

## MONDAY, OCTOBER 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.

### **MONTHLY MEETING W/JIM ATKINSON, AOA**

Present at the October 20, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioners Gipe and Hall, AOA Director Jim Atkinson, Assistant Avery, and Clerk Eggum.

**This meeting did not take place.**

### **PUBLIC HEARING: WINTER SPORTS, ET AL., ZONE CHANGE/BIG MOUNTAIN WEST ZONING DISTRICT**

Present at the October 20, 2003 9:30 A.M. duly advertised public hearing were Commissioner Gipe, Commissioner Hall via telephone, Tom Sands and Erica Wirtala of Sands Surveying, Craig A. Cook, Thomas Penaluna, Ginger Penaluna, Ronald Buentemeier, Bruce Deitz, Craig A. Cook, Thomas C. Orr, Planner Mark Crowley, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Crowley advised that this was a request by Alex Brishka, Winter Sports, Inc., Stoltze Land and Lumber and Elk Highlands, Inc for a zone change from unzoned to BR-4, Resort business, within the proposed Big Mountain West Zoning District. The Planning Board recommended approval of the zone change request.

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

Wirtala advised that she works for Sands Surveying and they have been representing Elk Highlands, Inc., Winter Sports, Inc., F. H. Stoltze Land and Lumber Company and Alex Brishka to bring the project called Big Mountain West forward. Wirtala had several maps, plats and an aerial photo on the bulletin board for reference showing the overall development plan. Brishka property is to the north; Stoltze to the west; Winter Sports has an inner parcel; and Elk Highlands owns the bulk of the property. Wirtala continued that an overall development plan is required for a master plan amendment. A master plan amendment is being reviewed tonight by the Whitefish City Council and it needs concurrent approval through the County Commissioners. Stoltze and the Brishka intend to develop their property for single family residential with ski related amenities. There will be the creation of a new ski lift and the extension of an existing lift. There is proposed a small day lodge to accommodate skiers. The new lift will accommodate ski in ski out access with a small area that might be a public facility, perhaps a restaurant or perhaps some other type of facility for semi-public type use. The rest of the area is designated as sensitive lands by the Whitefish City County Master Plan and these will be dedicated in a conservation easement to a third party perhaps the Montana Land Reliance. A significant portion of this development will be included in the conservation easement. The area that we are proposing the zone change for is directly to the west of already designated BR-4 land. There is approximately 466 acres in total and it will conform to the BR-4 zoning parameters that exist in the Big Mountain Village. Big Mountain Village currently has an agreement with the City of Whitefish for 2,000 units for their sewer capacity and this Big Mountain West will be incorporated into but not exceed that 2,000 capacity cap. We are spreading the density of 2,000 units out over both of the areas, Big Mountain Village and Big Mountain West. Some of the areas of concern expressed during the City-County Planning Board Meeting and the City Council Meeting were how access to this proposal will be addressed. MDOT is working to gain access and agreements with the landowners near the top of the mountain. This is where most of the problems lie with the steep grades and the sharp switchbacks. There are 11 property owners and currently nine are working towards an agreement with MDOT for right-of-way acquisition and it shouldn't be too much longer when all of the players on board will reach agreement with MDOT and construction and corrections of those steep grades and sharp switchbacks can be addressed. One of the other concerns that the Whitefish City Council and the Whitefish City County Planning Board had was emergency access off of the mountain.

Existing today is the Haskill Basin Emergency egress route which is off to the eastern portion of the Big Mountain Village. This has been an emergency access that has been in existence for some time. Just recently formal easement agreements were filed with the Clerk and Recorder between Stoltze Land and WSI. This is a gated route. Many of the people at Big Mountain Village hold keys to those gates as well as the Big Mountain Fire and Rescue. The first three quarters of a mile were, although passable, needed to be upgraded slightly. Winter Sports Inc. and Elk Highlands, Inc. have worked with Stoltze Land and Lumber and come to an agreement that the first three quarters of a mile would be upgraded with gravel. The grade would be improved and there would be several turn outs. This will improve access considerably on the Haskill Basin emergency access and therefore we feel that this is a quality route off of the mountain should the emergency ever arise during a fire season. It was important to the Whitefish City County Planning Board that agreements be made with water, sewer and fire and all three of those have been met. The sewer agreement and the water agreements will come for the Brishka lands and the Stoltze lands when more concrete development plans have been formalized. At this time they do not have a preliminary plat submitted. It is possible that Mr. Brishka will have an executive retreat center on one lot with about eight cabins. Stoltze will develop two parcels, perhaps 20 single family units and they will be granted water and sewer when those plans materialize with a preliminary plat. Preliminary plats have been submitted for the Elk Highlands Subdivision, Northern Lights, and Sun Rise Ridge V which will be similar to the development of the existing Sun Rise Ridge. The Planning Board looked at this extensively. We went through five meetings. Three of them were formal. During the Planning Board meetings, we had a work session on the mountain and we had a tour of the mountain. We feel all of the items that they were concerned about had been addressed. The most important being that the overall capacity does not exceed the 2000. We have developed an overall development plan as well as a neighborhood plan and that went through item by item different points that were critical for development. All of the accessory units would be attached to the principal dwelling unit. This would be a way of addressing affordable housing. If they were to hire caretakers, nannies or let their mother-in-law live in there that would be a method of providing low income housing to employees on the mountain. The height limit was addressed. Glass glare and all of those tiny little things that make up a quality development were addressed in the neighborhood plan and the overall development plan.

