

MONDAY, AUGUST 18, 2003

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

MONTHLY MEETING W/JIM ATKINSON, AOA

Present at the August 18, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioner Hall, AOA Director Jim Atkinson, John Righetti, Assistant Avery, and Clerk Eggum.

General discussion was held relative to Gateway West Mall space; feasibility study; funding; Senior Home Repair; OES budget.

PRELIMINARY PLAT: ELK PARK ESTATES

Present at the August 18, 2003 9:30 A.M. Meeting were Chairman Watne Commissioner Hall, Planner Melinda Riley, Dan Brien of Brien Surveying, Inc., David Patera, John Righetti, Assistant Avery, and Clerk Eggum.

Riley reviewed the preliminary plat for Elk Park Estates Subdivision filed by David Patera. Elk Park Estates Subdivision creates a five lot residential subdivision on 5.744 acres. The property is located five and one-half miles south of Columbia Falls, west of Highway 206 and immediately south of Elk Park Road. Staff recommends approval of the Preliminary Plat.

Commissioner Hall made a **motion** to adopt Staff Report #FSR-03-25 as Findings of Fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Elk Park Estates Subdivision subject to 11 conditions. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: PIONEER BUSINESS PARK TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS

Present at the August 18, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Hall, John Righetti, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

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

RESOLUTION NO. 955 EQ

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 19th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations amending Section 5.11.010(10) to apply sign requirements for subdivision signs to all subdivisions, including commercial and industrial subdivisions, rather than only residential subdivisions, and to allow "earth tone" background colors rather than only "brown" backgrounds as now required;

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 EP dated June 19, 2003) to change the zoning regulations amending Section 5.11.010(10) to apply sign requirements for subdivision signs to all subdivisions, including commercial and industrial subdivisions, rather than only residential subdivisions, and to allow "earth tone" background colors rather than only "brown" backgrounds as now required; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 24 and July 1, 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 5.11.010(10) to apply sign requirements for subdivision signs to all subdivisions, including commercial and industrial subdivisions, rather than only residential subdivisions, and to allow "earth tone" background colors rather than only "brown" backgrounds as now required, as set forth on Exhibit A hereto.

DATED this 18th 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

**PIONEER BUSINESS PARK LLC
TEXT AMENDMENT
FLATHEAD COUNTY ZONING REGULATIONS
SECTION 5.11.010 EXEMPT SIGNS**

- A. Proposed Amendment:** The applicants propose an amendment to the Flathead County Zoning Regulations, Section 5.11.010, Exempt Signs.

As usual, additions to the text are **bold, italicized and underlined** whereas deletions from the text have been struck through.

Specifically 5.11.010 (10) would be amended to read. "Signs identifying the entrances to ~~residential~~ subdivisions bearing only the name of the subdivision and the distance and direction to the subdivision. Where off-premise, such signs shall not exceed 16 square feet per sign face and no part of the sign structure may exceed 12 feet in height. Where on-premise, such signs shall not exceed 40 square feet per sign face and no part of the sign structure may exceed 16 feet in height unless affixed to or suspended from a gate or other entry structure. Off-premise signs visible from any public roadway shall have **an earth tone** ~~brown~~ background with white lettering which may be reflective. On-premise signs shall be constructed of native material visually compatible with the surroundings. Lighting may be external and indirect only."

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

Present at the August 18, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Hall, John Righetti, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

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

RESOLUTION NO. 955 ES

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 19th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations amending Sections 3.09.040, 3.10.040, 3.11.040, 3.12.040, 3.13.040, 3.14.040, and 3.15.040 to increase the maximum fence height from three to four feet in all residential 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 ER dated June 19, 2003) to change the zoning regulations amending Sections 3.09.040, 3.10.040, 3.11.040, 3.12.040, 3.13.040, 3.14.040, and 3.15.040 to increase the maximum fence height from three to four feet in all residential zoning districts; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 24 and July 1, 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, Sections 3.09.040, 3.10.040, 3.11.040, 3.12.040, 3.13.040, 3.14.040, and 3.15.040 to increase the maximum fence height from three to four feet in all residential zoning districts, as set forth on Exhibit A hereto.

DATED this 18th 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

**KARI ARNLUND
TEXT AMENDMENT
FLATHEAD COUNTY ZONING REGULATIONS
FLATHEAD COUNTY RESIDENTIAL ZONING DISTRICTS**

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

Section 3.09.040 Bulk and Dimensional Requirements (R-1)

6. Maximum Fence height (Except as Otherwise Noted):
Front: ~~3~~ **4** feet.

Section 3.10.040 Bulk and Dimensional Requirements (R-2)

6. Maximum Fence height (Except as Otherwise Noted):
Front: ~~3~~ **4** feet.

Section 3.11.040 Bulk and Dimensional Requirements (R-3)

6. Maximum Fence height (Except as Otherwise Noted):
Front: ~~3~~ **4** feet.

Section 3.12.040 Bulk and Dimensional Requirements (R-4)

6. Maximum Fence height (Except as Otherwise Noted):
Front: ~~3~~ **4** feet.

Section 3.13.040 Bulk and Dimensional Requirements (R-5)

6. Maximum Fence height (Except as Otherwise Noted):
Front: ~~3~~ **4** feet.

Section 3.14.040 Bulk and Dimensional Requirements (RC-1)

6. Maximum Fence height (Except as Otherwise Noted):
Front: ~~3~~ **4** feet.

Section 3.15.040 Bulk and Dimensional Requirements (RA-1)

6. Maximum Fence height (Except as Otherwise Noted):
Front: ~~3~~ **4** feet.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: GOODE FAMILY TRUST ZONE CHANGE/WILLOW GLEN ZONING DISTRICT

Present at the August 18, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Hall, John Righetti, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to adopt Resolution No. 654BB. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

RESOLUTION NO. 654 BB

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 23rd day of June, 2003, concerning a proposal to change the zoning designation in a portion of the Willow Glen Zoning District from R-1 (Residential) to I-1 (Light Industrial);

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

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

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. 654 BA dated June 23, 2003) to change the zoning designation in a portion of the Willow Glen Zoning District from R-1 to I-1; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 26 and July 3, 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 Willow Glen Zoning District to change the zoning designation for the area described on Exhibit "A" hereto from R-1 (Residential) to I-1 (Light Industrial), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 18th 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
Goode Family Trust
Zone Change/Willow Glen Zoning District
Legal Description

The property is described as the Westerly 100 feet of Lot Four (4) of Block Two (2) of Twin Road Acres, according to the recorded plat thereof, records of Flathead County, Montana.

AND

Part of the Northeast Quarter Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 20, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana, particularly described as follows:

Commencing at the Northeast corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$; thence South, for a distance of 20 rods; thence West, for a distance of 40 rods to the True Point of Beginning; thence South, for a distance of 40 rods; thence West, for a distance of 40 rods; thence North, for a distance of 40 rods; thence East, for a distance of 40 rods to the Place of Beginning.

