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## MONDAY, OCTOBER 10, 2011

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

### COUNTY OFFICES CLOSED – COLUMBUS DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 11, 2011.

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## TUESDAY, OCTOBER 11, 2011

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

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

### MONTHLY MEETING W/MARK CAMPBELL, FAIRGROUNDS

[9:00:29 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Fairground Operations Manager Mark Campbell, Clerk Kile

Campbell reported he recently attended a meeting with the City of Kalispell where discussions were held regarding the West Side Urban Planning Area. He stated he met with the Planning & Zoning Office regarding the use of potential CTEP funds at the Fairgrounds. He spoke about plans for general exterior improvements and reviewed upcoming events and activities. General discussion was held relative to TIFF funds.

### TAKE ACTION: WHITETAIL PINES SUBDIVISION

[9:15:45 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Planner Alex Hogle, Clerk Kile

Chairman Dupont stated as a matter of record preliminary plat approval for Whitetail Pines, has expired and is declared a dead file.

### DOCUMENT FOR SIGNATURE: BORDER INTEROPERABILITY DEMONSTRATION PROJECT AWARD LETTER/OES

[9:15:40 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Commissioner Lauman made a **motion** to authorize chair to sign the Border Interoperability award letter. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

### CONSIDERATION OF H.R. TRANSMITTAL: OFFICE ASSISTANT II/ RSVP

[9:17:30 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Pence explained the H. R. Transmittal is a revised job description.

Commissioner Holmquist made a **motion** to approve the H.R. Transmittal for an Office Assistant II at RSVP. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

TUESDAY, OCTOBER 11, 2011  
(Continued)

**PRELIMINARY PLAT: MC GREGOR LAKE R.V.**

9:30:11 AM

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Planner Alex Hogle, Jeff Larsen, Carolyn Feldmann, Michael A. Feldmann, Jeremy Feldmann, Clerk Kile

Hogle entered into record FPP 11-02 McGregor Lakes RV Park; an application submitted by McGregor Lakes RV with technical assistance from Larsen Engineering and Surveying, Inc., for a 41 space RV Park on approximately 11 acres located at 12255 Hwy. 2 West near Marion. The applicant proposes on site water and sewer, which would likely qualify as a public water and sewer system. He noted a variance request was submitted regarding a one-way internal road and the width of it.

Commissioner Lauman made a **motion** to adopt findings of fact for McGregor Lakes RV Park including the variance request for road width. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

Commissioner Lauman stated he felt signage at the entrance to the RV Park regarding wildlife was adequate and not needed at each space.

Commissioner Lauman made a **motion** to approve preliminary plat with the above change to condition #28 to delete signage requirements at each RV space. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONDITIONS OF APPROVAL**

Variance: (Granted)

A Variance from FCSR Section 4.5.7(a) (i) (A and B) has been requested. The applicant requests the proposal be approved with a one-way internal road serving more than 25 RV spaces. The one-way internal road would be constructed and paved 16-feet in width to serve the 41 RV spaces proposed.

1. The applicant shall receive a physical address in accordance with Flathead County Resolution #1626B, as applicable. All road names shall appear on the Revised Preliminary Plat. Street addressing shall be approved by Flathead County. [Section 4.7.16(g)(iv), 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The applicant shall show proof of a completed approach permit from the Flathead County Road Department indicating the egress approach onto the un-named road has been built and received final inspection and final approval. [Section 4.7.16, FCSR]
3. The applicant shall show proof of a completed approach permit from the Montana Department of Transportation indicating the ingress approach from US Highway 2 has been built and received final inspection and final approval. [Section 4.7.16, FCSR]
4. The applicant shall show proof of a completed encroachment permit from the Montana Department of Transportation pertinent to the improvement of the un-named road where its apron occurs within the US Highway 2 right-of-way. [Section 4.7.16, FCSR]
5. The applicant shall comply with all reasonable fire suppression and access requirements of the Flathead County Office of Emergency Services and the Marion Fire District. A letter from each office stating the RV Park meets the applicable requirements and verifying the implementation of the approved Fire Prevention, Control and Fuels Reduction Plan shall be submitted with the application for Revised Preliminary Plat. [Section 4.7.26, FCSR]
6. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved shall be submitted with the final plat. [Section 4.7.13(g) and 4.7.25, FCSR]
7. The internal access road shall be designed and constructed and paved 16-feet in width in accordance with the Flathead County Road and Bridge Department's "Minimum Standards for Design and Construction", as applicable. Construction plans and "As-Built" drawings for all roads shall be designed and certified by a licensed engineer and provided to the Road and Bridge Department prior to Revised Preliminary Plat. [Sections 4.7.16 and 4.7.17 FCSR]
8. The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 4.7.13, 4.7.20, 4.7.21 FCSR]
9. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for Revised Preliminary Plat. [Section 4.7.28, FCSR]
10. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision and specifying a centralized location served with bear-proof containers has been established within the RV Park. [Section 4.7.22, FCSR]
11. The following statements shall be placed on the face of the Revised Preliminary Plat:
  - a. All utilities shall be placed underground. [Section 4.7.23, FCSR]
  - b. Solid waste removal shall be provided by a contracted solid waste hauler and shall use bear-proof containers. [Section 4.7.22, FCSR]
  - c. The RV Park owner is bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25, FCSR]
  - d. The RV Park owner shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]

