 Eagle Transit Operators Manual. Commissioner Scott **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF CIP AMENDMENT: LOADER/ ROAD DEPT.

10:00:00 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 summarized the request for a CIP amendment in order to purchase a loader for the Road Department. He noted a local equipment sales yard has a 2008 Cat Loader that the county could purchase for \$41,500 plus the trade in value of used equipment being sent to the auction.

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

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(Continued)**

DOCUMENT FOR SIGNATURE: USDA FOREST SERVICE CONTRACT FOR SALE OF MINERAL MATERIALS FOR DEMERS PIT GRAVEL CRUSHING/ ROAD DEPT.

10:03:00 AM

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

Prunty reported Flathead National Forest is waiving the fee for rock/mineral material out of the Demers Pit for Flathead County.

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

CONSIDERATION OF H.R. TRANSMITTAL: FTE ADJUSTMENTS – COMMUNITY HEALTH NURSE AND RN MEDICAID CASE MANAGER/ HEALTH DEPT.

10:04:00 AM

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

Skramovsky reviewed the request initiated by an employee returning from maternity leave that wishes to go to a part-time position. She explained two positions would be adjusted if approved.

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

TAKE ACTION: BEAR SPRINGS ESTATES

10:06:00 AM

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

Chairperson Holmquist read into the record that Bear Springs Estates is declared a dead file.

BI-MONTHLY MEETING W/ JOE RUSSELL, HEALTH DEPT.

10:15:00 AM

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

Russell met with the commission and spoke about progress with the Animal Shelter cat expansion project; summarized work on the 3rd floor remodel project; reported site visits will start tomorrow at the Health Center because of federal funding they receive; reported a \$230,000 expansion grant was received for the Health Center; reported staff has been extremely busy due to child immunizations; spoke about Environmental Health food inspections.

MEETING W/ ELAINE WILLMAN RE: RESERVATION WATER LAWS

10:45:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Clarice Ryan, Elaine Willman, Julia Fehrs, Gina Klempel, Clerk Kile

Elaine Willman met with the commission and summarized her past history and work experience in studying Native American/Federal Indian policies. She spoke about the proposed CSKT Water Compact and explained that she feels the proposed compact is part of a severe over reaching by the federal government. Willman said there is a 3-prong movement happening to the western side of Montana with the lawsuit, Kerr Dam and the proposed CSKT Water Compact all coming on line at the same time. Other items discussed included the homeland security act; federal agencies by passing their states and diminishing the authority of the states; energy grids concerns; a hole in the CSKT compact that includes a waiver of tribal sovereign immunity; perpetuity and foreverness of the compact. Willman further spoke about the CSKT violating three constitutions substantially; the US Constitution, Montana and the Tribes.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 16, 2014.

TUESDAY, SEPTEMBER 16, 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 17, 2014.

WEDNESDAY, SEPTEMBER 17, 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 18, 2014.

THURSDAY, SEPTEMBER 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.

Bailey Minnich, representing the City of Whitefish Planning Office said their office has reviewed the submitted application on their agenda today for a lakeshore permit variance on Whitefish Lake. She stated their comment on a condition pertaining to the overall height of the proposed pathway lighting is that it be a maximum of two feet tall instead of four feet tall which would be consistent with the City of Whitefish Lakeshore Regulations as the subject property is located between properties that have been annexed into the city limits and sandwiched between the two.

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

OPEN RFQ: ASSISTANT EXAMINING LAND SURVEYOR

9:00:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Clerk & Recorder Paula Robinson, Plat Room Land Specialist Karen Yerian, Clerk Kile

Responses to request for qualifications were received from TD&H Engineering and Bryan Block Surveying.

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

BOARD APPOINTMENT: WHITEFISH CITY PLANNING BOARD

9:01:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney David Randall, Bailey Minnich, Clerk Kile

Commissioner Krueger made a **motion** to appoint James Laidlaw to the Whitefish City Planning Board. Commissioner Scott **seconded** the motion. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: HOME OCCUPATION VEHICLE TRAFFIC TEXT AMENDMENT/ FLATHEAD COUNTY ZONING REGULATIONS

9:02:00 AM

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

Mack summarized the proposed amendment to the text of the Flathead County Zoning Regulations to revise the performance standards regarding home occupations vehicle traffic.

Commissioner Krueger explained his concerns regarding the more sparsely populated areas such as AG-40 and SAG-20 and it being a possibility that some of those zones lay along a major highway or intersection. He said he felt the proposed trips numbers are low for those areas. The one size fits all he stated he has an issue with and would like to see this sent back to the Planning Board with the thought the number in a residential area is probably legitimate; I believe there should be some higher standards of traffic or criteria on the larger lots.