THE END

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: BEGG ZONE CHANGE/WILLOW GLEN ZONING DISTRICT

Present at the August 18, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Hall, John Righetti, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to adopt Resolution No. 654BD. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

RESOLUTION NO. 654 BD

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 23rd day of June, 2003, concerning a proposal to change the zoning designation in a portion of the Willow Glen Zoning District from R-1 (Residential) to R-2 (One Family Limited Residential);

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 change in the Willow Glen Zoning District;

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. 654 BC dated June 23, 2003) to change the zoning designation in a portion of the Willow Glen Zoning District from R-1 to R-2; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 26 and July 3, 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 Willow Glen Zoning District to change the zoning designation for the area described on Exhibit "A" hereto from R-1 (Residential) to R-2 (Residential), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 18th 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
George and Edna Begg Trust
Zone Change/Willow Glen Zoning District
Legal Description

Location and Legal Description of Property: The property is a portion of the Willow Glen Zoning District and is bounded by Willow Glen Drive to the west, Howard Drive to the east, and is just north of Leisure Drive. The property contains approximately five acres. The property is described as Lot 1 Block 1, Kalispell School Addition in Section 16, Township 28 North, Range 21 West, P.M.,M., Flathead County, Montana

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

Present at the August 18, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Hall, John Righetti, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

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

RESOLUTION NO. 955 EU

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 24th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations by amending Sections 3.04.040, 3.05.040, 3.06.040, 3.07.040 and 3.08.040 to change the required side corner setback to fifteen feet for all properties in the SAG-5, SAG-10, AG-20, AG-40, and AG-80 zone classifications with lots that have an average width of 100 feet or less;

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. 955 ET dated June 24, 2003) to change the zoning regulations amending Sections 3.04.040, 3.05.040, 3.06.040, 3.07.040 and 3.08.040 to change the required side corner setback to fifteen feet for all properties in the SAG-5, SAG-10, AG-20, AG-40, and AG-80 zone classifications with lots that have an average width of 100 feet or less; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 28 and July 5, 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, Sections 3.04.040, 3.05.040, 3.06.040, 3.07.040 and 3.08.040 to change the required side corner setback to fifteen feet for all properties in the SAG-5, SAG-10, AG-20, AG-40, and AG-80 zone classifications with lots that have an average width of 100 feet or less, as set forth on Exhibit A hereto.

DATED this 18th 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
R.C. BEALL TEXT AMENDMENT
FLATHEAD COUNTY ZONING REGULATIONS

Sections 3.04.040, 3.05.040, 3.06.040, 3.07.040, 3.08.040

3. Setbacks

A. Minimum Yard Requirements for Principal Structure:

Front: 20 Feet
Side: * 20 Feet each
Side Corner: ** 20 Feet
Rear: 20 Feet

B. Detached Accessory Structures:

Front: 20 Feet
Side: * 5 Feet
Side Corner: ** 20 Feet
Rear: 5 Feet

* For non-conforming properties with lot widths of less than 150 feet, the side yard setback shall be 10 feet each. For non-conforming properties with lot widths of less than 50 feet, the side yard setback shall be 5 feet each.

** For non-conforming properties with lots with average widths of less than 200 feet, the side corner setback shall be 15 feet.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: FIRST CITIZENS BANK TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS

Present at the August 18, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Hall, John Righetti, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

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

RESOLUTION NO. 955 EW

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 24th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations amending Section 5.11.040 allowing for signage in the B-1 (Neighborhood/Professional Business) commercial zones that would be consistent with other commercial zones within Flathead County;

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. 955 EV dated June 24, 2003) to change the zoning regulations amending Section 5.11.040 allowing for signage in the B-1 (Neighborhood/Professional Business) commercial zones that would be consistent with other commercial zones within Flathead County; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 28 and July 5, 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 5.11.040 allowing for signage in the B-1 (Neighborhood/Professional Business) commercial zones that would be consistent with other commercial zones within Flathead County, as set forth on Exhibit A hereto.

DATED this 18th 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
Text Amendment
First Citizens Bank
Flathead County Planning and Zoning**

3. Permitted signs in RC-1, RA-1, ~~B-4~~, CVR and P districts shall be as follows:
4. Permitted signs in **B-1**, B-2, BR-2, B-3, BR-4, B-5, B-6, and B-7 districts shall be as follows:

CONSIDERATION OF REFERRAL OF ARCHITECT QUALIFICATIONS TO BUILDING COMMITTEE

Present at the August 18, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Hall, John Righetti, Assistant Avery, and Clerk Eggum.

In response to a Request for Proposals, proposals from the following were received:

Architects Design Group
Jackola Engineering, Architecture, Surveying, Lane Use Planning
CTA Architects Engineers
Architects Northwest, PLLC

Commissioner Hall made a **motion** to refer the architect qualification statement to the Building Committee for a recommendation to the Board of Commissioners. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MEETING WITH NEIGHBORS TOGETHER RE: CONRAD CONNECTOR

Present at the August 18, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Road and Bridge Superintendent Charlie Johnson, John Righetti, Sally Delby, Glen Graham, Shelly Graham, Dorothy Merola, Nina S. Wickershan, Lorinda Baker, Marc Rold, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Delby presented a “short list” of requests to the commissioners together with their mission statement.

Delby continued that they were concerned for their neighborhood because traffic lights are going in and there is a push for the Conrad connection.

Commissioner Hall confirmed that 1 through 7 on the list obviously resulted from a meeting with Loran Frazier?

Delby noted that he clarified the whole idea of getting Willow Glen on the secondary road nomination for improvements; how long it would take to get on the list and how long to expect it would take for implementation. She noted that the DOT would require a rebuild to state secondary specs which is not really the kind of road they want. It is too wide, designed for higher speeds even if the speed limit were set at 35, people would drive faster. She noted they realized that stop signs are a lot less expensive and don't require near the amount of right-of-way. The suggestions on the list were an effort to have a safe sane roadway with a lot of traffic on it through the area. Delby noted she would be sending the list to the Loran Frazier. The areas addressed are where residents have seen particular snarls during different times of the day especially during the school year. She added that they were not concerned about moving large amounts of traffic and trucks through the area but how they were going to be able to get kids in and out safely. Basically we don't want fatalities.

Commissioner Hall suggested a crosswalk in front of the school. Delby agreed even though it wasn't a heavily walked area there would be bikes.

Delby confirmed that there would be left turn lanes at Montessori school. She noted the school was very positive during discussions about donating right-of-way to allow such lanes. Wickershan added that the idea of the left turn lane was good but the money itself was a problem.

Commissioner Hall stated that the items seemed doable but noted that there were some that probably wouldn't happen. It would be hard for the Commissioners to issue a declaration that the Conrad Connector will not be used until the safety improvements are completed when they don't even know at this time what it is going to take to complete the connector.

Johnson stated that they have started a design of the road where it takes off of the bridge and heads towards Highway 2. There are a couple of alternatives that will be bid such as how Anderson Lane ties into the road. He expected an RFP to be put together by the end of the day and will then go out to get proposals. They have received a preliminary cost estimate on the bridge but that did not include any of the environmental concerns. A company by the name of NTL will be doing the environmental studies associated with the bridge. Johnson pointed out that the County Road Department has done some work on the fence trying to cover up some of the eyesore and at the same time moved the fence back in anticipation of a multiple use path. Work will continue on the fence as the Road Department budget allows. Johnson suggested that as they were getting right-of-way for the left turn lane, they work toward getting right-of-way for a continuation of the path. The bridge will be designed with a walk path on it separate from the driving lane.

Graham questioned where the County was at on budget items for the bridge.

Johnson advised that once they have received the request for proposal that starts the bidding process for the road and will reveal what the cost of the project is going to be.

Commissioner Hall pointed out that in their minds eye it was two different projects but this group was educating them on the issues. We realize the importance of doing as much as we can on Willow Glen in connection with that connector. He added he would be willing to do a follow-up letter to their short list supporting most of their requests.

