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**MONDAY, JUNE 16, 2008**

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

**Chairman Hall opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Hall closed the public comment period.**

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

[9:05:04 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Clerk Kile

Mike Pence reported they are aggressively moving forward on a common facility for several non-profit agencies located together at a single site.

Atkinson then reported the off season use of the park buses has been settled and they should be able to be used within the county for van pooling. He then noted the ridership on the commuter routes are steadily increasing. Atkinson then reported that \$25,000.00 was requested from United Way for buses, \$440,000.00 will be received from the 5411 grant and the Freedom Grant was applied for which is transportation for developmentally disabled. He then added the need for seniors within the valley is continuing to increase.

**BUDGET MEETING: AOA**

[9:30:59 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, AOA Director Jim Atkinson, Wes Hula, Eagle Transit Director Cheryl Talley, Clerk Kile

Discussion was held relative to the AOA budget for 2008-2009.

**BUDGET MEETING: COUNTY ATTORNEY'S OFFICE**

[9:55:26 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, County Attorney Ed Corrigan, Office Administrator Vickie Eggum, Clerk Kile

Discussion was held relative to the County Attorney's budget for 2008-2009.

**BUDGET MEETING: CLERK & RECORDER**

[10:05:28 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Clerk & Recorder Paula Robinson, Records Preservation Jan Hardesty, Plat Room Vicki Gallo, Monica Eisenzimer Recording Manager, GIS Director Mindy Cochran, Clerk Kile

Discussion was held relative to the Clerk and Recorder's budget for 2008-2009.

**BUDGET MEETING: SOLID WASTE DISTRICT**

[11:02:51 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Solid Works Director David Prunty, Operations Manager Solid Waste Jim Chilcote, Clerk Kile

Discussion was held relative to Solid Waste Districts' budget for 2008-2009.

**BUDGET MEETING: ROAD & BRIDGE DEPT.**

[11:40:37 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Operations Manager Road & Bridge Department Guy Foy, Shop Superintendent Ted Gilbertson, Mark Gluth, Clerk Kile

Discussion was held relative to the Road & Bridge Department's budget for 2008-2009.

Discussion was also held relative to putting a dust palliative application on Odegard Road and Jensen Road.

**AWARD BIDS: PAVER/ ROAD DEPT.**

[12:04:25 PM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Operations Manager Road & Bridge Department Guy Foy, Shop Superintendent Ted Gilbertson, Mark Gluth, Clerk Kile

Commissioner Brenneman made a **motion** to award the bid to Western States Equipment for a paver. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

**12:00 p.m. Commissioner Brenneman and Commissioner Lauman: Flathead Electric Cooperative Renewal Energy Forum @ FEC**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 17, 2008.

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**TUESDAY, JUNE 17, 2008**

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

**Chairman Hall opened public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Hall closed the public comment period.**

**MONTHLY MEETING W/ DEBBIE PIERSON, GRANT WRITER**

[9:20:53 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Pierson reported the Flathead Waste Water Management Group application was submitted for \$90,000.00 as well as the TCEP grant application. Also noted was a Recreational Trails Program Grant for Weed & Parks was submitted for \$35,000.00 and the COPS Technology Grant is being finished up.

**DOCUMENT FOR SIGNATURE: DNRC PLANNING GRANT TERMINATION AGREEMENT/ BIGFORK STORMWATER PROJECT**

[9:30:06 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Commissioner Lauman made a **motion** to approve the document for signature #RPG 060118 for the Bigfork Stormwater Project. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

**BUDGET MEETING: MAINTENANCE DEPT.**

[9:32:52 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Weed & Parks  
Director Jed Fisher, Clerk Kile

Discussion was held relative to the Maintenance Department's budget for 2008-2009.

#### **BUDGET MEETING WEED & PARKS**

[9:45:28 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Weed & Parks  
Director Jed Fisher, Clerk Kile

Discussion was held relative to the Weed & Park's budget for 2008-2009.

#### **BUDGET MEETING: INFORMATION TECHNOLOGY (I.T.)**

[10:15:10 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, I.T. Director Vicki Saxby, I.T. Supervisor Jae Carnsew, Clerk Kile

Discussion was held relative to Information Technology's budget for 2008-2009.

