

## MONDAY, AUGUST 11, 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 Urban Counties Study Committee Meeting at MACo, Helena**

**8:00 A.M. Weed and Parks Board Meeting at Weed and Parks Office**

### **MONTHLY MEETING W/JAY SCOTT, FAIRGROUNDS**

Present at the August 11, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Fair Director Jay Scott, Assistant Avery, and Clerk Eggum.

**This meeting did not take place.**

### **DOCUMENT FOR SIGNATURE: DEQ CONTRACT #504022/ENVIRONMENTAL HEALTH**

Present at the August 11, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Agreement between Flathead County and the Montana Department of Environmental Quality for delegating authority to the county to review certain water supply, wastewater, and storm water systems in subdivisions.

Commissioner Hall made a **motion** to approve the Agreement and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

### **PUBLIC HEARING: TIMMONS ZONE CHANGE/BLANCHARD LAKE AND HIGHWAY 93 NORTH ZONING DISTRICT**

Present at the August 11, 2003 9:30 A.M. duly advertised public hearing were Chairman Watne, Commissioner Hall, Susan Timmons, Planner Melinda Riley, Assistant Avery, and Clerk Eggum.

Riley advised that this was a zone change request by Patrick Timmons from SAG-10 Suburban Agricultural with a minimum lot size of 10 acres to SAG-5 Suburban Agricultural with a minimum lot size of five acres. The property proposed for rezoning is located on the west side of Highway 93 North, off of Blanchard Lake road. It totals 19.19 acres. This proposal does meet the 12 criteria.

Chairman Watne opened the public hearing to anyone wishing to speak in favor of the zone change.

Timmons advised that she was the owner of the 60 acres inherited when her husband's grandfather died. Her husband's son built a house on the 20 acres close to the road. The son lost his job and the bank would have foreclosed. In order to keep from losing the property, her husband purchased the house and they are now desirous of selling the house. They would like to keep the property the way it is now. It does contain some wetlands and they have their horses graze on the property. They just want to sell that one little piece where the house is built.

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.

Commissioner Hall made a **motion** to adopt Staff Report FZC-03-27 as Findings of Fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to adopt Resolution No. 966J. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

### **RESOLUTION NO. 966J**

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 6th day of August, 2003, concerning a proposal by Patrick Timmons to change the zoning designation in a portion of the Blanchard Lake Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

**WHEREAS**, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on July 31 and August 7, 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 Flathead County Planning Board regarding the proposed change in the Blanchard Lake Area 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 in a portion of the Blanchard Lake Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural), 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 Blanchard Lake Area 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 of thereof, the Board will receive written protests to the change to the Blanchard Lake Area 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 Blanchard Lake Area 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 within the Blanchard Lake Area Zoning District protest the proposed change in said district, then the change will not be adopted.

DATED this 11<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

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

By: \_\_\_\_\_  
Howard W. Gipe, Member

ATTEST:  
Paula Robinson, Clerk

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

EXHIBIT A  
PATRICK TIMMONS  
REQUEST FOR ZONE CHANGE FROM SAG-10 TO SAG – 5  
LEGAL DESCRIPTION  
JUNE 19, 2003

Location and Legal Description of Property:

The property proposed for rezoning is located on the west side of Highway 93 North off of Blanchard Lake Road. It totals 19.19 acres.

The property is further described as the S1/2 of the SE1/4 of the NE1/4 of Section 11, Township 30 North, Range 22 West, P.M., Flathead County, Montana. Excepting therefrom that portion conveyed to Flathead County by Deed recorded October 9, 1968, in Book 501, Page 297, as Document No. 7230, records of Flathead County, Montana.

Commissioner Hall made a **motion** to authorize the publication of the Notice of Passage of Resolution of Intention Blanchard Lake Area Zoning District and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION  
BLANCHARD LAKE AREA ZONING DISTRICT**

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. 966J) on August 11, 2003, to change the zoning designation in a portion of the Blanchard Lake Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural).

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

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

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

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 Blanchard Lake Area 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 11th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

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

Publish on August 14, and August 21, 2003.

EXHIBIT A  
PATRICK TIMMONS  
REQUEST FOR ZONE CHANGE FROM SAG-10 TO SAG – 5  
LEGAL DESCRIPTION  
JUNE 19, 2003

Location and Legal Description of Property:

The property proposed for rezoning is located on the west side of Highway 93 North off of Blanchard Lake Road. It totals 19.19 acres.

The property is further described as the S1/2 of the SE1/4 of the NE1/4 of Section 11, Township 30 North, Range 22 West, P.M., Flathead County, Montana. Excepting therefrom that portion conveyed to Flathead County by Deed recorded October 9, 1968, in Book 501, Page 297, as Document No. 7230, records of Flathead County, Montana.

**PUBLIC HEARING: LEWIS FAMILY TRUST ZONE CHANGE/BIGFORK ZONING DISTRICT**

Present at the August 11, 2003 10:00 A.M. duly advertised public hearing were Chairman Watne, Commissioner Hall, Planner Melinda Riley, Mark Lane, Assistant Avery, and Clerk Eggum.

Riley advised that this was a request by the Lewis Family Trust/Tom and Sharon Lewis for a zone change request from SAG-10, Suburban Agricultural to SAG-5, Suburban Agricultural, within the Bigfork Zoning District. The property proposed for rezoning is located on the north side of Highway 83 approximately one mile east of the Montana Highway 35 and Montana Highway 83 intersection. The property contains approximately 19.991 acres. Riley presented two letters received in opposition to the zone change.

Riley continued that it does meet all 12 criteria.

Chairman Watne opened the public hearing to anyone wishing to speak in favor of the zone change request.

Lane advised that he was speaking on behalf of Tom Lewis, the Lewis Family Trust. Tom was unable to attend because he was involved in an automobile accident on Saturday and is currently in the Salt Lake University Hospital. Lane read a written statement from Tom that was also presented at the Bigfork Land Use Advisory Meeting:

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

Commissioner Hall noted that there were concerns relative to the road but added that there were a significant number of homeowners that the neighbors could actually put something together themselves. Chairman Watne stated that those issues would not be addressed until a preliminary plat was brought before the commission.

Commissioner Hall made a **motion** to adopt Staff Report FZC-03-28 as Findings of Fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to adopt Resolution No. 956AR. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**RESOLUTION NO. 956AR**

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing on the - 11th day of August, 2003, concerning a proposal by Lewis Family Trust/Tom and Sharon Lewis to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

**WHEREAS**, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on July 31 and August 7, 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 Flathead County Planning Board regarding the proposed change in the Bigfork Area 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 in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural) 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 Bigfork Area 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 of thereof, the Board will receive written protests to the change to the Bigfork Area 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 Bigfork Area 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 within the Bigfork Area Zoning District protest the proposed change in said district, then the change will not be adopted.

DATED this 11<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

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

By: \_\_\_\_\_  
Howard W. Gipe, Member

ATTEST:  
Paula Robinson, Clerk

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

EXHIBIT A  
LEWIS FAMILY TRUST  
BIGFORK ZONING DISTRICT  
SAG-10 TO SAG-5  
JULY 9, 2003

The property contains approximately 19.991 acres and is located at 320 Coverdell Road near Bigfork and is described as Tract 1 of Certificate of Survey No. 15294 in Section 13, Township 27 North, Range 20 West, P.M., Flathead County, Montana.

Commissioner Hall made a **motion** to authorize the publication of the Notice of Passage of Resolution of Intention Bigfork Area Zoning District and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION  
BIGFORK AREA ZONING DISTRICT**

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. 956AR) on August 11, 2003, to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural).

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

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

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

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 Bigfork Area Zoning District from persons owning real property within the Bigfork Area Zoning 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 11<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

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

Publish on August 14, 2003 and August 21, 2003.

EXHIBIT A  
LEWIS FAMILY TRUST  
BIGFORK ZONING DISTRICT  
SAG-10 TO SAG-5  
JULY 9, 2003

The property contains approximately 19.991 acres and is located at 320 Coverdell Road near Bigfork and is described as Tract 1 of Certificate of Survey No. 15294 in Section 13, Township 27 North, Range 20 West, P.M., Flathead County, Montana.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 12, 2003.

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## TUESDAY, AUGUST 12, 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.

