
MONDAY, OCTOBER 27, 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.

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 28, 2008.

TUESDAY, OCTOBER 28, 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.

COS REVIEW: KAMRUD

[9:32:07 AM](#)

Members present:

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

Others present:

Planner Dianna Broadie, Brian Sullivan, Clerk Kile

Broadie reviewed the requested submitted by Keith E. Kamrud to split off a 1.64 acre tract from a 9.75 acre parcel located northwest of Columbia Falls on the south side of Tamarack Lane.

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

COS REVIEW: MCADAMS

[9:45:48 AM](#)

Members present:

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

Others present:

Planner Dianna Broadie, Joe Kauffman, Richard McAdams, Clerk Kile

Broadie reviewed the requested submitted by Richard McAdams to split off a 5.02 acre tract from a 10.04 acre parcel located south of Manning Road and east of Farm Road off Sky Ranch Lane.

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

QUARTERLY JAIL FACILITY TOUR

[10:31:13 AM](#)

Members present:

Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman

Members absent:

Chairman Gary D. Hall

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ANNEXATION TO SOMERS FIRE DISTRICT/ WETZEL

[10:44:03 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 authorize publication of the Notice of Public Hearing for annexation of Wetzel's property into the Somers Fire District. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 7-33-2126(3), M.C.A., that it will hold a public hearing to consider a petition to withdraw territory from the South Kalispell Rural

Fire District and annex it to the Somers Rural Fire District, said territory to be withdrawn and annexed, described as Parcel 1 of Certificate of Survey 11794; containing .013 acres of land more or less and located in the NE ¼ of the SW ¼, and in the SE ¼ of the SW ¼, and in the SE ¼ of the NW ¼ of Section 34, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

The Board of Commissioners has received a petition in writing by the owners of 100% of the privately owned lands of the area to be withdrawn and annexed, who constitute a majority of the taxpaying freeholders within that area, according to the last-completed assessment roll, asking that such area be transferred to and included in the Somers Rural Fire District.

The public hearing will be held on the 13th day of **November 2008**, at **9:30 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed transfer and will consider whether protests by owners of 40% or more of the real property in either district and owners of property representing 40% or more of the taxable value in either district, were received.

DATED this 28th day of October, 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
Deputy

Publish on November 1 and November 8, 2008.

TAKE ACTION: BIG HORN MEADOWS, LOT 2

[10:44:20 AM](#)

Members present:
Chairman Gary D. Hall
Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman
Others present:
Assistant Mike Pence, Clerk Kile

Chairman Hall read into the record that Big Horn Meadows will not go to final plat and is considered a dead file.

DOCUMENT FOR SIGNATURE: CC&R WAIVER PAGE/ CAYUSE PRAIRIE RANCHETTES

[10:45:08 AM](#)

Members present:
Chairman Gary D. Hall
Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman
Others present:
Assistant Mike Pence, Clerk Kile

Chairman Hall noted this waiver page waives the requirement of approval of the Board of Commission of the Declaration of Covenants, Conditions and Restrictions of Cayuse Prairie Ranchettes.

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

CONSIDERATION OF HR TRANSMITTAL: TRUCK DRIVER/ ROAD DEPT.

[10:46:08 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 HR Transmittal form for a Truck Driver with the Road Department. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

QUARTERLY INVESTMENT REPORT W/ ADELE KRANTZ, TREASURER

[10:47:49 AM](#)

Members present:
Chairman Gary D. Hall
Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman
Others present:
Assistant Mike Pence, Treasurer Adele Krantz, Clerk Kile

Krantz presented an investment report which included the STIP rate average of 2.52% and the SWEEP account statistics with Glacier Bank that averaged 3%. She then reported tax bills will be mailed on October 29th and for the first time will be able to

be paid on-line. Also noted were the tax bills have a new format that will give more information and a return envelope is being provided also.

PUBLIC HEARING: ROAD NAME/ KIENAS PINES

11:02:16 AM

Members present:

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

Others present:

Assistant Mike Pence, Address Coordinator Sara Wilkinson, Plat Room Karen Yerian, Helen Netherly, Mike Netherly, Connie Parker, Robert Parker, Ed Fox, Joel Bonda, L. W. Gottschalk, Clerk Kile

Wilkinson explained there are multiple branches off Kienas Road and noted less parcels of land would be affected if Kienas Pine Road stayed named as originally determined by her.

Chairman Hall opened the public hearing to anyone wishing to speak in favor or opposition of the road naming.

Ed Fox, 1395 Kienas Road presented maps to the commission and explained that in April of 2007 the process was started to re-address properties on Kienas Road. He then explained where all the homes on the road are wherein he stated that most didn't care what the road was named. He then said those he has spoken to are concerned about having their road named so that fire/ police services can find them quickly. Fox then spoke about the history of the road which he feels is important in regards to the name of Kienas Road.

Sara Wilkinson explained what happened with the stretch of road named Kienas Pine that was previously a no name road. It was noted it was only named Kienas Pine Road at the very northern section of the north south portion, not all the way to the intersection.

Ed Fox explained that what he is suggesting is taking Kienas Pine Road off and naming the north south road Kienas Road and the one going off to the left will be balloted out.

Connie Parker explained that when they moved they came to the Courthouse to be assigned an address and they were the ones that were named 100 Kienas Pine and were re-numbered 101 Kienas Pine later.

Robert Parker said they had a brush fire this past summer and if the road name of Kienas Pine had not been at the intersection they could have had a serious problem.

Joel Bonda, 1333 Kienas Road said he has lived on Kienas Road since 1976 and said out of fairness that consideration should be taken in account those that have lived there for a longer period of time.

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

Sara Wilkinson then explained if they continue with the Kienas Road name up north and not on the longer westerly branch that ballots will be sent out to re-name Kienas Pine. Kienas Road will be the north south road and the left road will be re-named.

Discussion was held relative to leaving a Kienas Pine road sign up until the road is re-named and the ballot process is completed.

Commissioner Brenneman made a **motion** to adopt Resolution 2168 for the naming of Kienas Road effective December 15, 2008. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

RESOLUTION NO. 2168

WHEREAS, Flathead County has proposed to rename a private road generally running northerly off the existing **KIENAS ROAD** and tying in with the existing Kienas Pine Road and located in the W ½ S.7 T28N R22W ,P.M.M., Flathead County, Montana.

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on October 28, 2008 concerning the proposal, after publication and mailing of notice thereof on October 14, 2008 and October 21, 2008; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has determined that the road should be renamed from Kienas Pine Road to an extension of **KIENAS ROAD**.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running northerly off **KIENAS ROAD** and tying in with the existing Kienas Pine Road and located in the W ½ S.7 T28N R22W ,P.M.M., Flathead County, Montana, should be, and it hereby is, named **KIENAS ROAD**.

BE IT FURTHER RESOLVED that the naming of **KIENAS ROAD** shall be effective on December 15, 2008.

Dated this 28th day of October, 2008.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

PUBLIC HEARING: ANNEXATION TO SOUTH KALISPELL VOLUNTEER FIRE DEPT/ HANSON

[11:29:47 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Clerk Kile

Chairman Hall opened the public hearing to anyone wishing to speak in favor or opposition of annexation into the South Kalispell Fire District.

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

Commissioner Brenneman made a **motion** to approve Resolution 2167 for annexation of Hanson's property into the South Kalispell Volunteer Fire Department. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

RESOLUTION NO. 2167

WHEREAS, the Board of Commissioners of Flathead County, Montana, received a petition, pursuant to Section 7-33-2126, M.C.A., requesting that certain property be allowed to withdraw from the Smith Valley Fire District and be annexed to the South Kalispell Rural Fire District;

WHEREAS, the territory to be withdrawn and annexed, described on the attached Exhibit A, is located as a portion of Parcel 9 of Certificate of Survey 2694 in Section 6, Township 27 North, Range 21 West, Flathead County, Montana, Records of Flathead County, Montana; located mostly in the middle of the Foy's Canyon Road, Kalispell, approximately a 40 foot triangle on a side making it approximately .02 acres and as shown on Exhibit B;

WHEREAS, a Notice of Public Hearing was published on October 14 and October 21, 2008, giving notice that the Commissioners would hear protests to the requested withdrawal and annexation;

WHEREAS, the Board of Commissioners conducted the public hearing as noticed and received input from the public on the requested withdrawal and annexation; and;

WHEREAS, the Board of Commissioners has determined that the requested withdrawal and annexation would result in a more advantageous proximity to the firefighting facilities of the South Kalispell Rural Fire District for the annexed property and more advantageous communications with the firefighting facilities of the South Kalispell Rural Fire District for the annexed property.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the petition is granted and the property described on the attached Exhibit A being in Section 6, Township 27 North, Range 21 West, Flathead County, Kalispell, and as shown on Exhibit B, is hereby withdrawn from the Smith Valley Fire District and annexed to the South Kalispell Rural Fire District.

Dated this 28th day of October, 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

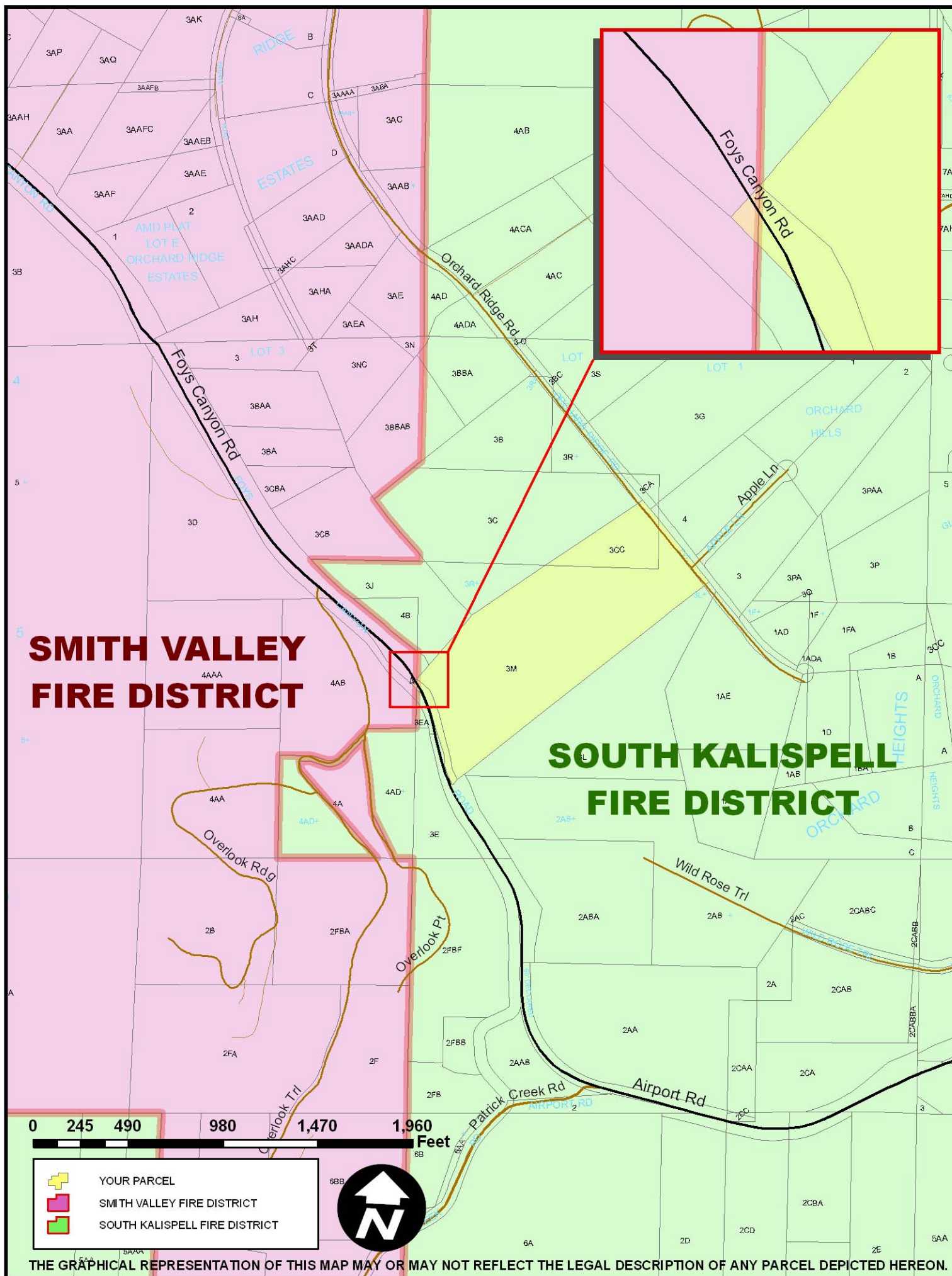
By/s/Diana Kile
Diana Kile, Deputy

Exhibit A

That portion of the North ½ of Section 6, Township 27 North, Range 21 West, Flathead County, Montana, described more particularly as follows:

Commencing at the Southeast corner of the Northeast ¼, of Section 6 thence along the South line of the Northeast ¼ South 88°45'09" West 860.00 feet; thence North 76°45'18" West 298.25 feet; thence North 89°51'51" West 1039.94 feet to a point on the Easterly line of a County Road, which point is on a 1239.22 foot radius curve concave Southwesterly having a radial bearing of South 60°27'12" West; thence along the Easterly line of the County Road Northwesterly along the curve thru a central angle of 9°27'17" 204.49 feet; thence continuing along the Easterly line of the County Road the following courses: North 39°00'05" West 137.25 feet to the beginning of a 411.19 foot radius curve to the right; thence Northwesterly along the curve thru a central angle of 3°38'43" 26.16 feet to the Point of Beginning; thence continuing Northwesterly along the 411.19 foot radius curve (concave Northeasterly having a radial bearing of North 54°38'38" East) thru a central angle of 11°50'38" 85.00 feet to the beginning of a 1111.45 foot radius compound curve to the right; thence Northwesterly along the curve thru a central angle of 6°01'02" 116.72 feet; thence North 17°29'42" West 227.73 feet to the beginning of a 283.66 foot radius curve to the left; thence Northwesterly along the curve thru a central angle of 30°51'12" 152.75 feet; thence leaving the Easterly line of the County Road North 47°32'33" East 442.69 feet; thence North 53°52'19" East 1047.80 feet; thence South 40°00'00" East 535.00 feet; thence South 51°09'19" West 1648.23 feet to the Point of Beginning.

Parcel 9 on Certificate of Survey No. 2694.



- 12: 00 p.m. Commissioner Brenneman: CDC meeting @ CDC Office
- 1:00 p.m. Commissioner Lauman: Unveiling of Fall 2008 Issue of Main Street Montana Showcasing Flathead County @ Flathead One-Stop Workforce Center
- 5:00 p.m. Commissioner Lauman: Refuse Board meeting @ Solid Waste District Conference Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 29, 2008.

WEDNESDAY, OCTOBER 29, 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.

PERSONNEL MATTER

[9:33:03 AM](#)

Members present:

Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman PT

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Public Works Director David Prunty, Solid Waste Operations Manager Jim Chilcote, HR Director Raeann Campbell, Robin Boon, Clerk Kile

Prunty stated his contract as the Public Works Director said after the first and second year of service a salary review would be held. He then explained he has spoken to Mike Pence and Hank Olson who have agreed upon an increase to his current salary effective October 1, 2008. Prunty then said the Solid Waste Board unanimously approved the increase and he is before the commission now to hopefully finish negotiations.

Pence said the counties position on this is based on comparable salaries; what is being proposed for our Public Works Directors salary is from the figures received less than any of those with comparable positions. He then said historically we have looked at comps similar in geographical areas.

Campbell stated she supported it based on salary comps.

Commissioner Brenneman questioned longevity in other counties.

Campbell said longevity in most of the other counties is about \$100/ year with Flathead County longevity being much more lucrative.

Commissioner Brenneman said he is a little uncomfortable with the amount of the increase in one year as they determined that 4% was given as COLA. He then said we hire department heads because they have management skills that few have.

Prunty said he felt when he took the position over it was a trial and has been told he has been doing a good job. He stated he has spoken to Raeann Campbell about the levels and said he actually asked for an increase also starting in year 3 in which he was told by Mike Pence they were not comfortable doing. He then added based on the comps and his review he feels the increase is warranted.

Commissioner Brenneman stated he agreed even though it is a significant increase with it being an experimental position that has worked well for the county with the other managers that have been put into place. He then noted that he feels we should address this one year at a time not knowing what will happen next year budget wise with the county.

Pence said when the decision was made to create the position we had a Road Superintendent and Solid Waste Director and we have not hired an additional person at the Road Department.

Prunty then said the office manager position held by Guy Foy was eliminated and the vast majority of those duties have been assumed by Patti Vernarsky as the right-of-way specialist and office manger. They also didn't increase staff at Solid Waste when Jim Chilcote took over as Operations Manager at Solid Waste.

Commissioner Brenneman made a **motion** to approve the recommendation of attached "D". Commissioner Lauman PT **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

Discussion was then held relative to the Landfill Gas to Energy Project and an issue they have agreed to contractually when a 20 year contract was signed with FEC was to trade insurance documents/ certificates to each side so both would have indemnification that should occur both ways. The coop agreed to leave the county insurance level at 1.5 million with the FEC Board agreed to and they have traded certificates back and forth that list each other on the policy holders as additional insured.

Robin Boon stated that no one comes onto the counties policy without approval from the commission. She then noted Flathead County Landfill has never had a Pollution Policy in place before and are at a huge exposure.

Prunty noted they have had an event that cost them between 2 and 3 million for remedial action for ground water contamination, and if the policy had been in place when it occurred it could have been turned into the insurance company.

Robin Boon stated an insurance company called Endurance has offered them a 5 million dollar limit with \$25,000 retention with a 3 year fixed policy for \$69,000.00.

Prunty then reported on the Ashley Lake container site design in which an engineer has done a preliminary design. He then noted there is a concern with the grade of the road.

PUBLIC HEARING: CREATION OF SECTION SR2.5/ FLATHEAD COUNTY ZONING REGULATIONS

[10:07:52 AM](#)

Members present:

Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman PT

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Planning & Zoning Director Jeff Harris, Assistant Planning & Zoning Director B J Grieve, Deputy County Attorney Jonathan Smith, Clerk Kile

Grieve reviewed the proposed amendment that would add a new Section 3.43 to the Flathead County Subdivision Regulations which would define a new zoning classification R2.5 (Rural Residential) intended for rural, primarily residential areas where larger , estate type lot sizes are appropriate and where agricultural, silvicultural and horticultural operations are a decreasingly

viable land use. The minimum lot size set forth in the new classification is 2.5 acres. Grieve stated they wanted to make the definitions very clear in having good guidance for utilization of future implementation of the zoning designation.

Commissioner Lauman PT opened the public hearing to anyone wishing to speak in favor or opposition of creation of the new zoning.

No one rising to speak, Commissioner Lauman PT closed the public hearing.

Commissioner Lauman PT noted that he felt it is a good change in having 2 ½ acre lot sizes.

Commissioner Brenneman stated this has the chance of increasing considerably all SAG-5 zoning areas density.

Grieve stated that is exactly why there is a more detailed definition in that it is not used to implement a greater density simply anywhere where someone with SAG-5 wanted more density. He then read the language that states:

The use of the district is appropriate in transition areas adjacent to and between higher density Residential (R) and lower density Suburban Agricultural (SAG) zones. This district is not appropriate in areas primarily surrounded by low density SAG and AG zones and or areas adjacent to significant on going agricultural/silvicultural/horticultural and/or extractive industry operations.

Commissioner Brenneman stated that he will be looking for dust mitigation measures should R-5 be converted; that he will not be part of facilitating further development without mitigating impacts.

Grieve suggested adding a sentence that says: This zone should be utilized in areas where public services and infrastructure are developed that are appropriate for residential land uses.

Commissioner Brenneman made a **motion** to include a sentence that states: Furthermore public facilities such as roads should be appropriately developed included paved public roads to accommodate the density in land uses of this designation. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve Resolution 955GZ with attached Exhibit "A". Commissioner Lauman PT **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

RESOLUTION NO. 955 GZ

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 29th day of October, 2008, to consider a change to the text of the Flathead County Zoning Regulations proposed by Flathead County and the Flathead County Planning and Zoning Office, by adding a new Section 3.43 to the Regulations which would define a new zoning classification denominated R-2.5 (Rural Residential) intended for rural, primarily residential areas where larger, estate-type lot sizes are appropriate and where agricultural, silvicultural and horticultural operations are a decreasingly viable land use;

WHEREAS, the minimum lot size set forth in the new classification would be 2.5 acres and other sections of the Flathead County Zoning Regulations would be amended to make references to the new classification where appropriate;

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205, M.C.A., on October 18 and October 25, 2008;

WHEREAS, the Board of Commissioners heard public comment on the proposed amendments to the Flathead County Zoning Regulations at that hearing; and

WHEREAS, the Board of Commissioners has reviewed the recommendation of the Flathead County Planning Board regarding the proposed amendments.

