

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

MONDAY, MAY 18, 2015

Audiofile

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

MEETING W/ CATHY BRENNEMAN, NURTURING CENTER, INC: PRESENTATION OF CHILD CARE RESOURCE DEVELOPMENT CONTRACT

9:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Executive Director for the Nurturing Center Cathy Brenneman, Board Member Jed Fisher, Clerk Kile

Cathy Brenneman, Executive Director for the Nurturing Center reviewed development of the program with the commission and explained how the grant funding received from Flathead County is used.

General discussion was held relative to the program and their funding.

MONTHLY MEETING W/ MARK CAMPBELL, FAIRGROUNDS

9:20:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Fairground Operations Manager Mark Campbell, Clerk Kile

Campbell reviewed the following monthly report with the commission.

Current Projects

- Phase 2 Infrastructure – The progress is good without any major issues or unexpected findings. Schedule is proceeding as planned with a June 30th completion date. Storm drainage is being placed and west roadway is being cut.
- Lewis house septic field process is slow with no word of expected permit issuance at this time.

NW Montana Fair & Rodeo

- Marketing elements are being re-reviewed and placement transitioning to a new service provider. Focusing on growing the social media platforms and full use of opportunities in those areas.
- Commercial exhibitor contracts have been mailed and now completing Food concessions details and agreements. Outside vendor spaces are at 80%+, inside space is at 98% full.
- Developed press release schedule and feature stories for fair.
- Temporary employment services RFQ is being released with decision before end of May.

Flathead County Fairgrounds

- Event schedule has gone smoothly to-date and continues to be busy for next several months. New events have been requested for May, June, and September.
- Work-around due to construction area has caused a few parking adjustments but only minor impact.
- Reviewing budget targets regularly and maintaining controls through June. Revenue and expense numbers ending June 30th are on projections.

Upcoming Events and Activities

- 406 Consignment Sale – May 16-17th
- FVCC Graduation – May 15th
- SMEG Motorcycle Show – May 16th
- Flathead Bike and Rec Gear Swap – May 30th
- Flathead Valley Roller Derby Bout – May 30th
- Kalispell Beer & Wine Open – June 13-14th
- Veterans Stand Down – June 17th
- AOA Seniors Picnic – June 19th
- Relay For Life – June 19-20th
- Monster Truck Show – June 26-27th
- Pickelball and 4H Meetings continue with varied dates throughout April and May

MONTHLY MEETING W/ LISA SHEPPARD, AOA

9:30:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, AOA Director Lisa Sheppard, Clerk Kile

Sheppard reviewed the following monthly report with the commission.

AOA Administration

Budget

- The Commissioners' FY 2016 budget review is complete. However, final contract budgets from DPHHS are not yet available. We anticipate an additional \$35,000 in revenue over what is in the draft budget.

Staff Development

- Multiple staff attended the combined Governor's Conference on Aging and the Montana Gerontology Society Conference in Helena 5/12-5/14. Lisa co-presented with Maarten Fischer on the success of the Lifeside Farm Program.

MONDAY, MAY 18, 2015
(Continued)

State/Legislative Issues

- Although DPHHS did not receive the original Benefits Enrollment Center (BEC) grant that it applied for on our behalf, the National Council on Aging (NCOA) has asked DPHHS to apply for a smaller BEC sustainability grant that would allow us to train staff and serve Flathead County residents through a subcontract with Area VI. Lisa has been collaborating with DPHHS and Area VI staff to complete the grant, which is due at the end of this month. If awarded, the one-year grant will begin in July.
- Development of Area Plan for October 2015-September 2019: We are still awaiting DPHHS go ahead for final Commissioner review and approval.
- State legislative update:
 - The final FY 16 budget contains a 2% provider rate increase and an additional \$250,000 per year for aging services over the coming biennium.
 - SB180, which provides for a % of car rental tax collections for public transportation for older adults and people with disabilities, was signed by the Governor.
- Montana Area Agencies on Aging Association (M4A): Lisa and Kathi attended the quarterly M4A meeting in Helena at the end of April.

Building

- **New building:** We purchased 8 commercial patio table/chair sets at the Sizzler auction as well as several stainless steel shelving units.
- **Kelly Road:** A sale of the building is in progress.

Advisory Council

- There was no meeting in May due to the Governor's Conference. The next meeting is scheduled for June 11, 2015, 2:00 pm at The Summit.

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.

- 4/6/2015, Lisa was interviewed on KGEZ (regular spot).
- 4/6/15, Lisa presented to the Sunrise Lion's Club, approximately 20 people in attendance.
- 4/8/2015, Ruth Pomeroy presented on fraud prevention at the Canvas Church Senior In Touch Luncheon, 42 attendees.
- 4/10/2015, booth at the United Way Share Fair
- 4/25/2015, booth at the Spring Health Expo
- Development and dissemination of the April AOA Newsletter
- Lisa was recognized as the NBC Montana Local Hero for April
- Promotion of the following events/programs:
 - AOA Air-Conditioner Loan Program
 - Caregiver Training Series in Bigfork

Eagle Transit

- Montana Department of Transportation (MDT):
 - The 3rd Quarter Report has been submitted.
 - The new bus should be delivered by the end of this month.
- Operations:
 - The open .5 Driver position has been filled.
 - The extended hour route in Columbia Falls will begin June 1.
 - RouteMatch:
 - Although there continue to be bugs, staff feel overall that working on the RouteMatch server is an improvement over the problems experienced while using the County server.
 - The Call Notification Module is still not working as it should. We have requested an extension of the free trial period on the RouteMatch server until this issue is resolved.
- Glacier National Park: The management options newsletter is now available for review and comment at <http://parkplanning.nps.gov/document.cfm?parkID=61&projectID=47660&documentID=65779>
- Transportation Advisory Committee (TAC): The TAC will meet on June 4th, 8:30-10:00 am at Heritage Place in Kalispell.

