
MONDAY, FEBRUARY 1, 2010

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

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

MEETING W/ DAVE POLANSKY/ EAGLE TRANSIT RE: BUS WRAPS (ADVERTISEMENTS) PROOF

10:00:05 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Eagle Transit Director Dave Polansky, Clerk Kile

Polansky presented advertisement proofs from All-Tel and Flathead Electric for commissioner approval.

Commissioner Dupont made a **motion** to approve the proofs presented. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: SOLOMON & PEYTON ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

10:15:42 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Planning & Zoning Director Jeff Harris, Planner Andrew Hagemeyer, Clerk Kile

Commissioner Dupont made a **motion** to adopt Final Resolution 797FD. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 797 FD

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the on the 23rd day of December, 2009, to consider a proposal to change the zoning designation on property in the Evergreen and Vicinity Zoning District from AG-80 (Agricultural) to B-2 (General Business), I-1 (Light Industrial) and R-2 (One-Family Limited Residential);

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

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

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 797 FC, dated December 23, 2009) to change the zoning designation from AG-80 (Agricultural) to B-2 (General Business), I-1 (Light Industrial) and R-2 (One-Family Limited Residential); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on December 28, 2009 and January 4, 2010, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Evergreen and Vicinity Zoning District to change the zoning designation from AG-80 to B-2, I-1 and R-2 as those terms are used and defined in the Flathead County Zoning Regulations for the area described on Exhibit A and shown on Exhibit B hereto.

DATED this 1st day of February, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Dale W. Lauman, Member

ATTEST:
Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Member

By/s/Diana Kile
Diana Kile, Deputy

MONDAY, FEBRUARY 1, 2010
(Continued)

EXHIBIT "A"

TRACTS OF LAND, SITUATED, LYING AND BEING IN THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 29 NORTH, RANGE 21 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

AREA 1: from AG-80 to B-2

BEGINNING at the northeast corner of the Northwest Quarter of Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana, which is a found brass cap on the centerline of a 60 foot county road known as Trumble Creek Road; Thence along said centerline S00°01'24"W 1266.88 feet; Thence leaving said centerline 589°47'56"W 687.75 feet; Thence N00°01'24"E 1266.88 feet to the north boundary of said NW1/4 and the centerline of a 60 foot county road known as Rose Crossing; Thence along said boundary and said centerline N89°47'56"E 687.75 feet to the point of beginning and containing 20.002 ACRES; Subject to and together with 60 foot county roads as shown hereon; Subject to and together with all appurtenant easements of record.

AREA 2: from AG-80 to I-1

Commencing at the northeast corner of the Northwest Quarter of Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana, which is a found brass cap on the centerline of a 60 foot county road known as Trumble Creek Road; Thence along said centerline S00°01'24"W 1266.88 feet to THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED: Thence continuing S00°01'24"W 476.11 feet to the westerly R/W of U.S. Highway No. 2; Thence leaving said centerline and along said R/W S19°30'04"W 78.13 feet to a found iron pin and the P.C. of a 1542.39 foot radius curve, concave southeasterly, having a central angle of 23°21'48"; Thence along an arc length of 628.93 feet to a found iron pin; Thence S06°04'08"E 100.42 feet to a found iron pin; Thence S18°25'42"W 122.16 feet to a found iron pin on the south boundary of said NW1/4; Thence leaving said R/W and along said boundary S89°35'26"W 549.07 feet; Thence leaving said boundary N00°01'24"E 1385.80 feet; Thence N89°47'56"E 687.75 feet to the point of beginning and containing 20.002 ACRES; Subject to and together with a 60 foot county road as shown hereon; Subject to and together with all appurtenant easements of record.

AREA 3: from AG-80 to R-2

BEGINNING at the southeast corner of the Southwest Quarter of the Northwest Quarter of Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana, which is a found iron pin; Thence along the south boundary of said SW1/4NW1/4 S89°35'44"W 753.19 feet; Thence leaving said boundary N04°56'18"W 254.09 feet; Thence N87°00'21"W 75.76 feet; Thence N10°58'32"W 143.89 feet; Thence N40°35'44"E 130.05 feet; Thence N04°59'22"W 147.84 feet; Thence N09°31'22"E 209.90 feet; Thence N25°36'47"E 153.76 feet; Thence N77°23'30"E 70.41 feet; Thence N20°24'28"E 77.20 feet; Thence N27°09'05"W 56.03 feet; Thence N15°09'33"E 166.16 feet; Thence N75°08'02"E 65.78 feet; Thence N17°22'55"E 93.84 feet; Thence N24°58' 14"W 115.16 feet; Thence N29°16'46"E 89.83 feet; Thence N29°15' 16"W 141.22 feet; Thence S67°21'40"W 218.70 feet to the easterly R/W of a 250 foot B.P.A. transmission easement; Thence along said R/W N26°04'20"E 1161.30 feet to the north boundary of the Northwest Quarter of said Section 28; Thence along said boundary N89°47'56"E 897.54 feet; Thence leaving said boundary S00°01'24"W 2652.68 feet to the south boundary of said NW1/4; Thence along said boundary S89°35'26"W 631.30 feet to the point of beginning and containing 76.869 ACRES; Subject to and together with all appurtenant easements of record.

CONSIDERATION OF PRINTING BIDS

[10:14:25 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Dupont made a **motion** to approve the print bid from North Star Printing for 5,000 immunization cards for \$92.00. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

Commissioner Dupont made a **motion** to approve the print bid from The Towne Printer for 1,000 brochures for \$300.00. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

Commissioner Dupont made a **motion** to approve the print bid from Great Northern Printing for 5 sets of business cards for \$124.75, 2 sets of business cards for \$34.95 each and 1,000 appointment cards for \$44.95. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: BUSINESS ASSOCIATE AGREEMENT/ ALLEGIANCE BENEFIT PLAN MANAGEMENT

[10:18:26 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

Smith explained the document is in regards to new federal regulations that need to be followed relating to medical information.

MONDAY, FEBRUARY 1, 2010
(Continued)

Commissioner Dupont made a **motion** to approve the agreement with Allegiance and authorized the chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROSMAN, ET AL, ZONE CHANGE/ HIGHWAY 93 NORTH ZONING DISTRICT

10:20:26 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

Harris explained the request is to change a zoning designation from SAG10 to SAG5 near Rose Crossing/ Whitefish Stage and the cemetery.

Commissioner Dupont made a **motion** to authorize publication of the Notice of Public Hearing and authorized the chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by Kara Rosman and Ryan Rowe to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural).

The boundaries of the area proposed to be amended from SAG-10 to SAG-5 are described on Exhibit "A" attached hereto. The property is located on the east side of Whitefish Stage Road and north of Rose Crossing.

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

The regulations defining the SAG-10 and SAG-5 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the 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 zone change are also on file for public inspection at the Office of the Clerk and Recorder and the Flathead County Planning and Zoning Office.

The public hearing will be held on the **24th day of March, 2010, at 9:15 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 change to the Highway 93 North Zoning District.

Written comments are encouraged and will be reviewed by the Commissioners prior to the hearing if received by the Flathead County Commissioners' Office at least three business days prior to the hearing.

DATED this 1st day of February, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:

Paula Robinson, Clerk

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

By/s/Diana Kile

Diana Kile, Deputy

Publish on March 10 and March 17, 2010.