#### **FINAL PLAT: SPRING CREEK CENTER**

[10:27:32 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Planner Andrew Hagemeyer, Rick Breckenridge, Clerk Kile

Hagemeyer reviewed the application submitted by Lon and Mary Levitt with technical assistance from Montana Mapping Associates for final plat approval of Spring Creek Center; a subdivision creating two commercial lots south of the intersection between Hwy 35 and East Cottonwood Drive. Preliminary plat approval was granted on June 18, 2007 subject to 19 conditions. All conditions have been met or otherwise addressed.

Commissioner Brenneman made a **motion** to approve final plat of Spring Creek Center. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

#### **BUDGET MEETING: TREASURER**

[10:49:47 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Treasurer Adele Krantz, Clerk Kile

Discussion was held relative to the Treasurer's budget for 2008-2009.

#### **BUDGET MEETING: OFFICE OF EMERGENCY SERVICES**

[11:00:22 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, OES Director Cindy Mullaney, Fire Service Area Manager Lincoln Chute, Clerk Kile

Discussion was held relative to the Office of Emergency Service's budget for 2008-2009.

**BUDGET MEETING: LIBRARY**

[11:15:14 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Library Director Kim Crowley, Office Administrator Karen Marr, Library Board Chairman Jerry Hanson, Clerk Kile

Discussion was held relative to the Library's budget for 2008-2009.

**BUDGET MEETING: 4-H OFFICE**

[11:42:40 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, 4-H Director Karole Sommerfield, Clerk Kile

Discussion was held relative to the 4-H budget for 2008-2009.

Sommerfield noted a resignation letter was received from Wesley Gwaltney.

Commissioner Lauman made a **motion** to approve advertising for an Ag Extension Agent and authorized the Chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

**2:00 p.m. Commissioner Hall: RC&D meeting in Whitefish**  
**4:00 p.m. Commissioner Lauman: Library Board meeting @ Library**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 18, 2008.

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**WEDNESDAY, JUNE 18, 2008**

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

**Chairman Hall opened public comment on matters within the Commissions' Jurisdiction.**

Erica Wirtala, Sands Surveying commented that a client that owns Glacier Pines Mobile Home Court is looking at a three lot split that is considered a major subdivision and is asking for a waiver of preliminary plat. She then noted the applicant is not creating anything new and just wants to transfer ownerships in order to give him management possibilities. Wirtala then noted this is allowed in state law but not allowed in Flathead County. In order to do this they will now have to go through the whole subdivision process of pre-application meeting, preliminary plat, final plat, topography, an environmental assessment which is a huge expense for a simple process that had been allowed before, and is still allowed in Columbia Falls, Whitefish and Kalispell. Also noted was another example of a 20 acre parcel on Mooring Road that would be a minor subdivision and meets the requirements of a waiver of preliminary plat with the seven criteria met, where the family needs to sell a parcel for medical bills.

Jeff Harris noted there are no provisions for a waiver in the new subdivision regulations. He then added that when you allow waivers you allow the opportunity for abuse and that the decision making needs to go through a public process.

Barry Ultican commented that in the case of Glacier Pines RV Park and Swan Mountain Village Subdivision that all of the public hearings and public input took place when it was initially proposed. He then added that he was sure at the time that they understood it was three separate entities; RV Park, Swan Mountain Village Subdivision and Kalispell Toppers. They had no legal descriptions at the time, but the subject never came up. Presently the property is all under tract 5EA.

Jeff Harris stated that the process requires a minor subdivision

**No one else rising to speak, Chairman Hall closed the public comment period.**

**BUDGET MEETING: PLANNING & ZONING OFFICE**

[9:24:02 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Technician Lora Aspenlieder, Planning & Zoning Director Jeff Harris, Assistant Planning & Zoning Director B J Grieve, Clerk Kile

Discussion was held relative to Planning & Zoning's budget for 2008-2009.

**BUDGET MEETING: HEALTH DEPT.**

[9:41:06 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Technician Lora Aspenlieder, Health Department Director Joe Russell, Clerk Kile

Discussion was held relative to the Health Department's budget for 2008-2009.