Cook advised that he was a director on Big Mountain and was representing Winter Sports. Winter Sports is in the same position as the various boards, commissions and councils that we have appeared before. Having brought these parties together so that septic systems, individual aquifer, draining water companies and uncontrolled development would not occur. Winter Sports is in the activity of recreating and land plays a valuable roll in this. We wish to have sensibility in development and we believe that this development has that. Tom Penaluna, Ken Lockhart, Alex Brishka and Ron Buentemeier are people of integrity which my experience has shown does not always occur in development and we feel very fortunate to have this group together. Proof of this interaction and success is evident as there were no negative areas that we were concerned with. Specifically, I would like to address some of the areas that were of a concern. The road: WSI has agreed not to exceed the limit of 2,000 units on the mountain therefore, the road should not be an issue. The sewer systems: currently there are no septic systems planned on that mountain. The new plan that we have before you shows adequate water for both domestic and fire flow. The extra dwelling

units have been all but eliminated as the dwelling units will be attached to current and existing homes that would get built. I am requesting your support and approval of this project based on all of the activity and the proposals that have been before you.

Buentemeier advised that he was the manager and vice president of F. H. Stoltze Land and Lumber Company. Stoltze's intention with its ownership is to manage it to provide timber for the saw mill facilities at Half Moon. This particular parcel is accessed from the Big Mountain Road through one of the parcels being developed. The original growth plan was developed about two years ago. There was a group of us that said that this particular area should be included as an expansion area for the mountain. Obviously we were not listened to and so we are here today to try to revise that and I encourage you to do so. Stoltze has to have the option that when the uses around our property change to the point where it is no longer possible to manage timber in an economical way that we can do something else with our ownership. That is the case in this particular parcel where you are going to have development, high end homes most likely. Those folks are not going to be too happy with log trucks coming down the street in front of their homes. It is just a fact of life. This is an excellent opportunity for what I call smart growth in that it provides public water and sewer and a fire protection system that is available there. That to me indicates that area should be expanded when those facilities are available. Of our 80 acres, only about 60 of that is developable and only a small portion of that could actually have home sites on it. To me it is the best use for that piece of land as long as the surrounding land use has changed. There is one thing I wanted to clear up. At this point in time, we are not willing to put our remaining 20 acres into a conservation easement. We are still going to try to manage that for timber or whatever in the future. If a future owner should come along and want to buy, he certainly would have that option. At this point, we will try to continue to manage that as timber lands. I encourage you to pass this proposal.

No one else rising to speak, Acting Chairman Gipe asked for anyone wishing to speak in opposition to the zone change.

Orr advised that he was an attorney from Missoula, Montana representing James Wheat who owns property in Sun Rise Ridge. Orr referred to the map indicating the location of Mr. Wheat's property. Mr. Wheat's property will be significantly affected by this proposal. Mr. Wheat has been trying to work with the developers. I will say that the developers have made some representations and have agreed to some changes in the direction and location of the lift. The main problem that we still have been unable to resolve is the tower height. The tower height is a problem for Mr. Wheat because these towers are going to be coming within about 100 to 120 feet of his house at the closest point and will impact him. As you have heard, these are high end homes, very beautiful homes with beautiful views and these towers have the potential to wreck his views. Mr. Wheat is also concerned about the amount of construction traffic in the subdivision and he as well as I believe the homeowners association's concern about 2000 units' use of the Big Mountain Road. We keep hearing that there are some agreements in place however there really is nothing formally done at this point and the I think the County Commissioners need to be concerned about the significant addition in traffic and usage on that road which is already overtaxed and overburdened. I have outlined some of the more salient concerns in a letter I have provided to the Commission and we would ask at this point that you not approve the zone change.

No one else rising to speak, Acting Chairman Gipe closed the public hearing.

Commissioner Hall made a **motion** to adopt Staff Report #FZC-03-30B as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to adopt Resolution No. 1654. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

#### **RESOLUTION NO. 1654**

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 20th day of October, 2003, concerning the creation of the zoning district to be known as the Big Mountain West Zoning District;

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

**WHEREAS**, the Board of Commissioners heard public comment on the proposed creation of that zoning district at that hearing; and

**WHEREAS**, the Board of Commissioners has reviewed the recommendation of the Whitefish City/County Planning Board regarding the creation of the Big Mountain West Zoning District.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., hereby adopts this resolution of intention to create the Big Mountain West Zoning District, and to zone the area described on Exhibit A hereto as BR-4 (Resort Business), as defined in the Flathead County Zoning Regulations:

**BE IT FURTHER RESOLVED**, that notice of the passage of this resolution, stating the boundaries of the proposed zoning district, the general character of the proposed zoning regulations, that said regulations are on file in the Clerk & Recorder's Office, and that for (30) days after the first publication thereof, the Board will receive written protests to the creation of the Big Mountain West Zoning District, shall be published once a week for two weeks.

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

**BE IT FURTHER RESOLVED**, that if forty percent of the free-holders protest the proposed creation of the Big Mountain West Zoning District, then that zoning district will not be created.