### **PUBLIC HEARING: ROAD ABANDONMENT #409 (PORTION OF 4<sup>TH</sup> STREET, HUNGRY HORSE)**

Present at the August 12, 2003 9:00 A.M. duly advertised public hearing were Chairman Watne, Commissioners Gipe and Hall, James Willows, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Viewer's Report.

Chairman Watne opened the public hearing to anyone wishing to speak in favor of the road abandonment.

Willows advised that this piece of land had been in his family for a long time and no road has ever been built. He noted closure of the road would not be blocking access to anybody. Willows questioned the procedure for distributing the 60 x 140 property after abandonment.

The Commissioners responded that the property is split down the middle and half goes to each side. If one property owner owns both sides it all then goes to the one property owner. Commissioner Gipe noted that people pay taxes to the centerline of the roadway. Commissioner Hall advised Willows to contact the Planning and Zoning office if he wished to plat the property.

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

Commissioner Gipe made a motion to approve Road Abandonment #409 described as:

The North 140 feet by 60 feet of Fourth Street West in Hungry Horse City Section 6, Township 30 North, Range 19 West, P.M.M., lying between Lot 13, Block 7 and Lot 15, Block 6.

Subject to the conditions listed in the Viewer's Report. Commissioner Hall seconded the motion. Aye - Watne, Hall and Gipe. Motion carried unanimously.

**SECOND READING OF SPEED LIMIT ORDINANCE AMENDMENT**

Present at the August 12, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Deputy County Attorney Jonathan Smith, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to approve the second reading of the Speed Limit Ordinance Amendment. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

**ORDINANCE NO. 7**

Speed Limits

WHEREAS, the Board of Commissioners is authorized, pursuant to Sections 7-5-102 through 7-5-107, 7-14-2113, 61-8-306 and 61-8-310, M.C.A., to adopt an ordinance and to impose speed limits on certain public roads and highways;

WHEREAS, the Board of Commissioners has determined that all speed limits imposed by the Board since 1985 should be codified into a single ordinance.

NOW, THEREFORE, BE IT RESOLVED that, effective 30 days after the second and final adoption, the following Ordinance shall be in force and effect in Flathead County.

Section One: Speed Limits on Named Roadways

The following speed limits are hereby imposed on the following roadways and highways in Flathead County:

**Fifteen (15) miles per hour:**

Bridge Street from Old Bridge Street to Electric Avenue.

Caroline Point Road for 50 feet on each side of the boat shop.

FFA Drive for its entire length.

Lone Pine Road from top of hill.

North Street for school zone only.

Old River Bridge Road for school zone only.

Parliament Road, for 1/8 of a mile on each side of the crosswalk near the East Evergreen School, when children are present.

Pheasant Drive, for 1/8 of a mile on each side of the crosswalk near the East Evergreen School, when children are present.

Sager Lane for its entire length.

**Twenty Five (25) miles per hour:**

10<sup>th</sup> Avenue WN for its entire length.

11<sup>th</sup> Avenue WN for its entire length.

12<sup>th</sup> Street EN for its entire length.

12<sup>th</sup> Avenue WN for its entire length.

13<sup>th</sup> Street W (behind JW Church) for its entire length.

13<sup>th</sup> Street EN for its entire length.

14<sup>th</sup> Street EN for its entire length.

15<sup>th</sup> Street E for its entire length.

15<sup>th</sup> Street EN for its entire length.

16<sup>th</sup> Street E for its entire length.

1<sup>st</sup> Avenue for its entire length.

1<sup>st</sup> Avenue North for its entire length.

1<sup>st</sup> Avenue South for its entire length.

1<sup>st</sup> Avenue W for its entire length.

1<sup>st</sup> Street for its entire length.

1<sup>st</sup> Street E for its entire length.

1<sup>st</sup> Street SE for its entire length.  
1<sup>st</sup> Street SW for its entire length.  
1<sup>st</sup> Street W for its entire length.  
1<sup>st</sup> Street WN for its entire length.  
1<sup>st</sup> Street WN (east end) for its entire length.  
2<sup>nd</sup> Avenue for its entire length.  
2<sup>nd</sup> Avenue North for its entire length.  
2<sup>nd</sup> Avenue South for its entire length.  
2<sup>nd</sup> Avenue WN for its entire length.  
2<sup>nd</sup> Street for its entire length.  
2<sup>nd</sup> Street E for its entire length.  
2<sup>nd</sup> Street W for its entire length.  
2<sup>nd</sup> Street WN for its entire length.  
35 Approach (Grand) for its entire length.  
3<sup>Rd</sup> Avenue for its entire length.  
3<sup>Rd</sup> Avenue South for its entire length.  
3<sup>Rd</sup> Street for its entire length.  
3<sup>Rd</sup> Street W for its entire length.  
3<sup>Rd</sup> Street WN for its entire length.  
4<sup>th</sup> Avenue South for its entire length.  
4<sup>th</sup> Street for its entire length.  
4<sup>th</sup> Street EN for its entire length.  
4<sup>th</sup> Street WN for its entire length.  
5<sup>th</sup> Street for its entire length.  
5<sup>th</sup> Street W for its entire length.  
6<sup>th</sup> Street for its entire length.  
6<sup>th</sup> Street W for its entire length.  
7<sup>th</sup> Street for its entire length.  
7<sup>th</sup> Street W for its entire length.  
8<sup>th</sup> Avenue EN for its entire length.  
8<sup>th</sup> Street W for its entire length.  
9<sup>th</sup> Avenue WN for its entire length.  
9<sup>th</sup> Street W for its entire length.  
Adams Street for its entire length.  
Ainley Lane for its entire length.  
Alder Lane for its entire length.  
Alpha Road for its entire length.  
Alpine Drive for its entire length.  
Alpine Lane for its entire length.  
Alpine Village Drive for its entire length.  
Alpinglow Avenue for its entire length.  
Anderson Lane for its entire length.



Angel Point Road for its entire length.

Antelope Trail for its entire length.

Appletree Circle for its entire length.

Arbour Drive East for its entire length.

Arbour Drive West for its entire length.

Adel Drive for its entire length.

Armory Road from East 2<sup>nd</sup> Street to East end of Armory property.

Ash Road for its entire length.

Ashley Drive for its entire length.

Aspen Lane for its entire length.

Auction Road from its intersection with US Highway 93 to its intersection with Fir Terrace.

Bailey Drive for its entire length.

Barnes Lane for its entire length.

Bass Avenue for its entire length.

Bass Lake Court for its entire length.

Bass Lake Drive for its entire length.

Battle Hollow for its entire length.

Bauman Lane for its entire length.

Bay Drive for its entire length.

Beach Road for its entire length.

Bear Street for its entire length.

Bear Trail for its entire length.

Beaver Lake Road for its entire length.

Bernard Road for its entire length.

Berne Road South leg from RBM lumber to Montana Highway 206.

Berne Road from Columbia Mountain Road to Monte V. Drive.

Bierney Creek Road from US Highway 93 West 1.2 miles.

Big Sky Boulevard for its entire length.

Bills Road for its entire length.

Birch Drive, (Evergreen) for its entire length.

Birch Drive, (Whitefish) for its entire length.

Birch Glen Drive for its entire length.

Bison Drive for its entire length.

Bitterroot Drive from Pleasant Valley Road to Bitterroot Lane.

Bitterroot Drive, from its intersection with Bitterroot Lane to its intersection with Kelsy Road.

Bitterroot Lane, from its beginning point on Bitterroot Drive for one-half (½) mile.

Blenn Street for its entire length.

Boon Road for its entire length.

Boorman Lane for its entire length.

Brass Road for its entire length.

Breezy Point Avenue for its entire length.

Bridge Street from Old Bridge Street to Montana Highway 35.

Broeder Loop Road for its entire length.

Brook Drive for its entire length.

Browns Gulch Road for its entire length.

Brunner Road for its entire length.

Bucks Lane for its entire length.

Burke Lane for its entire length.

Burnell Avenue for its entire length.

Burns Street for its entire length.

Butterfly Lane for its entire length.

Cahill Court for its entire length.

Canyon Road for its entire length.

Capistrano Drive for its entire length.

Capra Court for its entire length.

Cardiff Avenue for its entire length.