Nutrition

- Nutrition Manager J.R. Isles attended a Dietary Program Manager meeting in Columbia Falls on 4/23 and attended a Serv Safe class on 4/24. J.R. and Chef David Caron also attended a food show in April.
- At the M4A meeting, State Nutrition Consultant Minkie Medora presented to the Area Directors on new federal Food Safety Rules.

I & R/Assistance/Ombudsman

- Data reports: of active clients assessed
 - 66% are at moderate to high risk based on physical health needs
 - 49% need assistance with transportation
 - 14% are experiencing noted cognitive decline
 - 16% have significant mental health needs
 - 15% have limited social connections
 - 72% need help with household and/or personal tasks
 - 56% live alone
 - 38% have at least one life factor rated at the highest risk category
- The Summer A/C Loan Program is currently taking applicants.
- The Lifeside Farm Program is partnering with the University of Montana on a research project to evaluate participant outcomes.

RSVP

- Grant update:
 - Final financial and program reports to close out the three year grant ending 3/31/15 have been submitted.
 - We are still awaiting a decision on our request to carry-forward unexpended funds from the grant period ending 3/31/15.
- The annual RSVP Volunteer Recognition Banquet is May 19th at Northridge Lutheran Church. There will be a special "Wow!" room where community workstations will have displays showcasing their RSVP volunteers. Commissioner Krueger is the keynote speaker.

Senior Mobile Home Repair

- Advisory Board meeting was held on 5/12/15 at 9:00 am at Flathead Electric. Next meeting 6/9/2015.
- One project has been completed since last month's report; 11 are in progress.
- Funding:
 - \$300 from Angora Ridge Foundation
 - \$250 from First Interstate Bank and \$250 from First Interstate Foundation
 - \$500 from Glacier Bank

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

- Approximately 30 people have attended the Caregiver Training series in Bigfork.
- Four area Center members attended the Governor's Conference on Aging/MGS Conference with a training stipend from AOA, made possible by M4A.
- The Whitefish Community Center will hold its annual Summer Solstice Bluegrass Bash fundraiser on June 2, 2015. Tickets will go on sale the end of this month.

MONDAY, MAY 18, 2015
(Continued)

AUTHORIZATION TO PUBLISH CALL FOR BIDS: BIGFORK STORMWATER PROJECT/ RSID #156

10:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk Kile

Commissioner Krueger made a **motion** to authorize publication of Call for Bids – Bigfork Stormwater Project/ RSID. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

INVITATION TO BID
FLATHEAD COUNTY COMMISSIONERS
BIGFORK STORMWATER PROJECT – RSID #156
BRIDGE STREET NORTH & BRIDGE STREET SOUTH (PH IV)

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the construction of approximately 2,180 lineal feet of stormwater conveyance pipes, stormwater treatment units, stormwater catch basins, asphalt paving restoration, and miscellaneous. The proposed project is located in Bigfork, Montana and is generally within the right of way of Bridge Street between Electric Avenue and Highway 35 including portions of Osborn Avenue and Mill Street.

All sealed bids, plainly marked "**Bigfork Stormwater Project – Bridge Street North & Bridge Street South (PH IV)**" must be delivered to the Commissioners' Office, 800 South Main, Kalispell, Montana 59901, at or before **9:00 a.m., local time, Tuesday, June 9, 2015**. All Bids that have been duly received will be opened and read aloud immediately thereafter in the Commissioners' Office.

All Bids must be in accordance with the Contract Documents on file at the following locations: Flathead County Commissioners Office, 800 South Main Street, Kalispell, MT (406) 758-5503; 48 North, P.C. Civil Engineering Services, 151 Business Center Loop, Suite A, Kalispell MT (406) 756-4848, and designated Plans Exchanges. Contract Documents for use in preparing Bids may be obtained from 48 North, P.C. Civil Engineering Services at the address listed above upon receipt of a non-refundable deposit of \$100.00, payable to 48 North, P.C. for each set of documents including drawings. Prospective bidders must obtain or request Contract Documents no later than 2 days prior to bid opening. All sealed bids must be submitted on original forms. Copies of the Contract Documents obtained from other sources shall not be accepted. No bids shall be withdrawn for a period of 60 days after the scheduled closing time for receipt of bids.

Each bidder must deposit with his bid, a bid security in the amount of ten percent (10%) of the bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within fourteen (14) days, enter into a formal contract for completion of the project. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States, as cashier's check, certified check, bank money order, or bank draft issued by a Montana bank, or bid bond executed by a surety corporation authorized to do business in Montana.

A performance Bond and Labor and Materials Payment Bond each in the amount of One Hundred percent (100%) of the contract sum will be required of the successful bidder, to secure the contractor's covenant to faithfully perform all of the conditions of the contract in accordance with the law and that contract.

The successful bidder must contract to pay prevailing wage rates, set by the Montana Department of Labor, and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax.

No bid shall be considered that does not carry the bidder's Montana Contractor's Registration Number on the bid form.

A pre-bid conference will be held at the office of 48 North, P.C. Civil Engineering Services commencing at **1:30 P.M. on Monday, June 1, 2015**. Those interested in bidding the project should plan on attending this meeting.