**CONSIDERATION OF EXTENSION: HP RANCH SUBDIVISION**

[10:26:08 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the HP Ranch Subdivision extension to the first available date in July. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: DUI TASK FORCE PLAN 2008**

[10:28:23 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Brenneman made a **motion** to approve the DUI Task Force Plan for 2008. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: DEQ CONTRACT 208029/ BIGFORK STORMWATER PROJECT & CONTINUATION**

[10:29:45 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Pierson reported the contract is money for additional educational outreach and sample analysis for the Stormwater Project.

Commissioner Brenneman made a **motion** to approve DEQ Contract 208029. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: DNRC PLANNING GRANT TERMINATION AGREEMENT/ BIGFORK STORMWATER**

[10:30:21 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Clerk Kile

Commissioner Brenneman made a **motion** to rescind approval of the document for closure for the grant for DNRC. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

**BUDGET MEETING: FAIRGROUNDS**

[10:42:18 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Technician Lora Aspenlieder, Fairgrounds Director Jay Scott, Clerk Kile

Discussion was held relative to the Fairground's budget for 2008-2009.

#### **BUDGET MEETING: HUMAN RESOURCE OFFICE**

[10:33:35 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Technician Lora Aspenlieder, HR Director Raeann Campbell, Clerk Kile

Discussion was held relative to the 2008-2009 Human Resource Office budget.

#### **CONSIDERATION OF POLICY MANUAL REVISION**

[10:35:58 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, HR Director Raeann Campbell, Deputy County Attorney Jonathan Smith, Clerk & Recorder Paula Robinson, Clerk Kile

Campbell explained the revisions to the policy manual which included changes to temporary pay in acting positions, a nursing policy, failure to report an accident involving a County vehicle, clarification to sick leave, bereavement pay and family and medical leave. Also a section on discharge that was previously deleted was added back in and writing of departmental rules will now be reviewed by HR and the County Attorney. The EAP provider was also added in.

Commissioner Brenneman made a **motion** to accept the changes made to the policy manual. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

#### **CONSIDERATION OF REQUEST FOR PROPERTY: CITY OF COLUMBIA FALLS**

[10:54:56 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Joseph D. Brenneman  
Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Clerk Kile

Smith suggested that a reversionary clause be added if the property is not used for parking.

Commissioner Lauman made a **motion** to approve Resolution #2150 to transfer property to the City of Columbia Falls. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

[June 19, 2008 AM @ 9:14:08 AM](#)

Commissioner Lauman made a **motion** to authorize the publication of the Notice of Passage of Resolution of Intent and authorized the Chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### RESOLUTION NO. 2150

WHEREAS, Flathead County owns certain real property on 4<sup>th</sup> Avenue East in the City of Columbia Falls which is not necessary for the conduct of the County business, said property being described as Lots 6, 7, 8, 9 and 10, and portion of abandoned roadway, Block 48 of Columbia Falls Townsite, as shown on the map or plat thereof, of record in the Office of the Clerk & Recorder of Flathead County, Montana;

WHEREAS, the City of Columbia Falls has requested that the above-described property be transferred by the County to the City of Columbia Falls for use as parking for the City's River's Edge Park; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, agrees that the above-described property should be transferred to the City of Columbia Falls for that purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Flathead County, Montana, pursuant to Section 7-8-101, M.C.A., hereby passes this resolution of intention to transfer the following described property to the City of Columbia Falls:

Lots 6, 7, 8, 9 and 10, and portion of abandoned roadway, Block 48 of Columbia Falls Townsite, as shown on the map or plat thereof, of record in the Office of the Clerk & Recorder of Flathead County, Montana, provided that the property will be used for parking for the River's Edge Park or shall revert to Flathead County.

BE IT FURTHER RESOLVED, that notice of the passage of this resolution of intention shall be published as required by Section 7-1-2121, M.C.A., and the public shall be invited to comment on the proposal to transfer the above-described property to the City of Columbia Falls.