Caribou Street for its entire length.

Caroline Point Road for its entire length, except 15 mph zone near boat shop.

Caroline Road for its entire length.

Cascade Avenue for its entire length.

Cayuse Lane for school zone only.

Central Avenue (MC) for its entire length.

Char Court for its entire length.

Cherry Lynn Lane for its entire length.

Cheviot Loop for its entire length.

Chubb Lane for its entire length.

Circle Drive for its entire length.

Clothier Lane for its entire length.

Collier Lane for its entire length.

Columbia Mountain Lane for its entire length.

Commerce Street for its entire length.

Concord Lane for its entire length.

Conrad Point Road for its entire length.

Coram School Lane for its entire length.

Coram Stage for its entire length.

Cottage Lane for its entire length.

Cougar Drive for its entire length.

Cougar Trail for its entire length.

Country Way for its entire length.

Country Way East for its entire length.

Country Way North for its entire length.

Craven Street for its entire length.

Crestline Court for its entire length.

Creston Road except for school zone only.

Cynthia Drive for its entire length.

Dairy Drive for its entire length.

Dale Drive for its entire length.

Daley Lane for its entire length.

Dan Lake Court for its entire length.

Dawn Drive for its entire length.

Deer Creek Road (US Highway 93 in) for its entire length.

Deer Creek Road (Bierney Creek in) for its entire length.

Deer Street for its entire length.

Deer Trail for its entire length.

Dehlbom Lane for its entire length.

Delrey Road for its entire length.

Desert Lodge Road for its entire length.

Diller Road for its entire length.

Dirt Road for its entire length.

Dodd Avenue for its entire length.

Dodger Lane for its entire length.

Dogwood Avenue for its entire length.

Donahoe Lane for its entire length.

Dorothy Street for its entire length.

Double Lake Court for its entire length.

Double Lake Drive for its entire length.

Double Lake Lane for its entire length.

Dover Drive for its entire length.

Duff Lane for its entire length.

East Evergreen Drive for its entire length except for the school zone.

Eagle Drive for its entire length.

East Cottonwood Drive East of Montana 35 for its entire length.

East Cottonwood Drive West of Montana 35 for its entire length.

East Lakeshore Drive from 1.8 mile W of BMR Lumber to end of Road.

East Second Street for its entire length.

Echo Cabin Loop for its entire length.

Echo Lake Road (loop Road) for its entire length.

Echo View Drive for its entire length.

Eckelberry Drive from Michels Slough to Montana Highway 206 (North end).

Edgewood Drive for its entire length.

Eid Lane for its entire length.

El Rancho Road for its entire length.

Electric Avenue for its entire length.

Electric Avenue (North) for its entire length.

Elk Street for its entire length.

Elk Trail for its entire length.

Elm Avenue for its entire length.

Emil's Lane for its entire length.

Fairmont Road, for 500 feet on either side of Fairmont - Egan School.

Farm-to-Market Road (US Highway 93 to Lodgepole) from Lodgepole to Tally Lake Road.

Fawn Trail for its entire length.

Fehlberg Lane for its entire length.

Fern Lane for its entire length.

Ferndale Drive for its entire length.

Fir Lane for its entire length.

Flathead Road (North of 1<sup>st</sup> Avenue South) for its entire length.

Flathead Drive from US Highway 2 to Montclair Drive.

Florence Street for its entire length.

Forest Drive for its entire length.

Fox Hill Road for its entire length.

Frontage Road for its entire length.

Gamma Road for its entire length.

Garden Drive, from West Reserve Drive to Trail Ridge Road.

Garland Lane for its entire length.

Gelande Street for its entire length.

Gilbert Lake Drive for its entire length.

Glacier Avenue for its entire length.

Goat Trail for its entire length.

Gopher Lane entire length, except the school zone.

Gordon Avenue for its entire length.

Grand Drive for its entire length.

Grandview Terrace for its entire length.

Granrud Lane for its entire length.

Grayling Road for its entire length.

Greenridge Drive for its entire length.

Hagerman Lane for its entire length.

Halfmoon Road for its entire length.

Happy Hollow for its entire length.

Harbor Heights Boulevard for its entire length.

Harbin Hill Road for its entire length.

Hare Trail for its entire length.

Harmony Road for its entire length.

Hart Hill Drive, inside Meadow Hills Subdivision.

Haskill Drive for its entire length.

Hathaway Lane for its entire length.

Haven Court for its entire length.

Haven Drive for its entire length.

Haywire Gulch from Smith Lake Road to end of asphalt paving.

Helena Flats Road for school zone only.

Helmer Creek Drive for its entire length.

Highland Drive for its entire length.

Highline Boulevard for its entire length.

Hillcrest Drive for its entire length.

Hoffman Draw for its entire length.

Holt Stage from Steel Bridge to East for .8 miles.

Horseshoe Drive for its entire length.

Houston Drive for its entire length.

Howard Drive for its entire length.

Hughes Bay Road for its entire length.

Hungry Horse Boulevard for its entire length.

Hunter Lane for its entire length.

Jacquette Road, for 500 feet on either side of Fairmont - Egan School.

Jasper Road for its entire length.

Jellison Road, from North of Trestle.

Juanita Way for its entire length.

Judith Road for its entire length.

Juniper Drive for its entire length.

Karrow Avenue for its entire length.

Kathy Lake Lane for its entire length.

Kauffman Lane for its entire length.

Kehoe Lane for its entire length.

Kelly Road for its entire length.

Kelsey Road for its entire length.

Kila Hill for its entire length.

Kila Main Street for its entire length.

Kings Loop for its entire length.

Kings Way for its entire length.

Kirby Lane for its entire length.

Kiwanis Lane for its entire length.

Konley Drive for its entire length.

Kraft Avenue for its entire length.

Kristianna Close for its entire length.

Lake Avenue for its entire length.

Lake Blaine Road for school zone only.

Lake Blaine Road from Foothill to end of road.

Lake Drive for its entire length.

Lake Hills Court for its entire length.

Lake Hills Drive, (Bigfork) for its entire length.

Lake Hills Drive, (South West) for its entire length.

Lake Loop Drive for its entire length.

Lake Peters Court for its entire length.

Lakeside Avenue for its entire length.

Lakeside Boulevard for its entire length.

Lakeside Boulevard North for its entire length.

Lakeshore Drive from Buckboard Lane to end of Road.

Lakeview Drive for its entire length.

Lane Street for its entire length.

Lawrence Lane for its entire length.

Learn Lane for its entire length.

Leisure Drive for its entire length.

Lenwood Lane for its entire length.

Lesley Avenue for its entire length.

Lion Mountain Loop Road for its entire length.

Lion Trail for its entire length.

Lochness Avenue for its entire length.

Lodgepole Drive for its entire length.

Lupfer Road for its entire length.

Lutheran Camp Road for its entire length.

Mabel Street for its entire length.

Main Street for its entire length.

Many Lakes Drive for its entire length.

Maple Drive for its entire length.

Margrethe Road for its entire length.

Marjorie Street for its entire length.

Martin Camp Road (OLaneey) for its entire length.

Martin Road for its entire length.

Maxine Drive for its entire length.

McDermott Lane for its entire length.

McDowell Drive for its entire length.

Meadow Hills Drive for its entire length.

Meadow Lake Drive for its entire length.

Meadow Lane for its entire length.

Meadowlark Drive for its entire length.

Michels Slough Road for its entire length.

Midale Road, inside Meadow Hills Subdivision. 676

Missy Lane for its entire length.

Middle Road for school zone only.

Midway Drive for its entire length.

Mill Street for its entire length.

Mission Trail for its entire length.

Mission Way for its entire length.

Mission Way North for its entire length.

Mission Way South for its entire length.

Monroe Street for its entire length.

Montclair Drive for its entire length.

Monte Vista Drive for its entire length.

Moose Lane for its entire length.

Moose Street for its entire length.

Moose Trail for its entire length.

Mountain Avenue for its entire length.

Mountain Shadows Drive for its entire length.

Mountain View Drive for its entire length.

Muth Lane for its entire length.

North Cedar Drive for its entire length.

Newbury Circle for its entire length.

Nicholson Drive for its entire length.

North Fork Road (frontage) for its entire length.

North Foys Lake Drive for its entire length.