Exhibit "A"

That portion of the West 1/2 of the Southwest 1/4 of Section 20, Township 29 North, Range 21 West P.M.M., Flathead County Montana, described as follows:

Beginning at the West 1/4 corner of Section 20;
Thence along the North and East line of the West 1/2 of the Southwest 1/4, South 89°39'38" East 1324.25 feet and South 00°31'52" East 2003.21 feet to the Northeast corner of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4; Thence along the North and West lines of the Southeast 1/4 of the Southwest 1/4 of the Southwest 1/4, North 89°47'07" West 663.32 feet and South 00°29'47" East 668.21 feet to the Southeast corner of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4, which point is on the centerline of Rose Crossing, a County Road; Thence along the South line of the Southwest 1/4 of the Southwest 1/4 of the Southwest 1/4, also being the centerline of Rose Crossing, North 89°49'38" West 663.72 feet to the Southwest corner of Section 20, which point is the intersection of the centerlines of Rose Crossing and Whitefish Stage, a County Road; Thence along the West line of the Southwest 1/4, also being the centerline of Whitefish Stage, North 00°27'42" West 2674.75 feet to the Point of Beginning, containing 71.2 acres of land. Subject to County Road right of way over the West 30 feet and over the South 30 feet thereof.

MONDAY, FEBRUARY 1, 2010
(Continued)

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: SCHEFFER & WATTS ZONE CHANGE/ HAPPY VALLEY ZONING DISTRICT

10:21:07 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

Harris explained the request is to change a zoning designation from R-2 to B-1 in the Happy Valley Zoning District.

Commissioner Dupont made a **motion** to authorize publication of the Notice of Public Hearing and authorized the chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by Daniel Scheffer and Melody Watts to change the zoning designation in a portion of the Happy Valley Zoning District from R-2 (One Family Limited Residential) to B-1 (Neighborhood/Professional Business).

The boundaries of the area proposed to be amended from R-2 to B-1 are the boundaries of Lots 285 and 286 of Happy Valley Homesites located in Section 25, Township 30 North, Range 22 West, P.M.M, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana, EXCEPTING THEREFROM that portion deeded to the State of Montana in Bargain and Sale Deed recorded August 1, 1991 as Instrument No. 91-213-10430 and ALSO EXCEPTING THEREFROM that portion deeded to the State of Montana in Quitclaim Deed recorded February 5, 1996 as Instrument No. 96-036-08070. The property is located on the east side of US Highway 93 between Whitefish and Kalispell, near the entrance to the Happy Valley Homesites Subdivision on Timber Lane and contains approximately .98 acres.

The proposed change would generally change the character of the zoning regulations applicable to the property from providing a residential district for large tract development in suburban areas, beyond sanitary sewer and/or water lines, to providing for neighborhood/professional business district to provide for commercial and professional office uses where such uses are compatible with adjacent residential areas, serving as a buffer between residential areas and other land-use districts; intended to meet the daily needs of those nearby residents living within one (1) mile of the district while not allowing businesses that require outdoor display, sale and/or storage of merchandise, outdoor services or operation, or outdoor consumption of food and beverages; and being formed as an island rather than a strip.

The regulations defining the R-2 and B-1 Zones are contained in the Flathead County Zoning Regulations, 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 zone change are also on file for public inspection at the Office of the Clerk and Recorder and the Flathead County Planning and Zoning Office.

The public hearing will be held on the **24th day of March, 2010, at 9:00 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 change to the Highway 93 North Zoning District.

Written comments are encouraged and will be reviewed by the Commissioners prior to the hearing if received by the Flathead County Commissioners' Office at least three business days prior to the hearing.

DATED this 1st day of February, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:

Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

Publish on March 10 and March 17, 2010.

EMPLOYMENT CONTRACT DISCUSSION: JED FISHER

10:47:09 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Weed & Parks Director Jed Fisher, Deputy County Attorney Tara Fugina, Clerk Kile

Discussion was held relative to Weed & Parks Director, Jed Fisher's employment contract.

MONDAY, FEBRUARY 1, 2010
(Continued)

MONTHLY MEETING W/ DAVE PRUNTY & GUY FOY, ROAD DEPT.

11:00:39 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Deputy County Attorney Tara Fugina, Public Works Director Dave Prunty, Operations Manager Road & Bridge Dept. Guy Foy, Clerk Kile

Prunty gave an update on operation issues at the Road Department and stated they have done minimal snow plowing this year compared to a normal winter. He then reported the two year work plan document that spells out their maintenance program over the next two years will be presented to the Road Advisory Committee for their comments. Discussion was then held relative to new federal requirements to change county road signs to super high reflective/visibility signs which needs to be completed by 2015. Prunty then spoke about implementing changes to the dust cost share program.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: MILL CREEK ESTATES PUD FINAL PLAN

11:15:19 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

Grieve explained Mill Creek put together their PUD in compliance with the seven preliminary plan conditons of approval. The final plan once approved becomes the overlay zoning for that piece of property.

Commissioner Dupont made a **motion** to approve Resolution 1817B. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 1817 B

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following the publication of legal notice, on the 11th day of April, 2005, to consider a proposal to approve a Planned Unit Development (PUD) in the Holt Zoning District on property zoned R-2 (One Family Limited Residential);

WHEREAS, the Board of Commissioners did hear public comment on the proposed Planned Unit Development at that hearing and, after reviewing the recommendation of the Flathead County Planning Board regarding the proposed Planned Unit Development, adopted Resolution No. 1817 on April 25, 2005, granting preliminary approval to the proposed Planned Unit Development (PUD) in the Holt Zoning District;

WHEREAS, the development encompassed within the conditionally approved PUD changed ownership prior to a majority of the lots being sold and, upon the request of the new owners and after public hearing, the Board of Commissioners adopted Resolution No. 1817 A on July 9, 2009, approving amendments to the conditions of the original PUD approval and requiring the submission of a final plan in accordance with that approval; and

WHEREAS, the Board of Commissioners has received a final plan, the conditions of preliminary approval have been complied with and final approval has been requested

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 3.31.020.4, Flathead County Zoning Regulations, hereby approves a Planned Unit Development (PUD) to overlay approximately 37 acres to be developed in 9 phases, including townhouse lots, triplexes and duplexes, and approving deviations from the R-2 requirements for minimum lot size, minimum lot width, side-corner setbacks and allowance of recreational facilities, in accordance with the Final Plan attached hereto.

BE IT FURTHER RESOLVED that the property to be overlaid is described as Mill Creek Phase 1 and Mill Creek Phase 2, and the Amended Plat of Lot 13, Mill Creek Phase 1, Section 26, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana, as shown on the map or plat thereof in the office of the Flathead County Clerk and Recorder. The property is located at the Northwest corner of the intersection of Chapman Hill Road and Holt Road in Bigfork, Montana, to be known as Mill Creek Estates.

DATED this 1st day of February, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/Absent
Dale W. Lauman, Member

ATTEST:
Paula Robinson, Clerk

By/s/James R. Dupont
James R. Dupont, Member

By/s/Diana Kile
Diana Kile, Deputy

See original file for attachment.

MONDAY, FEBRUARY 1, 2010
(Continued)

CONSIDERATION OF ADOPTION OF RESOLUTION: AMEND RESOLUTION NO. 2069/ ANIMAL ADVISORY COMMITTEE

[11:19:37 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

Chairman Brenneman stated the resolution will clarify the role of the Animal Advisory Committee who will now report to the Board of Health.

