

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

MONDAY, APRIL 20, 2015

Audiofile

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

Chairperson Holmquist led the Pledge of Allegiance.

Chairperson Holmquist opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairperson Holmquist closed the public comment period.

BI-MONTHLY MEETING W/ PAT MC GLYNN, MSU AGRICULTURE EXTENSION AGENT AND TAMMY WALKER, 4-H YOUTH DEVELOPMENT AGENT

9:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence, 4-H Youth Development Agent Tammy Walker, MSU Agriculture Extension Agent Pat McGlynn, Clerk Kile

Absent: Commissioner Gary Krueger

Walker reviewed activities of the 4-H Youth Program and presented a 2013-2014 extension brochure and 2014 annual report to the commission that she summarized.

McGlynn spoke about hay inspections and educational planning programs, and reported she would be attending training classes in Idaho.

General discussion was held relative to citizen concerns pertaining to including goats into the 4-H Program sale; their future office growth related to AOA needs; travel expenses within the program.

MONTHLY MEETING W/ MARK CAMPBELL, FAIRGROUNDS

9:22:00 AM

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

Absent: Commissioner Gary Krueger

Campbell summarized the following monthly report.

Current Projects

- Phase 2 Infrastructure –The project is underway, starting officially on March 27. Progress is good without any major issues or unexpected findings. Water lines and hydrants first and then sewer replacement. Storm water will be final installation prior to pavement. Target completion date is June 30.
- Lewis House – drain field has been reviewed by County Health. Calculations are underway to determine if 3-1 ratio on connection to city sewer. Likely to far exceed the ratio which will lead to permit for new drain field. Exterior clean-up is being completed between events by Fair Maintenance.

NW Montana Fair & Rodeo

- Tuesday show is finalized and awaiting documents for signature. Contracts signed by fair for Wednesday entertainers. Preparing all shows for on-sale of April 30 with final approval of ticket pricing.
- Commercial exhibitor contracts are underway and starting on food concessions next.
- Fair book to printer by Wednesday with all changes provided that final reviews stay on schedule.

General discussion was held relative to concert entertainment and ticket prices.

Flathead County Fairgrounds

- Very busy event schedule has gone smoothly to-date and continues for next several months. New events have been requested for April, June, and September.
- Re-adjusting events as needed due to construction area (CFK and 4-H Buildings are out of service right now).

Upcoming Events and Activities

- Lincoln Reagan Dinner – April 19th
- 4-H Shooting Sports Award Program – April 19th
- Flathead Conservation – Flood Awareness Day – April 23rd
- Alert Banquet – April 25th
- Rabbit Association Show – April 25th
- 4-H Horse Camp – May 1- 3rd
- Sherwin Williams, Painter Pro Show – May 4th
- Jurassic Quest Dinosaurs – May 8 – 10th
- Crime Stoppers Benefit Concert – May 9th
- 406 Consignment Sale – May 16-17th
- Pickelball and 4-H Meetings continue with varied dates throughout April and May

MONTHLY MEETING W/ LISA SHEPPARD, AOA

9:35:00 AM

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

Absent: Commissioner Gary Krueger

Sheppard summarized the following monthly report pertaining to AOA, RSVP and Eagle Transit activities. She presented the commission with a Client Satisfaction Survey Report and an Agency on Aging newsletter.

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AOA Administration

Budget

- Staff has completed the administrative budget review. However, final contract budgets will not be available from DPHHS until the state budget is signed.

Staff Development

- Admin staff attended the Cascade County Government Accounting Training in Great Falls on 3/23-24.

State/Legislative Issues

- Development of Area Plan for October 2015-September 2019:
 - The draft has been submitted to DPHHS. After DPHHS review, we will revise the draft as needed and submit to the Commission for final review and approval.
- State legislative update:
 - The budget currently under discussion contains a 2% provider rate increase and an additional \$250,000 per year for aging services over the coming biennium.
 - SB180, which provides for a % of car rental tax collections for public transportation for older adults and people with disabilities, passed the third reading in the House and moves onto the Governor's desk.
- Montana Area Agencies on Aging Association (M4A)
 - Lisa and Kathi will attend the quarterly M4A meeting in Helena next week.
- The annual Governor's Conference on Aging is combined this year with the Montana Gerontology Association Conference, to be held in Helena May 12-14. Several AOA staff will attend. In addition, M4A made some additional training funds available to each Area Agency, which allowed us to offer stipends to senior center members to attend the conference as well.

Building

- **New building:**
 - On 3/18/2015, the official Groundbreaking Ceremony took place with remarks by Commissioners and AOA Advisory Council Chair Lois Katz. Approximately 120 people attended, and many of them brought shovels and joined in the actual breaking of ground. Thank you to CTA for the coffee and doughnuts!
 - Local landscaper Dave Reynolds of Alpine Landscaping is donating the patio build. Plans are underway to recognize Dave for his very generous donation. Diane Queen Miller continues to raise funds, which will go to support furniture and other accessories for the project. Total raised to date is approximately \$5,300.
- **Kelly Road:** Nothing to report.

Advisory Council

- The Finance Committee met at 1:30 pm on 4/9/2015 to review the financial reports. The full Council meeting followed at 2:00 pm. Members discussed committee goals.
- There will be no meeting in May due to the Governor's Conference. The next meeting is scheduled for June 11, 2015, 2:00 pm at The Summit.

Outreach/Education/Media - Increased outreach is a goal in our Area Plan on Aging (Oct. 2011- Sept. 2015). Note: Transportation related outreach will be noted in the Eagle Transit section below.

- 3/2/2015, Lisa was interviewed on KGEZ (regular spot).
- 3/3/15, Lisa presented to the Kalispell Noon Lion's Club, approximately 20 people in attendance.
- 3/10/2015, Christine Neater presented on the upcoming Caregiver Support Workshop series at the Bigfork Community Center.
- 3/20/2015, Christine and Ruth Pomeroy presented to the Rocky Mountain Rollers regarding AOA services and fraud prevention, 14 in attendance.
- 3/21/15, Senior Mobile Home Repair Program was featured in a video shown at the annual meeting of Flathead Electric Coop.
- 3/31/2015, Leslie Potter presented on the Winter Ready Program to potential volunteers at Buffalo Hill Terrace, 12 in attendance.
- Information about and coverage of the Groundbreaking Ceremony appeared in multiple print and news media.

