

MONDAY, NOVEMBER 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.

MONTHLY MEETING W/JOE RUSSELL, HEALTH DEPARTMENT

Present at the November 24, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Health Director Joe Russell, Assistant Avery, and Clerk Eggum.

General discussion was held relative to flu shots, sewer issues, health center, heating issues.

DOCUMENT FOR SIGNATURE: COMMUNITY HEALTH CENTER COOPERATIVE AGREEMENT

Present at the November 24, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eggum.

Commissioner Hall made a **motion** to continue signature of the Health Center Cooperative Agreement to November 25, 2003. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

PUBLIC HEARING: MAJESTIC HILLS PUD

Present at the November 24, 2003 9:30 A.M. duly advertised public hearing were Chairman Watne, Commissioner Hall, Tom Sands of Sands Surveying, Roger Fricke, Caren Fricke, Planner Johna Morrison, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eggum.

Morrison advised that this was a request by Granite Holdings to create a 52 lot mixed use single family residential/commercial subdivision on approximately 147 acres. The property lies within the Highway 93 North Zoning District and is zoned SAG-5. Specifically, the proposed project will create 43 residential lots with individual user water and septic systems, and nine commercial lots with individual user water and septic systems.

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

Fricke advised that this was a long and interesting process. He noted that basically the proposal was the same as it was the time before. He believes it is a good project and it makes sense for the area. He hoped for the Commissioners' approval.

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

Sanderson confirmed that if the Commissioners' approved the PUD in compliance with Part IV, this is a preliminary approval and the final approval comes with the final plat, plans and specifications. The orders to change the maps all come with the final documents.

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

Commissioner Hall made a motion for preliminary approval of the PUD. Chairman Watne seconded the motion. **Aye** – Watne and Hall. Motion carried by quorum.

PRELIMINARY PLAT: MAJESTIC HILLS

Present at the November 24, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Johna Morrison, Assistant Avery, and Clerk Eggum.

Morrison reviewed the preliminary plat for Majestic Hills Planned Unit Development filed by Granite Holdings. Majestic Hills Subdivision proposes to create a 52 lot mixed use single-family residential/commercial subdivision located along Highway 93 North of Kalispell and establishment of an overlay Planned Unit Development. The property lies within the Highway 93 North Zoning District and is zoned SAG-5. The proposed project will create 43 residential lots with individual user water and septic systems, and nine commercial lots with individual user water and septic systems. Staff recommends approval of the Preliminary Plat.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-03-03A 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 Majestic Hills Subdivision subject to 17 conditions. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MONTHLY MEETING W/ALAN MARBLE, OES

Present at the November 24, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Hall, OES Director Alan Marble, Assistant Avery, and Clerk Eggum.

General discussion was held relative to Spruce Park issue; Homestead house; RC&D to manage fire issues; fire plan;

FINAL PLAT: WEST VALLEY SCHOOL ACRES, AMENDED PLAT OF LOT 2

Present at the November 24, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Lindsay Morgan, Jim Burton of Jackola Engineering and Architecture, Assistant Avery, and Clerk Eggum.

Morgan reviewed the Staff Report regarding the application filed by Andrew H. and Tricia L. Silvers for the Amended Plat of Lot 2, West Valley School Acres, which will create a two lot subdivision. Preliminary plat was approved July 7,

2003 subject to nine conditions. Morgan indicated that all conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to approve Final Plat for the Amended Plat of Lot 2, West Valley School Acres Subdivision. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: EVERGREEN PINES

Present at the November 24, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Johna Morrison, Ardis Larsen of Larsen Surveying and Engineering, Assistant Avery, and Clerk Eggum.

