

MONDAY, OCTOBER 27, 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/JOE RUSSELL, HEALTH DEPARTMENT

Present at the October 27, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Health Director Joe Russell, Assistant Avery, and Clerk Eggum.

This meeting did not take place.

MEETING W/LESLI SCHREINER/PLAT ROOM AND NORM KUENNAN/DNRC RE: SCHOOL TRUST LANDS UPDATE

Present at the October 27, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

This meeting did not take place.

FINAL PLAT: WEST VALLEY SCHOOL ACRES, AMENDED PLAT OF LOT 5 OF AMENDED PLAT OF LOTS 4 & 5

Present at the October 27, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe (via telephone) Planner Lindsay Morgan, Bob Stauffer, Assistant Avery, and Clerk Eggum.

Morgan reviewed the final plat for Amended Plat of Lot 5A of the Amended Plat of Lots 4 and 5, West Valley School Acres which is an application by Grosswiler Dairy, Inc. This will create a two-lot subdivision. The property is located at 2186 (Lot A) and 2154 (Lot B) Farm to Market Road. Preliminary plat was granted on April 28, 2003 subject to eight conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Gipe made a **motion** to approve Final Plat for Amended Plat of Lot 5A of the Amended Plat of Lots 4 and 5, West Valley School Acres. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: OSTEEN

Present at the October 27, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Gipe (via telephone), Planner Lindsay Morgan, Assistant Avery, and Clerk Eggum.

Morgan reviewed Lake and Lakeshore Construction Permit filed by Monty and Molly Osteen on Blanchard Lake to remove dead vegetation and debris; dredge existing boat ramp, and install a floating dock. General discussion was held.

Commissioner Gipe made a **motion** to approve Lakeshore Permit #FLP-03-90 and authorize the Chairman to sign subject to 34 conditions. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: ARCHITECT'S AGREEMENT/AO

Present at the October 27, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Gipe (via telephone), Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Standard Form of Agreement Between Owner and Architect with Standard form of Architect's Services Between Flathead County and Architects Design Group PC for office addition to Eagle Transit Bus Barn on Willow Glen Drive.

Commissioner Gipe made a **motion** to approve the Standard Form of Agreement Between Owner and Architect with Standard form of Architect's Services and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

MONTHLY MEETING W/JIM ATKINSON, AOA

Present at the October 27, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, AOA Director Jim Atkinson, Assistant Avery, and Clerk Eggum.

This meeting did not take place.

MEETING W/CHARLIE JOHNSON, ROAD DEPARTMENT

Present at the October 27, 2003 11:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Road Superintendent Charlie Johnson, Assistant Avery, and Clerk Eggum.

This meeting did not take place.

MEETING WITH DON AVERY RE: NEW BUILDING UPDATE

Present at the October 27, 2003 11:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

This meeting did not take place.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 28, 2003.

TUESDAY, OCTOBER 28, 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.

TAX REFUND REQUESTS: PRECISION WELDING, M&T AUTO BODY

Present at the October 28, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, and Clerk Eggum.

Chairman Watne reviewed a letter from Monty E. Long of the Department of Revenue advising that Precision Welding Inc./James W. Ryder both leasing company and lessee listed the equipment therefore a refund in the amount of \$156.77 was warranted.

Commissioner Gipe made a **motion** to approve the refund request for James W. Ryder in the amount of \$156.77. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Chairman Watne advised that the letter from Monty E. Long of the Department of Revenue stated that the same equipment owned by M & T Auto Body was duplicated by the Department of Revenue when his business moved to the location on Farm to Market. The amount of \$393.50 for 2000; \$433.97 for 2001; \$676.58 for 2002; and \$664.48 for 2003 should be refunded.

Commissioner Gipe made a **motion** to approve the refund request for M & T Auto Body in the amount of \$393.50 for 2000; \$433.97 for 2001; \$676.58 for 2002; and \$664.48 for 2003. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF REQUEST FOR POSITION REPLACEMENT: BUILDING MAINTENANCE WORKER II/MAINTENANCE DEPARTMENT

Present at the October 28, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Weed, Parks and Maintenance Director Jed Fisher, and Clerk Eggum.

Chairman Watne reviewed a letter from Jed S. Fisher advising that LaVern Clark vacated his position a few weeks ago and he is currently awaiting a review from the Personnel Committee in changing this from a range 11 to possibly a range 14 due to an increasing need to have a licensed "electrical" or H.V.A.C. operator on staff and would like to open the Building Maintenance position.

Commissioner Gipe made a **motion** to approve the opening of a Building Maintenance Worker 2. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: HOSPITAL PROVIDER AGREEMENT/MENTAL HEALTH

Present at the October 28, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, and Clerk Eggum.

Chairman Watne reviewed the Hospital Provider Agreement between Kalispell Regional Medical Center and Flathead County Board of Commissioners

Commissioner Gipe made a **motion** to continue until attorney review. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF RELEASE OF CONTRACT BOND: SUBDIVISION NO. 201

Present at the October 28, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, and Clerk Eggum.

Chairman Watne reviewed a letter whereby they delivered a cashier's check to replace the bond.

Commissioner Gipe made a **motion** to approve release of the bond. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

GIS MEETING W/PAULA ROBINSON AND TOM REYNOLDS

Present at the October 28, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Clerk and Recorder Paula Robinson, GIS Coordinator Tom Reynolds, and Clerk Eggum.

General discussion was held relative to mapping software; addressing; reorganizing data to add attributes; line directions; esn layers; 911 phone number coincide with address; CenturyTel request for reimbursement for data; septic systems for Health Department; bus routes for Superintendent of Schools; MSAG ongoing project; post office boundaries; election boundaries; Montana Local Government GIS Chair; November 19 Worldwide GIS Day.