Completion of the work is required within 74 calendar days after commencement on approximately September 8, 2015 and according to the construction schedule to be determined after the Notice to Proceed is issued. The project includes liquidated damages that will be assessed as set forth in the Special Provisions at \$1000.00 per calendar day, in addition to any damages required under the Contractor Reimbursed Engineering Costs Section of the Supplementary Conditions if the work is not complete within the allotted contract time.

Bidder understands and agrees that Flathead County is dependent upon the County Rural Special Improvement District and state appropriations for its funding; and that actions by these funding agencies may preclude funding this contract through the completion date. Bidder further understands and agrees that this bid is automatically canceled if funds are not appropriated or otherwise made available to support the commencement or continuation of performance.

Flathead County reserves the right to accept or reject any bid, to waive any irregularities, and to accept the lowest responsive and responsible bid which are deemed to be in the best interest of the County. The award of bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 18th day of May 2015.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Debbie Pierson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on May 24 and May 31, 2015

DOCUMENT FOR SIGNATURE: MSU EXTENSION SERVICES AGREEMENT FY16

10:03:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Pence reported the service agreement is an annual contract whereby the county pays part of the salary of the two agents based on 65% of the Clerk and Records salary in our county. It is a 3.55% increase over the previous fiscal year.

MONDAY, MAY 18, 2015
(Continued)

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

Commissioner Mitchell pointed out that the trips made through the program need to be useful trips for a number of people and not just one or two individuals.

Motion carried unanimously.

DOCUMENT FOR SIGNATURE: SANDRY CONSTRUCTION AGREEMENT/ SWAN RIVER ROAD TRAIL

10:06:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Planner Rachel Ezell, Clerk Kile

Ezell reported on May 6, 2015 the commission awarded the Swan River Road trail bid to Sandry Construction in the amount of \$201,031. Since that time the contractor has pulled together all the required bond and insurance documents. A construction agreement with approval of subcontractors has been prepared in the agreement.

Commissioner Mitchell made a **motion** to approve the document for signature – Sandry Construction agreement for the Swan River Road trail. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: NOTICE TO PROCEED/ SWAN RIVER ROAD TRAIL

10:08:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Planner Rachel Ezell, Clerk Kile

Commissioner Krueger made a **motion** to approve the document for signature – Notice to Proceed. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: CC&R WAIVER PAGE/ GLACIER RIDGE SUBDIVISION

10:11:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Krueger made a **motion** to approve the document for signature – CC&R Waiver Page, Glacier Ridge Subdivision. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: CC&R WAIVER PAGE/ SNOW COUNTRY TRACTS

10:15:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

Commissioner Krueger made a **motion** to approve the document for signature – CC&R Waiver Page, Snow Country Tracts. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: VETERINARIAN SERVICES CONTRACT/ ANIMAL SHELTER

10:15:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Clerk Kile

This document was previously signed by the City-County Health Department Director.

PLANNING DIRECTOR: INTERVIEW - MARK

10:30:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Human Resource Director Tammy Skramovsky, Planning & Zoning Director B. J. Grieve, Planner Rachel Ezell, Planner Erik Mack, Planner Lawson Moorman, Greg Stevens, Mark Mussman, Clerk Kile

The commission conducted an interview with Mark Mussman who answered various questions regarding planning and zoning issues.

PLANNING DIRECTOR: INTERVIEW – TIM

11:30:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Human Resource Director Tammy Skramovsky, Planning & Zoning Director B. J. Grieve, Planner Rachel Ezell, Planner Erik Mack, Planner Lawson Moorman, Greg Stevens, Timothy Worley, Clerk Kile

The commission conducted an interview with Timothy Worley who answered various questions regarding planning and zoning issues.

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

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 19, 2015.

TUESDAY, MAY 19, 2015

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

3:00 p.m. Commissioner Holmquist & Commissioner Mitchell: RSVP Recognition Banquet at Northridge Lutheran Church

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 20, 2015.

WEDNESDAY, MAY 20, 2015

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

11:00 a.m. County Attorney meeting @ Co. Atty's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 21, 2015.

THURSDAY, MAY 21, 2015

[Audiofile](#)

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

Chairperson Holmquist led the Pledge of Allegiance.

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

Randy Overton, 167 Indian Trail Road #4, Bigfork spoke about extension permits on the agenda today for the Sortino property. He explained the applicant has had trouble with his shoreline protection and that the original proposal using larger material was not approved, and since that time he has lost about 30 feet of shoreline that continues to go. He said the permit is actually just maintenance under their existing permit for placing material. What is before the commission today is to extend that permit. The water has come up and he has basically run out of time to get the work done this spring. He is just trying to stop the erosion of his property.

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

SALARY COMPENSATION BOARD MEETING

9:30:00 AM

Compensation Board Members Present: Commissioner Pamela Holmquist, Commissioner Philip Mitchell, Commissioner Gary Krueger, County Attorney Ed Corrigan, Sheriff Chuck Curry, Treasurer Adele Krantz, Taxpayer Member Anita Hoye, Taxpayer Member Tom Kurdy

Compensation Board Member Absent: Clerk of Court Peg Allison

Others Present: Assistant Mike Pence, H. R. Director Tammy Skramovsky, Finance Director Sandy Carlson, Finance Technician Tamara Helmstetler, Deputy County Attorney Tara Fugina, Clerk Kile

Skramovsky summarized a spreadsheet prepared by the Finance Department to show what elected officials salaries are currently; reviewed adjustment to their wages with a COLA of 1.6 percent; reviewed MCA 3-10-207 which states the justice of the peace salaries cannot exceed 90% of a district court judge's salary.