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 the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board, and adopts this resolution of intention to add a new Section 3.43 to the Regulations which would define a new zoning classification denominated R-2.5 (Rural Residential) intended for rural, primarily residential areas where larger, estate-type lot sizes are appropriate and where agricultural, silvicultural and horticultural operations are a decreasingly viable land use, as set forth on Exhibit A hereto.

BE IT FURTHER RESOLVED, that notice of the passage of this resolution, stating the general character of the proposed change to the Flathead County Zoning Regulations, that said proposed change and those regulations are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication thereof, the Board will receive written protests to the adoption of the proposed changes, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests to the adoption of the proposed change will be received from persons owning real property within any zoning district heretofore created by Flathead County, for a period of thirty (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 of property zoned by Flathead County under Section 76-2-201, *et seq.*, M.C.A., protest the adoption of the proposed change, the change will not be adopted.

DATED this 29th day of October, 2008.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
Gary D. Hall, Chairman

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

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

SEE CLERK & RECORDERS FILE FOR EXHIBIT "A"

Commissioner Brenneman made a **motion** to authorize publication of the Notice of Passage of Resolution of Intent and authorized the chairman to sign. Commissioner Lauman PT **seconded** the motion. **Aye** - Brenneman and Lauman. 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. 955 GZ) on October 29, 2008, to adopt a proposed amendment to the text of the Flathead County Zoning Regulations.

The proposed amendment would add a new Section 3.43 to the Regulations which would define a new zoning classification denominated R-2.5 (Rural Residential) intended for rural, primarily residential areas where larger, estate-type lot sizes are appropriate and where agricultural, silvicultural and horticultural operations are a decreasingly viable land use. The minimum lot size set forth in the new classification is 2.5 acres. Other sections of the Flathead County Zoning Regulations would be amended to make references to the new classification where appropriate.

The Flathead County Zoning Regulations are on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: http://flathead.mt.gov/planning_zoning/downloads.php. Documents related to the proposed amendment to the text of the Flathead County Zoning Regulations are also on file for public inspection at the Office of the County Clerk and Recorder and the Flathead County Planning and Zoning Office.

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 amendment to the Flathead County Zoning Regulations, from persons owning real property within any zoning district heretofore created by Flathead County whose names appear on the last completed assessment role of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

Dated this 29th day of October, 2008.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By/s/Dale W. Lauman PT
Gary D. Hall, Chairman

By/s/Diana Kile
Diana Kile, Deputy

Publish on November 4 and November 11, 2008.

DISCUSSION RE:

[10:23:14 AM](#)

Members present:

Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman PT

Members absent:

Chairman Gary D. Hall

Others present:

Assistant Mike Pence, Denise Germann, Keary Larsen, Clerk Kile

General discussion was held relative to allocations of Secure Rural Schools monies.

EGAN SLOUGH PLANNING & ZONING COMMISSION MEETING @ COMMISSIONERS' MEETING ROOM

[7:00:50 PM](#)

Members present:

Commissioner Gary D. Hall
Commissioner Joseph D. Brenneman
Commissioner Dale W. Lauman
County Clerk & Recorder – Committee Vice Chairman Paula Robinson
County Treasurer – Committee Secretary Adele Krantz
Citizen Member – Charles Jacquette

Others present:

Planning & Zoning Director Jeff Harris, Planner Andrew Hagemeyer, Amy Waller, Louise Ambrose, William Ambrose, Charles Hanson, Denise M. Hanson, Clerk Kile

Paula Robinson called to order the Egan Slough Planning & Zoning Commission meeting.

Commissioner Hall made a **motion** to approve the minutes. Robinson called for old business/ new business.

Harris explained this is a public hearing for a conditional use permit; staff will give a presentation and the applicant will then be given a chance to give a brief presentation. The public hearing will then be opened and board discussion will ensue.

Hagemeyer entered into record FCU 08-08; a request submitted by Charles and Denise Hanson who propose to create an unimproved landing strip. The airstrip will be approximately 40 feet wide by 1,800 feet long in an east west direction; no facilities that do not already exist on the property will be required. The landing strip will be grass with no improvements such as paving or added gravel. The airstrip will be used entirely for day use with a flight path off to the east or west and will not go directly over any neighboring buildings. The proposed site for the airstrip is approximately 2,600 feet long and has no

environmental constraints. Neighborhood impacts would be slight with some noise. Staff recommends approval with attached conditions.

Paula Robinson questioned the quantity of fuel that would be stored. Charles Hanson said he would have adequately designed fuel storage; possibly just in his truck. Paula Robinson asked how much he would keep on site. Charles Hanson said he would probably have approximately 250 gallons.

Paula Robinson then questioned trees in the area. Hagemeyer noted the area is mostly farmland.

Paula Robinson opened the public hearing to anyone wishing to speak in favor or opposition of the Conditional Use Permit.

Charles Hanson, 132 W Bluegrass Drive, the applicant noted he has been a pilot for many years and said he planned on the approach and departure ends to be displaced 300 feet past the road. He then explained the departure is the most critical because of the noise and he can turn out and avoid flying over anyone's home. Hanson then said the frequency of his flights would vary, but would be around 2-3 times per week; he may have a guest fly in once in a while. Also noted was a 1,800 foot runway was adequate for his type of airplane.

Adele Krantz asked what type of plane he had. Charles Hanson stated it is a 230 HP Cesena 180 that he has owned for 31 years.

Adele Krantz then asked if the Davis family that lives next door had any concerns. Charles Hanson said he had spoken to them and noted they had none and also stated there were no concerns in regards to the school either.

Adele Krantz questioned the number of occasional guests and noted her concerns of possible abuse. Charles Hanson stated the use would be restricted and used by invitation only. He then stated the airstrip would show up on the Montana State Aeronautics Map as restricted.

Adele Krantz then questioned the smell of gas fumes. Charles Hanson stated there would be none present.

Adele Krantz also asked what would happen if Charles Hanson were to move. Jeff Harris stated the Conditional Use Permit runs with the land.

Paula Robinson asked if there are problems with the number of flights, what could be done. Jeff Harris explained the commission can cap the number of flights and the applicant could then be cited for not being in compliance with the conditions of approval if it is abused.

Adele Krantz noted she was not comfortable with the language having too many variables and asked if the permit could be issued temporarily for one year. Jeff Harris said they have placed time limits on some permits as well as administrative reviews.

Paula Robinson asked how many landing strips presently were in the Flathead Valley. Commissioner Hall noted there are many.

Commissioner Brenneman said he had concerns in regards to helicopters using the airstrip and asked if a condition could be added that it would be for fixed wing aircraft only. Hagemeyer stated it could be added.

General discussion was then held relative to limiting the number of flights, enforcement issues and taking out language that includes guests.

Charles Hanson noted there is a flight path that could be confused with their operation.

Amy Waller, 770 Egan Slough Road noted that she wasn't concerned until hearing the discussions and now is feeling alarmed about the possible number of flights. She then said there are regulations that say you can have term limits that don't run with the land. She then reviewed the criteria in the subdivision regulations for when a conditional use permit can be submitted and questioned if this would be a nuisance, and stated the CUP should not be open ended and go to the next land owner.

General discussion was held relative to the airstrip being a possible nuisance and changing finding #4.

Charles Jacquette said his personal feeling is that there seems to be an awful lot of fear mongering and that this has gotten out of control.

No one else rising to speak, Paula Robinson closed the public hearing.

General discussion was then held relative to an administrative review for compliance of the CUP in 2 years, and then 5 years thereafter and amending finding #4.

Commissioner Brenneman made a **motion** to amend finding 4 to say: The immediate neighborhood impact is acceptable with conditions because the proposed facility will create no excessive traffic, noise vibration, dust, glare, heat, smoke, fumes, gas or odors and have reasonable hours of operations. **Aye** - Hall, Brenneman, Lauman, Robinson, Krantz, and Jacquette. Motion carried unanimously.

Condition #8 will be added to state: The airstrip is approved for fixed wing aircraft only.

Condition #9 will be added to state: The permit shall undergo an administrative review for compliance two years following the date of issuance and every five years following that review thereafter.

Condition #10 will be added to state. The applicant shall be limited to 20 take offs and 20 landing per month.

Commissioner Brenneman made a **motion** to approve the permit with conditions as amended **Aye** - Hall, Brenneman, Lauman, Robinson, Krantz and Jacquette. Motion carried unanimously.

Paula Robinson moved to adjourn.

Due to a malfunction there is no audio recording of this meeting.

11:00 a.m. County Attorney meeting @ Co. Atty's Office
2:30 p.m. Commissioner Brenneman: MACo Risk Management Committee meeting @ Commissioners' Meeting Room

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 30, 2008.

THURSDAY, OCTOBER 30, 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.

CONSIDERATION OF TEMPLATE BUS CONTRACT/ EAGLE TRANSIT

[9:04:00 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

Atkinson presented a template of the lease agreement that will be used for the Optima and Sprinter Buses. The prices will be \$150.00 per month with 7¢ a mile for maintenance on the Sprinter and 15¢ a mile for maintenance on the Optima.

Discussion was also held relative to maintenance costs and insurance exposure.

CONSIDERATION OF RELEASE OF COLLATERAL: SOMERS STAGE SUBDIVISION

[9:18:07 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 release of collateral for Somers Stage Subdivision. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

MEETING W/ JAMES FREYHOLTZ/ MDOT RE: SPEED STUDY RESULTS FOR WEST RESERVE DRIVE

[9:19:21 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, James Freyholtz, Clerk Kile

Freyholtz presented results from the speed study done for two segments of West Reserve Drive. The first segment being Farm to Market Road to the Stillwater Road roundabout and the second study a ½ mile segment from Hwy 93 West to Reserve Loop. He reported there was a reduction in travel speeds observed on the newly constructed segment having the raised median west of the Stillwater Road Roundabout that supports a reduction in the 55 mph speed limit. Freyholtz noted the conclusion and recommendation is that no change be made from Farm to Market east for 2.8 miles from the Stillwater Road roundabout and at that point for 1,200 feet 45 MPH speed zone is being recommended for the transition zone. On the short ½ mile segment that the city patrols 45 MPH is being recommended.

MEETING W/ DIANA BLAIRE RE: PRESENTATION OF PROPOSAL FOR SMALL BUSINESS TAX

[9:30:34 AM](#)

Members present:

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

Others present:

Assistant Mike Pence, Treasurer Adele Krantz, Diana Blaire, Scott Williams, Clerk Kile

Diana Blaire, owner of Going to the Sun Fiber Mill, LLC a small agricultural business explained her wool processing business in which she is asking for a 50% break in her taxes. She then stated her concern in regards to a notice she received for delinquent property taxes.

Scott Williams explained the procedure the taxpayer would need to follow in order to receive the reduction in taxes.

Commissioner Brenneman noted the commission cannot consider doing anything until the applicant completes the requirements set forth in the resolution.

PUBLIC HEARING: CREATION OF FISH HATCHERY ZONING DISTRICT

[10:04:34 AM](#)

Members present:

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

Others present:

Planning & Zoning Director Jeff Harris, Planner Andrew Hagemeyer, Deputy County Attorney Jonathan Smith, Dennis Fischer, Lois Fischer, Lynette Lorenzen, Mark Lorenzen, Bob Erickson, Lydia Eastbrien, Jan Williams, Richard F. Williams, Joe Orr, Ken Orr, Clare LaMeres, Jeanette Dullum, Ann Cathroe, Richard J. Bauer, Carol A. Bauer, Kathryn Britton, Michael Britton, Dan Bangeman, Bob Lilienthal, Arthur D. Buckley, Cheryl G. Buckley, Peggy Hedin, Virginia Gazewood, Rick Barber, Bob Hedin, Debra Spaulding, Leslie Mercord, Kathryn Mercord, Sherry Leicht, Steve Leicht, John Lacey, Mary Kaplan, Celia Eastburn, Bye Bitney, Mark Penland, Cheryl Broushard, Clerk Kile

Hagemeyer entered into FZD 08-01: an application submitted by Steve and Sherry Leicht, Dick and Carrie Taylor and Kathy Mercord regarding a request to establish a new R-1 Suburban Residential Zoning District between Somers and Lakeside. The proposed district is located on the east side of Highway 93 between the southern boundaries of the Old Highway 93 North Zoning District south to Mission View Terrace Subdivision. The Lakeside Community Council has approved this proposal because of the broad support, but is concerned about the number on non-conforming lots. The Flathead County Planning Board recommended approval of the proposed R-1 district by 6-1.

Chairman Hall opened the public hearing to anyone wishing to speak in favor or opposition of the zone change.

Attorney John Lacey spoke on behalf of the landowners and applicants in which he stated that many owners in the area are seasonal with 55 of them having attended the Planning Board hearing. He then stated it is significant to recognize that many of the land owners and their families sent written responses in favor of the zone change. Lacey then noted the growth policy designates the area specifically as R-1 and received approval from the Lakeside Community Council for R-1 designation also. He then pointed out it is important to recognize that much of the area is zoned with the nature of the neighborhood being defined as rural and small single family which they would like to maintain. Any increased density in the area would result in significant disruption and upheaval to roads. Water access is not available and sewer access is limited in the district and increasing density beyond R-1 would cause disruption to an already stressed system. Traffic safety is also a major concern with Hwy 93 providing ingress and egress out of the area and keeping the density down will help to keep the area safer and help to save lives. Lacey then asked that the zone change be approved.

Steve Leicht, 857 S. Juniper Bay Road stated that he appreciated the commission considering their application. He then said as property owners in a proposed zoning district they feel the time has come to take steps to preserve the well established single family residential character of their neighbor. To ensure that this continues to be the case they have petitioned the county to create the Fish Hatchery Zoning District. The citizens are requesting your help in creating orderly development in the neighborhood by zoning the area R-1. We are trying to be proactive and prevent problems that have occurred in North Juniper Bay and Springcreek and now the Deer Creek area between developers and those living in the neighborhoods. Owners and developers need to know what can and can't be done in these single family residential neighborhoods. The primary reason we are requesting R-1 is to follow the 2007 Flathead County Growth Policy which was adopted by the current commission. The growth policy designated the area as a one dwelling per acre area for future planning and zoning efforts. R-1 is the only designation that fits these guidelines. Approximately 80% of the acreage is parcels one acre or larger and the average size of a parcel is 1.24 acres which fits with the R-1 designation. Beyond fitting the growth policy guidelines the R-1 designation fits the desires of the clear majority of the owners in the district to limit the area to single family residences, limit the possible commercial development in the area and the possible future density of the area. To give you an idea of the difference in possible density an R-1 build out would allow 80 more homes in the area and R-2 build out would allow the possibility of close to 200 more homes in the district. R-1 is not an anti-growth agenda. Leicht noted that 74% of the acreage owners signed the petition in support of R-1 zoning.

Shari Leicht, 857 S. Juniper Bay Road stated the zoning is an effort by a clear majority of the owners in the neighborhood to try to maintain their single family residential character. She then said they are attempting to avoid most commercial development in the area with many businesses being inappropriate for the neighborhood; we are not anti-business or anti-development, that many of us come from business backgrounds. Leicht noted they would like the future growth in the area to occur in a planned and orderly fashion. She also spoke about concerns with traffic problems in the area and water quality.

Kathryn Mercord, 230 Sunnyside Slope spoke about her concerns with the safety on the highway and asked that the R-1 zoning be approved.

Debra Spaulding, 405 Tacklin Creek Road spoke in support of the Fish Hatchery Zoning District. She noted she is a Lakeside resident but does not reside in the Fish Hatchery Zoning District. Spaulding then read statistics from a study done by the Lakeside Neighborhood Plan Committee which can be viewed at: <http://lakesideplan2008.com/>

Virginia Gazewood, 105 Looking East Drive spoke in favor of the Fish Hatchery Zoning District. She then commented that additional patrol is being received now from the Highway Patrol in the area now with the traffic problems.

Dan Bangeman, 543 N. Juniper Bay Road spoke in support of the zoning. He then spoke about the mess on North Juniper Bay Road and said if they would have had zoning it probably wouldn't have happened.

Greg Stevens, 31 Lower Valley Road questioned why the growth policy supports R-2 zoning on North Juniper Bay but not on his property. He then said with his 100 foot lot the zoning district won't affect him much, but that it is the most inappropriate zoning proposal he has ever seen. He then said he has served as the President of the Kalispell Joint Planning Board, Chairman of the Growth Policy Committee, on the Flathead County Planning Board and has worked as a land use consultants. He then stated he understands that people want protection, but questions if they were presented an R-3 zoning option. He then noted the district is small and by his calculations 60% of the parcels are already non-conforming, which should raise a big flag; how do you present a new zoning district where over half the parcels are already non-conforming. Stevens said if you look at the frontage road that goes along the whole length of the zoning district that an ideal local safety wise and traffic wise

access is there. To the north is R-2 and to the south is Mission View which are probably ¼ acre lots and it appears if there is an appropriate zone it would be R-3. I have never seen one acre minimum lot size proposed for anything that can be sewered that this is the reverse of anything we have tried to do. Our growth policy should be geared to growth not to stopping growth which this proposal is. He then spoke about unintended consequences with the zoning of a landowner with 1 ½ acres; with R-1 that will never be able to do anything with the property. Stevens stated he feels the proposal should be sent back as it is totally inappropriate.

Celia Eastburn, 131 Pineview said she purchased property here a couple of years ago and they choose this property in part because of the nature of the community and what it had to offer. She then spoke about traffic concerns and stated she supports R-1 zoning.

Bob Lilienthal, 211 Marco Bay said he spoke to Planner Hagemeyer about R-2 and R-3 zoning which he feels would be more appropriate. He then noted he has approximately 3 acres and could not comply with the proposed zoning because of required setbacks with R-1 zoning. Lilienthal stated he is not against zoning and has no intentions of building condos but is concerned about his kids and grandkids and what they can do with the property in the future and would like them to have options other than paying taxes on it. He then added that those that support R-1 zoning cannot do anything with their property now anyway.

Rick Barber, 803 South Juniper Bay Road owner of 3 parcels said with the support from the Planning Board, Lakeside Community Council and landowners he encouraged the commission to also support R-1 zoning.

Kathy Britton, 490 Two Mile Drive spoke in support of R-1 zoning. She then noted she is the owner of a non-conforming lot and said the fact that the land slopes towards the lake should be a major consideration with runoff running into the lake. Research shows that water quality has been declining since 1977 and consideration for lake quality should be a concern and limiting density along the lakeshore should be an important part of the prevention before it is too late.

Bye Bitney, 841 S. Juniper Bay Road stated he grew up on Flathead Lake and was able to purchase his own home there 20 years ago. He then said what has motivated him to actively support R-1 zoning is the development that has occurred on North Juniper Bay Road with the unattractive and poorly received high density units that are simply not an historical character of the area.

Kay Hanson, 841 S. Juniper Bay Road stated they are full time permanent residents and support R-1 zoning. She then added their lots are non-conforming. When they look across the bay now they see a lot where the trees were removed 4 or 5 years ago and no trees have been replaced and no landscaping has been done with it being a source of controversy for the whole neighborhood; when it rains now the lake in front turns brown because of the runoff of the top soil. Hanson stated that after watching this going on they are being proactive in their neighborhood. She then spoke about all the things they enjoy in the neighborhood and the beauty of it.

Dennis Fischer, 849 S. Juniper Bay Road stated he has been here for over 40 years and has seen a lot of development. He then said that he agrees that 60% of the lots are non-conforming and this is what they are trying to stop and are in favor of R-1. Fischer then stated they don't want this to be the last best place; they want it to be the best place.

Lois Fischer, 849 S. Juniper Bay Road said they have owned over 200 feet of lakeshore for over 40 years now, and after seeing development elsewhere they don't want to see the same thing here.