MONTHLY MEETING W/CHERYL WEATHERELL, 4-H OFFICE

Present at the October 28, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Extension Agent Cheryl Weatherell, Dorothy Lynch, and Clerk Eggum.

General discussion was held relative to nutrition assistant; provided list of current clubs and leaders; volunteer excellent award winners; reorganization; leader training; meats ID team; shooting sports orientation.

MEETING W/GREG VORHEES RE: PERSONAL PROPERTY TAX

Present at the October 28, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Greg Vorhees, and Clerk Eggum.

Vorhees advised that the personal property contained in his business has been evaluated and determined to be exempt from personal property tax because the property is of no value. Vorhees was previously unaware of the correct procedure relative to obtaining an exemption of the assessment and so was requesting a waiver for the 2000 and 2001 personal property tax

assessment. The Commissioners advised him to contact Monty Long of the Department of Revenue and he would refer the matter to the Commissioners for consideration.

FINAL PLAT: LASATER SUBDIVISION

Present at the October 28, 2003 10:30 A.M. Meeting were Commissioners Hall and Gipe, Planner Johna Morrison, Ed Lasater, and Clerk Eggum.

Morrison reviewed the final plat for Lasater Subdivision which is an application by Ed Lasater. This is a one lot minor subdivision with a remainder along Helena Flats Road located approximately six road miles west of Kalispell. The subject property is approximately one (1.146) acres in size and is located in an unzoned portion of Flathead County. Preliminary plat approval was waived on September 13, 2002 subject to six conditions of approval. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-23 as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat for Lasater Subdivision. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

FINAL PLAT: CONRAD FARMS, AMENDED PLAT OF LOT 1

Present at the October 28, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioners Hall and Gipe, Planner Johna Morrison, Tom Sands of Sands Surveying, and Clerk Eggum.

Morrison reviewed the final plat for Amended Plat of Lot 1, Conrad Farms Subdivision which is an application by Conrad Ranches, Inc. This plat is creating two single-family residential lots. The property is located at the intersection of Farm and Manning Roads. Preliminary plat for this subdivision was granted on May 29, 2003 subject to eight conditions of approval. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Gipe made a **motion** to approve Final Plat for Amended Plat of Lot 1, Conrad Farms Subdivision. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

FINAL PLAT: CONRAD FARMS, AMENDED PLAT OF LOT 2

Present at the October 28, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioners Hall and Gipe, Planner Johna Morrison, Tom Sands of Sands Surveying and Clerk Eggum.

Morrison reviewed the final plat for Amended Plat of Lot 2, Conrad Farms Subdivision which is an application by Conrad Ranches, Inc. This subdivision proposes to create six single-family residential lots on 10 acres. The proposed subdivision is located in an unzoned area of Somers on Farm Road just northeast of the intersection of Farm Road and Manning Road. Preliminary plat was granted on December 2, 2002 subject to 12 conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to approve Final Plat for Amended Plat of Lot 2, Conrad Farms Subdivision. Commissioner Gipe **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried by quorum.

CONTINUATION PUBLIC HEARING: CHRISTENSEN & HAGERMAN ZONE CHANGE/EVERGREEN AND VICINITY ZONING DISTRICT

Present at the October 28, 2003 11:00 A.M. duly advertised public hearing were Chairman Watne, Commissioners Hall and Gipe, Planner Johna Morrison, Dawn Marquardt and Debbie Shoemaker of Marquardt and Marquardt Surveying, Ted Dykstra, Bill Astle, Bill Hagerman, Dave Christensen, and Clerk Eggum.

Morrison advised that this was a zone change request from John and Alice Christensen and Cody Hagerman from R-2 One Family Limited Residential use which provides for a 20,000 square foot minimum lot size to R-5 Two Family Residential use which provides for a 5,400 square foot minimum lot size. The property is located on Terry Road just southwest of the Flathead Electric Building at 2430 Highway 2 East Evergreen and contains approximately eight acres. The property is surrounded by a mixture of things. To the north is industrial with Flathead Electric and other industrial businesses. Zoning is I-1. To the east is a business district with Midway Rental, radio station and that is zoned B-2. To the south is a residential zoning district with single family dwellings R-2 zoning and to the west is a residential zoning district R-3 zoning. The Flathead County Planning Board discussed the proposal. A motion was made to adopt the staff report and recommend denial of the staff report. The motion to deny passed unanimously. Morrison stated that she had concerns as Richard Hiteman, General Manager of Flathead Electric said at the Planning Board hearing that Flathead Electric was going to close Cooperative Way. The Planning Board decided that the access was not adequate to the site but Morrison did not know if that decision was based on Mr. Hiteman saying that Cooperative Way was to be closed. Morrison stated that after the meeting she talked to Deputy County Attorney Peter Steele to clarify the issues relative to Cooperative Way. Peter Steele advised her that Cooperative Way is a county road open to the public and dedicated to the public and therefore Flathead Electric could not close Cooperative Way. Morrison felt it was rather devastating to the proposed zone change to hear the statement of a road closure.

Chairman Watne advised that this was a continuation of the public hearing and asked for anyone wishing to speak in favor of the zone change.