3-10-207. Salaries. (1) Subject to subsections (2) through (4), the board of county commissioners shall set salaries for justices of the peace by resolution and in conjunction with setting salaries for other officers as provided in [7-4-2504](#). (2) The salary of the justice of the peace may not be less than the salary for the district clerk of the court in that county. (3) If the justice's court is not open for business full time, the justice's salary must be commensurate to the workload and office hours of the court. The salary of a justice of the peace may not be reduced during the justice's term of office. (4) The salary of the justice of the peace for a justice's court of record may not exceed 90% of the salary of a district court judge determined as provided in [3-5-211](#).

HB0366 that allows the Clerk of Court to receive a \$2,000 elected adjustment as well as the justice of peace positions was discussed. It was noted Peg Allison is requesting that her position receive the \$2,000 increase.

HB0461 adds in a responsibility to the Compensation Board to have a recommendation for deputy county attorney salaries.

General discussion was held relative to the sheriff and justice of peace salaries.

Chairperson Holmquist noted that she would not be in favor of giving the justice of peace \$2,000 including their longevity, simply because they receive longevity and most elected officials don't. Right now what we are looking at today is to keep the 1.6% COLA that has been budgeted for and to give the bumps and longevity that they need to along with a \$2,000 increase to Peg Allison who doesn't receive longevity. I don't believe I would be in favor of giving the justice of the peace the \$2,000 bump because of their circumstance.

THURSDAY, MAY 21, 2015
(Continued)

General discussion was held relative to Judge Ortley's case load before an additional full time judge was hired.

Commissioner Mitchell made a **motion** to approve the first sheet (*see below*) of the FY2016 Elected Officials Salary Spreadsheet with a 1.6% COLA that includes adding the \$2000 adjustment to the Clerk of Court position.

| FY2016 ELECTED OFFICIAL SALARY SPREAD (1.6% COLA) | | | | | | | | |
|--|-------------------|------------------|-------------------|--------------------|------------------|-------------------|---------------------------|---------------------------------|
| | FY2016 | | | | | | | |
| | FY15 BASE SALARY | COLA 1.60% | FY16 BASE SALARY | ELECTED OFFICE ADJ | LONGEVITY | SUBTOTAL | Addl 2 days (16 Hours) | TOTAL SALARY (less benefits) |
| | base | X cola | = salary | + adj | + long | | | = ttl sal |
| CLERK OF COURT | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ - | | \$ 65,580 | \$ 504 | \$ 66,084 |
| TREASURER/ASSESSOR | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ 2,000 | \$ - | \$ 67,580 | \$ 520 | \$ 68,100 |
| JUSTICE OF THE PEACE | \$ 76,178 | \$ 1,219 | \$ 77,397 | \$ - | \$ 3,483 | \$ 80,880 | \$ 625 | \$ 81,505 |
| JUSTICE OF THE PEACE | \$ 76,178 | \$ 1,219 | \$ 77,397 | \$ - | \$ 6,579 | \$ 83,976 | \$ 649 | \$ 84,625 |
| CLERK & RECORDER SURVEYOR | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ 2,000 | \$ - | \$ 67,580 | \$ 520 | \$ 68,100 |
| COUNTY COMMISSIONER | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ 2,000 | \$ - | \$ 67,580 | \$ 520 | \$ 68,100 |
| COUNTY COMMISSIONER | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ 2,000 | \$ - | \$ 67,580 | \$ 520 | \$ 68,100 |
| COUNTY COMMISSIONER | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ 2,000 | \$ - | \$ 67,580 | \$ 520 | \$ 68,100 |
| SHERIFF | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ 10,000 | \$ 20,002 | \$ 95,582 | \$ 920 | \$ 96,502 |
| SUPERINTENDENT OF SCHOOLS | \$ 64,547 | \$ 1,033 | \$ 65,580 | \$ 2,000 | \$ - | \$ 67,580 | \$ 520 | \$ 68,100 |
| COUNTY ATTORNEY | \$ 102,742 | \$ 1,644 | \$ 104,386 | \$ - | \$ - | \$ 104,386 | \$ 803 | \$ 105,189 |
| TOTAL | \$ 771,474 | \$ 12,344 | \$ 783,818 | \$ 22,000 | \$ 30,064 | \$ 835,882 | \$ 6,621 | \$ 842,503 |

Commissioner Krueger and Assistant Mike Pence pointed out this is simply a recommendation to the Board of Commission.

County Attorney Ed Corrigan **seconded** the motion. Motion carried unanimously.

For the record the commission unanimously approved the recommendation.

Skramovsky noted with HB0461 the Comp Board needs to discuss the deputy county attorney salaries. In the past it was just another position in the county that we tacked on the COLA too. Last year we created a new pay matrix for them and had an approval of what would be done with their salaries this year. Now the way this is structured it appears the Comp Board has to make a recommendation on their salaries as well. MCA statue 7-4-2503 was read.

7-4-2503. Salary schedule for certain county officers -- county compensation board.

(c) (i) After completing 4 years of service as deputy county attorney, each deputy county attorney is entitled to an increase in salary of \$1,000 on the anniversary date of employment as deputy county attorney. After completing 5 years of service as deputy county attorney, each deputy county attorney is entitled to an additional increase in salary of \$1,500 on the anniversary date of employment. After completing 6 years of service as deputy county attorney and for each year of additional service up to completion of the 11th year of service, each deputy county attorney is entitled to an additional annual longevity salary increase of \$500 or a greater amount based on the schedule developed and recommended by the County Compensation Board as provided in subsection (4)

Sheriff Curry asked if the proposed increase would be greater than \$500.00.

Fugina noted that it is built into the pay matrix.

Sheriff Curry noted it then meets the statue read if they were to give what was agreed upon.

