

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

MONDAY, NOVEMBER 3, 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 November 4, 2014.

TUESDAY, NOVEMBER 4, 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.

COUNTY OFFICES CLOSED - ELECTION DAY

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

WEDNESDAY, NOVEMBER 5, 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
1:30 p.m. Commissioner Krueger: LEPC meeting @ OES
3:30 p.m. Commissioner Krueger: FCEDA meeting

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 6, 2014.

THURSDAY, NOVEMBER 6, 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, Assistant Mike Pence, Thomas Bates, Ruth Skaggs, Bob Windauer, Judy Windauer, Clell Hoffman, Al Leslie, Clerk Kile

Thomas Bates, 6150 North Ashley Lake Road spoke in support of the southern end of Ashley Lake being annexed into Marion Rural Fire District.

Ruth Skaggs, 4853 Ashley Lake Road spoke in support of the annexation not only for fire service, but closer emergency medical services as well.

Bob Windauer, 4657 Ashley Lake Road spoke about a house fire that took his home completely to the ground in 2002. He said the response time for Marion Fire and West Valley Fire was approximately 31 minutes. He further explained had not a rain storm come during the house fire that the forest very well could have started on fire too.

Judy Windauer, 4657 Ashley Lake Road pointed out that besides fire they would have another valuable resource with the annexation that would include a trained medical first response team.

Clell Hoffman, 4497 Ashley Lake Road questioned why the fire hall has taken so long to get going, and stated he hoped after the public hearing it would be done.

Al Leslie, 4663 Ashley Lake Road spoke in support of the new fire hall and moving it forward.

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

THURSDAY, NOVEMBER 6, 2014
(Continued)

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ANNEXATION FROM FIRE SERVICE AREA TO MARION RURAL FIRE DISTRICT

9:30:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, EMS Program Assistant James Brower, OES Administrative Financial Support Specialist Juanita Nelson, Larry Majerus, F. McAllister, Harry McAllister, Thomas Bates, Ruth Skaggs, Bob Windauer, Judy Windauer, Clell Hoffman, Al Leslie, Clerk Kile

Commissioner Krueger made a **motion** to authorize publication of the Notice of Public Hearing/ annexation into Marion Fire District. 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 7-33-2125(1)(b), M.C.A., that it will hold a public hearing to consider a petition to annex territory into the Marion Fire District, said territory being described as:

WHEREAS, the property to be annexed is described as follows:

That portion of Sections 4, 5, 8, and 9 in Township 27 North, Range 23 West, and Sections 6, 7, 19, 30, and 31 of Township 28 North, Range 23 West, and Sections 10, 11, 12, 14, 15, 22, 23, 24, and 25 of Township 28 North, Range 24 West, all of the Principal Meridian, Flathead County, Montana and more particularly described on the attached Exhibit A to alter the boundaries of the Flathead County Fire Service Area.

The Board of Commissioners has received a petition in writing by the owners of 71% of the land of the area to be annexed asking that such area be annexed into the Marion Fire District and has passed a Resolution of Intent to alter the boundaries of the Flathead County Fire Service Area by transferring the property as described above into the Marion Fire District.

The public hearing will be held on the **26th** day of **November, 2014**, at **10:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, Third Floor, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed annexation, and will consider whether a protest petition signed by a majority of the landowners of the area proposed for annexation, which would prevent the annexation, is presented at the hearing.

DATED this 6th day of November, 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 November 11 and November 18, 2014.

The Resolution of Intent referred to in the above Notice of Public Hearing was approved by the commission on November 10, 2014.

EXHIBIT A

That portion of Sections 4, 5, 8, and 9 in Township 27 North, Range 23 West, and Sections 6, 7, 19, 30, and 31 of Township 28 North, Range 23 West, and Sections 10, 11, 12, 14, 15, 22, 23, 24, and 25 of Township 28 North, Range 24 West, all of the Principal Meridian, Flathead County, Montana described as follows:

BEGINNING at the northwest corner of Section 8, Township 27 North, Range 23 West;

