

MONDAY, SEPTEMBER 1, 2003

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Watne, Commissioners Gipe and Hall, and Clerk Robinson were present.

COUNTY OFFICES CLOSED – LABOR DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 2, 2003.

TUESDAY, SEPTEMBER 2, 2003

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Watne, Commissioners Gipe and Hall, and Clerk Robinson were present.

MONTHLY MEETING W/DONNA MADDUX, SUPERINTENDENT OF SCHOOLS

Present at the September 2, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Superintendent of Schools Donna Maddux, Susanne O'Connor, Assistant Avery, and Clerk Eggum.

General discussion was held relative to school levies; turnover in clerks.

Commissioner Gipe made a **motion** to approve the Flathead County School District Levies 2003 – 2004 and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

MONTHLY MEETING W/NORM CALVERT, COMPUTER SERVICES

Present at the September 2, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioner Gipe, Computer Services Director Norm Calvert, OES Director Alan Marble, Assistant Avery, and Clerk Eggum.

General discussion was held relative to printing bids; tax notices; fire service area.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: NORTH FORK ZONING TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Sanderson recommended that due the fire situation in the North Fork area the hearing not be scheduled at this time.

Commissioner Gipe made a **motion** to continue scheduling of the hearing due to the fire conditions. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: LAPP ZONE CHANGE/WEST SIDE ZONING DISTRICT

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 678AE. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 678AE

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 10th day of July, 2003, concerning a proposal to change the zoning designation in a portion of the Westside Zoning District from AG-80 (Agricultural) to R-2 (One Family Limited Residential);

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing and reviewed the recommendation of the Flathead County Planning Board regarding the proposed change;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 678AD) on July 10, 2003, to adopt an amendment to the Westside Zoning District by changing the zoning designation in a portion of the Westside Zoning District from AG-80 (Agricultural) to R-2 (One Family Limited Residential); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 15 and July 22, 2003, and the Board of Commissioners did not receive written protests from forty percent (40%) of the freeholders within the Westside Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(4), M.C.A., hereby amends the Westside Zoning District to change the zoning designation for the area described on Exhibit A, from AG-80 (Agricultural) to R-2 (One Family Limited Residential), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 2nd day of September, 2003.

Flathead County, Montana

By: /s/ Gary D. Hall
Robert W. Watne, Chairman

By: /s/Howard W. Gipe
Howard W. Gipe, Member

By: _____
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By: /s/ Vickie M. Eggum
Vickie M. Eggum, Deputy

EXHIBIT A
Charles Lapp; K.C. & Agnes Dors;
Cynthia Marvin and Catherine Baier & Clinton Grosswiler
Zone Change/West Side Zoning District
Legal Description

Location and Legal Description of Property: The property is a portion of the West Side Zoning District at the intersection of Stillwater Road and Three Mile Drive west of Kalispell. The property proposed for rezoning contains approximately 133.98 acres and is generally described as the W1/2 SW1/4, Section 1, Township 28 North, Range 22 West, the NE1/4NE1/4, less the areas included in the platted subdivision "2 Mile Tracts Phase 2", Section 11, Township 28 North, Range 22 West, Flathead County, Montana.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: O'MYER ZONE CHANGE/EVERGREEN AND VICINITY ZONING DISTRICT

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 797CH. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 797CH

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the on the 9th day of July, 2003, to change the zoning designation on property in the Evergreen and Vicinity Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

WHEREAS, the Board of Commissioners heard public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Evergreen and Vicinity Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 797CG, dated July 9th, 2003) to change the zoning designation SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 14 and July 21, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Evergreen and Vicinity Zoning District to change the zoning designation for the area described on Exhibit "A" hereto from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 2nd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/ Gary D. Hall
Robert W. Watne, Chairman

By: /s/Howard W. Gipe
Howard W. Gipe, Member

ATTEST:
Paula Robinson, Clerk

By: /s/ Vickie M. Eggum
Vickie M. Eggum, Deputy

By: _____
Gary D. Hall, Member

EXHIBIT A

**Shane O'Myer
Zone Change/Evergreen and Vicinity Zoning District
Legal Description**

Location and Legal Description of Property:

The property is located approximately 2.5 miles north of East Reserve Drive off of Addison Square. The property is further described as Parcels A, B, C, & D of Certificate of Survey No. 15165 in Sections 26 and 27, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: WILSON TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 955FI. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 955FI

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 8th day of July, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations by amending Sections 3.12.030, 3.13.030, and 3.15.030 by adding Beauty Salons and Barbershops as a conditional use in R-4, R-5 and RA-1 zones;

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed amendment;

WHEREAS, based upon that recommendation and the testimony of the public, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 955FH dated July 8, 2003) to change the zoning regulations by amending Sections 3.12.030, 3.13.030, and 3.15.030 by adding Beauty Salons and Barbershops as a conditional use in R-4, R-5 and RA-1 zones and;

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 12 and July 19, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Flathead County Zoning Regulations, amending Sections 3.12.030, 3.13.030, and 3.15.030 by adding Beauty Salons and Barbershops as a conditional use in R-4, R-5 and RA-1 zones, as set forth on Exhibit A hereto.