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

CONSIDERATION OF LAKE & LAKESHORE PERMIT AMENDMENT: MCCANN, FWLP 15-02

10:30:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Lawson Moorman, Clerk Kile

Moorman reported the amendment to the original permit is to remove and replace a set of wooden stairs with a set of stone stairs and rebuild three retaining walls within the Lakeshore Protection Zone at 65 Better Way on Whitefish Lake. The permit also contemplated approximately 27 inches of a steel set of stairs encroaching into the LPZ. The applicant has requested an amendment to change that encroachment of the steel stairs into the LPZ to approximately 63 inches due to the rise and run of the deck that has been built. No other changes to the original permit are requested under this amendment.

Commissioner Krueger made a **motion** to approve Lakeshore Permit Amendment FWLP 15-02. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKE & LAKESHORE PERMIT EXTENSION: FLATHEAD PROPERTIES, FLP 12-54

10:32:00 AM

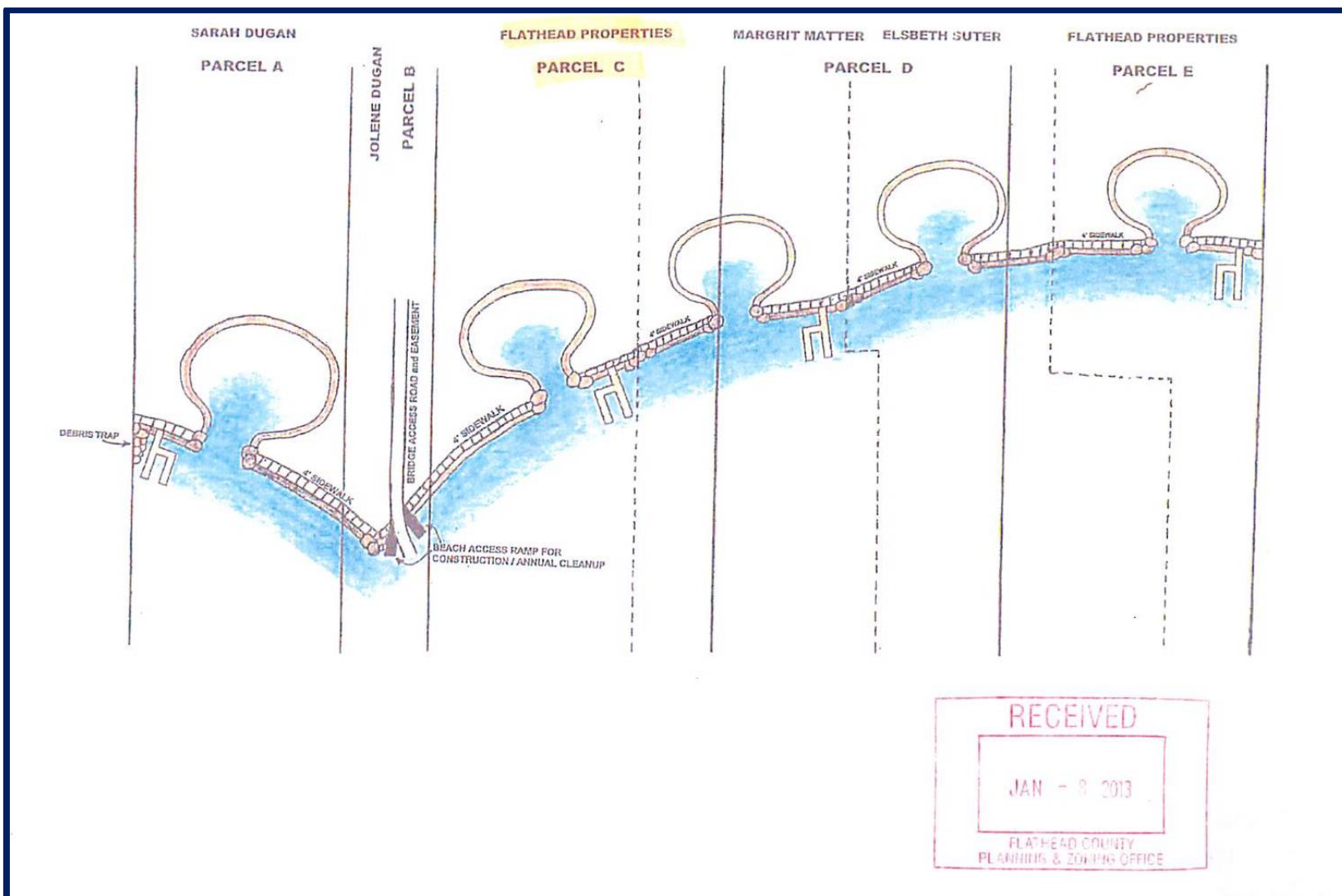
Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Lawson Moorman, Randy Overton, Dave Hadden, Clerk Kile

Planner Moorman - Four of the Lake & Lakeshore Permit extensions before you are essentially the same. He presented the following photos to the commission and explained the boardwalk (*photo 1*) is part of the original permits; however, it is not the entire permit. The permits also contemplate a vinyl retaining wall in front as well as an 'H' dock.