Commissioner Krueger made a **motion** to send back to the Planning Board and specifically look at the larger lot sizes. Commissioner Scott **seconded** the motion. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: DWELLING UNIT ACCESSORY TEXT AMENDMENT/ FLATHEAD COUNTY ZONING REGULATIONS

9:05:00 AM

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

Mack summarized the proposed text amendment to the Flathead County Zoning Regulations to add accessory dwelling units to the list of permitted uses in AG, SAG, R 2.5 and R-1 zones and add them as a conditional use in R-2 through R-5 and RA-1; with that would include parking standard definitions with the requirement that it would meet setback for the principal structure.

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(Continued)

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

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider changes proposed by Flathead County Planning & Zoning Office to amend the text of the Flathead County Zoning Regulations to revise the performance standards regarding accessory dwelling units. The proposed amendments are described as follows:

- 1) By adding 'Dwelling unit, accessory (ADU)' to the list of permitted uses in AG-80, AG-40, AG-20, SAG-10, SAG-5, and R-1 zoning districts found in Sections 3.04, 3.05, 3.06, 3.07, 3.08, and 3.09.
- 2) By adding 'Dwelling unit, accessory (ADU)' to the list of conditional uses found in R-2, R-3, R-4, R-5, RA-1, and R-2.5 in Sections 3.10, 3.11, 3.12, 3.13, 3.15, and 3.43.
- 3) By adding 'Dwelling unit, accessory (ADU)' to the list of accessory uses found in Section 5.01.020(1).
- 4) By adding 'Dwelling unit, accessory (ADU) Requires Administrative Conditional Use Permit to Section 5.01.020(3).
- 5) By amending Section 5.01.030(7) to read: Guest houses, caretaker facilities, and accessory dwelling units (ADU) are subject to the same setback requirements as the principal structure.
- 6) By adding 6.02.060 under Section 6.02 to read:
6.02.060 Accessory dwelling unit (ADU) 1 space per 400 square feet of gross floor area; maximum 2 spaces required
- 7) By adding 7.05.150 under Section 7.05 to read:

7.05.150 Dwelling unit, accessory (ADU) – A single, separate habitable living unit added to, created within, or detached from the principal single-family dwelling that's provides the basic requirements for living, sleeping, eating, cooking and sanitation with stays of 30 days or longer on a single-family lot. ADUs are subordinate in size (no larger than 40% of the floor area of the principal dwelling), location, and appearance to the principal single-family dwelling and have separate means of ingress and egress. One ADU is allowed per tract of record and it may be rented to the general public.

The Flathead County Zoning Regulations apply in all County zoning districts created under Section 76-2-205, M.C.A., and are on file for public inspection at the Office of the Clerk and Recorder, located at 800 South Main, Kalispell, Montana, the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php.. Documents related to the proposed amendments to those regulations are on file for public inspection at the Office of the County Clerk and Recorder and at the Flathead County Planning and Zoning Office.

The public hearing will be held on the **17th day of November, 2014, at 10:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Third Floor, Old Courthouse, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change to the text of the Flathead County Zoning 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 18th day of September, 2014.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on October 29 and November 5, 2014.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: MC MAHON & HANNOCK ZONE CHANGE/ BLANCHARD LAKE ZONING DISTRICT

9:06:00 AM

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

Mack reported the proposal is to change zoning on 20.7 acres from AG-20 to SAG-10 in the Blanchard Lake Zoning District.

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

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by Michael & Monica McMahon and Charles & Pamela Hannock, to change the zoning designation in a portion of the Blanchard Lake Zoning District from AG-20 (Agricultural) to SAG-10 (Suburban Agricultural).

The boundaries of the areas proposed to be changed from the AG-20 classification to the SAG-10 classification is described as Assessors Tract 4B, located in Section 23, township 30 North, Range 22 West, P.M.M., Flathead County, Montana and more particularly described as follows:

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(Continued)

Tract 1 of Certificate of Survey No. 9918, located and being in the Southwest Quarter of the Northeast Quarter of Section 23, Township 30 North, Range 22 West, P.M.M., Flathead County, Montana.

Located at 288 Squirrel Lane, Whitefish, MT containing approximately 20.7 acres.

The proposed change would generally change the character of the zoning regulations applicable to the property from a district intended to protect and preserve agricultural land for the performance of a wide range of agricultural functions and to control the scattered intrusion of uses not compatible with an agricultural environment, including but not limited to residential development, to a district intended to protect and preserve agricultural land for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction of uses will be minimized and providing for estate type residential development. The AG-20 classification has a minimum lot size of 20 acres; a change to SAG-10 would result in a minimum lot size of 10 acres.

The regulations defining the AG-20, SAG-10 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php. Documents related to the proposed zone change are also on file for public inspection at the Office of the Clerk and Recorder and the Flathead County Planning and Zoning Office.