**TUESDAY, OCTOBER 11, 2011  
(Continued)**

12. As applicable, all road names shall be approved by Flathead County and clearly identified and RV space numbers will be clearly visible from the internal road. RV space numbers shall be at least four inches in length per number. [Section 4.7.27(a)(ii)(D), FCSR]
13. All utilities shall be placed underground. [Section 4.7.23, FCSR]
14. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
15. Where the aggregate total disturbed area of any infrastructure construction in the proposed subdivision as defined in A.R.M. 17.30.1102(28) is equal to, or greater than one acre; or where when combined with subsequent construction of structures such disturbed area will be equal to, or greater than one acre, a Montana State Department of Environmental Quality General Permit for Stormwater Discharges Associated with Construction Activity (General Permit) shall be obtained and provided to the Flathead County Planning & Zoning office prior to any site disturbance or construction. [17.30.1115 Administrative Rules of Montana (A.R.M.)]
16. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Section 4.0.16 FCSR]
17. The Revised Preliminary Plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.5.4(c) FCSR]
18. Preliminary plat approval is valid for three years. The Revised Preliminary Plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]
19. Prior to Revised Preliminary Plat approval of the RV Park, the applicant shall provide evidence that all applicable permit requirements of the Department of Natural Resources Water Resources Division for the public water supply proposed have been met.
20. The portion of the un-named road serving as RV Park egress shall be improved and paved 22-feet in width in accordance with Section 2-05 Table 1 of the Flathead County Road and Bridge Departments' "Minimum Standards for Design and Construction Manual". [Sections 4.7.16 and 4.7.17, FCSR]
21. A 10 foot bike/pedestrian easement shall be shown on the face of the Revised Preliminary Plat along US Highway 2 in accordance with the applicable regulations. [Section 4.7.19 FCSR]
22. A 'Dust and Air Pollution Control and Mitigation Plan' document compliant with Section 4.7.14 of the Flathead County Subdivision Regulations shall be submitted prior to final plat approval. [Section 4.7.14, FCSR]
23. A 'Fire Prevention, Control, and Fuels Reduction Plan' document compliant with Section 4.7.27 of the Flathead County Subdivision Regulations shall be submitted prior to Revised Preliminary Plat approval. [Section 4.7.27, FCSR]
24. The following statements shall be placed on the face of the final plat:
  - e. This RV Park is located in the Wildland Urban Interface area where wildfires can and do occur. [Section 4.7.27(a)(ii)(A), FCSR]
  - f. Only Class A and Class B fire-rated roofing materials are allowed. [Section 4.7.27(a)(ii)(B), FCSR]
  - g. Firewise defensible space standards shall be incorporated around all RV spaces, primary structures and improvements. [Section 4.7.27(a)(ii)(C), FCSR]
  - h. All road names are assigned by the Flathead County Address Coordinator. RV space numbers shall be clearly visible from the internal road. RV space numbers shall be at least four inches in height per number. [Section 4.7.27(a)(ii)(D), FCSR]
25. Actions called for in the 'Fire Prevention Control and Fuels Reduction Plan' shall be implemented prior to the approval of the Revised Preliminary Plat. The local/reviewing fire authority shall inspect the subdivision and provide written documentation that all thinning, clearing and other mitigation measures described in the plan have been completed as proposed for the RV Park. [Section 4.7.27(b)(iii) FCSR]
26. Appropriate signs shall be installed to ensure safe and efficient traffic flow to, from and within the one-way road network of the RV Park.
27. Trash bins and other refuse containers should be wildlife (bear) proof, secured and kept in a centralized location.
28. Appropriate wildlife signage shall be installed at the entrance to the RV Park informing RV Park guests that grizzly bear, black bear, mountain lion, and a multitude of other wildlife species inhabit the area and identifying RV Park rules to minimize wildlife 'attractants' in order to limit potential conflicts with wildlife. [Section 4.7.22(c) FCSR]
29. The following statement shall be placed on the face of the final plat:
  - i. The RV Park owners and guests are alerted to the presence of potentially dangerous wildlife in the area and are reminded that **feeding big game is illegal**. RV Park owners are encouraged to contact the Montana Department of Fish, Wildlife, and Parks to obtain information on safely living near wildlife and minimizing habitat impact, including such things as bear proofing, pet control, wildlife friendly fencing, and minimizing wildlife 'attractants'.