Astle advised that he was an attorney in Kalispell and was representing the applicants which is a combination of the owners John and Alice Christensen and the contract purchaser Cody Hagerman. Astle noted that Hagerman works in Portland and could not attend today's meeting but his father, Bill Hagerman, was in attendance. Astle continued that there has been some confusion as pointed out by Morrison. Even at the pre-application everything looked favorable and then the staff report was favorable. People either for or against a proposal is not what dictates land use. It is the reasonableness of the application. The staff report speaks for itself. It is very well put that this property is in a transitional area. Astle noted that he is also the attorney for Evergreen Sewer and Water and in 1990 it passed probably the largest RSID for an unimproved part of Montana for sewer. Previous to that being in place, most of Evergreen was zoned. A lot of that zoning reflects pre-sewer days such as this very piece of property at R-2. They are within the area with the Interlocal agreement with Kalispell to serve this property. I think it is time for that change. The staff looked at traffic and their report says there are adequate roads serving that property. There is

Terry Road, a 60' dedicated road to the north that runs the full length of the property. There is Margaret Road to the west of the property, a 60' dedicated road contiguous to the property. To the east is Judith Road which is a 60' dedicated road. Then right dead on center at the north end of the property is Cooperative Way that runs in a north south direction to Reserve. I have reviewed the minutes and it is clear that from the very beginning traffic and the utilization of Cooperative Way became an issue. The very first speaker before the Planning Board as a proponent of the zone change was Mr. Hiteman, the General Manager of Flathead Electric Coop. Right out of the shoot he announces that that road cannot be used. He is concerned about traffic because Cooperative Road is a private road not open for public use and cannot be used by this development. Planning Board Member Crowder questioned how that 14 lot industrial subdivision that is about 36 acres in size that is called Evergreen Rail Industrial Center has access to the road. Hiteman stated that they have permission and easements. He is incorrect. As Johna pointed out, the plat dedication is clear that Cooperative Way is a dedicated 60' road. It is accepted by the County Commissioners. It is unequivocal. We have checked the records for those lots and nobody has easements. It would be an unnecessary item anyway. I think that had persuasion as pretty much 80% of the Planning Board record is dealing with traffic and Cooperative Way. But what really perplexed me was their ultimate motion to deny the staff report which was passed. It is clear in both state statute and the county ordinance that the planning board is advisory and it makes a written recommendation and it also clearly states that it will adopt and propose findings of fact. I think the bottom line in summary is that when looking at an application, the test is whether it is a fair and reasonable request taking into account the other properties. To the north is three to five acres of industrial property and to the immediate east is B-2. It is sandwiched between some non-residential and some residential. What the planners have taught me over the years is you are in a buffered area. You are in an area that should be compatible with single family but not necessarily the vast two acre residential that it has. It should have some density that respects the fact that it is bordered by industrial. Frankly, I feel it is an apartment type of zone. But in talking to Johna that would require a master plan amendment and that isn't something Cody is interested in doing. Under the R-5 zone there is a multi-family and it is duplexes and I think that is reasonable. What Cody and the Christensens are asking is reasonable. We respect our neighbors and their residential and also the fact we border on industrial and commercial. With that, I would ask that you approve the application.

No one else rising to speak, Chairman Watne asked for anyone wishing to speak in opposition to the zone change. No one rising to speak, Chairman Watne closed the public hearing.

Chairman Watne confirmed that the property was served by public sewer and water. Commissioner Gipe stated that this was zoned before sewer and water were available and agreed that the zone change fits. Chairman Watne agreed especially when it is served by sewer and water.

Commissioner Gipe made a **motion** to adopt Staff Report FZC-03-34 as findings of fact. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to adopt Resolution No. 797CL. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 797CL

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 21st day of October, 2003, to consider a request by John & Alice Christensen and Cody Hagerman to change the zoning designation on property located in the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to R-5 (Two Family Residential);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on October 7 and October 14, 2003;

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Kalispell City-County Planning Board regarding the proposed change in the Evergreen and Vicinity 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 adopts this resolution of intention to change the zoning designation on property located in the Evergreen and Vicinity Zoning District from R-2 (One Family Limited Residential) to R-5 (Two Family Residential), that area being described on Exhibit "A" hereto.

BE IT FURTHER RESOLVED that notice of the passage of this resolution, stating the boundaries of the portion of the Evergreen and Vicinity Zoning District to be changed, the general character of the proposed designation for the area to be changed, that the regulations for said district are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication thereof, the Board will receive written protests to the change to the Evergreen and Vicinity Zoning District, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within the Evergreen and Vicinity Zoning District for a period of thirty (30) days after first publication of that notice, provided that, in order that only valid signatures are counted, the freeholders who file protests are either registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

BE IT FURTHER RESOLVED that if forty per cent (40%) of the freeholders in the Evergreen and Vicinity Zoning District protest the proposed change, then the change will not be adopted.

DATED this 28th day of October, 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

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

**EXHIBIT A
JOHN AND ALICE CHRISTENSEN/CODY HAGERMAN
ZONE CHANGE FROM R-2 TO R-5
EVERGREEN AND VICINITY ZONING DISTRICT
SEPTEMBER 4, 2003**

The property is located in the Evergreen and Vicinity Zoning District on Terry Road just southwest of the Flathead Electric building. The subject properties may be described as Lots 1 – 8, Block 2 Tiegen's Acres a platted subdivision in Section 33, Township 29 North, Range 21 West, P.M., all in Flathead County, Montana.

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

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 797CL) on October 21, 2003 to change the zoning designation on property in the Evergreen and Vicinity Zoning District from a R-2 (One Family Limited Residential) to R-5 (Two Family Residential).

The boundaries of the area proposed to be changed from R-2 to R-5 are set forth on Exhibit "A".

The proposed change would generally change the character of the zoning regulations applicable to the property from providing for large tract residential development in suburban areas, beyond sanitary sewer and/or water lines, to providing residential district with minimum lot areas, wherein development will require all public utilities and all community facilities, and in which two-family dwellings are permitted. Minimum lot size would decrease from 20,000 square feet in the R-2 zone to 5,400 square feet in the R-5 zone.

The regulations defining the R-5 and R-2 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, in Permanent File No. 9327013500.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed for a portion of the Evergreen and Vicinity Zoning District from persons owning real property within that District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 28th day of October, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By: /s/Howard W. Gipe, P.T.
Robert W. Watne, Chairman

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

Publish on November 1, 2003 and November 8, 2003.