DATED this 20th day of October, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By: \_\_\_\_\_  
Robert W. Watne, Chairman

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

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

ATTEST:  
Paula Robinson, Clerk

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

**EXHIBIT A  
BIG MOUNTAIN WEST  
UNZONED TO BR-4  
SEPTEMBER 16, 2003**

The property is described as Tracts 1, 5, and 6 of Certificate of Survey 15439; Tracts 1 and 2 of Certificate of Survey 15520; Tract 1 of Certificate of Survey 15516; Government Lot 2 and the Southwest ¼ of the NE1/4 of Section 3, Township 31 North, Range 22 West; Tract 1 in the SE1/4 of the NE1/4 and the S1/2 of the S1/2 of Government Lot 1 and Tract 2 in the SW1/4 of the NW1/4 and the S1/2 of the S1/2 of the Government Lot 2 of Section 2, Township 31 North, Range 22 West; and Tract 1 of Certificate of Survey 14892 P.M., Flathead County, Montana.

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

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION**

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intent (Resolution No. 1654) on October 20, 2003, to create the Big Mountain West Zoning District and to zone the property in the proposed district BR-4 (Resort Business).

The boundaries of the proposed Big Mountain West Zoning District are set forth on Exhibit "A" hereto.

The proposal is to zone the property BR-4 (Resort Business), as defined by the Flathead County Zoning Regulations. The general character of the BR-4 zone is for resort purposes and to provide for the development of medium and high density resort uses, including hotels, motels, resort condominiums and other similar uses oriented towards tourism and resort businesses. BR-4 districts may also provide as allowed uses meeting rooms, convention facilities, bars, lounges and restaurants, and retail and commercial uses intended primarily for the guests of the facilities.

The proposed zoning regulations, contained in the Flathead County Zoning Regulations, are on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, Kalispell, Montana, in Permanent File No. 93270 13500.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the adoption of the proposed Big Mountain West Zoning District and the regulations therefore, from persons owning real property within that proposed district, whose names appear on the last completed assessment role of Flathead County.

DATED this 20th day of October, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:  
Paula Robinson, Clerk

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

Publish on October 23, and October 30, 2003

**EXHIBIT A  
BIG MOUNTAIN WEST  
UNZONED TO BR-4  
SEPTEMBER 16, 2003**

The property is described as Tracts 1, 5, and 6 of Certificate of Survey 15439; Tracts 1 and 2 of Certificate of Survey 15520; Tract 1 of Certificate of Survey 15516; Government Lot 2 and the Southwest ¼ of the NE1/4 of Section 3, Township 31 North, Range 22 West; Tract 1 in the SE1/4 of the NE1/4 and the S1/2 of the S1/2 of Government Lot 1 and Tract 2 in the SW1/4 of the NW1/4 and the S1/2 of the S1/2 of the Government Lot 2 of Section 2, Township 31 North, Range 22 West; and Tract 1 of Certificate of Survey 14892 P.M., Flathead County, Montana.

**PRELIMINARY PLAT: ELK HIGHLANDS**

Present at the October 20, 2003 9:45 A.M. Meeting were Commissioner Gipe, Commissioner Hall via telephone, Tom Sands and Erica Wirtala of Sands Surveying, Craig A. Cook, Thomas Penaluna, Ginger Penaluna, Ronald Buentemeier, Bruce Deitz,

Craig A. Cook, Thomas C. Orr, Planning and Zoning Director Forrest Sanderson, Planner Mark Crowley, Assistant Avery, and Clerk Eggum.

Crowley reviewed the preliminary plat for Elk Highlands Subdivision filed by Elk Highlands, Inc. which proposes to create a 41 lot single-family subdivision on approximately 203 acres. The property is located on Big Mountain north of Kalispell. Staff recommends approval of the Preliminary Plat.

Wirtala advised that this is to be 45 single family homes on approximately 103 acres. Parcel A will not have any development to allow for the new road alignment. There will be a big entryway sign coming into the development. It will be Elk Highlands Road traversing the majority of the development. Whispering Pines will be a short cul-de-sac to access some of the other homes. Approximately 100 acres will be in conservation area. These will all have ski in ski out capabilities with the creation of a new lift. This is the lift that is under discussion at the moment. We have realigned the lift to improve access not only for our skiers but to improve relations between the subdivisions.

Penaluna advised that they certainly agree with movement of the lift. I believe that it is in the description of the preliminary plat at this point. That shouldn't be a problem. We wanted to provide an alternative here. We are working with the Big Mountain Homeowners Association and we really hope that we can work it out so that we can access Sun Rise Ridge Phase V from the Ridge Run Drive that comes off of Sun Rise Ridge Phase I through IV. If we can't do that, we have the alternative that actually does come up from the Northern Lights Road. Either way, if the road actually comes off of Ridge Run Drive, this will be a gated area and the Northern Lights Drive will not be an actual road, it will be a gated emergency egress only. The same would also apply if we access through the Northern Lights Road. It would be an emergency egress only and be gated as well. We are working with all of the residents in the adjoining developments and we feel very comfortable that we can work out all of the details on the construction. Everybody knows what construction is like. I think we have some good alternatives to minimize the problems that it will show to those residents. The developers themselves plan on living in this development and so we want to make sure that it is done right. We are looking for new neighbors, new friends, not to make enemies so we are going to work out something that everybody is happy with.

Commissioner Gipe stated that it appears as if all parties are working well together. The final plat cannot be approved until the zone change takes effect which will not occur until after the 24<sup>th</sup> of November. Any remaining issues can be dealt with when the final plat comes in.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-03-21B as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Elk Highlands Subdivision subject to 20 conditions. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

#### **PRELIMINARY PLAT: SUN RISE RIDGE, PHASE V**

Present at the October 20, 2003 10:00 A.M. Meeting were Commissioner Gipe, Commissioner Hall via telephone, Tom Sands and Erica Wirtala of Sands Surveying, Craig A. Cook, Thomas Penaluna, Ginger Penaluna, Ronald Buentemeier, Bruce Deitz, Craig A. Cook, Thomas C. Orr, Planning and Zoning Director Forrest Sanderson, Planner Mark Crowley, Assistant Avery, and Clerk Eggum.