DATED this 2nd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne
Robert W. Watne, Chairman

By: _____
Gary D. Hall, Member

By: /s/Howard W. Gipe
Howard W. Gipe, Member

ATTEST:
Paula Robinson, Clerk

By: /s/ Vickie M. Eggum
Vickie M. Eggum, Deputy

**EXHIBIT A
FLATHEAD COUNTY PLANNING BOARD
TEXT AMENDMENT
FLATHEAD COUNTY ZONING REGULATIONS**

A. Proposed Amendments: As usual, deletions from the text are ~~struck through~~ whereas, additions are **bolded, italicized and underlined.**

Section 3.12.030

1. Beauty Salons and Barbershops.

Section 3.13.030

1. Beauty Salons and Barbershops.

Section 3.15.030

1. Beauty Salons and Barbershops.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: ESLICK ZONE CHANGE/BIGFORK ZONING DISTRICT

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 956AM. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 956AM

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after the publication of legal notice, on the 7th day of July, 2003, concerning a proposal to change the zoning designation in a portion of the Bigfork Area Zoning District from a split zone of SAG-5 (Suburban Agricultural) and B-3 (General Business) to B-3 (General Business);

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Bigfork Area Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 956AL, dated July 7, 2003) to change the zoning designation in a portion of the Bigfork Area Zoning District from a split zone of SAG-5 (Suburban Agricultural) and B-3 (General Business) to B-3 (General Business) and;

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 10 and July 17, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Bigfork Area Zoning District to change the zoning designation for the area described on Exhibit "A" hereto from a split zone of SAG-5 (Suburban Agricultural) and B-3 (General Business) to B-3 (General Business), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 2nd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne
Robert W. Watne, Chairman

By: _____
Gary D. Hall, Member

By: /s/Howard W. Gipe
Howard W. Gipe, Member

ATTEST:
Paula Robinson, Clerk

By: /s/ Vickie M. Eggum
Deputy

**EXHIBIT A
PAUL ESLICK
ZONE CHANGE/BIGFORK ZONING DISTRICT
LEGAL DESCRIPTIONS**

Location and Legal Description of Property

The property is located on the intersection of the Swan Highway and Highway 35 (Streeter's Corner) in Bigfork. The property is further described as the West half of the Northeast Quarter of the Northwest Quarter of Section 24, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana, excepting therefrom that portion described in Deed to the State of Montana, recorded October 3, 1935 in Book 218, Page 539, records of Flathead County, Montana. Also excepting therefrom that portion described as follows: A tract of land situate, lying and being in the Northeast Quarter of the Northwest Quarter of Section 24, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana, and more particularly described as follows: Commencing at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section 24, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana; thence South 00°28'00" East, a distance of 270.98 feet to the Point of Beginning of the tract of land herein being described; thence North 89°32'00" East and parallel with the North boundary line of Section 27, a distance of 130.00 feet to a point; thence South 00°28'00" East, a distance of 140.00 feet to a point; thence South 89°32'00" West and being parallel with the Easterly boundary line of the tract of land herein being described, a distance of 140.00 feet to the Place of beginning. Also excepting therefrom Tract 1 and Tract 2 of Certificate of Survey No. 5767.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: MYERS ZONE CHANGE/BIGFORK ZONING DISTRICT

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 956AO. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 956AO

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after the publication of legal notice, on the 7th day of July, 2003, concerning a proposal to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

WHEREAS, the Board of Commissioners did hear public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Bigfork Area Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 956AN, dated July 7, 2003) to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural) and;

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 10 and July 17, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Bigfork Area Zoning District to change the zoning designation for the area described on Exhibit "A" hereto from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 2nd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne
Robert W. Watne, Chairman

By: _____
Gary D. Hall, Member

By: /s/Howard W. Gipe
Howard W. Gipe, Member

ATTEST:
Paula Robinson, Clerk

By: /s/Vickie M. Eggum
Vickie M. Eggum, Deputy

Exhibit A
William & Alana Myers
Zone Change/Bigfork Zoning District
Legal Description

Location and Legal Description of Property: The property is located approximately 1300 feet directly south of Echo Lake. The property is described as Parcels A, B, C, and D of C.O.S. #13441 in Section 17, Township 27 North, Range 21 West, P.M.M., Flathead County, Montana.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: GATZKE ZONE CHANGE/EVERGREEN AND VICINITY ZONING DISTRICT

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 797CF. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 797CF

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the on the 8th day of July, 2003, to change the zoning designation on property in the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to R-5 (Two Family Residential);

WHEREAS, the Board of Commissioners heard public comment on the proposed zoning change at said hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Evergreen and Vicinity Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 797CE, dated July 8th, 2003) to change the zoning designation from R-2 (One Family Limited Residential) to R-5 (Two Family Residential); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 12 and July 19, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Evergreen and Vicinity Zoning District to change the zoning designation for the area described on Exhibit "A" hereto from R-2 (One Family Limited Residential) to R-5 (Two Family Residential), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 2nd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne
Robert W. Watne, Chairman

By: /s/Howard W. Gipe
Howard W. Gipe, Member

ATTEST:
Paula Robinson, Clerk

By: _____
Gary D. Hall, Member

By: /s/ Vickie M. Eggum
Vickie M. Eggum, Deputy

Exhibit A
Donald Gatzke Trust
Zone Change/Evergreen and Vicinity Zoning District
Legal Description