The public hearing will be held on the **17th day of November, 2014, at 11:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Third Floor Old Courthouse, Kalispell, Montana. At the public hearing, the Board of Commissioners will give members of the public an opportunity to be heard regarding the proposed amendment to Blanchard Lake Zoning District.

DATED this 18th day of September, 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 October 29 and November 5, 2014.

DOCUMENT FOR SIGNATURE: AUTHORITY AGREEMENT DNRC PLANNING GRANT/ BIGFORK STORMWATER PROJECT

9:08:00 AM

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

Pierson reported the document is the grant authorization for a DNRC planning grant through the RRGL program. The idea behind the agreement is to help cover some of the costs related to the preliminary steps to develop the RSID boundaries. The request is for planning funds that will mean in essence we will be able to take less of the funds away from the full grant in order to accomplish the preliminary steps.

Commissioner Scott made a **motion** to approve the authority agreement for DNRC planning grant/ Bigfork Stormwater Project. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: MGK TRUST, FWLP 14-01

9:15:00 AM

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

Moorman noted the applicant recently submitted a request for an amendment to the permit, therefore recommended consideration be postponed.

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

CONSIDERATION OF LAKESHORE PERMIT: DEROCHIE, FLP 14-56

9:16:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney David Randall, Planner Erik Mack, Planner Lawson Moorman, Bailey Minnich, Clerk Kile

Moorman noted the applicant is requesting an after the fact permit for placement of a retaining wall and additional set of stairs within the LPZ.

Commissioner Krueger inquired as to if the work was done within the original permit.

Moorman stated it was not and that a variance permit would follow this request and is to bring into compliance compliant work that was done in addition to the original site plan.

Commissioner Krueger made a **motion** to approve the after the fact Lakeshore Permit FLP 14-56. Chairperson Holmquist **seconded** the motion. **Aye** – Krueger and Holmquist. **Opposed** – Scott. Motion carried by quorum

THURSDAY, SEPTEMBER 18, 2014
(Continued)

CONSIDERATION OF LAKESHORE VARIANCE PERMIT: DEROCHIE, FLV 14-10

9:18:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney David Randall, Planner Erik Mack, Planner Lawson Moorman, Bailey Minnich, Clerk Kile

Mack reported the applicant Michael Derochie previously applied for and received Lakeshore Permit FLP 13-24 in May, 2013. He stated during a follow up inspection it was discovered that he had built things that were not in compliance with the original permit. The applicant is now requesting a variance for the deck and stairway which extends higher than 2 feet from the adjacent underlying lakeshore located within the LPZ. The applicant stated when he built the stairs he measured from where he thought the high water was in March so the water was actually low and he measured twenty feet back from that; now 4 feet of the deck and the stairs are within the LPZ.

Commissioner Krueger made a **motion** to deny FLV 14-10. Commissioner Scott **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF PARTIAL RELEASE OF COLLATERAL: HASKILL MOUNTAIN RANCH

9:21:00 AM

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

Hogle reported the commission on April 17, 2014 approved an SIA for Haskill Mountain Ranch in conjunction with their final plat. The original SIA was in the amount of \$392,516 which accounted for 125% of the estimated cost for subdivision improvements that still were required to be constructed. Hogle summarized work completed and noted the request is for a partial release of collateral; the release amount being requested is \$133,065 for completed work on roads. The new revised SIA is in the amount of \$259,451.

Commissioner Scott made a **motion** to approve partial release of collateral. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: REVISED SIA/ HASKILL MOUNTAIN RANCH

9:26:00 AM

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

Commissioner Scott made a **motion** to approve the revised SIA/ Haskill Mountain Ranch. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

The above document is filed of record with the Clerk and Recorder under document number 2014 00018669.

DOCUMENT FOR SIGNATURE: CTA ARCHITECTURAL & ENGINEERING AGREEMENT/ SOUTH CAMPUS BUILDING PROJECT

9:27:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney David Randall, Grant Support Debbie Pierson, AOA Director Lisa Sheppard, Finance Technician Amy Dexter, Weed/ Parks/ Maintenance Director Jed Fisher, Bailey Minnich, David Mitchell, Dale Lauman, Lois Lauman, Bonnie Leahey, Clerk Kile

Commissioner Krueger stated this has been a long time coming as we have done a lot of study on AOA needs and where to put the facility.

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

Chairperson Holmquist said it is something we have been waiting for a long time, and it is my hope that the study currently being done will be completed before we get too far into construction.

Motion carried unanimously.

