
MONDAY, DECEMBER 20, 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.

Richard Hader a resident on Foothills Road spoke about his concerns in regards to safety on a county road south of Mountain Brook School. He explained when he recently was gone for some time and returned his fence had been knocked down from vehicles going through it which has happened many times. He stated this has been an ongoing problem for him and asked for direction in fixing the problem.

Eric Wood spoke about his concerns about Tim Grattan being a part-timer resident of Flathead Valley and said he would like to see a member appointed to the Airport Authority Board that would be able to devote more time with the issues at hand.

Natalie Moore read an e-mail that was sent to each commissioner. She urged them to not re-new Tim Grattan's appointment to the board and stated she would instead like a resident that is able to physically attend the board meetings. Moore said Mr. Grattan was only able to physically attend three board meetings in 2010, and added no matter how dedicated he says he is he cannot truly give his all regarding issues that arrive when he is not in the valley. Moore stated I do not doubt that he is dedicated to Montana, but finds it hard to believe that he is an actual working member of the board when he physically is not here the majority of the time. She stated flights in and out of the airport have dwindled dramatically over the past four years with the airport board and airport manager seeming to be more interested in lining their own pockets, than the well being of the valley by failure to bring more flights and revenue; it's time for a change.

Kim Williams stated she also opposes Tim Grattan being re-appointed and said she feels they need someone who lives in the valley on a full-time basis that knows the challenges and changes in the valley.

Rob Rattowski, Deputy Director at Glacier Park International Airport said it has come to his attention that some disparaging comments have been made in the past during commissioner meetings regarding the condition of the airport and terminal building. He stated the comments were self serving and unfounded and as the person responsible for the operations of the airport he said he took great exception to the comments; as well as the many dedicated employees that are responsible for the day to day operations and maintenance of the airport. Rattowski said the board and management team have exceedingly high expectations for the esthetics of the airport and safety of the operation. He stated the daily operations of the airport are safe, secure and efficient and the staff of professionals is dedicated to the mission. The airport he noted is a vital economic resource for the community and the Airport Authority Board recognizes that fact and has invested heavily in the airports infrastructure and will continue to do so. He stated the commitment is evidenced by their capital improvement program which includes over \$26 million in airport capital improvements over the next six years. Rattowski then said if there are any members of the commission or any in the audience today that would like to discuss the operations and maintenance policies that they would certainly arrange a meeting.

Cindi Martin, Director of Glacier Park International Airport seconded the comments made by Rob Rattowski and said the folks responsible for the day to day operations of the airport she could assure are taking care of the facility in a first class manner and operations are safe and secure. She said the airport commission has worked very hard over the many years to invest in the facility which is a \$44 million dollar asset; \$5.6 million is in cash reserves and they continue to put between one quarter and half a million away for reserves for reinvestment into the facility every year which is self sufficient. Martin explained they have service by four carriers to five destinations; major hubs with two additional hubs during the summer months and they are about to announce a sixth year around hub after the New Year. She noted air service at the terminal has always been seasonal, but despite the downturn in the economy they have been able to maintain their air service and actually have better air service than five years ago. She stated Mr. Grattan has been one of the finest board members she has had the pleasure to serve under in her 27 years in the business; despite what you have heard this morning he has missed one meeting this year and participates in committee meetings.

Jim Trout said he echoed the comments made by Ms. Martin and stated Mr. Grattan like himself is a computer dinosaur, yet still attends meetings by conference call or skype. He noted Mr. Grattan has a background in real estate and the tourism industry which fits wonderfully and is a valuable asset to the board.

Sandra Janny a Flathead Valley resident said she is excited about the enthusiasm she sees in board member interest. She stated as she understands it there are several qualified people that have applied to the board that live in the valley fulltime and are eager to utilize their expertise; one in particular Mr. Crandall who travels internationally for the Department of Defense would certainly be qualified to address issues pertaining to security in this day and age. Janny urged the commission to consider some of the other applicants.

Commissioner Dupont stated he does not recall anyone complaining about the condition of the airport. He said he feels they do a fabulous job there and that it is the cleanest airport he has been in from check in to check out.

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

MONDAY, DECEMBER 20, 2010
(Continued)

MONTHLY MEETING W/ JIM ATKINSON, AOA

[9:02:00 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, AOA Director Jim Atkinson, Clerk Kile

Jim Atkinson met with the commission and reported on bus ridership, mobile home repairs and potentially moving to Gateway West Mall. Discussion was held relative to applying for a CDBG grant and the costs involved in moving to a different facility.

PUBLIC HEARING: CREATION OF LAKESIDE BOULEVARD NORTH ZONING DISTRICT

[9:30:29 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Dale W. Lauman (via phone)
Commissioner James R. Dupont

Others present:

Deputy County Attorney Peter Steele, Planning & Zoning Director B J Grieve, Gregg Schoh, John Ruch, Diane Jenks, Jim Jenks, Tim Twamley, Barbara Hall, Rex Boller, Pam Holmquist, Muffie Thompson, Clerk Kile

B J Grieve reviewed the request submitted for a proposal to create a new zoning district which would be known as "Lakeside Boulevard North Zoning District". The area is unzoned and located north of downtown Lakeside on 87.4 acres. The proposed zoning would be an implementation of the Lakeside Neighborhood Plan and the Flathead County Growth Policy. He reviewed dates of hearings and stated everyone on their mailing list has received two documents in the mail; one about the workshop and the other in regards to the Flathead County Planning Board hearing. Grieve noted the Lakeside Community Council and Flathead County Planning Board forwarded a recommendation of approval.

Chairman Brenneman opened the public hearing to anyone wishing to speak in regards to creation of Lakeside Boulevard North Zoning District.

Tim Twamley stated he is totally against creation of the district and has been from the start, mainly because he feels it has been based on a false premise. He said a letter was sent out explaining the reasoning for zoning the area and none of them have been brought forth as the main point; they were using it as an anti-condominium plan, which gave them the majority of their approval. Twamley said those on the mailing list that signed the petition signed it under false pretenses, and although they have signatures they don't have the whole story with landowners divided. He also said the R-2 zoning is not a good fit with the properties with dozens of them being non-compliant and suggested R-4 is a better fit to match the uses there.

Greg Schoh, 180 Lakeside Boulevard said the application has been ongoing between many of his neighbors for several years, and everyone he contacted was given copies of R-2 zoning regulations and all other applicable regulations that would affect the properties. He stated he feels no one was misled with the vast majority of the neighborhood wanting to see the area kept as a residential single family type neighborhood.

John Ruch, 309 Lakeside Boulevard said for many years they have wanted zoning in order to protect their property values and not have the enjoyment of their homes spoiled. He stated in the brief 1 ½ weeks those signatures were gathered on the petition that approximately 74 percent of the land owners signed, and that number would have been greater if so many hadn't been absent. Ruch noted Lakeside Community Council and Flathead County Planning Board have both recommended approval.

Muffie Thompson, 6885 Hwy. 93 South gave a kudos to the group that handled the proposed Lakeside Boulevard North Zoning District. She stated those that have brought this forth have done it efficiently and correctly with collaboration and unity present.

Diane Jenks, 183 Lakeside Boulevard North spoke about her concern in regards to safety on the narrow road. She questioned who would be responsible for the road if R-4 zoning was to be approved.

Rex Boller, 320 Lakeside Boulevard asked what the percentage of affected property owners that were in favor of the proposed zoning was.

B J Grieve noted it was approximately 74 percent.

Rex Boller said as he understands it this is a large majority that they normally don't get for a zoning petition, which indicates that the people want it. He stated Flathead County Planning Board and Lakeside Community Council unanimously approved it and it is a good example of good zoning that the people want. He pointed out he is the only individual with a commercial lot in the development and right after the zoning petition was rendered there was a flurry of activity for landowners claiming they were commercial.

B J Grieve clarified the staff report does say the applicants supporting R-2 zoning use was signed by 67 percent of the landowners totaling 74 percent of the land area.

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

MONDAY, DECEMBER 20, 2010
(Continued)

Commissioner Lauman said looking at Flathead County over the years there are areas that probably should never be zoned, and other areas that are zoned that don't fit the area. He said looking at Lakeside Boulevard over the last 20 years that it is an area that probably should have been zoned earlier.

Commissioner Lauman made a **motion** to adopt Resolution 2276 and authorized the chair to sign the publication of the Notice of Passage of Resolution of Intent. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

RESOLUTION NO. 2276

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 6th day of December, 2010, concerning the creation of a new zoning district to be known as the Lakeside Boulevard North Zoning District;

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on December 6 and December 13, 2010;

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

WHEREAS, the Board of Commissioners has reviewed the recommendation of the Flathead County Planning Board regarding the creation of the Lakeside Boulevard North Zoning District.

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 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 Lakeside Boulevard North Zoning District. This proposed zoning district contains 87.4 acres of property north of downtown Lakeside and is generally located between US Highway 93 to the west, Flathead Lake to the east, Caroline Point Road to the north and the Lakeside Zoning District to the south. The proposed use classification is R-2 (One Family Limited Residential). This is a district to provide for large-tract residential development. These areas will typically be found in suburban areas, generally served by either sewer or water lines.

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 district, that the regulations for the proposed district are on file in the Clerk & Recorder's Office, and that for thirty (30) days after the first publication of the notice the Board will receive written protests to the change to the Lakeside Boulevard 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 Lakeside Boulevard North Zoning District for a period of thirty (30) days after the first publication of 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 (40%) of the free-holders protest the proposed creation of the Lakeside Boulevard North Zoning District, then that zoning district will not be created.

DATED this 20th day of December, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

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

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
LAKESIDE BOULEVARD NORTH 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. 2276) on December 20, 2010, to create the Lakeside Boulevard North Zoning District under Section 76-2-206, M.C.A.