Morrison reviewed the Staff Report regarding the application filed by Scott and Barbara Vlasak for the final plat approval of Evergreen Pines, a Planned Unit Development and subdivision which will create six lots. The property is located on the north side of Solberg Drive in Kalispell just to the west of the intersection of Harmony Court and Solberg Drive. Preliminary plat approval was granted March 26, 2003 subject to 15 conditions. Morrison indicated that all conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to approve cash in lieu of parkland in the amount of \$2,956.00. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve a Subdivision Improvement Agreement in the amount of \$ for. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat and PUD for Evergreen Pines. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MEETING W/CHARLIE JOHNSON, ROAD DEPARTMENT

Present at the November 24, 2003 11:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Jean Agather, Megan, Morris, Jim Burton of Jackola Engineering and Architecture, Road and Bridge Superintendent Charlie Johnson, Assistant Avery, and Clerk Eggum.

Johnson advised that a meeting with BJ and Neighbors Together would be held on Wednesday at 8:30 in Jackola's office. He strongly recommended that the Commissioners attend as there would be discussion relative to adding sidewalks, curbs and street lights or signal lights to the project. Commissioner Hall confirmed that the RFP that has been sent out was just basically to build the bridge. Johnson reminded the Commissioners that the project would be phased in. He stressed the need to set parameters for what was going to be done. He noted the signal light issue came up about two or three months ago and now talk is adding curbs, sidewalks and the like. Burton advised that the subject of the additional amenities came up at their last meeting. Chairman Watne cautioned that they did not want to price themselves out of the project. Johnson noted he already had concerns relative to financing the project.

Agather reviewed the right-of-way for the **Conrad Connector**. She suggested that a letter be written providing for an exchange of currently owned right-of-way. Johnson requested that the County Attorney's Office review any proposal. Burton agreed to research the county's current road/easement situation and provide the information to Johnson. Johnson questioned where the funding is coming from for the project.

Johnson then discussed concerns with the Flathead Basin Commission's project on **Mount Creek**. He noted that the project is being changed an awful lot. When the grant was obtained the road was going to be on the west side of the creek. There was already a road in there with great access which only needed to be widened. Originally one of the landowners had agreed to give the right-of-way for the project but now realizes it comes too close to his old homestead and has now backed out. Johnson advised that he met with several of the landowners in the area. The proposal now is to be on the east side of the creek coming down through those canyons. A good portion of the proposed road is not bad but the bottom portion is going to come out half way down the hill instead of at the bottom which is sooner than it should. Coming down through the canyons, results in some real tall 14 to 15% grades. One landowner is willing to provide some right-of-way across the corner of his property if his property is subdivided. Johnson noted that he is going to write a letter and express his concerns.

Johnson advised that he anticipates receiving all of the bid documents for the **Brist** project early next week. Commissioner Hall advised that all the trees have been removed. Johnson noted that they are trying to keep the grade at about 6½% which will change the quantities of material slightly. He noted he did not want to go any greater than the 6½%.

Johnson confirmed that Jim Burton, the county contract surveyor is subject to a two year contract to expire December 31, 2004 or with a 30-day written notice by either party. Johnson noted that a job description needed to be prepared for a surveyor and that needs to be approved by the personnel committee before they can move forward.

Johnson advised that a citizen was concerned about a curve on **Lupfer**. He noted that he tries to widen and straighten out a few every year. The traffic counts for Lupfer in 2001 were only 101 cars a day. He added that a group would be in to talk to the Commissioners about Garland, Jellison, and a couple of other projects.

Chairman Watne asked for an update on **Managhan**. Johnson responded that he doesn't want to start something at this late date. He has all the slopes built on one side and partially down on the other side with some more slope work to be done. He noted that some concerns have come to the surface relative to public participation in the paving.

Johnson noted that residents on **Troutbeck Rise** are questioning whether they can get paving if they offer some funds.

Commissioner Hall suggested that a list be generated before spring hits and not vary from the list. Johnson agreed adding that it is the County's responsibility to follow through on the list. Chairman Watne noted that they have tried that process before with little success.