MEETING W/ B. J. GRIEVE, PLANNING & ZONING OFFICE RE: COURSE OF ACTION FOR PLANNING AND ZONING OUTSIDE WHITEFISH CITY LIMITS DURING THE TERM OF INTERIM ZONING

9:30:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Deputy County Attorney David Randall, Planning & Zoning Director B. J. Grieve, Duncan Scott, Lyle Phillips, Bonnie Leahey, Bailey Minnich, Clerk Kile

Grieve met with the commission and asked for direction now that interim zoning is in place for the doughnut area surrounding Whitefish. He gave a brief history of current zoning in Whitefish prior to the Supreme Court decision in July that gave planning control back to the county. The county's most recent master plan for the doughnut area was adopted in 1996 (Whitefish City-County Master Plan) and there are many options that could be looked at by the Planning Board.

Commissioner Krueger stated he felt the first course of action with public engagement is to have the Planning Board review the Whitefish City-County Master Plan (1996) with the goal of updating it; one that is more relevant, as it is so old you may want to start over. He said we need a very simple document that meets the needs for the area, and allows them to go forward with the goal of permanent zoning. That also should include public participation.

Grieve explained according to the growth policy there are basically two things you can do; take an existing plan and update it or you can create a new one.

THURSDAY, SEPTEMBER 18, 2014
(Continued)

General discussion continued regarding various options and public input during the process.

Commissioner Krueger pointed out that whatever plan is developed needs to relate to Whitefish's ability to provide services, especially in areas that will never be serviced by utilities of Whitefish.

Chairperson Holmquist stated she is looking forward to what the public has to say too, as those living in the doughnut have waited a long time for their voice to be heard in front of a governing body.

Grieve said then the guidance for me would be to ask the Planning Board to hold the workshops, which is the first step under a growth policy update and then leave it open ended so the outcome of the workshops could be more fluid.

Commissioner Scott said he concurred with Commissioner Krueger with his wisdom and foresight regarding his statements, which did include a public participation plan in hearing from the people; that is the only justifiable way we can move forward at this point. We would be starting at a base so everyone knows where we are at and are moving ahead from there.

Grieve clarified then ultimately the concept would be to head towards replacing interim zoning with some permanent zoning, should be something relatively simple, and should attempt to relate to appropriate services and infrastructure whether they are public or private.

CONSIDERATION OF BUDGET AMENDMENT: VEHICLE/ RECORDS PRESERVATION DEPARTMENT

10:00:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Clerk & Recorder Paula Robinson, Weed/Parks/Maintenance Director Jed Fisher, Finance Technician Amy Dexter, Grant Support Debbie Pierson, Clerk Kile

Robinson noted the Records Preservation Department is requesting to purchase a truck which can be used for hauling heavy loads. She explained the funds are available in their budget.

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

CONSIDERATION OF CIP AMENDMENT: BIGFORK CONTAINER SITE LAND PURCHASE/ SOLID WASTE DISTRICT

10:03:00 AM

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

Prunty reported the purchase price of the Bigfork container site came in at \$150,000 plus closing costs of around \$2,000. He stated their CIP has \$50,000 and the additional funds are in their land purchase account.

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

AUTHORIZE COUNTY ATTORNEY'S OFFICE TO ACCEPT SERVICE: BURKE V. FLATHEAD COUNTY

10:05:00 AM

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

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

CONSIDERATION OF REQUEST FOR DECLARATION OF SURPLUS PROPERTY: WEED/ PARKS/ MAINTENANCE DEPT.

10:06:00 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 includes obsolete/broken items.

Commissioner Krueger made a **motion** to declare surplus property/ Weed/Parks/Maintenance Department. Commissioner Scott **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF PRINTING BIDS: SHERIFF'S OFFICE & ELECTION DEPARTMENT

10:08:00 AM

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

Chairperson Holmquist read into the record that Montana Correctional Enterprises was the low bidder for 10,000 arrest detention forms for \$145.00 and 10,000 court slips for \$58.00 plus approximately \$7.00 in shipping fees for the Sheriff's Office.

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

Chairperson Holmquist read into the record that Eagle Flight Business Forms was the low bidder for 10 sets of 500 standard business cards for \$293.00 for the Sheriff's Office.

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

THURSDAY, SEPTEMBER 18, 2014
(Continued)

Chairperson Holmquist read into the record that Trippet's Printing/ Insty Prints was the low bidder for 84 Poll Books for \$845.75 for the Election Department.

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

Commissioner Krueger clarified the document has been modified to say just Insty Prints.

Note: Due to a clerical error on the contract prepared the print bid was awarded to Insty Prints and should have been awarded to Trippet's Printing.

DOCUMENT FOR SIGNATURE: BUY/SELL AGREEMENT FOR 815 WYOMING STREET

10:10:00 AM

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

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

1:00 p.m. 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 September 19, 2014.

FRIDAY, SEPTEMBER 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.

NO MEETINGS SCHEDULED

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