The boundaries of the proposed "Lakeside Boulevard North Zoning District" cover 87.4 acres of property north of downtown Lakeside and generally located between US Highway 93 to the west, Flathead Lake to the east, Caroline Point Road to the north and the Lakeside Zoning District to the south.

The proposal is to zone the property described and would classify the property within the District as R-2 (One Family Limited Residential). The R-2 classification is to provide for large-tract residential development. These areas are typically found in suburban areas, generally served by either sewer or water lines.

The proposed zoning district would be regulated by the Flathead County Zoning Regulations. The regulations defining the R-2 zone 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 creation of the "Lakeside Boulevard North Zoning District" are also on file for public inspection at the Office of the Clerk and Recorder and the Flathead County Planning and Zoning Office.

MONDAY, DECEMBER 20, 2010
(Continued)

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 Lakeside Boulevard North Zoning District, 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 20th day of December, 2010.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Diana Kile
Diana Kile, Deputy

Publish on December 23 and December 30, 2010.

BOARD APPOINTMENTS: MISCELLANEOUS

[10:00:56 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner Dale W. Lauman (via phone)
Commissioner James R. Dupont

Others present:

Cindi Martin, Jim Trout, Rob Rattowski, Jeanne Gwin, Kim Williams, Sandy Janny, Eric Wood, Natalie Moore, Hank Galpin, Chris Inahnit, Jaben Wood, Ardis Larsen, Pam Holmquist, Clerk Kile

Commissioner Dupont made a **motion** to appoint Bruce Aronson to the Animal Shelter Advisory Committee. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to appoint Terrill Guidi, Scott Huckeba, Michael Huekhang and David Gray to the AOA Board. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Chairman Brenneman made a **motion** to re-appoint Tim Grattan to the Airport Authority Board. Commissioner Dupont **seconded** the motion.

Commissioner Dupont said he has known Tim Grattan for 25 years and feels he is one of the greatest guys he has ever met and has done a great job at the airport. He stated he was in full support of him when he spoke to him several months ago, and after finding out he is not a fulltime resident that it disturbed him in that he was never told by Mr. Grattan that he wasn't a fulltime resident. He added when being out of Flathead County for the length of time that he is that he doesn't feel it is a good position for him to be in although he can call in its not like being here. Dupont said he doesn't feel he can vote for him, but that he deserves a courtesy for a second.

Chairman Brenneman said for the first four years of his term when the Airport Authority Board openings came up there usually was no controversy, and they took the recommendation from the Airport Authority Board for the appointment. He stated one thing that has changed has been the desire and decision by the board with as he understands it is with the endorsement from the commissioners to move from using TSA to contracting, and it is my opinion that the hesitancy and unwillingness to support the board members in the last two years has been for that very reason, which I find bizarre in a way because this is an example of moving from federal employees to a private contractor which is what we hear we are suppose to be doing. He stated it reminds him of the efforts to consolidate the County Superintendent of Schools when in fact we could provide the same or better service at less money; we had a room filled full of anti government people saying please don't do away with our government. It is my belief he stated it is in the best interest of the Airport Authority Board that Mr. Grattan be re-appointed, although I certainly understand and appreciate the comments from Commissioner Dupont; I agree it's a tough call and we obviously have qualified individuals who have applied, but it is my belief it is in their best interest to continue with the present incumbent.

Commissioner Lauman commented in the past year he has probably received more e-mails concerning the Airport Authority Board and their activities than in the four years he has been a commissioner; it makes me think there needs to be a change.

Chairman Brenneman said in response to that those complaints are fueled by what I think is a good move to provide better service at less money, and the employees have obviously organized a fairly effective campaign against that.

Aye – Brenneman. **Opposed** – Dupont and Lauman. Motion fails.

Chairman Brenneman said if we are not re-appointing Mr. Grattan the by-laws state they should be appointing from an equal geographic representation.

Commissioner Dupont said I have gone through the resumes' and letters of interest from those that applied to the Airport Board and find Trevor Schaefer certainly has an educational and business background to support a position on the board. He stated he has been a long time pilot, graduate of the Air Force Academy and has been in management and owns businesses in Flathead County that depend on tourism. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

MONDAY, DECEMBER 20, 2010
(Continued)

Commissioner Lauman made a **motion** to re-appoint Rick Skyburg and Mark Lampman to the Columbia Falls Cemetery Board. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Dupont made a **motion** to re-appoint Mark Norley to the Conrad Mansion Board of Directors. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Chairman Brenneman made a **motion** to appoint Wes McAlpin and Mike Mower to the Fair Board. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Chairman Brenneman made a **motion** to appoint Dr. Wayne Miller and David Myerowitz to the Health Board. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Chairman Brenneman made a **motion** to appoint Frank Gebhardt to the Fairview Cemetery Board. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Dupont made a **motion** to re-appoint Lynn Ogle to the Fire Service Area Advisory Board as the North Fork representative. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to re-appoint Robert Kun to the Flathead County Emergency Medical Service Administrative Board. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Chairman Brenneman made a **motion** to re-appoint Roy Hutchin and appoint Robert Faulkner and Warren Illi to the Flathead County River Commission. Motion **failed** for lack of a second.

Commissioner Dupont made a **motion** to appoint Verdell Jackson to the Flathead County River Commission. Commissioner Lauman **seconded** the motion.

Commissioner Dupont said Mr. Jackson has been involved in water quality issues in the State of Montana as a Senator and is on top of the list for the invasive species problems they are having. He also has done a lot of work in Helena in regards to that and stated he would be a good choice for the position.

Chairman Brenneman said he could not support Mr. Jackson because of the bill he introduced that had the bizarre notion that 20 foot was enough of a riparian area protection for rivers; that is bizarre in so many ways.

Aye - Lauman and Dupont. **Opposed** – Brenneman. Motion carried by quorum.

Chairman Brenneman made a **motion** to appoint Warren Illi to the Flathead County River Commission. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Chairman Brenneman made a **motion** to re-appoint Roy Hutchin to the Flathead County River Commission. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to re-appoint Linda DeKort to the Mosquito Control Board. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Dupont made a **motion** to re-appoint Gary Hall and appoint Paul Johannsen and Rick Blake to the Port Authority Board. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to re-appoint Roxy Larsen, Tony Yeager and Clare Hafferman to the RSVP Advisory Board. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Dupont made a **motion** to re-appoint Greg Acton to the Solid Waste Board as the Whitefish representative. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to re-appoint Gary Riecke to the Swan Hill TV District. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to appoint William Paullin to the Tax Appeal Board. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to appoint Doug Gilbertson and Bill O'Leary to the Transportation Advisory Board. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Dupont made a **motion** to appoint Steven Hughes to the Columbia Falls City County Planning Board. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

Commissioner Lauman made a **motion** to appoint Alan Wendt to the West Valley Land Use Advisory Committee. Commissioner Dupont **seconded** the motion. **Aye** - Brenneman, Lauman and Dupont. Motion carried unanimously.

MONDAY, DECEMBER 20, 2010
(Continued)

MEETING W/ JAMES FREYHOLTZ/ MDOT RE: SPEED STUDY ON HWY 2 WEST

[10:29:54 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, James Freyholtz, Clerk Kile

Freyholtz reviewed the results of a speed study done at the request of Flathead County to extend the 60 MPH speed zone west from Batavia Road to milepost 110 west of Kila Hill. He stated the recommendation from the study is to drop the current speed limit from 70 MPH to 60 MPH

The commission agreed to endorse the recommendation with a follow up letter of support.

DOCUMENT FOR SIGNATURE: PURCHASE OF ADDITIONAL LAND FOR HERRON PARK

[10:42:32 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Deputy County Attorney Peter Steele, Legal Assistant Debbie Boreson, Tom Esch, Jim Watson, Elizabeth Makman, Cathryn McDewitt, Liz Seabaugh, Clerk Kile

Peter Steele stated the documents for signature are a resolution, contract and grant deed for the purchase of 40 acres that Flathead County will pay \$62,500 out of the cash-in-lieu fund and the Foy's to Blacktail group will pay \$280,000 of money they raised for Herron Park. He noted eventually they intend to own 320 acres.

Commissioner Dupont made a **motion** to adopt Resolution 2279 and authorized the chair to sign the contract for sale and grant deed. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

RESOLUTION NO. 2279

WHEREAS, The Conservation Fund ("TCF"), owns real property in Flathead County, adjacent to Herron Park;

WHEREAS, TCF desires to transfer the real property to Flathead County;

WHEREAS, Flathead County desires to own the real property and to manage the property as an addition to Herron Park;

WHEREAS, it is the intention of TCF and Flathead County to execute the two attached documents, namely:

1. Contract for Sale of Real Estate ("Contract"); and
2. Grant Deed ("Deed");

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that Joseph D. Brenneman, Chairman, is duly designated and authorized to immediately sign the Contract and the Deed.

IT IS FURTHER RESOLVED, that as soon as the Contract and the Deed are fully executed, delivered and recorded by TCF, Flathead County will take possession and maintain the property as a public park pursuant to the conditions set forth in the Deed.

Dated this 20th day of December, 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

Jim Watson stated the parks board is firmly behind the purchase with this being the first of eight planned purchases to acquire all of the 320 acres adjacent to Herron Park.

MONDAY, DECEMBER 20, 2010
(Continued)

APPOINTMENT OF COMMISSIONER TO 911 ADMINISTRATIVE BOARD

[10:53:44 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Chairman Brenneman made a **motion** to appoint Commissioner Dupont to the 911 Administrative Board effective immediately. Commissioner Dupont seconded the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTALS: OFFICE ASSISTANT III & DEPUTY COUNTY ATTORNEY/ COUNTY ATTORNEY'S OFFICE, FLEET AND SHOP SUPERVISOR , AUTO BODY TECHNICIAN MECHANIC & ROAD AND BRIDGE SUPERVISOR/ ROAD DEPT.