**CONSIDERATION OF PRELIMINARY PLAT EXTENSION: MC GREGOR OVERLOOK**

[9:45:17 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Planner Alex Hogle, Clerk Kile

Hogle reported McGregor Overlook was given a standard one-year preliminary plat extension, which is set to expire on November 5, 2011. He explained the agreement before them today is for a one-year extension.

Commissioner Holmquist made a **motion** to approve a one-year preliminary plat extension for McGregor Overlook to November 5, 2012. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

TUESDAY, OCTOBER 11, 2011  
(Continued)

**CONSIDERATION OF PRINT BID: GIS**

[9:47:08 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, GIS Director Mindy Cochran, Clerk Kile

Commissioner Lauman made a **motion** to approve the print bid from Top Copy Printing for 1,000 color business cards for \$72.00. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: MONTANA WOOL GROWERS ASSOCIATION PREDATOR CONTROL FUND MOU**

[9:49:34 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk Kile

Pence explained the annual contribution is to the state for the Montana Wool Growers Association Predator Control Fund.

Commissioner Holmquist made a **motion** to approve the annual contribution to Montana Wool Growers Association. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**OPEN BIDS: NON-METAL SHELVING MATERIAL**

[10:00:40 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk & Recorder Paula Robinson, Clerk Kile

Bids received with bid bonds enclosed from:	Western Bldg. Center	\$62,337.88
	Lowe's	\$59,743.46

Commissioner Lauman made a **motion** to take the bids under advisement. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**OPEN BIDS: METAL SHELVING MATERIAL**

[10:02:51 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Clerk & Recorder Paula Robinson, Clerk Kile

A single bid was received from Pacific Steel & Recycling with bid bond enclosed for \$62,157.97.

Commissioner Holmquist made a **motion** to take the bid under advisement. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**MONTHLY MEETING W/ SCOTT SAMPEY, OES & LINCOLN CHUTE, FIRE SERVICE AREA MANAGER**

[10:33:27 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Assistant Mike Pence, Deputy Director OES Cindy Mullaney, Clerk Kile

Mullaney reported emergency management training classes at the OES Department are being held this week. She reported a coat of sealer was applied to the building blocks at the 911 Center by the general contractor, and it is anticipated another will be applied in the spring. She explained work is being done by the Fire Services Area Manager to get the Big Mountain site ready for winter.

**1:00 p.m. Commissioner Holmquist: Health Board meeting @ Earl Bennett Bldg.**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 12, 2011.

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### WEDNESDAY, OCTOBER 12, 2011

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

**11:00 a.m. County Attorney meeting @ Co. Atty's Office**  
**1:15 p.m. 911 meeting @ FECC**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 13, 2011.

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### THURSDAY, OCTOBER 13, 2011

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

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

#### **PUBLIC HEARING: NODDING ONION ZONE CHANGE/ LOWER SIDE ZONING DISTRICT**

[9:30:23 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Planner Allison Mouch, Zac Andrews, Richard Siderius, Joan Siderius, Matt Hammett, Clerk Kile

Mouch entered into record FZC 11-02; a request by Nodding Onion LLC to change the zoning designation on 7.068 acres in the Lower Side Zoning District from I-1H (Light Industrial Highway) to I-2 (Heavy Industrial). The property is located at the southwest corner of Demersville Road and Snowline Lane east of Hwy 93. Mouch noted an issue came up regarding public services during review, and explained zone change requests cannot be conditioned, however, environmental health strongly suggested they hook into public services because of potential heavy industrial uses that could occur.

**Chairman Dupont opened the public hearing to anyone wishing to speak in regards to the zone change.**

Matt Hammett, 221 Splendid View Drive questioned if a requirement would be make to hook into the city sewer system or what their plan was. He stated he is a resident in the area and is planning to do something with a piece of land, and was advised he would have to hook into the city sewer system. Hammett asked if a waiver is available in order to get around hooking to the city system.

Mouch explained prior to the applicant coming in with their application they went through a re-review through the DEQ in order to replace the septic on the property, and put in a shared well to serve their existing buildings. It was stated when they went through the re-write process DEQ looked at the three to one relationship, and the engineer report showed because of the cost of what they wanted to do that it would cost more for them to hook into public services than to put in the services on site.