**EXHIBIT A
JOHN AND ALICE CHRISTENSEN/CODY HAGERMAN
ZONE CHANGE FROM R-2 TO R-5
EVERGREEN AND VICINITY ZONING DISTRICT
SEPTEMBER 4, 2003**

The property is located in the Evergreen and Vicinity Zoning District on Terry Road just southwest of the Flathead Electric building. The subject properties may be described as Lots 1 – 8, Block 2 Tiegen's Acres a platted subdivision in Section 33, Township 29 North, Range 21 West, P.M., all in Flathead County, Montana.

5:00 P.M. Chairman Watne Refuse Board Meeting at Solid Waste District Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 29, 2003.

WEDNESDAY, OCTOBER 29, 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.

FINAL PLAT: SUBDIVISION NO. 243

Present at the October 29, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planner Johna Morrison, Tom Sands of Sands Surveying, Assistant Avery, and Clerk Eggum.

Morrison reviewed the final plat for Subdivision No. 243 which is an application by O'Connell Farms Limited Partnership. Subdivision No. 243 is a one lot minor subdivision along Lower Valley Road approximately eight miles southeast of Kalispell. The subject property is 47.650 acres in size and is located in an unzoned portion of Flathead County. Preliminary plat approval was waived on September 30, 2003, subject to seven conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Gipe made a **motion** to adopt Staff Report FWP-03-31 as findings of fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Gipe made a **motion** to approve Final Plat for Subdivision No. 243. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Hall was seated.

FINAL PLAT: HIGGINS HILLS

Present at the October 29, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioners Hall and Gipe, Planner Johna Morrison, Ardis Larsen of Larsen Engineering and Surveying, Assistant Avery, and Clerk Eggum.

Morrison reviewed the final plat for Higgins Hills Subdivision which is an application by Marilyn Noonan. Higgins Hills Subdivision will create five lots with a remainder. The property is located off Middle Road directly across from Deer Park Elementary School. The proposed subdivision contains 10.00 acres. Preliminary plat was granted on November 6, 2002 subject to 13 conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to approve Final Plat for Higgins Hills Subdivision. Commissioner Gipe **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

CONTINUATION OF DOCUMENT FOR SIGNATURE: HOSPITAL PROVIDER AGREEMENT/MENTAL HEALTH

Present at the October 29, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Hospital Provider Agreement between Kalispell Regional Medical Center and Flathead County Board of Commissioners. The hospital is to provide inpatient hospital services which are customarily provided by the hospital to persons placed under Emergency Detention pending a court hearing to determine their commitment status under State Mental Health Commitment Law.

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

MONTHLY MEETING W/DAVE PRUNTY

Present at the October 29, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Solid Waste Director Dave Prunty, Assistant Avery, and Clerk Eggum.

General discussion was held relative to proposal for garbage service for county offices.

Commissioner Hall made a **motion** to approve the proposal submitted by Evergreen Disposal in the amount of \$375.84 per month for refuse and recycling collection on behalf of the County. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Discussion continued relative to zoning for landfill expansion; construction of fire/dust suppression well; purchase of two new refuse hauling vehicles; liner project (groundwater protection improvement system); tire shredding equipment; grant for screening berm on Warner property; litigation with WCS&T.

CONSIDERATION OF ADOPTION OF RESOLUTION: CANCEL PERSONAL PROPERTY TAXES

Present at the October 29, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 1655. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 1655

WHEREAS, Section 15-16-119, M.C.A., requires that the County Treasurer attempt to collect personal property taxes by issuance of writs of execution to the Sheriff's Department to seize and sell personal property on which taxes are delinquent;

WHEREAS, Section 15-24-202, M.C.A., requires payment of personal property taxes for mobile homes that are not attached to real property and said taxes, if not paid, can be collected pursuant to the terms of Section 15-16-119, M.C.A.; and

WHEREAS, the Treasurer has issued writs and the Sheriff has attempted to collect the taxes on the list attached hereto as Exhibit A but has been unable to locate property to seize and sell in order to collect those taxes.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the list of personal property taxes shown as due on Exhibit A hereto are hereby declared to be uncollectable and the Treasurer is directed to cancel said taxes.

Dated this 29th day of October, 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