[10:54:37 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, County Attorney Office Administrator Vicki Eggum, Clerk Kile

Mike Pence reported the Office Assistant III and Deputy County Attorney positions were approved in the budget for .5 FTE to start in January and the Road Department Transmittals are job re-classifications. He noted the Fleet Supervisor and Road and Bridge Supervisor will go from union to non-union exempt positions and the Auto Body Technician is a job description change.

Commissioner Dupont made a **motion** to approve the HR Transmittals as described. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

MEETING W/ B J GRIEVE PLANNING & ZONING OFFICE RE: PLANNING BOARD DRAFT WORK PLAN/ UPDATE GROWTH POLICY

[11:00:33 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Planning & Zoning Director B J Grieve, Planner Allison Mouch, Clerk Kile

B J Grieve reviewed the growth policy work plan update proposed. He explained the Planning Board Sub Committee met on November 17, 2010 to discuss the outcome of the public workshop held on October 20 to develop a scope of work for updating the growth policy by April of 2012. It was noted Allison Mouch will be the planner organizing and maintaining records for the update. Discussion was also held relative to allocation of CTEP funds related to the Red Bridge, Swan River Road and Lakeside.

Chairman Brenneman clarified they allocated a maximum to each project and will only deliver the funds when other funding is in place.

FINAL PLAT: DWAYNE'S VILLAGE

[11:23:22 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Planning & Zoning Director B J Grieve, Planner Allison Mouch, Murphy Wagar, Clerk Kile

Allison Mouch entered into record FFP 10-11, Dwayne's Village (Marion Mobile Court); an application submitted by Murphy and Michelle Wagar with technical assistance from Stelling Engineers Inc. and Smith Surveying for final plat approval of a subdivision creating three lots located at 8315 Hwy 2 West in Marion. Preliminary plat approval was granted on June 11, 2008, subject to 20 conditions. It was noted preliminary plat was reviewed as a subdivision creating three individual lots (two commercial and one for future manufactured homes). Mouch explained as a major subdivision for rent or lease with one of the lots intended for 22 mobile home spaces it was determined the final plat creating three individual lots would require approval prior to the applicant submitting a revised preliminary plat for the mobile home park with certain conditions applicable to the subdivision as a whole, and other conditions specific to a mobile home park.

Commissioner Dupont made a **motion** to approve FFP 10-11. 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 December 21, 2010.

TUESDAY, DECEMBER 21, 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. Commissioner Brenneman: Interoperability Montana Webinar
7:00 p.m. Commissioner Brenneman: Flathead County River Commission meeting @ Earl Bennett Bldg., Conference Room C

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 22, 2010.

WEDNESDAY, DECEMBER 22, 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.

Rick Breckenridge, 285 First Avenue East spoke in regards to the nomination of Senator for Senate District 6 on the agenda today. He stated he is a Republican Party, Precinct Committee person elected out of Lake County and is on the nominating committee for selection of the next Senator for Senate District 6. He explained they have not confirmed the nominees yet so they will not be able to vote on this today. Breckenridge then spoke about concerns in regards to the Master Plan not being rescinded by Flathead County which he stated should have been done.

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

DOCUMENT FOR SIGNATURE: DIGITIZING IMAGES AGREEMENT/ FIDELITY NATIONAL TITLE AND CLERK & RECORDER'S OFFICE

[9:15:40 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk & Recorder Paula Robinson, Recording Manager Monica Eisenzimer, Clerk Kile

Paula Robinson reviewed the agreement made with Fidelity National Title to digitize county images from reception books and recorded documents at no cost to Flathead County.

Discussion was held relative to confidentiality concerns.

Commissioner Dupont made a **motion** to sign the agreement with Fidelity National Title. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF RESOLUTION OF INTENT: NORTH FORK ZONING SIZE & SCALE EXTRACTIVE INDUSTRIES TEXT AMENDMENT/ FLATHEAD COUNTY ZONING REGULATIONS

[9:24:53 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 Peter Steele, Planning & Zoning Director B J Grieve, Gary Krueger, Pam Holmquist, Clerk Kile

Chairman Brenneman noted the North Fork zoning size and scale extractive industries text amendment was considered several weeks ago at which time it was taken under advisement.

Commissioner Dupont asked Planning and Zoning Director B J Grieve if there is currently a classification up the North Fork for a residential area.

B J Grieve explained he reviewed the North Fork Neighborhood Plan and existing zoning in terms of whether or not it is residential and found nothing specifically that he could find which specifies a specific land use for North Fork; in some areas you have zoning which is R1 which is considered a residential zone, and other areas zoned in Flathead County are zoned with zones unique to the area, such as West Valley or CALURS. He noted there is reference in the North Fork plan to it being primarily a residential agricultural and commercial zone. An analysis in the staff report he stated has maps of all the private property within the North Fork and which of the zones are currently used. Grieve said there is an awful lot of residential and agricultural and very little commercial. He then stated by way of comparison CALURS zoning states in the zoning that it is primarily a residential zone, and West Valley zoning does not. However, he noted the courts have determined that it is in fact primarily a residential zone. Grieve noted he could not find anything similar for clarity on the issue regarding North Fork.

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(Continued)

Chairman Brenneman asked if it was true that in general our assumption is if the zoning classification carries the word residential in it that is a place where specific to gravel extraction that industry might be prohibited from taking place, and in fact the reason West Valley is defined as residential is because it was taken to court and the determination was that the whole thing was residential. Brenneman said the court decision doesn't necessarily apply to any other zoning district in Flathead County.

B J Grieve said that is correct; if the court decision regarding West Valley zoning was limited to the West Valley zone.

Chairman Brenneman said is general zoning throughout Flathead County; that it has been there assumption with their attorneys that the state law that says you can prohibit gravel extraction altogether in residential zones, that only applies to zones that have the word residential in them R1 may be SAG5 or generally accepted as residential. Brenneman noted pretty much AG20 and above is non-residential – correct.

B J Grieve said I understand what you are saying but am not in a position to confirm that assumption.

Chairman Brenneman said that issue aside this particular text amendment just states that in the North Fork area all zoning designations, they aren't going to prohibit or even say that is a possibility of prohibiting gravel extraction; they are just saying we want to limit it to a certain amount per year.

B J Grieve said the amendment being considered adds a definition of extractive industries to the North Fork zoning. He clarified the North Fork zoning is a zoning district and everything within that boundary the zone is NF; within that there is no individual residential zone. For example he stated in Bigfork you are used to seeing SAG5 / SAG10 and in the North Fork it is all NF, and determining whether that is residential or commercial is challenging. Grieve said the issue here is the definition being considered is the definition for extractive industries, which states commercial or industrial operations involving the removal and processing of natural accumulations of sand, rock, soil, gravel or any mineral limited to no greater than five acres, and not more than 20,000 tons/ 2,000 pounds per ton – per year.

Chairman Brenneman said essentially there is a state law that says you can't prohibit the beneficial use of extractive resources on property.

B J Grieve explained it says it the other way around; you can only prohibit it in residential zones.

Chairman Brenneman said there is a state law that says you can't prohibit the use of it and subsequent to that; you can do it in residential areas. He then added regardless of that interpretation this doesn't say you can't use the gravel on your land.

B J Grieve said that is correct; it does not outright prohibit gravel extraction, but limits it in scope and scale. He stated the North Fork zoning does still list extractive industries as conditional uses, so whether you are taking one ton or up to this tonnage if it were adopted it is still a conditional use permit. Right now he noted it is a conditional use regardless of the size and this would add a cap.

Chairman Brenneman said once the possibility of this was made aware of the North Fork LUAC got together and decided they wanted to add this to their zoning classifications.

B J Grieve stated on August 7, 2010 the North Fork LUAC held a public meeting to review the proposed amendment and to make a recommendation to the Flathead County Planning Board; at that time the North Fork LUAC voted unanimously to support the proposal. He stated it then went to the Flathead County Planning Board on August 11, 2010 and a couple of findings of fact were amended and a vote of approval 7-1 was received. It then came before the commission on October 19, at which time it was taken under advisement.

Chairman Brenneman said during the public hearing held the only public comment they had against the proposal was from two citizens that do not own land in the North Fork area. He noted the proposal was endorsed by most of those present at the public hearing and certainly by those who have land in the North Fork, and made it known they own land in the North Fork. Brenneman said as he remembers it was Mr. Krueger and Mr. Lapp who were opposed to the amendment and asked if they own land in the North Fork.

Gary Krueger said he has family members that do own land in the North Fork but he doesn't.

Chairman Brenneman made a **motion** to adopt Resolution 955HH and authorized publication of the Notice of Passage of Resolution of Intent. Motion **died** for lack of a second.

Chairman Brenneman commented that he is disappointed in that people who get together and follow the laws that have to do with planning how their future is going to look get this far and then on the whim --

Commissioner Dupont said it is restrictive my the mere presence of where it is with the commercial use, and I can't imagine it ever being a commercial use; I've heard a lot of talk about water quality and this extends through the North Fork upwards of 10 miles from any water source, so I don't think that is an issue and the road is terrible. Dupont stated it seems government intervention when it totally is not necessary.

Chairman Brenneman said certainly a strong argument is it is fact a denial of property rights; people who get together and follow the law, and have the right to make decisions about the future of their land involving predictability have a right to do so.

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(Continued)

CONSIDERATION OF ADOPTION OF RESOLUTION: TREASURER ISSUE TAX DEEDS

[9:36:38 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 Peter Steele, Pam Holmquist, Clerk Kile

Discussion was held relative to the description of the property listed on Exhibit A, which is not an exact description of the property. Peter Steele stated the document would be reworded and brought back for consideration.