- (1) thence easterly along the north boundary of said Section 8 to the southwest corner of Section 4, Township 27 North, Range 23 West;
- (2) thence northerly along the west boundary of said Section 4 to the west boundary of that parcel of land described in Book 234 Page 70;
- (3) thence northerly along said west boundary of that parcel of land to the south boundary of Section 31 of Township 28 North, Range 23 West;
- (4) thence westerly along said south boundary of Section 31 to the low water mark of Lone Lake;
- (5) thence northerly along said low water mark of Lone Lake to the west boundary of said Section 31;
- (6) thence northerly along said west boundary of Section 31 to the southeast corner of Section 25, Township 28 North, Range 24 West;
- (7) thence westerly along the south boundary of said Section 25 to the southwest corner of the East 1/2 of the West 1/2 of said Section 25;
- (8) thence northerly along the west boundary of said aliquot part to the northwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 25;
- (9) thence easterly along the north boundary of said aliquot part to the southwest corner of the Northwest 1/4 of the Northeast 1/4 of said Section 25;
- (10) thence northerly along the west boundary of said aliquot part to the southwest corner of the Southeast 1/4 of Section 24, Township 28 North, Range 24 West;
- (11) thence northerly along the west boundary of said aliquot part to the southeast corner of the Northwest 1/4 of said Section 24;
- (12) thence westerly along the south boundary of said aliquot part to the east boundary of Section 23, Township 28 North, Range 24 West;
- (13) thence northerly along said east boundary of Section 23 to a line which is offset 30.00 feet southwesterly from the centerline of the traveled way of Ashley Lake Road as shown on Certificate of Survey No. 19580;
- (14) thence northwesterly along said offset line to the beginning of that 40.00 foot right of way for highway purposes described in Book 229 Page 450 as shown on said Certificate of Survey No. 19580;
- (15) thence southwesterly along the south boundary of said 40.00 foot right of way to the east boundary of Lot 1 of the Amended Plat of Ashley Bay Subdivision;
- (16) thence southerly and westerly along the east and south boundaries, respectively, of said Lot 1 to the east boundary of Section 22, Township 28 North, Range 24 West;
- (17) thence northerly along said east boundary of Section 22 to the southeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 22;
- (18) thence westerly along the east-west mid-section line of said Section 22 to the Center 1/4 Section Corner thereof;
- (19) thence northerly along the north-south mid-section line of said Section 22 to the south boundary of Section 15, Township 28 North, Range 24 West;

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(Continued)