Commissioner Dupont made a **motion** to adopt Resolution 2069A. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 2069 A

WHEREAS, Flathead County has operated an Animal Shelter for many years in order that stray dogs and cats in Flathead County may be dealt with humanely;

WHEREAS, the Board of Commissioners determined that the Animal Shelter and Animal Control operations would be administered with the involvement of both the Flathead City-County Health Department and the Flathead County Sheriff's Department; and

WHEREAS, the changes in the operation of the Flathead County Animal Shelter and Animal Control led the Board of Commissioners to believe that an advisory committee made up of interested County residents would be a valuable aid in managing stray dogs and cats and the Animal Shelter operated by Flathead County; and

WHEREAS, the Board of Commissioners has recently determined that the Advisory Committee should report directly to the Flathead City-County Board of Health.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Commissioners of Flathead County, Montana, that the Flathead County Animal Advisory Committee is established as follows:

1. The Flathead County Animal Advisory Committee shall be composed of five members, appointed by the Board of Commissioners and serving at the pleasure of the Board of Commissioners.
2. The members of the Flathead County Animal Advisory Committee shall serve for terms of three years, commencing on January 1 and ending on December 31. Members appointed at the adoption of this Resolution shall serve until December 31 of the year in which their terms, established as set forth below, expire. Terms of the members shall overlap; in order that the terms will overlap, the members initially appointed shall determine, by drawing lots, one member to serve a term ending December 31, 2007, two members to serve terms ending December 31, 2008 and two members to serve terms ending December 31, 2009. Members whose terms expire may be appointed to successive terms on the Committee.
3. The members of the Flathead County Animal Advisory Committee shall receive no salary or pay for their service on the Flathead County Animal Advisory Committee.
4. The members of the Flathead County Animal Advisory Committee shall be residents of Flathead County.
5. The Flathead County Animal Advisory Committee will advise the Board of Health concerning issues regarding control of stray dogs and cats generally and operation of the Animal Shelter, and provide public education as to the issues involved in control of stray dogs and cats and operation of the Animal Shelter. The Board of Health or the Board of Commissioners may request reviews by the Advisory Committee of animal control issues that have come to their attention.
6. A majority of the members of the Flathead County Animal Advisory Committee constitutes a quorum for the purpose of conducting business and exercising responsibilities; action may be taken by a majority of members present and voting.
7. The Flathead County Animal Advisory Committee shall organize by electing one of its members president and one of its members vice-president. The Flathead County Animal Advisory Committee must provide for the keeping of written minutes of its meetings, which minutes shall include the final vote on all actions and the vote of each member.
8. The Flathead County Animal Advisory Committee shall adopt bylaws governing its activities and procedures, and shall set forth therein the date, time, and place of regularly scheduled meetings, and such other matters as the Committee shall deem advisable. The bylaws and any amendments thereto shall be subject to approval by the Board of Commissioners.

**MONDAY, FEBRUARY 1, 2010
(Continued)**

9. The members of the Flathead County Animal Advisory Committee may be removed by a majority vote of the Board of Commissioners of Flathead County, Montana.

Dated this 1st day of February, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/ Absent
Dale W. Lauman, Member

By/s/ James R. Dupont
James R. Dupont, Member

ATTEST:
Paula Robinson, Clerk

By/s/ Diana Kile
Diana Kile, Deputy

CONSIDERATION OF PRINTING BIDS: FINANCE DEPT.

11:20:30 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

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

Commissioner Dupont made a **motion** to approve the print bid from Masters Touch for 15,000 special window envelopes for \$769.05. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: ENCROACHMENT PERMIT/ TRAPLINE ASSOCIATION

11:20:41 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Deputy County Attorney Jonathan Smith, Deputy County Attorney Tara Fugina, Public Works Director Dave Prunty, Clerk Kile

Following discussion in regards to the encroachment permit Commissioner Dupont made a **motion** to approve the document for signature and waived the road closure fee. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 2, 2010.

TUESDAY, FEBRUARY 2, 2010

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

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

QUARTERLY REPORT W/ ADELE KRANTZ, TREASURER

9:00:12 AM

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Treasurer Adele Krantz, Clerk Kile

Krantz reviewed the invested monies report with the commission and reported delinquent taxes are at \$7.3 million which is higher than usual. She then reported protest taxes total \$1.9 million with adjustments coming in daily from the Department of Revenue. Krantz then presented a new Montana license plate and vehicle registration card for review.

TUESDAY, FEBRUARY 2, 2010
(Continued)

BI-MONTHLY MEETING W/ VICKI SAXBY, I.T.

[9:16:47 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, I.T. Director Vicki Saxby, Clerk Kile

Saxby met with the commission and reviewed projects being worked on in the I.T. Department. She reported use of the county website is up 67% over one year ago. Discussion was held relative to the possibility of hosting another website on the county server and commissioner input was requested.

COS REVIEW: BOYES

[9:32:17 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Planner Dianna Broadie, Jane Eby, Joseph Boyes, Cheree Campbell, Clerk Kile

Broadie reviewed the request to divide a 10 acre parcel located just past Marion on the north side of Hwy 2 into the following:

Parcel 1	2 Acres to be transferred to Cheree Campbell, mother
Parcel 2	8 Acres to be retained by Joseph Boyes

Joseph Boyes explained the circumstances for the requested family transfer.

Chairman Brenneman asked Jane Eby if she felt this was a violation of the family exemption law.

Jane Eby replied that it is not.

Commissioner Dupont made a **motion** to approve the Boyes COS. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF RESOLUTION: AMEND RESOLUTION NO. 1626A

[9:45:18 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Addressing Coordinator Sara Wilkinson, Clerk Kile

Wilkinson explained the changes to the resolution which included a change to Section 2.05A (4) which currently states: A road name shall not include numbers, dashes, apostrophes or other non-alphabetical characters. Section 2.05A (4) will be amended to state: A road name shall not include numbers spelled out or numerical dashes and/or other non-alphabetical characters. Section 2.05A (8) which currently states: First names cannot be used for a road name or in part of a road name, will be amended to state: First names cannot be used for a road name or in part of a road name; and last names cannot be used for a road name unless agreed by 75 percent of eligible voters and meets the requirement in Section 2.05.

Commissioner Dupont made a **motion** to adopt Resolution 1626B. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 1626B

**A RESOLUTION
REPLACING RESOLUTION 1626A AND
AMENDING THE ROAD NAMING
AND SITE ADDRESSING SYSTEM
OF FLATHEAD COUNTY, MONTANA**

WHEREAS, the Board of County Commissioners of Flathead County, Montana, adopted Resolution No. 1626 on the 23rd day of June, 2003, and amended that Resolution by adopting Resolution No. 1626A on the 27th day of September, 2007, and now deems it necessary to amend Section 2.05 A. 4. and Section 2.05 A. 8. of Resolution No. 1626A; and

WHEREAS, the Flathead County Clerk & Recorder's Office is the County Office authorized to assign and change road names and addresses as part of administering roads within Flathead County; and

WHEREAS, Flathead County has determined that it is in the best interest of the citizens of Flathead County to update Resolution 1626A address regulations in order to ensure that road names and addresses are unique and consistent and that signage for road names and addresses are uniform and visible;

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WHEREAS, the purpose of this Resolution is to enhance easy and rapid location of structures by law enforcement, fire protection services, search and rescue, and emergency medical services to protect public health and safety of all persons living, working or visiting in Flathead County; and

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Flathead County, Montana that Resolution No. 1626A adopted on the 27th day of September, 2007, is hereby discontinued and replaced with the following:

Article I. INTRODUCTION

Section 1.01 Title

This Resolution shall be known and may be cited as the Road Naming and Site Addressing System Resolution for Flathead County, Montana.