DOCUMENT FOR SIGNATURE: STANDARD AGREEMENT STATE HWY TRAFFIC SAFETY/ SHERIFF'S OFFICE

[9:39:46 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Pam Holmquist, Clerk Kile

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

BI-MONTHLY MEETING W/ DEBBIE PIERSON, GRANT WRITER

[9:43:12 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Pam Holmquist, Clerk Kile

Debbie Pierson met with the commission and reported on grants currently being worked on and explained administrative duties are taking up a considerable amount of time.

BUDGET AMENDMENT: RSID #146 & RSID #147

[9:41:20 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Finance Technician Lora Burger, Clerk Kile

Lora Burger explained the amendment is in regards to administrative fees.

Commissioner Dupont made a **motion** to approve Budget Amendment Resolution #2281. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

BUDGET AMENDMENT
RESOLUTION # 2281

WHEREAS, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2009-2010, are required, and;

WHEREAS, Section 7-6-4031, M.C.A. and Budget Resolution No. 1689, allow budget transfers to be made between items in the same fund.

NOW, THEREFORE, BE IT RESOLVED, that the attached list of transfers and revisions shall be made in the budget for Flathead County for Fiscal Year 2009-2010; and

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

BE IT FURTHER RESOLVED, that this Resolution and the attached list of transfers and revisions shall be entered into the minutes of the Board of Commissioners.

Dated this 22nd day of December, 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

DATE OF ISSUE:		12/21/2010		BUDGET ENTRY		VOUCHER NO.:	
DATE OF RECORD:						Entered by:	
				RESOLUTION #2281			
Fund	Dept	ACTIVITY	OBJECT	ACCOUNT DESCRIPTION	DEBIT	CREDIT	
4246	0200	430251	357	Prof Serv	17,300.00		
4247	0200	430251	357	Prof Serv	20,350.00		
Explanation					37,650.00	0.00	
Increase FY10 Budget Expenditures for RSID #146 and #147 revolving and administration fees							

Lora Burger also presented to Chairman Brenneman a transmittal letter for the annual financial report with brief summaries that she noted will be sent out next week in order to meet the December 31, 2010 deadline.

DOCUMENT FOR SIGNATURE: CONTRACT FOR SERVICES/ FLATHEAD COUNTY INFORMATION TECHNOLOGY AND CITY OF KALISPELL

[9:48:51 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, Pam Holmquist, Clerk Kile

Vicki Saxby explained the contract with the City of Kalispell is for Flathead County to provide backup support services to the city.

Commissioner Dupont made a **motion** to authorize the chair to sign the contract for services with the City of Kalispell. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

BOARD APPOINTMENT: WEED & PARKS BOARD

[9:51:33 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Pam Holmquist, Clerk Kile

Commissioner Dupont made a **motion** to re-appoint Roy Sanders and James Buechle to the Weed & Parks Board. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF PRINTING BIDS: SHERIFF'S OFFICE

[9:52:04 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Pam Holmquist, Clerk Kile

Commissioner Dupont made a **motion** to authorize the chair to sign the print bid from O'Neil Printers for 10,000 inmate rule tablets for \$774.00 and 10 inmate signs for \$34.00 from North Star Printing. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

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(Continued)

NOMINATION OF SENATOR FOR SENATE DISTRICT 6

This meeting was postponed.

BI-MONTHLY MEETING W/ KIM CROWLEY, LIBRARY

10:05:37 AM

Members present:

Chairman Joseph D. Brenneman

Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Library Director Kim Crowley, Library Assistant Connie Behe, Clerk Kile

Kim Crowley met with the commission and reviewed the yearly statistics report for library usage and explained how visitors are counted at each branch library.

Yearly Historical Circulation Statistics Flathead County Library System									
Refreshed Friday, July 23, 2010									
Station Library	Measures	2004	2005	2006	2007	2008	2009	2010	5-yr % increase
BIGFORK	Total Circulation	22,310	22,638	21,185	21,798	21,031	23,930	27,295	21%
	Checkout Item	21,049	21,174	19,643	20,045	18,389	21,693	25,049	18%
	Staff Renewals	1,175	1,122	989	895	925	971	1,143	
	Patron Renewals	83	342	553	858	1,717	1,265	1,103	
COLUMBIA FALLS	Total Circulation	52,027	54,332	51,853	56,655	57,944	71,267	79,968	47%
	Checkout Item	45,490	48,504	47,230	50,945	51,718	64,050	72,384	49%
	Staff Renewals	3,479	4,060	3,506	3,682	3,157	4,001	4,023	
	Patron Renewals	481	991	1,092	2,028	3,069	3,216	3,560	
MAIN	Total Circulation	264,453	261,400	268,673	288,470	315,731	371,314	400,053	53%
	Checkout Item	237,774	235,873	240,574	257,190	272,020	310,374	326,683	38%
	Staff Renewals	20,050	16,330	15,109	15,577	17,315	20,105	22,282	
	Patron Renewals	6,618	9,186	12,989	15,702	26,395	40,833	51,087	
WHITEFISH	Total Circulation	72,565	73,278	76,095	75,501	81,913	90,648	92,386	26%
	Checkout Item	66,546	67,461	69,837	68,563	72,940	81,482	83,484	24%
	Staff Renewals	5,325	4,748	4,130	4,226	4,960	5,182	4,589	
	Patron Renewals	694	1,069	2,128	2,712	4,013	3,984	4,313	

2ND READING OF SPEED LIMIT ORDINANCE NO. 7

10:24:54 AM

Members present:

Chairman Joseph D. Brenneman

Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Public Works Director Dave Prunty, Deputy County Attorney Peter Steele, Clerk Kile

Commissioner Dupont made a **motion** to approve the amendment to speed Limit Ordinance No. 7 and authorized the chair to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

ORDINANCE NO. 7

Speed Limits

WHEREAS, the Board of Commissioners is authorized, pursuant to Sections 7-5-102 through 7-5-107, 7-14-2113, and 61-8-310, M.C.A., to adopt an ordinance and to impose speed limits on certain public roads and highways;

WHEREAS, the Board of Commissioners has determined that all speed limits imposed by the Board since 1985 should be codified into a single ordinance.

NOW, THEREFORE, BE IT RESOLVED that, effective 30 days after the second and final adoption, the following Ordinance shall be in force and effect in Flathead County.

Section One: Speed Limits on Named Roadways

The following speed limits are hereby imposed on the following roadways and highways in Flathead County:

Fifteen (15) miles per hour:

Bridge Street from Old Bridge Street to Electric Avenue.

Caroline Point Road for 50 feet on each side of the boat shop.

FFA Drive for its entire length.

North Street for school zone only.

Old River Bridge Road for school zone only.

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(Continued)**

Sager Lane for its entire length.

Twenty Five (25) miles per hour:

10th Avenue WN for its entire length.

11th Avenue WN for its entire length.

12th Street EN for its entire length.

12th Avenue WN for its entire length.

13th Street W (behind JW Church) for its entire length.

13th Street EN for its entire length.

14th Street EN for its entire length.

15th Street E for its entire length.

15th Street EN for its entire length.

16th Street E for its entire length.

1st Avenue for its entire length.

1st Avenue North for its entire length.

1st Avenue South for its entire length.

1st Avenue W for its entire length.

1st Street for its entire length.

1st Street E for its entire length.

1st Street SE for its entire length.

1st Street SW for its entire length.

1st Street W for its entire length.

1st Street WN for its entire length.

1st Street WN (east end) for its entire length.

2nd Avenue for its entire length.

2nd Avenue North for its entire length.

2nd Avenue South for its entire length.

2nd Avenue WN for its entire length.

2nd Street for its entire length.

2nd Street E for its entire length.

2nd Street W for its entire length.

2nd Street WN for its entire length.

35 Approach (Grand) for its entire length.

3Rd Avenue for its entire length.

3Rd Avenue South for its entire length.

3Rd Street for its entire length.

3Rd Street W for its entire length.

3Rd Street WN for its entire length.

4th Avenue South for its entire length.

4th Street for its entire length.

4th Street EN for its entire length.

4th Street WN for its entire length.

5th Street for its entire length.

5th Street W for its entire length.

6th Street for its entire length.

6th Street W for its entire length.

7th Street for its entire length.

7th Street W for its entire length.

8th Avenue EN for its entire length.

8th Street W for its entire length.

9th Avenue WN for its entire length.

9th Street W for its entire length.

Adams Street except the school zone.

Alpha Road for its entire length.

Alpine Drive for its entire length.

Alpine Lane for its entire length.

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(Continued)**

Alpine Village Drive for its entire length.
Alplinglow Avenue for its entire length.
Antelope Trail for its entire length.
Appletree Circle for its entire length.
Arbour Drive East for its entire length.
Arbour Drive West for its entire length.
Armory Road from East 2nd Street to East end of Armory property.
Ash Road for its entire length.
Ashley Drive for its entire length.
Aspen Lane for its entire length.
Auction Road from its intersection with US Highway 93 to its intersection with Fir Terrace.
Bailey Drive for its entire length.
Bass Avenue for its entire length.
Bass Lake Court for its entire length.
Bass Lake Drive for its entire length.
Battle Hollow for its entire length.
Bauman Lane for its entire length.
Bay Drive for its entire length.
Beach Road for its entire length.
Bear Street for its entire length.
Bear Trail for its entire length.
Beaver Lake Road for its entire length.
Bernard Road for its entire length.
Best Way for its entire length
Bierney Creek Road from Highway 93 West 1.2 miles.
Big Sky Boulevard for its entire length.
Bills Road for its entire length.
Birch Drive, (Evergreen) for its entire length.
Birch Drive, (Whitefish) for its entire length.
Birch Glen Drive for its entire length.
Bison Drive for its entire length.
Bitterroot Lane, from its beginning point on Bitterroot Drive for one-half (½) mile.
Blenn Street for its entire length.
Brass Road for its entire length.
Breezy Point Avenue for its entire length.
Bridge Street from Old Bridge Street to Montana Highway 35.
Brook Drive for its entire length.
Brunner Road for its entire length.
Burke Lane for its entire length.
Burnell Avenue for its entire length.
Burns Street for its entire length.
Butterfly Lane for its entire length.
Cahill Court for its entire length.
Canyon Road for its entire length.
Capra Court for its entire length.
Cardiff Avenue for its entire length.
Caribou Street for its entire length.
Caroline Point Road for its entire length.
Caroline Road for its entire length.
Cascade Avenue for its entire length.
Cayuse Lane for its entire length.
Central Avenue (MC) for its entire length.
Char Court for its entire length.
Cherry Lynn Lane for its entire length.
Cheviot Loop for its entire length.