Andrews explained you can challenge the city if it costs more than three times as much to hook into city services than it does to utilize your own site.

Richard Siderius, 395 Auction Road said he opposed the change mainly because his property is near the location, and has concerns about long-term noise.

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

General discussion was held relative to the aquifer, noise and changes happening in the valley.

Commissioner Lauman made a **motion** to approve Resolution 957BE and authorized chair to sign the Notice of Passage of Resolution of Intent. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

#### RESOLUTION NO. 957 BE

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 13<sup>th</sup> day of October, 2011, concerning a proposal by Nodding Onion, LLC, to change the zoning designation in a portion of the Lower Side Zoning District from I-1H (Light Industrial Highway) to I-2 (Heavy Industrial);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on September 29 and October 6, 2011;

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

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

**THURSDAY, OCTOBER 13, 2011**  
**(Continued)**

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria for zoning changes as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., adopts this resolution of intention to change the zoning designation in a portion of the Lower Side Zoning District from I-1H (Light Industrial Highway) to I-2 (Heavy Industrial), that area being described as the boundaries of: A Tract of land, situated, lying and being in the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section 33, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana. (Tract 2 of Certificate of Survey No. 10434) and located at 980 Demersville Road, Flathead County.

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

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

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

DATED this 13<sup>th</sup> day of October, 2011.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

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

By/s/Pamela J. Holmquist  
Pamela J. Holmquist, Member

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION  
LOWER SIDE 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 intention (Resolution No. 957 BE) on October 13, 2011, to change the zoning designation in a portion of the Lower Side Zoning District from I-1H (Light Industrial Highway) to I-2 (Heavy Industrial).

The boundaries of the area proposed to be amended from I-1H to I-2 are located at 980 Demersville Road and can be legally described as follows:

A Tract of land, situated, lying and being in the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section 33, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana. (Tract 2 of Certificate of Survey No. 10434)

The proposed change would generally change the character of the zoning regulations applicable to the property from allowing 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 to allowing industrial uses accommodating heavy manufacturing, processing, fabrication and assembling of products or materials.

The Flathead County Zoning Regulations defining the I-1H and I-2 Zones are on file for public inspection at the Office of the Clerk and Recorder, temporarily located at 1035 1<sup>st</sup> Avenue West, Third Floor, Kalispell, Montana, and at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana. Documents related to the proposed amendment in the Lower Side Zoning District are also on file for public inspection at the Office of the County Clerk and Recorder and the Flathead County Planning and Zoning Office.

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

DATED this 13<sup>th</sup> day of October, 2011.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on October 18 and October 25, 2011.

THURSDAY, OCTOBER 13, 2011  
(Continued)

**AWARD BID: NON-METAL SHELVING MATERIAL**

[9:45:23 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Weed, Parks & Maintenance Director Jed Fisher, Dale Augusta, Eric J. McCann, Clerk Kile

Commissioner Lauman made a **motion** to accept the lowest bid of \$59,743.46 from Lowe's. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**AWARD BID: METAL SHELVING MATERIAL**

[9:48:23 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Weed, Parks & Maintenance Director Jed Fisher, Dale Augusta, Eric J. McCann, Clerk Kile

Commissioner Holmquist made a **motion** to award the metal bid to Pacific Steel & Recycling for \$62,157.97. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

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

[9:49:29 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Planner Allison Mouch, Clerk Kile

Commissioner Holmquist made a **motion** to authorize publication of the Notice of Public Hearing for Noonan, et al, Zone Change/ Highway 93 North Zoning District. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

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 Noonan, et al. to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to B-2HG (General Business Highway Greenbelt).

The boundaries of the area proposed to be amended from SAG-10 to B-2HG are described on Exhibit "A" attached hereto. The property is located on the east side of Highway 93, between Ponderosa Lane and Autumn Court, Kalispell on 78.71 acres.

The proposed change would change the character of the zoning regulations as a district to intended to protect and preserve agricultural land for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction of uses will be minimized, and to provide areas of estate-type residential development to a district intended to provide for impact-mitigated sales and service functions to be applied along major highway corridors.

The regulations defining the SAG-10 and B-2HG Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the Clerk and Recorder, Courthouse, (temporarily) located at 1035 1<sup>st</sup> Avenue West 2<sup>nd</sup> Floor, Kalispell, Montana, at the Flathead County Planning and Zoning Office, 1035 1<sup>st</sup> Avenue West, Kalispell, Montana, and on the Flathead County Planning and Zoning Office's website, at: [http://flathead.mt.gov/planning\\_zoning](http://flathead.mt.gov/planning_zoning).. 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 **5<sup>th</sup> day of December, 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 Highway 93 North Zoning District.