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

MH ASSR #	NAME & ADDRESS	WRITE OFF TAX AMT	EXPLANATION
T004590	SPOKLE & MARTINI 680 WHITE BASIN, KALISPELL 59901	\$1,194.86	SHERIFF'S SALE 7/26/00
T007250	MEYER, SHAWN T & ERICA R. 365 WOODLAND ROAD #28, C FALLS 59912	\$919.76	PER DOR: LOCATION UNKNOWN
T012980	CROWELL, RICHARD, ALLEN 1252 N MERIDIAN RD #6, KALISPELL 59901	\$527.25	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T019130	BROCKBANK, HARVEY 102 BENCH RD, WHITEHALL, MT 59759	\$707.91	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T050850	ROBERTS, DUANE & TRACY 367 MANAGHAN LANE, KALISPELL 59901	\$720.02	WRIT RETURNED FROM S/O. ABANDONED/TRASH WARRANT OUT FOR DUANE, NO CONTACT SINCE 1998
T060101	GEORGE BUSS C/O FROELICH, ERIC 21 RIVERSIDE DR, KALISPELL, MT 59901	\$667.84	SHERIFF'S SALE NO BIDDERS
T093400	GULBRANSON, RUSSELL & MONA BOX 181, HUNGRY HORSE, MT 59919	\$991.05	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T099030	O'LEARY, TRACY & TIM PO BOX 190303, HUNGRY HORSE, MT 59919	\$539.39	PER DOR: LOCATION UNKNOWN
T099500	MC KINNEY, MICHAEL 2466 PHYLLIS ST, SIMI VALLEY, CA 93065	\$772.39	PER DOR: LOCATION UNKNOWN
T101000	DEATS, DICKY C/O SERVICE LANDSCAPE 437 BEAR TRAIL, WHITEFISH, MT 59937	\$1,142.70	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T102590	JACKSON, JODY 615 11TH ST E, KALISPELL, MT 59901	\$914.33	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T103120	LANDWEHR, JAMES, P C/O SEURER, LEONARD PO BOX 130285, CORAM, MT 59913	\$1,629.55	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T103200	SIMMS, ROBIN, C C/O DARYL TOWNSEND 325 CRAMER CREEK RD, SOMERS, MT 59932	\$826.54	WRIT RETURNED FROM S/O. UNABLE TO LOCATE/BURNED
T113670	FEHLBERG, CHARLES & CLARA C/O SIDMORE 1810 FOOTHILL RD, KALISPELL, MT 59901	\$583.17	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T117135	KELSO, IRENE C/O LUKE, FLOYD, E. PO BOX 250, COLUMBIA FALLS, MT 59912	\$704.95	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T118500	FOX, CAROL 1340 WILLOW GLEN DR #4, KALISPELL, MT	\$810.66	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T119930	GRAHAM, CHARLES 2427 INWOOD DR, HOUSTON, TX 77019	\$727.62	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T120922	MURPHY, THOMAS 605 ELK PARK RD, C FALLS, MT 59912	\$656.58	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T123459	PFLUG, RONALD, A 7 MILODY 511 WESTVIEW DR APT C, MISSOULA, MT	\$1,044.69	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T123646	KRAEPLIN, KENNETH 414 VALLEY DR, KALISPELL, MT 59901	\$1,146.26	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T123880	THOMSON, MARILYN, RAE 65 RIDGEWOOD DR, KALISPELL, MT 59901	\$961.42	PER DOR: LOCATION UNKNOWN
T130660	PENNER, WADE & SHIELA 1255 FRONTAGE RD #15, C FALLS, MT 59912	\$693.87	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T134120	LUKE, JAMES, R & ANGELA PO BOX 1012, C FALLS, MT 59912	\$703.21	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T137655	KENFIELD, KEVIN PO BOX 1397, C FALLS, MT 59912	\$1,040.07	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T139610	ALSOP, ROBERT PO BOX 2643, C FALLS, MT 59912	\$560.74	PER DOR: LOCATION UNKNOWN
T142800	HOFFMAN, HOWARD 815 MOUNTAIN AVE #CA7, SPRINGFIELD, NJ	\$802.49	WRIT RETURNED FROM S/O. UNABLE TO LOCATE/BURNED
T143930	PHILLIPPE, LARRY, CO/ BUCK 124 COLUMBIA MEADOWS DR, C FALLS, MT	\$639.67	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T144150	SAVARIA, LEON, C/O PERRIER, JOSEPH 750 PATTON LANE, WHITEFISH, MT 59937	\$610.07	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T145500	ANDERSON, GEORGE, L 3258 HWY 93 S, KALISPELL MT 59901	\$740.19	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T146690	DAVIS, RANDAL, E & LORI 124 SPRINGCREEK DR, KALISPELL MT 59901	\$1,291.44	WRIT RETURNED FROM S/O. TRASHED RANDAL IS IN WARM SPRINGS. LORI IS ???
T148275	NIELSEN, ALLEN, S 580 LORE LAKE RD, KALISPELL MT 59901	\$958.02	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T174800	LASATER, JULIE C/O OLIVIA PAULI 1615 HASKILL BASIN RD, WHITEFISH, MT	\$615.26	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T182900	BROOKS, KEN & CAMERON, P PO BOX 974, C FALLS, MT 59912	\$657.32	WRIT RETURNED FROM S/O. TRASHED
T185903	BRESEE, CHARLES, J 140 WHITETAIL RD, LIBBY, MT 59923	\$644.71	MH REPO'D, MOVED W/O PERMIT TO CORAM, LATER BURNED. CONFIRMED BY WFCU
T187310	DAVIS, SHARON, R & GLENNA 3656 W PIKE, CAMP VERDE, AZ 86322	\$832.24	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T194416	MONTGOMERY, LARRY RR 1 BOX 296, SEBEKA, MN 56477]	\$893.03	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T194417	MONTGOMERY, LARRY RR 1 BOX 296, SEBEKA, MN 56477]	\$2,258.06	WRIT RETURNED FROM S/O. UNABLE TO LOCATE SINCE 1997
T202901	STIPE, HAROLD, J 554 CANYON RD, HUNGRY HORSE, MR 5991	\$760.68	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T204100	LIBBY, MARGARETTE PO BOX 1701, C FALLS, MT 59912	\$786.53	WRIT RETURNED FROM S/O. UNABLE TO LOCATE