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(Continued)**

Circle Drive for its entire length.
Clothier Lane for its entire length.
Collier Lane for its entire length.
Commerce Street for its entire length.
Concord Lane for its entire length.
Coram School Lane for its entire length.
Cougar Drive for its entire length.
Cougar Trail for its entire length.
Country Way for its entire length.
Country Way East for its entire length.
Country Way North for its entire length.
Craven Street for its entire length.
Crestline Court for its entire length.
Cynthia Drive for its entire length.
Dairy Drive for its entire length.
Dale Drive for its entire length.
Dan Lake Court for its entire length.
Dawn Drive for its entire length.
Deer Street for its entire length.
Deer Trail for its entire length.
Diller Road for its entire length.
Dirt Road for its entire length.
Dodd Avenue for its entire length.
Dodger Lane for its entire length.
Dogwood Avenue for its entire length.
Donahoe Lane for its entire length.
Dorothy Street for its entire length.
Double Lake Court for its entire length.
Double Lake Drive for its entire length.
Double Lake Lane for its entire length.
Dover Drive for its entire length.
Duff Lane for its entire length.
East Cottonwood Drive for its entire.
East Evergreen Drive for its entire length.
Eagle Drive for its entire length.
Echo Cabin Loop for its entire length.
Echo Lake Road (loop Road) for its entire length.
Echo View Drive for its entire length.
Eckelberry Drive from Montana 206 to Michels Slough (north end).
Electric Avenue for its entire length.
Electric Avenue (North) for its entire length.
Elk Street for its entire length.
Elk Trail for its entire length.
Elm Avenue for its entire length.
Fairmont Road, for 500 feet on either side of Fairmont - Egan School.
Fawn Trail for its entire length.
Fehlberg Lane for its entire length.
Fir Lane for its entire length.
Flathead Road (North of 1st Avenue South) for its entire length.
Flathead Drive from US Highway 2 to Montclair Drive.
Florence Street for its entire length.
Forest Drive for its entire length.
Fox Hill Road for its entire length.
Frontage Road for its entire length.
Gamma Road for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Garden Drive, from West Reserve Drive to Trail Ridge Road.

Gelande Street for its entire length.

Gilbert Lake Drive for its entire length.

Glacier Avenue for its entire length.

Goat Trail for its entire length.

Gordon Avenue for its entire length.

Grand Drive for its entire length.

Grandview Terrace for its entire length.

Granrud Lane for its entire length.

Grayling Road for its entire length.

Greenridge Drive for its entire length.

Hagerman Lane for its entire length.

Happy Hollow for its entire length.

Harbor Heights Boulevard for its entire length.

Harbin Hill Road for its entire length.

Hare Trail for its entire length.

Harmony Road for its entire length.

Hartt Hill Drive for its entire length.

Haskill Drive for its entire length.

Haven Court for its entire length.

Haven Drive for its entire length.

Haywire Gulch from Smith Lake Road for one-half mile.

Helena Flats Road for school zone only.

Helmer Creek for its entire length.

Highland Drive for its entire length.

Highline Boulevard for its entire length.

Hillcrest Drive for its entire length.

Holt Drive from Montana 35 to first Chapman Hill Road intersection.

Holt Stage Road from Old Steel Bridge to Homestead Road.

Homestead Road for its entire length.

Horseshoe Drive for its entire length.

Houston Drive for its entire length.

Howard Drive for its entire length.

Hughes Bay Road for its entire length.

Hungry Horse Boulevard for its entire length.

Hunter Lane for its entire length.

Jacquette Road, for 500 feet on either side of Fairmont - Egan School.

Jasper Road for its entire length.

Jellison Road .15 miles north and south of trestle.

Juanita Way for its entire length.

Judith Road for its entire length.

Juniper Drive for its entire length.

Karrow Avenue for its entire length.

Kathy Lake Lane for its entire length.

Kauffman Lane for its entire length.

Kehoe Lane for its entire length.

Kelly Road for its entire length.

Kelsey Road for its entire length.

Kila Hill for its entire length.

Kila Main Street for its entire length.

Kings Loop for its entire length.

Kings Way for its entire length.

Kirby Lane for its entire length.

Kiwanis Lane for its entire length.

Konley Drive for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Kraft Avenue for its entire length.
Kristianna Close for its entire length.
Lake Avenue for its entire length.
Lake Blaine Road for school zone only.
Lake Blaine Road from Foothill to end of road.
Lake Drive for its entire length.
Lake Hills Court for its entire length.
Lake Hills Drive, (Bigfork) for its entire length.
Lake Hills Drive, (South West) for its entire length.
Lake Loop Drive for its entire length.
Lake Peters Court for its entire length.
Lakeside Avenue for its entire length.
Lakeside Boulevard for its entire length.
Lakeside Boulevard North for its entire length.
Lakeshore Drive from Buckboard Lane to end of Road.
Lakeview Drive for its entire length.
Lane Street for its entire length.
Lawrence Lane for its entire length.
Learn Lane for its entire length.
Leisure Drive for its entire length.
Lenwood Lane for its entire length.
Lesley Avenue for its entire length.
Lion Mountain Loop Road for its entire length.
Lion Trail for its entire length.
Lochness Avenue for its entire length.
Lodgepole Drive for its entire length.
Mabel Street for its entire length.
Main Street for its entire length.
Many Lakes Drive for its entire length.
Maple Drive for its entire length.
Margrethe Road for its entire length.
Marjorie Street for its entire length.
Martin Camp Road (Olney) for its entire length.
Martin Road for its entire length.
Maxine Drive for its entire length.
McDermott Lane for its entire length.
McDowell Drive for its entire length.
Meadow Hills Drive for its entire length.
Meadow Lake Drive for its entire length.
Meadow Lane for its entire length.
Meadowlark Drive for its entire length.
Michels Slough Road for its entire length.
Midale Road, inside Meadow Hills Subdivision. 676
Missy Lane for its entire length.
Middle Road for school zone only.
Midway Drive for its entire length.
Mill Street for its entire length.
Mission Trail for its entire length.
Mission Way for its entire length.
Mission Way North for its entire length.
Mission Way South for its entire length.
Monroe Street for its entire length.
Montclair Drive for its entire length.
Monte Vista Drive for its entire length.
Moose Lane for its entire length.