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

DATED this 13<sup>th</sup> day of October, 2011.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:

Paula Robinson, Clerk

By/s/James R. Dupont

James R. Dupont, Chairman

By/s/Diana Kile

Diana Kile, Deputy

Publish on November 21 and November 28, 2011.

**THURSDAY, OCTOBER 13, 2011  
(Continued)**

**EXHIBIT A**

**Tract 1:** (100 Adopt A Pet Way, Humane Society of NW Montana) Tract 1 of Certificate of Survey No. 14687, located and being in Government Lot 2 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 2:** (500 Franklin Way, Eric Wutke) Tract 1 of Certificate of Survey No. 1500, EXCEPTING THEREFROM Certificate of Survey No. 1730, located and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana. Tract 3: (Skylink Fiber Communications LLC) Certificate of Survey No. 1730, located and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 4:** (25 Miranda Dr, Eric & Dennis Wutke, Mild Fence Company) Tract 2 of Certificate of Survey No. 5572, located and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 5:** (Eric & Dennis Wutke, Mild Fence Company) Tract 3 of Certificate of Survey No. 5572, located and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 6:** (15 Miranda Dr, Rick & Rebecca Myers) Parcel 1 of Certificate of Survey No. 11980, located and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 7:** (119 US Highway 93, Eric & Dennis Wutke) Certificate of Survey No. 3914, located and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 8:** (115 Tronstad Road, Rick & Rebecca Myers) Certificate of Survey No. 3913, located and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 9:** (3327 Highway 93 N, Jump Investments) Parcel 1 of Certificate of Survey No. 9143, located and being in Government Lot 4 of Section 18, Township 29 North, Range 21 West, and Government Lot 1 of Section 19, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 10:** (Assessor's Tracts 1F and 1FA, Jump Investments) Tracts 1 and 2 of Certificate of Survey No. 9073, located and being in Government Lot 1 of Section 19, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 11:** (Assessor's Tracts 1G and 1GA, Jump Investments) Tracts 1 and 2 of Certificate of Survey No. 9067, located and being in Government Lot 1 of Section 19, Township 29 North, Range 21 West, P.M.M., Flathead County Montana.

**Tract 12:** (Assessor's Tracts 4B and 4C, 141 Tronstad Road, James Chambers) A tract of land in Government Lot 3, Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana, and more particularly described as follows:  
Commencing at the Southwest corner of Government Lot 3; thence along the South line of Lot 3  
North 89°58'58" East, a distance of 507.29 feet to a point; thence  
North 00°17'38" West, a distance of 30.00 feet to the Point of Beginning; thence North 00°01'02" West, a distance of 548.00 feet to a point; thence  
North 89°58'58" East, a distance of 366.27 feet to a point; thence  
South 01°18'30" East, a distance of 548.14 feet to a point; thence  
South 89°58'58" West, a distance of 378.79 feet to the Point of Beginning.

**Tract 13:** (Assessor's Tracts 4BA and 4CC, 155 Tronstad Road, Mark Schwager) A tract of land, situated, lying, and being in Government Lot 3 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana, and more particularly described as follows:

Commencing at the SE corner of Lot 3; thence along the East line of Lot 3  
North 00°21'05" West, a distance of 30 feet to the Point of Beginning of the tract of land Herein being described; thence continuing along the East line  
North 00°21'05" West, a distance of 918.46 feet to a point; thence  
North 89°39'41" West, a distance of 588.55 feet to a point; thence  
South 00°17'38" East, a distance of 374.08 feet to a point; thence  
North 89°58'58" East, a distance of 188.37 feet to a point; thence  
South 01°18'30" East, a distance of 548.14 feet to a point; thence  
North 89°58'58" East, a distance of 391.36 feet to the Point of Beginning.

**Tract 14:** (Assessor Tract 1B, 132 Tronstad Road, Marilyn Noonan) A tract of land, situated, lying, and being in Government Lot 4 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana, and more particularly described as follows:

Commencing at the NW corner of said Lot 4; thence Easterly upon the Northerly boundary of said Government Lot 4, a distance of 80.00 feet To the Easterly right-of-way line of U.S. Highway No. 93; thence South 00°06'00" West upon the Easterly right-of-way line of said U.S. Highway No. 93, A distance of 30.00 feet to the Southerly right-of-way of the county road and the True Point of Beginning; thence South 00°06'00" West upon the Easterly right-of-way of U.S. Highway 93, a distance of 466.90 feet; thence Easterly and parallel with the Southerly boundary of the right-of-way of the county road, A distance of 466.90 feet; thence North 00°06'00" East and parallel with the Easterly boundary of said U.S. Highway No. 93, a distance of 466.90 feet to the Southerly right-of-way of the county road; thence Westerly upon the Southerly right-of-way of the county road, a distance of 466.90 feet to the Place of Beginning.