Crowley reviewed the preliminary plat for Sun Rise Ridge Phase V Subdivision filed by Elk Highlands, Inc. Sun Rise Ridge, Phase V Subdivision proposes to create a 16 lot single family subdivision on approximately 17 acres. The property is located on Big Mountain, north of Kalispell. Staff recommends approval of the Preliminary Plat. Crowley suggested that an additional condition be added to the Preliminary Plat to state that the proposed ski lift be shown on the final plat as being wholly on property owned by Elk Highlands, Inc. or written easement from Big Mountain Homeowners Association be granted.

Wirtala advised that this will be approximately 20 lots coming in off of Northern Lights Drive and have a short cul-de-sac in either direction. The preliminary plat has 16 units drawn on it but we have allowed for approximately 20 lots in the overall development plan. There is a skier trail that will be at the end of the lift. There has been some discussion between the existing Sun Rise Ridge previous phases I through IV. If an agreement cannot be worked out to determine the legal access route or if there are still questions regarding the lift and where that eventually ends up, we have an alternate plan. We will come in with a different name as well. We feel it is viable with very minor changes on it with a different access route and a realignment of the lift off the common area. In total, with these three subdivisions proposed, we are looking at an overall dwelling unit density of 2.7 units per acre and that is taking that 2000 unit capacity between Big Mountain Village and this new proposed Big Mountain West and keeping that in total.

Commissioner Hall confirmed that the maintenance of the road for snowplowing has been satisfactorily resolved.

Wirtala responded that the subdivisions that would be incorporated into the Big Mountain Homeowners Association specifically, Phase V of Sun Ridge would be incorporated into their Road Maintenance Agreement which would take care of plowing and maintenance of pot holes, etc. For the Elk Highlands and the Northern Lights West those would be creating a new homeowners association for those purposes or incorporating into the Big Mountain Homeowners Association. So they will either create their own or go in with an existing one. The roads are to be private roads but dedicated to the public.

Orr stated that the problem for his client, Jimmy Wheat again is that there seems to be a game where the rules are always changing. He has asked for some assurances on the ski lift. The developers have made some representations and we appreciate those representations but we have not seen where this is fixed and the application is being made. Fortunately today, we have two different proposals and I believe your task today is to approve a preliminary plat but we don't know what you are approving. You are approving V or the alternative to V. Are you approving Elk Highlands? I just don't think that the work has been completed and is ready for your final consideration today. I think it would take a plat with the placement of that lift on it for you to make a final approval today and we are asking that you do that and hold off on making any decisions until the plat with the drawing showing where that ski lift is going to come is completed.

Sands advised that they have been working the ski lift thing for about a month now and you can see that we did not change these two plats. These are the preliminary plats that were submitted to the Planning Staff and I thought the Commissioners would like to see what that was when they started discussing that thing. We did change it on this plat to show where this line does go, missing the lands owned by WSI and some common area that are owned by the homeowners association. Initially it was thought that that common area could be used for common purposes but if the homeowners don't want it there that is fine, we move the lift. The lift will be moved according to the conditions that Mark brought up there. I don't think there is a problem

with these two plats the way they are right now. If we can't get the accessed control through Ridge Run Drive on Sun Rise Ridge V, then we will go to this alternate A and move that primary access in from the north off of Northern Lights. The lift will be moved if we get an agreement with Sun Rise Ridge people. Either one will work. We know that the lift is going to be moved and in my mind that is finality. I have surveyed a lot of ski lifts in my lifetime all over the western United States and you cannot come up with a design yet until we get the engineer's profile done and what those heights can be and where those tower placements have to be to get the span and the depth and the coverage and the clearance and what have you. We have to know number one whether this is going to be a primary access or emergency egress on Sun Rise Ridge Road to know what the height of that tower will have to be to clear the skiers going over the road in the first place. That is one concern we have. Once we have that information in our hands we can design that lift and place those towers at a place that is going to be out of sight hopefully from Mr. Wheat's property. I think that can be done too by placing those towers behind the trees that are along the western side of his property. There are some pretty tall trees and I think we can hide those towers behind those trees. I don't think that is going to be a problem because we can move those towers back and forth a little bit with the grade of the line kind of regulates where they go too but we will do our best to appease him and make sure that it is not obtrusive to his living room.

Commissioner Gipe stated that they could look at that on the final plat.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-03-20 as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to amend the conditions by adding Condition No. 20 as follows: The proposed ski lift to be shown on the final plat as being wholly on property owned by Elk Highlands, Inc. or a written easement from Big Mountain Homeowners Association be granted. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Sun Rise Ridge, Phase V Subdivision subject to 20 conditions as amended. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

**PRELIMINARY PLAT: NORTHERN LIGHTS WEST**

Present at the October 20, 2003 10:15 A.M. Meeting were Commissioner Gipe, Commissioner Hall via telephone, Tom Sands and Erica Wirtala of Sands Surveying, Craig A. Cook, Thomas Penaluna, Ginger Penaluna, Ronald Buentemeier, Bruce Deitz, Craig A. Cook, Thomas C. Orr, Planning and Zoning Director Forrest Sanderson, Planner Mark Crowley, Assistant Avery, and Clerk Eggum.