Delby questioned whether the Commissioners would do an official declaration that the connector is not a truck route or by pass. Chairman Watne responded that there would be restrictions based on the funding used to build the connector. Delby noted that since Loran had stated that getting the road on the state secondary list and the rebuilding done in the next 10 to 15 years are pretty slim, state secondary funds would not be used. Chairman Watne pointed out that it is a state secondary road. Johnson added that trucks are a viable portion of the economy. They have to go someplace. Nobody wants them in their back yard but the trucks have to go someplace. People are creatures of habit. They take the shortest direction. If any gas tax money is going to be used for the connector then the Commissioners are going to be in a real hard position to say no you can't go there. Commissioner Hall did not believe the Commissioners could post any kind of signs on a state secondary road. Delby stated that they just did not want any signs that encouraged traffic to travel that road. Johnson noted that the road did not meet the official criteria to be designated as a by pass.

Chairman Watne expressed concern for a separated planted boulevard because of issues of maintenance. Delby suggested that perhaps sections of the neighborhood could plant and maintain the boulevards. This is our neighborhood and we want to make it very pretty. At some point if we get those kinds of things, in the future you will be seeing those kinds of things from us as well.

Shelley Graham expressed concern as a member of the TAC committee stated at a previous meeting that they would like to route hazardous materials down Willow Glen once the connector is in place. Johnson responded that he is a member of the TAC committee and he would be opposed to such a move. Commissioner Hall agreed.

Delby expressed concern for the resolution the Commissioners adopted as there was just enough nebulous language in it when it came to getting funding for Willow Glen and Conrad Connector. She suggested that their group could work with the FBIA to formulate a resolution that makes both groups happy and presenting the same to the Commissioners for adoption. The Commissioners agreed it is something they would look at but would not adopt such a resolution without first reviewing the document.

Delby confirmed that the state had total control over the anticipated installation of lights. She also questioned whether their request for a bike path was accepted before the federal funding for paths was pulled. Sanderson advised Delby to contact MDOT regarding that question.

Commissioner Hall suggested their group work with the city on these same issues.

Wickershan reiterated that they had come up with a cheap short list. Delby sought confirmation that the Commissioners would use their best efforts in pursuing funding for safety in conjunction with pursuing funds for the Conrad Connector. Commissioner Hall agreed to work toward helping make happen whatever the MDOT approved from the short list noting that any funding would need to come out of the Road Department budget. Johnson reiterated that he could not put a stop sign on a state highway. MDOT will do a safety study and put signs up where appropriate.

Delby confirmed that she would be presenting similar short lists to the city council and also to the state. Commissioner Hall confirmed that he had sent out a letter relative to the all way stop sign on Conrad and Willow Glen but had not received a response.

MEETING W/CHARLIE JOHNSON, ROAD DEPARTMENT

Present at the August 18, 2003 11:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Road Superintendent Charlie Johnson, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Johnson voiced concerns relative River Road. He advised that the road is in need of an overlay. He put the project off last year because he was told a developer was going to reroute the road and work was scheduled to begin on the bike path. Johnson advised that he could not let the road go any longer and would begin work on an overlay.

Johnson advised that Jackola is going to start doing an RFP for Brist's property. It takes about 30 to 40 days to get the RFP done and then we will be able to decide if we want to pursue completion of that project. Chairman Watne didn't see any way of getting out of this project.

To keep the Commissioners apprised of the amount of money Johnson is being required to spend, he noted that it is real easy to spent \$18 to \$30,000 on surveys and RFPs. He noted he has the Brist project, Conrad Connector and the North Fork rebuilding project. There is a possibility of spending \$60 to \$90,000 on RFPs alone. He advised he needs to slow down and see where we are a little bit because of budget constraints. He questioned whether he was receiving any cuts. Chairman Watne advised he had a better chance of having cuts then getting any additional funding.

Johnson advised that he plans to leave the \$200,000 from the Baker Street property sitting for a while. Chairman Watne agreed noting that it may be needed for the Conrad Connector.

Commissioner Hall confirmed that Johnson could use the funds received from RAC for the North Fork Road for an RFP. He questioned whether they could use the \$25,000.00 from Brist toward the engineering costs. Johnson responded that he could but he would rather not. He noted he would like to hold onto those funds to use at the tail end of the project. Hall reminded Johnson that the owner of the gravel pit agreed to provide material below cost for that project as well.

Commissioner Hall noted that they need to prepare for the RAC meetings next year as the money they are receiving is not sufficient to do what needs to be done on the North Fork Road. Johnson expressed concern for the run off that will result due to the fires. Johnson has already been up and surveyed the culverts. He intends to upsize all the culverts as soon as possible which will probably cost \$75,000.00 to \$80,000.00 out of his budget. Johnson advised he tried to get some money from the Moose fire for the culverts but failed. It depends on where we are at with FEMA. Basically if there are serious flooding problems then FEMA will pay for it but unfortunately the County can't wait and see if flooding occurs, they have to get prepared now. We are going to put an excessive amount of culverts in through there. It is going to look kind of silly. We are going to have a culvert here another down the road 50'. We are going to run some down spouts down the slope. We have even talked about lining that ditch to keep any further water from penetrating underneath. Some of the work is not going to be very aesthetically pleasing but there are steps that need to be taken. All expressed concern if the mud starts moving noting if the whole thing goes it could be a catastrophic failure at one time. Johnson advised they will be monitoring it 18 to 20 hours a day. We are going to make sure the culverts are plenty big and probably line that ditch with some plastic or something to facilitate the run off and then we are going to put some downspouts over the edge to get it further away. Chairman Watne suggested that the trees be removed so there are roots and the stump to hold the ground secure. Johnson responded that the Forest Service said they were going to take some of the trees out.

Chairman Watne questioned the status of Hoffman Draw. Johnson replied that he was proceeding with moving the poles, phone and utilities and working on it as time allowed but the Commissioners had scraped the project.

Johnson advised that he had received a call relative to Riverside down in the Creston area. There is one piece that is not paved and he is receiving requests to get it paved noting that he is receiving requests for paving from all over the county.

Johnson questioned the status of the RSIDs. Avery responded that he was exploring various options with MACo. He advised of one avenue that could be set up by resolution to legally encompass an unincorporated area of the county. Johnson cautioned that the county did not want to encompass subdivisions. Avery noted if you get by the bonding process and some of that other stuff you could do it pretty quick. Commissioner Hall questioned whether Avery had a plan B in mind. Avery responded that ideally you would have a transportation district much the same as a mosquito district.

FINAL PLAT: MOUNTAIN VIEW DRIVE LOTS

Present at the August 18, 2003 11:30 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Melinda Riley, Dawn Marquardt and Debbie Shoemaker of Marquardt and Marquardt Surveying, Andrew Hall, Assistant Avery, and Clerk Eggum.

Riley reviewed the Staff Report regarding the application filed by Andrew Hall for Mountain View Drive Lots Subdivision which creates a five lot minor subdivision along Mountain View Drive located in Evergreen. The property is approximately three acres in size. Preliminary plat approval was waived on March 18, 2003 subject to seven conditions. Riley indicated that all conditions had been met or otherwise addressed. Staff recommends approval for the final plat.

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-20. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat of Mountain View Drive Lots Subdivision. Chairman Watne **seconded** the motion. **Aye** –Watne and Hall. Motion carried by quorum.

FINAL PLAT: CAROL BUSINESS PARK

Present at the August 18, 2003 11:45 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Melina Riley, Dawn Marquardt and Debbie Shoemaker of Marquardt and Marquardt Surveying, Assistant Avery, and Clerk Eggum.