DATED this 18<sup>th</sup> day of June, 2008.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Gary D. Hall  
Gary D. Hall, Chairman

By/s/Joseph D. Brenneman  
Joseph D. Brenneman, Member

By/s/Dale W. Lauman  
Dale W. Lauman, Member

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 7-8-101, M.C.A., that it passed a resolution of intent (Resolution No. 2150) on June 18, 2008, to transfer the following property to the City of Columbia Falls because it is not necessary for the conduct of County business:

Lots 6, 7, 8, 9 and 10, and portion of abandoned roadway, Block 48 of Columbia Falls Townsite, as shown on the map or plat thereof, of record in the Office of the Clerk & Recorder of Flathead County, Montana.

Further information concerning the proposed transfer may be received from, and written comments may be sent to, the Board of Commissioners, Flathead County, Montana, 800 South Main, Kalispell, Montana 59901, telephone 758-5503. Written comments will be received until July 7, 2008. After that date, the Board of Commissioners will meet to consider the passage of a final resolution authorizing the property transfer.

DATED this 18<sup>th</sup> day of June, 2008.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Gary D. Hall  
Gary D. Hall, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on June 23 and June 30, 2008.

- 11:00 a.m. County Attorney meeting @ Co. Atty's Office**
- 12:00 p.m. Commissioner Brenneman: DUI Task Force meeting @ The Summit**
- 5:00 p.m. Commissioner Lauman: Kalispell Chamber of Commerce "Unwind" @ Insured Title**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 19, 2008.

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**THURSDAY, JUNE 19, 2008**

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

**Commissioner Brenneman PT opened public comment on matters within the Commissions' Jurisdiction.**

Jay Larsen, 228 W. 8<sup>th</sup> Street, Whitefish spoke in regards to Mountain View RV Park in which he stated the Park received preliminary plat approval in 2002 which expired before final plat was approved. He then noted the RV Park was built and is operating. Larsen then said the original preliminary plat called for a 6 foot chain link fence and the applicant installed a four foot fence. He further said he would like to see condition 29 removed that requires a six foot fence with no law requiring that it has to be six foot.

Mark Lechti, representative for the applicant of Mountain View RV Park stated that he was hired after preliminary plat expired.

**No one else rising to speak, Commissioner Brenneman PT closed the public comment period.**

**BUDGET MEETING: DISTRICT COURT**

8:45:30 AM

Members present:  
Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:  
Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Judge Ortley, Judge Sullivan, Office Administrator Kim Dumon, Clerk Kile

Discussion was held relative to District Court's budget for 2008-2009.

#### **BI-MONTHLY MEETING W/ JED FISHER, WEED/ PARKS/ MAINTENANCE**

[9:14:51 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Weed & Parks Director Jed Fisher, Clerk Kile

Fisher asked for Commission consent for Parks and Recreation staff to write tickets for violations occurring on park properties. He further noted a resolution will need to be written to authorize the procedure which he will discuss with the County Attorney. He then explained the Weed and Parks Department is approximately one month behind in spraying weeds due to inclement weather and are behind in mowing too. He then noted when the East and West Annex buildings need to be moved that the cost would be \$25,000.00 and \$18,000.00 to move them onto a foundation. Fisher then reported the cost of paving the Scarff parking lot is approximately \$55,000.00, sidewalk repair work is in progress, boat launches are all back in, swim areas are back in and a completed Parks plan will be forthcoming this winter.

#### **BUDGET MEETING: DISTRICT COURT**

[9:30:58 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, District Court Office Administrator Bonnie Olson, Clerk Kile

Discussion was held relative to District Court's budget for 2008-2009.

#### **DOCUMENT FOR SIGNATURE: OCA SECURITY GRANT**

[9:30:46 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, District Court Office Administrator Bonnie Olson, Clerk Kile

Commissioner Lauman made a **motion** to approve the Montana Judicial Security Grant document pending review from the County Attorney and authorized the Chairman to sign. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **BUDGET MEETING: SUPERINTENDENT OF SCHOOLS**

[9:47:11 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Superintendent of Schools Marcia Sheffels, Clerk Kile

Discussion was held relative to the Superintendent of School's budget for 2008-2009.

#### **BUDGET MEETING: SHERIFF'S OFFICE**

[10:01:55 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall



Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Sheriff Mike Meehan, Undersheriff Pete Wingert, Office Administrator Kathy Frame, Clerk Kile

Discussion was held relative to the Sheriff's Office budget for 2008-2009.