Leslie Mercord stated her family has owned property off Sunnyslope since 1943 and so far 4 generations have been able to enjoy the property. She then said she would like to keep the single family feel for the area not only for safety and preservation of Flathead Lake but for the sake of not living next to an apartment complex similar to what was built in North Juniper Bay.

Mary Kaplan, 250 Sunnyslope said her property is non-conforming and that she sold off part of her property so that she could afford to keep her parcel. The property she sold was to a neighbor who was in conformance. She then stated she can't think of a better fit for zoning.

Mark Lorentzen, 395 Marco Bay Road spoke in favor of R-1 zoning for all the reasons previously stated. He then commented there are 3 access points from Marco Bay Road to Hwy 93 with one of them being where he has personally almost gotten hit and the other 2 having poor site distances for accessing the road. Lorentzen stated he personally owns 20 acres so there is a potential for dense development which in his opinion would be inappropriate.

Arthur Buckley, 225 Marco Bay Road stated he owns 1.8 acres and under R-2 zoning it could be split into 3 lots, yet they don't want the density and are in favor of R-1 zoning.

Joe Orr, 5655 Hwy 93 South a resident north of the zoning district commented that we share the fragile resources of Flathead Lake and the health and safety issues from traffic problems in the area. He then said the important thing is that the area be zoned as they have seen what can happen in the area when there is no zoning and high density development ensues. Orr said that he has heard two of the commissioners say before that they wish the citizens would get together and get the area zoned. He then added this isn't a perfect proposal in terms of density proposed and there are non-conforming lots, but if the opportunity is let go to have zoning in the area you will lose a lot and possibly never get it back.

Jeanette Dullum stated she owns a lot at 141 Pine View and 2 homes in Mission View Terrace. She then spoke in support of R-1 zoning and stated the reasons are to preserve the rural character of the beloved area and prevent the possibility of high density development such as condos.

Mike Seaman, 538 S. Foys Lake Drive asked how much change has occurred in the area in the last 10-20-30-40 years. Another question asked was if a proposal comes in front of you today if it would have to go through the same process the zone change is going through. He then said if there was going to be future development in this area then they would still have to come before the Planning Board and the County Commissioners for approval. He then asked what kind of major change could be done without coming before the commission. He said people want to zone their property because they are worried about a big development or change; in this particular area there hasn't been a lot of change. What I have also heard from several people in here is that they aren't going to change anything. Seaman then asked why you would want to limit yourself for a future thing that the commission has to approve. What we have been trying to do is have growth go where it is the most sensible and economical and what we need in this valley is affordable housing. Whenever such a project comes up no one wants it in their area, yet at the same time we need affordable housing. He then added that he feels whatever precedence is set here will need to be followed down the line. If it is zoned R-1, R-2 or R-3 it won't change the character of the neighborhood; what it will do is if someone ever wants to do something in the future it determines the density for that project. He then said if a

project still has to come before the Planning Board and County Commissioners that alone is still a good safeguard and that the decision needs to be made as to what is best for Flathead County not just this section of Flathead County. Seaman added that he feels one of the reasons the zone change request has been made is out of fear that he may someday do something with his property. He then stated he has lived here all of his life and has never adversely affected any persons property with his existence. He further stated the average person could not afford to live on that property and now those that have it don't want anybody else to have what they have. He then closed with saying maybe we only want the ones that don't live here to be able to afford this type of property other than those that live here.

Mark Penland, 290 Sunnyslope said his retirement plan when he bought the property was that he would sell off the back or front portion of his property and split it in two. He then stated he was in favor of R-2 zoning with R-1 being exclusive and none of his neighbors conforming. Penland said R-1 zoning basically is robbing him of \$200,000.00 and asked that they go back to the drawing board with them having been stamped out of fear.

Rich Williams, 101 Pine View Drive spoke in support of R-1 zoning.

Cheryl Broushard stated that she purchased property at 6125 Hwy 93 South along with her parents and husband with the concept that when her parents retired they would live on the property in the current home, and build an additional home also on the 1 ½ acres; now with R-1 zoning they will not be allowed to do that. She then spoke about R-1 not being consistent to the north or the south and stated that many of the properties in the proposed district are non-compliant and have what they want already so for them R-1 zoning is a wonderful thing. For the rest of the property owners that had the hope that they could build a home or sell off a portion they now won't have that opportunity. She spoke about the majority of the lots being non-conforming, additional build outs and traffic concerns and stated that unless we stop all growth in Kalispell and north and south there is going to be more traffic with only 2 highways from the south to the north and a few more lots in that area isn't going to impact them. Broushard stated the overwhelming supports she feels has to do a lot with the condos and they weren't necessarily given other zoning options when this was addressed. Policy 28.1 and Policy 34.3 were not addressed in the Staff Report which state:

Policy 28.1 Encourage high density development in areas that would be served by community sewer systems that treat to municipal standards.

Policy 34.3 Promote land use patterns that permit logical, predictable and effective extensions into utilities.

Broushard then asked that this be looked at again and consider looking at R-2 or R-3.

Bob Hedin, 206 West Ridge Drive stated that he lived across the street from the proposed zoning district in R-1. He then said zoning exists as a tool because of problems that have occurred in various places and they need something that is predictable where they can plan.

Peggy Hedin, 206 West Ridge Drive commented that there is a difference between parcels and lots with 60 percent non-conforming, that when you look at the deeds that it is more like 30 percent buildable non-conforming lots. She then said those that are for the R-1 zoning are composed of large land owners and non-conforming lots.

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

Hagemeier clarified that he did not do any research on the parcels Peggy Hedin spoke about in regards to conforming and non-conforming lots. He then clarified a statement made by Cheryl Broushard in which he said if you are within 500 feet of the sewer you have to hook up if you subdivide regardless of the size of your property. He then added that R-2 lots are not required to hook up to sewer. He then answered Mike Seaman's question in regards to development in the area and stated since 2003 there have been 4 family transfers, a subdivision is being processed in the office presently and a pre-application has been processed. Hagemeier noted the point is there is change happening and this is a pro-active effort. Also noted is the county will only review the proposal if someone came in to subdivide.

Commissioner Brenneman asked if anything could preclude an individual in this zone from selling property to a neighbor and using a boundary line adjustment with the zone of R-1, R-2 or R-3.

Hagemeier stated that boundary line adjustments still have to conform to lot sizes within the zoning district.

Commissioner Brenneman then asked if the figure of 80 homes under R-1 was correct and up to 200 homes under R-2.

Hagemeier said with R-2 if you only looked at lot size the potential build out would be 167.

Commissioner Brenneman asked if a PUD was an option.

Hagemeier stated that a PUD would technically be re-zoning and you would have to go back through the zoning process.

General discussion was held relative to PUD's.

Commissioner Brenneman said he sees two compelling issues that weigh heavily with him which include; it is an American accepted method of government that the majority has a significant influence on what happens if the rights of the minority are protected. He then said it has been proven that the greatest threat to water quality in lakes isn't septic, but when septic is provided and high density development occurs that the runoff affects the lake adversely. The way to get the best of both worlds is to have a zone or land use agreement that allows the governing body to review and to some degree help form what the density looks like while providing sewer. He then stated for those reasons he supports the R-1 request.

Chairman Hall then clarified that R-1 zoning is 43,000 square foot minimum; R-2 is 20,000 square feet.

Commissioner Brenneman stated R-1 allows for guests homes and if you want to build a home and rent it or if you want to build a home for your family there is nothing in R-1 that precludes that; what you cannot do is divide the land. He then added we can't divide land along the lakes forever and at some point somebody has to say this is what makes sense for the area in the interest of water quality and preserving property values around the lake.

Harris then explained that a zoning district isn't forever and that it only provides guidance in land use decision making.

Commissioner Lauman asked about a variance on the properties.

Hagemeier said if you have a hardship on your property caused by the regulations to have a variance granted you have to show you have a hardship that you didn't create; you also have to show that it is not economic. A review is then done for a variance and it is brought before the Board of Adjustments who makes the final decision.

Harris noted when the R-1 zoning was looked at that it was the only zoning district that provided flexibility for multiple lot widths which the other zoning districts don't.

Commissioner Lauman said that he lives in the area and would look at it the same no matter where it was. He then added that he feels R-1 zoning fits the area.

Commissioner Lauman made a **motion** to adopt Resolution #2169. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

RESOLUTION NO. 2169

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 30th day of October, 2008, concerning the creation of the zoning district to be known as the Fish Hatchery Zoning District;

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205, M.C.A., on October 14 and October 21, 2008;

WHEREAS, the Board of Commissioners heard public comment on the proposed creation of the Fish Hatchery Zoning District at that hearing; and

WHEREAS, the Board of Commissioners has reviewed the recommendation of the Flathead County Planning Board regarding the creation of the Fish Hatchery Zoning District under Section 76-2-206, M.C.A.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria for creation of a zoning district, as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to create the Fish Hatchery Zoning District Section 76-2-206, M.C.A., and to zone the area R-1 (Suburban Residential), as defined in the Flathead County Zoning Regulations.

BE IT FURTHER RESOLVED that the boundaries of the Fish Hatchery Zoning District cover 132.51 acres of currently unzoned property along the shores of Flathead Lake between Somers and Lakeside and located on the east side of Highway 93, west of Flathead Lake, between the southern boundary of the Old Highway 93 Shoreline Zoning District, Spring Creek Road, on the north, and south to the Mission View Terrace subdivision, containing 107 separate parcels.

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 Fish Hatchery 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 Fish Hatchery Zoning District for a period of (30) days after the first publication of that notice.

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

DATED this 30th day of October, 2008.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

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

Commissioner Brenneman made a **motion** to authorize publication of the Notice of Passage of Resolution of Intent. Commissioner Lauman **seconded** the motion. **Aye** - Hall, Brenneman and Lauman. Motion carried unanimously.

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
FISH HATCHERY ZONING DISTRICT

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intent (Resolution No. 2169) on October 30, 2008, to create the Fish Hatchery Zoning District.

The boundaries of the "Fish Hatchery Zoning District" to be created cover 132.51 acres of currently unzoned property along the shores of Flathead Lake between Somers and Lakeside and located on the east side of Highway 93, west of Flathead Lake, between the southern boundary of the Old Highway 93 Shoreline Zoning District, Spring Creek Road, on the north, and south to the Mission View Terrace subdivision, containing 107 separate parcels.

Adoption of the proposed district would apply the Flathead County Zoning Regulations to the property described, and would classify the property within the District as R-1 (Suburban Residential). The R-1 classification provides for a residential district to provide estate type development with a minimum lot size of 1 acre. These areas would normally be located in rural areas away from concentrated urban development, or in areas where it is desirable to permit only low density development, e.g., extreme topography, areas adjacent to flood plains, airport runway alignment extension, etc.

The proposed zoning district would be regulated by the Flathead County Zoning Regulations which are on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, at the

Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at:

http://flathead.mt.gov/planning_zoning/downloads.php

Documents related to the proposed amendment to the text of the Flathead County Zoning Regulations are also on file for public inspection at the Office of the County Clerk and Recorder and the Flathead County Planning and Zoning Office.

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 Fish Hatchery Zoning District, and the regulations therefor, from persons owning real property within that proposed district, whose names appear on the last completed assessment role of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 30th day of October, 2008.

ATTEST:
Paula Robinson, Clerk

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Diana Kile
Diana Kile, Deputy

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

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PUBLIC HEARING: SUBDIVISION REGULATIONS AMENDMENTS @ FVCC ARTS & TECHNOLOGY BUILDING, ROOM 139

[6:00:34 PM](#)

Members present:

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

Others present:

Planning & Zoning Director Jeff Harris, Deputy County Attorney Peter Steele, Ken Donovan, Charles Lapp, Russell Crowder, Greg Stevens, Tom Lewis, Dan Olson, Jeanne Olson, Richard Kuhl, Corinne Johnson, Clarice Ryan, Dennis Thorton, Shelby Nash-Hunter, Pat Arnone, M. Eddy, Steve Rosso, Dale Thorton, Jim Etzler, Michelle Tafoya, Donna Harrison, Jill Fanning, Jordan Tesar, Donald Doan, John Stang, Richard Hildner, Gail Sullivan, Jim Armstrong, Ted Matelich, Don Spivey, Judy Spivey, Mary Critchlow, Lois Smith, Larry Smith, Judy Broston, Larry Broston, Rick Goacher, Russ Vukonich, Mary Person, Douglas Chadwick, Rachel Potter, Loyal Chubb, Ben Long, Cailin Rogers, Jayne Hall, Roger Sherman, Dan Short, Linda Christensen, Erin Sexton, Darren Pfeifle, Ben Cavin, Jim Clark, Rick Breckenridge, Shannon Farries, Kelly Harris, Rudy Koestner, Charles Jacqueline, Henry Oldenburg, Brian Peck, Carol Pardini, Jim Sappington, Olaf Ervin, Wynn Peeples, Roger Thorton, Bev Etzler, Jeff Larsen, Glen Auscker, Mayre Flowers, Michael Fanning, Karen Reeves, Sharon Chubb, Lynn Stanley, Steve Quenell, W. Davis, Kari Ann Lynch, Bill Myers, Dave Bailey, Newton Conklin, Mark Deleray, Dave Hadden, Doreen Cavin, Richard Stevens, Fred Hodgeboom, Sally Janover, Verdell Jackson, Carla Augustad, Ruth Bangman, Rob McKeller, Clerk Kile

Chairman Hall opened the public hearing to anyone wishing to speak in regards to the proposed subdivision regulations.

Henry Oldenburg said his grandfather came here from Germany where you could not fish in the streams because it was restricted for the duke and the prince, and you had to farm from the rivers edge to preserve the quality of the water. He then said he favors a 25 to 35 foot setback from the rivers edge that should apply to everyone; that it is imperative that we protect the quality of the Flathead Valleys streams. He then added I have the same fence 30 feet back that my grandfather had, but I also have land that is a setback area wilderness 200 – 300 feet wide that produces deer and river otter and in the last 5 to 7 years the area has become a poacher's zone, and he feels they will have a killing zone all along the Flathead River if the extended setbacks are approved. I would stand here opposed to a setback of that nature; although it might be more productive in some ways it would in the long run not provide what the propaganda has in the newspapers. We have a commitment to pass on to future generations what we have.

Dan Short, 164 Juniper Bend Drive, an employee of Merrill Lynch and also a member of the Flathead Valley Trout Unlimited spoke in support of the proposed stream side setbacks and urged that they be approved for new subdivisions. He then stated these setbacks will help to protect critical aquatic habitat for fish and aquatic insects. The needed species such as cutthroat require absolute clean water; when the fish disappear it is only because of the degraded or lost habitat. Flathead Valley residents have repeatedly and emphatically said that outdoor recreation opportunities, which include fishing is the primary reason for living here and very much a core value. I have seen first hand what happens when building is allowed too close to rivers and streams and can name several examples of situations that cry out for setbacks. He then gave an example on the Yellowstone River upstream from Livingston where a house built on the river bank went into the river during the spring high water with parts of the foundation still being visible in the river. The part not visible is the contamination from the disconnected septic tank. Short stated that he wanted his grandchildren to be able to enjoy the same pure clean Flathead Valley water that his father and he were able to enjoy; if action is taken to adopt these reasonable setback requirements for new subdivision development, I am confident the generations to come will continue to enjoy some of the cleanest and purest water in the country.

Ben Long read a letter that was delivered to the Planning Board back in May that was signed by Tom Greiner, Chairman of the Flathead Valley Chapter of Ducks Unlimited, Chuck Hunt, President of Flathead Wildlife Inc., Chris Schustrom, President of Flathead Valley Chapter of Trout Unlimited and Ben Long, Director of Montana Back Country Hunters and Anglers.

The letter states they believe streamside setbacks of 250-300 feet greatly benefit many species of wildlife and can accommodate limited hunting, fishing and other recreation. Wildlife managers and private landowners alike depend on hunters and trappers to manage suburban wildlife such as white-tailed deer and beaver. If development crowds out waterways, these management tools are greatly constrained or even eliminated. We support subdivision regulations that include strong and enforceable setbacks and buffer strips along the waterways of Flathead County, coupled with a regulatory mechanism for individual variances where necessary. He then added his opinion and stated that he believes everyone respects property rights yet at the same time there are some things that belong to everybody, and in Montana the wildlife, streams and clean

water belong to everyone. He then referred to the propaganda in the newspaper that is calling the regulations communism and socialism and stated that protecting clean water is as American as his grandmother's apple pie.

Brian Peck, 615 Trap Road thinks the proposal is a reasonable plan that will protect the lives of Flathead Valley Citizens. He then said some of the valleys more extreme property right activists have claimed this proposal is a way for the government to take people's property rights, but over 200 years of case law clearly demonstrates they don't have a legal leg to stand on. The MDEQ has scientific studies that show the proposal is reasonable and accurate. He then discussed the studies that MDEQ has done and stated that in the case of a flood the last thing the valley needs is a bunch of debris contaminating the water. Setbacks lessen flood danger and riparian zones help recharge the aquifer. Peck then stated setbacks are not a taking; they are a giving of economic value to the Flathead Valley.

Roger Sherman said we have water resources that are an envy of the country and the world. He is proud of the water resources and hopes his grandchildren have the opportunity to enjoy the same resources. He then stated the Flathead needs to keep the water as clear and clean as possible and the only way to accomplish that is with proper setbacks; clean water is a treasure for all to enjoy. Sherman then encouraged the most stringent setbacks as possible.

Mike Fanning, 380 Tally Lake Road spoke as the representative of Flathead and Montana Audubon Society. He said membership of the society is diverse including a substantial number of hunters. There is a consistent deep concern for Montana streams and the society supports the setbacks, but does not support the 60 foot setback buffer. Fanning stated there should be a minimum of 100 feet to protect water quality. He then discussed scientific evidence stating there should be a 100 foot buffer. He commented on the opposition from the public for the commissioners to adopt the subdivision regulations and then said the purpose of subdivision regulations is spelled out in the Montana Code; Flathead County would not be breaking new ground. He added that a number of counties have already adopted streamside setbacks and discussed the different counties that have added the streamside setbacks to their subdivision regulations. Fanning closed with saying Flathead and Montana Audubon supports the streamside setbacks.

Donna Harrison, 4th Avenue West North said protecting our water is an economic issue and it is important to clear up misconceptions. There are other counties in Montana that have greater setbacks than what is being proposed. She then stated she strongly supported the streamside setbacks.

Ben Cavin, 113 Houston Drive said protecting water quality is important and that once it is degraded it is impossible to fix what is lost. He then reviewed the setbacks and stated he strongly supports them. Cavin then spoke about kayaking down the Whitefish River where the water was clear until he passed a new development and the water turned murky and dark.

Linda Christensen, 600 Bayou Road spoke in support of the setbacks. She then stated she believes in science and appreciates those presenting the scientific evidence and said if we sacrifice clean water to appease those who oppose the setbacks then all of Flathead Valley will suffer. Most of the citizens who live in the valley want to continue to live here for retirement and want clean water in the future. She then asked that the best of science be incorporated to protect our water and stated she believes the Montana Constitution allows us the right to have clean water.

Mary Person, 325 Blanchard Lake Drive thanked the Flathead County Commission for taking a proactive role in protecting water quality. She then said everyone has the responsibility to plan ahead and no one can predict mother nature. She then stated last week she listened to several people talk about the lack of science for setbacks, so she went on a search for information on the setbacks in which she found a lot of information. She then presented a letter to the Commission.

Steve Rosso, 1889 Medicine Rock Lane addressed the protection requirements for water and said ten other counties in Montana legally regulate streamside setbacks. He then said the only legal cases he could find are all in other states where developers have been sued by land owners for not following streamside setbacks. He said not including setbacks in regulations will not fairly serve the citizens. He also discussed how a developer might work around setbacks. He said there are only a small amount of people that do not want setbacks and that it is the commissioner's duty to protect the water quality for everyone. Rosso said people are raised from childhood to plan their education and as adults we need to plan for the future also.

Doug Chadwick, 230 Missy Lane stated he supported everything that has been said before him. Chadwick added he is 90 percent water just like everyone else and that water is a basic of life which makes this valley extra special. He urged the commissioners to approve the regulations.

Russ Vukonich, 1495 Aluminum Drive said he has a trout bearing stream that flows through his property and is privileged to sit on the Columbia Falls City County Planning Board. He said so many times regulations are established by a government entity where they tend to fall into a realm where one size fits all, which can be very frustrating. He then stated it is hard to apply best practices with a one size fits all law, and encouraged the regulations to allow for opportunity for variances and independent applications. Vukonich added best science shows that one size does not fit all.