THURSDAY, MAY 21, 2015
(Continued)

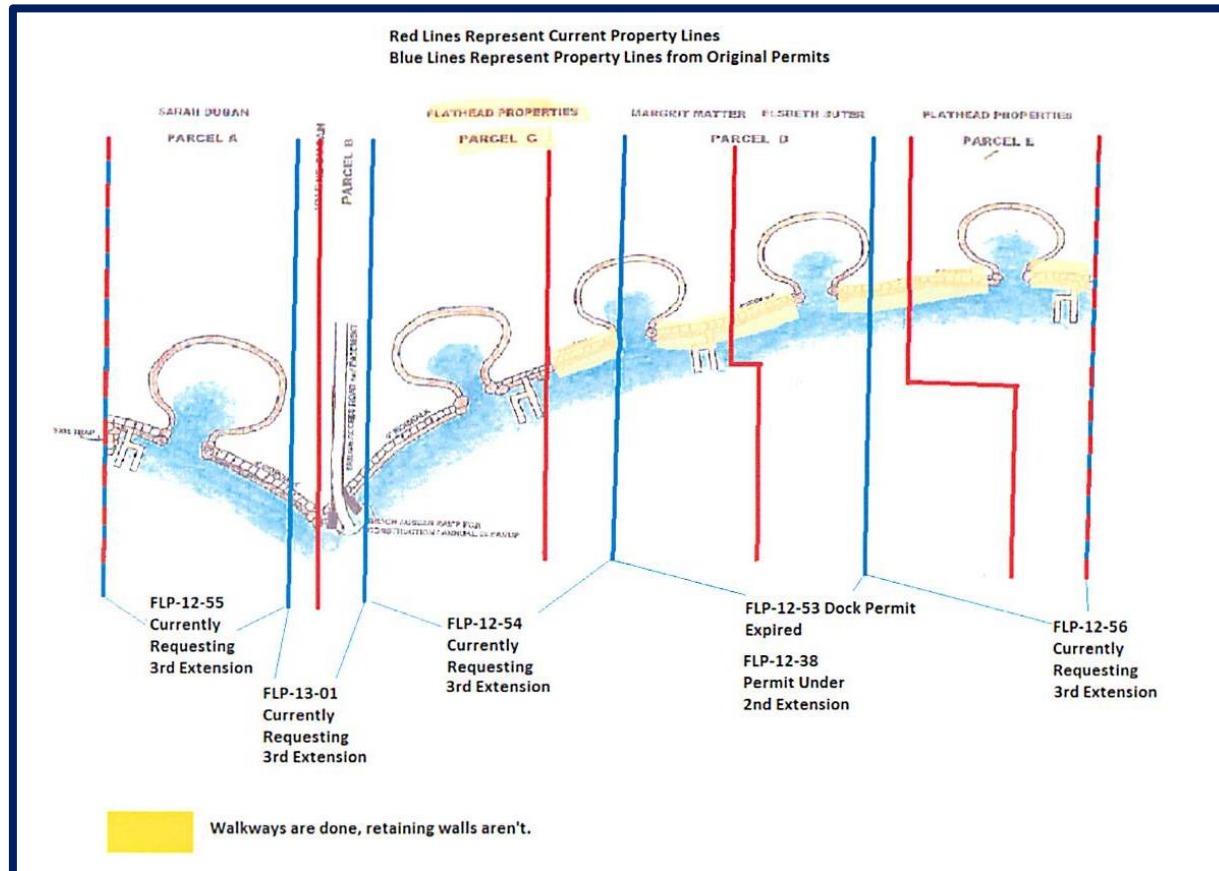


The next picture (photo 2) is what was originally proposed with the original permit submitted.



The last page (photo 3) the blue lines represent property lines from the original permits and the red lines represent current property lines. When the permits originally came in the property was where the blue lines are; however, since they have been extended and amended several times by the applicant those property lines have moved. The permits are still for the areas where the blue lines are yet they don't necessarily line up with where the property lines are now. The yellow highlighted areas are where the walkways are done; however, the retaining walls are not done. The areas being contemplated that are not highlighted don't have any work done yet.

THURSDAY, MAY 21, 2015
(Continued)



Commissioner Mitchell – Between the yellow spots are those still gaps.

Planner Moorman – Yes they are.

Planner Moorman – On January 16, 2013 the applicant was issued a Lake and Lakeshore Construction Permit (FLP 12-54) to construct a retaining wall, dock, and walkway, entirely on private property located off Holt Drive on Flathead Lake. The permit was amended on March 18, 2013. The permit was valid for one year, and was set to expire on January 16, 2014. On December 16, 2013 the applicant requested a one-year extension for the permit, which was approved by the Board of County Commissioners on January 6, 2014, extending the permit expiration until January 16, 2015. On December 8, 2014 the applicant requested a second extension for the permit, which was approved by the Board of County Commissioners on December 18, 2014 extending the permit expiration only until June 1, 2015, because the extension application stated the work would be done at low pool in the spring of 2015. On April 30, 2015 the applicant requested a third extension for the permit.

Commissioner Krueger – The record says the applicant stated they would have the work done by June 1 and we extended it to June 1. Is that correct?

Planner Moorman – That is correct. The last extension they essentially said the work would be done in the spring of 2015. Because the permit states work would be done during low water and low water for Flathead Lake is outlined in the Flathead County Lakeshore Regulations as being January through May. Essentially the commission decided that June 1 would be the end of that period for this spring.

Commissioner Krueger – Asked if some of the property had changed hands.

Planner Moorman – Not that I am aware of in terms of ownership; I believe if you look at FLP 15-53 and FLP 12-38 neither of which are under extension requests today, one of those has expired and one of them is currently under a second permit extension but isn't being contemplated today. Those are owned by different individuals and are not on the agenda today.

Commissioner Krueger – Is a portion of them here.

Planner Moorman – The work being done and the work that would be authorized under those permits is not being contemplated today.

Commissioner Mitchell – It bothers me that we keep changing property lines after we ask for permits. The authorization for us to approve or not approve this today I question, are we okay to approve or disapprove and do we have to give a whole lot of information on this. Tell me

Planner Moorman – The regulations actually stipulate that extensions may be granted at the discretion of the governing body.