Riley reviewed the Staff Report regarding the application filed by ASG, Inc. for Carol Business Park Subdivision which creates a four lot minor subdivision along Jellison Lane located approximately five road miles southwest of Columbia

Falls. The property is approximately six acres in size and is located in the Scenic Corridor. Preliminary plat approval was waived on March 20, 2003 subject to seven conditions. Riley indicated that all conditions had been met or otherwise addressed. Staff recommends approval for the final plat.

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-18. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat of Carol Business Park Subdivision. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 19, 2003.

TUESDAY, AUGUST 19, 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.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: ROYBAL ZONE CHANGE/LOWER SIDE ZONING DISTRICT

Present at the August 19, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

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

RESOLUTION NO. 957 AG

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after publication of legal notice, on the 25th day of June, 2003, to consider a request to change the zoning designation in a portion of the Lower Side Zoning District from SAG-5 (Suburban Agricultural) to R-1 (Suburban Residential);

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

WHEREAS, the Board of Commissioners reviewed the recommendations of the Flathead County Planning Board regarding the proposed change in the Lower Side Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 957 AF, dated June 25, 2003) to change the zoning designation in a portion of the Lower Side Zoning District from SAG-5 (Suburban Agricultural) to R-1 (Suburban Residential); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 30 and July 7, 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 Lower Side Zoning District to change the zoning designation for the area described on Exhibit "A" hereto, from SAG-5 to R-1.

DATED this 19th day 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: /s/Howard W. Gipe
Howard W. Gipe, Member

ATTEST:
Paula Robinson, Clerk

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

EXHIBIT A Paul Roybal & Katherine McBroom Zone Change/Lower West Side Zoning District Legal Description

The property is described as Parcels A and B on Certificate of Survey 14843 and Parcel B on Certificate of Survey 7797, in Section 23, Township 28 North, Range 22 West, P.M.M., Flathead County, Montana.

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

Present at the August 19, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to adopt Resolution No. 955EY. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 955 EY

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 25th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations by amending Section 7.08.050 to allow for kitchen facilities in guest houses;

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. 955 EX dated June 25, 2003) to change the zoning regulations amending Section 7.08.050 to allow for kitchen facilities in guest houses; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 30 and July 7, 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 7.08.050 to allow for kitchen facilities in guest houses, as set forth on Exhibit A hereto.

DATED this 19th 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: /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 7.08.050 Definitions "G":

Guest House – A detached structure ~~being~~ **which is** an accessory to a one-family dwelling with not more than two bedrooms, ~~having no kitchen facilities and~~ which shall be used and/or designed for use primarily by guests and/or servants ~~for sleeping quarters only~~. One guest house is allowed per tract of record.

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

Present at the August 19, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 955FA. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 955 FA

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 25th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations by amending Section 3.31.030 to provide for residential PUDs within the Lakeside Zoning District;

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. 955 EZ dated June 25, 2003) to change the zoning regulations amending Section 3.31.030 to provide for residential PUDs within the Lakeside Zoning District; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on June 30 and July 7, 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 3.31.030 to provide for residential PUDs within the Lakeside Zoning District, as set forth on Exhibit A hereto.

DATED this 19th 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: /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 3.31.030: Standards for Planned Unit Development District (PUD)

3.31.030(3)(A) residential PUD District:

Residential PUD district can be established only in R-1 through R-5, RA-1, SAG-5, SAG-10, AG-20 or **LS** use districts, or in any area designated as "residential" in the Flathead County Master Plan.

3.31.030(4)(A) Residential PUD District Density.

<u>Residential PUD Created</u>	<u>Maximum Permissible Density</u>
R-1 District	2 dwelling units/acre
R-2 District	3 dwelling units/acre
R-3 District	7 dwelling units/acre
R-4 District	15 dwelling units/acre
<u>LS District</u>	<u>15 dwelling units/acre</u>
R-5 District	15 dwelling units/acre
RA-1 District	33 dwelling units/acre
SAG-5 District	2 dwelling units/5 acres
SAG-10 District	2 dwelling units/10 acres
AG-20 District	2 dwelling units/20 acres

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

Present at the August 19, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to adopt Resolution No. 955FC. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 955 FC

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 26th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations by amending Section 2.07.040(4) to allow a non-conforming use to be expanded, subject to a Conditional Use Permit, within the confines of the lot or parcel of land upon which it is located;

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. 955 FB dated June 26, 2003) to change the zoning regulations amending Section 2.07.040(4) to allow a non-conforming use to be expanded, subject to a Conditional Use Permit, within the confines of the lot or parcel of land upon which it is located; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 1 and July 8, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Flathead County Zoning Regulations, amending Section 2.07.040(4) to allow a non-conforming use to be expanded, subject to a Conditional Use Permit, within the confines of the lot or parcel of land upon which it is located, as set forth on Exhibit A hereto.

DATED this 19th 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: /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 2.07.040(4)

A non-conforming use may be expanded, subject to a Conditional Use Permit, within the confines of the lot or parcel of land upon which it is located at the time of the adoption or amendment of these regulations.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: THOMAS, DEAN AND HOSKINS TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS

Present at the August 19, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Elsa Putzier, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 955FE. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 955 FE

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 26th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations by amending Section 7.03.100 the definition of the "building line," to allow eaves on buildings to encroach up to two feet into setbacks required in the 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. 955 FD dated June 26, 2003) to change the zoning regulations amending Section 7.03.100 the definition of the "building line," to allow eaves on buildings to encroach up to two feet into setbacks required in the zoning districts; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 1 and July 8, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Flathead County Zoning Regulations, amending Section 7.03.100 the definition of the "building line," to allow eaves on buildings to encroach up to two feet into setbacks required in the zoning districts, as set forth on Exhibit A hereto.

DATED this 19th 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: /s/Howard W. Gipe
Howard W. Gipe, Member

ATTEST:
Paula Robinson, Clerk

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

**EXHIBIT A
THOMAS, DEAN & HOSKINS
TEXT AMENDMENT
FLATHEAD COUNTY ZONING REGULATIONS
SECTION 7.03.100 DEFINITION OF BUILDING LINE**

- A. Proposed Amendment:** The applicants propose an amendment to the Flathead County Zoning Regulations, Section 7.03.100, Definition of "Building Line".

As usual, additions to the text are ***bold, italicized and underlined*** whereas deletions from the text have been struck through.

7.03.100 Definition of "Building Line" That part of the building nearest the property line including building eaves, corners, faces, covered decks or porches and decks over three feet in height, ~~or other part of the building nearest the property line.~~ ***Eaves shall not extend more than two feet into the setbacks.***

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: LAKESIDE PRIVATE AND PUBLIC SCHOOLS TEXT AMENDMENT/FLATHEAD COUNTY ZONING REGULATIONS

Present at the August 19, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to adopt Resolution No. 955FG. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 955 FG

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 26th day of June, 2003, concerning a proposal to change the text of the Flathead County Zoning Regulations by allowing for the establishment of public and private schools as a Permitted Use under Section 3.42.020 of the Lakeside Zoning Classification;

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. 955 FF dated June 26, 2003) to change the zoning regulations allowing for the establishment of public and private schools as a Permitted Use under Section 3.42.020 of the Lakeside Zoning Classification; and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 1 and July 8, 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, allowing for the establishment of public and private schools as a Permitted Use under Section 3.42.020 of the Lakeside Zoning Classification, as set forth on Exhibit A hereto.