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(Continued)**

Moose Street for its entire length.
Moose Trail for its entire length.
Mountain Avenue for its entire length.
Mountain Shadows Drive for its entire length.
Mountain View Drive for its entire length.
North Cedar Drive for its entire length.
Newbury Circle for its entire length.
Nicholson Drive for its entire length.
North Fork Road (frontage) for its entire length.
North Haven Drive for its entire length.
North Hilltop Road for its entire length.
North Juniper Bay Road for its entire length.
North Karrow Avenue for its entire length.
North Many Lakes Drive for its entire length.
North Mission Drive for its entire length.
North Riding Road for its entire length.
Northwoods Drive for its entire length.
Nucleus Avenue (South of 13th Street East) for its entire length.
Old Bridge Street for its entire length.
Old Bridge Street (South) for its entire length.
Old River Bridge Road for its entire length.
Olney Loop Road from Railroad Crossing to 93.
Oregon Lane for its entire length.
Osborne Avenue for its entire length.
Oxford Circle for its entire length.
Panoramic Drive for its entire length.
Paradise Loop for its entire length.
Park Avenue (Columbia Falls) for its entire length.
Park Avenue (Evergreen) for its entire length.
Park Drive for its entire length.
Park Street for its entire length.
Parkhill Drive for its entire length.
Parklane Drive for its entire length.
Parkview Drive for its entire length.
Parkview Way for its entire length.
Parkway Avenue for its entire length.
Parliament Drive for its entire length.
Pavilion Hill Avenue for its entire length.
Peaceful Drive for its entire length.
Peaceful Lane for its entire length.
Pheasant Drive for its entire length.
Pickleville Lane for its entire length.
Pickwick Court for its entire length.
Pikes Peak Avenue for its entire length.
Pine Street for its entire length.
Pines Boulevard for its entire length.
Pleasant Hill Drive for its entire length.
Pleasant View Drive for its entire length.
Plentywood Drive for its entire length.
Plummers Lake Drive for its entire length.
Ponderosa Drive for its entire length.
Poplar Drive for its entire length.
Possum Trail for its entire length.
Potter Lane for its entire length.
Preston Drive for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Primrose Lane for its entire length.
Ramsgate Drive for its entire length.
Ranch Road for its entire length.
Ranchetts Drive for its entire length.
Ranchetts Lane for its entire length.
Ranchetts Road for its entire length.
Redfield Lane for its entire length.
Reservoir Road for its entire length.
Rest Haven Drive for its entire length.
Ridgewood for its entire length.
River Avenue for its entire length.
River Bend Drive for its entire length.
River Drive for its entire length.
River Road (Evergreen) for its entire length.
River Street for its entire length.
Riverside Drive for its entire length.
Riverside Drive (Evergreen) for its entire length.
Rogers Lane for its entire length.
Sampson Lane for its entire length.
Scarborough Avenue for its entire length.
Scenic Drive for its entire length.
Seven Row for its entire length.
Shadow Lane for its entire length.
Shady Glen Drive for its entire length.
Sharon Road for its entire length.
Shepherd Lane for its entire length.
Siderius Lane for its entire length.
Skookum Road for its entire length.
Sleepy Hollow Road for its entire length.
Sloan Lane for its entire length.
Solberg Drive for its entire length.
Somers Road from 1 mile South of Montana Highway 83 to US Highway 93.
Somerset Drive for its entire length.
South Cedar Drive for its entire length.
South Fork Drive for its entire length.
South Foys Lake Drive for its entire length.
South Woodland Drive from Kelly Road to city limits.
Spoon Road for its entire length.
Spring Creek Road (Hatchery) for its entire length.
Springdale Drive for its entire length.
Spruce Road for its entire length.
Stag Lane for its entire length.
Stafford Street for its entire length.
Steeles Drive for its entire length.
Steven Road for its entire length.
Stonecrest Drive for its entire length.
Sulky Lane for its entire length.
Summit Avenue for its entire length.
Sunnybrook Lane for its entire length.
Sunnyside Avenue for its entire length.
Sunnyside Drive for its entire length.
Sunrise Lane for its entire length.
Sunrise Road for its entire length.
Sunset Circle for its entire length.
Sunset Drive (Bigfork) for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Sunset Drive (Evergreen) for its entire length.
Sunset Lane for its entire length.
Sussex Drive for its entire length.
Swan Retreat for its entire length.
Swede Hill Avenue for its entire length.
Swimming Lake Court for its entire length.
Tahoe Drive for its entire length.
Tamarack Avenue for its entire length.
Tamarack Drive for its entire length.
Tamarack Terrace for its entire length.
Tangent Road for its entire length.
Terrace Drive for its entire length.
Terrace Hill for its entire length.
Terry Road for its entire length.
Timber Lake Drive for its entire length.
Timber Lane for its entire length.
Timber Lane Terrace for its entire length.
Toftum Lane from US Highway 2 615 ft.
Trail Ridge Road for its entire length.
Treasure Lane for its entire length.
Trout Avenue for its entire length.
Troutbeck Road for its entire length.
Truck Route (US Highway 2 to 6th Avenue West) for its entire length.
Twilight Circle for its entire length.
Twin Acres Drive for its entire length.
Twin Pines Drive for its entire length.
Two Mile Drive from the city limits to Skyline Drive.
Valley Drive for its entire length.
Valley View Drive for its entire length.
Vans Avenue for its entire length.
Village Lane for its entire length.
Vitt Lane for its entire length.
Voerman Road from Monegan to city limits.
Walker Avenue for its entire length.
Watts Lane for its entire length.
Wedgewood Lane for its entire length.
Welf Lane for its entire length.
West 3rd Street for its entire length.
West 4th Street for its entire length.
West 7th Street from Baker to South Karrow.
West Cottonwood Drive for its entire length.
West Lake Shore Drive (Whitefish) for its entire length.
West Valley Drive (South of US Highway 2) for its entire length.
West View Drive for its entire length.
Westwood Lane for its entire length.
Whipps Lane for its entire length.
Williams Lane for its entire length.
Willow Drive for its entire length.
Wilson Heights Road for its entire length.
Winchester Street for its entire length.
Winter Lane for its entire length.
Wishert Lane for its entire length.
Wulff Lane for its entire length.
Yodelin Ridge Road for its entire length.
Zimmerman Road for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Thirty Five (35) miles per hour:

4th Avenue WN for its entire length.
Addison Square for entire length, except the school zone.
Aero Lane for its entire length.
Ainley Lane for its entire length.
Alder Lane for its entire length.
Amdahl Lane for its entire length.
Anderson Lane for its entire length.
Angel Point Road for its entire length.
Armory Road from Voerman to Armory property.
Ashley Lake Road (West) for its entire length.
Ashley Lake Road, from its intersection with Sherman Road to the point at which the pavement ceases.
Auction Road from Fir Terrace to Somers Stage.
Austin Crossroad for its entire length.
Bachelor Grade for its entire length.
Badrock Drive for its entire length.
Bald Rock Road for its entire length.
Barnes Lane for its entire length.
Batavia Lane for its entire length, except the school zones.
Battle Butte Road for its entire length.
Bayou Road for its entire length.
Bear Creek Road for its entire length.
Belton Stage Road for its entire length.
Berne Road for its entire length.
Bierney Creek Road from 1.2 miles from US Highway 93 to end of Road.
Bigfork Stage for its entire length.
Bighorn Drive for its entire length.
Birch Grove Road for its entire length.
Bitterroot Drive (South end) for the gravel portion.
Bitterroot Drive for its entire length.
Blackmer Lane for its entire length.
Blacktail Road for its entire length.
Blaine View Lane for its entire length.
Blanchard Lake Drive for its entire length.
Blanchard Lake Road for its entire length.
Blankenship Road for its entire length.
Bloomer Lane for its entire length.
Boon Road for its entire length.
Boorman Lane for its entire length.
Bowdish Road for its entire length.
Braig Road for its entire length.
Broeder Loop Road for its entire length.
Brosten Lane for its entire length.
Browns Gulch Road for its entire length.
Browns Meadow Road/Mount Road, for its entire length.
Browns Road for its entire length.
Buckboard Lane for its entire length.
Bucks Lane for its entire length.
Capistrano Drive for its entire length.
Cemetery Road for its entire length.
Chapman Hill Road for its entire length.
Chubb Lane for its entire length.
Church Drive for its entire length.
Clark Drive for its entire length.
Cobbler Village for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Coclet Lane for its entire length.

Columbia Falls Stage Road from Kelley Road to River Road.

Columbia Mountain Lane for its entire length.

Columbia Mountain Road for its entire length.

Conn Road for its entire length.

Conrad Point Road for its entire length.

Coon Hollow Road for its entire length.

Coram Stage for its entire length.

Cottage Lane for its entire length.

Coverdell Road for its entire length.

Creston Hatchery Road for its entire length.

Creston Road except for school zone only.

Daley Lane for its entire length.

Danford Lane for its entire length.

Danielson Road for its entire length.

Deer Creek Road (US Highway 93 in) for its entire length.

Deer Creek Road (Bierney Creek in) for its entire length.

Dehlbom Lane for its entire length.

Delrey Road for its entire length.

Demersville Road for its entire length.

Dern Draw for its entire length.

Dern Road for its entire length.

Desert Lodge Road for its entire length.

Dyer Road for its entire length.

East Reserve Drive from US 2 East to end of Road.

East Edgewood Drive for its entire length.

East Lakeshore Drive from 1.8 mile W of Big Mountain Rd to end of road.

East Second Street for its entire length.

Eastman Drive for its entire length.

Echo Lake Road for its entire length.

Eckelberry Drive, Michels Slough to Montana Highway 206 (South end).

Edgewood Drive for its entire length.

Egan Road for its entire length.

Egan Slough Road for its entire length.

Eid Lane for its entire length.

El Rancho Road for its entire length.

Elk Park Road for its entire length.

Emil's Lane for its entire length.

Ezy Drive for its entire length.

Fairmont Road for its entire length, except the school zone.

Fairview Cemetery Road for its entire length.

Fairview Crossroad for its entire length.

Farm Road for its entire length.

Farm-to-Market Road (US Highway 93 to Tally Lake Road) for its entire length, except the school zone.

Fern Lane for its entire length.

Ferndale Drive for its entire length.

Fir Terrace for its entire length.

Flathead Lodge Road for its entire length.

Foothill Road for its entire length.

Forest Hill Road for its entire length.

Four Mile Drive (West of Farm-to-Market) from Farm-to-Market to end of Road.

Four Mile Drive (Stillwater-West Springcreek) for its entire length.

Fox Farm Road for its entire length.

Foys Lake Road (South of Foys Canyon) for its entire length.

Garland Lane for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Gladys Glen Road for its entire length.

Good Creek Road for its entire length.

Gopher Lane for its entire length (except school zone).

Gosney Crossroad for its entire length.

Halfmoon Flats Road for its entire length.

Halfmoon Road for its entire length.

Hanging Rock Drive for its entire length.

Haskill Basin Road for its entire length.

Hathaway Lane for its entire length.

Haywire Gulch from one-half mile South of Smith Lake Road to end of the road.

Helena Flats Road from Montana Highway 35 North for .6 miles.

Helena Flats Road from 1.5 to 2.8 miles North of Montana Highway 35.

Hellman Lane for its entire length.

Hoffman Draw for its entire length.

Hog Heaven Road for its entire length.

Holt Drive from Chapman Hill Road West around golf course to end of the road.

Holt Stage Road from Montana Highway 35 to Homestead Road.

Homestead Road, from its intersection with Holt Stage Road to its intersection with Fairmont Road. 856

Hubbart Dam Road for its entire length.

Idaho Hill for its entire length.

Jacquette Road for its entire length, except the school zone.

Jellison Lane for its entire length.

Jellison Road for its entire length except .15 miles North and South of trestle.

Jensen Road for its entire length.

JP Road for its entire length.

Kallner Lane for its entire length.

Kelley Road (East of 206) from Montana Highway 206 to east end.

Kickbusch Lane for its entire length.

Kienas Road for its entire length.

Kila Road for its entire length, except the school zone.

Kinshella Road for its entire length.

KM Ranch Road for its entire length.

Kuhns Road for its entire length.

Kuzmic Lane for its entire length.

Labrant Road for its entire length.

Lake Blaine Drive for its entire length.

Lake Five Road for its entire length.

Lakeshore Drive from Foys Lake Road to Buckboard Lane.

Lauman Road for its entire length.

Lee Road for its entire length.

Lindsey Lane for its entire length.

Lone Pine Road from top of hill.

Lost Creek Drive for its entire length.