Eagle Transit

- Montana Department of Transportation (MDT):
 - The 3rd Quarter Report is due at the end of April.
- Operations:
 - Commissioners approved changing the .5 Dispatcher position to a .75 position. This position is in the interview stage. The open .5 Driver position has been reposted.
 - The extended hour route in Columbia Falls has been finalized and will be posted for the required two week public notice period this week.
 - RouteMatch:
 - We have just completed month two of the three month trial period using the RouteMatch server. We continue to experience problems related to this transition. If they are not resolved by the end of the three-month trial, we will ask to continue the trial for another three months at no cost to us.
 - The Call Notification Module is now in the testing phase. It is not yet working as planned. We have agreed on a 30-day time frame to resolve all issues related to this module.
 - We continue to experience "bugs" related to the recent software upgrade.
 - MDT has confirmed we don't have another option and must continue with RouteMatch.
- Glacier National Park:
 - We are preparing for the upcoming season, which will start in July.
 - Park officials presented to Commissioners on 3/16/15.
- Transportation Advisory Committee (TAC):
 - The TAC met on 4/2/15, with a focus on deciding next steps relative to the Transportation Plan.
- Jim Boyd, Transportation Manager and Dale Novak, Glacier Park Operations Lead attended the Montana Transit Association Spring Conference in Great Falls, April 8-10.

Nutrition

- Nutrition education about pasta went out to all meal sites and to all Meals on Wheels recipients on 3/16.
- There was a big turnout for St. Patrick's Day with 462 corned beef and cabbage meals served.
- The annual Older Americans Picnic will be held on June 19th from 11:00-1:00 at the Expo building at the Fairgrounds. The theme is "Celebrating Summer at a Country Fair," and we will be honoring veterans.
- Once again, Meals on Wheels drivers assisted clients with emergencies. One driver obtained medical assistance for a client who had fallen in his garage and had been on the floor overnight. Another driver discovered a kitchen fire at a client's home and put it out.

I & R/Assistance/Ombudsman

- AOA is partnering with Immanuel Lutheran Communities to provide a six-week Caregiver Support workshop series in Bigfork, which started April 6th. Immanuel Lutheran staff is teaching the course. AOA staff promoted the series and is offering respite to caregivers who need it in order to attend. Approximately 30 people are participating.
- We are now producing a monthly newsletter delivered via email, print and web. April is the first edition.
- We have added the following items to our webpage: monthly reports to the Commissioners, menus, newsletters, I&A service brochures and information, and pictures of the new building construction.
- IT has submitted the client database they created for us for a 2015 NACo Achievement Award. They truly deserve recognition for this project as it allows us to maintain electronic records, capture a variety of client data and generate client service statements that are the basis for all our client contributions.
- Data reports: of active clients assessed
 - 65% are at moderate to high risk based on physical health needs
 - 48% need assistance with transportation
 - 13% are experiencing noted cognitive decline
 - 16% have significant mental health needs
 - 15% have limited social connections
 - 70% need help with household and/or personal tasks
 - 60% live alone
 - 38% have at least one life factor rated at the highest risk category

RSVP

- Grant update: We are still waiting for an answer to our request to roll over unexpended funds from the expired pilot project into our new grant budget.
- The RSVP Advisory Council met on 4/15/15 and welcomed new members Nadine Eckert and Hugh Austin.
- Two volunteer opportunities emails were sent to all volunteers and include opportunities with Lone Pine State Park, Big Brothers Big Sisters, Salvation Army, North Valley Head Start, Immanuel Lutheran Communities, and Kalispell School District 5.
- Preparations are in full swing for the annual RSVP Volunteer Recognition Banquet on May 19th at Northridge Lutheran Church.

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Senior Mobile Home Repair

- Advisory Board meeting was held on 4/13/15 at 9:00 am at Flathead Electric. Next meeting 5/11/2015.
- Nine projects have been completed since last month's report; 11 are in progress.
- Funding:
 - \$1000 pledged from Plum Creek
 - Preliminary discussion with VA about paying for ramps for veterans

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

- The CDBG grant to improve area Centers is on track for submission.
- Members from each of the area Centers participated in a round table discussion with Senator Tester about aging issues in the Valley on 3/20/15.
- Four area Center members are taking advantage of the training stipend from AOA to attend the upcoming Governor's Conference.

PUBLIC HEARING: SHAW ZONE CHANGE/ SOUTH EAST RURAL WHITEFISH ZONING DISTRICT

10:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Erik Mack, Eric Mulcahy, Mayre Flowers, Richard Hildner, Marlene Becker, Dwayne Becker, Sharon DeMeester, Turner Askew, Clerk Kile

Absent: Commissioner Gary Krueger

Mack reported the zone change request was submitted by Evan Shaw for property located at 4435 Highway 40 West in Whitefish just north of the Highway 40 intersection, which is adjacent to Whitefish City limits. The property is currently zoned SAG-10 and the proposal is to go to SAG-5 on the 64 acres. He summarized five agency comments received.

Commissioner Mitchell asked Planner Mack to explain how the donut issue plays into this proposal.

Mack explained the proposal currently is to rescind the Whitefish City County Master Plan so that will go away. Basically all the zone change requires is for the county to look at whether or not it is compatible with urban growth. One of the things they look at for the criteria is the City of Whitefish Growth Policy.

Chairperson Holmquist opened the public hearing to anyone wishing to speak regarding the Shaw Zone Change/ South East Rural Whitefish Zoning District.

Mayre Flowers, Citizens for a Better Flathead presented the following comments.

To: Flathead County Commissioners

Re: Shaw Rezone Request for 4435 Highway 40 West

Citizens for a Better Flathead (CBF) appreciates the opportunity to comment before you on the proposed Shaw rezone request.

We agree with the comments submitted by the City of Whitefish at the County Planning Board hearing that found the zone change request is:

- Not compatible with the urban growth policy of the City of Whitefish as required by MCA 76-2-203.¹
- Not consistent with the 2007 WF Growth Policy and its Future Land Use map and that the 2007 Whitefish City-County Growth Policy discourages re-designation of lands designated Rural or Rural Residential to other future land uses until the city reaches its 50% threshold on its infill policy, which it has yet to do.
- Not compliant with the 1996 Whitefish City-County Master Plan Year 2020, which the County has adopted, as 1 unit per 5 acres, which is considerably denser than the 'Important Farmland' land use designation for that property which allows only 1 unit per 20 acres.