Crowley reviewed the preliminary plat for North Lights West Subdivision filed by Winter Sports, Inc. Northern Lights West Subdivision proposes to create a 28 lot single family subdivision on approximately 103 acres. The property is located on Big Mountain north of Kalispell. Staff recommends approval of the Preliminary Plat.

Wirtala advised that this is developed by Winter Sports, Inc. This will be approximately 37 lots with 60 units. Now the BR-4 zoning that is proposed for this area will allow for some town homes, vacation unit rentals and things like that. Therefore there is a slight disparity between the actual number of lots and the actual number of units that are proposed for that. This is on approximately 101 acres and this will be accessed through the main Elk Highlands Drive and have three short cul-de-sacs off of that road to access their northern most lots.

Cook advised that he was the director of development and resource resort services on Big Mountain and representing Winter Sports. We are in the recreation business and that is our intent. The ski in ski out access is a valid and a very good component for us. We are currently in discussion about that lift. Winter Sports is in the lift business so it would be our challenge to build, construct, maintain and service that lift. We will do our part as best we can to mitigate any problems that we may have with the neighbors with that lift. It will service a significant number of people including some of the Sun Rise Ridge folks now. But at this time, we are not prepared to make any concessions with heights of towers, etc. for that lift as the engineering will dictate that and the safety of the public. One area, Erica spoke about where the roads would be maintained that Mr. Hall asked about. Northern Lights West and the Elk Highlands property if it has its own homeowners association, those associations would be responsible for that. That would not be Big Mountain Homeowners responsibility to deal with those if that is the case.

Dietz advised that he was the President of Big Mountain Homeowners Association. I believe there is an inconsistency between the plats. This one shows the chairlift coming across Sun Rise Ridge phases I through IV. All I was asking for is consistency between the primary plat and the alternate plat. Sands confirmed that they just didn't revise these two plats. They revised one to show where it is going to be. Dietz also requested that the Northern Lights Drive description be changed to unimproved emergency egress and ski way because indeed that is what that would be, the ski way through the property.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-03-22 as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Northern Lights West Subdivision subject to 19 conditions. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

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

\*\*\*\*\*

**TUESDAY, OCTOBER 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.

**CONSIDERATION OF LOAN RESOLUTION**

Present at the October 20, 2003 8:30 A.M. Meeting were Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to adopt Resolution No. 1653. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**RESOLUTION NO. 1653**

**WHEREAS**, due to hot and dry conditions, the fire danger in Flathead County was in the extreme category in July, August and September, 2003;

**WHEREAS**, due to the hot and dry weather, the fire occurrences in Flathead County, Montana, were sufficiently numerous to result in declarations of states of emergency by the Governor of the State of Montana and the Board of Commissioners of Flathead County;

**WHEREAS**, Flathead County appropriated two (2) mills on the taxable valuation of the County outside the incorporated municipalities, pursuant to Section 10-3-405, M.C.A., to the Emergency/Disaster Fund to be utilized for paying the expenses incurred by Flathead County in fighting fires during the 2003 fire season;

**WHEREAS**, the amount of money raised by the emergency levy is not sufficient to pay charges incurred by Flathead County in fighting fires during the 2003 fire season; and

**WHEREAS**, Flathead County expects reimbursement from State and Federal funds for a substantial portion of the charges incurred by Flathead County in fighting the fires during the 2003 fire season.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, by the Board of Commissioners of Flathead County, that in order to pay charges incurred in fighting fires during the 2003 fire season in a timely manner, and prior to receiving reimbursements from State and Federal funds, a loan in the amount of \$750,000 shall be made from the Payment in Lieu of Taxes Fund, No. # 2901, to the Emergency Disaster Fund, No. 2260, for the purpose of paying related fire costs on a temporary basis, pending reimbursement.

**BE IT FURTHER RESOLVED** that the loan from the Payment in Lieu of Taxes Fund, No. # 2901, to the Emergency Disaster Fund, No. 2260, shall be for a period of one year and interest in the amount of zero percent (0%) shall be charged.

Dated this 21<sup>st</sup> day of October, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By: \_\_\_\_\_  
Robert W. Watne, Chairman

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

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

ATTEST:  
Paula Robinson, Clerk

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

**AUTHORIZATION TO PUBLISH REQUEST FOR QUALIFICATIONS: ARCHITECT/FAIRGROUNDS BUILDING**

Present at the October 21, 2003 8:45 A.M. Meeting were Commissioners Gipe and Hall, Fair Director Jay Scott, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to authorize the publication of the Request for Qualifications and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**REQUEST FOR QUALIFICATIONS**

The Flathead County Board of Commissioners is requesting interested architects or firms to submit their qualifications for providing architectural services to Flathead County. Such qualification statements are to be submitted, in writing, to the Flathead County Board of Commissioners at 800 South Main, Kalispell, Montana 59901, and must be received no later than **5:00 p.m. on November 12, 2003**. All responses will be reviewed by the Fair Board and the Board of Commissioners and those firms chosen for further discussions or more detailed submittals will be so notified by written letter from the Office of the Flathead County Board of Commissioners.

**SCOPE OF WORK:**

The person/firm selected will provide all architectural services necessary to design and construct an approximately 60,000 square foot livestock pavilion at the Flathead County Fairgrounds, located at the intersection of Idaho Street and Meridian Road, Kalispell.

**CRITERIA OF SELECTION:**

Selection of a person/firm for the provision of these services will be based upon the following criteria and each of the six criteria must be addressed within the qualifications response submitted in order to be eligible for consideration.