DATED this 19th 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: /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
LAKESIDE ZONING DISTRICT

A. Proposed Amendments:

Section 3.42.020: Uses Permitted Anywhere in District

(10) Schools, Public

Section 3.42.030: Conditional Uses

(13) Schools, Private

Section 7.18 DEFINITIONS "S"

7.18.015 Schools, Public – Schools established by recognized school districts supported by public funds.

CONSIDERATION OF COMP TIME: D. DEIST

Present at the August 19, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a letter from Clerk and Recorder Paula Robinson asking for an extension until December 31, 2003 for Deb Deist to use her accrued comp time hours.

Commissioner Hall made a **motion** to approve the extension for use of compensation time for Deb Deist to December 31, 2003. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF PRINTING BIDS: JUSTICE COURT

Present at the August 19, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to award the bid to Big Sky Business Forms for 5,000 #10 regular envelopes in the amount of \$127.95 on behalf of Justice Court. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ANNEXATION TO BIG MOUNTAIN FIRE DISTRICT: ELK HIGHLANDS, INC.; STOLTZE; BRISHKE

Present at the August 19, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to authorize the publication of the three Notices of Hearing for Annexation of Property to the Big Mountain Rural Fire District and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

**NOTICE OF HEARING FOR ANNEXATION
OF PROPERTY TO THE BIG MOUNTAIN RURAL FIRE DISTRICT**

A Petition for the annexation of real property to the Big Mountain Rural Fire District has been filed with the Board of County Commissioners. The area to be annexed to the Big Mountain Rural Fire District is described as follows:

A tract of land, situated, lying and being in the West Half of the Northeast Quarter of Section 3, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana and more particularly described as follows, to wit:

The Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter of Section 3, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana and containing 84.039 ACRES; subject to and together with all appurtenant easements of record.

The Petition has been checked and the County Plat Room has certified that said Petition contains the signatures of the owners of fifty percent (50%) or more of the area of the privately owned lands of the area proposed to be annexed, and constitutes a majority of the taxpaying freeholders within such proposed area to be annexed, whose names appear on the last completed assessment roll.

Therefore, it is hereby ordered that a hearing is to be held on such Petition on **September 15, 2003 at 9:30 A.M.** in the Office of the County Commissioners, West Annex, Courthouse, 800 South Main Street, Kalispell, Montana, at which time any taxpayer may appear and will be heard for or against the annexation of the above described property to the Big Mountain Rural Fire District.

DATED this 19th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

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

Please publish on **September 4, 2003 and September 11, 2003**

**NOTICE OF HEARING FOR ANNEXATION
OF PROPERTY TO THE BIG MOUNTAIN RURAL FIRE DISTRICT**

A Petition for the annexation of real property to the Big Mountain Rural Fire District has been filed with the Board of County Commissioners. The area to be annexed to the Big Mountain Rural Fire District is described as follows:

A tract of land, situated, lying and being in the Northeast Quarter of the Southeast Quarter of Section 3 and in the Southwest Quarter of the Southeast Quarter and in the Southwest Quarter of Section 2, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana, and more particularly described as follows, to wit:

Beginning at the southeast corner of the Southeast Quarter of the Southeast Quarter of Section 3, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana which is a found iron pin; Thence along the east boundary of said SE1/4SE1/4 N01°11'26"E 1329.25 feet to a found iron pin and the northeast corner thereof; Thence along the north boundary of said SE1/4SE1/4 S88°57'11"W 1322.24 feet to a found iron pin and the southwest corner of the Northeast Quarter of the Southeast Quarter of said Section 3; Thence along the west boundary of said NE1/4SE1/4 N01°13'40"E 1287.10 feet to a found iron pin and the northwest corner thereof; Thence along the north boundary of said NE1/4SE1/4 N87°07'41"E 1323.72 feet to a found aluminum cap and the northwest corner of the Northwest Quarter of the Southwest Quarter of Section 2, Township 31 North, Range 22 West, P.M.,M.; Thence along the north boundary of said NW1/4SW1/4 S89°31'22"E 1323.47 feet to a found iron pin and the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 2; Thence along the north boundary of said NE1/4SW1/4 S89°32'30"E 1321.99 feet to a found brass cap and the northeast corner thereof; Thence along the east boundary of said NE1/4SW1/4 S01°08'16"W 1335.27 feet to a found iron pin and the northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 2; Thence along the north boundary of said SW1/4SE1/4 S89°28'21"E 370.67 feet to a found iron pin; Thence leaving said boundary S00°17'02"E 100.01 feet to a found iron pin; Thence S32°37'55"W 118.05 feet to a found iron pin; Thence S89°28'21"E 804.72 feet to a found iron pin; Thence S45°00'00"E 139.12 feet to a found iron pin; Thence N73°19'44"E 104.86 feet to a found iron pin on the east boundary of said SW1/4SE1/4; Thence along said east boundary S00°50'45"W 1172.43 feet to a found iron pin and the southeast corner thereof; Thence along the south boundary of said SW1/4SE1/4; N89°24'55"W 317.32 feet to a found iron pin on the southeasterly R/W of the Big Mountain Road; Thence along said southeasterly R/W N28°25'24"W 167.42 feet to a found iron pin and the P.C. of a 100.00 foot radius curve, concave southeasterly, having a central angle of 130°55'24"; Thence along an arc length of 228.50 feet to a found iron Thence S77°30'00"E 297.87 feet to a found iron pin on the east boundary of said SW1/4SE1/4; Thence along said east boundary N00°50'45"E 102.10 feet to a found iron pin on the northwesterly R/W of said Big Mountain Road; Thence along said northwesterly R/W N77°30'00"W 277.25 feet to a found iron pin and the P.C. of a 200.00 foot radius curve, concave southeasterly, having a central angle of 130°55'24"; Thence along an arc length of 457.01 feet to a found iron pin; Thence S28°25'24"E 111.97 feet to a found iron pin on the south boundary of said SW1/4SE1/4; Thence along said south boundary N89°24'55"W 890.01 feet to a found brass cap and the southeast corner of the Southeast Quarter of the Southwest Quarter of said Section 2; Thence along the south boundary of said SE1/4SW1/4 N89°15'57"W 237.71 feet; Thence leaving said boundary N47°08'53"W 810.27 feet to a found iron pin; Thence N46°46'26"W 489.31 feet to a found iron pin; Thence N89°15'57"W 317.63 feet to a found iron pin; Thence S01°10'43"W 873.96 feet to a found iron pin on the south boundary of the Southwest Quarter of the Southwest Quarter of said Section 2; Thence along the south boundary of said SW1/4SW1/4 N89°15'57"W 1123.96 feet to the point of beginning and containing 219.463 ACRES; Subject to and together with all appurtenant easements of record.

The Petition has been checked and the County Plat Room has certified that said Petition contains the signatures of the owners of fifty percent (50%) or more of the area of the privately owned lands of the area proposed to be annexed, and constitutes a majority of the taxpaying freeholders within such proposed area to be annexed, whose names appear on the last completed assessment roll.

Therefore, it is hereby ordered that a hearing is to be held on such Petition on **September 15, 2003 at 9:30 A.M.** in the Office of the County Commissioners, West Annex, Courthouse, 800 South Main Street, Kalispell, Montana, at which time any taxpayer may appear and will be heard for or against the annexation of the above described property to the Big Mountain Rural Fire District.