Section 1.02 Purpose and Intent

This Resolution is enacted for the purpose of establishing and maintaining policies and procedures in order to:

- A. Provide property owners, emergency service providers, the general public, and Flathead County with an accurate and systematic means of identifying and locating property.
- B. Assist in the proper delivery of mail, packages, utilities, and other services.
- C. Assign address numbers to new addressable structures or units, assign address numbers to existing addressable structures or units that currently do not have a physical address, assign address numbers to newly created lots, assign address numbers to vacant land, modify address numbers on existing addressable structures or units when necessary, name new roads, name existing roads without a name, rename existing roads when necessary in order to provide for efficient public services, and acquire sufficient mapping to manage the Road Naming and Site Addressing System.
- D. Govern the display of property address numbers and provide for accurate road name signage, installation, and maintenance thereof.

Section 1.03 Applicability

This Resolution shall apply to each lot, parcel, tract of land, and all structures thereon, within unincorporated Flathead County, excluding all federally and state owned lands.

Section 1.04 Definitions

Address Coordinator: The person designated by the Flathead County Clerk and Recorder to administer the Flathead County Road Naming and Site Addressing System.

Address Number: The numeric designation for an addressable structure or unit. (e.g. if 101 Main St. is the physical address, 101 is the address number)

Addressable Structure or Unit: Generally, the habitable or occupied structure(s) on a lot, parcel, or tract, but may also include other structures as determined necessary by the Address Coordinator. More than one structure can be considered addressable per lot, parcel, or tract.

Arterial Road: The roadway system serving as the principal network for through traffic flow. Arterial roads connect areas of principal traffic generation and important highways.

Collector Road: Collector roads serve the dual functions of distributing traffic between local roads and arterial roads and provide primary access to subdivisions and other abutting properties.

Cul-de-sac: A vehicular turnaround area at the end of a dead-end street provided for the purpose of safe and convenient reverse of traffic in one continuous forward movement.

Direction: The geographic orientation of a named road segment (either east-west or north-south).

Directional: The portion of an address that consists of any combination of the cardinal directions of North, South, East, or West.

Driveway: A vehicular traveled way providing access to two or less properties, dwelling units, or business structures.

Grid Addressing: A block-numbering system with defined meridian and base streets, such as Main Street and Center Avenue. Most commonly used with a linear network of streets intersecting at right-angles.

Homonym: Road names that have identical or phonetically similar names.

Interval Addressing: A distance-based numbering system used to consecutively assign property numbers along a street centerline. Addresses are subsequently assigned using the property location relative to the street centerline numbering and the side of the road the property is along.

Local Road: Roadways used for direct access to residential, commercial or industrial lots, or other abutting properties in areas of lower traffic volumes at low speeds.

Mailing Address: The address to which mail from the U.S. Postal Service is sent.

Physical Address: The combination of number, directional (if applicable), road name, road name suffix, and unit designation (if applicable) as assigned by Flathead County. Same as site address.

Primary Access: A road or driveway used as the primary means of vehicular access to an addressable structure.

Primary Name: The portion of a road name excluding any directional prefix, and suffix.

Private Road: Any road not included in the definition of a public road, herein.

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Public Road: Any road included in a right-of-way deeded, declared, or dedicated to the public.

Road of Local Interest: Any public roadway not classified as an arterial road.

Road of Regional Significance: Any public roadway classified as an arterial road.

Road: Any public or private highway, road, street, avenue, lane, shared driveway, or similar paved, gravel, or dirt vehicular traveled way.

Road Name Suffix: Suffix used to indicate the road type, such as Avenue, Lane, or Road.

Site Address: Same as physical address described above.

Article II. ROAD NAMING

Section 2.01 General

- A. New roads shall be assigned a road name.
- B. Existing roads without a name shall be assigned a road name.
- C. Existing roads not complying with this Resolution shall be renamed when necessary.
- D. The Address Coordinator shall be responsible to assign or modify road names according to procedures specified herein.
- E. The Address Coordinator shall communicate all changes pertaining to road names to the Flathead Emergency Communications Center and the United States Postal Service. An inventory of current addresses shall be maintained on the County GIS and made available to the public.

Section 2.02 Roads Requiring Names

All roads within the county which are ¼ mile or longer in length or which serve three (3) or more properties, dwelling units, or business structures shall be named, have road name signs, and have address ranges calculated regardless of whether they are new or existing, public or private.

Section 2.03 Right to Use Roads

A road name assigned by the county to any road shall not constitute or imply jurisdiction, ownership, right of use, guarantee of access, or acceptance into the County Road Maintenance Program.

Section 2.04 Road Geometric Guidelines

- A. Roads to be named shall be accessed by roads that are already named. If not, the preceding road(s) will need to be named concurrently.
- B. A named road should be essentially continuous, without gaps.
- C. If a road has a branch or branches, separate names shall be used for the minor branch(es). The branch to retain the name shall be determined by the Address Coordinator, upon consideration of traffic volumes, surface type, angle of deflection and other relevant factors.
- D. Each road shall have the same name throughout its entire length, except that a road name may change when, and only when, there is a substantial intersection or at municipal boundaries.

Section 2.05 Road Name Guidelines

A. NEW ROAD NAMES

- 1. A proposed new road name which duplicates an existing or reserved road name (singular or plural form) in Flathead County or the cities within the County shall not be approved. An exception is allowed for cul-de-sacs which have the same name as the road from which they originate (example: "Clark Court" which originates from "Clark Drive"). For roads that originate within 25 miles of an adjacent county, a proposed new road name shall not be approved in the event it duplicates an existing or reserved road name within a 25 mile interior boundary of the adjacent county. For existing roads requiring renaming, these road name duplication guidelines are reduced such that road names shall not be duplicated within the limits of established USPS post office name boundaries (i.e. USPS city name).
- 2. Road names are limited to three (3) words not including the road name suffix.
- 3. A road name shall not exceed more than twenty (20) characters including spaces and the road name suffix abbreviation.
- 4. A road name shall not include numbers, spelled out or numerical, dashes, and/or other non-alphabetical characters.
- 5. Because North, South, East and West are directional features of the addressing system and lead to confusing addresses if included as part of the name, cardinal directions shall not be part of any road name (e.g. Westview Road or Southpoint Dr are not acceptable).
- 6. Articles (the, a, an) shall not be used to begin road names.
- 7. Road names cannot contain initials, abbreviations, or single-letters.

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8. First names cannot be used for a road name or in part of a road name; and last names cannot be used for a road name unless agreed by 75% of eligible voters and meets the requirements in Section 2.05.
9. All road names shall be simple to pronounce and spelled according to a standard dictionary.
Road names cannot duplicate map features or directional descriptions (example: "Dirt Road", "Tennis Court", "Up the Creek Rd")
10. Usage of names derived from community names or geographic features shall be limited to locations in close proximity to such communities or geographic features.
11. No proposed road name shall be approved which begins with a word that appears as the first word in five or more official road names.
12. No proposed name shall be accepted which is a homonym of an official road name or may be easily confused with an official road name (example: "Bell" and "Belle", or "Peach" and "Beach")
13. Road names shall not include obscene, racial, or derogatory terms.
14. Road names shall not use corporate trade names unless coincidental.
15. The primary name portion of a road name shall not be abbreviated (e.g. Mount Charleston Dr., not Mt. Charleston Dr.)
16. Where a proposed road is a continuation of, or in alignment with, an approved road, it shall utilize the same road name as the approved road. A new road name shall be required if the proposed road is disconnected from the centerline of the existing road by an offset greater than sixty (60) feet.
17. Road names should be consistent and singular for any particular road. The road name adopted by Flathead County for roads within its jurisdiction shall be the officially recognized road name.