T219140	HEIMZEN, RITA, L C/O SEAMAN, VERNON PO BOX 2568, KALISPELL MT 59903	\$1,188.04	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T243100	BRADSTREET, JOHN PO BOX 142, BIGFORK, MT 59911	\$572.69	WRIT RETURNED FROM S/O. UNABLE TO LOCATE OWNER/TLR TRASHED
T247079	ENGBRETSON, TIM 2462 HWY 2 W #1, KALISPELL, MT. 59901	\$812.01	WRIT RETURNED FROM S/O. UNABLE TO LOCATE OWNER/TLR TRASHED
T247842	KIM & BERNICE HINDBERG C/O WILBER, M 10625 NORTHFORK RD, POLEBRIDGE MT 59928	\$465.10	DOR INACTIVATED/UNABLE TO LOCATE
T251775	METCALF, EMALYN 5345 MONTANA HWY 35, KALISPELL, MT 59901	\$779.15	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T270040	SAUER, JOHN PO BOX 162, HUNGRY HORSE, MT 59919	\$845.10	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T274440	WYRICK, W.J. DRAWER A, EAST GLACIER, MT 59434	\$935.50	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T300106	DANIEL K. ANDERSON 2115 HWY 2 E #20, KALISPELL, MT 59901	\$98.53	SHERIFF'S SALE NO TAXES COLLECTED
T300193	VAN NESS, ELLIOT PO BOX 3254, C FALLS, MT 59912	\$883.32	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T300242	RONALD & ESTHER THORNBERRY PO BOX 1415, WHITEFISH, MT 59937	\$1,059.32	SHERIFF'S SALE NO BIDDERS
T300454	LAURIE, DARLENE & LAMBERT, JOHN 1221 RHODES DRAW, KALISPELL, MT 59901	\$60.78	ABANDONED BY PUBLIC ADMINISTRATOR/NO VALUE/JUNK
T300572	LAVALLEY, THOMAS, E PO BOX 2031, C FALLS, MT 59912	\$683.16	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T300616	DAVID & VIRGINIA OSTERLOTH C/O J. GOOD 4870 US HWY 93 S #6, WHITEFISH MT 59937	\$1,213.21	WRIT RETURNED FROM S/O. OWNER DECEASED.
T300683	GRANT, CLIFF 1172 CLEVELAND AVE, HAVRE, MT 59501	\$682.90	WRIT RETURNED FROM S/O. UNABLE TO LOCATE OWNER DECEASED
T300934	HELLAND, KENT 809 9TH ST W #21, C FALLS, MT 59912	\$697.95	PER D.O.R.-UNABLE TO LOCATE
T301196	GOVE, BRUCE 295 4TH ST EN, C FALLS, MT 59912	\$578.47	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T301346	WILLARD, TINA, M C/O JOHN WAGNER PO BOX 930, LAKESIDE, MT 59922	\$580.42	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T301354	LARSON, DANIEL 745 NORTH HILL RD, KALISPELL, MT 59901	\$681.83	PER D.O.R.-UNABLE TO LOCATE
T301367	MCCALLUM, JACK 2419 COMPASS DR, BOISE, ID 83702	\$1,019.21	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T301373	KLEIN, ANDREW, J C/O WILLIAMS, J & S PO BOX 908, LAKESIDE, MT 59922	\$1,444.49	PER D.O.R.-UNABLE TO LOCATE
T301410	BENSON, LARRY & ROBERTS C/O CASHLAND PO BOX 920, LAKESIDE, MT 59922	\$709.13	WRIT RETURNED FROM S/O. UNABLE TO LOCATE OWNER/TLR TRASHED
T310050	STROBBE, GREG & KORY GREENWOOD 5538 HWY 2 W, C FALLS, MT 59912	\$1,177.45	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
T400763	WATSON, STANLEYD & DONA, M 157 LARCH LN, C FALLS, MT 59912	\$3,158.93	WRIT RETURNED FROM S/O. UNABLE TO LOCATE TLR REPO'D 4 YEARS AGO, OWNER LEFT MIDDLE OF NIGHT
	TOTAL MOBILE HOME PERSONAL PROPERTY	\$54,003.23	

PP ASSR #	NAME & ADDRESS	WRITE OFF TAX AMT	EXPLANATION
P000060	KAZZ INDUSTRIES 3975 MT HWY 35, KALISPELL, MT 59901	\$8,728.38	WRIT RETURNED FROM S/O. UNABLE TO LOCATE /OUT OF BUSINESS
P000140	GLACIER CROSS ROADS/JIM'S SUPER STOP 7356 US HWY 2 E, C FALLS, MT 59912	\$4,545.61	WRIT RETURNED FROM S/O. UNABLE TO LOCATE /OUT OF BUSINESS
P030290	HORIZON HEALTHCARE CORP 12900 METCALF AVE STE 201, OVERLAND PK KS 66213-2600	\$3,540.90	WRIT RETURNED FROM S/O. UNABLE TO LOCATE /OUT OF BUSINESS
P189345	MONTANA VIDEO/ RON SHEPPARD 104 7TH AVE W, KALISPELL, MT 59901	\$1,212.28	WRIT RETURNED FROM S/O. UNABLE TO LOCATE /OUT OF BUSINESS RON SHEPPARD MOVED OUT OF STATE YEARS AGO.
P189733	NORTHWEST DISPOSAL COMPANY PO BOX 93, KILA, MT 59920	\$626.58	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P190022	ALPINE NURSERY PO BOX 5281, KALISPELL, MT 59903	\$1,375.58	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P190024	APPLIED INFOR. SERV (ORBIT NETWORK) PO BOX 640, WHITEFISH, MT 59937	\$12,348.36	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P190119	HIGH ADVENTURE CENTER PO BOX 158, WEST GLACIER, MT 59936-0158	\$386.23	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P192447	M & M WOOD PRODUCTS PO BOX 8223, KALISPELL, MT 59904	\$3,001.64	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P192519	HEEL QUICK 1203 HWY 2 W, KALISPELL, MT 59901	\$2,810.07	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P193037	OCEAN REEF YACHT CLUB PO BOX 670, WHITEFISH, MT 59937	\$1,752.25	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P193069	SANDSTONE LLAMAS 212 N SOMERS RD, KALISPELL, MT 59901	\$1,677.94	WRIT RETURNED FROM S/O. UNABLE TO LOCATE MOVED TO SOMEWHERE IN TEXAS
P194049	LLAMAS & LATTEES 212 N SOMERS RD, KALISPELL, MT 59901	\$651.02	WRIT RETURNED FROM S/O. UNABLE TO LOCATE MOVED TO SOMEWHERE IN TEXAS
P194156	BREADWORKS BAKERY 157 N MERDIAN RD STE 104, KAL, MT 59901	\$1,422.88	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P195407	KELLY, SUSAN PO BOX 966, MARION, MT 59925	\$301.99	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P195417	M & M WOOD PRODUCTS 75 APPLEWAY DR, KALISPELL, MT 59901	\$3,459.72	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P196037	AD OUTFITTERS PO BOX 770, BIGFORK, MT 59911-0770	\$488.44	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P196040	ADVANCED PRODUCTIONS 700 SUNNYSIDE DR, KALISPELL, MT 59901	\$1,227.53	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P196099	BIG ROCK DRILLING CO PO BOX 2317, BIGFORK, MT 59911-2317	\$1,953.71	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P196270	EXCEL-LENTZ, LENTZ, ANGELA, B 885 CLAY ST APT 128, ASHLAND, OR 97520	\$1,713.86	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P196600	NORTH FORK BUILDERS 126 HOLIDAY DR, INTERLACHEN, FL 32148	\$783.29	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P196852	MISSION FUNDING-PIERRE EQUIP LEASING 9-5TH ST E, KALISPELL, MT 59901	\$756.13	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
P197021	BAKKER EXCAVATING PO BOX 168, BIGFORK, MT 59911-0168	\$2,114.33	PER DOR-MOVED OUT OF COUNTY IN 1998
P199084	IDENTITY 2307 US HWY 93 S, KALISPELL, MT 59901	\$10,029.12	WRIT RETURNED FROM S/O. UNABLE TO LOCATE
	TOTAL BUSINESS PERSONAL PROPERTY	\$66,907.84	
	GRAND TOTAL PP WRITE OFFS	\$120,911.07	