1. Qualifications of the proposed professional personnel who will be assigned to the project.
2. Capability to meet time and project budget requirements.
3. Location of the office of the person/firm.

4. Present and projected workloads of the person/firm.
5. Related experience on similar projects.
6. Recent and current work for Flathead County.

Dated this 21<sup>st</sup> day of October, 2003.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:  
Paula Robinson, Clerk

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

Publish on October 25, 2003 and November 1, 2003.

**DOCUMENT FOR SIGNATURE: CDBG ARCHITECT CONTRACT/AOA**

Present at the October 21, 2003 8:45 A.M. Meeting were Commissioners Gipe and Hall, AOA Director Jim Atkinson, Assistant Avery, and Clerk Eggum.

Commissioner Gipe reviewed the AIA contract with attachments for doing the preliminary architectural review for Agency on Aging.

Commissioner Hall made a **motion** to approve the AIA Document B141-1997 Standard Form of Agreement Between Owner and Architect with Standard Form of Architect's Services and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**CONSIDERATION OF COMP TIME REQUEST: J. FISHER**

Present at the October 21, 2003 8:45 A.M. Meeting were Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Gipe reviewed a letter from Jed S. Fisher requesting approval of extending the use of comp hours on the books until the end of January, 2004.

Commissioner Hall made a **motion** to approve the request for extension of use of comp time until January 31, 2004 on behalf of Jed Fisher. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**PRELIMINARY PLAT: WHITEWATER PROPERTIES**

Present at the October 21, 2003 9:00 A.M. Meeting were Commissioners Gipe and Hall, Elliott Kuubits, Megan Foley, Bob Haugen, Planner Mark Crowley, Assistant Avery, and Clerk Eggum.

Crowley reviewed the preliminary plat for Whitewater Properties Subdivision filed by Elliot Kuubits and Megan Foley. Whitewater Properties proposes to create a five lot single-family residential subdivision on approximately 18.549 acres. The property is located on Whitefish Stage Road southeast of Whitefish. They are proposing an internal subdivision road. They are requesting a variance to reduce the paving to from 150 feet which would normally be required to 50 feet. Their basis for the request was aesthetics and economics. The staff report does not find a basis to support that variance. It is recommended that they pave 150 feet. It is based on the fact that the road would serve three lots. Two lots would be served off of Whitefish Stage. It is not in the air quality district so there is no paving requirement for the entire road. There are no other substantial issues. Staff recommends approval of the Preliminary Plat.

Kuubits advised that there are several other subdivisions in the area, most of which are not paved at all and he would prefer not to pave any of the road. A street sign and nice approach with a paved road that goes 300 feet will encourage sightseeing traffic in addition to neighborhood kids with skateboards and the like. The centerline of the road is bordering the neighboring property and the road will be quite close to that house. Kuubits stated he would rather not pave than put up signs that say private property, dead end, etc.

Commissioner Gipe noted that this was on the edge of the Whitefish Air Quality District. Crowley noted that if the property were located within the air quality district there would be a requirement to pave the entire length of the road. Commissioner Hall stated that is really the only place Whitefish has to grow so it is only a matter of time before probably even the boundaries of the air quality district will change. He noted he would hate to miss an opportunity to get as much paving done as possible with all the growth that is going on in the valley. It needs to be done. Commissioner Gipe stated that he could not support the variance and noted the need to have the whole road paved. He agreed that everything is moving that way out of Whitefish and it is not going to be very long until it is all going to be in the air quality district.

Commissioner Hall made a **motion** to adopt Staff Report #FSR-03-34 as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to deny the variance. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Whitewater Properties Subdivision subject to eight conditions. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

**PRELIMINARY PLAT: MOUNTAIN HOME SUBDIVISION**

Present at the October 21, 2003 9:15 A.M. Meeting were Commissioners Hall and Gipe, Peggy Mathiason and Rick Breckenridge of Montana Mapping Associates, Planner Mark Crowley, Assistant Avery, and Clerk Eggum.

Crowley reviewed the preliminary plat for Mountain Home Subdivision filed by William and Nancy McGunagle Trust. Mountain Home Subdivision proposes to create a two lot single-family residential subdivision on approximately 20 acres. The property is located north of Hodgson Road across from Happy Valley. Staff recommends approval of the Preliminary Plat.

Commissioner Hall made a **motion** to adopt Staff Report #FSR-03-33 as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Mountain Home Subdivision subject to eight conditions. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

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

Present at the October 21, 2003 9:30 A.M. duly advertised public hearing were Commissioners Gipe and Hall, Dawn Marquardt and Debbie Shoemaker of Marquardt and Marquardt Surveying, Assistant Avery, and Clerk Eggum.

Acting Chairman Gipe opened the public hearing and continued it until 11:00 a.m. on October 28, 2003.

**PUBLIC HEARING: ROBERSON ZONE CHANGE/HASKILL BASIN ESTATES ZONING DISTRICT**

Present at the October 21, 2003 10:30 A.M. duly advertised public hearing were Commissioners Gipe and Hall, Planner Mark Crowley, Sue Powell, Chester Powell, Winston Manicke, Glinda Fagan, Joe Fagan, Ulrich Bircher, Jennifer Gerber, Assistant Avery, and Clerk Eggum.