B. ADDITIONAL ROAD NAME GUIDELINES FOR RENAMING ROADS

In addition to the standards listed in Section 2.05.A, the following standards also apply when existing roads are renamed:

1. Historically significant road names shall be retained where feasible. The desire to maintain these road names to commemorate local history will be balanced with the ultimate goal of making road names easy to use by citizens, visitors, and service providers.
2. If two existing roads have duplicate names or road geometrics do not conform to this Resolution such that one road name must be changed, the first road to use the name shall retain that name. If it cannot be determined or verified which road used the name first, the road with fewer addressable structures or units shall be renamed.

Section 2.06 Guidelines for Road Name Suffixes

Road name suffixes should be consistent with the roadway's expected traffic use, width of right-of-way and physical design/location.

FLATHEAD COUNTY APPROVED ROAD NAME SUFFIXES

Avenue (AVE)	Urban street. In established street grids, must conform to the compass pattern for that community.
Boulevard (BLVD)	A broad two way street with a landscaped center divider.
Circle (CIR)	A road which returns to itself. When designing new roadways, large circles are discouraged, due to the difficulty in determining which route provides the most direct path to a location during emergency response.
Court (CT)	Any cul-de-sac with a circle at one end, and less than 1000 feet in length. This suffix should be avoided if there is the possibility that the road could be extended, thereby requiring that it be renamed.
Drive (DR)	A curvilinear street.
Lane (LN)	A minor, narrow street.
Loop (LOOP)	A road which begins and ends on the same road. When designing new roadways, this layout is discouraged, particularly in situations where confusion may arise to emergency responders due to the existence of intersections of duplicate name.
Parkway (PKWY)	A thoroughfare designated as a collector or arterial, with a median reflecting the parkway character implied in the name.
Place (PL)	Permanently dead-end street or short through street.
Road (RD)	Generally an arterial or collector road connecting to the primary system.
Street (ST)	Urban street. In established street grids, must conform to the compass pattern for that community.
Terrace (TER)	Generally, a minor road.
Trail (TRL)	Generally, a minor road.
Way (WAY)	Generally, a minor road.

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Section 2.07 Road Naming Process

A. GENERAL

Roads may only be named using any of the procedures specified in this Section.

For the purpose of this Section:

- An "eligible property" is a parcel of land crossed by, or within fifty-feet of the centerline of the physical location of the road to be named or primary access originates from the road to be named and said access does not meet the requirements to be named or is already named. For property-owner initiated road naming or renaming, the number of eligible properties is determined on the date the petition is received by the Coordinator. For county initiated road naming or renaming, the number of eligible properties is determined on the date of initiation by the Address Coordinator.
- An "eligible owner" is a person, corporation, or entity holding title to an eligible property.
- A "signature" is an original ink signature of any person who holds a record title interest and is an eligible owner.
- A signature by an eligible owner may be changed only in writing by said owner prior to a road name decision by Address Coordinator.

B. ROAD NAME RESERVATION PROCESS

Road names may be reserved by request to the Address Coordinator. Names shall be reserved for a period of one year from the request date unless the reserved name is withdrawn by the applicant prior to that date. Names approved on a preliminary plat shall be reserved for the life of the preliminary plat and shall be shown on the final plat. Name reservations shall be voided in the event the road name has not been adopted prior to the reservation period expiration or preliminary plat approval expiration.

C. ROAD NAMING DURING LAND DIVISION

1. This process of naming roads shall be limited to the eligible owners (or their authorized agents) associated with the proposed road to be named.
2. No final subdivision plat which wholly contains a road required to be named shall be recorded unless the following requirements have been met:
 - a. All road names shall be approved by the Address Coordinator and shown on the face of the plat. Upon recordation, the roads are officially named as shown thereon.
 - b. The installation of any road name signs required pursuant to Section 3.01 by the land divider or developer shall be completed as part of an improvement agreement with Flathead County.
3. An owner or their designee may contact the Address Coordinator prior to plan check submission to determine the viability of proposed names.
4. Proposed road names shall appear on all final subdivision plats when the road is required to be named as provided in Section 2.02 and the road is completely contained within the land to be divided or adjusted. In the event the road to be named is not completely contained within the land to be divided the road required to be named shall be named as provided in this section and Section 2.07.D.1 or Section 2.07.E.1 by the Address Coordinator.

D. PROPERTY-OWNER INITIATED ROAD NAMING

1. Processing Requests for Property Owner-Initiated Naming of Unnamed Roads:

Any property owner may initiate a request to name an existing unnamed road for a public or private road that vehicular access to his/her property through the following procedures. This process of naming roads shall be limited to the eligible owners associated with the proposed road to be named.

- a. A contact person for all eligible petitioners must communicate with the Address Coordinator to request procedures and application materials for a road naming.
- b. The petition form shall state the road name and road name suffix proposed for adoption. This form shall be circulated to all eligible petitioners for consideration. Upon obtaining the signatures of eligible owners representing a majority (greater than fifty (50) percent) of all eligible properties in agreement of a common road name, the petition form shall be submitted to the Address Coordinator for processing.

When determining the percentage of the eligible properties, each individual eligible property shall be included regardless of whether a signature was obtained for each property. Only a single signature is required for properties under common ownership. The evaluation date for the signature tabulation is the date that the form is received by the Address Coordinator.
- c. Upon validating the signatures required to constitute a majority of all eligible properties, and that the proposed name is in accordance with the road naming requirements and the intent and purpose of this Resolution, the Address Coordinator shall approve the road name.
- d. If the form is not completed properly or if the proposed road name does not meet the road naming requirements and the intent and purpose of this Resolution, the Address Coordinator will notify the contact person that their request has been denied, list reason(s) for denial, if applicable, and provide information describing additional action required.
- e. If the location of the subject road is not yet field verified and digitized, the County GIS Department will map the road prior to acting on the petition.
- f. The Address Coordinator will mail a new site address notification letter to all property owners whose site address will be affected. The occupants of all structures that have received a new address must begin to use the new address for all purposes on the effective date of the new site address notification letter.
- g. Flathead County will be responsible for the manufacture, installation, and maintenance of road name sign(s) pursuant to Section 3.01.

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2. Processing Requests for Property Owner-Initiated Renaming of Existing Named Roads:

Any property owner may initiate a change to an existing road name that is currently in compliance with this Resolution for a public or private road that provides vehicular access to his/her property through the following procedures. This process of naming roads shall be limited to the eligible owners associated with the proposed road to be named.

- a. A contact person for all eligible petitioners must communicate with the Address Coordinator to request procedures and application materials for a road renaming.
- b. The petition form shall state the road name and road name suffix proposed for adoption. This form shall be circulated to all eligible petitioners for consideration. Upon obtaining the signatures of eligible owners representing the entirety (one-hundred percent) of all eligible properties in agreement of a common road name, the petition form shall be submitted to the Address Coordinator for processing. When determining the percentage of the eligible properties, each individual eligible property shall be included regardless of whether a signature was obtained for each property. Only a single signature is required for properties under common ownership. The evaluation date for the signature tabulation is the date that the form is received by the Address Coordinator.
- c. Upon validating the signatures required to constitute the entirety of all eligible properties, and that the proposed name is in accordance with the road naming requirements and the intent and purpose of this Resolution, the Address Coordinator shall approve the road name.
- d. If the form is not completed properly or if the proposed road name does not meet the road naming requirements and the intent and purpose of this Resolution, the Address Coordinator will notify the contact person that their request has been denied, list reason(s) for denial, if applicable, and provide information describing additional action required.
- e. If the location of the subject road is not yet field verified and digitized, the County GIS Department will map the road prior to acting on the petition.
- f. All eligible owners are responsible for the manufacture and installation of all required road name signs and the cost thereof.
- g. The Address Coordinator will mail a new site address notification letter to all property owners whose site address will be affected. The occupants of all structures that have received a new address must begin to use the new address for all purposes on the effective date of the new site address notification letter.
- h. Following the initial sign replacement, Flathead County will assume the on-going maintenance responsibility for the signs.