Sally Janover, 570 Grand Road spoke in support of the setbacks and stated it is a public and county economic issue. She then added the setbacks protect water quality for hunting and fishing and stated the valley is fortunate to have some of the cleanest water in the United States with setbacks keeping rivers and streams healthy and being critical for spawning trout.

Rachel Potter, 2145 Witty Lane spoke representing the North Fork Preservation Association and her family. She then said the association was formed 26 years ago in response to threats to Flatheads water quality from the proposed Cabin Creek Coal Mine to protect the water in the North Fork. Potter stated water quality is still under a dire threat from the proposed coal mine. She then added politicians in Canada have discussed how hypocritical Montana is because we are not taking care of our own resources with our water quality steadily declining.

Dave Hadden, 545 Hope Drive said our Canadian neighbors view our use of water when considering what their future development might be. He then spoke in favor of streamside setbacks and stated he agreed with everything that was said before him. Hadden added that some of the setbacks should be more stringent.

Don Spivey, 8147 Park Road said he and his wife have been in the Flathead for close to twenty years and during that time lots of surveys have been done about what people want preserved, and water quality is always at the top of the list. He then stated he is delighted that the county is taking some responsibility for water quality and said the 60 foot setback needs to be increased. He feels the setbacks being considered are well founded scientifically, just and fair.

Richard Hildner, 104 5th Street said he has submitted information in the past to the Commission and Planning Board in regards to setbacks. He then spoke in support of the Planning Boards recommendations and stated there are advantages to streamside setbacks. He said there is a 200 foot setback from the Burlington Northern Roundhouse where vegetation has never grown because of contamination. He then spoke about concerns with Plum Creek and Stoltz as they move away from timber to real estate development.

William Myers, represented Bayside Park and Marina said he has tried repeatedly to influence the Planning Board and has gotten nowhere with the debate. He then said he is an environmentalist and developer and doesn't see a conflict between the two. Myers stated his marina has 520 feet of waterfront and is a perfect site for a marina and is on the market for 9.83 million dollars. He said he was there to let the public and the commission feel his pain of what the setbacks will do to his family for retirement. He said if his neighbors have a problem with how he is developing his land then they should come up with the money to buy him out. He discussed a waterfront property development that was only 50 feet from the water. He said the setbacks are an uncompensated and un-regulatory taking of property rights and that Flathead County is proposing these regulations without any proof for why the setbacks are so large. He said for years Bigfork sewage has leaked into Bigfork Bay and no one has cared about that. He currently has a 20 foot setback on his property. He said what works for some land won't work for others and if the county wants a setback they should buy it.

Cailin Rogers, 278 Sulky Lane said if you have been paying attention to the news you would have seen the shocking images of people homes being wiped away by floods; this year in the Flathead we were all lucky. She discussed what happened in the mid-west with flooding; with some of the floods being 500 year flood events. Rogers said to prevent devastating flooding in the Flathead we can't sit idly by and hope this won't happen to us as we watch other communities wash down stream. She then said local governments have tools to decrease impacts of severe flooding; one simple cost effective strategy that has been implemented in other Montana communities is stream side setbacks. Rogers stated for this reason and to protect water quality in the Flathead I urge you to adopt the stream side setbacks.

Russell Crowder, 2868 Lower Lost Prairie Road, representing American Dream Montana discussed Article 2, Section 2, of the Constitution. He said in 2007 the legislature dealt with SB 345 which authorized certain setbacks for rivers in the state of Montana. He then said counties don't have the authority to regulate stream side setbacks so the senate bill failed. Crowder discussed the difference between the floodplain and floodway and said if the proposed setbacks are adopted there will be 60 square miles of property in Flathead County that will be denied unlawful use of their property. Also discussed was Article 2, Section 17 of the Constitution in which he said there were approximately 7 items in the proposed regulations that do not comply with the law. He asked if the County Attorney knew the difference between a floodplain and floodway. He then added there are a lot of mistakes in the regulations that will affect property owners and said American Dream Montana encourages the public to seek some competent legal advice. He said the Planning Director made the regulations all up and American Dream Montana is going to hold the commission legally accountable. He then said the regulations need to be tabled until competent legal counsel is sought and that American Dream Montana would pay one thousand dollars towards that.

Pat Arnone, 595 Lauman Road said she was at the meeting when an attorney was present and stated the way the setbacks are written they will withstand lawsuits. She said the commission needs to do the right thing for the sake of clean water and encouraged the commission to stand up and do the right thing. Arnone then said the water leaves the state and county and will affect a lot more people than just the Flathead Valley. She then added there is scientific evidence that proves the regulations are correct.

Ruth Bangeman said she moved here in 1959 and has seen a lot of growth and change since that time. She then added she is a property owner along the watershed and may someday want to develop part of the property. She believes she has a social responsibility to take care of the water before developing on the watershed. Bangeman said Flathead County citizens have a social responsibility not just for our own economic development, but for the other forms of life that live along the watersheds. Bangeman stated she has seen degradation along the lake over the years and things are not the same as they used to be. She said the setbacks are flexible and reasonable and protect the wildlife and will also protect the health of the water. She asked the commission to take opinions into consideration and act responsibly.

Rick Breckenridge, 1405 Highway 2 West, Montana Mapping Associates said he over heard a discussion from a representative from Trout Unlimited during a meeting on SB 345 when they said they wanted access to lakes and rivers and this is just a first step. He then spoke about the June issue of National Geographic where there is no private property in China, yet 70 percent of the water is undrinkable and unusable, so the idea that the government is the best steward of the water is not true. Since this proposal is more stringent than state law he asked the commission to show him the evidence. He introduced into record three economic studies. He introduced a pure review scientific study and gave examples of what has happened on the economic side of land use regulations. He then introduced into record "The Economic Impact of Restricting Housing Supply" and "The Planning Tax" and discussed the different studies. Breckenridge said if the regulations are more stringent then we need an economic analysis and we need an economic analysis in Flathead County.

Richard Kuhl, 867 N. Main said you first have to realize the riparian areas make up 4% of the state that 1/3 of the wildlife use and depend on for their existence and 1/2 of the wildlife use the riparian areas. He then said the county has a legitimate interest to protect the riparian and streamside area. If the county can regulate the height of homes then they can certainly protect the streamside setbacks. He then added the headwaters of the streams are in undeveloped lands and when clean water comes to the valley it starts to get polluted. He said the question is not whether or not we should have setbacks, but whether or not the setbacks are strict enough. He further said 100 to 300 foot vegetative buffers are required to maintain an aquatic habitat. He thinks setbacks are a legitimate land use tool used throughout Montana in various counties. He then discussed a series of reports that he entered into the record for the commission which included: Scientific Recommendations on the Size of Stream Vegetated Buffers Needed to Protect Water Quality, Scientific Recommendations on the Size of Stream Vegetated Buffers Needed to Protect Fish and Aquatic Habitat, Scientific Recommendations on the Size of Stream Vegetated Buffers Needed to Protect Wildlife and Wildlife Habitat, Protecting People Property and Montana's Streams and Rivers with Specific Information on Ravalli County, Streamside Setbacks Increase Property Values and Attract Economic Development and Abstract of Stream Setbacks and the Law. He said courts have generally ruled that buffers do not reasonably deprive the owner of their property rights. He further added that he feels setbacks are not the only solution to maintain stream quality. Kuhl then urged the commission to pass the setbacks and make them tougher.

Michelle Tafoya, 650 Wood Stine Lane spoke in favor of the streamside setbacks and echoed a lot of earlier comments. She said streamside setbacks are critical for clean water and to maintain our economy. The climate change is expected to present many challenges for the Flathead with the aquatic species being under a lot of stress because of the climate change. The streamside setbacks help create habitat resilience so wildlife species have a chance to adapt to the impacts of climate change. Tafoya closed with asking that the setbacks be approved for the greater good.

Clarice Ryan, 253 Pine Needle Lane spoke about previous comments, government regulations and the Potomac River that she said now looks like mud soup. She then said there is a law going through right now that will give government control over all water. Ryan stated she attended a water law conference for lawyers and said the lawyers adjust to the rulings that exist and a lot of these plans that are being developing are generating a whole new career field for the taxpayers to support. If the government controls water and land then the government controls the people and their property rights will be more infringed upon. The forests are burning up and the water sheds are now mud slides. She is not sure if we should be looking at what Canada is doing when we have mud and sludge going into our streams. She then discussed conservation easements and said we need to make sure our rational is clear.

Lynn Stanley, 838 2nd Avenue East echoed all those that spoke in approval of the setback regulations. She then said that government is all about coming together to meet challenges that no one can confront one by one. She then added by adopting these regulations it goes straight to an important issue and for you not to implement these regulations would fly in the face of their obligation. Stanley then discussed other causes of pollution such as forest fires and noted there are multi points of pollution that we don't have control over, but we shouldn't neglect control over what we can control. She then said as long as there is flexibility for the unusual cases we will be well served by these regulations and urged a 100 foot setback be considered instead of a 60 foot setback.

Jim Clark, 128 Hill Dale commented that a lot has been said about good and bad science. He then said he was raised on the east coast where there used to be a lot of fish and oysters; now there are hardly any. Clark then added that he sat in this same room about a year ago when it was announced that the coal mine was not approved in Canada. He later spoke to a Canadian that didn't know what we were fighting for, because our rivers and lakes are so much dirtier than they used to be. Clark then stated he supports the setbacks and urged the commission to approve them.

Verdell Jackson, 555 Wagner Lane, State Senator said he was there when SB 345 was proposed and the reason the bill didn't pass was the reasons were too arbitrary. The bill was relatively non-partisans and there was no scientific evidence provided. He then said looking at Flathead Lake he doesn't see people polluting water that they are good stewards; that they just don't pollute it. He then noted he has spent time at Yellow Bay asking about pharmaceuticals and other things in the water and the biggest problem is nitrates. He said the nitrates are not coming from farmers but from the centralized sewer systems of Whitefish and Kalispell. Jackson said he lives below Kalispell's sewer system and goes up to Ashley Creek to fish but the prop on his boat always gets plugged up with seaweed because of the nitrates. He then said if you read about what we should be doing about our sewers there are good ideas as to what to do. He then discussed the different options for treating sewage and said in other parts of the country they are doing treatments in subdivisions that have the potential to solve a lot of problems. He has not seen evidence that this pollution is human caused. He can see the pollution when there is an improperly built septic system or not taking care of public land. Jackson then said the pollution is coming from septic systems and land fill and that is what needs to be taken care of. He then added looking at the big picture he would not be inclined to vote for the setbacks. He also stated he would be inclined to look at the constitution and state law, because the government has not been a good steward of it you have the potential to loose it. He said that the government can legally stop people from using their water. He asked that people not get in a big hurry and stated this is something that needs to be looked at statewide. He then said we need to look at each parcel with its unique characteristics and to not pass something that would be inappropriate for a lot of things in order to save money; our property rights are dear to our heart. Jackson ended with saying he doesn't mind doing things when he can be shown a reason to do so.

Richard Stevens, 535 Mountain Drive said he has been following the setbacks and finds that they are blatantly taking away property rights. He urged the county to stop the total abuse and said each individual needs to be responsible for their property.

Steve Quenell, 523 West 4th Street said water quality is not a liberal or conservative issue, but a quality of life issue. He said there is a lot of talk with a lot of misconception, and if the setbacks are passed the water will not magically be clean again. He commented all of the major streams are being degraded from sedation, silvicultural and development. He then added there is nothing more important to public health and safety than clean water. Quenell then said now that Second Creek is back in your realm of jurisdiction, he would like it to be considered separate from all of the other streams, with it being the source of Whitefish's drinking water. He said the setbacks are in the right place and don't infringe on anything anybody is doing on their land, unless they are doing some major land use change. Also stated was if people are given the opportunity to do the right thing they will. He further said unfortunately the regulations currently in place favor the person that won't do the right thing and stated the commission is on the right track for making sure every one is protected.

Ted Matelich, 356 Shelter Valley Drive said the land should be compensated for if the setbacks are in place. He then said floods are going to wipe out homes. He further said get the watershed all the way back and be done with the issue; don't go in with a band aid and try to fix things, but instead go in and do surgery.

Corrine Johnson, 86 Sunset Lane said she was opposed to the regulations and stated one size does not fit all. She then said developers should be held responsible, yet believes the right to divide her property should be her right as a land owner. Johnson then added she is an environmentalist and that an umbrella should not cover every situation. She said she feels with the proposed setbacks in place the property becomes the governments and she can just live there. She then noted she lives on the Swan River and has a strong cement retaining wall and is very responsible in taking care of the water and said the setbacks are too much government regulations.

Denise Thorton said he has watched professional person after professional person tell the commissioners that they have not followed the law. He said Flathead County has a duty and obligation to defend them when they follow procedure. He said Flathead County does not have an obligation to defend them when they do not follow procedure. He then said the commissioners have not followed procedure and do not even have a resolution for the document. He said the Commissioners and Planning Director know they haven't followed procedure.

Donna Thorton said she has studied these regulations and commented that she doesn't know of any subdivision if approved that is going to pollute the water. She said according to what she knows about state law is that as a county we are not allowed to adopt anything more stringent than state law. She then added she doesn't know what has been used for science in the development of these setbacks. She then discussed an incident she witnessed in the Planning and Zoning Department a year ago. Thorton stated she knows several qualified people that have given input at the meeting tonight, and doesn't feel it is okay to adopt the setbacks when they are more stringent than state law.

Erin Sexton, 980 Hwy 2, stated that she was given comments to read on behalf of Caryn Miske with Flathead Basin Commission as well as comments from the Flathead Biological Station.

The letter from the Flathead Basin Commission stated they strongly support the efforts to enact streamside setbacks designed to protect water quality and other natural resources. Thus we believe that streamside setbacks will protect water quality by reducing non-point source nutrient and sediment loading to Flathead Lake and other water bodies, thereby facilitating sustainable development within the county.

More specifically streamside setbacks protect and enhance private property by reducing impacts of flooding and erosion and safeguarding those natural amenities which positively correlate with property values. While residential property owners will benefit from streamside setbacks, local businesses will also benefit as such regulations will protect the water quality and critical fish and wildlife habitat upon which local industries rely.

Previously the FBC submitted letters to the FCPB briefly outlining the scientific and economic rationale in support of the proposed streamside setbacks. We have also submitted peer review articles further supporting our position related to setbacks. Similarly scientists from the Montana Department of Fish, Wildlife and Parks, the Flathead Lake Biological Station and the U. S. Fish and Wildlife Service have all provided documentation and testimony supporting streamside setbacks. The FBC concurs with the findings presented by these scientists. In addition the Governor's office has also advocated for streamside setbacks. The Governor's Room to Roam brochure specifically states: "never dig, cut native vegetation or build within 300 feet of a streamside or wetland area".

While the science supporting the efficacy of setbacks is clear and convincing the legal ramifications associated with adopting setbacks regulations merits attention. In order to better understand some of the legal issues raised to date the FBC hired an attorney to provide some guidance regarding the adoption of the proposed streamside setback regulations. The authority to enact streamside setbacks is clearly supported in statute, and the said setbacks, as proposed, should withstand legal challenge. However, we urge the Flathead County Commissioners and the County Attorney to review the legal memorandum provided by Ms. Kruer.

The proposed streamside setback regulations will definitely demonstrate to the Province of British Columbia that Flathead County is serious about protecting water quality and other natural resources on our side of the border.

Erin Sexton, Senior Research Scientist for Flathead Lake Biological Station then read the following letter regarding the draft Flathead County Subdivision Regulations.

The Flathead Biological Station was founded in 1989 and has a mission to conduct basic and applied research in ecology with an emphasis on freshwater systems, and to provide scientific data, interpretation and outreach to help resolve environmental problems and inform public policy locally, regionally, nationally and internationally.

Research suggests that vegetative buffers are an effective method for reducing non-point source pollution in streams and rivers. The Phase I Total Maximum Daily Load (TMDL) for Flathead Lake was completed in 2001 and current nutrient loading to the lake exceeds the established TMDL. Vegetative buffers reduce nutrient and sediment loads and will therefore assist the state in meeting the load reductions that will be required as per the Flathead Lake Total Maximum Daily Load (TMDL) for nitrogen and phosphorus.

Based upon numerous scientific studies, the minimum vegetative buffer width required for significant removal of nitrates, sediments and pathogenic bacteria is 100 feet. In order to improve the water quality of the Flathead Basin tributaries and Flathead Lake the following modifications should be considered.

- 1) Section 43, Section 4.7 (b) Setback widths. ii A minimum width defined as a horizontal map distance from the ordinary highwater mark as follows.
 - A. Flathead River and its three forks: Stillwater River, Swan River and the Whitefish River, 300 feet with a vegetative buffer of 100 feet.
 - B. Ashley Creek from Smith Lake to Flathead River and Pleasant Valley Fisher River, 200 feet with a vegetative buffer of 100 feet.
 - C. All other streams as identified not listed above shall have a setback of 150 feet with a vegetative buffer of 100 feet.
- 2) The current draft subdivision regulations neglect to include a buffer for wetlands. Wetlands function as critical filters in protecting water quality. The Flathead Lake Biological Station recommends including a minimum buffer width of 100 feet to protect water quality and wetland function.

The best available science documents that vegetative buffers protect water quality and critical riparian habitat. They filter pollutants, trap sediments and prevent erosion and sedimentation of watersheds which in turn protects the food and habitat of native fish and wildlife. These recommendations are consistent with the State of Montana's Non-Point Source Plan which was approved by the U.S. Environmental Protection Agency (EPA) in July 2007. The above modifications would clearly improve water quality in the Flathead Basin, but it must be understood that the current proposed buffers do fall short of optimal water quality protection. The larger the setbacks and the larger the buffers, the better the protection of our water resources.

Monica Yungster, 535 Holm Lane asked that the commission support the proposed streamside setbacks. She said the Flathead Basin Commission is state mandated and added the constitution guarantees us many rights like clean air, water, property rights, etc., and our responsibility is to uphold the rights. She asked the commission to follow the Constitution because it doesn't take away anyone's private rights; it upholds our Constitutional Rights in a responsible and economic way. She said the clean air and clean water are the two biggest savings accounts that exist in the valley. She then said she checked with Flathead Travel and was told that 20% of the people they interview say the valley isn't like it use to be and visitors aren't coming back.

Charles Lapp, 3230 Columbia Falls Stage Road said there have been blanket changes throughout this whole document that people don't realize and that they are only concentrating on the streamside setbacks. He then submitted written comment in regards to his concerns with the proposed subdivision regulations which included:

- Page 4-4 4.1.1(a) No site disturbance of any area within 100 feet of a stream or riparian area. How soon ahead of time is this talking about?
- Page 4-27 4.4.20 (a) Plat extensions are going to become more of a rule than the exception and the process needs to be more streamlined as the suggested regulations will make it very difficult to meet the deadlines.
- Page 4-38 4.7.5 (h) Planning considerations: This will require the applicant to make arbitrary plans on a piece of property that may never be subdivided. Even if they plan to subdivide in the future I haven't found anything that could require this. In essence the Planning Office wants to review anything that you might want to do on your property.
- Page 4-39 4.7.6 Landscaping: States the commission may require a landscape plan; however, the plan must be approved by the Planning & Zoning Office way before you will ever be looking at the project to know if you will even be requiring a landscape plan.
- Page 4-39 4.7.7 Lots: There are many references to slopes throughout the regulations that vary from 15% to 30%. I feel it would be prudent to talk to a Geo-Technical Engineer to find out some factual information on this. DEQ has a set of regulations that have been created to protect the ground water and other environmental concerns, and as long as Flathead County abides by these rules they are on strong legal standing, however, Flathead County wants to make their rules more restrictive. There is a set process to go through and the process is set out in 76-3-511. Until this is followed all references controlling lot sizes and where septic systems can go based on depth to ground water that is different than DEQ regulations should be removed from this document. The restrictions not allowing remainders unless 160 acres in size should be removed. Even if only 1 lot is divided off the whole rest of the farm becomes a lot and is subject to the same conditions that have been placed on the other lot; such as no family transfers, no future subdivision and the newest and most appalling restriction, no boundary line adjustments allowed.
- Page 4-42 4.7.9 (b) Extension of public improvements: This will require small subdivision to do huge road improvements.
- Page 4-42 4.7.10 Floodplain provisions: There is a huge difference between "floodway" and "floodplain". This definition needs to be re-worked. There is also no way this can be done in a 6 month time frame and should be required at final plat and not be a preliminary plat condition.
- Page 4-43 4.7.10 (d) Floodplain provisions: After the Water Resources Division has prepared a report delineating the flood way the subdivider shall submit it to the Flathead County Planning and Zoning Office along with the EA required for preliminary plat. This specifically says "floodway" and floodway is not even mentioned in appendix (i). Look up MCA 76-5 where floodways and floodplains are referred too. It has to be defined as they are talking about two completely different things.
- Page 4-43 4.7.xx Streamside setbacks: This does affect some of us even though we are constantly hearing that this only applies to subdivided lands. It will still apply to his land if he subdivides it.
- Page 4-54 4.7.18 Road improvements: Will require a traffic impact study for some subdivisions, however (d) (ii) states that no matter what the traffic study shows you will still have to do the improvements required with the made up formula.
- Page 4-62 4.7.28 Wildland Urban Interface: Needs some major clarification.
- 4.7.28 (b) would in essence stop subdivisions of any size on dead end roads.
- Page 4-A A-14 (H) Visual Impacts: (i) describe any effects to visually blend development activities with the existing environment.
- Since when is this relative to Flathead County Subdivision Regulations and whose arbitrary opinion is going to be used in making these decisions.