North Haven Drive for its entire length.

North Hilltop Road for its entire length.

North Juniper Bay Road for its entire length.

North Karrow Avenue for its entire length.

North Many Lakes Drive for its entire length.

North Mission Drive for its entire length.

North Riding Road for its entire length.

Northwoods Drive for its entire length.

Nucleus Avenue (South of 13<sup>th</sup> Street East) for its entire length.

Obryan Lane for its entire length.

Old Bridge Street for its entire length.

Old Bridge Street (South) for its entire length.

Old River Bridge Road for its entire length.

Olney Loop Road from Railroad Crossing to 93.

Oregon Lane for its entire length.

Osborne Avenue for its entire length.

Oxford Circle for its entire length.

Panoramic Drive for its entire length.

Paradise Loop for its entire length.

Park Avenue (Columbia Falls) for its entire length.

Park Avenue (Evergreen) for its entire length.

Park Drive for its entire length.

Park Street for its entire length.

Parkhill Drive for its entire length.

Parklane Drive for its entire length.

Parkview Drive for its entire length.

Parkview Way for its entire length.

Parkway Avenue for its entire length.

Parliament Drive for its entire length.

Passmore Lane for its entire length.

Patrick Creek Road for its entire length.

Pavilion Hill Avenue for its entire length.

Peaceful Drive for its entire length.

Peaceful Lane for its entire length.

Pheasant Drive for its entire length.

Pickleville Lane for its entire length.

Pickwick Court for its entire length.

Pierce Lane for its entire length.

Pikes Peak Avenue for its entire length.

Pine Street for its entire length.

Pines Boulevard for its entire length.

Pleasant Hill Drive for its entire length.

Pleasant Valley Road from US Highway 2 to Bitterroot Drive.

Pleasant View Drive for its entire length.

Plentywood Drive for its entire length.

Plummers Lake Drive for inbound.

Ponderosa Drive for its entire length.

Poplar Drive for its entire length.

Possum Trail for its entire length.

Potter Lane for its entire length.

Preston Drive for its entire length.

Primrose Lane for its entire length.

Rabe Road for its entire length.

Ramsgate Drive for its entire length.

Ranch Road for its entire length.

Ranchetts Drive for its entire length.

Ranchetts Lane for its entire length.

Ranchetts Road for its entire length.

Redfield Lane for its entire length.

Reimer Lane for its entire length.

Reservoir Road for its entire length.

Rest Haven Drive for its entire length.

Ridgewood for its entire length.

River Avenue for its entire length.



River Bend for its entire length.

River Bend Drive for its entire length.

River Bend Drive from Sloan Lane to West end.

River Drive for its entire length.

River Junction for its entire length.

River Road for its entire length.

River Road (Evergreen) for its entire length.

River Street for its entire length.

Riverside Drive for its entire length.

Riverside Drive (Evergreen) for its entire length.

Rogers Lane for its entire length.

Rogers Road for its entire length.

Sampson Lane for its entire length.

Scarborough Avenue for its entire length.

Scenic Drive for its entire length.

Scenic Ridge Road for its entire length.

School Addition Road for its entire length.

Seven Row for its entire length.

Shadow Lane for its entire length.

Shady Glen Drive for its entire length.

Sharon Road for its entire length.

Shepherd Lane for its entire length.

Sherman Road for its entire length.

Siderius Lane for its entire length.

Skyline Drive for its entire length.

Skookum Road for its entire length.

Sleepy Hollow Road for its entire length.

Sloan Lane for its entire length.

Solberg Drive for its entire length.

Somers Road from 1 mile South of Montana Highway 83 to US Highway 93.

Somerset Drive for its entire length.

South Cedar Drive from Montana Highway 35 to end.

South Fork Drive for its entire length.

South Foy's Lake Drive for its entire length.

South Woodland Drive from Kelly Road to city limits.

Spring Creek Drive for its entire length.

Spoon Road for its entire length.

Spring Creek Road (Hatchery) for its entire length.

Springdale Drive for its entire length.

Spruce Road for its entire length.

Stag Lane for its entire length.

Stafford Street for its entire length.

Steeles Drive for its entire length.

Steven Road for its entire length.

Stonecrest Drive for its entire length.

Stoner Creek Road for its entire length.

Sulky Lane for its entire length.

Summit Avenue for its entire length.

Sunday Lane for its entire length.

Sunnybrook Lane for its entire length.

Sunnyside Avenue for its entire length.

Sunnyside Drive for its entire length.

Sunrise Lane for its entire length.

Sunrise Road for its entire length.

Sunset Circle for its entire length.

Sunset Drive (Bigfork) for its entire length.

Sunset Drive (Evergreen) for its entire length.

Sunset Lane for its entire length.

Sussex Drive for its entire length.

Swan Retreat for its entire length.

Swede Hill Avenue for its entire length.

Swimming Lake Creek for its entire length.

Sylvan Drive for its entire length.

Tahoe Drive for its entire length.

Tamarack Avenue for its entire length.

Tamarack Creek Road for its entire length.

Tamarack Drive for its entire length.

Tamarack Terrace for its entire length.

Tangent Road for its entire length.

Terrace Drive for its entire length.

Terrace Hill for its entire length.

Terry Road for its entire length.

Three Eagle Lane for its entire length.

Timber Lake Drive for its entire length.

Timber Lane for its entire length.

Timber Lane Terrace for its entire length.

Toftum Lane from US Highway 2 615 ft.

Trail Ridge Road for its entire length.

Treasure Lane for its entire length.

Trout Avenue for its entire length.

Troutbeck Road for its entire length.

Truck Route (US Highway 2 to 6<sup>th</sup> Avenue West) for its entire length.

Twilight Circle for its entire length.

Twin Acres Drive for its entire length.

Twin Pines Drive for its entire length.

Valley Drive for its entire length.

Valley View Drive from Trailhead to East end of road.

Vans Avenue for its entire length.

Vetville West, from its intersection with 12th Avenue West to its intersection with Meadow Lakes Boulevard.

Village Lane for its entire length.

Vitt Lane for its entire length.

Voerman Road from Monegan to city limits.

West Valley Drive (South of US Highway 2) for its entire length.

Wagner Road for its entire length.

Walker Avenue for its entire length.

Watts Lane for its entire length.

Weaver Lane for its entire length.

Wedgewood Lane for its entire length.

Welf Lane for its entire length.

West 3<sup>Rd</sup> Street for its entire length.

West 4<sup>th</sup> Street for its entire length.

West 7<sup>th</sup> Street from Baker to South Karrow.

West Cottonwood Drive for its entire length.

West Lake Shore Drive (Whitefish) for its entire length.

West View Drive for its entire length.

Westwood Lane for its entire length.

Whipps Lane for its entire length.

Whitefish Stage for school zone only.

Wiley Dike Road for its entire length.

Williams Lane for its entire length.

Willow Drive for its entire length.

Wilson Heights Road for its entire length.

Winchester Street for its entire length.

Winter Lane for its entire length.

Wishert Lane for its entire length.

Woodland Road for its entire length.

Wulff Lane for its entire length.

Yeoman Hall Road from Van Sant to end of Road.

Yodelin Ridge Road for its entire length.

Zimmerman Road for its entire length.

**Thirty (30) miles per hour:**

Browns Meadow Road from Smith Lake to end of asphalt paving.

Coon Hollow Road for its entire length.

Smith Lake Road for the gravel portion.

Smith Lake Road for its entire length.

Spring Hill Road for its entire length.

Truman Creek Road from Browns Meadow to end of asphalt paving.

**Thirty Five (35) miles per hour:**

4<sup>th</sup> Avenue WN for its entire length.

Addison Square for entire length, except the school zone.

Aero Lane for its entire length.

Amdahl Lane for its entire length.

Armory Road from Voerman to Armory property.

Ashley Lake Road (West) for its entire length.

Ashley Lake Road, from its intersection with Sherman Road to the point at which the pavement ceases.

Auction Road from Fir Terrace to Somers Stage.

Austin Crossroad for its entire length.

Bachelor Grade for its entire length.

Badrock Drive for its entire length.

Bald Rock Road for its entire length.

Batavia Lane for its entire length, except the school zones.

Battle Butte Road for its entire length.

Bayou Road for its entire length.