We agree with the city's conclusions and join them in urging you to deny the request due to its incompatibility with both the 2007 Whitefish City-County Growth Policy and the 1996 Whitefish City County Master Plan 2020.

Additionally we want to point out what we see as flawed conclusions and findings of fact that have been provided by the Flathead County Planning Staff and the County Planning Board for your consideration in this hearing process. **Findings, 1,4,6,13,14,15 each rely in part or for the most part on the assertions that the proposed SAG 5 county zone contains similar lot sizes and/or similar uses to near by Whitefish zones or other Whitefish Agricultural Zones and therefore the staff report uses these "similarities" to base their findings on and to conclude that the proposed zoning is "consistent" with the City of Whitefish's long range planning and zoning documents.** Additional assertions are made throughout the staff report that the proposed zone change would not require public services, but could be developed on private wells and septic systems.

These "claimed" similarities or lack of need for public services, however, do not address the statutory intent of zoning which should be the nexus for determining compatibility. As we noted in our comments to you at an earlier hearing on proposed Interim Zoning for the area around Whitefish, when counties approve urban density developments around Montana cities, they typically are not designed to city standards including water and sewer lines, roads, road networks, sidewalks, curbs and gutter or drainage, etc. Then, when cities grow and annex properties to allow for growth, the people who are annexed often expect the City to provide them such services. However, those costs should be borne by the homeowner, as a developer when initially developing the property to city standards would have typically provided them. Those costs would be reflected in the purchase price of the lot or home.

It is costly for cities afterwards to go in and provide water and sewer lines, sidewalks, and other infrastructure after property has already developed. It is for reasons like this that the Montana Legislature in its wisdom put in place 76-2-203 requiring that: "[County] Zoning regulations must, as nearly as possible, be made compatible with the zoning ordinances of nearby municipalities." This is a key nexus for determining compatibility, not if there may be similar permitted or conditional uses in zones or similar lot sizes.

Montana zoning statute set forth the purpose of zoning as:

76-1-102. Purpose. (1) It is the object of this chapter to encourage local units of government to improve the present health, safety, convenience, and welfare of their citizens and **to plan for the future development of their communities to the end that highway systems be carefully planned; that new community centers grow only with adequate highway, utility, health, educational, and recreational facilities; that the needs of agriculture, industry, and business be recognized in future growth; that residential areas provide healthy surroundings for family life; and that the growth of the community be commensurate with and promotive of the efficient and economical use of public funds.**

As called for in MCA 76-1-601, **Growth Policy Act**, a critical part of a growth policy is planning for future growth and infrastructure needs to serve them. To this end the Growth Policy act states that:

¹ Under 76-2-203 MCA, it requires that:

"76-2-203. Criteria and guidelines for zoning regulations.

(2) *In the adoption of zoning regulations, the board of county commissioners shall consider:*

(c) *compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;*

(3) *Zoning regulations must, as nearly as possible, be made compatible with the zoning ordinances of nearby municipalities."*

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(3) A growth policy must include: ...

(c) projected trends for the life of the growth policy for each of the following elements:

- (i) land use;
- (ii) population;
- (iii) housing needs;
- (iv) economic conditions;
- (v) local services;
- (vi) natural resources; and
- (vii) other elements proposed by the planning board and adopted by the governing bodies;

(e) a strategy for development, maintenance, and replacement of public infrastructure, including drinking water systems, wastewater treatment facilities, sewer systems, solid waste facilities, fire protection facilities, roads, and bridges;

(g) a statement of how the governing bodies will coordinate and cooperate with other jurisdictions that explains:

- (i) if a governing body is a city or town, how the governing body will coordinate and cooperate with the county in which the city or town is located on matters related to the growth policy;
- (ii) if a governing body is a county, how the governing body will coordinate and cooperate with cities and towns located within the county's boundaries on matters related to the growth policy;

The City of Whitefish, unlike the county, has put together detailed plans for timing and planning for future growth and infrastructure needs to support the city, as it grows first through more cost-effective infill, and later as it expands its boundaries to accommodate additional growth needs. These plans include an Extension of Services Plan, which covers plans for sewer, water, stormwater, and transportation and bike and pedestrian plans; a Transportation Plan; Architectural Review Standards; Building Codes, and a Water Quality Protection Ordinance. As the Extension of Service Plan for Whitefish notes:

"This extension of services plan is intended to be used as a guide for the provision of city services to those areas of the city not served at this time, and for territories to be annexed into the city. The plan will serve three basic objectives: (1) to meet Montana statutory requirements for annexation of lands; (2) to provide a logical framework, in concert with the Whitefish Wastewater Utility Plan, 2006; the Whitefish Wastewater Utility Plan, 2006; the Whitefish Stormwater System Utility Plan, 2006; the 2007 Whitefish City-County Master Plan, the Southeast Whitefish Transportation Plan, 2001; and the Bike and Pedestrian Pathways Master Plan, 2007, to guide future growth of the community; and (3) to establish policies which clearly identify methods of financing and extending municipal services and the party or parties responsible.

Statutory Requirements: In order to satisfy statutes 7-2-4731, M.C.A., "Plans and Report on Extension of Services Required," and 7-2-4732, M.C.A., "Contents of Plan For Extension of Services," the City of Whitefish is required to show how it will provide services to areas proposed for annexation. Specifically, such a plan must establish at least a five-year urban growth boundary based on availability of water, sewer, storm drainage, solid waste disposal, streets, police protection and fire protection. If it becomes necessary to extend streets, water, sewer, or other, municipal services into an area to be annexed, the plan must set forth a proposed timetable for construction and show how the municipality plans to finance extension of these services. If the area to be annexed is currently served by adequate water, sewer and streets, and no capital improvements are necessary, the municipality must provide plans of how it intends to finance other services, mainly police protection, fire protection and solid waste disposal, as well as how it will continue utility service. The location of the urban growth boundary is determined by considering available undeveloped and underdeveloped lands in the context of existing municipal services and the logical extension of these services into undeveloped land. In addition, past community growth trends, as well as existing community growth stimulants and deterrents, are taken into consideration in projecting growth area boundaries.