11:30 A.M. Commissioner Hall is to meet with Shirley Anderson.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 25, 2003

TUESDAY, NOVEMBER 25, 2003

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

MEETING W/JAY SCOTT/FAIRGROUNDS RE: ARCHITECT SELECTION

Present at the November 25, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Fair Superintendent Jay Scott, Assistant Avery, David Mitchell of CTA Architects, Don Counsell with Architects Northwest, Thor Jackola and Sharon Jackola of Jackola Engineering, Michael Fraser of Thomas, Dean & Hoskins Engineering Consultants, and Clerk Eisenzimer.

Jay Scott explained that the decision to select architect comes back to the Commissioners because publication was by the Commissioners and submissions were to the Commissioners. Livestock building is to be completed by June 30, 2004 with concrete foundations and dirt floor, to house livestock. Superintendent Scott would like the building to be useable by community groups and functional for wide range of activities.

CTA Architects and Thomas Dean & Hoskins presented their plans for project. They state they are able to complete project in allotted time and will use local labor, they also presented history of completed projects that are the same in nature.

Architects Northwest presented plans of putting a team together specific to this project. Architects Northwest is ready to start project although has reservations of conditional use permits.

Sharon Jackola of Jackola Engineering gave presentation of abilities to complete project within time frame, stated history of doing metal buildings, prepared to get the most building for the money

Commissioner Hall is concerned about the manpower available for project, questions were answered by presentations.

Commissioner Hall made a **motion** to select Thomas, Dean & Hoskins Engineering. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

COS REVIEW: SULLIVAN

Present at the November 25, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Planning and Zoning Director Forrest Sanderson, Rick Breckenridge of Montana Mapping, Assistant Avery, and Clerk Eisenzimer.

Sanderson reviewed the chain of title.

Commissioner Hall made a **motion** to approve the COS as presented. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

GIS MEETING W/PAULA ROBINSON & TOM REYNOLDS

Present at the November 25, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Hall, Lenni Sand, Assistant Avery, and Clerk Eisenzimer.

General discussion was held relative to amount of support for GIS Day to make it a success; 911 software and installation for dispatch; Tom participating as Chair of Montana Local Government GIS Coalition ; about a month and half behind on drafting with new subdivisions; working on new projects such as postal zones, school bus routes, gas tax money for roads, septic systems, exercise routes for the Health Department and researching imagery for Flathead County.

MONTHLY MEETING W/CHERYL WEATHERELL, 4-H OFFICE

Present at the November 25, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Extension Agent Cheryl Weatherell, Assistant Avery, and Clerk Eggum.

General discussion was held relative to weigh-in for livestock Saturday, December 6, 2003 at Flathead County Fairgrounds, program policies; new clubs; questioned about backup to Cheryl in case of her absence; discussion of new livestock building; discussion of donations that 4-H clubs contribute to fairgrounds; possible fitness camp at Loon Lake in February funded by General Mills.

DOCUMENT FOR SIGNATURE: FUNDRAISER LEASE/AOA

Present at the November 25, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve contract for Fundraiser Lease between Agency on Aging and Gateway West Mall. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF REQUEST FOR FMLA: K. GRICE

Present at the November 25, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve unpaid 15 days Family sick leave for Kay Grice per Paula Robinson's request. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF REQUEST FOR FINANCIAL TECH AP PROCESSOR IN BOOKKEEPING

Present at the November 25, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve request to maintain part-time financial tech. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD ABAN. #414 (PORTION DEER CREEK ROAD)

Present at the November 25, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to authorize the publication of the Notice of Discontinuance of Public Roadway No. 414. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**NOTICE OF DISCONTINUANCE
OF PUBLIC ROADWAY
NO. 414**

Notice is hereby given that the Board of Viewers have reported favorably to the Board of Flathead County Commissioners on the discontinuance of that certain public roadway in Flathead County, Montana, described as follows:

A tract of land in Government Lots 8 and 9 of Section 35, Township 27 North, Range 21 West, P.M.M., Flathead County, Montana, described as follows: Commencing at the northwest corner of Section 6, Township 26 North, Range 20 West, P.M.M., Flathead County, Montana, said point being the TRUE POINT OF BEGINNING of the centerline of a 60 foot county road; thence EAST 0.72 chains (47.52 feet); thence N02°45'E 2.42 chains (159.72 feet); thence N73°45'E 3.76 chains (248.16 feet); thence S43°46'E 4.90 chains (323.40 feet) to a point on the north boundary of said Section 6, and there terminating.