Commissioner Mitchell - I would like it read please.

Planner Moorman – Read the following under 3.7 of the Flathead County Lake and Lakeshore Protection Regulations.

The governing body at its discretion may grant more than one such extension.

Commissioner Mitchell - So we have the authority to approve this or not approve this.

Director Grieve – Your consideration today to be clear is not to approve or deny the permit. The permit was approved around 2-1/2 years ago and all you are contemplating today is to grant or not grant an extension of the permit.

Commissioner Mitchell – With the end of this permit is it just for the docks that were approved the walkway, or does it also include the openings of the walkways. Is that part of this permit?

THURSDAY, MAY 21, 2015
(Continued)

Planner Moorman – Correct, it would include the boardwalk, a retaining wall that would face the boardwalk on the lakeside as well as a dock. That is all included in each one of the permits.

Commissioner Krueger – Currently all that has been done on some of these permits is that this one here only has a portion of the boardwalk finished according to the yellow part on the photo on page 3. The retaining wall hasn't been done, the pond behind it isn't done, and the dock is not done.

Planner Moorman – That pond would be contemplated under a floodplain permit. The boardwalks are done but no retaining walls or docks are done.

Commissioner Krueger – They said they would have this finished by this time.

Planner Moorman – On the last extension application they said the work would be done in the spring of 2015.

Commissioner Krueger made a **motion** to deny the requested extension for FLP 12-54. Chairperson Holmquist **seconded** the motion.

Commissioner Krueger – We have lakeshore regulations that allow probably everything they are asking to do here, and we have a set of rules to go through to follow those. This is not a review of what they are doing; this is just merely that the work hasn't been done, and it's been a long time since the permit was issued. They have the opportunity to go through the permitting process; I see this as just not extending the current permit.

Chairperson Holmquist – I would agree with that.

Motion carried unanimously.

CONSIDERATION OF LAKE & LAKESHORE PERMIT EXTENSION: FLATHEAD PROPERTIES, FLP 12-56

10:43:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Lawson Moorman, Randy Overton, Dave Hadden, Clerk Kile

Moorman – This is essentially the same thing. The only difference here is obviously the property. This permit was approved on January 9, 2013. An extension if approved would extend the permit to January 9, 2016.

Commissioner Krueger made a **motion** to deny the extension of FLP 12-56 for the same reasons presented in the previous agenda item. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKE & LAKESHORE PERMIT EXTENSION: DUGAN, FLP 13-01

10:44:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Lawson Moorman, Randy Overton, Dave Hadden, Clerk Kile

Moorman – This is essentially the same concept; same process. The permit was originally approved on January 16, 2013. An extension if approved would extend the permit to January 16, 2016.

Commissioner Krueger – This permit didn't have a dock in it, is that correct?

Planner Moorman – I believe this one did contemplate a dock. I think the confusion is in the property line change. I believe there was a dock in the original permit. He clarified that this is just a retaining wall and the boardwalk on this permit.

Commissioner Krueger – So the permit is just for the retaining wall and boardwalk and no other features at all.

Planner Moorman – Correct.

Commissioner Mitchell – Is this where the dock comes off the property from Docksteder Island.

Planner Moorman – Yes.

Commissioner Krueger made a **motion** to deny the extension of FLP 13-01. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF LAKE & LAKESHORE PERMIT EXTENSION: DUGAN, FLP 12-55

10:46:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Lawson Moorman, Randy Overton, Dave Hadden, Clerk Kile

Planner Moorman – This was originally approved on January 16, 2013 and went through the same process. It is for a retaining wall, dock and walkway. If approved the permit would expire on January 16, 2016.

Commissioner Krueger – No work at all has been done on this one.

Planner Moorman – No.

Commissioner Krueger made a **motion** to deny the extension request FLP 12-55. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

THURSDAY, MAY 21, 2015
(Continued)

CONSIDERATION OF H.R. TRANSMITTALS:

10:47:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk & Recorder Debbie Pierson, Human Resource Director Tammy Skramovsky, Clerk Kile

- **JOB DESCRIPTION – HEALTH PROGRAM ASSISTANT II/ WIC**
- **NEW POSITION – HEALTH DEPARTMENT ADMINISTRATIVE SUPPORT SPECIALIST GENERALIST/ WIC**

Skramovsky reported the H.R. Transmittal for the job description for the Health Program Assistant II is to make the job description match the job duties.

Commissioner Mitchell made a **motion** to approve the H.R. Transmittals – job description for the Health Program Assistant II and for the new position for a Health Department Administrative Support Specialist Generalist. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

- **NEW POSITION – COMMISSIONERS' OFFICE CLERK OF THE BOARD/ COMMISSIONERS OFFICE**

Skramovsky reported this position use to be in the generic Office Assistant III job description. The position will be vacated soon and since the generic job description doesn't address the responsibilities for the position a new job description has been created.

Commissioner Mitchell made a **motion** to approve the new position – Clerk to the Board, Commissioners Office. Commissioner Krueger **seconded** the motion.

Commissioner Mitchell clarified that the position will report to the County Administrator.

Motion carried unanimously.

DOCUMENT FOR SIGNATURE: AGREEMENT BETWEEN FLATHEAD COUNTY CLERK & RECORDER AND BOARD OF COMMISSIONERS'

10:51:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk & Recorder Debbie Pierson, Human Resource Director Tammy Skramovsky, Clerk Kile

Pierson stated the agreement between the Clerk & Recorder and Board of Commissioners is related to realigning the Clerk to the Commissioners under the commissioner's office and the administration of Mike Pence the County Administrator. The position will still collaboratively work in the position during the transition to get the processes up to speed and updated in how things are being done.