The proposed growth boundary should also conform to the adopted City- County Growth Policy and, whenever practical, should use natural topographic features such as ridge lines, streams or creeks as boundaries. If a street is used as a boundary, land on both sides of the street is included in the growth area.

Relationship to the Whitefish City-County Growth Policy: This Extension of Services Plan, by reference, hereby incorporates the Whitefish City-County Growth Policy, 2007. The Growth Policy has been used as a source of technical information presented in this document. The adoption and implementation of this plan will assist the City in achieving the goals and objectives of the Growth Policy."

The Whitefish Growth Policy and its supporting and incorporated plans like the Extension of Services Plan and the City's policies that set forth criteria for development do not support the down-zoning from SAG 10 to SAG 5 as proposed in the Shaw Zone change request.

Furthermore, references within the staff report for this zone change and its findings to the assertion that creating smaller lots adjacent to the city creates a "reasonable" buffer and transition between the more dense development within the city and lower density lands outside of the city is for the reasons cited above also without merit.

For Example, the City of Whitefish's Growth Policy (WFGP) has long had in place an infill policy, which established criteria for potential zone changes:

"9. Land designated Rural or Rural Residential on the Future Land Use Map shall not be redesignated by the City of Whitefish through a Growth Policy amendment, neighborhood plan, or subarea plan, except as set forth in the Implementation/Intergovernmental Element, until at least 50% of the previously entitled dwelling units, as depicted on the Approved Entitlements Map dated September 20, 2007, is actually constructed. ..." (page 70 WFGP)

"Therefore, this Growth Policy will promote infill development as a first alternative for future growth, and will not designate significant amounts of additional undeveloped land for land urban and suburban development at this time." (page 62 WFGP)

"5. Protect and preserve the special character, scale, and qualities of existing neighborhoods while supporting and encouraging attractive, well-designed, neighborhood compatible infill development." (page 69 WFGP)

"6. The City of Whitefish shall give priority to infill development over Growth Policy amendments that would redesignate land to Urban or Suburban." (page 69 WFGP)

Taken together with other policies within the WFGP and zoning regulations it is clear that encouraging or allowing for increased development on rural or agricultural lands outside the city limits and around the city is not called for or would not be in compliance with the zoning criteria found at 76-2-203 MCA.

Additionally the development standards in the Whitefish Growth Policy and zoning regulations that currently provide the legal basis and framework for the existing zoning in place need to be consider in evaluating the compatibility of the proposed zone to the city's existing zone.

For example, the City of Whitefish Growth Policy states:

"2. It shall be the policy of the City of Whitefish to require concurrency of all urban services, including but not limited to:

- Water and sewer
- Drainage
- Streets
- Public safety and emergency services
- Pedestrian, bikeway, and trail facilities
- Parks
- Schools"

"Concurrency simply means that any upgrades to facilities or services necessitated by development, such as streets, parks, schools, emergency services, pedestrian/bikeways, etc., should be in place before the impact of the new development."

When the county staff report and its findings argue for allowing for "transition" or "buffer" zoning in areas near the city through the creation of smaller lots its "intended" transition area actually becomes a barrier to cost effective and concurrent extension of city services as the city grows.

Finding #10 and #7 conclude the "effects on the motorized transportation system will be minimal..." These findings also take a short term view on the extension of a well designed network of streets, drainage, pedestrian, bikeway and trail facilities and the standards for these that are set forth in Whitefish Growth Policy and its zoning and associated development standard. One need only look at the incremental growth of the Evergreen area adjacent to the City of Kalispell to see the cumulative and costly impacts of not planning up front and long range for drainage, sidewalk, sewer and water, lighting, and other urban scale development needs.

Like findings #10 and #7, finding #8 states that: "The proposed amendment would facilitate the adequate provision of water, sewerage, schools, parks, and other public requirements because any new development would require review through the Sanitation and Subdivision Act which will ensure the adequate provision of water and wastewater, it is anticipated that the school would have capacity should any growth occur as a result of the proposed zoning map amendment and 5 acre lots would not require parkland during the subdivision review process."

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The reality, as demonstrated again by the lack of compatible and comprehensive planning for the Evergreen area, which went through Sanitation and Subdivision review, but that development took place outside of a comprehensive plan for the adequate extension of services as contemplated by 76-2-203. Instead these areas were allowed to almost lot-by-lot transition into more urban scale development and this area now faces the costly need for infrastructure improvements. **The Sanitation and Subdivision Act requirements cannot retroactively correct the often very costly deficiencies of inadequate development standards or the lack of comprehensive planning in the areas around cities. Again this is why careful compliance with 76-2-203 is so vital to the economic vitality of our cities and the quality of growth that attracts investments and development in and around them.**

Finding #2 which states that: "The proposed zoning map amendment generally complies with the Flathead County Growth Policy because applicable goals, policies and text outlined in this staff report appear to generally support the request, the Designated Land Use Map is not a future land use map and the 'Important Farmland' designation identified by the Designated Land Use Map portrays only zoning which was established at the time the map was created."

Finding #2 is without merit as it is a roundabout attempt to say that since the 2012 Flathead County Growth Policy no longer has a "official future land use map" ---as it was removed without merit in the recent update of that policy and this issue and the county is currently under litigation for this removal---that there is no map that can be used for the test of compatibility. The Growth Policy Act, however, requires the inclusion of a official future land use map for the very purpose of guiding decisions about requested zone changes.

Finally, **Finding #1** attempts to make the case that this rezoning request does not constitute spot zoning. The subject property is located within the Southeast Rural Whitefish Zoning District a very large and historic agricultural district that is primarily comprised of SAG 20 and SAG 10 zoning. The spot zoning analysis in the staff report focuses on the lots sizes and permitted and conditional uses of properties that adjoin this long established and largely still intact zoning district. Under the rationale used to develop this finding every zoning district that abuts smaller lots should be able to "transition" to smaller lots. This logic, however, simply provides a flawed rationale that would in time allow a domino effect of down zoning throughout any planning district. For this and other reasons this finding fails to demonstrate that this proposed rezone for a single developer and landowner is not spot zoning.

In conclusion, we find that the requested zone change should be denied.