Crowley advised that this was a zone change request by Chuck and Linda Roberson from AG-20 to SAG-5 within the Haskill Basin Estates Zoning District. There are three separate applicants for a total of 30 acres. It is within the Haskill Basin Estates Zoning District which encompasses 3,840 acres all but about 40 are zoned AG-20. It was zoned in May of 1992. Should it be approved, it would allow for more commercial uses on the property. Such a designation would allow kennels, high impact recreational facilities, and golf facilities as conditional uses. Staff report and the Planning Board recommend denial of the request.

Acting Chairman Gipe opened the public hearing to anyone wishing to speak in favor of the zone change request. No one rising to speak, Acting Chairman Gipe asked for anyone wishing to speak in opposition to the zone change request.

Glinda Fagan advised that she lives in Haskill Basin and the zoning district came into being May 21, 1992 noting that Commissioner Gipe was one of the Commissioners who granted the zoning. We have not had any zone changes in that district except for one which was changed to a 10 for access to the property. I am here in objection to the zone change and I request my previous letter be made a part of the record.

Fagan continued with I won't repeat myself on all of that but I did go back through the zoning file in the Planning Office here and at the time it was Tom Jentz that was involved and Tom kept real good notes. The people that are requesting this zone change on their application she says that this zone thing happened when they were out of the area. They knew nothing about it and so couldn't protest it. But in that file in the planning office Tom took a phone call from Mr. Roberson on March 2<sup>nd</sup>. She has an undivided one-half interest in those 10 acres which was a family transfer. She went to get it surveyed and she was told 20 acre minimum she wants to know how to get passed that. So she was very aware of what was happening. He told her to talk to the Clerk and Recorder. A quitclaim deed does exist and he told her it must be deeded before the zoning is in place probably by mid-May and she was doing groundwater monitoring at that time. She did not protest nor did her parents nor did the other two property owners that now want the change.

Chester Powell advised that this zoning change would be opening the flood gates because I am surrounded by a 60 above and a 40 right adjacent that I am sure would be interested in doing the same thing.

Joe Fagan advised that he lives in Haskill Basin. I am against this zone change. Our original zoning was put into place strictly because of the runaway development in our area and also the land splits. Our area really can't sustain the type of development that has been brought up in the past. One of the big developments that was going to take place was on a 40 acre parcel with 19 units and their big septic system in an area that the creek during high water flowed right over. That is the kind of development that we did not want in the area and still do not want.

Susan Powell advised that they were adjacent to one of the landowners. Our well has gone dry. I think if you did some checking, there are several wells in the area that have gone dry. To me that is a huge issue. There are people in Haskill Basin that can't get water. When you start that kind of development then it does concern me that we can't support it. I don't think that area can support that kind of development so I am opposed.

Manicke advised that he lives in Haskill Basin. I have lived there for 50 years. 50 years ago when you dug a fence post hole you had water. Right now it is 12 feet down. If anyone wants to come look at it I will prove it to them. That is a fact and it is all in that one little area there. I oppose the zone change.

Bircher advised that he lives in Haskill Basin. I agree with Susan. Water is a problem. There are people hauling water in trucks because their wells are totally dry so splitting up more places really isn't going to be any good. I am against it.

Gerber advised that she is opposed to the zone change. I worry about the water up there. I am also concerned about fire. I think about zones and why we create them. I know the county planner recommended against it and I would like the Commissioners to look at all those points. I think they are valid points and that is why we have those things in place. I would go down as opposing this zone change.

No one else rising to speak, Acting Chairman Gipe closed the public hearing.

Commissioner Gipe confirmed that he was a commissioner at the time of institution of the zone. He stated he was opposed to this zone change.

Commissioner Hall advised that he happened to be in attendance at the Planning Board's public hearing on this matter. There are two glaring issues, the roads and the water issue.

Commissioner Hall made a **motion** to adopt Staff Report FZC #FZCI-03-35. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to deny the zone change request. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**CONSIDERATION OF CONTRACT: JADE/COMPUTER SERVICES**

Present at the October 21, 2003 11:30 A.M. Meeting were Commissioners Gipe and Hall, Jerry Williamson, Alistair Peat, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to approve the Jet Conversion Services Agreement and License and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: CRS ANNUAL RECERTIFICATION/PLANNING AND ZONING OFFICE**

Present at the October 21, 2003 11:30 A.M. Meeting were Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to approve the Community Rating System Annual Recertification and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**FINAL PLAT: RIVER PLACE, PHASE III**

Present at the October 21, 2003 11:45 A.M. Meeting were Chairman Watne, Commissioner Gipe, Planner Tim Beck, Ardis Larsen of Larsen Engineering and Surveying, Al Sylling, Assistant Avery, and Clerk Eggum.

Beck reviewed the final plat for River Place Subdivision Phase III which is an application by Al Sylling d/b/a Arico, LLC for final plat approval. This is the third phase of the River Place Subdivision located on the east side of River Road between Hwy 2 West and West Evergreen Drive. Phase III contains 26 lots on 15.82 acres. This subdivision was reviewed and approved under a Planned Unit Development that allowed a mix of densities with underlying zoning of R-1, One Family Limited Residential. The property is in the Evergreen and Vicinity Zoning District and is served by Evergreen Water and Sewer. Preliminary plat was granted on January 9, 2003 subject to 14 conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to approve the Subdivision Improvement Agreement in the amount of \$122,000.00 for completion of site excavation, road development, sewer testing and hook up fees. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to accept the sum of \$2,960.00 as cash-in-lieu of parkland. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat for River Place Subdivision, Phase III. Commissioner Hall **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

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

\*\*\*\*\*

**WEDNESDAY, OCTOBER 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.

**MONTHLY MEETING W/LEE CORAY-LUDDEN RSVP**

Present at the October 22, 2003 9:00 A.M. Meeting were Commissioners Gipe and Hall, RSVP Director Lee Coray-Ludden, Assistant Avery, and Clerk Eggum.