Lapp closed with saying there are many in the community who would be interested in having a legitimate dialogue to make these regulations workable to both sides of the community.

Mayre Flowers, Citizens for a Better Flathead presented written documents to the commission. She noted a minor correction to comments submitted at the public hearing on 10/23/08. Presented was a diagram and chart outlining the differences between stream permitting programs in Montana and stream setbacks that demonstrate water quality protection functions provided by streamside setbacks that are not being met by existing policies and laws. Flowers also clarified that there are state laws and programs that regulate the impacts of livestock on water. Also included was a study prepared for the Association of State Floodplain Managers, "No Adverse Impact Floodplain Management and Courts", which provides rational for the limits to a flood plain development that are called for in the proposed subdivision regulations. She then recommended that the provisions for disclosure in the pre-application process called for in "Appendix A" have an additional provision added that would include disclosure of fields that have septage pumping. She then added that economic studies show that property values have increased and the property owners have benefitted when streamside setbacks have been put into place. Flowers closed with saying that after sitting through all the public comment and meetings with the Planning Board as they worked on the regulations that no one has come forth with a concrete suggestion for streamside setbacks to really address the declining water quality in Flathead County.

Henry Oldenburg said he someday has the intent to cut off a piece of his property and if he can't do that there will be a problem. He then added that over the past 35 years he has tried to impress upon Yellow Bay and others that there is a fractured line on both sides of Flathead Lake and Whitefish Lake. He then spoke about a testing program where they put dye into septic systems on Hanging Rock and after 24 hours there was no dye in the river, but the second day there was. He was told that because it didn't show up within 24 hours after it was tested there was nothing to worry about. Oldenburg then stated 35-40 years ago he could drink the water, but the water now needs to be treated. He stated that nitrates are a problem and that it is in the health records of the county. He then spoke about a gentlemen south of Somers that died because his well was

polluted by nitrates. He closed by saying the county has an obligation to protect the water, but if the obligation is creating the distention that it is tonight then both parties need to come together to find a solution.

Fred Hodgeboom, 1125 Whispering Pine said he has tried to follow this long convoluted process and has attended a lot of the meetings. He then said he was opposed to the whole package of subdivision regulations because they are a blatant taking of his property rights. The commission has heard how complex the regulations are that are designed for huge subdivisions by major developers that can afford to hire all kinds of engineers and professional scientists. Hodgeboom said as he looks at the regulations that as a small private landowner he no longer has the right to split off a lot for a family emergency with these regulations and feels this is blackmail. He then added the public hearings that were held were rigged from the start as they were lead to believe they would be able to testify on the setbacks and were not able to. He then spoke about motions being made in workshops in regards to setbacks. Hodgeboom stated the riparian study is ridiculous and urged the commission to deny the subdivision regulations.

Jeff Larsen, 128 Tamarack Woods, representing Montana Environmental Consultants Association stated it isn't right to take peoples property without paying for it and using the excuse of water quality as the issue. He then commented that he gave the commission a packet of many concerns he has regarding problems with the proposed subdivision regulations. Larsen stated the information included 3 different studies that show why we need site specific data. He then read into the record a letter from Doctor Jack Stanford from Yellow Bay Biological Station that he presented to the commission. The letter stated that only 5% of the total pollution can be traced to the immediate shoreline and also referred to good technologies available for water treatment today. He added that individual wastewater treatment systems can treat waste water just as good as or better than municipal centralized systems, yet one size doesn't fit all. Larsen stated he is willing again to sit down with the Planning Board and come to something more acceptable to both sides that meets the law. He then spoke about organizations being funded for their research and when he writes reports he has to take time out of his work day.

Olaf Ervin, 1658 North Fork Road commented that the statues cited by the attorney for the advice given to the Flathead Basin Commission and Yellow Bay Biological Station all pertain to zoning and has nothing to do with subdivisions. He then said there has been a great deal of scientific data and valid opinions with new information entered into record into written form. Ervin stated he is a taxpayer and wants to make sure that whatever is decided, if accepted as written/ modified or rejected that the decision is defensible and we won't spend taxpayer money fighting a losing legal battle. He then referred to North 93 Neighbors vs. Flathead Board of Commissions that came about a couple years ago with a section of the decision from the Supreme Court that he entered into record: When the board failed to address public comments in decision making and thereby failed to flush out pertinent facts upon which its decision was based in order to facilitate judicial review. He then said accordingly we don't know whether the public raised novel issues not addressed by the Planning Office or whether the board appropriately responded to those issues. Ervin stated that there has been enough solid, factual scientific data that has been brought to the board in the past few evenings on both sides and asked that they not rush into a decision.

Rod McKeller commented that he would like to get rid of big government and big businesses. He then said our rivers are a dynamic system that can make people big bucks, and when you build on rivers they tend to flood and move. He further said when you build near rivers it does hurt when the logs pollute and we have no tree buffers for movement of wildlife; property rights have their limits. He then stated our ancestors had their limits too as to what they could do. This county has every right and duty to ensure that the river remains healthy and is not sacrificed for short term gain. He then spoke about properties having an alternative route out and stated he spent 20 years as a smoke jumper. McKeller then asked that a numerical number be given for protection to the rivers and stated we owe it to society.

Wynn Peebles, 3680 Foothill Road said he feels there needs to be a careful balance in how this is handled and stated he has witnessed a lot of people who apparently are concerned about the water in regards to fishing and hunting. He then added he has travelled around the world and has seen what has happened to waterways, streams, rivers and lakes in countries where they have not been taken care of. On the other hand it is important to take into consideration the rights of property owners. His concern is that there appears to be far more to the issue than just the immediate setbacks and noted there have been some that have spoken tonight who have offered to help make the regulations more viable and acceptable. He then urged the commission to not rush into a decision without giving the parties opportunity to give prudent advice.

Carla Augustad, 1395 Lower Valley Road stated she agreed with the comments made by the Yellow Bay Biological Station and Flathead Basin Commission. She then added we should not be taking peoples property rights away. She stated she looks at it as when we know better we do better and when we start with a new development it is the most cost effective way. Augustad said she believes engineers and architects can make most properties functional, useful and more valuable when they are subdividing.

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

12:00 p.m. Commissioner Brenneman: Rotary @ Hilton Garden Inn

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 31, 2008.

FRIDAY, OCTOBER 31, 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.

1:30 p.m. Commissioner Brenneman: Attend meeting w/ Max Baucus @ Kalispell Chamber of Commerce re: Transportation Issues

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 3, 2008.

The following are claims for the month of October, 2008.

VENDOR NAME	DESCRIPTION	AMOUNT
@ROAD	109417 PATHWAY ILM 3 YR 3	\$1,631.85
A WEE BIT SMALLER INC	40% DONATIONS DEPOSIT 10/	\$11,836.01
A-1 VACUUM & JANITORIAL SUPPLYS, INC	OP SUP VAC PARTS & ACCESS	\$56.45
ABC BUSINESS SOLUTIONS	MONTHLY MAINTENANCE & COP	\$11,345.26
ADAM, CONRAD W	KALISPELL OFFICE OCT	\$4,940.00
ADVANCED EDUCATIONAL PRODUCTS	BIG READ CD'S	\$180.31
ADVANCED REFRIGERATION & APPLIANCE	PARTS	\$247.00
AED EVERYWHERE	FHEMS/2 ELECTRODE ADAPTER	\$242.00
AFLAC	PP#22/2008 PREMIUM AFTER	\$4,572.21
AFSCME COUNCIL 9	PP#20/2008 UNION DUES DEP	\$3,778.95
AG-WEST DISTRIBUTING CO, INC	020022780 TRUCK PARTS GAS	\$14.99
ALAN'S PUMP SALES & SERVICE INC	WELL REPAIR	\$2,741.62
ALL WEATHER GUTTER & DOWNSPOUTS LLC	REPLACE GUTTERS	\$3,149.50
ALLEGIANCE BENEFIT PLAN MANAGEMENT	NOVEMBER FLEX ADMIN FEES	\$33,536.69
ALLTEL	MONTHLY CELLULAR BILL	\$535.90
ALPINE BUSINESS CENTER	AOA NOVEMBER RENT ALPINE	\$4,360.00
AMERICAN ASSOC OF MEDICAL ASSISTANT	MEMBERSHIP L WISHER 2009	\$90.00
AMERICAN LINEN DIVISION	000071 CLEAN RUGS & COVER	\$549.64
AMERICAN PEST CONTROL OF MONTANA	ODD JOB PEST CONTROL	\$250.00
AMERICAN PLANNING ASSOCIATION	APA MEMBERSHIP BORADIE 1-	\$175.00
AMERICAN TOWING & SALVAGE	HYANDI ELANT GRN 2000 MAR	\$362.00
AMERIGAS PROPANE INC	TANK RENT BACK BIG MTN YE	\$384.00
AMES COLOR FILE	77588 LABELS	\$30.20
AMSAN CUSTODIAL SUPPLY	474620 CUSTODIAL SUPPLIES	\$4,815.70
ANDERS BUSINESS SOLUTIONS	2 TONER CARTRIDGE MICROFI	\$397.73
ANDERSON, BILYNDA E	CREDIT REFUND DOUBLE PAYM	\$77.24
ANDY'S AUTO GLASS	GNP ROCK CHIP REPAIR UNIT	\$35.00
ANIMAL CARE EQUIPMENT & SVS	OP SUP PULP LITTER PANS 2	\$184.61
ANYTIME LOCK & SAFE	KEYS	\$673.65
APCO AFC	7 UNITS @ 210	\$2,100.00
APPLIED COMMUNICATIONS LLC	PARKS MASTER PLAN	\$2,500.00
APPLIED INDUSTRIAL TECHNOLOGIES INC	4160840 VALVES	\$127.25
AQUA WEED PRO	WEED SPRAYING	\$6,133.00
ASCENT STRATEGIC DEVELOPMENT	FACALITATE PLANNING SESSI	\$600.00
ASPHALT DRUM MIXERS INC	519 HEAVY EQUIP CLAMP FRE	\$48.98
ASSOC OF MT PUBLIC HEALTH OFFICIALS	MEMBERSHIP 2009 MEMBERSHI	\$3,000.00
ASSOCIATED BAG COMPANY	101057 POLY BAGS	\$234.75
ASSURANT HEALTH	CREDIT REFUND FOR OVERPAY	\$244.54
ATCO INTERNATIONAL	116488 FREIGHT POSTAGE	\$92.40
ATHORN, LARRY	RSVP QTRLY MILEAGE:JULY-S	\$45.00
AUSTIN FUNERAL HOME	VETERANS BENEFIT THORNTON	\$500.00
AUTO ELECTRIC REBUILDERS	TRUCK PARTS REBUILT START	\$459.75
AUTO GLASS SPECIALISTS	NEW WINDSHIELD 2002 DODGE	\$580.66
B&C TELEPHONE, INC	BLK BOX WIRE MODULAR	\$4.95
BACK ROOM RESTAURANT INC	FOOD MISSION	\$56.95
BACKUP, THE	ROBBERY CDS	\$765.00
BALDAUF, DARCY	PER DIEM/HELENA CLERKS CO	\$42.00
BALDING, THALE	RSVP QTRLY MILEAGE:JULY-S	\$45.00
BASARABA, MARIE	RSVP QTRLY MILEAGE:JULY-S	\$45.00
BATES, ROB MD	CONTR SRV SEPTEMBER 2008	\$2,500.00
BEAUDION, JOE	RSVP QTRLY MILEAGE:JULY-S	\$9.00
BECKER, FRANK	200725048 VALUE CHANGE PE	\$59.04
BEE BROADCASTING INC	805 KBBZ	\$750.00
BELLMORE, LARRY D	PER DIEM ROOM PARKING (LF	\$1,654.00
BENJAMIN, BETH ANN	CONTRSV 11 HOURS 10/2 - 1	\$690.00
BENNETT ELECTRIC	CONTRACTED SERVICES SHERI	\$200.00
BENSON, EDDY LOU	RSVP QTRLY MILEAGE:JULY-S	\$6.00
BERRY COMPANY, THE	PHONE INSTALLMENT 5 OF 12	\$84.75
BERTELSEN, SALLY KAY	TRAVEL 103 MILES @ \$.585	\$756.60
BIG JOHN'S	34969 OTH OPER SUP POLE P	\$470.80
BIG SKY TRUCK & EQUIPMENT	TRUCK PARTS LEFT HAND WIN	\$115.00
BIGFORK SENIOR CITIZENS	SITE MANAGEMENT OCTOBER 2	\$1,485.13
BIGFORK WATER/SEWER DISTRICT	010600 SLITERS PARK RESTR	\$163.88
BINETTE, ANDREW	RSVP QTRLY MILEAGE:JULY-S	\$33.84
BIO-KEY INTERNATIONAL	SOFTWARE LICENSES	\$13,240.35
BIONIX MEDICAL TECHNOLOGIES	MED SUP 1 EAR CRTS VARIET	\$161.95
BIRKY, DR. PERRY	CONTR SRV 3 HOURS @ \$50.0	\$150.00
BITTERROOT MOTORS INC	DEDUCTIBLE	\$50.00
BLUE CROSS/BLUE SHIELD	CREDIT REFUND OVERPAYMENT	\$260.00
BOB BARKER CO INC	HANDCUFFS	\$560.34
BODICK, LINDA	REIMB: SMITHS/REFRESHMENT	\$43.10
BOEHM, MARTY	CONT SRV 55 HRS @ \$30 9/2	\$1,676.55
BOLSTER'S TOWING INC	TRUCK PARTS TOW VEHICLE F	\$230.00
BONHAM, CATHERINE	RSVP QTRLY MILEAGE:JULY-S	\$25.80
BOOKS WEST	LIBRARY MATERIALS	\$67.37
BOSTEC INC	ALCO SENSOR III 1057003	\$213.00
BRADFORD'S BALANCE & MACHINE	TRUCK PARTS OIL PUMP SOFT	\$62.00
BRASH, VANCE	HAY FOR RODEO STOCK 2008	\$1,865.00
BREINING, MEGAN	PER DIEM	\$166.30
BRENNEMAN, JOE	MACO CONFERENCE HAMILTON	\$48.00
BRESNAN COMMUNICATIONS LLC	SERVICE 09/18/08 - 10/17/	\$135.65
BRODY CHEMICAL	CLEANER	\$321.88
BROKERS NATIONAL LIFE	PP#21/2008 PREMIUM DEDUCT	\$3,404.80
BROWN, MARGARET L	CV 08 2746/MEDIATION	\$25.00
BROWN, RICHARD E	2 GAMES UMPIRE FALL SOFTB	\$72.00
BUFFALO HILL FUNERAL HOME	VETERANS FUNERAL BENEFIT:	\$2,650.00

BULIK, JASON	OFFICIATING ADULT FLAG FO	\$20.00
BULLIS, RICHARD A.	MARION GATE ATTENDANT	\$1,100.00
BURKE, JIM	BUS SPACE RENTAL OCTOBER	\$50.00
BURTON, JAMES H.	SURVEY SERVICES 09/22-09/	\$1,006.50
CAMPBELL, RAEANN L	REIMBURSEMENT FOR TRAVEL	\$1,250.29
CARDINAL DISCOUNT SUPPLY INC	9779 VELCRO	\$1,135.36
CARDINAL HEALTH	11024616/5 CS LARGE GLOVE	\$3,296.17
CAREERTRACK	TRNG REGISTER M MILLER-DE	\$99.00
CARLSON, INEZ M	RSVP QUATERLY VOLUNTEER M	\$1.35
CARQUEST AUTO PARTS STORES	412220/JUNCTION BLOCK	\$1,204.14
CARSON BROTHERS INC	FLATHEADCO SERVICE HVAC	\$300.00
CARTWRIGHT, ROBERT	FIREWOOD	\$450.00
CASSIDY, KATE	REIMB: WHITEFISH AUTO PAR	\$105.98
CBM FOOD SERVICE	MEALS OCTOBER 02 - OCTOBE	\$23,131.94
CD'A METALS	FL201120/HR SHEET	\$163.48
CENEX FLEET FUELING	456171 GNP FUEL	\$1,241.41
CENTER EDUCATION & EMPLOYMENT LAW	A04269870 EDU & EMPLOY LA	\$159.00
CENTER FOR RESTORATIVE YOUTH JUSTIC	MBCC GRANT 07A1590151 SEP	\$2,753.92
CENTRAL VALLEY ANIMAL HOSPITAL	1753/SPAY	\$90.00
CENTURYTEL	TELEPHONE IT	\$21,739.49
CHAMBERLIN, SIG	RSVP QTRLY MILEAGE:JULY-S	\$33.90
CHAMBERS, CELIA	RSVP QTRLY MILEAGE:JULY-S	\$12.00
CHANNING BETE COMPANY INC	10682856 ED SUP 2 BLS INS	\$69.95
CHILD SUPPORT DIVISION	PP#22/2008 HEATHER ANNE F	\$1,028.25
CHILDERS, BRET	PER DIEM MSCI TRAINING MI	\$69.00
CHILTON, JIM	PER DIEM FUEL (JV TRAININ	\$81.30
CHISHOLM & CHISHOLM PC	REFUND	\$5.00
CHS INC - KALISPELL	256073 25 GALLON SPRAYER	\$1,835.10
CITY MOTOR COMPANY	6847 TRUCK PARTS FUEL TAN	\$537.00
CITYSERVICEVALCON	2912 PROPANE	\$152,528.79
CLARK FORK VALLEY PRESS	61102987 000 1 BCHP AD CL	\$100.00
CLARK, MARY	RSVP QTRLY MILEAGE:JULY-S	\$45.00
CLARKE, CARLA	TRANSCRIPTION NEWBERRY	\$20.00
CLIFFORD & ASSOCIATES	PP#21/2008 NANNETTE M ROO	\$214.40
C'MON INN	145 TRNG 2 NIGHT STAY J R	\$350.96
CNA SURETY	TRUDY BLAYLOCK NOTARY BON	\$80.00
COLBERT, PATRICIA	RSVP QUARTERLY VOLUNTEER	\$9.00
COLBY, PEGGY	PER DIEM	\$148.99
COLLECTION CENTER OF KALISPELL	PP#21/2008 ANNA MARIE WER	\$692.75
COLONIAL LIFE AND ACCIDENT INS CO	PP#21/2008 PREMIUM PRE TA	\$10.50
COLUMBIA CONTAINERS	ONE 20' STEEL CONTAINER -	\$4,090.00
COLUMBIA FALLS CHAMBER OF COMMERCE	ANNUAL MEMBERSHIP DUES CO	\$175.00
COLUMBIA FALLS, CITY OF	WATER BUILDING	\$177.26
COLUMBIA MORTUARY	VETERANS BENEFIT GARY A D	\$1,000.00
COLUMBIA PAINT & COATINGS	632104147 PAINT JUSTICE C	\$417.63
COMMERCIAL MACHINE SERVICES, INC	HYDRAULIC CYLINDERS	\$1,536.39
COMPUTER SOFTWARE ASSOCIATES, INC	LABELS	\$321.00
CONCEPTION TECHNOLOGIES	MED SUP 8 PREGNANCY TESTS	\$243.53
CONNORS, DONALD	PER DIEM (JV TRAINING)	\$41.00
CONRAD MAIN STREET LLC	HOME HEALTH OFFICES MONTH	\$2,790.66
CONRAD, CHARLES	VOLUNTEER DRIVER MILEAGE	\$8.43
COOK PAINTING, INC	LAYOUT & PAINT 20 CROSSWA	\$11,870.00
CORNERSTONE PROGRAMS CORP	CI2145833879 HOUSE JUVENI	\$1,384.74
COSNER COMTECH INC	RADIO UPGRADES	\$3,100.00
COSTON, ROSE M	DATABASE CONSULT & DESIGN	\$600.00
COURT SERVICES INC	CHABOT EXTRADITION	\$372.00
COX, VICTOR SAM	AET CONF TN 08/15-08/19	\$109.50
CRANS, NANCY	VOLUNTEER DRIVER MILEAGE	\$90.00
CREDIT BUREAU OF KALISPELL	LEITER KRISSTYN	\$15.00
CRESCENT ELECTRIC SUPPLY CO	15452100 BALLAST	\$101.11
CRIMINAL RECORDS	FINGERPRINTING	\$770.50
CROUCHER, WANDA	RSVP QTRLY MILEAGE:JULY-S	\$13.20
CROWL, PEGGY A	VETERANS BENEFITS DELBERT	\$250.00
CROWLEY, HAUGHEY, HANSON, TOOLE &	REFUND	\$8.00
CTA ARCHITECTS ENGINEERS	PROFESSIONAL SERVICE AUGU	\$32,165.52
CULLIGAN WATER	276360 CONT SRV WATER COO	\$2,170.64
CURRIER'S WELDING INC	FRONT RECEIVER HITCH	\$295.00
DAILY INTERLAKE	B0129225000 PH KIENAS PIN	\$4,446.47
DALEN'S DIESEL SERVICE INC	SERVICE REPAIR WIPER	\$5,678.07
DATA IMAGING SYSTEMS INC	MT775 MICROFILM	\$33,595.79
DAVEY, AMANDA	SCOREKEEPING	\$300.00
DAVIS PIPE & MACHINERY, INC	TRUCK #359 PARTS	\$21.00
DAYDOTS	RIGHT TO KNOW INFO STATIO	\$466.79
DE LAGE LANDEN FINANCIAL SERVICES	628790 COPIER LEASE	\$485.50
DECK, LESLIE	TRAINING PER DIEM TOBACCO	\$227.30
DELL MARKETING LP	043351546/SERVER CONTRACT	\$487.45
DELVENTHAL, ART	RSVP QTRLY MILEAGE:JULY-S	\$45.00
DEMCO, INC	254165000 PROCESSING SUPP	\$973.45
DEPRATU FORD SALES	5313 TRUCK PARTS SWITCH	\$33,156.24
DEPT OF ADMINISTRATION	70055 SUMMITNET	\$128.00
DEPT OF ENVIRONMENTAL QUALITY	2ND QTR LICENSE FEE	\$13,942.00
DEPT OF ENVIRONMENTAL QUALITY	FY09 SERVICE CONNECTION F	\$50.00
DEPT OF JUSTICE	REIMBURSE OT FOR HABERLOC	\$2,232.15
DEPT OF JUSTICE	AUTOPSY HEAD NECK TORAX	\$750.00
DEPT OF JUSTICE	PER DIEM REIMBURSEMENT CA	\$4,878.38
DEPT OF JUSTICE	AUTOPSY THOMPSON ROGER HE	\$500.00
DEPT OF LIVESTOCK	RABIES TEST	\$100.00
DEPT OF NATURAL RESOURCES & CONSERV	LAND USE LICENSE FEE	\$175.00