Sincerely,

Mayre Flowers, Executive Director, Citizens for a Better Flathead

Eric Mulcahy the applicant's technical representative with Sands Surveying stated his client has owned the property for quite a while and has been talking about pursuing some type of zone change. Initially he wanted to come into the city, but because the cities growth policy prohibits expansion of the urban area until 50 percent of the undeveloped areas within the city have reached that point they don't essentially expand their urban density. I'm not here to argue that policy that is in some respects a good decision; however, this property is zoned for 10 acres and is zoned SAG 10. When we looked at a zone change we respected the zoning and neighboring zoning and selected another SAG designation that as stated in the staff report is almost identical in uses, which is one of the criteria for spot zoning to what exists. The only thing that is really changing is the density from 10 to 5. The area on the map essentially has a mosaic of zoning. There is nothing that really says... if you look at the map what is the difference between SAG 10, AG 20 and R 2.5 other than someone selected a spot on the map that says you're getting 10, 20 or 2.5. This particular area is adjacent to the city and the proposal is for a 5 acre density with a SAG designation. If you read the classifications for SAG 10 and SAG 5 they are essentially identical. The applicant doesn't have any immediate plans for a subdivision, yet is doing some long term planning with his lands. If we were to develop this we would potentially be looking at some type of clustering where they would create open space and lots. They would be able to provide nice buffers along the river and create something that would be nice adjacent to the city. However, it is just a zone change and we haven't done any research on the access, water, sewer, etc. that would be required if they were to come in with a subdivision. Even now with the SAG 10 they could still get 12 lots on the parcel. Just because the growth policy says that urban density can't go out, that it doesn't prohibit someone from developing what their existing zoning is. The previous speaker spoke about short sidedness and impacts to the city and those things would still occur within the SAG 10.

Richard Hildner, Deputy Mayor of the City of Whitefish said he is here to reiterate the written comments from their Planning Director, David Taylor. It is our belief that the Shaw proposal is not compatible with the urban growth policy of the adjacent municipality of Whitefish. It is not consistent with the Whitefish Growth Policy and the 2007 City-County Growth Policy discourages re-designation of lands designated rural or rural residential until the city reaches infill of 50 percent and they are not there. It is not compliant with the 1996 City-County Master Plan and for those reasons we are not in favor or would oppose the Shaw Zone change.

Marlene Becker a member of the South East Rural Whitefish Zoning District said she and her husband helped in starting the zoning district many years ago. They have mixed feelings about the development and know the farmer that currently farms the parcel. On one side of their property they have Haskell Drive which is composed of five acre tracts and was there prior to zoning. On the other side they have 10 acre parcels and so these people have taken good care of their acreage and have not allowed them to go to weeds or caused a problem. So their feelings are very mixed about the development, because to them it has not been a problem in the area where they own 140 acres. Truthfully they are very happy to be out of the donut area now.

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

Chairperson Holmquist stated the commission would take time to look over the comments received today, and to do additional research on the zone change.

MEETING W/ MARK ROHWEDER/ KLJ ENGINEERING RE: GLACIER RAIL PARK

10:32:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence, Kelli Danielson, Kim Morasaki, Kathy Harris, Mark Rohweder, Clerk Kile

Absent: Commissioner Gary Krueger

Mark Rohweder and Kathy Harris from KLJ Engineering reviewed alternative traffic plans being studied by MDOT for a potential stop light at the intersection of U.S. Highway 2 and Flathead Drive near Conrad Complex, or at the intersection of Highway 2 and Montclair Drive to accommodate truck traffic in and out of Glacier Rail Park. The intersection of Highway 2 and Montclair Drive has challenges in that the angle of the intersection to accommodate truck traffic is an issue, and Highway 2 and Flathead Drive also has issues with sight distance and trucks coming down the hill.

The challenges of accommodating truck traffic into the rail park were discussed.

Harris stated KLJ Engineering would follow up in looking closer at the Office Max location off Highway 2 and Montclair Drive.

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Commissioner Mitchell said he would like to see that alternative, as right now trucks do go in and out of there to Pacific Hide and Fur. He asked if it really matters what the commission thinks anyway as they can do what they want is that correct. I would like to know at the end of the day that you guys can make a decision without us is that correct.

Harris said the decisions on Highway 2 will be made by MDOT and they do absolutely listen to the local cities and counties. If MDOT is coming to the county we would want you to be aware of it, and also then if there are additional concerns we can answer we would like to do that ahead of time.

General discussion was held relative to improvements that would be made to Flathead Drive.

Chairperson Holmquist said she felt the sight distance on Flathead Drive is probably worse than the sight distance at Montclair Drive. When you come from the east headed west and come around the corner that is a horrible curve; it's worse than what is on the top. The hill as Commissioner Mitchell and Kruger commented on in coming down underpass hill is a concern as well. She suggested they look at how much space would be there for a turnout to make it safe, and to also look at when they do get to the other end the sharp turn they will have in making a left.

Harris said ideally coming into the site that Montclair Drive is an excellent location and that coming up Flathead Drive you are right with additional turning maneuvers needed.

BOARD APPOINTMENT: ANIMAL ADVISORY COMMITTEE

10:51:00 AM

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

Absent: Commissioner Gary Krueger

Commissioner Mitchell made a **motion** to appoint Stephen Barrett to the Animal Advisory Committee. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

CONSIDERATION OF PRINTING BIDS: SHERIFF'S OFFICE AND HEALTH DEPARTMENT

10:52:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence,

Absent: Commissioner Gary Krueger

Chairperson Holmquist read into the record that Eagle Flight Business Forms was the low bidder for checks for \$377.60 and deposit slips for \$144.70 for the Sheriff's Office.

Commissioner Mitchell made a **motion** to approve the print bid. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

Chairperson Holmquist read into the record that Advanced Litho Printing was the low bidder for reminder cards for \$70.00 plus \$15.00 for shipping for the Health Department.

Commissioner Mitchell made a **motion** to approve the print bid. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

MONTHLY MEETING W/ TAMMY SKRAMOVSKY, HUMAN RESOURCE OFFICE

11:00:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence, Human Resource Director Tammy Skramovsky, Clerk Kile

Absent: Commissioner Gary Krueger

Skramovsky reviewed the following activities at Human Resources.