EXCEPTING THEREFROM that portion deeded to the State of Montana for highway purposes, recorded April 30, 1956 under Recorder's Fee #2871, in Book 387, page 324, records of Flathead County, Montana.

ALSO EXCEPTING THEREFROM that portion deeded to the State of Montana for highway purposes, recorded March 5, 1991 as Document #9106410300, records of Flathead County, Montana.

ALSO EXCEPTING THEREFROM that portion deeded to the State of Montana for highway purposes, recorded January 24, 2002 as Document #200202410020, records of Flathead County, Montana.

**Tract 15:** (Assessor Tract 1D, Archie & Thelma Weiguin) A tract of land, situated, lying, and being in Government Lot 4 of Section 18, Township 29 North, Range 21 West, P.M.M., Flathead County Montana, and more particularly described as follows:

Commencing at the SW section corner of Section 18; thence South 89°40'00" East, a distance of 108.71 feet to the East right-of-way of U.S. Highway 93; thence North 00°17'21" East, and along said right-of-way, a distance of 361.82 feet to the True Point of Beginning of the tract herein described; thence continuing along said right-of-way North 00°17'21" East, a distance of 466.48 feet; thence South 89°30'54" East, a distance of 466.54 feet; thence South 00°59'44" West, a distance of 464.18 feet; thence North 89°48'08" West, a distance of 460.81 feet to the True Point of Beginning.



THURSDAY, OCTOBER 13, 2011  
(Continued)

**DOCUMENT FOR SIGNATURE: CHANGE ORDER NO. 1 ELECTRIC AVENUE NORTH, PHASE II/ BIGFORK STORMWATER PROJECT**

[9:50:53 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Grant Writer Debbie Pierson, Brett Walcheck, Clerk Kile

Commissioner Lauman made a **motion** to approve Change Order No. 1 for \$14,965.00 for Electric Avenue North/ Phase II. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: CHANGE ORDER NO. 1 RIVER STREET NORTH OUTFALL, PHASE III / BIGFORK STORMWATER PROJECT**

[9:52:20 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Grant Writer Debbie Pierson, Brett Walcheck, Clerk Kile

Commissioner Holmquist made a **motion** to approve Change Order No. 1 for \$3,266.00 for River Street North Outfall/ Phase III. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**CONSIDERATION OF PRINTING BIDS: COMMISSIONERS' OFFICE**

[9:54:57 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Clerk Kile

Commissioner Lauman made a **motion** to award the print bid to Masters Touch for 5,000 #10 envelopes for \$199.75. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

**MONTHLY MEETING W/ SANDY CARLSON, FINANCE DEPT.**

[10:00:55 AM](#)

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Finance Director Sandy Carlson, Clerk Kile

Carlson reviewed the following cash balance report.