Location and Legal Description of Property: 324 and 326 Harmony Road further described as Lots 20 and 21 of Hoiland-Day Acres and 318 Solberg Drive further described as Lots 23D and 22C Hoiland-Day Acres in Section 34, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: DeTONI TEXT AMENDMENT/CANYON AREA LAND USE REGULATORY SYSTEM

Present at the September 2, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 1049E. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 1049E

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after publication of legal notice, on the 24th day of June, 2003, to consider an amendment to the Canyon Area Land Use Regulatory System, as recommended by the Flathead County Planning Board;

WHEREAS, the Board of Commissioners heard public comment on the proposed amendment to the Canyon Area Land Use Regulatory System at that hearing;

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the suggested revision;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 1049D) on July 17, 2003, to adopt an amendment to those Regulations to allow booking reservations for an outfitting establishment as a minor use in the Middle Canyon Zoning District; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 22 and July 29, 2003, and the Board of Commissioners did not receive written protests to the change from forty percent (40%) of the freeholders within the three regions covered by the Canyon Area Land Use Regulatory System.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends Section 6.2(B) of the Canyon Area Land Use Regulatory System to allow for booking reservations for an outfitting establishment, subject to Minor Land Use review, in the Middle Canyon Zoning District.

DATED this 2nd day of September, 2003.

BOARD OF COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne
Robert W. Watne, Chairman

ATTEST:
Paula Robinson, Clerk

By: /s/Howard W. Gipe
Howard W. Gipe, Member

By: /s/ Vickie M. Eggum
Vickie M. Eggum, Deputy

By: _____
Gary D. Hall, Member

MONTHLY MEETING w/RAEANN CAMPBELL, HUMAN RESOURCES

Present at the September 2, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Human Resource Director Raeann Campbell, and Clerk Eggum.

General discussion was held relative to participation agreement with SAFECO; AFLAC.

PRELIMINARY PLAT: PRAIRIE FALCON ACRES

Present at the September 2, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planner Tim Beck, Planner Johna Morrison, Dawn Marquardt of Marquardt and Marquardt Surveying, Bryce Mideke, Assistant Avery, and Clerk Eggum.

Beck reviewed the preliminary plat for Prairie Falcon Acres Subdivision filed by Dan Pentelute/Danval, Inc. Prairie Falcon Acres Subdivision creates a 14 lot single-family residential subdivision on 8.83 acres. The property is located on the south side of Pheasant Road, just west of U.S. Highway 2 East and is situated approximately two miles southwest of Columbia Falls. Beck noted that the Columbia Falls City-County Planning Board added a condition that required that all homes be constructed on permanent foundations. Staff recommends that if that condition is included it would be better to note that requirement be placed on the face of the final plat.

Commissioner Gipe confirmed that from the end of the subdivision Pheasant Road it is just about a quarter of a mile; 1300 feet none of which meets county standards for paving.

Commissioner Gipe made a **motion** to adopt Staff Report #FPP-03-19 as Findings of Fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Marquardt stated that they had concerns relative to Conditions #3, #5 and #19. With regard to condition #19 they requested that condition be amended to state all homes will be placed on a permanent foundation and as a note on the plat because it is something that can't be controlled after the final plat is filed. She noted that some of the homes may be mobile homes.

With regard to Condition #3, her client requested that if he were required to pave Pheasant Road, it be paved to a width of 20 feet as that is the width of the current road. It would take a complete reconstruction to be required to pave to 24'. In addition she requested that the road be paved from the existing paving to east entrance to the subdivision. Chairman Watne confirmed that Pheasant Road was a private road.

Marquardt advised that with regard to Condition #5, they have talked to MDOT and they don't want to issue a change of use permit as they say it is not needed. Beck stated that his understanding was the permit was needed for the increased traffic. Morrison advised that an encroachment permit would be required if the subdivision access was directly off of Highway 2 or a county road. She stated that it is a gray area when you are accessing onto a private road and then going to a highway.

Commissioner Gipe made a **motion** to delete Condition #5 in its entirety. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Gipe made a **motion** to amend Condition #3 to state that the developer shall pave the entire length of Pheasant Road from U.S. 2 to the east approach of the subdivision to a 20' width. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Gipe made a **motion** to delete Condition #19 and to add a (g) to number 14 to as follows: "All homes will be on permanent foundations. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Gipe made a **motion** to approve the Preliminary Plat for Prairie Falcon Acres Subdivision subject to 17 conditions as amended. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT COVENANT: CARLSON

Present at the September 2, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planner Tim Beck, Assistant Avery, and Clerk Eggum.

Beck reviewed the Lake and Lakeshore Construction Permit #FLP-03-73 filed by Robert and Kaye Carlson on Lake Five issued August 21, 2003 which required that they submit a covenant for the Commissioners' approval and filing with the county.

Commissioner Gipe made a **motion** to approve the covenant as presented. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

MEETING WITH JONATHAN SMITH RE: MT MEDIA SETTLEMENT PROPOSALS

Present at the September 2, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Deputy County Attorney Jonathan Smith, Myra Shults, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Shults presented to the Commissioners the Preliminary Pretrial Statement and a Settlement Agreement prepared relative to the Montana Media v. Flathead County Federal Court case. She summarized the case to date. She then reviewed the proposed Settlement Agreement.