CONSIDERATION OF BUDGET AMENDMENT

Present at the October 29, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 1656. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

BUDGET AUTHORITY RESOLUTION
RESOLUTION NO. 1656

WHEREAS, the Board of Commissioners anticipated funds for Fiscal Year 2004;

WHEREAS, Flathead County has received grant monies for which no provision was made in the Fiscal 2004 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 2004:

SEE ATTACHED GENERAL JOURNAL VOUCHERS

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

DATED this 29th day of October, 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: _____
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: 10/29/03

VOUCHER NO.:
0310-28

DATE OF RECORD: 0310
FY04
MCA 7-6-4006

ACCOUNTING COPY

"B"
Entry

Account Number	Resolution #1656 Description	Line	Debit General Ledger	Credit General Ledger
2943-0726-331011	CDBG/FC Planning Grant		\$7,500.00	
2943-172000	Revenue Control			\$7,500.00
2943-0726-411050-398	Contracted Services			\$7,500.00
2943-242000	Expenditure Control		\$7,500.00	
To book Flathead County Planning Grant, Contract # MT-CDBG-03PG-04, Award amount \$7,500, Grant dates - July 2003 - December 2003				
1000-0221-331111	FEMA Supplement Grant		\$2,839.53	
1000-172000	Revenue control account			\$2,839.53
1000-0221-420604-398	Contracted Serv/FEMA SUPP			\$2,839.53
1000-242000	Exp control account		\$2,839.53	

To book FEMA
Supplemental Grant per
attached letter from Charlie
Hanson, Grant Manager,
MT Disaster

& Emergency Services.
Explanation:

Prepared by: Deb Deist
Approved by:
Commissioners by
Resolution

Commissioner Gipe made a **motion** to adopt Resolution Number 1657. Chairman Watne **seconded** the motion. **Aye** - Watne, and Gipe. Motion carried by quorum.

**BUDGET AMENDMENT RESOLUTION
RESOLUTION NO. 1657**

WHEREAS, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2003-2004, are required, and;

WHEREAS, Section 7-6-4031, M.C.A. and Budget Resolution No. 1657, allow budget transfers to be made between items in the same fund.

NOW, THEREFORE, BE IT RESOLVED, that the attached list of transfers and revisions shall be made in the budget for Flathead County for Fiscal Year 2003-2004; and

BE IT FURTHER RESOLVED, that this Resolution and the attached list of transfers and revisions shall be entered into the minutes of the Board of Commissioners.

DATED this 30th day of October, 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

**COUNTY OF
FLATHEAD
GENERAL
JOURNAL
VOUCHER**

**BUDGET AMENDMENT
RESOLUTION #1657**

DATE ISSUED:10/30/03
DATE OF RECORD:
0310 FY04

VOUCHER NO.: 0310-27

Account Number	Description	"B" Entry Line	Debit General Ledger	Credit General Ledger
MCA 7-6-4006	ACCOUNTING COPY			
2220-0248-365010	PVT GIFTS AND BEQUESTS/FEC			\$4,000.00
2220-0248-371010	INVESTMENT EARNINGS		\$4,000.00	
	Per Carol Mizee, see attached e-mail.			
2990-0726-365010				\$2,500.00
2990-0726-365013			\$2,500.00	
	Account name changes, transfer budget to proper account per Wes and Deb's discussion.			
	DEB- Close 365010 after entering this JE.			
1000-0207-411400-354	Prof services			\$12,500.00
1000-0207-411400-110	Salaries		\$12,500.00	
	Per e-mail from Paula Robinson, see attached.			

Explanation:

Prepared by: Deb Deist
Approved by:
Commissioners by
Resolution

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING/LM BEACH LANE

Present at the October 29, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

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

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as L M Beach Road.

A road generally running easterly and westerly off of Lion Mountain Drive, then running northerly to the Burlington Northern Railroad right-of-way, in Section 22, Township 31 North, Range 22 West, M.P.M., Flathead County, Montana.

The public hearing will be held on the **17th day of November, 2003, at 9:30 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 naming of **L M Beach Road**.

This notice shall be mailed to each landowner who has access off of the proposed L M Beach Road, who has an address assignment on the proposed L M Beach Road, or who owns property along the proposed L M Beach Road.

Dated this 29th day of October, 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 November 3, 2003 and November 10, 2003.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING/TAMARACK RIDGE

Present at the October 29, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

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

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road Tamarack Ridge.