Commissioner Mitchell said presently this position does our meeting minutes here and then also works for the Clerk & Recorder. When this is all said and done, will that new position work at all with the Clerk & Recorder or 100 percent for the Board of Commissioners.

Pierson stated it would be 100 percent for the Board of Commissioners.

Commissioner Mitchell asked if it would still be considered a full time position.

Pierson stated it would. Even though the position has been under the Clerk and Recorders office it has played very little role in the Clerk & Recorders office functions with the exception of during elections and special projects.

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

DOCUMENT FOR SIGNATURE: FEC/ RIGHT-OF-WAY EASEMENT/ 133 HIGHWAY 83, BIGFORK

10:55:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Public Works Director Dave Prunty, Clerk Kile

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

This document is recorded as document #2015 0001 0222

AWARD BID: BLACKTAIL MOUNTAIN ROAD ASPHALT SURFACING

10:56:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Public Works Director Dave Prunty, Ryan Mitchell, Clerk Kile

Prunty reported LHC was the low bidder for the Blacktail Mountain Road paving project at \$476,923.20.

Commissioner Krueger made a **motion** to award the Blacktail Mountain Road asphalt surfacing to LHC. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

THURSDAY, MAY 21, 2015
(Continued)

CONSIDERATION OF REMOVING LOAD LIMITS

10:58:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Public Works Director Dave Prunty, Clerk Kile

Prunty reported West Valley Drive north of Lost Creek is the last remaining road that needs load limits lifted.

Commissioner Mitchell made a **motion** to remove all remaining load limits. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: LUPFER ROAD, HISTORICAL RIGHT-OF-WAY DEED OVER STATE TRUST LAND

10:59:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy County Attorney Tara Fugina, Public Works Director Dave Prunty, Clerk Kile

Fugina noted this is the culmination of an agreement we made in writing with DNRC concerning whether or not it would set precedence concerning other state trust lands and they have assured us it will not. This is there standard historical right-of-way deed.

Commissioner Mitchell made a **motion** to approve the Lupfer Road historical right-of-way deed over state trust lands. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF RESOLUTION: HEALTH DEPARTMENT SPACE

11:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Deputy Health Department Officer Hillary Hansen, Clerk Kile

Commissioner Krueger made a **motion** to adopt Resolution 2403. Commissioner Mitchell **seconded** the motion. Motion carried unanimously.

RESOLUTION NO. 2403

WHEREAS, The Flathead City-County Health Department (Health Department) is established under the provisions of Chapter 2, Title 50, Montana Code Annotated (MCA) and is operated under the supervision and control of the Flathead City-County Board of Health.

WHEREAS, The Flathead County Board of Commissioners and the City of Kalispell have entered into an Interlocal Agreement on July 19th, 2004 that established the purpose of the health department, the method of funding, the composition of the Board of Health and the disposition of real and personal property if the agreement is terminated.

WHEREAS, The Parties to the Interlocal Agreement specify that the financing of the Health Department shall be accomplished by levying an identical mill levy, allowed by Section 50-2-111 (2)(b) and (c) of the MCA. All money shall be deposited with the County Treasurer as county funds and distributed to the Health Fund based upon the mill levy and the value of a mill inside the City limits of Kalispell and the value of a mill in the County less Kalispell.

WHEREAS, The Health Department has utilized funds obtained through the Health Fund to construct the Earl Bennett Building and now will participate in the construction of space in the South Campus Building. Approximately 5000 square feet in the South Campus Building will be designated for Health Department use.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County that real property constructed with Health Department funds shall be considered Flathead County property and shall be used for the expressed purpose of providing Health Department services.

IT IS FURTHER RESOLVED that if the property or any portion thereof is no longer necessary or funded by the Health Department the Flathead County Board of Commissioners shall take control of the specified property and use it in a manner that best fits the operation of Flathead County.

Dated this 21st day of May, 2015.

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/Philip B. Mitchell
Philip B. Mitchell, Member

ATTEST:
Debbie Pierson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

CONSIDERATION OF H.R. TRANSMITTAL: HIRE - PLANNING DIRECTOR, PLANNING & ZONING OFFICE

11:02:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Human Resource Director Tammy Skramovsky, Deputy County Attorney Tara Fugina, Planning & Zoning Director B. J. Grieve, Planner Lawson Moorman, Clerk Kile

Commissioner Mitchell made a **motion** to move forward with Mark Mussman as the Planning & Zoning Director. Commissioner Krueger **seconded** the motion. Motion carried unanimously.

THURSDAY, MAY 21, 2015
(Continued)

DOCUMENT FOR SIGNATURE: FVCC CONTRACT FOR EMS TRAINING

11:05:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk Kile

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

BOARD APPOINTMENT: RIVERDALE LAND USE ADVISORY COMMITTEE

11:06:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk Kile

Commissioner Mitchell made a **motion** to appoint Denise Rowell to the Riverdale Land Use Advisory Committee. Chairperson Holmquist **seconded** the motion. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #16-07-5-01-064-0

11:07:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk Kile

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

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #16-07-5-01-072-0

11:08:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk Kile

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

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #16-07-5-21-083-0

11:09:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk Kile

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

DOCUMENT FOR SIGNATURE: SERVICE PROVIDER DESIGNATION FORM/ CHEMICAL DEPENDENCY SERVICES

11:10:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Gary Krueger, Commissioner Philip Mitchell, Assistant Mike Pence, Clerk Kile

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

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 22, 2015.

FRIDAY, MAY 22, 2015

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

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on May 25, 2015.