DATED this 19th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

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

Please publish on **September 4, 2003 and September 11, 2003**

**NOTICE OF HEARING FOR ANNEXATION
OF PROPERTY TO THE BIG MOUNTAIN RURAL FIRE DISTRICT**

A Petition for the annexation of real property to the Big Mountain Rural Fire District has been filed with the Board of County Commissioners. The area to be annexed to the Big Mountain Rural Fire District is described as follows:

A tract of land, situated, lying and being in Government Lot 4 of Section 2 and In Government Lot 1 of Section 3, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana, and more particularly described as follows, to wit:

Tract 1:

The North Half of Government Lot 4, Section 2, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana;

The North Half of the South Half of Government Lot 4, Section 2, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana;

The North Half of Government Lot 1, Section 3, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana;

The North Half of the South Half of Government Lot 1, Section 3, Township 31 North, Range 22 West, P.M.,M., Flathead County, Montana;

and containing a total of 59.757 ACRES; Subject to and together with all appurtenant easements of record.

The Petition has been checked and the County Plat Room has certified that said Petition contains the signatures of the owners of fifty percent (50%) or more of the area of the privately owned lands of the area proposed to be annexed, and constitutes a majority of the taxpaying freeholders within such proposed area to be annexed, whose names appear on the last completed assessment roll.

Therefore, it is hereby ordered that a hearing is to be held on such Petition on **September 15, 2003 at 9:30 A.M.** in the Office of the County Commissioners, West Annex, Courthouse, 800 South Main Street, Kalispell, Montana, at which time any taxpayer may appear and will be heard for or against the annexation of the above described property to the Big Mountain Rural Fire District.

DATED this 19th day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

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

Please publish on **September 4, 2003 and September 11, 2003**

CONSIDERATION OF EXTENSION REQUEST: SUBDIVISION NO. 201

Present at the August 19, 2003 9:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a letter from Tim Birk requesting an extension to September 25, 2003. Most of the work has been completed with the exception of paving the north road.

Commissioner Gipe made a **motion** to approve the extension request to September 25, 2003. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

MONTHLY MEETING W/JIM DUPONT, SHERIFF

Present at the August 19, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Sheriff Jim Dupont, Assistant Avery, and Clerk Eggum.

General discussion was held relative to fighting fires; fair; jail population; fire restrictions; fair fireworks.

CONSIDERATION OF LAKESHORE PERMIT: REESE

Present at the August 19, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioners Hall and Gipe, Planner Tim Beck, Assistant Avery, and Clerk Eggum.

Beck reviewed Lake and Lakeshore Construction Permit filed by Noralene Reese on Flathead Lake to remove existing seawall/retaining wall from the dock and install posts around the dock with lights. General discussion was held.

Commissioner Gipe made a **motion** to approve Lakeshore Permit #FLP-03-71 and authorize the Chairman to sign subject to 15 conditions. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: GRAHAM

Present at the August 19, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioners Hall and Gipe, Planner Tim Beck, Assistant Avery, and Clerk Eggum.

Beck reviewed Lake and Lakeshore Construction Permit filed by Robin Graham on Flathead Lake to reconstruct an existing wood retaining wall and install a fence. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-03-75 and authorize the Chairman to sign subject to 23 conditions. Commissioner Gipe **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

FINAL PLAT: LAZY SUBDIVISION

Present at the August 19, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Planner Johna Morrison, Assistant Avery, and Clerk Eggum.

Morrison reviewed the Staff Report regarding the application filed by Jim and Cheree Boyes for Lazy Subdivision which creates a one lot minor subdivision along Highway 2, approximately three miles west of Kalispell. The subject property is one acre in size and is located in an unzoned portion of Flathead County. Preliminary plat approval was waived on February 26, 2003 subject to seven conditions. Morrison indicated that all conditions had been met or otherwise addressed. Staff recommends approval for the final plat.

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-21 as findings of fact. Commissioner Gipe **seconded** the motion. **Aye** – Watne, Gipe, and Hall. Motion carried unanimously.

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

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #04-07-5-11-008-0

Present at the August 19, 2003 11:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Certification of Compliance with Certain Requirements for Department of Public Health and Human Services Contractors (May 2003 for the purpose of contracting with MDPHHS

Chairman Watne reviewed Task Order 03-07-5-11-008-0 to the Flathead County Master Contract that Covers the Period July 1, 1998 through June 30, 2005 for the purpose to carry out all administrative and supervisory responsibilities, and provide fiscal management for the operation of a family planning services program; provide all personnel and supportive services necessary to maintain the quantity and quality of services.

Commissioner Gipe made a **motion** to approve DPHHS Contract #04-07-5-11-008-0 and authorize the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF LEASE AGREEMENT: KRUGER/LOT 2 OF STRAWBERRY MOUNTAIN

Present at the August 19, 2003 11:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Clerk and Recorder Paula Robinson, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed the Lease Agreement between James W. Kruger and Jean Kruger and Flathead County for Lot 2 of Strawberry Mountain effective July 26, 2003 through August 2, 2003.

General discussion was held. Commissioner Hall suggested negotiations with Kruger as to daily charge be implemented.

Commissioner Gipe made a **motion** to approve the Emergency Equipment Rental Agreement between Flathead County OES and Kruger Helicopter in the amount of \$1500.00 per day. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to continue a decision on the Lease Agreement. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

6:00 P.M. The Commissioners are to attend the FBIA General Membership Meeting at Rocco's

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 20, 2003.

WEDNESDAY, AUGUST 20, 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.

9:15 A.M. Commissioner Hall is to attend the RSVP Meeting at Windward Place

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

4:00 P.M. Commissioner Hall is to attend the EDA Site Visit at Flathead Valley Community College.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 21, 2003.

THURSDAY, AUGUST 21, 2003

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

MONTHLY MEETING W/RICHARD STOCKDALE, ANIMAL CONTROL

Present at the August 21, 2003 8:30 A.M. Meeting were Commissioners Gipe and Hall, Animal Control Director Richard Stockdale, Assistant Avery, and Clerk Eggum.

General discussion was held relative to terminating an employee on probation; statistics; handicapped accessibility in lawn area; evacuation of animals for fires.

Commissioner Hall made a **motion** to approve the opening for an Animal Center Attendant. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

MONTHLY MEETING W/JED FISHER, WEED, PARKS AND MAINTENANCE DEPARTMENT

Present at the August 21, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, Weed, Parks and Maintenance Director Jed Fisher, Assistant Avery, and Clerk Eggum.

General discussion was held relative to stop signs for trails (school and city pay for painting stop signs on trail); hole where house and garage gone (compacted gravel; good base, partnership with Charlie for parking for employees); status of CHE; subdivision/weed management plan; OES van turned into a mobile concession stand; building maintenance: completed district court area; office requests; county attorney's office revamping; grant writer; visitors from England; fire issues.

MONTHLY MEETING W/ALAN MARBLE, OES

Present at the August 21, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, OES Director Alan Marble, Assistant Avery, and Clerk Eggum.

This meeting did not take place.

10:00 A.M. Commissioner Hall is to attend the Interagency Fire Recovery Meeting at the Outlaw Inn (till 2:30)

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: O'CONNELL ZONE CHANGE/LOWER SIDE ZONING DISTRICT

Present at the August 21, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 957AI. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 957 AI

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after publication of legal notice, on the 26th day of June, 2003, to consider a request to change the zoning designation in a portion of the Lower Side Zoning District from AG-80 (Agricultural) to SAG-10 (Suburban Agricultural);

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

WHEREAS, the Board of Commissioners reviewed the recommendations of the Flathead County Planning Board regarding the proposed change in the Lower Side Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 957 AH, dated June 26, 2003) to change the zoning designation in a portion of the Lower Side Zoning District from AG-80 (Agricultural) to SAG-10 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 1 and July 8, 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 Lower Side Zoning District to change the zoning designation for the area described on Exhibit "A" hereto, from AG-80 to SAG-10.

