

Flathead County Road and Bridge Advisory Committee  
Advisory Committee Meeting  
February 14, 2008 – 7:00 pm  
Solid Waste District Board Room – County Landfill

1. Roll Call

Committee Members Present: Charles Lapp – Chairman, Mike Schlegel – Vice Chairman, David Hilde, Karl Schrade, Dan Siderius

Staff Present: Administrative Assistant Mike Pence, Deputy County Attorney John Smith, Public Works Director Dave Prunty, Operations Manager Guy Foy, Recording Secretaries Patti Vernarsky and Juanita Nelson

Public Attendees: Mark Gluth, Steve Radosevich, Paul Abel, Whitey Boughton, Tom Kern

2. Introductory Remarks

Karl Schrade commented on the public wanting to get more involved during the meeting. He suggested moving the public comments section to the end of the meeting instead of the beginning. Whitey Boughton wanted to have the public comment at the beginning and the end of the meetings. The final consensus of the committee was to leave the public comment at the beginning of each meeting.

3. Comments from Public

Whitey Boughton, Lupfer Road – He had concerns about Item G, RSID information packet and the maintenance of roads not being maintained by the County. The group he is with feels that impact fees are better than RSID's. He stated the Health Dept doesn't want to help with dust problem because of pressure they're receiving from private industries.

Mark Gluth, McMannamy Draw – He questioned what the DNRC historic right-of-way has in relevance to the dust issues on county roads. He doesn't see how the committee can come to a conclusion on what should be added or deleted for better efficiency, unless your management. He feels the committee should be able to come to some sort of conclusion by visiting with the citizens that are affected by the dust. He had some concerns about the material from Four Corners Pit, and how the analysis of materials changed. He feels the committee should be given the authority and power to take a sample from the pit, deliver the sample to a 3<sup>rd</sup> party source, and the committee given the results not the Road and Bridge Dept. He stated the problem is dust, and the only solution is pavement. He feels RSID's are a good idea for developments and subdivisions only. He has spoken with everyone that has complained about the dust to DEQ and the number of miles of road equals 40 +/- miles, and if those miles were taken care of the main dust

problem would be eliminated. He feels the road department should be left out of RSID's and private contractors should be given the contract.

Tom Kern, President of Sky Ranch Home Owners Association Subdivision- He would like to see the roads paved through out the valley. He also stated that impact fees do not work, he has seen them in Bozeman and it just killed the school systems.

Paul Abel, Farm Road – He attended the impact fees meeting, and he felt like the County does not plan on helping with the air quality issues in the county. He feels that the Impact Fee Committee doesn't know what the Road Advisory Committee is doing, and vice versus. He would like to see the two committees meet and come up with a solution to help make things fair and equitable for everyone.

4. Approval of the Board Meeting Minutes – **Action Required**

**Mike Schlegel moved to approve the minutes from January 24, 2008 meeting. David Hilde seconded the motion. All in favor; motion passed, minutes approved.**

5. Action Agenda – **No Items Requiring Action**

6. Director's Report

a. RSID Information Packet continuation – Road Funding Sources

Charles Lapp had contacted the Bond Council regarding the question as to whether any parcel benefitting, or just the parcels abutting the roadway can be included in the RSID. The Bond Council told him the lots do not have to abut the road being considered for RSID as long as the lots benefit from the RSID. He asked if there is any possible way to include the entire county for an RSID. Both Jonathan Smith and Mike Pence replied that it cannot be done. Dave Prunty stated the only way to really do something to that order would be to basically create a road maintenance district, but that has to be voted in by the people.

David Hilde asked if Peccia's study going to recommend which roads need to be paved, upgraded, etc. Dave Prunty stated he thinks it can be done, but is something that can be addressed with them. He is working on meeting with them to help kick start a system to rate all roads within the county. David Hilde isn't it part of the contract to supply those answers. Dave Prunty replied yes, to a certain aspect, they are to supply a lot of different answers. Charles Lapp stated that were gravel roads are concerned, when thinking about a safety aspect, gravel roads are not overused, but the dust issue is hard to measure. Mike Schlegel asked what the traffic count threshold is before the road has to be paved. David

Prunty stated there isn't one, but have been discussing those aspects right now. Mike Pence stated the reports can help with prioritizing the maintenance schedule.

Mike Schlegel asked how DEQ wants the dust dealt with. Mike Pence stated DEQ's reply was "reasonable precaution"; they don't expect us to pave all the roads. Dave Prunty stated DEQ was explicit in the Administrative Order on Consent, both parties agree that it's unrealistic that all the roads are going to be paved. He continued that the agreement was for signage, a deputy, and applying dust applicants. Mike Schlegel asked about starting to develop a plan for this year for the dust abatement, discussing with Peccia with the traffic counts, through roads, and other criteria.

David Hilde stated he represents the private sector and tax payer, and feels this committee needs to define a mission statement for the road Department. Charles Lapp agreed a mission statement is a good idea. He feels the committee needs to decide if the committee should plan and then figure out the funding, or work within the budget, and figure what the top priorities are how to work it into the plan. Dan Siderius stated he feels the committee's job is help figure out what the most efficient way to work with the current funding available and to prioritize.

Mike Pence referred back to the list of available funding sources, continuing with impact fees. He stated that Flathead County is looking at what other large counties in Montana are doing with their impact fees.

Karl Schrade asked why an impact fee for upgrading a road is not allowed, whereas it is allowed with an RSID. Jonathan Smith stated that impact fees are for growth related issues, and the money is to be used to help maintain the level of service at the current use.

Charles Lapp continued on with gas tax funding and that the two cents is not enough, stating that diesel is not included in the tax. He stated the distribution needs to be simplified.

Charles Lapp distributed documents that had the breakdowns of the amount of gas tax distributed throughout the state, which also included a list of different areas to look/apply for grants by MDOT. Mike Pence stated the list will definitely be reviewed and apply for any grants that maybe available. Charles Lapp stressed that if the county applies for a grant, the county better have the matching funds.

Mike Pence continued with the final sources of funding which would be a user fee, but that needs to be backed by the legislative. Jonathan Smith will look into the possibility of adding a special levy onto registration fees on vehicles licensing.

b. Historic Right-of-Way Purchase from Montana DNRC

Dave Prunty conveyed to the committee that DNRC passed a law that if there is a road way that runs through State Lands, they must create revenue for schools. He continued to state that this is set by the State Constitution. He stated that all counties and private roads crossing state lands have to pay assessed value of the land. Jonathan Smith stated he will do more research and come back to committee with information. Dave Prunty wanted to bring this to the committees' attention, for reasons of the road departments funding being depleted by this expenditure.

c. Work Performed by Road Department for Other County Departments

Dave Prunty briefly explained the spreadsheet dealing with work performed for other county departments and how it was broken out and reimbursed.

7. Comments from Committee Members

David Hilde stated he will be gone until the 15<sup>th</sup> of March and asked if the 13<sup>th</sup> meeting with Miral Gamradt can be moved to the 20<sup>th</sup> so he can attend.

Dave Prunty stated the next meeting is scheduled for February 28, 7 pm. and if the committee wants to continue with the 7 pm meeting the by-law's needed to be amended.

8. Adjournment

**Mike Schlegel made the motion to adjourn, David Hilde seconded, all in favor, motion passed. Meeting adjourned at 9:05 p.m.**