Generally running northerly and southerly off of Tamarack Lane in Section 6, Township 30 North, Range 20 West, M.P.M., Flathead County.

The public hearing will be held on the **17th day of November, 2003, at 9:30 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 naming of **Tamarack Ridge**.

This notice shall be mailed to each landowner who has access off of the proposed Tamarack Ridge, who has an address assignment on the proposed Tamarack Ridge, or who owns property along the proposed Tamarack Ridge.

Dated this 29th day of October, 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 November 3 and November 10, 2003

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING/NORTH RANCH HILL ROAD

Present at the October 29, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to authorize the publication of the Notice of Public Hearing and authorize the Chairman to sign. Commissioner Hall **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 that it will hold a public hearing to consider a proposal to name a road North Ranch Hill Road.

A road generally running northerly and southerly through Sections 25 and 36 of Township 28 North, Range 23 West, M.P.M., Flathead County.

The public hearing will be held on the **17th day of November, 2003, at 9:30 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 naming of **North Ranch Hill Road**.

This notice shall be mailed to each landowner who has access off of the proposed North Ranch Hill Road, who has an address assignment on the proposed North Ranch Hill Road, or who owns property along the proposed North Ranch Hill Road.

Dated this 29th day of October, 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 November 3 and November 10, 2003

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING/COVILLE LANE

Present at the October 29, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to authorize the publication of the Notice of Public Hearing and authorize the Chairman to sign. Commissioner Hall **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 that it will hold a public hearing to consider a proposal to name a road Coville Lane.

A road generally running easterly and westerly off of Middle Road, in Section 28, Township 30 North, Range 20 West, M.P.M., Flathead County, Montana.

The public hearing will be held on the **17th day of November, 2003, at 9:30 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 naming of **Coville Lane**.

This notice shall be mailed to each landowner who has access off of the proposed Coville Lane, who has an address assignment on the proposed Coville Lane, or who owns property along the proposed Coville Lane.

Dated this 29th day of October, 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 November 3 and November 10, 2003

DOCUMENT FOR SIGNATURE: CONSULTANT SERVICES AGREEMENT/RIVER ROAD BIKE PATH

Present at the October 29, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Consultant Services Agreement between Flathead County and Schwarz Architecture and Engineering, Inc. for River Road Path-Columbia Falls

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

DOCUMENT FOR SIGNATURE: FEDERAL EQUITABLE SHARING AGREEMENT/SHERIFF'S OFFICE

Present at the October 29, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed Federal Equitable Sharing Agreement for the Sheriff's Office. A Memo from Peggy Johnston advised that an annual requirement for reporting federal funds received and expended in drug forfeiture cases is the basis for the agreement.

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

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT TO-04-07-5-21-011-0

Present at the October 29, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Amendment #1 to Contract/Task Order #04-07-5-21-011-0 between Montana Department of Public Health and Human Services and Flathead City-County Health Department.

Commissioner Hall made a **motion** to approve Amendment #1 to Contract/Task Order #04-07-5-21-011-0 and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: FOOD BANK CSFP AGREEMENT/AOA

Present at the October 29, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a memo from Jim Atkinson requesting approval of the Flathead Food Bank CSFP Agreement between the Flathead Food Bank and its Counterparts Agency on Aging and Retired Senior's Volunteer Program.

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

MEETING W/LES KELLER RE: PROPERTY LINE ADJUSTMENT

Present at the October 29, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Les Keller, Assistant Avery, and Clerk Eggum.

Keller questioned whether the Commissioners were interested in selling the Bald Rock property that did not sell at auction earlier this year. The Commissioners stated they would speak to the County Attorney's Office relative to the proper procedure.

CONSIDERATION OF EXTENSION REQUEST: SIA/PIONEER BUSINESS PARK

Present at the October 29, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a letter from Michael K. Blend requesting an extension of the Subdivision Improvement Agreement from October 31, 2003 to January 24, 2004. The work has been completed but issues need to be resolved with the engineer.

Commissioner Gipe made a **motion** to approve the extension request from October 31, 2003 to January 24, 2004. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

The Chairman and the Clerk and Recorder authorize the publication of the following notices.

PUBLIC NOTICE

The Board of Commissioners of Flathead County did this 10th day of October, 2003, approve payroll and claims for payment in the amount of \$2,681,217.38 for the period beginning September 1, 2003 and ending on September 30, 2003.

The full and complete claim list is available for public view in the Office of Clerk & Recorder, Flathead County Courthouse, Kalispell, Montana. Individual requests for personal copies will be accepted by the Clerk Recorder.

Dated this 29th day of October, 2003.

BOARD OF COMMISSIONERS
Flathead County, Montana

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

By: /s/Paula Robinson
Paula Robinson, Clerk

Publish November 2, 2003.

PUBLIC NOTICE

The Board of County Commissioners' proceedings for Flathead County for the period of September 1, 2003, and September 30, 2003, are now available for public review in the Office of the Clerk and Recorder, Flathead County Courthouse, Kalispell, Montana, and at the Flathead County Library, 247 First Avenue East, Kalispell, Montana.

Individual requests for personal copies will be accepted by the Flathead County Clerk and Recorder, Flathead County, Courthouse, Kalispell, Montana.

Dated this 29th day of October, 2003.

BOARD OF COMMISSIONERS
Flathead County, Montana

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

By: /s/Paula Robinson
Paula Robinson, Clerk

Publish November 2, 2003.

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

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 30, 2003.

THURSDAY, OCTOBER 30, 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.

Commissioner Gipe is to attend the Local Government Subcommittee Meeting re: HJR 37 in Helena

2:00 P.M. Commissioner Hall is to attend a meeting with Lindsay West

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 31, 2003.

FRIDAY, OCTOBER 31, 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 November 3, 2003.