WORK INDICATORS

March

| | |
|----|------------------------------------|
| 6 | Job postings closed |
| 45 | Applications received |
| 0 | UI claim responses submitted |
| 19 | Employment verifications completed |
| 2 | Investigations conducted |
| 9 | which included x interviews |
| 1 | Disciplinary Hearing |

PERSONNEL TRANSACTION LIST:

March

| | |
|---|---|
| 3 | Flathead County employment terminations (+1 seasonal that did not return) |
| 1 | FECC employment terminations |
| 1 | Exit meetings conducted |
| 1 | Formal exit interviews conducted |
| 2 | Flathead County new hires |
| 2 | FECC new hires |
| 4 | New hire orientation sessions conducted |

Chairperson Holmquist made a **motion** to approve the H.R. Transmittals. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

**MONDAY, APRIL 20, 2015
(Continued)**

HR TRANSMITTALS APPROVED:

March

- 1 **Job Descriptions**
 - Planning Director
- 0 **Position Changes**
- 5 **Position Replacements**
 - Custodian, Build. Maint., replacing J Cumley, rescinded resignation
 - Container Site Monitor, Solid Waste, replacing D Dolezal, resigned
 - Seasonal Weed Worker, Weed Dept, replacing D Parsons, resigned
 - Build. Maint Worker II, Build. Maint., replacing T Zink, resigned
 - Seasonal Weed Worker, Weed, Dept., replacing S Jorgenson, moved internally

0 **Other**

WORK COMP

- Summary of incidents for current plan year
- Charts for Plan Years 2009-current

HEALTH INSURANCE TRUST FUND

- Review spreadsheet showing ending balance for March 2015 at \$5.5 million
- Amendments expected soon
 - Rx pricing
 - FY16 will have Rx out-of-pocket maximum
 - Health Dept fee schedule
 - Variable Hour employee eligibility (look back periods and stability periods)
- Healthy Incentives Wellness Program –
 - May is the final month for participation
 - As of 4/8/15:
 - 540 appointments have been scheduled
 - 798 people eligible to participate
 - Goal is 87% participation (694 people)
 - Educational sessions are scheduled during the first 2 weeks in June, posted on Open County

TRAINING SESSIONS:

Supervisory:

- Discipline and Discharge training presented by Jeff Minckler, March 2nd and 3rd
HR attended:
- March 12th – Monthly FVSHRM meeting: The FLSA/Get Ready for Big Changes, presented by Tammy McCutchen (Laura and Tammy attended)
- March 23rd – How Companies Get Hacked, sponsored by PayneWest, presented by LMG Security

Employees:

- March 27th – Quarterly Wellness Presentation: Mediterranean Diet: total of 33 attendees between the two sessions

UNION CONTRACTS:

| Dept | Employees | Representative | Contract Start Date | Next End Date |
|-------------|-------------------------|-------------------------------|---------------------|---------------|
| Road | Truck Drivers/Teamsters | Teamsters Local 2 | 7/1/2012 | 6/30/2015 |
| Solid Waste | Operators/Truck Drivers | Operating Engineers Local 400 | 7/1/2012 | 6/30/2015 |
| FECC | 911 Dispatchers | AFSCME Local 3032 | 7/1/2012 | 6/30/2015 |
| SO | Non-Sworn | AFSCME Local 3364 | 1/1/2012 | 12/31/2015 |
| SO | Sworn | AFSCME Local 3531 | 1/1/2012 | 12/31/2015 |
| Road | Operators | Operating Engineers Local 400 | 7/1/2013 | 6/30/2016 |
| Health | Health Dept Employees | MPEA | 7/1/2014 | 6/30/2016 |

March 17th and 18th – Met with Solid Waste Operators regarding schedule change. We are trying to set up meetings to start negotiation process on the contract, as per their request to negotiate received in January.

May 7th will be the first negotiation session with the Road Teamsters.

FECC AFSCME has until May 1st to request negotiations.

HR TRANSMITTALS:

- Educational Assistance Request
- Deputy Clerk of District Court job description
- Fairgrounds Office Coordinator job description
- Community Health Nurse FTE increase

CONSIDERATION OF EDUCATIONAL ASSISTANCE REQUEST: FINANCIAL TECHNICIAN

11:15:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence, Human Resource Director Tammy Skramovsky

Absent: Commissioner Gary Krueger

Skramovsky reported the educational assistance request has been approved by Treasurer, Adele Krantz.

Chairperson Holmquist made a **motion** to approve the educational assistance request. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

CONSIDERATION OF H.R. TRANSMITTALS: JOB DESCRIPTION – DEPUTY CLERK, CLERK OF DISTRICT COURT; JOB DESCRIPTION – OFFICE COORDINATOR, FAIRGROUNDS; FTE INCREASE – COMMUNITY HEALTH NURSE, HEALTH DEPARTMENT

11:16:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence, Human Resource Director Tammy Skramovsky, Clerk Kile

Absent: Commissioner Gary Krueger

Skramovsky reviewed the H.R. Transmittal for an update to a job description - Deputy Clerk at District Court.

Commissioner Mitchell made a **motion** to approve the updated job description for a Deputy Clerk of District Court. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

Skramovsky reviewed the H.R. Transmittal for an Office Coordinator at the Fairgrounds.

MONDAY, APRIL 20, 2015
(Continued)

Chairperson Holmquist made a **motion** to approve the updated job description for an Office Coordinator at the Fairgrounds. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

Skramovsky reviewed the H.R. Transmittal for an FTE increase for a Community Health Nurse. Currently the position is .8 and the request is to make the position full time.

Commissioner Mitchell made a **motion** to approve the Community Health Nurse FTE increase. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

BI-MONTHLY MEETING W/ VICKI SAXBY, INFORMATION TECHNOLOGY DEPARTMENT

11:21:00 AM

Present: Chairperson Pamela Holmquist, Commissioner Philip Mitchell, Assistant Mike Pence, Information Technology Director Vicki Saxby, Clerk Kile

Absent: Commissioner Gary Krueger

Saxby summarized the following bi-monthly report.