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

The hearing on this petition for abandonment is set for **December 11, 2003 at 10:30 A.M.** in the County Commissioners' Office, West Annex, Courthouse, Kalispell, Montana.

DATED this 25th day of November, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:

PAULA ROBINSON,
CLERK AND RECORDER

By: /s/Monica R. Eisenzimer
Deputy

Publish on November 29, 2003 and December 6, 2003

DOCUMENT FOR SIGNATURE: COMMUNITY HEALTH CENTER COOPERATIVE AGREEMENT

Present at the November 25, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

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

PUBLIC HEARING: KELLER ZONE CHANGE/EVERGREEN & VICINITY ZONING DIST.

Present at the November 25, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Johna Morrison, Road Superintendent Charlie Johnson, Assistant Avery, and Clerk Eisenzimer.

Morrison advised that this was a request by Les Keller for a zone change in the Evergreen and Vicinity Zoning District from R-1 (Suburban Residential) use which provides for a 1-acre minimum lot size to I-1 (Light Industrial) use which provides for a 7,500 square foot minimum lot size. The property is located at 1069 Whitefish Stage Road northeast of Kalispell and contains approximately 1.02 acres.

Discussion was held relative to location and use of approach with Charlie Johnson expressing concern over the danger of increased traffic using approach.

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

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

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

Commissioner Hall made a **motion** to deny zone change. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: SHELTER ROCK

Present at the November 25, 2003 10:45 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Johna Morrison, Joe Kauffman, Assistant Avery, and Clerk Eisenzimer.

Morrison reviewed the Staff Report regarding the application filed by Greg Goode for Shelter Rock Subdivision. The proposed subdivision will be a one lot minor subdivision along Shelter Valley Drive, approximately five miles southwest of Kalispell. The subject property is 6.58 acres in size and is located in an unzoned portion of Flathead County. Preliminary plat approval was waived on May 13, 2003, subject to six conditions. Morrison indicated that all conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-35 as Findings of Fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat for Shelter Rock Subdivision. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

PUBLIC HEARING: SHARPE, ET AL, ZONE CHANGE/WEST SIDE ZONING DIST.

Present at the November 25, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Johna Morrison, Assistant Avery, Rod Leese, and Clerk Eisenzimer.

Morrison advised that this was a request by Ronald and Marcia Charpe, Roderick and Sherie Leese, Terry Smiley, Harlen and Sheila Johnson Living Trust, Robert Beberg, and Kevin Linrude from SAG-10 (Suburban Agricultural) use which provides for a 10-acre minimum lot size to SAG-5 (Suburban Agricultural) use which provides for a five acre minimum lot size.

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

Rod Leese spoke in favor of zone change, proposal is to bring lot into similar zoning as surrounding area.

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

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

Commissioner Hall made a **motion** to adopt Resolution No. 678AH. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

RESOLUTION NO. 678 AH

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 25th day of November, 2003, concerning a proposal by Ronald & Marcia Sharpe, Roderick and Sherie Leese, Terry Smiley, Harlen and Sheila Johnson Living Trust, Robert Beberg, and Kevin Linrude to change the zoning designation in a portion of the West Side Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on November 13 and November 20, 2003;

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the West Side Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning designation in a portion of the West Side Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural), that area being described on Exhibit A hereto.

