

Flathead County Weed/Parks/Recreation
MINUTES
Board of Directors
Meeting Date: June 6, 2011

Members of the Board in attendance:

James Buechle, Clyde Fisher, Ray Sanders, Jim Watson

Members of the Board not in attendance:

Elise Robocker

Also in attendance:

Jed Fisher, Superintendent; Gordon Jewett, Assistant Superintendent; and Michele Haarr, Clerk

Others Present:

Mark Campbell – Flathead County Fairgrounds

Skip Gilmore – Bigfork Advisory Committee

Clifford Kipp – Montana Conservation Corps

Tamara Tanberg – Lakeside Parks Advisory Committee

Kim Thomas – Western States Insurance

Andy Young – Foy/Herron Advisory Committee

Call to Order

A regular meeting of the Board of Directors, Flathead County Weed, Parks & Recreation, was held in the conference room at 311 FFA Drive, Kalispell, Montana, on June 6, 2011. The meeting convened at 8:32 A.M., Chairman Sanders presiding. Corrections were made to the Agenda – “Carver Engineering Lawsuit Update” was revised to read “Carver Lawsuit Update”, and Other Business – “Horace Saunders Memorial Trail” was revised to read “Horace Sanders Memorial Park”.

Approval of Minutes

Minutes of the May 2, 2011 meetings of the Flathead County Weed, Parks & Recreation Board of Directors were distributed to the members of the Board and approved with edits provided by Jim Watson.

Public Comment

There was no public comment.

Park Facility Rental User Insurance – Kim Thomas/Western States

Kim Thomas distributed Tulip Product Highlights and 10 Reasons Why – see **Attachments A-1 & A-2**. Tulip is a program that provides liability insurance for those renting park facilities. A \$2,000 purchase would provide the master policy and include a chart of associated use types and price points. An average cost to the user would be \$100 for 1 million of liability per event. Some horse, softball, and other events would be exempt from coverage. The Department would need to recoup the cost in order to have the program be beneficial. Mark Campbell, the new Fairgrounds Manager, stated that he inherited this program from his predecessor Ted Dykstra, and elaborated that this type of coverage has existed in California and Washington since the 1980’s. Because most of the Fairground events are greater than 10 – 25 people this coverage reduces potential risk of liability. The Fairgrounds are near break even in covering their costs for the past year.

The program would be fairly simple to facilitate with required monthly reporting to Western States Insurance Company. Small family groups or wedding/baby shower type use would be covered under their own homeowner's policy.

There was discussion that some user groups who already have coverage may benefit by obtaining less expensive coverage. It was agreed that County Attorney Peter Steele should review the program and give an opinion.

Jim Watson made a motion to direct staff to research purchase of liability insurance for the County to sell to user groups and to review it with County Attorney Peter Steele.

Jim Buechle seconded the motion.

All in favor ~ the motion was carried.

Carver Lawsuit Update

After several meetings with our County Attorney, State Attorney for MACo, and Commissioner Jim DuPont, the decision was made to proceed with legal action rather than settle out of court. It is agreed that we have good standing to prevail, and anticipate being in the courtroom sometime next year.

Batting Cage Proposal

Superintendent Jed Fisher informed the Board that Michael Kazmier has apparently decided to pursue other options. Telephone messages to him have remained unanswered. Without any definitive word from Mr. Kazmier, it is assumed that the wheels of government may move too slowly for his timeline.

Bigfork Advisory Committee

Skip Gilmore stated that there were no meetings over the last couple months and a meeting is planned this month.

Mr. Gilmore reported that the dedication of the Sliters Park Pioneer and Veteran's Memorials was well attended with over 100 participants and included Governor Stephens and General Valley. A thank you letter from the Board and staff will be sent to Jerry Murphy and all those who participated in the entry renovation and upgrade.

The final recreation schedule for Carlyle Johnson Park was requested. An MOU for overflow parking needs to be addressed and the Department will look into it, with the comment that a long term agreement is desirable.

Assistant Superintendent Gordon Jewett reported that the Whitewater Festival was held the past weekend with typical activity, and one person tasered. There was a lot more enforcement of open containers which included any public property. Mr. Jewett anticipates July 4th activity to be tenfold.