- (20) thence westerly and northerly along the south and west boundaries, respectively, of said Section 15 to the southwest corner of Section 10, Township 28 North, Range 24 West;
- (21) thence northerly along the west boundary of said Section 10 to the northwest corner of Government Lot 7 thereof;
- (22) thence easterly along the north boundary of said Government Lot 7 to the low water mark of Ashley Lake;
- (23) thence along said low water mark of Ashley Lake through Sections 10, 15, 22, 23, 14, 11, and 12 of Township 28 North, Range 24 West, and through Sections 7 and 6 of Township 28 North, Range 23 West to the east boundary of said Section 6, Township 28 North, Range 23 West;
- (24) thence southerly along said east boundary of Section 6 to the northeast corner of Section 7, Township 28 North, Range 23 West;
- (25) thence southerly along the east boundary of said Section 7 to the southerly boundary of Parcel 1 of Certificate of Survey No. 17689;
- (26) thence clockwise along the perimeter boundary of said Parcel 1 to the east boundary of the Southwest 1/4 of the Northeast 1/4 of said Section 7;
- (27) thence southerly along said east boundary of said aliquot part to the east-west mid-section line of said Section 7;
- (28) thence westerly along said east-west mid-section line to said southerly boundary of Parcel 1 of Certificate of Survey No. 17689;
- (29) thence clockwise along the perimeter boundary of said Parcel 1 to the east boundary of the Northeast 1/4 of the Southeast 1/4 of Section 12, Township 28 North, Range 24 West;
- (30) thence southerly, westerly and northerly along the east, south and west boundaries, respectively, of said aliquot part to the south boundary of Government Lot 2 of said Section 12;
- (31) thence westerly along said south boundary of Government Lot 2 to the southeast corner of Government Lot 3 of said Section 12;
- (32) thence westerly along the south boundary of said Government 3 to the east boundary of that parcel of land shown on Certificate of Survey No. 2695;
- (33) thence southerly, westerly and northerly along the east, south and west boundaries, respectively, of said parcel of land shown on Certificate of Survey No. 2695 to the south boundary of that 60 foot strip of land shown on Deed Exhibit 612 Page 176;
- (34) thence northwesterly along said south boundary of that 60 foot strip of land to the east boundary of Ashley Lake South Shore Lots;
- (35) thence southerly along said east boundary of Ashley Lake South Shore Lots to the north boundary of that parcel of land shown on Certificate of Survey No. 7373;
- (36) thence counterclockwise along the perimeter boundary of said parcel of land shown on Certificate of Survey No. 7373 to the northeast corner of Section 14, Township 28 North, Range 24 West;
- (37) thence southerly along the east boundary of said Section 14 to the northwest corner of the Northwest 1/4 of Section 24, Township 28 North, Range 24 West;
- (38) thence easterly and southerly along the north and east boundaries, respectively, of said aliquot part to the north boundary of that 60 foot wide easement described in Book 209 Page 353;
- (39) thence easterly and southerly along the north and east boundaries, respectively, of said 60 foot wide easement to the east-west mid-section line of said Section 24;
- (40) thence easterly along said east-west mid-section line to the northwest corner of Government Lot 3 of Section 19, Township 28 North, Range 23 West;
- (41) thence easterly along the east-west mid-section line of said Section 19 to the Center 1/4 Section Corner thereof;
- (42) thence southerly along the north-south mid-section line of said Section 19 to the south boundary of said Section 19;
- (43) thence westerly along said south boundary of Section 19 to the east boundary of that second 60 foot wide easement described in Book 209 Page 352;
- (44) thence southerly along said east boundary of said 60 foot wide easement to the east boundary of Section 25, Township 28 North, Range 24 West;
- (45) thence southerly along said east boundary of Section 25 to the northwest corner of Government Lot 3 of Section 30, Township 28 North, Range 23 West;
- (46) thence easterly along the east-west mid-section line of said Section 30 to the Center 1/4 Section Corner thereof;
- (47) thence southerly along the north-south mid-section line of said Section 30 to the north boundary of Section 31, Township 28 North, Range 23 West;
- (48) thence easterly and southerly along the north and east boundaries, respectively, of said Section 31 to the north boundary of Section 4, Township 27 North, Range 23 West;
- (49) thence easterly and southerly along the north and east boundaries, respectively, of said Section 4 to the northeast corner of the Northeast 1/4 of the Northeast 1/4 of Section 9, Township 27 North, Range 23 West;
- (50) thence southerly and westerly along the east and south boundaries, respectively, of said aliquot part to the northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 9;
- (51) thence southerly along the east boundary of said aliquot part to the east-west mid-section line of said Section 9;
- (52) thence westerly along said east-west mid-section line to the northeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 9;
- (53) thence southerly and westerly along the east and south boundaries, respectively, of said aliquot part to the southeast corner of the North 1/2 of the Southeast 1/4 of Section 8, Township 27 North, Range 23 West;
- (54) thence westerly and northerly along the south and west boundaries, respectively, of said aliquot part to the Center 1/4 Section Corner thereof;
- (55) thence westerly along the east-west mid-section line to the west boundary of said Section 8;
- (56) thence northerly along said west boundary of Section 8 to the Point of Beginning.

QUARTERLY INVESTMENT REPORT W/ ADELE KRANTZ, TREASURER

9:31:00 AM

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

Krantz summarized the following quarterly report with the commission.

Quarterly Report Notes

- STIP Rate - .11 Average for September 2014
- Operating Acct Stats - \$39770.36 (Interest Earned for Q) - \$6035.49 (Serv Chrg for Q) = \$33734.87 (Net Interest Earned) – Interest Rate .30%
- Last Quarter Top Investment Rate – 1.85 – 3.5% Step up 9-30-2019 LPL Financial & 175% 9-24-2018 CD

Current Treasurer Projects

- Delinquent taxes \$1.5M Real Estate
- Delinquent taxes \$215K Pers Prop & Mobiles
- Printed 58,000 Real Estate Tax Bills mailed out last week
- Have receipted \$3M so far in taxes for this season

**THURSDAY, NOVEMBER 6, 2014
(Continued)**

DOCUMENT FOR SIGNATURE: DEPARTMENT OF ADMINISTRATION STATEWIDE TRUNKED LAND MOBILE RADIO SYSTEM CONTRACT/ OES

9:40:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, EMS Program Assistant James Brower, OES Administrative Financial Support Specialist Juanita Nelson, Clerk Kile

Commissioner Scott made a **motion** to approve the document for signature: Department of Administration Statewide Trunked Land Mobile Radio System Contract/ OES. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MOTOROLA SOLUTIONS SERVICES AGREEMENT FOR COMMUNICATION SITES/ OES

9:42:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, EMS Program Assistant James Brower, OES Administrative Financial Support Specialist Juanita Nelson, Clerk Kile

General discussion was held relative to the length of the agreement with the contract end date of May 31, 2016.