Lost Prairie Road for its entire length.

Lower Valley Road from US Highway 93 for 2.5 miles.

Lower Valley Road for the entire gravel portion.

Lupfer Road for its entire length.

Lutheran Camp Road for its entire length.

Managhan Lane for its entire length.

Manning Road for its entire length.

Marken Loop for its entire length.

Martin Camp Road for its entire length.

McCaffery Road for its entire length.

McMannamy Draw for its entire length.

Meadow Lake Boulevard for its entire length.

Middle Road from Fairview Crossroad to Sullivan Crossroad.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Mooring Road for its entire length.

Morning View Drive for its entire length.

Mountain Creek Road for its entire length.

Mountain Meadow Road for its entire length.

Mud Lake Road for its entire length.

Muddy Lane for its entire length.

Muth Lane for its entire length.

North Ashley Lake Road for its entire length.

North Fork Road, from its intersection with Camas Creek Road, South to Canyon Creek.

North Fork Road, from its intersection with Glacier Park Road and to the point where the roadway surface changes from gravel to asphalt paving (approximately 6.5 miles north of the Glacier Park Intersection, a total of 6.5 miles).

North Fork Road, beginning approximately 1200 feet south of the Hay Creek Bridge and ending at the Canadian border (approximately 34 miles north of the Glacier Park Intersection, a total of 22.6 miles).

North Foys Lake Drive for its entire length.

North Hill Road for its entire length.

North Ramsfield Road for its entire length.

North Somers Road for its entire length.

Obryan Lane for its entire length.

Old US Highway 93 (Juniper Bay) for its entire length.

Old US Highway 93 (state shop) for its entire length.

Oldenberg Road for its entire length.

Olney Loop Road from Good Creek to RR Crossing.

Passmore Lane for its entire length.

Patrick Creek Road for its entire length.

Pederson Road for its entire length.

Phanco Lane for its entire length.

Pierce Lane for its entire length.

Pine Needle Lane for its entire length.

Pioneer Road for its entire length.

Pleasant Hill Drive for its entire length.

Pleasant Valley Road for its entire length.

Political Hill for its entire length.

Prairie View Road for its entire length.

Rabe Road for its entire length.

Ramsfield Road for its entire length.

Reimer Lane for its entire length.

Rhodes Draw from Bald Rock Road to the end of county maintenance.

River Bend for its entire length.

River Junction for its entire length.

River Road (Columbia Falls) for its entire length.

Riverside Road from MT 35 west to N. Ramsfield and from MT 35 south to Dyer Rd.

Robocker Lane for its entire length.

Rocky Cliff Drive for its entire length.

Rocky Lane for its entire length.

Rogers Lake Road for its entire length.

Rogers Road for its entire length.

Rose Crossing (East of US Highway 2) for its entire length, except the school zone.

Rose Crossing (West of US Highway 2) for its entire length.

Scenic Ridge Road for its entire length.

School Addition Road except in school zone.

Schrade Road for its entire length.

Seville Lane for its entire length.

Siblerud Lane for its entire length.

Sickler Creek Road for its entire length.

Shermann Road for its entire length.

Skyline Drive for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Smith Lake Road for its entire length.
Snowline Lane for its entire length.
Somers Road from Montana Highway 83 South for 1 mile.
Somers Stage for its entire length.
Sonsteli Lane for its entire length.
Sonsteli Road for its entire length.
South Ashley Lake Road for its entire length.
South Fork Road for its entire length.
South Hilltop Road for its entire length.
South Many Lakes Drive for its entire length.
Spotted Bear Road for its entire length.
Spring Creek Road for its entire length.
Spring Creek Drive for its entire length.
Spring Hill Road for its entire length.
Spring Prairie Road for its entire length.
Star Meadows Road for its entire length.
State Park Road for its entire length.
Steel Bridge Road for its entire length.
Stillwater Road for its entire length.
Stoner Creek Road for its entire length.
Sullivan Crossroad for its entire length.
Sullivan Gulch Road for its entire length.
Sunday Lane for its entire length.
Swan Hill Drive for its entire length.
Swan River Road for its entire length.
Sylvan Drive for its entire length.
Tamarack Creek Road for its entire length.
Tamarack Lane for its entire length.
Tavern Lane for its entire length.
Tetrault Road for its entire length.
Therriault Lane (West of river) for its entire length.
Thompson River Road for its entire length.
Three Eagle Lane for its entire length.
Three Mile Drive west of West Springcreek Drive for its entire length.
Trap Road for its entire length.
Tronstad Road for its entire length.
Truman Creek Road for its entire length.
Trumble Creek Road for its entire length.
Twin Bridges Road (Lodgepole-Farm-to-Market) for its entire length.
Two Mile Drive from Skyline Drive to W. Springcreek Road.
Van Sant Road for its entire length.
Veterans Drive, from its intersection with US Highway 2 to its intersection with Talbot Road.
Voerman Road from Monegan east 900 ft.
Vonderheide Lane for its entire length.
Wagner Road for its entire length.
Weaver Lane for its entire length.
West Evergreen Drive for its entire length, except the school zone.
West Springcreek Drive for its entire length.
West Valley Drive for its entire length.
Wagner Lane for its entire length.
Whalebone Drive for its entire length.
Whitefish Stage from the City Limits to Fairway Blvd.
White Birch Lane for its entire length.
Wiley Dike Road for its entire length.
Winfield Lane for its entire length.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Wishart Road for its entire length.

Witty Lane for its entire length.

Wolf Creek Drive for its entire length.

Woodland Road for its entire length.

Yoeman Hall Road for its entire length.

Forty (40) miles per hour:

Hodgson Road from US Highway 93 to Whitefish Stage.

Forty Five (45) miles per hour:

Aluminum Drive for its entire length.

Columbia Falls Stage Road from Kelley Road to Montana 35.

Dillon Road from Voerman to Montana Highway 40.

East Lakeshore Drive Big Mountain Road to W for 1.8 miles.

Helena Flats Road on other segments not on 35 miles per hour list or school zone.

Hodgson Road from Whitefish Stage to US Highway 2.

Kelley Road (West of 206) from Montana Highway 206 to Columbia Falls Stage Road.

Lake Blaine Road from Montana Highway 35 to Foothill, except the school zone.

Lower Valley Road from 2.5 miles East of US Highway 93 to end of asphalt pavement.

Middle Road from Sullivan Cross Road to Kelly Road except school zone.

Middle Road from Montana Highway 35 to Fairview Crossroad.

North Fork Road, beginning approximately 6.5 miles north of its intersection with Glacier Park Road and ending at approximately 11.5 miles north of that intersection (approximately 1200 feet south of the Hay Creek Bridge, a total of 5 miles). 562

Rhodes Draw from Farm-to-Market to Bald Rock Road.

Riverside Road from Dyer Rd. to N. Ramsfield Rd.

US Highway 2, West of Kalispell, for 600 feet on either side of the Smith Valley School crosswalk, between the hours of 7:30 a.m. and 8:45 a.m. and 2:00 p.m. and 3:45 p.m., on days when children are present at school.

Voerman Road from 900 feet East of Monegan to Dillon.

Walsh Road for its entire length.

Whitefish Stage from Reserve Drive South to Fairway Blvd.

Fifty Five (55) miles per hour:

Farm-to-Market Road (US Highway 93 to Lodgepole) from Lodgepole to Tally Lake Road.

Section Two. School Zone Limits on Highways.
(Section 61-8-310(1)(d), M.C.A.)

School zone speed limits, which shall be 25 miles per hour for 300 feet on each side of a school cross walk across a public roadway or highway and 35 miles per hour for a distance of from 300 feet to 600 feet on each side of a school cross walk across a public roadway or highway (See Appendix 1), are hereby imposed adjacent to the following listed schools on the following listed roadways:

1. Deer Park School located on Middle Road.
2. Cayuse Prairie School on Lake Blaine Road.
3. Helena Flats School located on Helena Flats Road and Rose Crossing Road.
4. Pleasant Valley School located on Pleasant Valley Road.
5. Somers School located School Addition Road.
6. Marion School located on Gopher Lane.
7. Smith Valley Primary School located on Batavia Lane.
8. Smith Valley Intermediate located on Batavia Lane and Boorman Road.
9. Bissell School located on Farm-to-Market Road.
10. Montana Highway 83, for one-quarter of a mile on each side of its intersection with the Echo Lake Road. 855
11. Thirty Five miles per hour on Whitefish Stage Road from 400 feet South of the intersection of Whitefish Stage Road with Winchester Street and continuing North to a point 400 feet North of the intersection of Whitefish Stage Road with Mission Way Road, an approximate distance of 6,500 feet to be in effect during the hours of 7:30 to 8:30 a.m. and 2:00 to 4:00 p.m. on school days. During the remainder of the day, and on non-school days, the speed limit will continue to be 45 mph.
12. Twenty Five Miles per hour for 400 feet on either side of the Hawthorne Street school crosswalk on Three Mile Drive, on school days during the morning and afternoon crossing periods.
13. A speed limit of 15 mph is imposed on Adams Street West of US 93 adjacent to Lakeside Elementary School where posted and on School Addition Road adjacent to Somers Middle School where posted.

Section Three. Other County Roads.

The following speed limits are hereby imposed on all County roads and highways not previously named:

Thirty Five miles per hour on all County gravel roads.

Fifty Five miles per hour on all paved County roads and on Montana State Montana Highway 206 and Montana State Highway 209.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

Section Four. Violation of Ordinance - Penalties
(Section 61-8-711, M.C.A.)