- **General**
 - IT CIP Planning
 - Three big projects next year include upgrading our email server, replacing our telephone system and building out our backup datacenter. Our current telephone system is nine years old, and both the hardware and software are past their end-of-life, which makes it hard to get some components and impossible to get others. Additionally, we are required by the State to remove all Windows 2003 servers from our network by July 14, 2015, and our voicemail system is running on a Windows 2003 server. Last month, we invited management to a presentation by one vendor to show them what we can expect with a new phone system and to get them thinking about the needs for their departments. We will be writing an RFP for this system and are asking for volunteers to be on the RFP committee.
 - Worked to build out my CIP for a full 10 years – anything beyond five could certainly change
 - IT Operating Budget, Performance Stats and Workload Indicators
- **Network and Tech Projects**
 - Current CIP Projects –
 - Infrastructure Upgrade Project – Moving ahead
 - Electrical upgrades – mostly complete – still need to add grounds to some data closets
 - Fiber upgrades – Pulled new 10 GB fiber to all campus buildings and closets within the buildings
 - Networking components – Currently in the middle of upgrading all of the networking components – should finish this month.
 - Building Projects –
 - Old Jail Project – Sent to bid and fiber vendor selected.
 - South Campus Building – have been in contact with the architects regarding the specific needs for the IT backup data center; also working with architects for the data needs (number and location of data drops, wireless access, etc.) of the other departments in that building.
 - Countywide
 - Encryption software for laptops – we have purchased and configured software that will allow us to easily encrypt hard drives on all laptops and centrally manage these units. We will be encrypting the hard drives for all new laptops, and will be bringing in some Sheriff Office and Health Department laptops to add encryption.
 - Mobile Device Management software for iPads – we also purchased licenses and are installing mobile device management software to the County iPads or other non-Windows devices
 - IT –
 - Replacing Windows 2003 servers due to the looming end of support date; replaced 5 servers, still have one to go.
 - Installed new switching gear at the 911 center
 - Replaced our older spam filter with a new one
 - Upgraded our network monitoring software
 - Clerk of Court / Clerk and Recorder – Set up special accounts to allow the Title companies to directly email information from the Clerk of Court's database to their offices. This allows us to disable the use of external USB drives on the public computers, which is a security risk that we wanted to alleviate.
 - County Attorney - Started working with them on planning for new Case Management software to replace the current in-house software package that they are using
 - Eagle Transit – Worked with them to transition their Routematch software to a cloud-based solution
 - Finance
 - Upgrade to Plan-it software
 - Upgrade to Visions software
 - Health
 - Moved their cloud based eClinical software to a new faster internet link through Montana West rather than Summitnet
 - Installed disease detection software on a server and client software on 20+ workstations.
 - Installed a hardware device and software to allow them to monitor the temperature of their refrigerator.
 - Worked with them to obtain the information they needed for their recent HIPAA security audit
 - Installed scanning software on 30 + systems
 - Installed new Allscripts software for Home Health; Installed subsequent patch for Allscripts
 - Installed new SAS software for FCHC
 - HR – set up an account that they can use to allow employees and their spouses to access the County health insurance site during the open enrollment period; will allow them to use laptop and/or training room systems as needed
 - Maintenance - Installation and subsequent upgrade to Sketchup software
 - Road – upgrade to SignCad software
 - Sheriff's Office
 - Worked with them to make changes required by their recent CJIS security audit.
 - They are requesting detective access to social networking sites for investigations only. Our current County policy states that this is only accessible via the guest wireless network – not on the County network, so this would entail a change in County policy with restrictions in place.
 - Installed new software related to the ability for inmates to make calls out
 - Solid Waste - Upgrade to Gasboy software
- **Programmer / Web Developer / Database Administration Projects**
 - NACO Award – We have submitted an entry to the NACO Achievement awards for the application that Tim Postier wrote for the Agency on Aging department, which allows them to track all of their services through a web-based application.
 - IT –
 - Added the ability to inventory computer assets using barcodes. We will start adding these barcoded asset tags to all new and some existing equipment. This should speed up our annual computer asset inventory process.
 - Upgrades to all web server software for security purposes
 - Upgrades to the Jade servers for Windows 8 compatibility
 - Local Government IT (LGIT) group – updated the LGIT website on the State server
 - Set up two new SQL servers - one for the Health department and one for IT applications
 - Clerk of Court – Changes to their marriage license application to increase security
 - Commissioners – Research and reporting regarding the proposed 911 Center tax district
 - County Attorney – Modifications to the Dependent / Neglect application.
 - Environmental Health
 - Created a new web-based application to track complaints related to septic issues, which replaces their Access database
 - Began working on a web-based application to track air and water quality issues.
 - GIS – Worked with GIS to provide data for annual tax audits
 - Library – Completed an application that allows them to easily track and report on work loads
 - Parks and Rec – Created a new application to allow online sports registrations and payments for all of the recreation programs
 - Sheriff

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(Continued)

- Modifications to the Jail Management software
- Modifications to the Incident Reporting software to allow for PDF creation and emailing of reports directly out of the software
- Continued work on rewrite of the Incident Reporting software
- Modifications to the New World Warrant extract process
- Modifications to the Lineups application for the Detectives
- Modifications to the NIBRS reporting process for the State
- Modifications to the Warrants' jackets
- Treasurer
 - Upgraded our tax billing system to a new version of Jade to be compatible with the Windows 8 operating system
 - Added the ability to undo a redemption
 - Added the ability to undo an abatement
 - Modifications to the Centrally Assessed process
 - Modifications to the tax payment process
 - Collection letters created and printed
 - Modifications to assignments process
- Research and special reports created for the Treasurer, Clerk and Recorder, Plat Room, Finance, GIS, Solid Waste, City of Kalispell, City of Whitefish, DOR

PRELIMINARY PLAT: SUBDIVISION NO. 289

11:30:00 AM

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

Absent: Commissioner Gary Krueger

Ezell entered into record Staff Report FSR 15-02, Subdivision 289; an application submitted by Stephen Leonard with technical assistance from Sands Surveying for preliminary plat approval for a first minor subdivision creating four residential lots located approximately 2.5 miles northeast of Kalispell. The subject property is currently zoned R-3 and contains 38.6 acres which is currently developed with a residence and accessory structures to the northwest side of the site. The lots range in size from 3.75 to 25.46 acres in size and are well above the minimum lot size as allowed by existing zoning. Lot 1 would be served by an individual well, Lots 2-4 would be served by Evergreen Water and all lots are proposed to use individual wastewater treatment system. Primary access would be from Helena Flats Road and Lots 2-4 would use a shared approach.

General discussion was held relative to the wetlands close to the area.