Bear Creek Road for its entire length.

Belton Stage Road for its entire length.

Berne Road from RMB Lumber to Columbia Mountain Road gravel.

Berne Road for other segments.

Bierney Creek Road from 1.2 miles from US Highway 93 to end of Road.

Bigfork Stage for its entire length.

Bighorn Drive for its entire length.

Birch Grove Road for its entire length.

Bitterroot Drive (South end) for the gravel portion.

Blackmer Lane from Montana Highway 206 to Steel Mountain Road.

Blacktail Road for its entire length.

Blaine View Lane for its entire length.

Blanchard Lake Drive for its entire length.

Blanchard Lake Road for its entire length.

Blankenship Road for its entire length.

Bloomer Lane for its entire length.

Bowdish Road for its entire length.

Braig Road for its entire length.

Brosten Lane for its entire length.

Browns Meadow Road, from the end of the asphalt paving to the end of the road.

Browns Meadow Road/Mount Road, beginning approximately 700 feet east of the end of the asphalt paving to its intersection with Haskill Mountain Road (a total of approximately 5.9 miles).

Browns Road for its entire length.

Buckboard Lane for its entire length.

Cemetery Road for its entire length.

Chapman Hill Road for its entire length.

Church Drive for its entire length.

Clark Drive for its entire length.

Cobbler Village for its entire length.

Coclet Lane for its entire length.

Columbia Falls Stage Road (North of Trap Road) from Kelley Road to River Road.

Columbia Mountain Lane for its entire length.

Columbia Mountain Road for its entire length.

Conn Road for its entire length.

Cover dell Road for its entire length.

Creston Hatchery Road for its entire length.

Danford Lane for its entire length.

Danielson Road for its entire length.

Demersville Road from Lower Valley Road to Snow line Lane.

Dern Draw for its entire length.

Dern Road for its entire length.

Dyer Road for its entire length.

East Reserve Drive from Helena Flats East to end of Road.

East Edgewood Drive for its entire length.

Eastman Drive for its entire length.

Echo Lake Road for its entire length.

Eckelberry Drive, Michels Slough to Montana Highway 206 (South end).

Egan Road for its entire length.

Egan Slough Road for its entire length.

Elk Park Road for its entire length.

Ezy Drive for its entire length.

Fairmont Road for its entire length, except the school zone.

Fairview Cemetery Road for its entire length.

Fairview Crossroad for its entire length.

Farm Road for its entire length.

Farm-to-Market Road (US Highway 93 to Tally Lake Road) for its entire length, except the school zone.

Ferndale Drive for its entire length.

Fir Terrace (South of US Highway 93) for its entire length.

Fir Terrace (East of US Highway 93) for its entire length.

Flathead Lodge Road for its entire length.

Foothill Road for its entire length.

Forest Hill Road for its entire length.

Four Mile Drive (West of Farm-to-Market) from Farm-to-Market to end of Road.

Four Mile Drive (Stillwater-West Springcreek) for its entire length.

Fox Farm Road for its entire length.

Foys Lake Road (South of Foys Canyon) for its entire length.

Gladys Glen Road for its entire length.

Good Creek Road for its entire length.

Gosney Crossroad for its entire length.

Halfmoon Flats Road for its entire length.

Hanging Rock Drive for its entire length.

Haskill Basin Road for its entire length.

Helena Flats Road from Montana Highway 35 North for .6 miles.

Helena Flats Road from 1.5 to 2.8 miles North of Montana Highway 35.

Hellman Lane for its entire length.

Hog Heaven Road for its entire length.

Holt Drive for its entire length.

Holt Stage Road, from its intersection with Montana Highway 35 to its intersection with Fairmont Road.

Holt Stage from Montana Highway 35 to Fairmont Road.

Homestead Drive for its entire length.

Homestead Road, from its intersection with Holt Stage Road to its intersection with Fairmont Road. 856

Hubbart Dam Road for its entire length.

Idaho Hill for its entire length.

Jacquette Road for its entire length, except the school zone.

Jellison Lane for its entire length.

Jensen Road for its entire length.

JP Road for its entire length.

Kallner Lane for its entire length.

Kelley Road (East of 206) from Montana Highway 206 to east end.

Kickbusch Lane for its entire length.

Kienas Road for its entire length.

Kila Road for its entire length, except the school zone.

Kinshella Road for its entire length.

KM Ranch Road from US Highway 93 to Twin Bridges Road.

Kuhns Road for its entire length.

Kuzmic Lane for its entire length.

Labrant Road for its entire length.

Lake Blaine Drive for its entire length.

Lake Five Road for its entire length.

Lakeshore Drive from Foys Lake Road to Buckboard Lane.

Lauman Road for its entire length.

Lee Road for its entire length.

Lindsey Lane for its entire length.

Lost Creek Drive for its entire length.

Lost Prairie Road for its entire length.

Lower Valley Road from US Highway 93 for 2.5 miles.

Lower Valley Road for the entire gravel portion.

Managhan Lane from US Highway 2 to Batavia Lane.

Manning Road for its entire length.

Marken Loop for its entire length.

Jacquard Lane for its entire length.

Martin Camp Road for its entire length.

McCaffery Road for its entire length.

McMannamy Draw for its entire length.

Meadow Lake Boulevard from US Highway 2 to Tamarack Lane.

Mooring Road for its entire length.

Morning View Drive for its entire length.

Mountain Creek Road for its entire length.

Mountain Meadow Road for its entire length.

Mud Lake Road for its entire length.

Muddy Lane for its entire length.

North Ashley Lake Road for its entire length.

North Fork Road, from its intersection with Camas Creek Road, South to Canyon Creek.

North Fork Road, from its intersection with Glacier Park Road and to the point where the roadway surface changes from gravel to asphalt paving (approximately 6.5 miles north of the Glacier Park Intersection, a total of 6.5 miles).

North Fork Road, beginning approximately 1200 feet south of the Hay Creek Bridge and ending at the Canadian border (approximately 34 miles north of the Glacier Park Intersection, a total of 22.6 miles).

North Fork Road, beginning approximately 1200 feet south of the Hay Creek Bridge and ending approximately 1000 feet south of the Tepee Creek Bridge (approximately 23 miles north of the Glacier Park Intersection, a total of 11.4 miles).

North Hill Road for its entire length.

North Ramsfield Road for its entire length.

North Somers Road for its entire length.

Old US Highway 93 (Juniper Bay) for its entire length.

Old US Highway 93 (state shop) for its entire length.

Oldenberg Road for its entire length.

Olney Loop Road from Good Creek to RR Crossing.

Pederson Road for its entire length.

Phanco Lane for its entire length.

Pine Needle Lane for its entire length.

Pioneer Road for its entire length.

Pleasant Hill Drive for its entire length.

Pleasant Valley Road from Bitterroot Drive to end of asphalt paving.

Political Hill for its entire length.

Prairie View Road for its entire length.

Ramsfield Road for its entire length.

River Road for its entire length.

Riverside Road for gravel portion.

Robocker Lane for its entire length.

Rocky Cliff Drive for its entire length.

Rocky Lane for its entire length.

Rogers Lake Road for its entire length.

Rose Crossing (East of US Highway 2) for its entire length, except the school zone.

Rose Crossing (West of US Highway 2) for its entire length.

Schrade Road for its entire length.

Seville Lane for its entire length.

Siblerud Lane for its entire length.

Sickler Creek Road for its entire length.

Smith Lake Road from Whalebone to end of asphalt paving.

Snowline Lane for its entire length.

Somers Road from Montana Highway 83 South for 1 mile.

Somers Stage for its entire length.

Sonsteli Lane for its entire length.

Sonsteli Road for its entire length.

South Ashley Lake Road for its entire length.

South Fork Road for its entire length.

South Hilltop Road for its entire length.

South Many Lakes Drive for its entire length.

Spotted Bear Road for its entire length.

Spring Creek Road for its entire length.

Spring Prairie Road for its entire length.

Star Meadows Road for its entire length.

State Park Road for its entire length.

Steel Bridge Road for its entire length.

Stillwater Road for its entire length.

Sullivan Crossroad for its entire length.

Sullivan Gulch Road for its entire length.

Swan Hill Drive for its entire length.

Swan River Road for its entire length.