General discussion was held relative to process for getting on same fiscal year; audit; response to audit; worksites; cribbage program; disaster preparedness; need for more volunteers.

**CONSIDERATION OF LAKESHORE PERMIT: LOVE**

Present at the October 22, 2003 9:15 A.M. Meeting were Commissioners Hall and Gipe, Planner Lindsay Morgan, Doug Williams Jr. and Sr., Assistant Avery, and Clerk Eggum.

Morgan reviewed Lake and Lakeshore Construction Permit filed by Mary Pat Love on Whitefish Lake to install an L-shaped EZ dock. The Whitefish Lakeshore Protection Committee approved the original permit which allowed a 10' gangway but Glacier Dock installed a 20' gangway, resulting in a violation. The contractor paid the after the fact fine of \$100.00. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #WLP-03-13a and authorize the Chairman to sign subject to 12 conditions. Commissioner Gipe **seconded** the motion. **Aye** - Gipe and Hall. Motion carried by quorum.

**CONSIDERATION OF LAKESHORE PERMIT: HOUDA**

Present at the October 22, 2003 9:15 A.M. Meeting were Commissioners Hall and Gipe, Planner Lindsay Morgan, Doug Williams Jr. and Sr., Assistant Avery, and Clerk Eggum.

Morgan reviewed Lake and Lakeshore Construction Permit filed by Doug and Shelley Houda on Whitefish Lake to remove the lower 10 feet of an existing wood stairway and replace with 10 to 12 Chief Cliff dry-set slab stone steps; remove existing rubble; install a new dry-set boulder retaining wall. The Whitefish Lakeshore Protection Committee approved the permit. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #WLP-03-33 and authorize the Chairman to sign subject to 21 conditions. Commissioner Gipe **seconded** the motion. **Aye** – Gipe and Hall. Motion carried by quorum.

**CONSIDERATION OF LAKESHORE PERMIT: KING**

Present at the October 22, 2003 9:15 A.M. Meeting were Commissioners Hall and Gipe, Planner Lindsay Morgan, Doug Williams Jr. and Sr., Assistant Avery, and Clerk Eggum.

Morgan reviewed Lake and Lakeshore Construction Permit filed by Maureen King on Whitefish Lake to install an I-shaped EZ dock. The Whitefish Lakeshore Protection Committee approved the permit. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #WLP-03-31 and authorize the Chairman to sign subject to 12 conditions. Commissioner Gipe **seconded** the motion. **Aye** – Gipe and Hall. Motion carried by quorum.

**CONSIDERATION OF LAKESHORE PERMIT: REASER**

Present at the October 22, 2003 9:15 A.M. Meeting were Commissioners Hall and Gipe, Planner Lindsay Morgan, Doug Williams Jr. and Sr., Assistant Avery, and Clerk Eggum.

Morgan reviewed Lake and Lakeshore Construction Permit filed by Ken Reaser on Whitefish Lake to install an F-shaped floating glacier dock. The Whitefish Lakeshore Protection Committee approved the permit. This is an after the fact permit. The contractor has paid a fine of \$200.00 for installing the dock without proper permitting. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #WLP-03-24 and authorize the Chairman to sign subject to 12 conditions. Commissioner Gipe **seconded** the motion. **Aye** – Gipe and Hall. Motion carried by quorum.

**BOARD APPOINTMENTS: BIGFORK LAND USE ADVISORY COMMITTEE**

Present at the October 22, 2003 9:30 A.M. Meeting were Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to appoint Lance Witt to the Bigfork Land Use Advisory Committee. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**CONSIDERATION OF PRINTING BID: COUNTY ATTORNEY**

Present at the October 22, 2003 9:30 A.M. Meeting were Commissioners Gipe and Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to award the bid to Kalispell Copy Center for four sets of 1,000 business cards in the amount of \$84.96. Commissioner Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

**MONTHLY MEETING W/DOROTHY LAIRD, LIBRARY**

Present at the October 22, 2003 9:45 A.M. Meeting were Commissioners Gipe and Hall, Library Director Dorothy Laird, Perry McCahill, Robert Lopp, Laura Long, Marge Fisher, Assistant Avery, and Clerk Eggum.

General discussion was held relative to needs assessment; Bigfork needs.

**MEETING W/JANAE SCHMAUTZ/FLATHEAD YOUTH SHELTER**

Present at the October 22, 2003 10:15 A.M. Meeting were Commissioners Gipe and Hall, Janae Schmutz, Assistant Avery, and Clerk Eggum.

Schmutz provided the Commissioners with a packet of information relative to the Flathead Youth Shelter. She reviewed the history of the youth shelter program in Kalispell, the current shelter situation, the needs of the shelter, the benefits of having a permanent facility and a request for county assistance in finding a permanent location.

Commissioner Gipe advised that he wanted to explore the idea with the County Attorney's Office of utilizing the previous facility if appropriate mitigation could be accomplished.

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

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 23, 2003.

\*\*\*\*\*

**THURSDAY, OCTOBER 23, 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.

**10:00 A.M. Quarterly Jail Facility Tour**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 24, 2003.

\*\*\*\*\*

**FRIDAY, OCTOBER 24, 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 October 27, 2003.

\*\*\*\*\*