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

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

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

DATED this 25th day of November, 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/Monica R. Eisenzimer
Deputy

EXHIBIT A
SHARPE, LEESE, JOHNSON TRUST, BEBERG, AND LINDRUDE
WEST SIDE ZONING DISTRICT
SAG-10 TO SAG-5
OCTOBER 15, 2003

The property is located near Three Mile Drive and Stillwater Road along Quarter Horse Lane northwest of Kalispell, and contains approximately 80 acres. The property is described as Lots 1, 2, 3, 8, 9, and 10 of Quarter Horse Estates a platted subdivision in Section 2, Township 28 North, Range 22 West, 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. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. 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 intention (Resolution No. 678AH on November 25, 2003) to change the zoning designation in a portion of the West Side Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural).

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

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

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

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

DATED this 25th day of November, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

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

By: /s/Monica R. Eisenzimer
Deputy

Publish on November 29 and December 6, 2003.

EXHIBIT A
SHARPE, LEESE, JOHNSON TRUST, BEBERG, AND LINDRUDE
WEST SIDE ZONING DISTRICT
SAG-10 TO SAG-5
OCTOBER 15, 2003

The property is located near Three Mile Drive and Stillwater Road along Quarter Horse Lane northwest of Kalispell, and contains approximately 80 acres. The property is described as Lots 1, 2, 3, 8, 9, and 10 of Quarter Horse Estates a platted subdivision in Section 2, Township 28 North, Range 22 West, P.M., Flathead County, Montana.

MEETING WITH GORDON CONRAD RE: VONDERHEIDE LANE

Present at the November 25, 2003 11:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, Gordon Conrad, Road Superintendent Charlie Johnson, Deputy County Attorney Jonathan Smith and Clerk Eisenzimer.

Mr. Conrad handed Commissioners a map of the development and after indicating areas of concern, voiced his concern over creation of road along boundaries laid out on map and legal description. Mr. Conrad is concerned over right-of-way of projected subdivision and location of approaches; he will attempt to locate current map.

Commissioners agreed to address issues at Preliminary Plat approval.

5:00 Chairman Watne is to attend Refuse Board meeting at the Solid Waste District office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 26, 2003

WEDNESDAY, NOVEMBER 26, 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 November 26, 2003 9:00 A.M. Meeting were Chairman Watne, Commissioner Hall, RSVP Director Lee Coray-Ludden, Assistant Avery, and Clerk Eisenzimer.

General discussion was held relative to being in transition with board members; fundraiser with Soroptomists doing gift wrapping in Kalispell Center Mall; created committee and are looking at doing a Senior Prom; Christmas party is scheduled for December 17, 2003 at Windward Place at noon for Advisory council, Love day is scheduled for March 16, 2004; Disaster Preparedness is scheduled for January to educate seniors on disaster services.

BUDGET AMENDMENT

Present at the November 26, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to continue passage of budget amendment. Chairman Watne **seconded** the motion. **Aye**- Watne and Hall. Motion carried by quorum.

CONSIDERATION OF RELEASE OF COLLATERAL: WYNDOVER HILL SUBDIVISION

Present at the November 26, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve release of collateral of Wyndover Hill Subdivision. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF RELEASE OF COLLATERAL: ASPEN KNOLL

Present at the November 26, 2003 9:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve release of collateral of Aspen Knoll. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MONTHLY MEETING W/DAVE PRUNTY

Present at the November 26, 2003 9:30 A.M. Meeting were Chairman Watne, Commissioner Hall, Solid Waste Director Dave Prunty, Assistant Avery, and Clerk Eisenzimer.

General discussion was held relative to replacing board member; cancellation of December meeting; refuse truck purchase; refuse operations; construction of fire/dust suppression well; landfill expansion project; opinion of value for the Hook and Farrell property; annual landfill density calculations; phase II-B groundwater protection improvement system; consideration of recycling of glass in Montana with portable crusher; budget.

MONTHLY MEETING W/DOROTHY LAIRD, LIBRARY

Present at the November 26, 2003 10:00 A.M. Meeting were Chairman Watne, Commissioner Hall, Library Director Dorothy Laird, Assistant Avery, and Clerk Eisenzimer.