Commissioner Gipe made a **motion** to approve the Settlement Agreement as presented and authorize Forrest Sanderson to sign on behalf of Flathead County. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

Commissioner Hall was seated.

MEETING W/CHARLIE JOHNSON, ROAD DEPARTMENT

Present at the September 2, 2003 11:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Road Superintendent Charlie Johnson, Assistant Avery, and Clerk Eggum.

Commissioner Hall questioned whether it was county or city responsibility to do striping around Evergreen School. Johnson responded that it was county responsibility and they stripe according to the code and speculated that they were probably more concerned about the walk path but added that they are striping all those things.

Commissioner Gipe questioned whether the county was still responsible for Edgerton. Johnson responded that the city has not yet taken over Whitefish Stage. He noted that the city made an agreement to take over that portion of Whitefish Stage once it was overlay. He has tried to contact the city but has been unable to get a response. Johnson presented a copy of a transcribed phone message from Holly Hand relative to the speed limit sign on Whitefish Stage by Edgerton School. The speed limit is 45 MPH and the school zones are set up at 25 MPH. The signs used to read 7:00 to 4:00 for school zones but the state has now changed to read during school hours. The county is governed by the code for the standards on signing. He noted that the city and county pooled their money and put in a bike/walk path completely separate from Whitefish Stage road and there are crossing guards at each one of the crosswalks during school hours. Hand was requesting a flashing light. It was up to the Commissioners if they wanted a flashing light installed. Commissioner Gipe agreed that it is heavily patrolled and actually it is a city and a state issue. Commissioner Hall instructed Johnson to respond to Hand stressing that it is a city and state issue.

Johnson advised that they were laying out the right-of-way on Auction Road in preparation for paving. He noted that the mobile home establishment has sprinklers on the edge of the road and they will be working with them to remove the sprinklers.

Johnson questioned whether the Commissioners had reviewed the changes he proposed to the subdivision regulations. He requested a response/recommendation prior to the hearing before the Planning Board the first of October. He briefly reviewed those changes: percentage of grading into a subdivision; the length required, cul-de-sac, the amount of paving required (400 feet per lot). Commissioner Gipe stated he did not disagree with any of the changes. Johnson expressed concern as to the response he would receive from the Planning Board. He requested the Commissioners' support in his proposal and that they attend the Planning Board meeting with him.

Johnson sought confirmation for moving forward on the paving of Garland. He sought such confirmation because of the constant shifting of priorities relative to roads. He noted he has been receiving a lot of pressure. Chairman Watne stated and Commissioner Gipe agreed that the Commissioners made an agreement to do the paving.

Johnson stated that there was a meeting on the RSID with some of the residents of KM Ranch Road tonight. Commissioner Hall advised he had just heard about it and they were requesting that someone from this office attend the meeting to explain the RSID process. Avery advised that he gave them a copy of the policies and asked him if were available for a meeting. Johnson stated that their attorney had advised Norma that the RSID only pertains to subdivisions. Hall advised that Jonathan Smith had an opinion also. He stated he would attend the meeting because it is his district but that he did not feel qualified to discuss the process noting that the project was given to Avery. Commissioner Gipe advised that they should talk to Jonathan and get his opinion. Johnson stated that he did not want these people to go through all the motions without us responding to them. They seem willing to do this. He noted that there does seem to be some confusion as the residents seem to think that the county will do all of the road preparation and the RSID is only for the cost of the asphalt. Avery stated he didn't know anything about the meeting. Johnson thought the county attorney was better suited to attend the meeting. He reiterated the need to get this straightened out and noted that he is going to end up dealing with the RSIDs he wanted to get some education. Avery advised that MACo was going to be here next week and that is one of the topics that they are going to explore. Chairman Watne questioned whether anyone was going to go to the meeting. Johnson responded that he believes someone needs to be there if only to get a list of their concerns and respond to them later. Chairman Watne noted he did not have any knowledge about the RSIDs either. Johnson reiterated the need to find an educational source for him to attend. Avery noted the first requirement is a petition with 60% of the property owners. There are a lot of different ways you can compute, lineal frontage, square footage of the lot, etc. There are a number of ways to pay the assessment. Avery stated they have contacted LHC to try to get some per section costs before setting the RSID up. Commissioner Hall suggested that Avery and Jonathan work out the particulars.

DOCUMENT FOR SIGNATURE: FOREST SERVICE COST SHARING AGREEMENT

Present at the September 2, 2003 11:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, OES Director Alan Marble, Road Superintendent Charlie Johnson, Jon Dahlberg, Tim Murphy, Martha Smith, Greg Poncin, Bill O'Brien, Clerk and Recorder Paula Robinson, Karen Marr, Debbie Williams, Assistant Avery, and Clerk Eggum.

A Cost Sharing Agreement with the Forest Service was presented for signing. Marble expressed concern as FEMA has designated Flathead County a zone and believes the Forest Service should prepare an agreement reflecting the zone. Smith made a note of the desired changes and agreed to meet with DNRC about their concerns to participate in the agreement and approach the Forest Service with the requested changes.

General discussion was held.