DEPT OF PUBLIC HEALTH & HUMAN SRVS	LS150001 OP SUP MISC LAB	\$3,106.85
DEPT OF REVENUE	PP#20/2008 STATE WITHHOLD	\$29,866.00
DEPT OF REVENUE	1% WITHHOLDING SWANK CONS	\$2,458.60
DEPT OF REVENUE	PP#22/2008 STATE WITHHOLD	\$387.00
DEPT OF REVENUE	ESTATE OF EDWARD BOLT UNC	\$4.00
DEPT OF REVENUE	SHOP MEZZAININE 1% WITHHO	\$1,292.90
DEPT OF REVENUE	PP#21/2008 STATE WITHHOLD	\$59,836.00
DEPT OF REVENUE	CAP OUTLY 1% WITHHOLDING	\$2,451.00
DEPT OF REVENUE	EXCESS FUNDS ESTATE OF BR	\$5,127.61
DIGITAL COMMUNICATIONS SYSTEM, INC	IT PAYS FOR 2 REROUTED VO	\$146.06
DISCOVERING MONTANA.COM	100722 VEHICLE SEARCH	\$15.00
DISTRICT #1 ASA	UMPIRE FEES FOR FALL SOFT	\$225.00
DOCX	REFUND	\$21.00
DOG SLED ADVENTURES	BOOKING FEE/BIG READ PRES	\$773.38
DOLPHIN CAPITAL CORP	0194716840001 CONT SRV SH	\$73.98
DOOLEY CINDY M CPA	MONTHLY MAINTENANCE RESID	\$21,531.38
DOUBLE DIAMOND CONTRACTING INC	SEAL BY HAZMAT BUILDING	\$5,505.60
DOUBLE DIAMOND VETERINARY HOSPITAL	MD 1 CANINE SPAY NELSON	\$150.00
DOUG ANDRUS DISTRIBUTING INC	EXTRA COURSE BULK SALT	\$103,519.99
DRAPER, HAL	RSVP QTRLY MILEAGE:JULY-S	\$24.00
DRUMMOND, ROBERT G	PP#20/2008 DEANN SAMPSON	\$1,380.00
DUFOUR, BERNADETTE J	RSVP QUATERLY VOLUNTEER M	\$4.50
DUMON, KIMBERLY A	HELENA CLERKS CONFERENCE	\$42.00
DUROS, LAURA LEE	PP#21/2008 CHILD SUPPORT	\$261.00
DYON, MARIANNE	RSVP QTRLY MILEAGE:JULY-S	\$25.20
DYON, MICHAEL R	TRAVEL BETWEEN GYM AND OF	\$84.53
DZIZA, GENE	MILEAGE FOR FLATHEAD COUN	\$35.10
EAGLE COMMUN INC/KECI-KCFW-KTVM TV	2008 FAIR TV ADS	\$2,943.80
EAGLE FLIGHT BUSINESS FORMS	CONTRACTED SERVICES WEED	\$162.80
EBERT, HELLEN E	VOLUNTEER DRIVER MILEAGE	\$60.00
EBSCO INFORMATION SERVICES	DVS1161000 1 YR SUB/BUSIN	\$58.92
EDWARDS, ARNOLD	JURY SERVICE	\$13.17
EGGUM, VICKIE	AIR SPRAY BANDAGE	\$13.42
EISINGER HONDA	OIL CHANGE HONDA	\$34.45
EISINGER MOTORS	905071 SERVICE VEH #3	\$318.59
ELECTION SYSTEMS & SOFTWARE INC	111117 CODING GENERAL ELE	\$38,887.28
ELECTRONIC DATA SOLUTIONS	1 YEAR SOFTWARE MAINTENAC	\$590.00
ELLIOT, RANDI	309 MILES AT .585 SEPTEMB	\$180.77
ELLIS, BETTY A	200871455 MOB VALUED AS S	\$122.71
EMI FILTRATION PRODUCTS	FLACOU FILTERS	\$249.86
ENVIRO-TIRE INC	104 TIRES	\$1,296.50
EQUITABLE LIFE	PP#20/2008 EQUIVEST PREMI	\$120.00
EQUITABLE LIFE ASSURANCE SOCIETY	PP#21/2008 EQUIVEST PREMI	\$240.00
EQUITY MANAGEMENT INC TRUST	PP#20/2008 ROY COURTNEY	\$412.61
ERICKSON, CONNIE	912 MILES AT .585 SEPTEMB	\$533.52
EVERCOM SYSTEMS INC	00478 PREPAID CALLING CAR	\$420.00
EVERGREEN COMMUNITY CLINIC	MD TB OFFICE VISIT	\$64.00
EVERGREEN DISPOSAL INC	155055 SEPTEMBER HANDLING	\$31,782.80
EWALT, KELLY	JURY SERVICE	\$24.87
EXPRESS EMPLOYMENT PROFESSIONALS	15263844 TEMP EMPS	\$21,884.03
F H STOLTZE LAND & LUMBER CO	15 YARD CHIPS NORTH HAVEN	\$180.00
FAMILY HEALTH CARE PC	MD 2 YO	\$97.00
FARMER BROTHERS CO	176675 CONCESSION SUPPLIE	\$345.90
FASTENAL COMPANY	MTKAL0092 GUARDRAILS BOLT	\$587.67
FASTENERS INC	6794/PAINT CREDIT	\$104.67
FAUSKE, PETE	VOLUNTEER DRIVER MILEAGE	\$59.70
FAY & LAWLER ATTORNEYS AT LAW	REFUND	\$16.00
FEDERAL EXPRESS CORP	LINCOLN CO ATTN Y LAKO	\$76.90
FERGUSON ENTERPRISES, INC	44871 BLDR REPAIR URINAL	\$22.06
FERRIL, WILLIAM	JURY SERVICE	\$20.78
FERRON'S TOWING, INC	GREEN CHEVY CAROLINE RD S	\$159.00
FICKLER OIL COMPANY INC	TRANSPORT FUEL SEPTEMBER	\$856.49
FINSEL, RISHARA	REIM-HOTEL	\$975.67
FIRE SYSTEMS WEST INC	FSW JOB 7-17-2029 WON DOO	\$2,185.99
FIRELOGISTICS INC	CWPP WORK	\$1,074.73
FIRESTONE COMPLETE AUTO CARE	TIRES 60 TIRES	\$1,980.00
FIRST AMERICAN LENDERS ADVANTAGE	REFUND	\$8.00
FIRST BANKCARD	OCTOBER 2008 COUNTYWIDE C	\$21,067.55
FISHER LAW FIRM	SUBSTITUTE JUDGE FEE 09/2	\$156.25
FISHER, CLYDE	MILEAGE FOR BOARD MEETING	\$17.55
FISHER, PHIL	CREDIT REFUND CAT ADOPTIO	\$15.00
FLATHEAD BEACON	ADS	\$237.00
FLATHEAD CO SEARCH & RESCUE	LES SCHWAB REPAIR PARTS	\$945.09
FLATHEAD CO SHERIFFS POSSE INC	POSSE FOR 2008 FAIR	\$9,000.00
FLATHEAD CO WATER & SEWER	EVERGREEN MEDIAN 7/31-8/2	\$762.92
FLATHEAD COMMUNITY HEALTH CENTER	MD TB	\$58.20
FLATHEAD CONCRETE PRODUCTS INC	PARKING BLOCK	\$66.00
FLATHEAD ELECTRIC CO-OP	BLDG #4 & MILL ELEV #2 &	\$26,736.34
FLATHEAD JANITORIAL & RUG SERVICE	JANITORIAL SERVICE SEPTEM	\$225.00
FLATHEAD PUBLISHING GROUP	EDUCATIONAL ADS ON BIGFOR	\$661.00
FLATHEAD TRAVEL SERVICE INC	26925 FLIGHT TO DC WINGER	\$1,353.26
FLEET INDUSTRIES	HEAVY EQUIP 2 100 W HALOG	\$584.02
FLINT SERVICES, INC	FLUSH REFILL HEATING WATE	\$950.00
FOLEY BUILDERS	CLEANING DEPOSIT REFUND F	\$135.00
FOOD SERVICES OF AMERICA	9040533/FOOD	\$3,293.86
FORTHOFER GUNSMITHING & KNIFEMAKING	GUN PARTS	\$135.00
FREDENBERG, ORIN W	RSVP QTRLY MILEAGE:JULY-S	\$15.00
FREEBURY, ERNIE	CALGARY NEGOTIATIONS SEMI	\$277.95

GALLS INC	MAG CHARGER FLASHLIGHTS F	\$574.38
GAYLORD BROTHERS, INC	11590 PROCESSING SUPPLIES	\$730.35
GCR TIRE CENTER	REPAIR SWITCH	\$40,845.88
GENERAL SHEET METAL INC	STEEL	\$228.00
GERALDS, JIM	RSVP QTRLY MILEAGE:JULY-S	\$45.00
GEVADS, LORI LEE	TETANUS SHOT	\$33.00
GLACIER DENTAL GROUP, PC	EXT ERUPT TH EXPOSED 3, F	\$737.00
GLACIER WHOLESALERS INC	12368/CONCESSION SUPPLIES	\$2,373.94
GLAXOSMITHKLINE FINANCIAL INC	027353 MED SUP 6 TWINRIX	\$1,159.20
GLAZIER, MICHELE M	CREDIT REFUND DOUBLE PAYM	\$116.00
GOLD RUSH CLOTHING COMPANY	WORKERS SHIRTS	\$1,487.00
GOOCH, NANCY	HELENA CLERKS CONFERENCE	\$42.00
GOSSETT, MIKE	2 GAMES OFFICIATE ADULT F	\$250.00
GRADE 8 EARTHWORKS	SOMERS GATE ATTENDANT	\$750.00
GREASE MONKEY	GNP LOF FLEET (8 VEHICLES	\$653.69
GREAT FALLS PUBLIC LIBRARY	31605569 BOOK REPLACEMENT	\$26.95
GREEN, JESSE	OF SUP REIM 1 PK 9 VOLT B	\$5.50
GRESS, DARRIN D	2 GAMES OFFICIATING ADULT	\$200.00
GRIZZLY MOON MASH, LLC	MED SUPPLIES	\$1,034.29
GRYL MS EDS, FRANNY	CONTR SRV CONDUCT DEBRIEF	\$175.50
GUNDERSON BRUCE	POSTAGE REIM RETURN ARCHE	\$151.88
H&H EXPRESS INC	REFUND OF OCT RENT KF&G	\$476.75
HAGLUND, PAMELA	CREDIT REFUND DOUBLE PAYM	\$132.02
HALL, RITA	MILEAGE FOR FLATHEAD COUN	\$191.88
HAMILTON, TAMARA	TRNG REIM PHARMACOLOGY &	\$857.75
HARDESTY, JOHANNA	MILEAGE FOR RECORDS	\$613.67
HARMON CRANE & RIGGING INC	8 HR .65 TON CRANE RENTAL	\$1,880.00
HARREL, ANDREW S	8 GAMES; FALL MENS BB LEA	\$442.50
HARTSOCH, DOROTHY	CRESTON GATE ATTENDANT O	\$700.00
HAVENS, GARY E	VETERAN BURIAL; HAVENS, E	\$250.00
HEALTH CONSULTING RESOURCES	SACCO TRIAGE TRNGEVERGRE	\$200.00
HEALTHCENTER NORTHWEST	MEDICAL BILL	\$61.75
HEGLAND, FAYE L	RSVP QTRLY MILEAGE:JULY-S	\$15.00
HEIM, FRED	VOLUNTEER DRIVER MILEAGE	\$48.00
HELGESON, DELLA	RSVP QTRLY MILEAGE:JULY-S	\$16.20
HENRY SCHEIN	856142 MED SUP 8 VAGINAL	\$172.25
HESKA CORPORATION	MED SUPPLIES	\$375.00
HEUSCHER, BRANDON	MILEAGE	\$14.93
HIGH COUNTRY LINEN SUPPLY	1 2112 00000/COVERALLS	\$1,283.61
HILL BROTHERS AUTOBODY	TOW BLACK DODGE RAM LAKO	\$98.50
HOLDHUSEN, CHRISTOPHER	REIMB: REGISTRATION-AAFP	\$1,150.00
HOLIDAY INN	TRNG 2 NIGHT STAY K CASSI	\$149.80
HOLIDAY INN EXPRESS	TRAINING	\$308.16
HOLLINGSWORTH, THELMA	RSVP QTRLY MILEAGE:JULY-S	\$45.00
HOME DEPOT CREDIT SERVICES	6680/SHOP SUPPLIES	\$341.48
HOUSE OF CLEAN	39770000 LAUNDRY DETERGEN	\$738.91
HOWARD, TIFFANY	JURY SERVICE	\$27.93
HSBC BUSINESS SOLUTIONS	7738 4309 0025 4643 PENS	\$408.39
HSUS/AMINAL SHELTERING	MEMBERSHIP 1 YEAR SUBSCRI	\$20.00
HUDSON, JERREL	RSVP QTRLY MILEAGE:JULY-S	\$42.30
HUDSON, MATTIE	RSVP QTRLY MILEAGE:JULY-S	\$25.20
HUGHES, CARL	CREDIT REFUND DOUBLE PAYM	\$145.00
HULIT, PEGGY L	RSVP QTRLY MILEAGE:JULY-S	\$40.20
HUTCHINSON, ESTHER	RSVP QTRLY MILEAGE:JULY-S	\$30.00
HYDROMETRICS INC	GW MONITORING & REPORTING	\$5,019.29
IACREOT	MEMBERSHIP DUES: PAULA RO	\$175.00
IBS INCORPORATED	1010406/MISC TOOLS	\$979.13
ICON MEDIA COMMUNICATIONS	CHARGES FOR LOGO DESIGN	\$1,646.00
IKON OFFICE SOLUTIONS	MAINTENANCE CONTRACT	\$73.25
IKON OFFICE SOLUTIONS	COPIER	\$761.76
IMMANUEL LUTHERAN HOME	SERVICES FOR ROBERT H MCG	\$4,758.90
IMPERIAL DRY CLEANERS INC	LAUNDRY	\$123.05
INGRAM LIBRARY SERVICES	2086560 LIBRARY MATERIALS	\$12,533.35
INGRAM, ESTHER	RSVP QTRLY MILEAGE:JULY-S	\$45.00
INLAND TRUCK PARTS & SERVICE	10377/CREDIT	\$888.19
INSTY PRINTS	OF SUP 500 BUSINESS CARDS	\$559.18
INTEGRATED SECURITY SOLUTIONS INC	CCW ID PRINTER	\$4,903.50
INTERNATIONAL UNION OF OP ENGINEERS	PP#20/2008 UNION DUES	\$2,387.25
INVENTORY TRADING COMPANY	BLACK POLOS	\$240.00
ISLES JR, JOHN	MEAL REIMB FSA SPOKANE FO	\$50.00
JACKOLA ENGINEERING & ARCHITURE PC	PROJECT 080523-1/HOLT STA	\$4,680.00
JANITORS WORLD SUPPLIES	FLATH160/SUPPLIES	\$3,587.60
JARDINE, MORRIS & TRANEL, PLLC	REFUND	\$17.00
JEM SERVICES INC	SWEEP PARKING LOT	\$160.00
JENSEN, JACQUELINE	RSVP QUARTERLY VOLUNTEER	\$19.80
JOES RADIATOR SHOP	REPAIR DAMAGE REGASKET	\$417.00
JOHN JUMP TRUCKING INC	HAUL SAWDUST	\$412.50
JOHNSON CONTROLS INC	329148535901/OCT 1 2008-S	\$4,989.71
JOHNSON, CASH	REFEREE	\$798.00
JOHNSON, CIERA M	4 GAMES SCOREKEEPING	\$40.00
JOHNSON-GLOSCHAT FUNERAL HOME	KUDER BURIAL	\$800.00
JOM PHARMACEUTICAL SERVICES	30729/3 CS ORTHO EVRA	\$4,561.00
JONES & BARTLETT PUBLISHERS, INC	ED SUP 10 FIELD TRNG TIPS	\$1,384.88
JONES, CHRISTINE	TRVL 245MILES @ \$.585 SH	\$143.33
JONES, JIMMY	JURY SERVICE	\$35.53
K&J AUTO PARTS INC	2950 GNP AUX HOLOGENS TOW	\$219.10
KALISPELL AUTO PARTS	02040 SHOP SUPPLIES	\$3,305.80
KALISPELL CITY	800 FIRE SPRINKLER	\$10,943.59