THIS MEETING DID NOT TAKE PLACE

FINAL PLAT: SUBDIVISION NO. 212

Present at the November 26, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Planner Mark Crowley, Tom Sands from Sands Surveying, Assistant Avery, and Clerk Eisenzimer.

Crowley reviewed the Staff Report regarding the application filed by W. Meeks Wirthlin Investment Company. The proposed subdivision will be a one lot minor subdivision along US Highway 2, approximately one-half mile south of Highway 40.. The subject property is 4.733 acres in size. Preliminary plat approval was waived on September 6, 2003, subject to six conditions. Crowley indicated that all six conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to adopt Staff Report FWP-02-13B as Findings of Fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat for Subdivision No. 212. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: CTEP PROJECT APPLICATION/LAKESIDE BIKE PATH

Present at the November 26, 2003 10:15 A.M. Meeting were Chairman Watne, Commissioner Hall, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve signing of CTEP Project Application for Lakeside Bike Path. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF RESOLUTION: FEE SCHEDULE/PLANNING & ZONING OFFICE

Present at the November 26, 2003 10:30 A.M. Meeting were Chairman Watne, Commissioner Hall, Planning and Zoning Director Forrest Sanderson, Assistant Avery, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to adopt Resolution Number 1663 effective December 15, 2003. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

RESOLUTION NO. 1663

WHEREAS, Flathead County Planning and Zoning Office fees have not been increased in three years;

WHEREAS, the level of development and creation of subdivisions in Flathead County remain at a very high level; and

WHEREAS, an increase in the fees charged for work performed by the Flathead County Planning and Zoning Office is required by inflation and the increase of the costs to the County to review proposed development.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, Montana, that the fees collected by the Flathead County Planning and Zoning Office shall be as stated on the attached fee schedule.

BE IT FURTHER RESOLVED that the changes set forth on the attached fee schedule shall apply to all applications filed on or after December 15, 2003.

Dated this 26th day of November, 2003.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By: _____
Howard W. Gipe, Member

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

ATTEST:
Paula Robinson, Clerk

By: /s/Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

**FLATHEAD COUNTY PLANNING & ZONING OFFICE
FEE SCHEDULE**

<u>SUBDIVISIONS</u>	
PRELIMINARY PLAT REVIEW:	<u>FEE</u>
Pre-Application Meeting – Major & Commercial	\$50
Major Subdivision (6 or more lots)	\$650 + \$30/lot
Minor Subdivision (5 or fewer lots)	\$300 + \$30/lot
Condominiums (6 or more units) (5 or fewer units) (land is not subdivided)	\$650 + \$30/unit \$300 + \$30/unit
Mobile Home Parks & Campgrounds (6 or more spaces) (5 or fewer spaces) (land is not subdivided)	\$650 + \$30/space \$300 + \$30/space
Amended Preliminary Plat	\$200
<u>Subdivision Variance</u>	\$100/variance
<u>Commercial Subdivisions</u>	Add \$200 to base preliminary plat fee
REVISED PRELIMINARY PLAT:	
Mobile Home Parks, Campgrounds, and Condominiums (minor subdivision)	\$300 + \$30/unit
Mobile Home Parks, Campgrounds, and Condominiums (major subdivision)	\$400 + \$30/unit