Commissioner Hall made a **motion** to continue this matter until tomorrow for signature. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: INTERLOCAL AGREEMENT FOR JOINT SCHOOL RESOURCE OFFICE

Present at the September 2, 2003 11:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to continue this matter until Assistant Avery had a chance to review the Interlocal Agreement. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

1:15 P.M. 911 Meeting at Justice Center

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 3, 2003.

WEDNESDAY, SEPTEMBER 3, 2003

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Watne, Commissioners Gipe and Hall, and Clerk Robinson were present.

DOCUMENT FOR SIGNATURE: INTERLOCAL AGREEMENT FOR JOINT SCHOOL RESOURCE OFFICER

Present at the September 3, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a letter from William F. Shaw, City Manager for the City of Columbia Falls advising that the Interlocal Agreement Between the City of Columbia Falls, Flathead County and Flathead County School District No. 6 for a Joint School Resource Officer Program has been reviewed by all parties.

Commissioner Gipe made a **motion** to approve the Interlocal Agreement and authorize the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF REQUEST FOR EXTENSION: SIA/IAVICOLI SUBDIVISION

Present at the September 3, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Gipe reviewed a letter from Jeff H. Larsen, P.E., P.L.S. of Larsen Engineering and Surveying, Inc., P.C. advising that the owner should be completing the trenching on Wednesday, September 3, 2003 and requesting an extension to September 30, 2003.

Chairman Watne was seated

Commissioner Gipe made a **motion** to approve the extension request to September 30, 2003. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF TRAVEL REQUEST: SOMMERFIELD

Present at the September 3, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a letter from Extension Agent Cheryl Weatherell requesting approval for her Office Assistant, Karole Sommerfield to attend the Extension Support Staff Professional Development Conference in Bozeman September 29 through October 2.

Commissioner Gipe made a **motion** to approve the travel request for Karole Sommerfield. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: CREECH

Present at the September 3, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioners Hall and Gipe, Planner Lindsay Morgan, Assistant Avery, and Clerk Eggum.

Morgan reviewed the Lake and Lakeshore Construction Permit filed by Randy and Kay Creech on Whitefish Lake to install an F-shaped EZ-dock and gangway, construct a four foot wide gravel path, stairway and path and install a boat rail system. The Whitefish Lakeshore Protection Committee approved the permit except for the lighting on the dock. General discussion was held.

Commissioner Hall made a **motion** to approve Lake and Lakeshore Construction Permit #WLP-03-27 and authorize the Chairman to sign subject to 36 conditions. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: FOREST SERVICE COST SHARING AGREEMENT

Present at the September 3, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Cost Share Agreement between USDA Forest Service, Flathead National Forest and Flathead County, Montana. He confirmed that the changes requested had been made.

Commissioner Gipe made a **motion** to approve the Cost Share Agreement. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

MEETING WITH ARCHITECTS DESIGN GROUP RE: NEW SOUTH MAIN BUILDING AND EAGLE TRANSIT

Present at the September 3, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Paul DeWolfe, John W. Peterson, Tom Heinecke, F. J. DiStefano, Mike Absalonson, Deputy County Attorney Jonathan Smith, Computer Services Director Norm Calvert, Superintendent of Schools Donna Maddux, Deanna Thielman, Assistant Avery, and Clerk Eggum.

Absalonsen introduced the design team and reviewed former projects. He reviewed the scope of their involvement in the project and discussed the county's vision for the project.

DeWolfe reviewed the communication aspect of the project.

Heinecke reviewed the mechanical and electrical systems for the project.

Peterson addressed the Bus Barn addition.

MEETING WITH ARCHITECTS NORTHWEST RE: NEW SOUTH MAIN BUILDING AND EAGLE TRANSIT

Present at the September 3, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Ken Miller, Don Counsell, Deputy County Attorney Jonathan Smith, Computer Services Director Norm Calvert, Superintendent of Schools Donna Maddux, Deanna Thielman, Assistant Avery, and Clerk Eggum.

Miller reviewed the company, partners and project team format and the strengths that the team has to offer the project.

Counsell reviewed previous projects completed by Architects Northwest and the county's project.

CONTINUATION OF PRELIMINARY PLAT: BITTERROOT ESTATES

Present at the September 3, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Planner Lindsay Morgan, Francis Welch, Mark Leatzow, John Leach, Dawn Marquardt and Debbie Shoemaker of Marquardt and Marquardt Surveying, Assistant Avery, and Clerk Eggum.

Morgan again reviewed the preliminary plat for Bitterroot Estates Subdivision filed by Heritage Homes and Properties. Bitterroot Estates Subdivision creates a 21 lot single-family subdivision on approximately 26 acres. All lots in the subdivision are proposed to have individual water and sewer systems. The subdivision is located at 265/285 Pleasant Valley Road near Marion. Staff recommends approval of the Preliminary Plat.

Morgan noted that two issues needed to be resolved today. The surveyor and applicant have requested that the subdivision be done in two phases and the Marion Fire District has requested that an on-site water storage or supply of a minimum of 50,000 gallons with dry hydrant heads for drafting. They would like the water storage units divided into three sites throughout the subdivision.

The developer and the fire department were to meet and work out an agreement. No agreement had been reached. The fire department was requesting 50,000 gallons of water storage and the developer was proposing 30,000 gallons in three tanks.