Tamarack Lane for its entire length.

Tavern Lane from Montana Highway 206 to Mooring Road.

Tetrault Road for its entire length.

Therriault Lane (West of river) for its entire length.

Thompson River Road for its entire length.

Three Mile Drive (West of Farm-to-Market) for its entire length.

Three Mile Drive from its intersection with West Springcreek Road to its intersection with West Valley Drive.

Three Mile Drive from West Valley Drive, West to the end of the road.

Trap Road for its entire length.

Tronstad Road for its entire length.

Truman Creek Road, from the end of the asphalt paving to the end of the road.



Trumble Creek Road for its entire length.

Twin Bridges Road (Lodgepole-Farm-to-Market) for its entire length.

Two Mile Drive (West of Greenbriar Court) for its entire length.

Valley View Drive from Foys Lake Road to the trailhead.

Van Sant Road for its entire length.

Veterans Drive, from its intersection with US Highway 2 to its intersection with Talbot Road.

Voerman Road from Monegan east 900 ft.

Vonderheide Lane for its entire length.

West Evergreen Drive for its entire length, except the school zone.

West Springcreek Drive for its entire length.

West Valley Drive from US Highway 2 to Kuhns Road.

Wagner Lane for its entire length.

Whalebone Drive for its entire length.

Whalebone Drive, for its entire length from its intersection with US Highway 2 to its intersection with Foys Lake Road. 818

White Birch Lane for its entire length.

Winfield Lane for its entire length.

Wishart Road for its entire length.

Witty Lane for its entire length.

Wolf Creek Drive for its entire length.

Woodland Road for its entire length.

Yeoman Hall Road from Montana Highway 206 to Van Sant.

**Forty (40) miles per hour:**

Browns Meadow Road/Mount Road, beginning at its intersection with Smith Lake Road and ending approximately 700 feet east of the end of the asphalt paving (a total of 2500 feet).

Hodgson Road from US Highway 93 to Whitefish Stage.

**Forty Five (45) miles per hour:**

Aluminum Drive for its entire length.

Columbia Falls Stage Road for its entire length.

Dillon Road from Voerman to Montana Highway 40.

East Reserve Drive from US Highway 2 to Helena Flats Road.

East Lakeshore Drive Big Mountain Road to W for 1.8 miles.

Helena Flats Road on all other segments.

Hodgson Road from Whitefish Stage to US Highway 2.

Kelley Road (West of 206) from Montana Highway 206 to Columbia Falls Stage Road.

Lake Blaine Road from Montana Highway 35 to Foothill, except the school zone.

Lower Valley Road from 2.5 miles East of US Highway 93 to end of asphalt pavement.

Middle Road from Sullivan Cross Road to Kelly Road.

Middle Road from Montana Highway 35 to Fairview Crossroad.

Middle Road from Gosney Crossroad to Kelly Road.

Montana Highway 83, for 600 feet on either side of the Swan River School crosswalk, during the entire school year.

North Fork Road, beginning approximately 6.5 miles north of its intersection with Glacier Park Road and ending at approximately 11.5 miles north of that intersection (approximately 1200 feet south of the Hay Creek Bridge, a total of 5 miles). 562

Rhodes Draw Road, from its intersection with Farm-to-Market Road to its intersection with Bald Rock Road. 642

Rhodes Draw from Farm-to-Market to Bald Rock Road.

Riverside Road from Montana Highway 35 to North Ramsfield.

US Highway 2, West of Kalispell, for 600 feet on either side of the Smith Valley School crosswalk, between the hours of 7:30 a.m. and 8:45 a.m. and 2:00 p.m. and 3:45 p.m., on days when children are present at school.

Voerman Road, from its intersection with Dillon Road to 900 feet East of its intersection with Monegan Road. 609

Voerman Road from 900 feet East of Monegan to Dillon.

Walsh Road for its entire length.

West Springcreek Road, from its intersection with US Highway 2 to its intersection with Three Mile Drive. 676

Whitefish Stage from Reserve Drive South to City Limits.

Section Two. School Zone Limits on Highways.  
(Section 61-8-310(1)(d), M.C.A.)

School zone speed limits, which shall be 25 miles per hour for 300 feet on each side of a school cross walk across a public roadway or highway and 35 miles per hour for a distance of from 300 feet to 600 feet on each side of a school cross walk across a public roadway or highway (See Appendix 1), are hereby imposed adjacent to the following listed schools on the following listed roadways:

1. Deer Park School located on Middle Road.
2. Cayuse Prairie School on Lake Blaine Road and Cayuse Lane.
3. Helena Flats School located on Helena Flats Road and Rose Crossing Road.
4. Pleasant Valley School located on Pleasant Valley Road.
5. Somers School located School Addition Road.
6. Marion School located on Gopher Lane.
7. Smith Valley Primary School located on Batavia Lane.
8. Smith Valley Intermediate located on Batavia Lane and Boorman Road.
9. Bissell School located on Farm-to-Market Road.
10. Montana Highway 83, for one-quarter of a mile on each side of its intersection with the Echo Lake Road. 855

Section Three. Other County Roads.

The following speed limits are hereby imposed on all County roads and highways not previously named:

Thirty Five miles per hour on all County gravel roads.

Fifty Five miles per hour on all paved County roads and on Montana State Montana Highway 206 and Montana State Highway 209.

Section Four. Violation of Ordinance - Penalties  
(Section 61-8-711, M.C.A.)

- A. It is a misdemeanor for any person to violate any of the speed limits set forth in this ordinance.
- B. Every person convicted of a violation of this ordinance shall for a first conviction be punished by a fine of not less than \$10 or more than \$100 or by imprisonment for not more than 10 days. For a second conviction within 1 year thereafter, the person shall be punished by a fine of not less than \$25 or more than \$200 or by imprisonment for not more than 10 days or by both such fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, he person shall be punished by a fine of not less than \$50 or more than \$500 or by imprisonment for not more than 6 months or by both such fine and imprisonment.
- C. On failure of payment of a fine, the offender shall be imprisoned in the Flathead County Detention Center, and the imprisonment shall be computed upon the basis of 1 day's incarceration for each \$25 of the fine.

- D. Upon conviction, the court costs or any part thereof may be assessed against the Defendant in the discretion of the Court.

Section Five. Signage.

The Flathead County Road Department shall install and maintain speed limit and other appropriate signs in accordance with this Ordinance.

No speed limit enacted by this ordinance shall be enforced until the appropriate signage is installed. (Section 61-8-310(4), M.C.A.)

Section Six. Severability.

If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision. To this end the provisions of this ordinance are declared to be severable.

DATED this 12<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

By: /s/ Vickie M. Eggum  
Deputy

1. Adopted July 5, 1995
2. Amended September 25, 1995
3. Amended November 22, 1995
4. Amended December 20, 1995
5. Amended July 15, 1996
6. Amended September 16, 1997
7. Amended November 25, 1997
8. Amended November 19, 1998
9. Amended May 10, 1999
10. Amended December 5, 2000
11. Amended October 15, 2001
12. Amended August 12, 2003

**9:30 A.M. Juvenile Detention Facility Tour**

**MEETING WITH PERSONNEL COMMITTEE RE: PERSONNEL FLOW CHART**

Present at the August 12, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Human Resource Officer Raeann Campbell, Kelly Lee, Norma Weckwerth, Wendy Marquardt, Sassi Forden, Donna Maddux, Assistant Avery, and Clerk Eggum.

General discussion was held relative to the Personnel Committee's role.

**PUBLIC HEARING: ANDERSON ZONE CHANGE/LOWER SIDE ZONING DISTRICT**

Present at the August 12, 2003 10:30 A.M. duly advertised public hearing were Chairman Watne, Commissioners Gipe and Hall, Planner Melinda Riley, Bret Birk, Gay Anderson, and Clerk Eggum.

Riley advised that this was a request by Doug, Gay and Ruth Anderson from AG-80 Agricultural use which provides for an 80-acre minimum lot size to SAG-5 Suburban Agricultural use which provides for a five acre minimum lot size. This property is located west of the Green Tree Meadows Subdivision off of Lower Valley Road south of Kalispell. The property for rezoning contains approximately 100 acres and is bordered by industrial, agricultural and residential zoning districts. The request does meet or is within acceptable parameters of the 12 statutory criteria.