Foys/Herron Advisory Report

Herron Park – Andy Young reported that Saturday June 4th was National Trails Day, which went really well with numerous volunteers and a lot of community input. The Family Trail extension through the meadow looks great and works well. A few horse events were cancelled due to muddy conditions. Signing is posted that explains the stable area can be accessed but not the meadow.

Mr. Young stated that a lot of equestrians are choosing to stay home due to an extremely contagious equine virus. Mutations of the virus bypass the vaccination and while there is less chance of death, the horses can become very ill.

New dressage fencing has been installed and looks good and some of the jumps have been repositioned.

There was some overlap in the weekend events of Hooves & Company and Flathead Cycling with regard to set up and clean up. The cycling group was setting up while the horse group was using the park, and the horse group wanted to clean up when the cycling group was using the park. It was noted that Flathead Cycling used paint to mark the course, which is not permitted and the \$50 security deposit was withheld. The bike race had 60 entrants which was the largest mountain bike event in the state.

Foys Center – The improvements are a great addition, with new floors, a new counter, sinks and paint. Young anticipates an uptick in use.

Unleashed dog incidents have diminished, with no known serious incidents.

Foys Beach – Foys dock is installed and looks great with a lot of users this past Saturday. It is anticipated that the path to the lakeshore will be installed this season. Young reiterated that the parking barriers and the pavement look great. It is impossible to eliminate all concerns such as a very long boat trailer which can still reach the fence.

Foys to Blacktail Trails

Five trail counters have been installed in the woods and are working marginally well. These are designed for back country trails and speeds of more than 10 mph will not register so bicycles are not always counted. It is planned to use a different type of trail counter at the three entrances – the parking lot, the green gate and the stables. It was noted that there are consistently 100 users per day, with multiple repeats from the primary customer base. User counts are needed to help secure grant money.

Cliff Kipp reported that the Herron Hustle in early May had 160 registrants, more participation than in the past and the new trails were used. This was the 2nd year for the Herron Hammer bike race and it was well managed except for paint on trail beds, a rock and tree. National Trails Day on June 4th was a fabulous event with 20 pack stock, piles of gravel, and people in age range from kids to seniors. It was the first time out for the Back Country Horsemen. 10 yards of gravel was brought in by mules. The pavilion portion of the family trail by the gazebo held, although wet. Pat Young of Flathead Combined Training Association (FCTA) approved all trails through the meadow, which will be reviewed after a period of use. Overall, there was good participation and feedback.

The Recreational Trails Grant reimbursement request will be submitted next week.

Activities coming up are the Paddlethon, which includes boating on Flathead Lake, and a running race at Herron Park. National Public Land Day is in September.

Lakeside Advisory Report

Ben Williams – Tamara Tanberg thanked the Board and appreciated all that was accomplished here. The landscaping has been maintained and the playground equipment moved. Assistant Superintendent Gordon Jewett indicated that the County's insurance agent will be in town next week to review placement of the playground equipment.

United States Tennis Association (USTA) Quick Start lessons will occur over the next 4 weeks and generally there has been good participation at the courts in spite of intermittent weather. July 9th is the grand opening.

Volunteer Park – Trevor Schafer, the property owner across the street from the Park has been in communication with Superintendent Fisher regarding overflow parking for vehicles and boat trailers.

Middle Forks Parks Advisory Report

There was no one present from Middle Forks Parks Advisory Committee. Jim Watson reported Val Parsons is working with the Department of Transportation regarding a trail next to the highway through the canyon in Hungry Horse which will connect Columbia Falls to Glacier Park.

Weed Legislation Update

Superintendent Fisher reported that a review of new weed legislation is underway. Law revisions were made with the intention of being more effective and less cumbersome to the landowner.

Park Rule Enforcement Edits & Updates

Assistant Superintendent Gordon Jewett reported that several of the Rules and Regulations need revision – **see Attachment B.**

Section Two

Warden: “The warden shall serve at the will and the pleasure of the County Park Board and may *not* be a peace officer as defined in Section 46-1-201, M.C.A.

Section One, Definitions, Swimming Area, and Section Three 0-17 – buoy colors are changed.

Section Three

0-2: Bond Fee to be changed from \$35.00 to \$125.00.