KALISPELL CITY AMBULANCE SERVICE	MEDI RATE 284 DETENTION K	\$864.02
KALISPELL COPY & BLUE INC	DELINIATOR AND BASE	\$586.41
KALISPELL DOWNTOWN ASSOC.	2008 ASSOC DUES	\$75.00
KALISPELL ELECTRIC INC	ELECTRIC INSTALLATION 08	\$3,604.00
KALISPELL FARMERS MARKET	278 FARMERS MARKET SENIOR	\$1,532.00
KALISPELL KIWANIS CLUB	FAIR HELP	\$650.00
KALISPELL MEDICAL EQUIPMENT	EGGCRATE TWIN	\$241.00
KALISPELL REGIONAL MEDICAL CENTER	ASSAULT ER VICTIM	\$76,424.03
KALISPELL SENIOR CENTER	SITE MANAGEMENT OCTOBER 2	\$2,340.76
KALMONT DISTRIBUTORS INC	PUSH BUTTON ASSEMBLY	\$2,119.00
KAMAN INDUSTRIAL TECHNOLOGIES CORP	122939 HEAVY EQUIP HI POW	\$1,560.81
KAR PRODUCTS	1785630001 SHOP SWIVEL MA	\$319.00
KARI DODGE CHRYSLER PLYMOUTH HYUNDA	2126 GNP REPAIRS WASHER	\$5,750.97
KAUFFMAN, DAVID V	CALGARY NEGOTIATIONS SEMI	\$277.95
KEITH, SADIE	1 GAME UMPIRE FALL FOOTBA	\$18.00
KELLY, BOBBIE	MEAL REIMB MT STATE ASSOC	\$79.01
KELLY, BRIAN	ESSEX SITE ATTENDANT OCT	\$210.00
KING, RICHARD	RSVP QTRLY MILEAGE:JULY-S	\$45.00
KING, RICK L.	RSVP QTRLY MILEAGE:JULY-S	\$15.00
KINONEN, RICHARD	RSVP QTRLY MILEAGE:JULY-S	\$48.00
KIVELA, TOMMY	PINEHILLS TRANSPORT	\$34.00
KLING, RICHARD	REFUND OF CLEANING DEPOSI	\$230.00
KLS HYDRAULICS MACHINE WORKS	FLACOU TRUCK PARTS GEAR S	\$2,044.42
KMART 7030	INMATE SOCKS FOR RECREATI	\$330.61
KNIFE RIVER	2888020 PROF SERV PAVE SN	\$114,575.00
KOIS BROTHERS EQUIPMENT CO	6315 TRUCK PARTS PENCIL N	\$809.20
KOSTELECKY, CHARLOTTE	PER DIEM: TAC 2008 BILLIN	\$98.00
KRACHER, CLIFF	RSVP QTRLY MILEAGE:JULY-S	\$9.90
KRANTZ, ADELE	ESTATE OF RICHARD MCDEVIT	\$70.01
KRAUS, RYAN	8 GAMES FALL MENS BB LEAG	\$440.00
KRAUSE, HILDEGARD	RSVP QUARTERLY MILEAGE; J	\$30.00
KRUCKENBERG, JEFF	PER DIEM RENTAL CAR FUEL	\$577.16
KRUMLAND, VERLYN	RSVP QUARTERLY MILEAGE JU	\$9.60
KUNDA, SUSAN	MEAL REIMBURSE	\$29.00
LABER, EVELYN	RSVP QUARTERLY MILEAGE JU	\$14.40
LAISY, WAYNE	VOLUNTEER DRIVER MILEAGE	\$90.00
LAKE COUNTY JSEC	ABC CLINIC IN POLSON	\$140.00
LAKE FIVE PROPERTIES, LLP	REDEMP R 2062	\$5,431.25
LAKESHORE COUNTRY JOURNAL	EDUCATION ADS ON BIGFORK	\$63.00
LAKESIDE COMMUNITY CHAPEL	SITEMANAGEMENT OCTOBER 20	\$300.00
LAMPSON, CECILE	VOLUNTEER DRIVER MILEAGE	\$104.10
LANDON, DONALD D	RSVP QUARTERLY MILEAGE JU	\$6.00
LANKTREE GLASS, INC	TRUCK PARTS WINDSHIELDS	\$758.00
LARAMIE COUNTY SHERIFFS DEPT	SERVICE FEES DICKMAN DN 0	\$20.00
LARGENT, WALTER	JURY SERVICE	\$12.00
LARSON, KEN	RSVP QUARTERLY MILEAGE JU	\$45.00
LASALLE AUTOMOTIVE	1002 HEAVY EQUIP REPAIR A	\$319.25
LAWRENCE, ANN	RSVP QUARTERLY MILEAGE JU	\$24.00
LAWRENCE, PAULETTE	CONT SRV 45.25 HRS @ \$28.	\$4,833.74
LAWSON PRODUCTS, INC.	721992034501 OTH OPER SUP	\$7,101.82
LC STAFFING SERVICE INC	0000411D CONT SERV AUTO S	\$8,502.67
LEDDY, JAN	PER DIEM: TAC 2008 BILLIN	\$105.00
LENOIR, RODNEY	VOLUNTEER DRIVER MILEAGE	\$24.00
LES SCHWAB TIRE CENTER #904	90400390 TIRES 15 11-24.5	\$5,666.38
LHC, INC	9363 230 W 10TH ST PAVING	\$5,000.00
LIBERTY NORTHWEST	PP#18&19/2008 SEPTEMBER 2	\$76,755.39
LIST, KATHERINE A	CONTRSV 9/30-10/1	\$3,400.00
LITTLEFIELD, MARGARET	RSVP QUARTERLY MILEAGE JU	\$30.00
LONG, JULIE	REIMBURSE LODGING ON PERS	\$140.17
LONGTIN, SCOTT	4 GAMES FALL SOFTBALL	\$198.00
LOOSE ENDS UPHOLSTERY, LLC	PARTS-REPLACE LOWER SEAT	\$176.18
LORENS CARPET CARE	CARPET CLEANING OCTOBER	\$400.00
LOVEALL, ORLETTA	RSVP QUARTERLY MILEAGE JU	\$33.60
LOWERY, EARL	UMPIRE SOFTBALL	\$108.00
LOZAR'S TOTAL SCREEN DESIGN	144 3RD/4TH GRADE FLAG FB	\$1,908.00
LUNA,CORA	RSVP QUARTERLY VOLUNTEER	\$2.10
LYBECK, DIRK T	INSURANCE COPAY	\$50.00
M&C TIRE, INC	SERVICE CALL FLAT REPAIR	\$305.71
MACKOFF KELLOGG	REFUND	\$77.00
MACON SUPPLY	3213/SUPPLIES	\$938.32
MAGIC WANDA'S CLEANING SERVICE	CLEANING FOR RECORDS BUIL	\$200.00
MAIL ROOM, THE	42110 POSTAGE 09/03/08 -	\$8,025.49
MAKULEC, JENNIFER	BIGFORK SITE ATTENDANT OC	\$3,575.00
MALSON, LUCILLE L	RSVP QUARTERLY VOLUNTEER	\$45.00
MARANTETTE, JAMES C	RSVP QUARTERLY MILEAGE JU	\$45.00
MARCUM, CAROLE	RSVP QUARTERLY MILEAGE JU	\$18.00
MASA, DORIS LEONA	VETERANS BENEFIT FRANCIS	\$250.00
MASTER'S TOUCH, THE LLC	EST POSTAGE TAX BILLS	\$15,597.15
MAXIMUM LEVY FUND	PP#22/2008 TRISTA CELESTE	\$52.10
MAYER, KATHLEEN	TRNG REIM CISM BASIC TRNG	\$90.00
MC CARTHY, ALLISON	WORD 2003 LEVEL I 10/21/0	\$610.56
MC CORMICK, KEVIN	VOLUNTEER DRIVER MILEAGE	\$15.90
MC CULLY, BUD	200509380 IMP ON WRONG PA	\$496.92
MC GARVEY, HEBERLING, SULLIVAN &	SETTLEMENT GORTON V BOCC	\$6,054.85
MCALLISTER, KATHY	VETERANS BURIAL BENEFIT:	\$250.00
MCCONNELL, CRAIG J	AET CONF TN 08/15-08/19	\$109.50
MCKEY, MOLLY	200725366 VALUE CHANGE PE	\$207.11
MCMILLAN, RUTH	RSVP QUARTERLY MILEAGE JU	\$29.55

MCNAIR'S CIVIL SERVICE	SERVICE DN 08 34 B THOMAS	\$48.76
MDM SUPPLY COMPANY	BLUE BUILDING SUPPLIES	\$43.10
MEADOW GOLD DAIRIES INC	4968370 FOOD	\$1,050.87
MED-EXPRESS, INC	GLOVES	\$1,269.60
MEDICAL ARTS PHARMACY	OP SUP DIPHENHYDRAMINE, E	\$149.15
MERCK & COMPANY INC	SUPPLIES	\$6,034.06
METAL WORKS & MUFFLER	BATTERY	\$643.94
MEYER, PAULA M	REFEREE	\$238.00
MHL SYSTEMS	HEAVY EQUIP SCARIFIER SYS	\$3,663.46
MICHAELS CONVENIENCE STORES INC	PROPANE	\$220.13
MICHAELS, KAREN	EDSUP REIM CISM BOOK FOR	\$10.00
MICROMEDIA	164 ML MICROFICHE PROJECT	\$86.72
MICROSCOPE SERVICES NORTH WEST, INC	MCHNRPR ANNUAL MAINTENANC	\$165.00
MIDWAY RENTAL & POWER EQUIPMENT INC	7826 GENERATOR RENTAL	\$7,657.43
MIDWEST CANCER SCREENING	OP SUP MISC LAB TESTS AUG	\$1,507.45
MIDWEST TAPE	59901/LIBRARY MATERIALS	\$6,422.20
MIKE SPOONER CONSTRUCTION	SHOP MEZZAININE	\$13,422.23
MILD FENCE COMPANY	MATERIALS	\$9,940.23
MILLER, COLBY & SHEILA	REFUND C FALLS GIRLS BB	\$35.00
MILL-LOG EQUIPMENT CO, INC	1332C/SUPPLIES	\$1,363.07
MINUTEMAN AVIATION INC	FLIGHT TIME .5 HRS SEARCH	\$675.00
MISS RODEO MONTANA INC	RODEO ENTRY FEE	\$350.00
MISSOULA FREIGHTLINER	30181 TRUCK PARTS ALTERNA	\$318.00
MISSOULA PUBLIC LIBRARY	HERIGATEQUEST SEPT 08 - S	\$800.00
MISSOULIAN	1 YEAR SUBSCRIPTION	\$212.00
MOBILFONE	PAGER FOR CINDY	\$642.30
MODERN MACHINERY CO, INC	227758 HEAVY EQUIPMENT PL	\$18,629.41
MONTANA ASSN OF COUNTIES	7/1/08 - 6/30/09 DUES	\$4,169.00
MONTANA CORONERS ASSOCIATION	CORONERS CONVENTION	\$300.00
MONTANA DIGITAL LLC	FCL ONLINE SERVICES	\$720.00
MONTANA ENVIRONMENTAL LAB LLC	G0809074/COLIFORMBACTERI	\$40.00
MONTANA LAND PROJECT	SEPTEMBER 2008 REDEMPS	\$31,197.04
MONTANA LAW ENFORCEMENT ACADEMY	TARBERT CD0B #92 TUITION	\$882.00
MONTANA OE-CI TRUST FUND	PP20&21&22/2008 1.00 HR B	\$16,489.40
MONTANA ONE CALL CENTER	2912 PHONE OCTOBER 2008	\$304.33
MONTANA PUBLIC EMPLOYEES ASSN	PP#20/2008 UNION DUES	\$816.00
MONTANA REFINING COMPANY	S8600038 42.29 TONS PG 58	\$100,444.64
MONTANA SKY NETWORKS, INC	INTERNET SERVICES	\$388.15
MONTANA STATE EXTENSION	AGENT SALARY	\$2,541.67
MONTANA VEBA HRA ADMINISTRATOR	PP#22/2008 ANNE FEAST CLA	\$59.45
MONTANA VETERANS HOME	SET GRAVESTONE MARKERS AT	\$101.01
MONTGOMERY, RICHARD T	CONTR SRV 88 HRS @ \$40.00	\$3,520.00
MOORE MEDICAL LLC	21179344 5 BLOOD GLUCOSE	\$398.45
MOORING TAX ASSET GROUP, LLC	SEPT 2008 REDEMPS	\$19,510.75
MOOSE SALOON INC	#DISTRICTCOURT/DV-07-729	\$67.20
MORRELL, GLENN JAMESON	VOLUNTEER DRIVER MILEAGE	\$57.00
MORRISON MAIERLE, INC	ENGINEERING FOR RSID 143	\$9,866.29
MORTON, JOHN	200725045 VAL CHANGE PER	\$1,521.09
MOTOROLA	10364876020001 25% CONTRA	\$133,827.75
MOUNTAIN TRADER, INC	ADS FOR HUNTING DOGS	\$9.00
MOUNTAIN VIEW PET CREMATORY INC	CONTR SRV SEPTEMBER 2008	\$674.00
MOUNTAIN WORKS COMMUNICATIONS LLC	FCLS 1.5 HR WORKSHOP COMM	\$500.00
MPRES, INC	TRNG REGISTRATION MEDICAL	\$20.00
MSU EXTENSION PUBLICATIONS	222 MANUAL ORDER	\$202.50
MULLANEY CINDY	OCTOBER EXPENSES	\$57.00
MUNROE, DENNIS	OFFICIATING FLAG FB	\$240.00
MURDOCH'S RANCH & HOME SUPPLY, INC	200727 STEEL SUCTION TUBE	\$3,214.54
MY LITTLE SALESMAN	SUBSCRIPTIONS 24 ISSUES T	\$79.90
NACCHO	CONTR SRV FEES FOR FOOD S	\$467.16
NATIONAL 4H COUNCIL-SUPPLY SERV	412601 OFFICE CLOCK REST	\$34.95
NAVSURFWARCENDIV, COMMANDER	LOAN AGREEMENT 2 NIGHT VI	\$600.00
NELSON, LOREN C	REIMB: STATE OF MONTANA/C	\$80.00
NERDIG, JEANNE	JURY SERVICE	\$20.78
NETWORK HARDWARE RESALE	911 PORT	\$234.82
NEWMAN TRAFFIC SIGNS	FLA040 SIGNS ROLL OF BLAC	\$417.75
NEWMAN, DR. MICHAEL M.	MEDICAL SERVICES 09/06-12	\$2,590.00
NOMAD TECHNOLOGIES INC	NOV 2008 BANDWIDTH FOR CO	\$520.00
NORCO, INC	GLOVES	\$8,494.31
NORTH AMERICAN BUS INDUSTRIES INC	GNP EXHAUST MOUNTS (2)	\$59.17
NORTH VALLEY SENIOR CENTER	SITE MANAGEMENT OCTOBER 2	\$1,805.13
NORTHERN ENERGY INC	080118 GAS HEAT BUSH PIT	\$251.97
NORTHERN FIRE & COMMUNICATION INC	FLTDTNE FIRE ALARM BY ELE	\$313.00
NORTHERN FRONT RANGE TRAINING	CHILDERS FEE	\$300.00
NORTHSTAR PRINTING INC	OF SUP 1500 VACCINE ADMIN	\$237.00
NORTHWEST DRUG TASK FORCE PEPI FUND	INVESTIGATIVE EXPENSE	\$2,300.00
NORTHWEST FUEL SYSTEMS	F4510 CONT SERV INSTALLAT	\$5,244.00
NORTHWEST IMAGING PC	XRAY	\$63.84
NORTHWEST PARTS & EQUIPMENT	FLAT01 SHOP TOOL SWVL HOO	\$1,617.87
NORTHWEST PIPE FITTINGS INC	31568 HEAVY EQUIPMENT 1/4	\$942.13
NORTHWEST PORTABLES LLC	CONTRACTED SERVICES CONRA	\$1,759.00
NORTHWEST TOOL REPAIR	7585913 DRILL REPAIR	\$70.22
NORTHWEST TRUCK REPAIR INC	7585728 GNP COOLANT LEAK	\$3,751.76
NORTHWESTERN ENERGY	0661894-6/GAS CHARGES-BAT	\$17,161.44
NORWEST SHOP EQUIPMENT	LIFT INSTALLATION CHALLEN	\$14,617.00
NOTARY LAW INSTITUTE	MEMBERSHIP RENEWAL	\$26.00
NOVKO KALISPELL	314800 HEAVY EQUIPMENT BA	\$2,332.36
NOXIOUS WEED AWARENESS #423008	500 2009 MONTANA NOXIOUS	\$750.00
NURTURING CENTER INC	FAIM 1ST QTR 09	\$12,685.89