#### **BUDGET MEETING: NORTH VALLEY SEARCH & RESCUE**

[10:30:36 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Sheriff Mike Meehan, Undersheriff Pete Wingert, Office Administrator Kathy Frame, Clerk Kile

Discussion was held relative to North Valley Search & Rescue's budget for 2008-2009.

#### **BUDGET MEETING: FLATHEAD VALLEY SEARCH & RESCUE**

[10:47:51 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Finance Comptroller Joe Garza, Finance Technician Lora Aspenlieder, Sheriff Mike Meehan, Undersheriff Pete Wingert, Office Administrator Kathy Frame, Clerk Kile

Discussion was held relative to Flathead Valley Search & Rescue's budget for 2008-2009.

#### **FINAL PLAT: JUSTIN SUBDIVISION**

[11:30:56 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Planner Alex Hogle, Bryan Block, Justin L. Haveman, Bill Brandevin, Clerk Kile

Hogle reviewed the application submitted by Earl William Brown with technical assistance from Bryan Block Surveying for final plat approval of Justin Subdivision; a subdivision creating one residential lot from the parent tract which is a remainder located east of Foothills Road approximately one mile south of Krause Basin Road. Preliminary plat approval was granted on April 3, 2007 subject to 17 conditions. All conditions have been met and approval is recommended.

Commissioner Lauman made a **motion** to approve final plat of Justin Subdivision. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **PRELIMINARY PLAT: MOUNTAIN VIEW R.V. PARK**

[11:45:36 AM](#)

Members present:

Commissioner Joseph D. Brenneman PT  
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

Others present:

Planner Alex Hogle, Marc Leichti, Jay Larsen, S. E. Larsen, Larry Larsen, Clerk Kile

Hogle entered into record Staff Report FPP 08-01. He then reviewed the application submitted by Mountain View R.V. Park with technical assistance from APEC Inc., for preliminary plat approval of Mountain View R.V. Park; a major subdivision created by lease or rent that would formally establish 46 recreational vehicle spaces on a five acre tract east of Whitefish, mid-way between Whitefish and Columbia Falls. Mountain View RV Park was reviewed and preliminary plat approval was granted on September 12, 2002. Preliminary plat approval was valid for a three year period of time with a one year extension granted. The park is currently developed and operating. The current proposal is for the same internal design and configuration of the original 2002 proposal. In addition to the RV rental spaces the proposal includes an office and manager's residence. All RV spaces, the office and the manager's residence would be served by existing DEQ approved on-site water and sewage disposal systems. Primary access to the park facility would be from an existing approved approach from Hwy 40.

The Planning Board modified three Findings of Fact and added two Conditions:

Finding of Fact 12: According to the plat and testimony from the original public hearing a six foot fence was to be constructed on the perimeter of the site, but only a four foot high fence was installed.

Findings of Fact 13: The subject property is currently renting spaces on a year round basis.

Findings of Fact 14: According to the engineer's drainage calculation, no considerations for winter month's use were used, but it is apparent that the spaces are occupied during those months. It appears to be more of a grading issue on the adjoining properties where the properties were previously graded and lowered.

Unique Condition 15: The perimeter fence shall be no less than six feet in height and shall be continuous to the ground.

Unique Condition 16: The applicant shall resubmit a stormwater drainage plan which demonstrates that no drainage adversely affects adjacent properties to DEQ. DEQ shall approve the drainage plan.

Hogle then reviewed unique condition 10: Prior to application for Revised Preliminary Plat the shared easement on the western property line shall be expanded to include the entire drivable surface of the access from Hwy 40 right-of-way to the northern extent of the "emergency access" entrance to the RV Park. In the case that an easement agreement cannot be reached with the western adjacent landowner, the emergency access to the RV Park shall be permanently gated where it accesses the shared easement (at the current end of the chain link fence). The emergency access gate shall be equipped as a crash gate or a fire district approved siren-sound-sensitive lock.

Commissioner Brenneman PT asked the applicant if the property is rented on a year around basis.

S. E. Larsen noted the limit is 120 days and the renter has to move on at that point.

Commissioner Lauman made a **motion** to delete Finding of Fact 13 and adopt staffs Findings of Fact as amended by the Planning Board for Mountain View RV Park. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

Condition 15 will be changed from a 6 foot fence to a 4 foot fence that would be continuous to the ground.