September 30, 2011 REVIEW OF CASH BALANCE									
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE FY11 beginning cash)	YTD CASH BALANCE AS OF September 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
1000	GENERAL FUND	9,923,570	2,742,038	12,665,608	2,255,625	1,443,956	2,358,088	914,132	23.77%
2120	POOR FUND	496,983	70,988	567,971	72,804	(5,251)	111,906	117,157	29.68%
2130	BRIDGE FUND	982,767	202,252	1,185,019	380,541	177,668	229,671	52,003	23.37%
2140	WEED	607,720	125,519	733,239	137,812	101,472	126,580	25,108	20.83%
2160	COUNTY FAIR	1,131,199	227,004	1,358,203	174,387	136,192	116,193	(20,000)	10.27%
2180	DISTRICT COURT	728,618	147,960	876,578	225,724	155,080	145,206	(8,873)	15.93%
2190	COMP INS	831,237	174,435	1,005,672	312,536	(644,636)	150,386	585,022	18.09%
2210	PARK	628,232	126,365	754,597	230,358	112,582	93,490	(19,092)	14.98%
2220	LIBRARY	1,357,016	338,940	1,695,956	355,287	80,311	283,506	203,195	20.89%
2280	AREA ON AGING	230,199	46,510	276,709	88,513	48,978	18,551	(30,427)	8.06%
2290	4H/EXT	134,503	27,141	161,644	24,005	(10,108)	27,142	37,250	20.18%
2300	SHERIFF	9,168,291	2,304,266	11,472,557	1,974,461	247,959	1,952,395	(20,162)	21.29%
2370	RETIREMENT	2,567,825	524,138	3,091,963	1,592,770	1,363,144	788,202	(564,941)	31.08%
2380	GROUP INS	2,766,360	616,798	3,383,158	1,387,240	741,541	1,727,219	985,678	62.44%
2396	JUV DETENTION	644,798	142,835	787,633	207,629	80,508	121,724	41,216	15.88%
TOTAL COUNTYWIDE NON-VOTED		32,076,318	7,825,249	39,901,567	9,424,781	4,229,395	8,260,859	4,033,464	25.75%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE FY11 beginning cash)	YTD CASH BALANCE AS OF September 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2110	ROAD FUND	7,101,142	2,138,815	9,239,957	2,409,482	804,219	1,683,562	879,263	23.71%
2751	PLANNING	400,601	111,738	512,339	171,277	66,231	132,384	66,153	33.05%
TOTAL OUTSIDE CITIES NON-VOTED		7,501,743	2,270,553	9,772,296	2,580,759	870,451	1,815,946	945,499	24.21%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE FY11 beginning cash)	YTD CASH BALANCE AS OF September 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2270	HEALTH FUND	2,116,971	565,278	2,682,249	601,918	344,234	516,891	172,657	24.42%
TOTAL LEVIED FUNDS		2,116,971	565,278	2,682,249	601,918	344,234	516,891	172,657	24.42%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE FY11 beginning cash)	YTD CASH BALANCE AS OF September 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2300	MOSQUITO	181,289	57,611	238,900	23,511	(4,480)	31,287	35,767	17.26%
2272	EMS PROGRAM	230,375	71,529	301,904	73,864	30,103	73,494	43,392	31.90%
2273	SPECIAL EMS PROGRAM	446,772	70,708	517,480	56,499	76,623	70,708	(5,915)	15.83%
2372	PERMISSIVE MED LEVY	1,176,851	-	1,176,851	-	51,694	-	(51,694)	0.00%
2382	SEARCH & RESCUE LEVY	223,624	69,343	292,967	89,302	55,157	49,775	(5,383)	22.26%
2390	TRANSPORTATION	1,963,873	398,244	2,362,117	416,514	148,168	349,041	200,873	17.77%
3001	911 GO BOND DEBT SERVICE	455,294	48,868	504,162	20,193	38,887	92,369	53,482	20.29%
TOTAL COUNTYWIDE VOTED/EXEMPT		4,678,078	606,303	5,284,381	659,833	396,153	666,674	270,522	14.25%
FUND	FUND NAME	APPROPRIATION	CASH RESERVES (\$ needed for 1st 4mos FY11)	TOTAL REQUIRED	RESOURCES AVAILABLE FY11 beginning cash)	YTD CASH BALANCE AS OF September 30, 2011	PROJECTED CASH BALANCE AS OF JUNE 30, 2012	PROJECTED DIFFERENCE	CASH RESERVE %
2380	EMERGENCY/DISASTER	330,156	45,847	376,003	45,847	47,036	45,847	(1,188)	13.89%
TOTAL OUTSIDE CITIES VOTED		330,156	45,847	376,003	45,847	47,036	45,847	(1,188)	13.89%

THURSDAY, OCTOBER 13, 2011  
(Continued)

**CONSIDERATION OF ADOPTION OF RESOLUTION: FINAL FY2011 BUDGET AMENDMENTS**

10:04:55 AM

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Finance Director Sandy Carlson, Clerk Kile

Carlson noted the budget amendment is to clean up accounts for FY2011.

Commissioner Lauman made a **motion** to adopt Budget Amendment Resolution 2312. Commissioner Holmquist **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

BUDGET AMENDMENT  
RESOLUTION # 2312

**WHEREAS**, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2010-2011, 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 2010-2011; and

**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 13<sup>th</sup> day of October, 2011.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