Leach questioned whether the subdivision regulations relative to fire protection have the same weight as the subdivision regulations relative to roads and other sections contained in Chapter 3. He believes that they all should be held in the same regard with the same force and effect. Arbitrarily interpreting the regulations does not equally apportion the financial burden on developers. Commissioner Gipe responded that they haven't been weighted the same as far as roads and others because as far as fire protection they have looked at the location of the property in proximity to a water supply such as a lake. There has also been concern by the Commission as to the effectiveness of water tanks because of maintenance and reliability. He noted that they still have concern about putting the storage tanks in and how good they will be in the future. Commissioner Hall recalled hearing other departments saying they do not want to hook up their hoses to those types of storage tanks. He noted that the Commissioners have to deal with each subdivision on a case by case basis and making a decision as to what is best not just for the developer but for the neighborhood.

Leach recommended steel tanks that are purported to have a 20 year life. They take up less ground surface, a little bit more sturdy and are supposed to be able to withstand the weight of an average vehicle. He noted before this meeting he toured all of the cisterns that he has in the Marion Fire District and there was no noticeable problem with algae inside of the tanks predominantly because of water temperature. The simplest way to treat algae is to periodically add a half gallon of bleach and that will sterilize the water. Leach claimed that the algae is not harmful to their pumps. It is still wet and cold and it is going to put out a fire.

Commissioner Hall noted that the location of this subdivision is not in a heavily forested area and there is access to the lake. Leatzow confirmed that there is no timber on the property. Leach agreed but noted that there was timbered ground directly across old Idaho Hill Road just to the north and the ground on the other side of Gopher Lane a quarter of a mile away is all timbered. Commissioner Hall thought most of that had been thinned out. He sought Leach's opinion as to 30,000 gallons of water storage. Leach said he could live with 30,000 because the houses are smaller.

Leach stated that the thing he would like to see from the Commissioners is a revision to the regulations to be more consistent. He noted that if you take the gallons per minute required to flow for a residence that was fully engulfed; the amount would be up over the top of the current numbers. He reiterated the need to have some guidelines to work from if the current ones are not accurate.

Marquardt stated that she reads the regulation as guidelines because they use the words typically and may. She agreed that each subdivision needs to be looked at individually. Something that is in a really high fire danger that is way away from main roads, that type of thing, perhaps they do need more water available. This subdivision is in an open area. There is no timber on it. Each one of these lots will have its own water supply with lawns and that type of thing. Just because one structure caught fire, it would necessarily spread to another. She questioned how much water was needed and how much the department's equipment could actually deal with at one time.

Chairman Watne confirmed that the water storage tanks would not be used for anything else other than fire suppression.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-03-24 as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

Chairman Watne stated that the water would be there for the use of the fire department and it should be their responsibility to maintain the tanks to make sure it is not dry and there is no algae. Leach questioned how the department could finance such maintenance. He noted it is a volunteer department and it would require more time and work of volunteers. The department

could do a yearly inspection but they would have no control over the use of the water in the tanks and the responsibility for maintaining the tanks should fall on the homeowners because it will be used to protect their homes. Chairman Watne confirmed that no one else would have access to the tanks and the fire department are the people with the equipment to fill them and the knowledge to maintain them. Leatzow suggested that it would be a realistic part of the annual training program to draft off and refill various tanks throughout the district different times throughout the year. Leach responded that they are increasing in number to the point where that would be a real tax of their time. He stated that the homeowners association could open the tanks and check the water and if they need filling to hire someone with a water tanker to fill the tank.

Commissioner Gipe noted that in other districts they fill them at the onset and then are left to sit and hopefully there is water in them when they need it. That has been the concern of the Commission. Chairman Watne agreed that unless someone is responsible for them they are not worth putting in the ground. Chairman Watne reiterated that if the developer goes to the expense to put them in for the fire department, the fire department should be responsible for the maintenance. Leach noted that he inspects the tanks that are currently in the district on a yearly basis and sometimes he gets call from the homeowners. He advises that it is the homeowners' responsibility to refill them. He stated that if he gets some people free that have a free weekend and someone has requested that they fill a tank they will do it but he did want to be committed to such a task should the homeowners decide to use the water for other purposes. Leatzow noted that the homeowners would not have any access to use the tanks. Chairman Watne agreed that there would be no piping or anything else to facilitate homeowner use. Leach reiterated that the homeowners association could be the responsible party and they could contact the fire department and make arrangements to deal with any concerns. The fire department could refill the tank whenever it is necessary and all costs to that could be charged to the homeowners association. Marquardt questioned who would determine that fee. Leach stated that for this one subdivision the department would initially fill the tanks.

Commissioner Gipe made a **motion** to add a condition to require the developer to provide 30,000 gallons of water storage onsite for tanker recharge to be maintained by the homeowners association. Commissioner Hall **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Gipe made a **motion** to add a condition to place a statement on the face of the preliminary plat that the subdivision may be developed in two separate phases. Commissioner Hall **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Bitterroot Estates Subdivision subject to 21 conditions as amended. Commissioner Gipe **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: REICHNER ZONE CHANGE/HOLT ZONING DISTRICT

Present at the September 3, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to authorize the publication of the Notice of Public Hearing and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by Scott Reichner to change the zoning designation in a portion of the Holt Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural).