E. COUNTY INITIATED ROAD NAMING

1. Processing of County-Initiated Naming or Renaming of Roads of Local Interest:

The Address Coordinator shall balance the need to modify existing road names for compliance with this Resolution and postal standards with the desire to retain existing road names where possible. The Address Coordinator may conduct the naming of an unnamed road or the modification of an existing road name, through the following procedures. This process of naming roads shall be limited to the eligible owners associated with the proposed road to be named.

- a. An informational letter and ballot will be sent to eligible properties at the mailing address of record for each eligible property. In addition to several pre-approved road names listed on the ballot, those eligible owners choosing to participate can determine alternate valid candidate road name(s) by reviewing the name selection information available on the Flathead County Address Improvement Program website, at the Flathead County Plat Room, or contacting the Address Coordinator directly.
- b. The informational letter will encourage affected property owners to hold a neighborhood meeting to try to reach consensus on one of the pre-approved road names listed on the ballot or on any valid candidate road names which may be elected by eligible petitioners as a "write-in" name.
- c. Using only the ballot form provided by the Address Coordinator, eligible owners choosing to participate shall return valid ballots to the Address Coordinator. A ballot will be considered valid only if it contains an eligible owner's original ink signature, contains only one check-mark vote for a pre-approved name or only one "write-in" name that meets the road name guidelines of this Resolution, and is postmarked or received by the deadline specified on the ballot. In the event multiple acceptable ballots are received by different owners of the same property, only the first ballot reviewed by the Address Coordinator will be counted.
- d. Following the deadline, the Address Coordinator will determine the validity of ballots and tabulate the results. Of the valid ballots, the proposed name receiving the most votes will be approved. In the event of a tie vote, the name chosen by the Address Coordinator in a random drawing will be approved. In the event no valid ballots are received, the Address Coordinator shall select the road name from a random drawing of the pre-approved names provided on the ballot form.
- e. If the location of the subject road is not yet field verified and digitized, the County GIS Department will map the road prior to acting on the petition.
- f. The Address Coordinator will mail a new site address notification letter to all property owners whose site address will be affected. The occupants of all structures that have received a new address must begin to use the new address for all purposes on the effective date of the new site address notification letter.
- g. Flathead County will be responsible for the manufacture, installation, and maintenance of road name sign(s) pursuant to Section 3.01.

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F. PROCESSING OF NAMING OR RENAMING OF ROADS OF REGIONAL SIGNIFICANCE

1. The Board of County Commissioners may name or rename a road of regional significance following a public hearing and consideration by the Board. The road shall be named or renamed by a Resolution of the Board. Notification of the public hearing shall be mailed by the Clerk & Recorder's Office to all eligible owners and by publication of a notice to name or rename the road in a newspaper of general local circulation for two consecutive Sundays.
2. If the location of the subject road is not yet field verified and digitized, the County GIS Department will map the road prior to consideration by the Board.
3. The Address Coordinator will mail a new site address notification letter to all property owners whose site address will be affected. The occupants of all structures that have received a new address must begin to use the new address for all purposes on the effective date of the new site address notification letter.
4. Flathead County will be responsible for the manufacture, installation, and maintenance of road name sign(s) pursuant to Section 3.01.

G. APPEALS

Only road naming or renaming decisions of the Address Coordinator may be appealed by the affected property owner, property owners as a group, or homeowners association to the Board of Commissioners (BOC). Appeals may be received at any time within 30 days of the date of the new site address notification letter.

All appeals must be submitted in writing to the Address Coordinator with specific details as to the nature of the appeal request. A public hearing will be scheduled according to availability and all eligible owners will be notified of the time and place of the public hearing. The Address Coordinator's decision shall be upheld by the BOC unless it is shown by a preponderance of evidence that the decision is inconsistent with or does not promote the intent and purpose of this Resolution.

In the event the Address Coordinator's decision is overruled by the BOC, and the road is named or renamed, it shall be done by a written Resolution of the Board that states findings of consistency with the intent and purpose of this Resolution. In the event the Address Coordinator's decision is overruled by the BOC, and the road is not named or properties are not renumbered, then the BOC must make written findings of consistency with the intent and purpose of this Resolution.

Article III. ROAD NAME SIGNS

Section 3.01 Responsibility for Placing and Maintaining Road Signs

- A. Flathead County standard road name signs shall be required at all road intersections on private and public roads. These signs shall be displayed at all road intersections in Flathead County, excluding federally or state owned lands.
- B. All road name signs required by this Resolution shall be the property of Flathead County. No one shall willfully destroy or remove any such road name signs. Anyone doing so shall be subject to the penalties contained in law.
- C. The specifications for materials and installation for all road name signs must comply with the Flathead County Street Name Sign Standards which can be obtained from the Flathead County Road and Bridge Department.
- D. Road name signs shall be placed in the right-of-way when possible. The location of road name signs must not obscure intersection visibility. At any location where the typical placement of a sign interferes with a safe sight distance, an alternate location must be found.
- E. Only those road name signs assigned or approved by the Address Coordinator are allowed at roadway intersections. The County may remove any road name signs displaying unapproved road names or road name signs that do not comply with the Flathead County Street Name Sign Standards.
- F. The ongoing maintenance of road name signs on all roads shall be the responsibility of Flathead County, except in cases where it can be determined that a private homeowners or road association is responsible for maintenance.
- G. Flathead County standard road name signs for new roads and any unsigned intervening existing roads for all subdivisions approved by Flathead County, shall be installed and paid for by the developer, including all road name signs that must be changed or added between the location of the subdivision and the County road or State/Federal highway providing access to the subdivision.

Article IV. NUMBERING OF STRUCTURES OR UNITS

Section 4.01 General

- A. The Address Coordinator shall be responsible to assign or modify address numbers. All numbers for properties and addressable structures shall be assigned by the Address Coordinator following the procedures and guidelines contained in this Resolution
- B. The street name and number assigned to each structure within the county shall be the official address of such structure, for all purposes. Numbers assigned by any other person or entity shall not be recognized or used for any purpose. The assignment of the address number is not subject to the property owners' approval.

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- C. All new addressable structures or units shall be assigned a physical address. Numbers shall also be assigned to any location that can place outgoing phone calls through a conventional landline.
- D. Existing addressable structures or units that do not have a physical address shall be assigned a physical address.
- E. The physical address of existing addressable structures or units that have an inconsistent physical address shall be changed when necessary. The Address Coordinator may renumber or rescind numbers from existing non-conforming structures or properties.
- F. Address numbers shall be displayed on every addressable structure, and at additional locations as specified in Article V.
- G. The Address Coordinator shall communicate all changes pertaining to address numbers or road names to the Flathead Emergency Communications Center and the United States Postal Service.

Section 4.02 Assignment of Numbers by Address Coordinator

The Address Coordinator shall balance the need to modify existing address numbers for compliance with this Resolution and postal standards with the desire to retain existing address numbers where possible. The Address Coordinator may assign or modify an address number through the following procedures:

- A. The assignment of the address number shall be determined by either grid addressing or interval addressing. Where applicable the grid system shall be followed; however, if outside a grid system, the preferred addressing method is interval addressing.
- B. Numbers shall not be officially assigned to subdivisions until the plat has been submitted for review prior to recordation. Those certificates of survey or plats which contain small lots in direct opposition may be addressed by the Address Coordinator; however, the Address Coordinator may also choose to not address any lots where access is not specified with certainty to the satisfaction of the Address Coordinator. This is most likely to occur with large lots, reverse (thru) lots, or corner lots.
- C. For vacant land that has been previously divided, a physical address shall only be assigned after the property owner/developer has made a final determination of the driveway/access point and specified this location to the satisfaction of the Address Coordinator.