Chairman Watne opened the public hearing to anyone wishing to speak in favor of the zone change request.

Birk advised that he has helped the Andersons with the application. The property is kind of an island of ag 80 within residential, industrial, and SAG-5 and 10 and they want to have a few more options on what they are able to do with the property.

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

Commissioner Gipe made a **motion** to adopt Staff Report FCZ-03-29 as findings of fact. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Gipe made a **motion** to adopt Resolution No. 957AN. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

**RESOLUTION NO. 957AN**

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 12th day of August, 2003, to consider a request by Doug, Gay and Ruth Anderson to change the zoning designation in a portion of the Lower Side Zoning District from AG-80 (Agricultural) to SAG-5 (Suburban Agricultural);

**WHEREAS**, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on July 31 and August 7, 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 recommendations of the Flathead County Planning Board regarding the proposed change in the Lower Side 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 for a portion of the area in the Lower Side Zoning District from AG-80 to SAG-5, 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 Lower Side Zoning District to be changed, the general character of the proposed change in regulations for the area, 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 of thereof, the Board will receive written protests to the change to the Lower Side 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 Lower Side 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 within the Lower Side Zoning District protest the proposed change in said district, then the change will not be adopted.

DATED this 12<sup>th</sup> day August, 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  
ANDERSON ZONE CHANGE  
LOWER SIDE ZONING DISTRICT  
AG-80 TO SAG-5  
JULY 9, 2003**

The property is described as Tract 2 of Certificate of Survey No. 6628 in Section 28, Township 28 North, Range 21 West, P.M., Flathead County, Montana

Commissioner Hall made a **motion** to authorize the publication of the Notice of Passage of Resolution of Intention Lower Side Zoning District 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  
LOWER SIDE ZONING DISTRICT**

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. 957AN) on August 12, 2003, to change the zoning designation in a portion of the Lower Side Zoning District from AG-80 (Agricultural) to SAG-5 (Suburban Agricultural).

The boundaries of the area proposed to be amended from AG-80 to SAG-5 are set forth on Exhibit "A".

The proposed change would generally change the character of the zoning regulations applicable to the property from those designed to protect and preserve agricultural land for the performance of a wide range of agricultural functions and to control the scattered intrusion of uses not compatible with an agricultural environment, including but not limited to residential development, to regulations designed to protect and preserve agricultural land for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction

of uses will be minimized and to provide areas for estate-type residential development. The AG-80 classification has a minimum lot size of 80 acres; a change to SAG-5 would result in a minimum lot size of 5 acres.

The regulations defining the AG-80 and SAG-5 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, Kalispell, Montana, in Permanent File No. 93270 13500.

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 Lower Side 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 12<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

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

Publish on August 16 and August 23, 2003

**EXHIBIT A  
ANDERSON ZONE CHANGE  
LOWER SIDE ZONING DISTRICT  
AG-80 TO SAG-5  
JULY 9, 2003**

The property is described as Tract 2 of Certificate of Survey No. 6628 in Section 28, Township 28 North, Range 21 West, P.M., Flathead County, Montana.

**MEETING WITH BONNIE OLSON/DISTRICT COURT RE: VIDEO CONFERENCING**

Present at the August 12, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Bonnie Olson, Assistant Avery, and Clerk Eggum.

Olson advised of a Supreme Court grant for video conferencing and reviewed the District Court Video Conferencing Project Memorandum of Understanding between Montana Supreme Court, Office of the Court Administrator and Flathead County August \_\_\_\_, 2003.

Commissioner Hall made a **motion** to support installation of video conferencing and authorize the Chairman to sign the memorandum. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

**Commissioner Hall attended the Fire Briefing at Hampton Inn**

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD ABANDONMENT #410 (PORTION OF IRONHORSE DRIVE)**

Present at the August 12, 2003 11:00 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 Discontinuance of Public Roadway No. 410 and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

**NOTICE OF DISCONTINUANCE  
OF PUBLIC ROADWAY  
NO. 410**

**NOTICE IS HEREBY** given that the Board of Viewers have reported favorably to the Board of Flathead County Commissioners on the discontinuance of that certain public roadway in Flathead County, Montana, described as follows:

A strip of land, 30 feet on each side of the following described centerline, situated, lying and being in the West Half of the Southwest Quarter of Section 13, Township 31 North, Range 22 West, P.M., Flathead County, Montana, and more particularly described as follows to wit:

Commencing at the Southwest corner of Section 13, Township 31 North, Range 22 West, P.M., Flathead County, Montana; Thence S89°58'00"E and along the south boundary of Section 13 a distance of 1076.65 feet to a point on the centerline of a 60 foot county road which point is the P.C. of a 450.00 foot radius curve to the left, having a radial bearing of S89°22'07"W; Thence along said centerline and along said curve through a central angle of 8°35'06" an arc length of 67.43 feet to the P.T. of said curve; Thence N09°12'59"W a distance of 619.14 feet to the P.C. of a 375.00 foot radius curve to the left and THE TRUE POINT OF BEGINNING OF THE STRIP OF LAND HEREIN DESCRIBED: Thence along said curve through a central angle of 26°13'17" an arc length of 171.62 feet to the P.T. of said curve; Thence N35°26'06"W a distance of 52.40 feet to the P.C. of an 865.00 foot radius curve to the right; Thence through a central angle of 14°48'17" an arc length of 223.51 feet to the P.T. of said curve; Thence N20°37'49"W a distance of 232.17 feet to the P.C. of a 246.85 foot radius curve to the right; Thence through a central angle of 53°36'07" an arc length of 230.93 feet to the P.T. of said curve; Thence N32°58'18"E a distance of 19.46 feet to a point which is the end of the strip of land being described. Together with all the tenements, hereditaments and appurtenances thereunto belonging.

Notice is hereby given to the petitioners or landowners as disclosed by the last assessment roll of Flathead County, owning land abutting the roadway described above and being considered for abandonment.

The hearing on this petition for abandonment is set for **Thursday, August 28, 2003 at 9:00 A.M.** in the County Commissioners' Office, West Annex, Courthouse, Kalispell, Montana.

DATED this 12<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:  
PAULA ROBINSON,  
CLERK AND RECORDER

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

Publish on August 16, 2003 and August 23, 2003

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD ABANDONMENT #411 (PORTION OF MILL STREET)**

Present at the August 12, 2003 11:00 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 Discontinuance of Public Roadway No. 411 and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

**NOTICE OF DISCONTINUANCE  
OF PUBLIC ROADWAY  
NO. 411**

**NOTICE IS HEREBY** given that the Board of Viewers have reported favorably to the Board of Flathead County Commissioners on the discontinuance of that certain public roadway in Flathead County, Montana, described as follows:

The eastern 105.82 feet of Mill Street located: Southerly of Lot 1B, of the Amended Subdivision Plat of Lot 1, Block 5, Bigfork NE1/4, Section 36, Township 27 North, Range 20 West; Westerly of alley; and northerly of the eastern 105.82 feet of Lot 8, Block 2, Bigfork, Montana.

Notice is hereby given to the petitioners or landowners as disclosed by the last assessment roll of Flathead County, owning land abutting the roadway described above and being considered for abandonment.

The hearing on this petition for abandonment is set for **August 28, 2003 at 9:15 A.M.** in the County Commissioners' Office, West Annex, Courthouse, Kalispell, Montana.

DATED this 12<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:  
PAULA ROBINSON,  
CLERK AND RECORDER

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

Publish on August 16, 2003 and August 23, 2003

**MEETING WITH STEVE HOLYOAK**

Present at the August 12, 2003 11:00 A.M. Meeting were Chairman Watne, Commissioners Hall and Gipe, Steve Holyoak, Michelle Ream, Allen Ream, Cindy Holyoak, Assistant Avery, and Clerk Eggum.