- A. It is a misdemeanor for any person to violate any of the speed limits set forth in this ordinance.
- B. Every person convicted of a violation of this ordinance shall for a first conviction be punished by a fine of not less than \$10 or more than \$100 or by imprisonment for not more than 10 days. For a second conviction within 1 year thereafter, the person shall be punished by a fine of not less than \$25 or more than \$200 or by imprisonment for not more than 10 days or by both such fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, he person shall be punished by a fine of not less than \$50 or more than \$500 or by imprisonment for not more than 6 months or by both such fine and imprisonment.
- C. On failure of payment of a fine, the offender shall be imprisoned in the Flathead County Detention Center, and the imprisonment shall be computed upon the basis of 1 day's incarceration for each \$25 of the fine.
- D. Upon conviction, the court costs or any part thereof may be assessed against the Defendant in the discretion of the Court.

Section Five. Signage.

The Flathead County Road Department shall install and maintain speed limit and other appropriate signs in accordance with this Ordinance.

No speed limit enacted by this ordinance shall be enforced until the appropriate signage is installed. (Section 61-8-310(4), M.C.A.)

Section Six. Severability.

If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision. To this end the provisions of this ordinance are declared to be severable.

DATED this 22nd day of December, 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

- 1. Adopted July 5, 1995
- 2. Amended September 25, 1995
- 3. Amended November 22, 1995
- 4. Amended December 20, 1995
- 5. Amended July 15, 1996
- 6. Amended September 16, 1997
- 7. Amended November 25, 1997
- 8. Amended November 19, 1998
- 9. Amended May 10, 1999
- 10. Amended December 5, 2000
- 11. Amended October 15, 2001
- 12. Amended August 12, 2003
- 13. Amended March 29, 2004
- 14. Amended November 10, 2004
- 15. Amended May 10, 2005
- 16. Amended May 24, 2005
- 17. Amended July 11, 2005
- 18. Amended April 3, 2006
- 19. Amended November 9, 2006
- 20. Amended September 11, 2007
- 21. Amended December 22, 2010

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: NO BUILDING IN SETBACKS NORTH FORK TEXT AMENDMENT/ FLATHEAD COUNTY ZONING REGULATIONS

[10:26:51 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 Peter Steele, Planner Allison Mouch

Commissioner Dupont made a **motion** to authorize publication of the Notice of Public Hearing and authorized the chair 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 changes proposed by North Fork Land Use Advisory Committee to amend the text of the Flathead County Zoning Regulations.

The proposed amendment would require temporary structures to abide by the setbacks established from public roads and bodies of waters in the North Fork Zoning District amending Section 3.40.040(2) as well as add a new definition (as #6) under Section 3.40.050 of the Flathead County Zoning Regulations. The proposed amendments are represented in *italics*:

3.40.040 Development Standards

- 2. Setbacks of the new buildings *and temporary structures* from public roadways and waterways:

3.40.050 Definitions:

- 6. *TEMPORARY STRUCTURE: An enclosure with a roof or other protective cover that does not have or require a permanent attachment to the ground and that is used or can be used for the housing, shelter or storage of any person, animal or chattel. An operable, licensed motor vehicle shall not be considered a temporary structure.*

WEDNESDAY, DECEMBER 22, 2010
(Continued)

The Flathead County Zoning Regulations apply in all County zoning districts created under Section 76-2-205, M.C.A., and are on file for public inspection at the Office of the Clerk and Recorder, 800 South Main, Kalispell, Montana, 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 amendments to those regulations are on file for public inspection at the Office of the County Clerk and Recorder and at the Flathead County Planning and Zoning Office.

The public hearing will be held on the **14th day of February, 2011, 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 change to the text of the Flathead County Zoning Regulations.

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 22nd day of December, 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 January 31 and February 7, 2011.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: NW DEV. GROUP, LLC ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

[10:27:31 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 Peter Steele, Planner Allison Mouch

Allison Mouch explained the request is to change zoning from SAG-10 to I-IH /Light Industrial Highway on a portion of property located in the Evergreen Zoning District.

Commissioner Dupont made a **motion** to authorize publication of the Notice of Public Hearing and authorized the chair 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 NW Development Group, LLC, to change the zoning designation in a portion of the Evergreen and Vicinity Zoning District from SAG-10 (Suburban Residential) to I-1H (Light Industrial Highway).

The boundaries of the area proposed to be amended from SAG-10 to I-1H are described as Tract 3A and Tract 7F in the NE ¼ of Section 28, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana. The amendment requested would change the current zoning on all of Tract 7F and the western half of Tract 3A, running parallel to the highway and west of Trumbull Creek; the eastern portion of Tract 3A would remain under SAG-10. While the combined area of both tracts is 61.8 acres, the amendment would only apply to 30.65 acres of the land involved. The property is located south of Rose Crossing and east of US Highway 2, near the intersection of these two thoroughfares.

The proposed change would generally change the character of the zoning regulations applicable to the property from allowing a district designed 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, to allowing for light industrial uses and service uses that typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odors, smoke, etc.) which extend beyond the lot lines, that are located along state and federal highways.

The regulations defining the SAG-10 and I-1H 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 **17th day of February, 2011, at 10:00 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 in the regulations for the described portion of the Evergreen and Vicinity Zoning District.

**WEDNESDAY, DECEMBER 22, 2010
(Continued)**

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 22nd day of December, 2010.

ATTEST:	BOARD OF COUNTY COMMISSIONERS
Paula Robinson, Clerk	Flathead County, Montana
By/s/Diana Kile	By/s/Joseph D. Brenneman
Diana Kile, Deputy	Joseph D. Brenneman, Chairman

Publish on January 31 and February 7, 2011.

DOCUMENT FOR SIGNATURE: CTA CHANGE ORDER NO. 3/ BLUE BUILDING

[10:29:47 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Clerk Kile

Mike Pence reviewed the changes that included 13 various items totaling \$6,076.68.

Commissioner Dupont made a **motion** to approve Change Order No. 3 and authorized the chair to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

BIGFORK STORMWATER ADVISORY COMMITTEE QUARTERLY UPDATE

[10:31:19 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Grant Writer Debbie Pierson, Sue Hanson, Clerk Kile

Sue Hanson reviewed the following quarterly Bigfork Stormwater Advisory Committees report with the commission.

Funding:

- DEQ-319 – 2011 Funded \$123,000 for design of Bridge Street, water Shed Restoration Program in Lakeside, Education and Outreach and Administration. We are rated high on the Stormwater grant application with DNRC for \$100,000.
- DEQ-319 – 2008: \$12,802 remains for Sample Analysis Program (SAP), which should allow testing on Grand Dr. after construction is complete.
- TSEP & DNRC/RRGL – 2008: \$510,184 (TSEP), \$50,000 (DNRC/RRGL) remains.
- DEQ-319 – 2009: \$21,635.61 remaining for Water Quality Restoration Program, Education & Outreach (E & O) and Contract Administration
- DEQ-319 – 2010: \$157,152.02 remaining for Grand Drive construction, River St. design, SAP, E & O and Contract Administration.
- DNRC - 2010 Forestry Grant: \$10,000 remains for Grand Dr. Filterra units.

Phase I Grand Dr:

- Spring construction scheduled for April 4, 2011 to completion (80-day contract with Nelcon, Inc).
- BSAC will be delivering or mailing letters to all businesses in the Village area explaining the delay of fall construction, including FAQ's about the project.

River Street Design:

- Design for River Street implementation was presented to the public on November 17, 2010.
- Chairman Hanson met with members of the Community Foundation for a Better Bigfork (CFBB) and Bigfork Center for the Performing Arts (BCPA).
- Alternatives are being considered to the location of Filterra units on Electric Avenue.

Education & Outreach:

- RSID process will include a survey of two possible district boundaries and inform the public of the proposed costs of completing the project.
- Inlet Labels have been purchased to attach to curb areas as well as painted stencils near drains.

WEDNESDAY, DECEMBER 22, 2010
(Continued)

CONSIDERATION OF LAKESHORE PERMIT: BIGFORK SHORES HOA & NORTHSORE HARBOR HOA

[10:48:59 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Planning & Zoning Director B J Grieve, Planner Bailey Minnich

Bailey Minnich entered into record Lakeshore Permit FLP 10-71; an application submitted by Bigfork Shores HOA to excavate accumulated washed-in lake bottom materials from a jointly owned canal to maintain navigational freeway. The length of the canal proposed for excavation is 725 feet and is located at the canal between Beach Road and Parkway Avenue in Bigfork.

Commissioner Dupont made a **motion** to approve Lakeshore Permit FLP 10-71. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: CHEROT

[10:50:24 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Planning & Zoning Director B J Grieve, Planner Bailey Minnich

Bailey Minnich entered into record Lakeshore Permit FLP 10-72; an application submitted for Flathead Electric to replace an underground cable by boring a new three inch conduit at 5379 Hwy 93 South in Somers. The replacement will begin at the swimming area at Somers Bay and bore a minimum of three feet below the lake bottom to the island located south. After the bore a new 7,200 volt conductor will be pulled through and backfill will be done with existing material.

Commissioner Dupont made a **motion** to approve Lakeshore Permit FLP 10-72. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: EICKHORST

[10:51:36 AM](#)

Members present:

Chairman Joseph D. Brenneman
Commissioner James R. Dupont

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Mike Pence, Planning & Zoning Director B J Grieve, Planner Bailey Minnich

Bailey Minnich entered into record Lakeshore Permit FLP 10-73; an application submitted by Randall & Deborah Eickhorst in conjunction with a previously approved permit FLP 10-40 to re-grade wetland at 1180 LaBrant Road in Bigfork.

Commissioner Dupont made a **motion** to approve Lakeshore Permit FLP 10-73. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Dupont. Motion carried by quorum.

**11:00 a.m. County Attorney meeting @ Co. Atty's Office
b) Personnel Matter**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 23, 2010.

THURSDAY, DECEMBER 23, 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.

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 24, 2010.

FRIDAY, DECEMBER 24, 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.

COUNTY OFFICES CLOSED – CHRISTMAS

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 27, 2010.