DATED this 21st day 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
Randy and Sandy O'Connell
Zone Change/Lowerside Zoning District
Legal Description

Legal Description of Property:

Parcel B on Certificate of Survey No. 5621 and

Parcel 2: East One-Half of the Northeast Quarter (E½NE¼) and Northwest Quarter of Northeast Quarter (NW¼NE¼) Section Thirty-three (33), Township Twenty-eight (28) North, Range Twenty-one (21) West, P.M.M., Flathead County, Montana. EXCEPTING THEREFROM that portion deeded to Flathead County for roadways in deeds recorded May 2, 1911, in Book 108, Page 203, as Doc. No. 1616, recorded March 8, 1962, in Book 445, Page 707, as Doc. No. 1861, and recorded March 8, 1962, in Book 445, Page 708, as Doc. No. 1862, records of Flathead County, Montana.

ALSO EXCEPTING THEREFROM: A tract of land situated, lying and being in the Northeast Quarter of the Northeast Quarter of Section 33, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana, and more particularly described as follows to-wit: Commencing at the Northeast corner of the Northeast Quarter of Section 33, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana; thence South 89°40'19" West, and along the North boundary of said NE¼, a distance of 30.00 feet to a found iron pin on the Westerly R/W of a 60 foot county road known as Lower Valley Road and the True Point of Beginning of the tract of land herein described; thence South 00°01'49" West, and along said R/W, 904.28 feet to a set iron thence leaving said R/W, South 89°40'19" West, 963.49 feet to a set iron pin; thence North 00°01'49" East, 904.28 feet to a set iron pin on the North boundary of said NE¼; thence North 89°40'19" East, and along said boundary, a distance of 963.49 feet to the Point of Beginning.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: BOESE, ET AL., ZONE CHANGE/BIGFORK ZONING DISTRICT

Present at the August 21, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

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

RESOLUTION NO. 956 AG

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after the publication of legal notice, on the 1st day of July, 2003, concerning a proposal to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural);

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

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

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 956 AF, dated July 1, 2003) to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 5 and July 12, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Bigfork Area Zoning District to change the zoning designation for the area described on Exhibit "A" hereto from AG-80 (Agricultural) to SAG-10 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 21st 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
Boese, Polish & Hovda
Zone Change/Bigfork Zoning District
Legal Description

Legal Description of Property:

Tract 1: NE1/4 of the NW1/4 of Section 21, Township 27 North, Range 19 West, P.M.M., Flathead County, Montana and Tract 2 of Certificate of Survey No. 13365 in Section 21, Township 27 North, Range 19 West, P.M.M., Flathead County, Montana.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: FRICKE ZONE CHANGE/HIGHWAY 93 NORTH ZONING DISTRICT

Present at the August 21, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 837AJ. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 837 AJ

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 1st day of July, 2003, concerning a proposal to change the zoning designation in a portion of the Highway 93 North Zoning District from AG-40 (Agricultural) to SAG-5 (Suburban Agricultural);

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Highway 93 North Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 837 AI, dated July 1, 2003) to change the zoning designation of the property described on Exhibit A on property zoned AG-40 (Agricultural) to SAG-5 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 5 and July 12, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders in the Highway 93 North Zoning District.

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 Highway 93 North Zoning District to change the zoning designation of the property described on Exhibit A from AG-40 (Agricultural) to SAG-5 (Suburban Agricultural).

DATED this 21st day of 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: _____
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

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

EXHIBIT A

**ROGER FRICKE
ZONE CHANGE/HIGHWAY 93 NORTH ZONING DISTRICT
LEGAL DESCRIPTION**

- B. Location and Legal Description of Property:** The property is located directly across US Highway 93 North from the Majestic Valley Arena and Event Center. The property is described as Government Lots 3 and 4 and the East Half of the Southwest Quarter of Section 7, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: KNOLL AND WEED ZONE CHANGE/BIGFORK ZONING DISTRICT

Present at the August 21, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

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

RESOLUTION NO. 956 AI

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after the publication of legal notice, on the 1st day of July, 2003, concerning a proposal to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

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

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

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 956 AH, dated July 1, 2003) to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 5 and July 12, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

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

DATED this 21st 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
Bill Knoll & Herb Weed
Zone Change/Bigfork Zoning District
Legal Description**

A tract of land in the West Half (W $\frac{1}{2}$), Northeast Quarter (NE $\frac{1}{4}$) of Section 34, Township 27 North, Range 19 West, P.M.M., Flathead County, Montana, described as follows:

Commencing at the Northwest corner of the West Half (W $\frac{1}{2}$) Northeast Quarter (NE $\frac{1}{4}$) of said Section 34, said corner being the True Point of Beginning of the tract of land herein described; thence along the boundaries of said West Half (W $\frac{1}{2}$) Northeast Quarter (NE $\frac{1}{4}$) the following three courses:

South 00°16'00" East 2655.12 feet;
South 89°59'56" East 1331.44 feet;
North 00°05'34" East 1327.34 feet to the Southeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34; thence North 89°59'22" West along the South boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 26.88 feet; thence North 00°05'34" East 1327.34 feet to a point on the North boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence

North 89°58'50" West along the North boundary of said NW¼NE¼ a distance of 1321.22 feet to the point of Beginning.

Shown as Parcel A of Certificate of Survey No. 12172

THE END

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: HABEL AND DOCKSTADER ZONE CHANGE/HOLT ZONING DISTRICT

Present at the August 21, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution No. 533U. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 533 U

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after publication of legal notice, on the on the 1st day of July, 2003, concerning a proposal to change the zoning designation in a portion of the Holt Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

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

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

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(4), M.C.A., adopted a resolution of intention (Resolution No. 533 T, dated July 1, 2003) to change the zoning designation in a portion of the Holt Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on July 5 and July 12, 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 adopts this resolution to change the zoning designation in a portion of the Holt Zoning District, as described on Exhibit A, from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 9327013500, in the Flathead County Clerk and Recorder's Office.

DATED this 21st 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
Ray & Greg Habel and James Dockstader
Zone Change/Holt Zoning District
LEGAL DESCRIPTION

Location and Legal Description of Property:

Parcels A and B on Certificate of Survey No. 14310, and Tract 2 of Certificate of Survey No. 11763, P.M.M., Flathead County, Montana

CONSIDERATION OF LAKESHORE PERMIT: CARLSON

Present at the August 21, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planner Tim Beck, Assistant Avery, and Clerk Eggum.

Beck reviewed Lake and Lakeshore Construction Permit filed by Robert and Kaye Carlson on Lake Five to mitigate a violation. He proposes to replace trees that were removed from the Lakeshore Protection Zone. General discussion was held.

Commissioner Gipe made a **motion** to approve Lakeshore Permit #FLP-03-73 and authorize the Chairman to sign subject to 47 conditions. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: SELIN

Present at the August 21, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planner Tim Beck, and Clerk Eggum.

Beck reviewed Lake and Lakeshore Construction Permit filed by Carl W. Selin on Abbott Lake to place one load of gravel at the edge of lake. General discussion was held.