Section 4.03 Uniform Numbering System Established

All numbers shall be determined by the uniform numbering system hereby established. This uniform system shall utilize an equal-interval numbering system, or in some cases, a numbering grid system.

Section 4.04 Numbering Grid Defined

The Numbering Grid shall be based on the existing grids historically used within Flathead County. In no event shall the grid for any community be used to number locations outside of the current postal service zip code boundary for that community. The Address Coordinator shall evaluate the conformance with the existing grid to decide when to use the numbering grid for base numbering.

Section 4.05 Numbering Procedures

- A. Direction of Road Determined
 - 1. Before numbering along a named road may proceed, the direction of the road must be determined (east-west or north-south). The general direction of the road as it lies in relation to true north shall define the direction for numbering purposes.
 - 2. Consideration may also be given to the type of development involved, the relationship of the road in question to other roads around it, and the pattern of address numbers that result.
- B. Number Range of Road Established
 - 1. In the event a numbering grid is included in the range selected by the Address Coordinator, the number range along a named road shall be established by the Address Coordinator in conformance with that grid.
 - 2. When a non-gridded range is selected by the Address Coordinator, the number range along a named road shall be established by the Address Coordinator so that non-duplicate address ranges are maintained in the vicinity of the road to be numbered. In the event that the adjacent road naming and geometry is sufficiently unique, duplicate ranges may be selected at the discretion of the Address Coordinator. If the road segment can be accessed from either end, the numbers shall begin where emergency responders are most likely to enter the road.
- C. Numbers Assigned
 - 1. Once the direction and number range of a particular road segment has been determined, the numbering of the addressable structures and properties along the road segment shall be done utilizing an equal-interval methodology of ten addresses per one-hundred feet of road centerline. In locations where the standard interval has not been utilized in the past, the Address Coordinator shall interpolate address assignments within the existing addresses. The numbers shall be assigned from the beginning of the road segment. The numbers shall then be evenly distributed within the established number range.
 - 2. Even numbers shall occur on the south or west side of the road according to the general direction of the road and in the direction of increasing range. Odd numbers shall occur on the opposite sides.

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3. All addressable structures and properties shall be addressed on the named road which a structure's or properties numbered primary driveway intersects. The specific number shall be determined by the point at which the driveway meets the named road.
4. The number sequence for addressable structures or properties on opposite sides of a road should conform to each other as nearly as possible.
5. Half numbers shall not be used. Unit numbers or alphabetical suffixes are acceptable when a secondary address designation is necessary. In the event unit numbers or alphabetical suffixes are needed, all addresses using the primary number shall carry a unit number or alphabetical suffix.
6. Reverse frontage (thru) lots shall be numbered along the local road which provides primary access to the lot.
7. Corner lots shall be numbered on the road which provides access. Where the driveway for a corner lot intersects more than one street or the property contains a commercial, retail, or industrial land use, the Address Coordinator shall make the final determination as to which road to base the number, with consideration to such factors as the driveway's length, orientation of the structure and other relevant factors.
8. When two (2) addressable structures share an access, they shall be numbered consecutively with adequate consideration given to possible future development between the structures.

D. Mobile Home Developments

Within mobile home parks road naming and signing shall apply accordingly. Each mobile home lot shall be numbered in accordance with this Resolution. The mobile home park owner shall be responsible for posting lot numbers in a manner acceptable to the Address Coordinator in accordance with Article V of this Resolution.

E. Condominiums, Apartments, and Other Multi-dwelling Structures

Individual units shall be numbered considering the type of unit, the entrance location, and building design as follows:

1. Units with separate entrances visible and fronting a named road: The number shall be posted for each individual unit at its front entrance.
2. Units in multi-dwelling structures: A number shall be posted for each unit at the entrance. If the unit's entrance is located on an inside foyer or hallway, a building number shall be posted outside the building entrance. Each unit located on such foyer or hallway shall be provided with a numerical suffix as a secondary method of addressing. Specifically, ground floors should use suffixes in the 100's starting at unit 101, the second floor should use the 200's starting at unit 201 and so on to other levels (the basement level should use 000's starting at unit 001). The building number and road name followed by the unit's numerical designation shall form the address (Example: 630 Old Shady Grove Road, Unit 101). Numerical characters shall not be combined (as in 630-101 Old Shady Grove Road). For single level units and single unit structures with entrances not visible or fronting a named road, letters may be acceptable as a secondary method of addressing.

F. Commercial, Office and Industrial Complexes

For commercial, office, and industrial complexes, a numbering choice shall be made by the Address Coordinator from several methods:

1. Assign the number to the main building where all mail is to be received for the complex. Remaining structures or partitions shall be assigned suite numbers or letters.
2. Each principal building in the complex may be provided a separate number. The development name may be included in the address.
3. For shopping center development, a separate number shall be assigned for each unit's main entrance. Consideration should be given when assigning numbers to provide flexibility for adding stores and re-division of spaces. In the event a space is re-divided and no numbers remain available, alphabetical or numerical unit designations shall be used. Interior mall shopping centers should have one number assigned for the entire mall. Individual stores should not be assigned numbers except that secondary addressing may be provided. A separate property number may be assigned for the mall business office.
4. Where deemed appropriate by the Address Coordinator, a multiple-story building may be assigned one address number at its main entrance. Individual units may be provided with secondary addressing based on floor numbering together with unit appellation such as "suite" or "room". The first floor shall be assigned numbers beginning with 100 and numbers on each successive floor should increase to the next highest 100.

Article V. DISPLAY OF ADDRESS NUMBERS

Section 5.01 General Guidelines for Display of Address Numbers

- A. The address numbers shall be displayed as required by this Resolution prior to the commencement of construction and on the new structure prior to the first use or occupancy. The owner of each dwelling unit or business structure shall pay the cost of the fabrication and placement of each set of numbers required to identify such structure.

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- B. Address numbers shall be displayed at the primary access entrance on a post, fence or other suitable location and kept visible at all times as seen from the driver's line of sight when viewed at the intersection of the named road and the primary driveway access. If the structure is fifty (50) feet or less from the road and the entrance door of the structure is clearly visible from the road, numbers need only be displayed on, above, or at the side of the main entrance door in a manner that is clearly visible from the road upon which it is numbered. Addresses shall also be placed at any location where access diverges when the termination of the access is not apparent from the point of divergence.
- C. The address number shall be displayed as numerals and shall not be spelled out.
- D. For residential structures, the numerals displayed shall be at least four (4) inches in height on a contrasting background (dark figures over a light background or light figures over a dark background). For commercial, office, retail, and multi-building complexes, the numerals displayed shall be at least six (6) inches in height on a contrasting background.
- E. On corner lots, the number shall only be displayed to face the street upon which the property is numbered.
- F. Any numbers previously displayed which could be confused with or mistaken for the assigned address number shall be removed from all posted locations.
- G. Any address number associated with an incorrect physical address shall be removed and replaced with the correct number by the property owner within 30 days of notification of the correct address by the Address Coordinator. The property owner shall be responsible to purchase, install, and maintain the correct structure address numbers.
- H. Numbers shall be properly maintained by the property owner to ensure they are clearly discernible from the roadway upon which the property is numbered.