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

ATTEST:  
Paula Robinson, Clerk

By/s/Pamela J. Holmquist  
Pamela J. Holmquist, Member

By/s/Diana Kile  
Diana Kile, Deputy

Account	Description	Debit	Credit
1000.000.0213.411200.341	CC FROM WATER TO ELECTRIC	12,000.00	
1000.000.0213.411200.342	CC FROM WATER TO ELECTRIC		12,000.00
2110.000.0000.383000.000	CC DEPARTMENT	38,725.00	
2110.000.0218.383000.000	CC DEPARTMENT		38,725.00
2120.000.0000.383000.000	CC DEPARTMENT	65,600.00	
2120.000.0201.383000.000	CC DEPARTMENT		65,600.00
2160.000.0238.490600.610	CC INTEREST TO PRINCIPAL	3,076.68	
2160.000.0238.490600.620	CC INTEREST TO PRINCIPAL		3,076.68
2830.000.0707.430800.365	JUNK VEHICLE-USE CASH BALANCE	2,653.65	
2969.000.0190.440110.810	HEALTH CLINIC-ADJ RECEIVABLES	15,000.00	
2969.000.0190.344120.000	HEALTH CLINIC-ADJ RECEIVABLES		15,000.00
2975.000.0190.440173.397	AIDS GRANT-USE CASH BALANCE	410.00	
2976.000.0190.440174.143	IMMUN PROGRAM-USE CASH BALANCE	1,417.35	
2977.000.0190.440155.212	BIOTERRORISM-USE CASH BALANCE	4,000.00	
2982.000.0190.450321.398	INDEPENDENT LIVING-USE CASH BALANCE	10,953.00	
2986.000.0726.450320.398	SENIOR CENTERS-USE CASH BALANCE	0.08	
2988.000.0190.450310.398	SR HOME REPAIR GRANT-USE CASH BAL	20,000.00	
2992.000.0259.460430.900	PARKS GANT FUND-USE CASH BALANCE	13,000.00	
4002.000.0222.440110.900	CC PURCHASE OF VEHICLE	10,000.00	
4002.000.0222.383001.000	CC PURCHASE OF VEHICLE		10,000.00
4012.000.0201.410124.212	SMALL ITEM EQPT	5,000.00	
4012.000.0201.360000.000	RECORD MISC REVENUE		5,000.00
4012.000.0201.383000.000	CC TO DIFFERENT TRANSFER IN ACCT	137,500.00	
4012.000.0201.383003.000	CC TO DIFFERENT TRANSFER IN ACCT		137,500.00

THURSDAY, OCTOBER 13, 2011  
(Continued)

**CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: ASHLEY LAKE NEIGHBORHOOD PLAN**

10:15:35 AM

Members present:

Chairman James R. Dupont  
Commissioner Dale W. Lauman  
Commissioner Pamela J. Holmquist

Others present:

Planner Allison Mouch, Clerk Kile

Commissioner Holmquist made a **motion** to adopt Final Resolution 2015S for the Ashley Lake Neighborhood Plan amendment. Commissioner Lauman **seconded** the motion. **Aye** - Dupont, Lauman and Holmquist. Motion carried unanimously.

RESOLUTION NO. 2015 S

WHEREAS, the Ashley Lake Neighborhood Plan was approved by Flathead County Commissioners by Resolution No. 1295A on October 27, 1997; and

WHEREAS, the Board of Commissioners adopted the Flathead County Growth Policy on March 19, 2007 and envisioned Neighborhood Plans as being an implementation of that Growth Policy, recognizing existing plans including the Ashley Lake Neighborhood Plan, and acknowledging those existing plans may require updating to comply with that Growth Policy; and;

WHEREAS, revisions to the Ashley Lake Neighborhood Plan were proposed by the Ashley Lake Land Use Advisory Committee following the procedures set forth in the Growth Policy, and were recommended to the Flathead County Planning Board for review and consideration; and

WHEREAS, the Flathead County Planning Board held a public hearing concerning the revisions to the Ashley Lake Neighborhood Plan on August 10, 2011, pursuant to the provisions of 76-1-602, M.C.A., considered the public comment that was received, and recommended at that hearing that the revised Ashley Lake Neighborhood Plan, as amended by the Flathead County Planning Board be considered as an amendment to the Flathead County Growth Policy; and

WHEREAS, the Board of Commissioners reviewed the proposal, determined that the proposed amendment to the Flathead County Growth Policy should be formally considered, passed a resolution of intent (Resolution No. 2015 R) to adopt the revisions to the Ashley Lake Neighborhood Plan on September 8, 2011, and gave notice that it would consider public comment received by September 30, 2011; and

WHEREAS, the Board of Commissioners received no comments since the adoption of that resolution of intent.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of Flathead County, Montana, pursuant to Section 76-1-604, M.C.A., that it hereby adopts the revision of the Ashley Lake Neighborhood Plan as proposed by the Ashley Lake Land Use Advisory Committee and amended by the Flathead County Planning Board, as an addendum to the Flathead County Growth Policy.

DATED this 13<sup>th</sup> day of October, 2011.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

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

ATTEST:  
Paula Robinson, Clerk

By/s/Pamela J. Holmquist  
Pamela J. Holmquist, Member

By/s/Diana Kile  
Diana Kile, Deputy

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 14, 2011.

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**FRIDAY, OCTOBER 14, 2011**

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

**NO MEETINGS SCHEDULED**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 17, 2011.

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