Commissioner Gipe made a **motion** to approve Lakeshore Permit #FLP-03-78 and authorize the Chairman to sign subject to 22 conditions. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

MEETING WITH ROGER FRICKE RE: CONTINUATION OF REAFFIRMATION OF COMPATIBILITY DETERMINATION/MAJESTIC HILLS PUD & RELIMINARY PLAT

Present at the August 21, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioner Gipe, Roger Fricke, P. C. Musgrove, Planner Johna Morrison, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

A letter was faxed to the Commissioners for consideration from Caryn Miske.

Morrison advised that this is a continuation of the reaffirmation of a compatibility determination for a mixed use PUD proposed by Mr. Fricke. It is the Majestic Hills PUD and it was caught up in a lawsuit SB97 and the purpose of the meeting today is to reaffirm the mixed use compatibility and at some point the PUD.

Sanderson advised that pursuant to the standard of review from the Flathead County Zoning Regulations for mixed use PUD Districts is based on a site plan review and confirmed that the Commissioners had seen a site plan.

Sanderson advised that the adjoining land uses were: To the west the Majestic Valley Arena which is under a conditional use permit; To the north is agricultural; To the east is agricultural under zone change right now; To the south is a suburban agricultural zone zoning change. He confirmed that the Commissioners believe that the proposed land use as contained on the site plan is mixed use and is compatible with those surrounding land uses

Sanderson confirmed that the Commissioners agreed that adverse environmental impacts of storm water, sewage and the preservation of domestic water would be minimal. Those issues are reviewed and approved by the State of Montana and Department of Environmental Quality through subdivision review.

Sanderson advised that a mixed use PUD district is allowed in the SAG-5 which is the current zoning of the Fricke property therefore the subject property does qualify for an application if all of the findings are favorable for a mixed use PUD pursuant to Section 3.31.030 sub 3E of the Flathead County Zoning Regulations.

Morrison then advised that the Commissioners must approve the criteria for the mixed use PUD and that determine that it is compatible.

Commissioner Gipe made a **motion** to approve the criteria for mixed use PUD and that it is compatible. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF BUDGET AMENDMENT

Present at the August 21, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt Resolution #1637. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

BUDGET AUTHORITY RESOLUTION
RESOLUTION NO. 1637

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

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

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

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

SEE ATTACHED GENERAL JOURNAL VOUCHERS

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

DATED this 21st day of 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: _____
Gary D. Hall, Member

ATTEST:
Paula Robinson,
Clerk and Recorder

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

COUNTY OF FLATHEAD
**GENERAL
JOURNAL
VOUCHER**

DATE ISSUED:

DATE OF RECORD:

VOUCHER
NO.: 0306-227

MCA 7-6-4006

ACCOUNTING COPY

"B"
Entry

Account Number	Description	Line	Debit General Ledger	Credit General Ledger
2976-0190-440174-110			\$703.00	
2976-0190-440174-141			\$12.00	
2976-0190-440174-142			\$28.00	
2976-0190-440174-143			\$837.00	
2976-0190-440174-144			\$281.00	
2976-0190-440174-145			\$308.00	
2976-0190-440174-147			\$65.00	
2976-0190-440174-210			\$496.00	
2976-0190-440174-222			\$1,850.00	
2976-0190-440174-311			\$257.00	
2976-0190-440174-345			\$270.00	
2976-242000				\$5,107.00
2976-0190-331140				\$5,107.00
2976-172000			\$5,107.00	
	To reduce the immunization budget to match the actual grant amount. We received less than anticipated. Prepared by Alice Dall.			
2273-0190-331128	Fetal Alcohol Syndrome Grt		\$20,000.00	
2273-172000				\$20,000.00
2273-0190-440110-398	Contracted services			\$20,000.00
2273-242000			\$20,000.00	
	To increase the FAS budget from \$75,000 to 95,000 per Amendment Number One, Contract #03-07-5-31-004-0, dated 5/8/03			
2980-0190-440110-110				\$1,466.00
2980-0190-440110-141				\$4.00
2980-0190-440110-142				\$8.00
2980-0190-440110-143				\$255.00
2980-0190-440110-144				\$101.00
2980-0190-440110-145				\$127.00
2980-0190-440110-147				\$39.00
2980-0190-440110-210				\$500.00
2980-0190-440110-228				\$8,541.00
2980-0190-440110-311			\$31.00	
2980-0190-440110-345			\$10.00	
2980-0190-440110-380				\$260.00
2980-0190-440110-398				\$15,740.00
2980-242000			\$27,000.00	
2980-0190-331129			\$27,000.00	
2980-172000				\$27,000.00
	To increase Obesity Prevention per grant agreement on Contract 06-07-01-009-0, from \$12,000 to 39,000 and increase of \$27,000.			
2974-0190-440156-110				\$14,540.00
2974-0190-440156-141				\$36.00
2974-0190-440156-142				\$66.00
2974-0190-440156-143				\$2,009.00
2974-0190-440156-144				\$901.00
2974-0190-440156-145				\$988.00
2974-0190-440156-147				\$210.00
2974-242000			\$18,750.00	
2974-0190-331139			\$18,750.00	
2974-172000				\$18,750.00
	To book the Consortia III budget that runs from 9/02 through 3/04 per service agreement with Missoula County dated January 28, 2003.			

To increase Obesity Prevention per grant agreement on Contract 06-07-01-009-0.				
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Explanatory Memorandum:

Prepared By:
Approved By:

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING WEST EVERS CREEK ROAD

Present at the August 19, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

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

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road open to the use of the public as West Evers Creek Road.

The road generally runs east and west in Section 11, Township 31 North, Range 24 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **9th day of September, 2003, at 10:00 A.M.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed naming of **West Evers Creek Road**.

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

Dated this 21st day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

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

Publish on August 26, 2003 and September 4, 2003.

ADOPTION OF FY 03-04 PRELIMINARY BUDGET

Present at the August 19, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to adopt the preliminary budget at presented. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: FY 03-04 BUDGET

Present at the August 19, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eggum.

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

NOTICE OF HEARING ON PROPOSED BUDGET

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Flathead County, Montana, has completed the Proposed Budget for the current fiscal year and that said budget is on file in the County Clerk and Recorder's Office and is open to public inspection.

The Board will meet on the **4th day of September, 2003 at 9:00 o'clock A.M.** for the purpose of holding a hearing and fixing the final budget and making appropriations. Said Meeting is to be held in the Office of the Board of Commissioners of Flathead county, Courthouse, West Annex, Kalispell, Montana.

Any taxpayer may appear thereat and will be heard for or against any part of such budget.

For further information, please contact Paula Robinson, Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, Telephone 758-5530.

DATED this 21st day of August, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

FLATHEAD COUNTY CLERK & RECORDER
Paula Robinson, Clerk

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

Publish August 26, 2002 and September 2, 2003.

CONSIDERATION OF LEASE AGREEMENT: KRUGER/LOT 2 OF STRAWBERRY MOUNTAIN

Present at the August 21, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

Chairman Watne reviewed a Lease Agreement between James W. Kruger and Jean Kruger and Flathead County for Lot 2 of Strawberry Mountain July 26, 2003 and terminated on August 2, 2003 for use by the county during the fires.

Commissioner Gipe made a **motion** to approve the Lease Agreement. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF PAYMENT OF CLAIM

Present at the August 21, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Assistant Avery, and Clerk Eggum.

Commissioner Gipe made a **motion** to approve the claim in the amount of \$599.00 for a satellite phone. Chairman Watne **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

2:00 P.M. Commissioner Watne is to attend the Health Board Meeting at the Earl Bennett Building

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 22, 2003.

FRIDAY, AUGUST 22, 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 25, 2003.