The boundaries of the area proposed to be amended from SAG-10 to SAG-5 are set forth on Exhibit "A".

The proposed change would change the character of the zoning regulations applicable to the property which, in both SAG-10 and SAG-5 districts, are intended to protect and preserve agricultural land for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction of uses will be minimized, by providing for estate type residential development and by reducing the minimum lot size from 10 acres to five acres.

The regulations defining the SAG-10 and SAG-5 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, Kalispell, Montana, in Permanent File No. 93270 13500.

The public hearing will be held on the **29th day of September, 2003, at 10:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change in the regulations for the described portion of the Holt Zoning District.

DATED this 3rd day of September, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne
Robert W. Watne, Chairman

ATTEST:
Paula Robinson, Clerk

By: /s/ Vickie M. Eggum
Vickie M. Eggum, Deputy

Publish on September 8 and September 15, 2003.

EXHIBIT A
SCOTT REICHNER ZONE CHANGE
HOLT ZONING DISTRICT

SAG-10 TO SAG-5
AUGUST 13, 2003

A Zone Change Request in the Holt Zoning District by Scott Reichner from SAG-10 Suburban Agricultural use which provides for a 10-acre minimum lot size to SAG-5 Suburban Agricultural use which provides for a 5-acre minimum lot size. The property contains approximately 80 acres and is located along Chapman Hill Road near Bigfork.

The property is described as: The NE1/4 of the SE1/4 of Section 23, and the NW1/4 of the SW1/4 of Section 24, Township 27 North, Range 20 West, and that part of the SW1/4 of the SW1/4 of said Section 24, Township 27 North, Range 20 West described as follows, to-wit: Commencing at a point on the North boundary line of said SW1/4 of the SW1/4 of said Section 24, which point is 803.2 feet Easterly from the Northwest corner of said subdivision; thence along the NW boundary of the county road leading from Creston to Bigfork as the same existed in 1911, south 51°07' West 249.2 feet; thence with said boundary of said road South 14°54' West 272 feet; thence with said boundary of said road South 19°29' West 775.8 feet; thence with said boundary of said road South 23°14' West, 159 feet; thence South 89°14' West, 217 feet more or less to the West boundary of said subdivision; thence South thirty feet to the Southwest corner of said subdivision; thence Easterly to the Southeast corner of said subdivision; thence Northerly to the Northeast corner of said subdivision; thence Northerly to the Northeast corner of said subdivision; thence Westerly to the Point of Beginning, P.M., Flathead County, Montana.

CONSIDERATION OF BUDGET AUTHORITY RESOLUTION

Present at the September 3, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to adopt Resolution No. 1638. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

BUDGET AUTHORITY RESOLUTION
RESOLUTION NO. 1638

WHEREAS, the Board of Commissioners anticipated funds for Fiscal Year 2003;

WHEREAS, Flathead County has received grant monies for which no provision was made in the Fiscal 2003 budget; and

WHEREAS, Counties may appropriate federal or state money received during the fiscal year by formal resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners hereby appropriates the additional funds and directs the County Clerk and Recorder to make the following revisions to the budget for fiscal year 2003:

SEE ATTACHED GENERAL JOURNAL VOUCHERS

BE IT FURTHER RESOLVED that the above appropriation shall become effective on the date of this resolution.

DATED this 3rd day of September, 2003

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne
Robert W. Watne, Chairman

By: /s/Howard W. Gipe
Howard W. Gipe, Member

By: /s/ Gary D. Hall
Gary D. Hall, Member

ATTEST:
Paula Robinson,
Clerk and Recorder

By: /s/ Vickie M. Eggum
Vickie M. Eggum, Deputy

COUNTY OF FLATHEAD
**GENERAL
JOURNAL
VOUCHER**

DATE ISSUED: 9-02-03

DATE OF RECORD: 0306
June FY 03

MCA 7-6-4006

VOUCHER
NO.: 0306-249

RESOLUTION # 1638
ACCOUNTING COPY

"B"