Commissioner Scott made a **motion** to approve the document for signature: Motorola Solutions Services Agreement for Communication Sites/ OES. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MOTOROLA SOLUTIONS SERVICES AGREEMENT FOR 911 DISPATCH

9:51:00 AM

Present: Chairperson Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fire Services Area Manager Lincoln Chute, EMS Program Assistant James Brower, OES Administrative Financial Support Specialist Juanita Nelson, Clerk Kile

Commissioner Scott made a **motion** to approve the document for signature: Motorola Solutions Services Agreement for 911 Dispatch. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

MONTHLY MEETING W/ DAVE PRUNTY, ROAD DEPARTMENT

10:30:00 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 reviewed the following monthly report with the commission.

Operations

- ✓ Fall grading of the gravel road network began in early October. There were spotty rains that occurred but generally we had to send water trucks out with the graders. This work will continue until freezing conditions persist.
- ✓ Miscellaneous work tasks such as ROW clearing, culvert work and hand patching also occurred throughout the month.
- ✓ We have started to make the salt/sand mixture for this winter. Delays in the trucking from Utah pushed this work back a couple of weeks. We again piggybacked on the MDT state bid for salt which saves a considerable amount of cost for the salt.

Asphalt Overlay Program

- ✓ This season we completed 20.91 miles of overlay on the paved road network. This year's cost per mile is \$91,975/mile. Last year the cost was \$95,947/mile.
- ✓ On September 15 we started to use the product EvoTherm to make warm mix asphalt instead of hot mix asphalt. The difference is about 50 to 75 degrees F lower for warm mix. It is deployed on the road at ~230 to 240 F as compared to hot mix at ~290 to 300F.
- ✓ The benefits of warm mix are easier deployment, purported longer lasting asphalt, reduced clean up time of the plant and equipment and reduced expense in the production of the mix. There also is less fumes for our crew working on the paver.
- ✓ We have calculated the estimated costs (without overhead expenses) of the warm mix compared to hot mix material. Determining the amount of propane used (and resulting expense) is difficult but has been estimated with a reasonable amount of reliability. This cost of hot mix is calculated at \$45.74/ton. The warm mix expense is calculated at \$37.89/ton.
- ✓ Staff has been discussing warm mix with contractors at MDT and our engineers to see if they have any input as to the materials suitability for our roads. So far, there haven't been any statements that are of concern.
- ✓ We will be crushing aggregate in late winter and will have the contractor prepare an asphalt mix design as part of their work. We will have them run tests to assure compliance with the MT Public Works Standard Specifications for both hot and warm mix. The major concern will be passing the Tensile Strength Ratio test (freeze/ thaw simulation).

Columbia Falls Stage Road Landslide

- ✓ Gene Lard has been retained to perform the appraisal of the 1.7 acres of farm land that will be provided by the land owner for the shifts of the road ~20 feet to the east.
- ✓ Gene Lard thought he would be completed with the appraisal in the middle of November.

Rogers Lake Road Rehabilitation Project

- ✓ In October we completed the rehabilitation project on Rogers Lake Road.
- ✓ The ROW was cleared, sight distance improved in the lower reaches near the highway and drainage improved.
- ✓ A six inch lift of crushed aggregate was then placed on the road.

Whalebone Drive Bridge – Ashley Creek

- ✓ The project has been delayed until next spring or fall.
- ✓ We received the needed permits from FWP to work within Ashley Creek to remove the existing box culvert bridge and place fill on the downstream end of the existing structure. This was needed for the new culvert type bridge (half round) we will be installing.
- ✓ We also learned that on October 1 of each year FWP begins releasing water from Ashley Lake to make room for the following seasons run off. This caused concern because we need to reroute the stream to the old irrigation channel immediately upstream from the bridge. FWP said they can make accommodations for us next year.

North Fork Gravel Project – Camas to end of Asphalt

- ✓ We have started hauling the material crushed at the Demer's Pit last month to the road.
- ✓ We started just south of the Camas Bridge and will work south towards the end of the asphalt.
- ✓ We will haul as long as possible until weather shuts the project down or we have it completed.
- ✓ There is approximately 16,500 tons of material we crushed. It will not reach the end of the oil but we are hauling material up from the Four Corners Pit on our first round.
- ✓ RAC funding of \$60,000 was provided and we matched it for the crushing work. The hauling and deployment costs are on us.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 7, 2014.

FRIDAY, NOVEMBER 7, 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 November 10, 2014.