Commissioner Mitchell made a **motion** to adopt Findings of Fact for Subdivision No. 289. Chairperson Holmquist **seconded** the motion. Motion carried by quorum.

Chairperson Holmquist made a **motion** to approve preliminary plat of Subdivision No 289. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

1. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626C. All road names shall appear on the final plat. Street addressing shall be approved by Flathead County. [Section 4.7.16(g)(iv), 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The applicant shall comply with all reasonable fire suppression and access requirements of the Evergreen Fire District. A letter from the fire chief stating the plat meets the applicable requirements of the district shall be submitted with the application for final plat. [Section 4.7.26(b), FCSR]
3. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved and implemented shall be submitted with the final plat. [Section 4.7.13(g) and 4.7.25, FCSR]
4. With the application for final plat, the applicant shall provide a compliant Road Users' Agreement or CC&R document which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision. [Section 4.7.15(e), FCSR]
5. All road names shall be approved by Flathead County and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c), FCSR]
6. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.23, FCSR]
7. The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed, as applicable, by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 4.7.13, 4.7.20, 4.7.22 FCSR]
8. The mail delivery site(s) shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for final plat. [Section 4.7.28, FCSR]
9. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.22, FCSR]
10. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
11. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c), FCSR]
 - b. All utilities shall be placed underground. [Section 4.7.23, FCSR]
 - c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
 - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR]
 - e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Dept. agreed. [4.7.25, FCSR]
12. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i), M.C.A.]
13. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.0.16 FCSR]
14. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.1.13 FCSR]
15. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]
16. An approach permit for both driveways (Lot 1 and Lots 2-4) shall be obtained from the Flathead County Road and Bridge Department prior to final plat and the driveway approaches shall be constructed and paved to applicable County standards. [Sections 4.7.16 FCSR]
17. The water system for Lots 2-4 shall be designed and installed to meet the standards and requirements of the Evergreen Water and Sewer District, and a written verification from the District that all applicable requirements have been met shall be submitted prior to final plat. [Section 4.7.20, 4.7.26 FCSR]
18. The wetlands and adjacent to forested riparian banks shall be shown and labeled as a 'No Build Zone' on the face of the final plat. [Section 4.7.10 FCSR]

**MONDAY, APRIL 20, 2015
(Continued)**

CONSIDERATION OF ADOPTION OF RESOLUTION: LIFT REMAINING LOAD LIMITS ON VALLEY FLOOR

11:38:00 AM

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

Absent: Commissioner Gary Krueger

Prunty reported the request is to remove the remaining load limits off the valley floor with the exception of West Valley north of Lost Creek that is an unmaintained roadway, and the other road Causeway Lane on Echo Lake has a permanent load limit.

Chairperson Holmquist made a **motion** to adopt Resolution 2399B. Commissioner Mitchell **seconded** the motion. Motion carried by quorum.

Resolution No. 2399B

WHEREAS, the Board of Commissioners of Flathead County, Montana, is responsible for the maintenance of public highways under its jurisdiction;

WHEREAS, said public highways can be seriously damaged or destroyed by deterioration, rain, snow, thawing, or other climatic conditions unless the permissible vehicle weights are reduced;

WHEREAS, the Board of Commissioners of Flathead County, Montana, has the authority under Section 61-10-128, M.C.A., to impose restrictions on the weight of vehicles traveling on public roads under its jurisdiction;

WHEREAS, the public safety requires the immediate imposition of limits on county roads as an emergency measure to prevent accidents and damage to property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Flathead County, Montana, pursuant to Section 61-10-128, M.C.A., that the following load limits shall apply until further order of the Board.

Load limit single axle 7 tons, tandem axle 14 tons, 350 lbs. per inch width of tire, however, at no time will the weight exceed 14,000 lbs. per single axle and 28,000 lbs. per tandem axle. Speed limit as posted.

Load limit single axle 8 tons, tandem axle 16 tons, 400 lbs. per inch width of tire, however, at no time will the weight exceed 16,000 lbs. per single axle and 32,000 lbs. per tandem axle. Speed limit as posted.

The load limit on the following roads shall be 350 pounds per inch of tire width, unless noted to be 400 pounds per inch of tire width, as marked as well as 35 miles per hour speed limit: (If a particular road on this list has not been marked then no load limit is imposed at this time.)

| ROAD NAME | LOCATION |
|---------------------------------|-----------------|
| Ashley Lake Road West | Smith Valley |
| Blankenship | Columbia Falls |
| Browns Meadow Road | Smith Valley |
| East Edgewood Drive | Whitefish |
| East Rogers Lake Road | Smith Valley |
| Haskill Basin Road | Whitefish |
| Hoffman Draw | Smith Valley |
| Island Lake Road | Marion |
| Lost Prairie Road | Marion |
| Lower Lost Prairie Road | Marion |
| Lupfer Road | Whitefish |
| McMannamy Draw | West Valley |
| North Ashley Lake Road | Kila |
| North Fork Road | Columbia Falls |
| Olney Loop | Olney |
| Patrick Creek Road | South Kalispell |
| Rabe Road | Columbia Falls |
| Rogers Lake Road | Smith Valley |
| Rogers Lane West | Smith Valley |
| South Fork Road | Martin City |
| Star Meadows Road | Whitefish |
| Thompson River Road | Marion |
| Truman Creek Road | Kila |
| West Valley north of Lost Creek | West Valley |

Variances may be granted by permit obtained through the County Road Department.

BE IT FURTHER RESOLVED, that this resolution shall be effective April 21, 2015, and shall be in effect until load limits are removed by motion of this Board.

Dated this 20th day of April, 2015.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Gary D. Krueger, Member

By/s/Philip B. Mitchell
Philip B. Mitchell, Member

ATTEST:
Debbie Pierson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

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

TUESDAY, APRIL 21, 2015

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

NO MEETINGS SCHEDULED

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

WEDNESDAY, APRIL 22, 2015

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

- 9:30 a.m. Quarterly Juvenile Detention Facility Tour**
- 10:15 a.m. Quarterly Jail Facility Tour**
- 11:00 a.m. County Attorney meeting @ Co. Atty's Office**
- 12:00 p.m. Commissioner Holmquist: MWED Board meeting**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 23, 2015.

THURSDAY, APRIL 23, 2015

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

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 24, 2015.

FRIDAY, APRIL 24, 2015

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

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 27, 2015.