Steve Holyoak advised that they were here today to basically clarify issues concerning Monte Vista Way. He advised that it is a private roadway not county and the Reams own property on the road and they have bushes and a fence in the right-of-way. The Reams are in possession of a letter dated May 25, 1999 which they believe allows them to keep the bushes and fences in their present location. Holyoak noted that when he subdivided the property the subdivision regulations require a 60' right-of-way but he presented pictures to demonstrate that an emergency vehicle could use the road which was a 20' driving surface. A variance was granted in the preliminary plat allowing a reduction of a 60' to a 20' roadway surface. In an effort to be a good neighbor, he didn't require the Reams to remove the bushes at that time. Holyoak's concern now was that Reams are in the process of selling their property and he was fearful the new buyers would assume that their property line would extend into the road right-of-way because of the location of the bushes. When Holyoak met with the Commissioners earlier about this concern, they advised him if it was a private road it was a civil matter. Holyoak has sought the advice of an attorney and that attorney has advised him that he was the responsible party for the road and he could go in and remove the bushes without notice. Again Holyoak wanted to be a good neighbor so this spring he requested that the Reams move the bushes back off of the road right-of-way.

Allen Ream advised that he is the owner of Lot 10 in this subdivision and his property does abut the private road. He contends that in 1990 when this road was first put in, it was deemed by the county commissioners at that time that the width of road in front of their property was to be left as it was. Again in 1999 the county commissioners stated that due to their concerns the width of 20 feet would not have to be that wide through the section of the road where their bushes were because that was the only buffer they have between the road and their house. Ream believes the variance granted was from the 20' roadway surface.

Michelle Ream advised that a petition was circulated to name the road and everyone whose property abuts the road is required to sign the petition. The Reams did not want to sign the road because they thought they would then be required to move the bushes. Dale Williams advised that if they signed the petition and wrote at the bottom that they would be allowed to leave the lilac bushes, which would be a legally binding document allowing them to leave the bushes.

The Holyoaks believe that the variance was granted to allow the deviation from the 60 feet to 20 feet. Cindy Holyoak noted that two cars cannot fit on the road that goes past their drive.

Chairman Watne noted that the property went through subdivision review in the 80s but it was never filed. Monte Vista shows April 19, 1999 preliminary, Amended Plat of Lot 3, Block 3. November 10, 1999 it went to final plat.

Michelle Ream referred to a letter to Mr. Holyoak dated May 25, 1999 from the Flathead County Road and Bridge Department which spells out specifically about the 20' right-of-way and about going past our property.

Allen Ream reassured that because of disclosure laws they are required to disclose where the property line is located and they would have to disclose these discussions also. He stated that removal of the bushes would devalue their property regardless.

Steve Holyoak stated his intentions were not to have them cut the bushes down that he had told the Reams early enough in the spring to give them ample time to transplant the bushes. He does not want to devalue their property.

Commissioner Gipe suggested that they contact Jim Burton, the surveyor, the Road and Bridge Department and the County Attorney's Office to see if the Commissioners can resolve the issue. Commissioner Gipe noted that the plat states that they have to have a 20' road surface. The problem is the condition states a 20' roadway the traveled portion of that roadway has to be 20'. It is less than 20' feet.

Commissioner Hall noted that he has viewed this property and the bushes and fence are out on the roadway.

Commissioner Gipe made a **motion** to continue the matter until it is reviewed by the County Attorney's Office, Road Department, and Jim Burton. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

**CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: RODEO ARENAS TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS**

Present at the August 12, 2003 11:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

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

**RESOLUTION NO. 955EM**

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 11th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations amending Section 3.08.030, to allow rodeo arenas as a conditional use in SAG-5 (Suburban Agricultural) zoning districts;

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

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

**WHEREAS**, based upon that recommendation and the testimony of the public, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 955 EL dated June 11, 2003) to change the zoning regulations amending Section 3.08.030, to allow rodeo arenas as a conditional use in SAG-5 (Suburban Agricultural) zoning districts as set forth on Exhibit A hereto; and

**WHEREAS**, notice of passage of that Resolution was published once a week for two weeks, on June 16 and June 23, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Flathead County Zoning Regulations, Section 3.08.030, to allow rodeo arenas as a conditional use in SAG-5 (Suburban Agricultural) zoning districts.

DATED this 12<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

By: \_\_\_\_\_

Gary D. Hall, Member

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

ATTEST:  
Paula Robinson, Clerk

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

Exhibit A  
Text Amendment  
Flathead County Planning and Zoning  
FLATHEAD COUNTY ZONING REGULATIONS

**Section 3.08.030 SAG-5 Conditional Uses**

(24) Stables, riding academies and rodeo arenas.

**CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: CLUSTER DEVELOPMENT TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS**

Present at the August 12, 2003 11:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

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

**RESOLUTION NO. 955EO**

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 12th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations amending Section 5.09.020 to allow for future development in open space created in cluster developments in residential and agricultural zoning districts;

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

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

**WHEREAS**, based upon that recommendation and the testimony of the public, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 955EN dated June 12, 2003) to change the zoning regulations amending Section 5.09.020 to allow for future development in open space created in cluster developments in residential and agricultural zoning districts; and

**WHEREAS**, notice of passage of that Resolution was published once a week for two weeks, on June 17 and June 24, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Flathead County Zoning Regulations, Section 5.09.020 to allow for future development in open space created in cluster developments in residential and agricultural zoning districts, as set forth on Exhibit A hereto.

DATED this 12<sup>th</sup> day of August, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

By: \_\_\_\_\_  
Gary D. Hall, Member

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

ATTEST:  
Paula Robinson, Clerk

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

**EXHIBIT A**  
**Text Amendment**  
**Flathead County Planning and Zoning**  
**FLATHEAD COUNTY ZONING REGULATIONS**

5.09.20.1 General Provisions.

1. The differences in area between the (net) residential lot sizes of a cluster site and the total (gross) area of the "parent" tract used in the density allowance calculation must be retained in some form of open



space until such time as the planning and zoning documents for the area are amended to facilitate appropriate additional development. and restricted as such to prevent the further division of non-agricultural/silviculture use of the required open space.

2. A. Prohibition of any further divisions of land or change in use of the property until such time as the planning and zoning documents for the area are amended to facilitate appropriate additional development/uses. This will not preclude phased cluster projects up to the allowed density.
3. C. ~~Provide a 20 year term with automatic extension terms of 10 years each and an amendment clause that requires Board of County Commissioner approval of any changes or alteration of the covenants. The open space shall be used exclusively for agriculture or open space in perpetuity.~~

#### 5.09.40.1 Open Space Requirements

The location and size of the area designated as open space shall be shown on the final plat of the subdivision. ~~A covenant shall be noted on the final plat that open space areas shall be used exclusively for open space, which includes agricultural/horticultural/silvicultural uses, recreational space,~~ A single-family dwelling on open space area 20-acres or larger and utilities are permitted.

### **DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #04-07-3-01-005-0**

Present at the August 12, 2003 11:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed Task Order No. 04-07-3-01-005-0 to the Master Contract that Covers the Period July 1, 1998 through June 30, 2005 (Flathead City-County Health Department). The purpose of this task order is to commit Flathead City-County Health Department to serve as an administrative site to implement a breast and cervical cancer screening and early detection program in the counties of Flathead, Lake, Lincoln and Sanders.

Commissioner Gipe made a **motion** to approve Contract #04-07-3-01-005-0 and authorize the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 13, 2003.

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### **WEDNESDAY, AUGUST 13, 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.

#### **MEETING WITH MIKE SCHLEGEL**

Present at the August 13, 2003 8:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Mike Schlegel, Road and Bridge Superintendent Charlie Johnson, and Clerk Eggum.

Hall advised that he and Johnson met with Schlegel and viewed the Brist property/road. Schlegel understood that they were not asking for a bid but just an exchange of ideas.

Schlegel gave his opinion as to cost, procedure and plans.

General discussion was held.

**9:30 A.M. Budget Review (until 11)**

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

**12:00 P.M. Commissioner Hall is to attend the Summit Preparatory School Grand Opening**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 14, 2003.

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### **THURSDAY, AUGUST 14, 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.

**Commissioners Gipe and Hall are to attend the District 10 and 11 Meeting at Ravalli County Commissioners, Hamilton**

**2:00 P.M. AOA Board Meeting at Kalispell Senior Center**

**4:00 P.M. Commissioner Hall is to attend the Jobs Now Board Meeting at First Citizens Bank**

**7:30 P.M. Fair Board Meeting at Fair Office**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 15, 2003.

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**FRIDAY, AUGUST 15, 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 August 18, 2003.

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