Section 5.02 Display of Address Numbers for Multi-unit Buildings and Multi-Building Complexes

- I. If a building is divided into multiple units with separate entrances, and each unit has been assigned an individual number, then each unit number shall be displayed on or next to the main doorway.
- J. The address range of all individual unit numbers within a multi-unit building shall be displayed in a manner that is clearly visible from the road upon which the units are numbered. If more than one building shares an access, then the address range shall also be displayed on each building.

Section 5.03 Additional Signage Required When Necessary

The Address Coordinator may also require numbers or address ranges to be posted in additional locations as deemed necessary to the purpose of Resolution.

Article VI. ADMINISTRATION

Section 6.01 Agencies to Be Notified of Numbers Assigned

The Address Coordinator shall notify the following agencies and departments of all approved road names and assigned numbers within five (5) days of assignment:

- Flathead County Department of Environmental Health
- Flathead County Plat Room
- Flathead County 911 Data Administration
- United States Postal Service Local Post Office
- Flathead Electric Cooperative

The Address Coordinator shall also notify any other governmental agencies or departments and utility requesting notification. All notifications are for information exchange only and the property owner or tenant is responsible for ensuring that their site address and mailing address is up-to-date with all parties.

Section 6.02 Compliance and Enforcement

Compliance with the procedures and standards set forth in this Resolution shall be mandatory.

Section 6.03 Effective Date

This Resolution shall be effective upon adoption. The Resolution may be amended by Resolution of the Board of County Commissioners.

ADOPTED this 2nd day of February, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By/s/ Absent
Dale Lauman, Member

ATTEST:
Paula Robinson, Clerk & Recorder

By/s/ James R. Dupont
James R. Dupont

By/s/ Diana Kile
Diana Kile, Deputy

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(Continued)

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[10:00:48 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, HR Director Raeann Campbell

Campbell presented the personnel transactions for the month of January.

Commissioner Dupont made a **motion** to approve the January personnel transactions. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

Campbell then reported the trust fund balance is up, claims are down and work comp expenses are ahead of one year ago. She then spoke about liability premiums which appear to be going up a minimum of five percent for Flathead County with auto claims and a Solid Waste incident driving the increase. Campbell then stated two defensive driving programs were held through MACo with the Road Department and Solid Waste attending. She then gave an update on the progress with Tyler payroll and 911 negotiations.

EMPLOYMENT CONTRACT DISCUSSION: R. CAMPBELL

[10:13:55 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, HR Director Raeann Campbell, Clerk Kile

Discussion was held relative to H. R. Director, Raeann Campbell's employment contract.

MEETING W/ PATRICK MILLS RE: ASHLEY VIEW ESTATES, LOT 1, CONDITION NO. 19

[10:15:51 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Planning & Zoning Director Jeff Harris, Planner Allison Mouch, Erica Wirtala, Patrick Mills, Clerk Kile

Wirtala reviewed preliminary plat condition 19 in regards to paving requirements and stated the applicant is asking to have condition 19 amended to allow him to put down a dust palliative for 15 years instead of paving. She then explained subdivision regulations state if you are under 200 vehicle trips per day you have the option to dust abate rather than pave. Wirtala then reviewed the formula for less than 200 vehicle trips per day and noted if there were more than 200 vehicle trips per day the option would not be there. She stated in August when they received preliminary plat approval they had a total vehicle trip count per day of 325, so the dust palliative option never came up. With this new information they have received from the Road Department that shows less than 200 vehicle trips per day they would like to exercise the option of putting down a dust palliative for 15 years instead of paving.

Mouch explained there was a reduced paving requirement already to 190 feet from the original 837 that was required from the actual formula from preliminary plat review.

Chairman Brenneman asked if the new information presented changes the requirements.

Mouch explained averaging is a new concept and that she came prepared to discuss the approach from the west end of Ashley Lake Road, which she assumes the count was taken from. She stated the original count used in the staff report was just using the east side entrance which seemed to be the most logical route.

Wirtala stated a concession was made during preliminary plat down to 190 feet of paving and if they were to go back and use the 837 feet and double that he is still doing that by dust abating 2,000 feet.

General discussion continued in regards to calculations used and condition 19 which was based upon a request from the applicant during approval of preliminary plat.

Chairman Brenneman stated the proposal is that condition 19 be removed and replaced with language stating: The applicant shall provide dust abatement on 2,000 feet of Ashley Lake Road for 15 years.

Mouch further clarified condition 19 will state: The applicant shall provide dust abatement on 2,000 feet of North Ashley Lake Road adjacent to the subject property for 15 years.

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(Continued)

Commissioner Dupont made a **motion** to change condition 19. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

MEETING W/ INGA CHEETHAM RE: COUNTY SNOWPLOWS

[10:35:51 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Public Works Director Dave Prunty, Operations Manager Road & Bridge Dept. Guy Foy, Road Foreman Ovila Byrd, Inga Cheetham, Clerk Kile

Inga Cheetham met with the commission and expressed her concerns in regards to county snowplows plugging her driveway when Lake Five Road is plowed. She stated she has called the Road Department numerous times and the problem has not been resolved. Cheetham spoke about concerns she has in regards to being able to get out in case of an emergency and asked that the county scoop out driveways when plowing.

Commissioner Dupont stated the only solution he can see would be to not plow Lake Five Road.

Chairman Brenneman said they can choose to not maintain county roads.

Cheetham said when the road is being plowed snow is purposefully being put into her driveway.

General discussion was held in regards to the problem in which it was stated by the commission that the county cannot make exceptions to plowing out driveways.

EMPLOYMENT CONTRACT DISCUSSION: JIM ATKINSON

[11:01:50 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Director AOA & RSVP Jim Atkinson, Clerk Kile

Discussion was held relative to AOA Director, Jim Atkinson's employment contract.

DOCUMENT FOR SIGNATURE: 48 NORTH ENGINEERING AGRICULTURAL TECHNICAL SUMMARY REPORT/ FLATHEAD COUNTY RIVER COMMISSION

[11:15:27 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Alan Wendt, Clerk Kile

Commissioner Dupont made a **motion** to approve the document for signature and authorized the chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: 911 PHONE SYSTEM

[11:17:27 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Deputy Director OES Cindy Mullaney, 911 Technology Program Manager Paul Schauble, Clerk Kile

Schauble explained the contract is for the equipment that allows them to receive 911 calls and all the pertinent information that goes along with it.

Chairman Brenneman expressed his concerns in regards to troubleshooting and maintenance.

Schauble said they are still at the mercy of the system and would have to rely on the 911 network. He stated when someone calls 911 in Flathead Valley there are two selective routers the calls go through.

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(Continued)**

Commissioner Dupont made a **motion** to authorize the chairman to sign the contract with Positron. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: EMPLOYMENT AGREEMENT/ MIKE PENCE

[11:30:37 AM](#)

Members present:

Chairman Joseph D. Brenneman

Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Dupont made a **motion** to approve Mike Pence's employment contract. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

5:00 p.m. Commissioner Brenneman & Lauman: Kalispell Chamber of Commerce "Unwind" @ Southfield Tower

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 3, 2010.

WEDNESDAY, FEBRUARY 3, 2010

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

11:00 a.m. County Attorney meeting @ Co. Atty's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 4, 2010.

THURSDAY, FEBRUARY 4, 2010

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

8:30 a.m. Commissioner Dupont: AOA TAB @ Eagle Transit

3:30 p.m. Commissioner Brenneman: Glacier Bank 6th Annual Economic Roundtable @ Hilton Garden Inn

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 5, 2010.

FRIDAY, FEBRUARY 5, 2010

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

9:00 a.m. Subdivision Review Committee meeting @ Commissioners' Meeting Room

10:00 a.m. Settlement Conference @ County Attorney's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 8, 2010.