FINAL PLAT REVIEW:	
For minor subdivisions with approved preliminary plat	\$300 + \$30/lot
For major subdivisions with approved preliminary plat	\$500 + \$30/lot
For subdivisions with waiver of preliminary plat	\$500 + \$30/lot
Subdivision Improvements Agreement	\$50
GROWTH POLICY:	
Amendment to Policy	\$1,500 + \$10/acre
LAKESHORE CONSTRUCTION PERMIT:	
Residential/Homeowners Association/Commercial	
Administrative Permit:	\$ 25
Standard Permit:	
Base fee for one activity:	\$ 50
Each additional activity:	\$ 25
Variance – Minor:	\$100
Variance – Major:	\$500
After-the-Fact Permit:	4 x Normal Fee Schedule
FLOODPLAIN:	
Floodplain Development Permit	\$350
“After-the-Fact” Permit	\$700
Letter of Map Amendment (additional FEMA fees vary)	\$100
Letter of Map Revision (additional FEMA fees vary)	\$100
Floodplain Appeals and Variances (goes to the Board of Adjustment)	\$400
Floodplain Determinations (Written)	\$ 25
Hourly Rate	\$ 25

ZONING:	<u>FEE</u>
Zone Change: Base Fee For first 80 acres of area of the request add For next 81+acres add	\$500 \$15/acre \$10/acre
Amendment to Zoning Text	\$400
PUD Zoning Review: Residential Commercial Mixed Use	\$600 + \$15/acre \$800 + \$15/acre \$850 + \$15/acre
Variance: Residential (Single Family) Other than Single Family	\$200 \$400
Conditional Use Permit (Residential): Single-family (10 or fewer trips/day) Other Than Single Family	\$250 \$300 + \$10/unit
Non Residential Churches, schools, public and quasi-public uses Commercial, industrial, medical, golf courses, etc.	\$400 \$500
Administrative (Flathead County & Columbia Falls) Residential Commercial/Industrial	\$ 50 \$100
Zoning Appeals Zoning Determination (Written)	\$250 \$ 15
Billboard Permits: Maintenance/Remodeling Relocation	\$ 25 \$100
CALURS (Development Code for Middle / Upper Canyon):	
Amendment Variance Appeal	\$350 \$250 \$250
Minor Land Use Review: Residential Commercial	\$ 75 \$100
Major Land Use Review: Small Scale (Produces 50 or fewer ADT) Large Scale (Produces 51 or more ADT)	\$200

Single Structure	\$300
Multiple structures/units or uses	\$350

Revised 8/17/93 dh - CAB adopted Building Permit Sign-off Fee
 Revised 7/01/94 dh - CAB adopted Administrative Conditional Use Permit Fee
 Revised 12/27/94 dh - CAB adopted Canyon Area Land Use Regulatory System Fees
 Revised 4/23/96 dh - CAB adopted After-the-Fact Lakeshore Permit Fees
 Revised 4/23/96 dh - CAB adopted Zone Change and Variance Application Fees (Effective 7/01/96)
 Revised 9/27/96 sm - CAB adopted Zone Change (Effective 9/30/96)
 Revised 7/07/97 sm - CAB adopted After-the Fact Floodplain Fee (Effective 6/24/97)
 Revised 5/25/99-sm - CAB adopted various changes to PUD's, subdivisions, & conditional uses permits (Effective 7/1/99)
 Revised 1/20/00 sm - CAB adopted new floodplain development permit base fee (Effective 1/20/00)
 Revised 2/24/00 sm - CAB adopted new billboard permit fees (Effective 2/24/00)
 Revised 4/5/00 sm - CAB adopted various changes to subdivisions, PUD's, zone changes, billboard permits, pre-application meetings, and CUP's (Effective 6/1/00)
 Revised 9/28/00sm - CAB rescinded the Kalispell annexation fee (Effective 10/1/00)
 Revised 2/7/02ma-Commissioners adopted new Lakeshore Permit Fees
 Revised 11/26/03 - Commissioners adopted new fee schedule

11:00 A.M. County Attorney meeting at the County Attorney's office.

4:00 P.M. Commissioner Hall is to attend a GPAC Meeting at Kalispell Chamber.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 27, 2003

THURSDAY, NOVEMBER 27, 2003

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

COUNTY OFFICES CLOSED - THANKSGIVING DAY

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

FRIDAY, NOVEMBER 28, 2003

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

No meetings scheduled.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 1, 2003