Account Number	Description	Entry Line	Debit General Ledger	Credit General Ledger
2961-0201-430237-357	Prof Serv			\$10,508.00
2961-0201-430237-398	Cont Serv			\$20,101.00
2961-0201-521000-820	Transfer out			\$3,559.00
2961-242000	Expenditures		\$34,168.00	
2961-0201-331057	CTEP-Smith Valley- A101's see below		\$34,168.00	
2961-172000	Revenues			\$34,168.00
	To increase the Smith Valley budget to reflect amount of total budget needed for FY03. The total cost of the			
	project was projected at \$251,557. As of June 30, 2003 the expenditures are \$ 210,193.			
A101#	0308-117 \$130,005.43			
A101#	0307-373 \$1,057.61			
A101#	0307-35 \$23,038.87			
	To increase the Smith Valley Bike Path budget to match the revenue received and the expenditures			
	made. The contract is in the process of being upgraded.			
2976-0191-440174-110	Salaries			\$5,052.04
2976-0191-440174-141	Unemployment			\$15.57
2976-0191-440174-142	Industrial Accident			\$72.74
2976-0191-440174-143	Health Insurance			\$1,534.97
2976-0191-440174-144	FICA			\$287.40
2976-0191-440174-145	PERS			\$344.04
2976-0191-440174-147	Medicare Tax			\$67.12
2976-0191-440174-210	Office supplies			\$1,839.37
2976-0191-440174-212	Small item equipment			\$399.00
2976-0191-440174-311	Postage			\$172.44
2976-0191-440174-345	Telephone		\$40.69	
2976-0191-440174-398	Contracted services		\$195.00	
2976-242000	Expenditure control account		\$9,549.00	
2976-0191-331140	Immunization		\$9,549.00	
2976-172000	Revenue			\$9,549.00
	To increase the Immunization budget, Contract #02-07-4-31-015-0 to account for Amendment Number One,			
	increasing the original amount booked by \$9,549. See attached copy of Amendment Number One.			
2987-0190-450325-378	Travel			\$119.00
2987-242000	Expenditure control		\$119.00	
2987-0190-331172	Training Grant		\$119.00	
2987-172000	Revenue control			\$119.00
	To increase the Training grant per Attachment B1 provided by Wes Hulla by \$119. We had booked only			
	\$4,000 in the budget, the actual contract amount was \$4,119. See attached ATTACHMENT B1.			
2970-0190-440176-110	Salaries			\$1,629.00
2970-0190-440176-141	Unemp			\$4.00
2970-0190-440176-142	Industrial Accident			\$14.00
2970-0190-440176-143	Health Insurance			\$138.00
2970-0190-440176-144	FICA			\$101.00
2970-0190-440176-145	PERS			\$111.00
2970-0190-440176-147	Medicare Tax			\$24.00
2970-0190-440176-311	Postage			\$139.00
2970-0190-440176-345	Telephone			\$140.00
2970-0190-440176-351	Med/Dent/Pharmacy/Vet			\$16,000.00
2970-0190-440176-378	Travel			\$450.00
2970-242000	Revenue		\$18,750.00	
2970-0190-331132	Consortia		\$18,750.00	
2970-172000	Revenue			\$18,750.00
	To book the Consortia II budget that runs from April 03 - Mar 04, Task Order No. 03-07-4-51-103-0. See			

attached information.				
4002-0222-440110-900	Capital Outlay			\$200,000.00
4002-242000	Expenditures		\$200,000.00	
To increase the capital outlay expenditure to include the 200,000 transfer from home health on Res 1634.				

Prepared By: Deb Deist
Approved By: Commissioners by
Resolution

CONSIDERATION OF POSITION OPENING

Present at the September 3, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a letter from Computer Services Director Norman Calvert requesting permission to open a Programmer Analyst position for Computer Services. This is a new position that was approved by the 2003-2004 budget.

Commissioner Gipe made a **motion** to open a Programmer Analyst position on behalf of Computer Services. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

11:00 A.M. - County Attorney Meeting @ County Attorney's Office.

4:00 P.M. Commissioner Hall is to attend the Glacier Performing Arts Center Steering Committee Meeting at Kalispell Chamber

7:00 P.M. DNRC and Board of Land Commissioners meeting at Best Western Rocky Mountain Lodge, Whitefish re: Creation of Advisory Group

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 4, 2003.

THURSDAY, SEPTEMBER 4, 2003

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Watne, Commissioners Gipe and Hall, and Clerk Robinson were present.

8:30 a.m. AOA TAB Meeting at Lutheran Home Cottage

PUBLIC HEARING: FY03-04 BUDGET

Present at the September 4, 2003 9:00 A.M. Meeting were Commissioners Gipe and Hall, Sassie Forden, Ted Gilbertson, Guy Foy, Road and Bridge Superintendent Charlie Johnson, Animal Control Director Richard Stockdale, Computer Services Director Norman Calvert, Solid Waste Director Dave Prunty, Library Director Dorothy Laird, Karen Marr, Human Resource Officer Raeann Campbell, Gary Como, Michelle Anderson, Peggy Johnston, Deb Diest, Fred Leistiko, County Attorney Ed Corrigan, Bonnie Olson, Carol Mizze, Health Director Joe Russell, Tina Frownfelter, Assistant Avery, and Clerk Eggum.

Commissioner Gipe expressed appreciation to all Department Heads and what they have done with the budget and working with the Commissioners on the budget. He commended the Department Heads for maintaining their cash carry over. He thanked Don, Deb and Paula and all of involved in the budget process.

Avery advised that it was a preliminary draft and some numbers were going to change. Overall budget appropriations increased 1.7% and the total budget increased 2.9% resulting is in an overall budget of a little over \$65.5 million right now. The differential is expressed in our cash reserve increase. It went up to 15.5% we were at 11.2 a couple of years ago. We were a little over 14% last year and we have always had a target goal of trying to get 15% and we will probably wind up with 15 or 16% for this year. A lot of the goodness coming out of this budget is from district court. There was a lot of monies left in that operation to help us out this year. Expect some of that to start winding down and do not expect to have anything but a pretty tight budget next year. Pilt money has dropped. You might think about tightening your belts next year. It is a pretty good budget year and I think it was last year.

Acting Chairman Gipe opened the public hearing.

Chairman Watne was seated

Seeing no one in the audience to testify, Acting Chairman Gipe closed the public hearing.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 5, 2003.

FRIDAY, SEPTEMBER 5, 2003

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Watne, Commissioners Gipe and Hall, and Clerk Robinson were present.

No Meetings Scheduled.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 8, 2003.