0.2.1 Addition – No dogs in ballparks.

0-8: Deleted.

0-9: Addition – No prospecting.

0-17: Addition – No boat shall be operated within 20’ of the exterior boundary of a designated swimming area.

0-18: Modification – Power boats shall not have the motor in operation within 50 feet of a swimmer in the water.

0-19: Modification – No operator of a power boat shall tow any water skier within 50 feet from any swimmer in the water.

Jim Buechle made a motion to support the revisions to the Flathead County Park Rule Enforcement as read – see Attachment B.

Clyde Fisher seconded the motion.

There being no discussion, and all in favor ~ the motion was carried.

Superintendent Fisher commended Assistant Superintendent Gordon Jewett for doing a remarkable job in the County Parks. There has been a significant decline in park violations.

Other Business

Horace Sanders Memorial Park – Jim Watson distributed a schematic of a proposed park to be dedicated to Horace Sanders as a tribute to his involvement with the Great Northern Historical Trail and his passion for getting the trail completed from Somers to Kalispell to Kila – **see Attachment C.** The project is approximately 2 acres and located near the intersection of Ashley Creek and Highway 93 bypass. There are no roads to the park and the only access would be from the bypass trail. The project would be shared between the Montana Department of Transportation, Rails to Trails and Flathead County, with the County contributing benches &

picnic tables. The land was originally part of the old Siderius farm and is owned by the Montana Department of Transportation.

Rental Sprayer Fees & Fines – A Sprayer Rental Agreement was distributed with highlighted changes – see **Attachment D**. Effective July 1st, 2011, rental rates will be increased to \$25 for weekdays and \$40 for weekends; backpack sprayers will increase to \$10 for two days; damage to rental sprayers will be billed at \$50 per hour for labor; and any credits issued need to be used by the end of the weed season within the same year.

Jim Buechle moved to approve the fee increase for rental sprayers as stated and per Attachment C. Discussion: Clyde Fisher questioned the number of rentals over the past season, which was approximately 200, with a \$4300 income. Sprayers are rotated out each year and \$4800 covers the cost of a new sprayer.

Jim Watson seconded the motion.

There being no further discussion, and all in favor ~ the motion was carried.

Superintendent Fisher informed the Board that Brad Bo is no longer authorized to rent sprayers due to his inability to return sprayers in a timely manner, his volatile nature, and foul language.

Superintendent Fisher requested that the Board clarify its role relative to expenditures for the new Finance Director. Major capital outlay items and any purchase over 50K receives Board approval. The exception to the 50K threshold would be to have Board approval for any cash-in-lieu purchases.

Jim Buechle made a motion to authorize Superintendent Fisher to approve purchases up to 50K without Board approval, unless it is a cash-in-lieu purchase.

Clyde Fisher seconded the motion.

There being no discussion, and all in favor ~ the motion was carried.

(Note: Jim Watson indicated that both he and Chairman Sanders did not vote. In addition, this item was not on the agenda and therefore could not be voted on. The subject will be revisited at the Board Meeting on July 11, 2011.)

Jim Watson reported that the effort to create a trail along West Reserve has been tabled due to a lack of unanimous support from the Homeowners' Association that planned to donate the land. There is preliminary scoping by MDT to determine the nature of a pedestrian path on Highway 2 through Badrock Canyon. It is anticipated that the project will take 4 – 5 years to complete. The tunnel under Highway 2 adjacent to Flathead Valley Community College is completed.

The Bypass Trail is the 1st purpose built professional trail that the County has seen. The Lakeside Trail application is complete and has been submitted to the State.

Superintendent Jed Fisher reported that weed control has been delayed due to inclement weather. It has been a tough year thus far with 22K usually billed out and received from the State by July 1st each year. Crew time may need to be rescheduled to accommodate spraying when the rain stops.

Adjournment

Jim Watson made a motion to adjourn the meeting.

Jim Buechle seconded the motion.

There being no discussion, and all in favor ~ the motion was carried.

The time and place of the next regular meeting is Monday, July 11, 2011 in the conference room at 311 FFA Drive, Kalispell, Montana, and the June 6, 2011 meeting was adjourned at 10:41 A.M.