Commissioner Lauman made a **motion** to approve preliminary plat of Mountain View RV Park with a change to condition 15 that the fence be 4 feet high and be continuous to the ground. Commissioner Brenneman PT **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### STANDARD CONDITIONS

1. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 4.7.17(iv), FCSR]
2. Utility easements shall be 10 feet wide unless otherwise specified by the utility company. These easements shall be shown on the face of the final plat. [Section 4.7.24(c), FCSR]
3. The proposed water and sewage treatment systems and storm drainage systems for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Sections 4.7.21 and 4.7.22, FCSR]
4. The applicant shall comply with reasonable fire suppression and access requirements of the applicable fire district. A letter from the fire chief stating that an agreement has been made shall be submitted with the application for Revised Preliminary Plat. [Section 4.7.27, FCSR]
5. The applicant shall provide an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved and implemented. The Weed Control Plan shall be submitted and implemented prior to Revised Preliminary Plat application. The County Weed Supervisor may charge a fee to inspect the subdivision and approve the implementation. [Section 4.7.26, FCSR]
6. The following statements shall be placed on the face of the Revised Preliminary Plat applicable to the RV Park and all spaces:
  - a. Address numbers shall be posted at the commencement of construction and be clearly visible at all times thereafter. Numbers shall be placed in the driveway entrance and at any subsequent divergent points of access for shared driveways. All address numbers shall be displayed on a contrasting background using a minimum four-inch numeral height. [Section 4.7.27(c), FCSR]
  - b. All utilities shall be placed underground. [Section 4.7.24, FCSR]
  - c. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler.
  - d. The property owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed.
  - e. 

Waiver of Protest  
Participation in Special Improvement District  
[per County Resolution 503-M]

\_\_\_\_\_ (Owner) hereby waives any and all right to protest which it may have in \_\_\_\_\_ regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement \_\_\_\_\_ District which includes \_\_\_\_\_ Subdivision, shown on the plat therefore, for \_\_\_\_\_ any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set \_\_\_\_\_ forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however \_\_\_\_\_ that \_\_\_\_\_ understands that (he/she/it/they) retains the ability to \_\_\_\_\_ object to the \_\_\_\_\_ amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. \_\_\_\_\_ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for \_\_\_\_\_ Subdivision.
7. The Revised Preliminary Plat shall comply with applicable state surveying requirements. [Section 76-3-608(b)(i), MCA]
8. The Revised Preliminary Plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 4.4.23, FCSR]
9. Preliminary plat approval is valid for three years. [Section 4.4.20, FCSR]

#### UNIQUE CONDITIONS

10. Prior to application for Revised Preliminary Plat, the shared easement on the western property line shall be expanded to include the entire drivable surface of the access from the Montana Highway 40 right-of-way to the northern extent of the 'emergency access' entrance to the RV Park. In the case that an easement agreement cannot be reached with the western adjacent landowner, the emergency access to the RV Park shall be permanently gated where it accesses the shared easement (at the current end of the chain link fence). The emergency access gate shall be equipped as a crash-gate or a fire district approved siren-sound-sensitive lock. A road user's agreement shall be entered into between the parties that share the easement.

11. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler.
12. The RV Park shall utilize a bear-proof centralized trash storage container for temporary storage of solid wastes.
13. The owners of Mountain View RV Park shall abide by the guidelines set forth in the submitted Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities.
14. The applicant shall provide documentation that park area meets the approval of the County Parks Director prior to application for "Revised Preliminary Plat".
15. The perimeter fence shall be no less than four (4) feet in height and shall be continuous to the ground.
16. The applicant shall resubmit a stormwater drainage plan which demonstrates that no drainage adversely affects adjacent properties to DEQ. DEQ shall approve the drainage plan.

**12:00 p.m. Commissioner Brenneman: Rotary @ Hilton Garden Inn**  
**2:00 p.m. Commissioner Brenneman: Health Board meeting @ Earl Bennett Bldg.**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 20, 2008.

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### **FRIDAY, JUNE 20, 2008**

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

**9:00 a.m. Commissioner Lauman: Mental Health Council & CDC meeting in Libby**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 23, 2008.

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