OBERMILLER, VIRGINIA	RSVP QUARTERLY VOLUNTEER	\$2.70
O'BRIEN, MARGARET	SIGN INTERPRETATION FOR M	\$55.00
OCCUPATIONAL HEALTH & WELLNESS SRVS	CONTR SRV EMPLOYEE SCREEN	\$1,445.00
OFFICE DEPOT	63230355 LAMINATING POUCH	\$546.72
OFFICE OF THE COURT ADMINISTRATION	COMPLIANCE TRACKER CONTR	\$1,402.62
OFFICE SOLUTIONS AND SERVICES	24309 TISSUE VOICEMAIL BO	\$14,194.54
OFFICEMAX INCORPORATED	509152 WALL CLOCK FOR EOC	\$34.84
OGILBY & SONS PUBLISHING	1 YR SUBSCRIPTION DAILY I	\$217.75
OLSON, WENDY	TRNG PER DIEM COMPREHENS	\$46.00
OLYMPIAN HIAWATHA LLC (A MT LLC)	REDEMP R2060	\$1,980.74
OREGON DEPT OF JUSTICE	PP#20/2008 CHILD SUPORT G	\$335.07
ORKIN - GREAT FALLS	CONT SRV SPRAY OUTSIDE SH	\$75.00
OWENS, MICHAEL	2 GAMES; OFFICIATING ADUL	\$80.00
PACIFIC STEEL & RECYCLING	81600 SUPPLIES HR FLAT	\$2,608.23
PAGE NORTHWEST	FSCO INSTALL SPOTLIGHT 7-	\$3,135.06
PALMER, THERESA	JURY SERVICE	\$12.59
PANCOAST ELECTRIC INC	PREPAIR AC POWER TO STACK	\$107.00
PARADIGM MANAGEMENT PC	PARADIGM EXPENSES OCTOBER	\$131,008.34
PARK BOTTLING	INMATE WORKER POP	\$243.00
PARK SIDE FEDERAL CREDIT UNION	PP#22/2008 CREDIT UNION D	\$4,509.15
PARKER, MARY JANE	RXVP QUARTERLY MILEAGE JU	\$45.00
PATHWAYS HEALTHCARE	MEDICAL SERVICES 09/10/08	\$6,190.00
PEACOCK, DOUGLAS, A	BOOKING FEE	\$1,426.59
PEEWEEES PORTA-POTTIES	PORTA POTTIES	\$75.00
PENCO POWER PRODUCTS	7585810 MAINTENANCE WALKE	\$241.30
PENNE, RUSS	RSVP QUARTERLY MILEAGE JU	\$45.00
PETERS, JEROLYN ANN	RSVP QUARTERLY MILEAGE JU	\$13.20
PETERSON, LYNDA	RSVP QUARTERLY MILEAGE JU	\$45.00
PETTY CASH - HEALTH	POSTAGE MAIL MOSQUITOES T	\$37.21
PETTY CASH - LIBRARY	WALMART WATER FOR CD CLEA	\$43.31
PETTY CASH - REFUSE DISPOSAL DIST.	SAFETY MEETING SUPPLIES	\$42.76
PETTY CASH - SHERIFF	DUPLICATE REGISTRATION	\$284.41
PETTY CASH - SID OPERATIONS	AET INVESTIGATIVE EXPENSE	\$320.72
PETTYJOHN'S THE WATER STORE INC	WATER	\$260.00
PHILLIPS, DONALD W	RSVP QUARTERLY MILEAGE JU	\$15.00
PHOTO VIDEO PLUS	PHOTO DEVELOPMENT ROGERS	\$305.12
PIER, ETHEL	RSVP QUARTERLY MILEAGE JU	\$40.80
PIERCE MFG. COMPANY INC	MARKER 2.5" REFLEX LEXAN	\$664.70
PIERSON TRUCK PARTS	556 LABOR PARTS	\$352.84
PIERSON, DEBBIE	BSPPA PROCUREMENT TRAININ	\$412.58
PINNACLE INVESTIGATION CORP	BACKGROUND CHECKS 26	\$1,369.69
PITNEY BOWES INC	16537965861 RENTAL CHARGE	\$117.69
PONICH, AMY	REFUND DOUBLE PAYMENT	\$30.00
PORTER, CAROLYN	170 MILES @ \$.585 BROWNIN	\$99.45
PRINTLINK	65636/RECEIPT PAPER	\$567.58
PRIVATE LINE	ED SUP 300 NO AND OTHER F	\$119.00
PROFORCE MARKETING INC	007771 25 TASER CATRIDGES	\$3,769.20
PROFORMA ALBRECHT & CO	13659 CALENDAR HD	\$294.00
PRONTO PROCESS SERVICE	PP#22/2008 DARCY JOY BALD	\$709.00
PROTECTIVE PRODUCTS INTERNATIONAL	ARMORLITE VESTS PROTECTIV	\$18,236.35
PUBLIC BROADCASTIN SERVICE	ED SUP MISC EDUCATIONAL D	\$176.92
PURDY, ERIKA S.	PP#20/2008 CHILD SUPPORT	\$275.00
QWEST	FL CO 911 10/01-31/08	\$273.99
R&S NORTHEAST, LLC	70893 10 AZITHROMYCIN TAB	\$175.20
RADIO SHACK ACCOUNTS RECEIVABLE	2511060032 4 TERM STRIP	\$4.58
RANDOM HOUSE INC	9029980000 LIBRARY MATERI	\$48.00
RANKOSKY, JENNIFER	VEH MTN 1676 REIM WASHER	\$49.49
RBM LUMBER	120 YDS SAWDUST LOADING	\$750.00
READY SIGNS	RODEO SIGN 2008	\$200.00
REID, SHERRY	REIMBURSE PURCHASE COFFEE	\$12.00
RELIABLE REPAIR & SET UP	CREDIT REFUND VACCINES	\$51.00
RIEBES MACHINE WORKS INC	TRUCK PARTS REPAIR & BALA	\$448.50
RILOC MEDICAL TRAINING	CPR FIRST AID TRAINING	\$55.00
RIMROCK STAGES INC	POSTAGE MAIL ANIMAL TO LA	\$770.15
ROBERT PECCIA & ASSOCIATES INC	08110000 CONT SERV FLATHE	\$7,497.71
ROBINSON, PAULA	REIMBURSE ELECTION SUPPLI	\$77.62
ROCKY MOUNTAIN ASSN OF FAIRS	FAIR CONVENTION	\$175.00
ROCKY MOUNTAIN IMAGES INC	CLOTHING OPT TO ADOPT T S	\$1,717.60
ROLL, ARLEN	RSVP QUARTERLY MILEAGE JU	\$42.96
RON'S ALIGNMENT INC	TRUCK PARTS ALIGNMENT	\$170.00
ROSENDAHL, TED	CV-08-3830/MEDIATION	\$42.56
ROSAUERS	1270 FOOD	\$324.27
ROSCOE STEEL & CULVERT	FLAT100 (12) 36"X60' MTK	\$2,055.12
ROSE COMMUNICATION	805 KRVO	\$150.00
ROYBAL'S ABBEY CARPET	CG800061 IN OUTDOOR CARPE	\$2,178.60
RUBINO, RALPH	RSVP QUARTERLY MILEAGE JU	\$15.00
RUSSELL, MARION	RSVP QUARTERLY MILEAGE JU	\$20.70
RYO CORRECTIONAL FACILITY	HOUSE YOUTH 9/14 - 9/16	\$679.80
SAFETY-KLEEN CORP	0001785014 CONT SERV SERV	\$584.76
SAMUELSON CABINETS	200874989 DUP TAX ON EQUI	\$1,056.12
SANDERS, RAY	MILEAGE FOR BOARD MEETING	\$8.19
SANOFI PASTEUR, INC	70009069 MED SUP 3 MENOMU	\$2,076.87
SCARFF AUTO CENTER INC	FLA758 TRUCK PARTS COVER	\$541.35
SCHAEFER PSYCHIATRIC SERVICES	SEPT PSYCHIATRIC	\$2,500.00
SCHELLINGER CONSTRUCTION CO, INC	FLATCOROAD CONCRETE	\$4,803.89
SCHLEGEL & SONS CONTRACTOR INC	CONT SERV MOVE D8N FROM 4	\$362.00
SCHMIDT, JOAN CONSULTANT	OF SUP REIM 50 BROCHURES	\$4,529.04
SCHNACKENBERG, LORENE	RSVP QUARTERLY MILEAGE JU	\$18.60

SCHWAN, RANDY	2 GAMES UMPIRE FALL SOFTB	\$36.00
SCHWEGEL, LOIS	VOLUNTEER DRIVER MILEAGE	\$52.20
SEDIVY, JEAN	JURY SERVICE	\$37.87
SELBYS	1521080 PLOTTER PAPER	\$853.98
SELECT CLEANING	COMMERCIAL CLEANING	\$300.00
SENEY, DORIS	RSVP QUARTERLY MILEAGE JU	\$38.70
SEXAUER	PARTS	\$1,344.68
SHAPIRO, SHEILA ANN	TRNG PER DIEM 11TH ANNUAL	\$1,338.94
SHARE CORP	111988 SHOP HDIC ULTRA 55	\$1,411.30
SHAWBACK, LOGAN	AET CONF TN 08/15-08/19	\$109.50
SHEFFIELD, COURTNEY	JURY SERVICE	\$26.63
SHEPARD'S GLASS INC	JUSTICE CENTER WINDOW REP	\$1,970.00
SHERO, EMMA	RSVP QUARTERLY MILEAGE JU	\$20.70
SHUR CLEAN PORTABLE TOILETS INC	CONTRACTED SERVICES AERO	\$225.00
SIENKNECHT, CAROL	SEPTEMBER 442.46 MILES AT	\$258.84
SILVERTIP EMERGENCY PHYSICIANS	KRMC ER MEDICAL SERVICES	\$309.00
SIMMER, LISA	MILEAGE	\$12.59
SIMPSON, CALEB E	TRAVEL EXPENSES FOR NDAA	\$695.00
SIX ROBBLEES' INC	38981 TIRES WHEELS	\$1,664.69
SIZEMORE, FRANKLIN E	UMPIRE 2 FALL SOFTBALL GA	\$36.00
SJORDAL, PAULINE	RSVP QUARTERLY MILEAGE JU	\$16.20
SKAGGS, RUTH	INTERPRETING	\$100.00
SKRAMOVSKY, TAMMY	REIMB	\$27.32
SKYBERG, RICK	1 CENT STAMPS	\$122.65
SLITERS ACE	19554 ENGINE STARTING FLU	\$3.49
SMIRNOW, DAVID DR.	AUTOPSY	\$1,000.00
SMITH, GEORGE	REIMB	\$5.00
SMITHS CUSTOMER SERVICE	430082 TRNG ITEMS FOR SUI	\$215.65
SMITH-WEIS, KATHY	JURY SERVICE	\$23.70
SNYDER, LAURENCE	RSVP QUARTERLY MILEAGE JU	\$45.00
SOMMERFIELD, KAROLE	PER DIEM MSU EXT AGENT UP	\$43.50
SPECIAL FRIENDS ADVOCACY PROGRAM	4TH QTR OPERATING FUNDS	\$1,808.99
SPENCER FLUID POWER	1071204 TRUCK PARTS HYD C	\$436.16
SPENCER, HANNA	RSVP QUARTERLY MILEAGE JU	\$46.20
SPILLMAN, JACK	REIMBURSEMENT WALMART REP	\$124.64
SPOKANE HOUSE OF HOSE, INC	115149000 SHOP TOOL REPAI	\$119.97
SPORTSMAN & SKI HAUS	SUPPLIES	\$44.97
SQUIER, MIKE	4 GAMES UMPIRE FALL SOFTB	\$144.00
ST MARY LODGE & RESORT	GNP FUEL	\$7,574.18
ST PATRICK HOSPITAL	ASSAULT VICTIM TRTMNT LAB	\$360.00
ST ROSE, RENAY	CV-08-186/MEDIATION	\$50.00
STABEN-BURROUGHS, CAROL MS LCPC	ED SUP RIM 4 BASIC CRITIC	\$80.00
STANDARD BATTERIES OF SPOKANE INC	2245 12/60 MONTH BATTERY	\$65.00
STAPLES CREDIT PLAN	7972310000125825 OFFICE S	\$2,066.03
STATE HUMAN RESOURCE DIVISION	HUMAN RESOURCE TRAINING T	\$245.00
STATE OF MONTANA	DUPLICATE TITLE FOR 1FTSX	\$10.00
STATE PUBLIC DEFENDER	SEPT 2008 PUBLIC DEFENDER	\$240.00
STEFFES MARINE SERVICES LLC	SWIM LADDER BRACKETS	\$137.00
STEPHENS, ROBERT	PINE HILLS TRANSPORT	\$34.00
STOICK DRUG	SUPPLIES	\$2,163.87
STOUT, BONITA L	OF SUP REIM MISC OFFICE S	\$38.38
STRATEGIC LAND CO LLC	APPLICATION REFUND	\$5,300.00
STRUBLE, BRIAN	MLEA AUGUST 3-8, 2008	\$263.70
SULLIVAN, MARK R	JUDGES CONFERENCE REIMB	\$247.18
SUNELCO INC	RAILS BOLTS CONNECT	\$301.00
SUPER 1 FOODS	CONCESSION SUPPLIES	\$76.23
SUPER 1 FOODS	1447/FOOD	\$31.66
SUPER 1 FOODS	CONCESSION SUPPLIES	\$16.48
SUPER 1 FOODS	1447/FOOD	\$88.28
SUPER 1 FOODS	CONCESSION SUPPLIES	\$83.93
SUPER WASH	BUS WASH	\$10.00
SURE-WAY SYSTEMS, INC	29232/HAZ WASTE REMVL	\$209.04
SWANK ENTERPRISES	CAP OUTLAY GENERAL DEMO S	\$486,050.40
SWANK, GARY	REFEREE	\$40.00
SWISS CHALET EXCAVATING	COLUMBIA FALLS GATE ATTEN	\$1,950.00
SWITZER, BILLIE	RSVP QUARTERLY MILEAGE JU	\$7.20
SWT ENGINEERING, INC	STRATEGIC PLAN	\$16,939.24
SYKES PHARMACY INC	372 MED SUP 1 DUODERM RX	\$70.00
SYSCO FOOD SERVICES OF MONTANA INC	346809 FOAM CUP RETURN	\$5,395.13
TALLEY, CHERYL	MILEAGE AUGUST 2008	\$11.73
TAYLOR, ROSAINNE	RSVP QUARTERLY MILEAGE JU	\$42.30
T-BEND CONSTRUCTION INC.	2.5 TONS ASPHALT	\$534.41
TEAMSTERS UNION LOCAL #2	PP#20/2008 UNION DUES R&B	\$1,035.00
TESSCO INCORPORATED	2509305 CABLES	\$1,670.04
THARPE, JAMES	RSVP QUARTERLY MILEAGE JU	\$45.00
THERACOM, INC	88174 MED SUP 1 INTRAUTER	\$701.12
THIEL, ANN	CONTR SRV 66.5 HRS @ \$17.	\$3,204.00
THOMAS PRINTING INC	POLLBOOKS	\$2,680.00
THOMPSON, CAROLINE	VOL MILEAGE	\$58.80
THORING, ELAINE P	RSVP QUARTERLY MILEAGE JU	\$21.60
THREE RIVERS BANK	FINANCE CHARGE PAYMENT LA	\$16,017.48
TIRE-RAMA WEST	628500 TIRE	\$12,787.34
TKACHYK, KIPP	TRAVEL	\$23.00
TOAVS, RANDY	MILEAGE FOR FLATHEAD COUN	\$35.10
TOMBARGE, BEVERLY J	RSVP QUARTERLY MILEAGE JU	\$15.60
TONERPORT INCORPORATED	TONER	\$1,520.50
TRANSCONTINENTAL TITLE	REFUND	\$8.00
TRAVEL TO GO	K ROSET NDAA	\$1,494.00

TRAVELERS PROPERTY CASUALTY	PP#20/2008 PREMIUM AUTO H	\$7,507.94
TRIPLE W EQUIPMENT INC	322540/PARTS	\$465.80
TRIPPET'S PRINTING	COPY BALLOT INSTRUCTIONS	\$1,027.00
TRI-STATE RESTAURANT SUPPLY INC	FLACODE COFFEE FILTERS	\$21.78
TRI-STATE TRUCK & EQUIPMENT INC	30315 CREDIT MEMO TURBO	\$593.06
TRS	PP#20.2008 MARCIA SHEFFEL	\$1,003.92
TYLER, PETE	VOLUNTEER DRIVER MILEAGE	\$73.80
UI CONTRIBUTIONS PROGRAM	3RD QUARTER 2008 UNEMPLOY	\$21,157.83
UNITED PIPE & SUPPLY	10003 ICE MELT	\$369.95
UNITED TOOL RENTAL INC	11200 MAINTENANCE 226 CAT	\$177.10
UNITED WAY OF FLATHEAD COUNTY	PP#22/2008 UNITED WAY DED	\$642.56
UNIVERSAL ATHLETIC SERVICE INC	72705 RECREATION SUPPLIES	\$269.56
US POSTAL SERVICE	POSTAGE FOR ABSENTEE BALL	\$5,000.00
US POSTAL SERVICE	BOX RENT	\$72.00
UTAH MEDICAL INSURANCE ASSOC	INS PROFESSIONAL LIABILIT	\$1,545.00
VALENTINE, CONNIE B	JURY SERVICE	\$25.88
VALIC	PP#21/2008 VALIC DEDUCTIO	\$10,834.00
VALLEY GLASS INC	52012K TT LITE KIT INSTAL	\$201.00
VALLEY TOWING	GMC JIMMY POLSON TO CRIME	\$635.00
VALLEY WELDERS & INDUSTRIAL SUPPLY	M0235 SPOOL MIG WIRE DISC	\$1,939.67
VALLEY WIDE CLASSIFIED	EMPLOYMENT AD PROGRAM MAN	\$425.20
VAN MULLEM, ED	RSVP QUATERLY MILEAGE JUL	\$45.00
VAN SWEDEN, ROBERT P	RSVP QUARTERLY MILEAGE JU	\$87.00
VANTAGEPOINT TRANSFER AGENTS-457	PP#22/2008 MIKE PENCE RET	\$1,726.05
VECTOR TECHNOLOGIES, LTD.	260870 HEAVY EQUIPMENT FI	\$89.39
VERIZON WIRELESS	87113851500001 SHLC TELEP	\$7,263.69
VERNARSKY, PATRICIA	JURY SERVICE	\$36.70
VIOLENCE FREE CRISIS LINE	SEPTMEBER 2008 SURCHARGE	\$4,082.23
VISA	OFFICE SUPPLIES	\$434.78
VOLTSTAR PRODUCTIONS	SOUND & LIGHTING FOR CONC	\$11,325.00
VONDAL, DAYLE R	RSVP QUARTERLY MILEAGE JU	\$81.00
VOSEN, FERN	RSVP QUARTERLY MILEAGE JU	\$6.60
WALGREENS	FSCMT INMATE RX	\$120.98
WALKER, RICHARD	JURY SERVICE	\$30.85
WALSH, JOHN TRACY	RSVP QUARTERLY VOLUNTEER	\$4.20
WALSH, PATRICK J	NATIONAL ASSOC BUNCO INV	\$214.00
WATSON, DONALD D	RSVP QUARTERLY VOLUNTEER	\$4.20
WEATHERFORD ARTIFICAL LIFT SYS INC	1804922 HEAVY EQUIP ORING	\$756.90
WERNER, ANNA	TRVL 90 MILES @ \$.585 C F	\$52.65
WERRE, JO ANN R	MILEAGE: WORK IN BIGFORK	\$31.59
WESTATE MACHINERY COMPANY	RENT FOR DINGS MAGNET	\$2,200.00
WESTCOAST PAPER	752421000 CUSTODIAL SUPPL	\$394.70
WESTERN BUILDING CENTER	FLCOWE TREATED TIMBERS SI	\$3,442.68
WESTERN CONFERENCE OF TEAMSTERS	PP#20&21&22/2008 .50 HR B	\$2,602.40
WESTERN ELECTRONICS, INC	7C2202 CHECK UNIT REPLACE	\$2,735.40
WESTERN STATES EQUIPMENT COMPANY	279360L/PARTS	\$55,522.03
WESTERN STATES INSURANCE	15207257N NOTARY FEE NORW	\$403.00
WESTSIDE UTILITIES & EXCAVATION	CREDIT REFUND ON SITE FEE	\$200.00
WHALEN TIRE	4225 TIRES 4 12 16.5 E 12	\$1,423.20
WHITE DAVID	2 GAMES UMPIRE FALL SOFTB	\$90.00
WHITEFISH AUTO PARTS INC	BATTERY BOOSTER	\$121.00
WHITEFISH CREDIT UNION	REFUND	\$4.00
WHITEFISH CREDIT UNION	PP#22/2008 CREDIT UNION D	\$2,208.00
WHITEFISH CREDIT UNION	PP#20/2008 CREDIT UNION D	\$2,208.00
WHITEFISH CREDIT UNION	PP#21/2008 CREDIT UNION D	\$2,208.00
WHITEFISH GOLDEN AGERS	HEALTH PROMOTION EXERCISE	\$2,400.13
WHITEFISH LAKE INSTITUTE	COORDINATOR SERVICES	\$2,469.46
WHITEFISH PILOT	ANNUAL SUBSCRIPTION	\$33.00
WILLIAMS, RICHARD F	RSVP QUATERLY VOLUNTEER M	\$13.20
WILLIAMS, VIRGINIA	VOLUNTEER DRIVER MILEAGE	\$94.50
WINGATE INN	L06119 TRNG 1 NIGHT STAY	\$78.11
WISCTF	PP#22/2008 MICHAEL JOHN H	\$34.62
WISHER, LOIS	OF SUP REIM TUMBERLERS TU	\$9.00
WITTROCK, RON	RSVP QUARTERLY MILEAGE JU	\$18.60
WOLL, PETE	MILEAGE FOR BOARD MEETING	\$16.38
WORKPLACE INC	EAGLE TRAN/GNP CONTRACT S	\$4,632.06
WRIGHT, ANNA	RSVP QUARTERLY MILEAGE JU	\$15.00
WW GRAINGER INC	810578930/GLOVES	\$70.21
XEROX CORPORATION	692117633 CONT SERV XEROX	\$322.35
YATCHAK, JANET A	ED SUP REIM CISM BOOK FOR	\$10.00
YEAGER, TONY	RSVP QUARTERLY MILEAGE JU	\$28.20
YEATS, SHIRLEE	RSVP QUARTERLY VOLUNTEER	\$1.65
YELLOWSTONE CO YOUTH SERVICES	HOUSE PRISONER 09/04-05/0	\$225.00
ZAJANC, MARTY	BOOKING FEE: WALKABOUT AL	\$2,238.68
ZEE MEDICAL SERVICE	A10992/SUPPLIES	\$249.79

0810 TOTAL VENDOR ACTIVITY FOR THE MONTH \$2,927,648.80

-----END OF REPORT-----

Claims for the month of October, 2008 approved this first day of November, 2008.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Paula Robinson
Paula Robinson, Clerk & Recorder

PUBLIC NOTICE

The Board of Commissioners of Flathead County did this 1st day of November, 2008, approve payroll and claims for payment in the amount of \$4,487,879.59 for the period beginning October 1, 2008 and ending on October 31, 2008.

The full and complete claim list is available for public view in the Office of the Clerk & Recorder, Flathead County Courthouse, Kalispell, Montana. Individual requests for personal copies will be accepted by the Clerk and Recorder.

Dated this 1st day of November, 2008.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By /s/Paula Robinson
Paula Robinson, Clerk

Publish November 30, 2008

PUBLIC NOTICE

The Board of County Commissioners' proceedings for Flathead County for the period of October 1, 2008, thru October 31, 2008, are now available for public review in the Office of the Clerk and Recorder, Flathead County Courthouse, Kalispell, Montana.

Individual requests for personal copies will be accepted by the Flathead County Clerk and Recorder, Flathead County, Courthouse, Kalispell, Montana.

Dated this 1st day of November, 2008.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By /s/Paula Robinson
Paula Robinson, Clerk

Publish November 30, 2008

