
MONDAY, JANUARY 12, 2004

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

MEETING W/JONATHAN SMITH RE: PERSONNEL MATTER

Present at the January 12, 2004 8:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Deputy County Attorney Jonathan Smith, Human Resources Director Raeann Campbell, Clerk of District Court Peg Allison and Clerk Eisenzimer.

MEETING WAS HELD IN CLOSED DOOR SESSION

MONTHLY MEETING W/JAY SCOTT, FAIRGROUNDS

Present at the January 12, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Fair Director Jay Scott, and Clerk Eisenzimer.

General discussion was held relative to everything is going well, architects and engineers are working on new building; construction on Meridian Road; new Fair Board member; active use of new building; plans for Northwest Montana Fair.

**MONDAY, JANUARY 12, 2004
(CONTINUED)**

BOARD APPOINTMENTS: AOA AND WOODLAWN CEMETERY

Present at the January 12, 2004 9:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve the appointments of Pat Gilbertson, Carol Blake, Jennifer Schaffner, Maxine Gates, Thelma Hollingsworth and Carolyn Jonason to the Agency on Aging Board. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to accept Mary Kruse Chairperson, Thelma Hollingsworth, and Harm Toren as Vice chairpersons, Commissioner Watne **seconded** the motion. **Aye**- Watne, Hall and Gipe. Motion carried unanimously

Commissioner Hall made a **motion** to approve the appointment of Victor Darling and find a replacement for Ted Andrew to the Woodlawn Cemetery Board. Commissioner **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF OAI POSITION/ CLERK AND RECORDER'S OFFICE

Present at the January 12, 2004 9:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe read letter from Clerk and Recorder Paula Robinson requesting opening of Office Assistant II position replacing Kay Grice.

Commissioner Hall made a **motion** to open OAI position in Clerk and Recorder's office. Commissioner Watne **seconded** the motion. **Aye**- Watne, Hall and Gipe, Motion carried unanimously.

CONTINUATION OF PRELIMINARY PLAT: FICKEN FARMS II

Present at the January 12, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Johna Morrison and Clerk Eisenzimer.

Plat was pulled from consideration by Developer Ken Kramer.

CONTINUATION OF PRELIMINARY PLAT: SKY VIEW ESTATES #2

Present at the January 12, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Rick Breckenridge and Peggy Mathiason of Montana Mapping, Dawn Marquardt and Debbie Shoemaker of Marquardt & Marquardt Surveying, Jim Davis, Ken Kramer, Duncan Scott and Amy Waller and Clerk Eisenzimer.

Morrison reviewed the preliminary plat for Sky View Estates #2 Subdivision filed by Dennis and Allyson Weinberg. The application is for a 25 lot single-family subdivision on approximately 134.82 acres. The property is located southeast of Kalispell along Manning Road. One person spoke in opposition to the proposal at the public hearing before the Planning Board. The Flathead County Planning Board passed the motion to approve the plat unanimously.

Preliminary plat was heard December 16, 2003 and continued to review conditions and concerns.

Commissioner Watne made a **motion** to adopt Staff Report #FPP-03-35 as Findings of Fact. Commissioner Hall **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Sky View Estates #2 Subdivision subject to conditions. Commissioner Watne **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

FINAL PLAT: BUFFALO TRAIL SUBDIVISION

Present at the January 12, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Johna Morrison, Jim and Holly Cutting, Mike Cochran for Goacher and Associates and Clerk Eisenzimer.

Morrison reviewed the final plat for Buffalo Trail Subdivision which is an application by Jim and Holly Cutting for approval of a two lot minor subdivision along Buffalo Trail Road, off Boon Road in Somers. The subject property is 9.06 acres in size and is in an unzoned portion of Flathead County. Preliminary plat was waived on December 10, 2003 subject to six conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Watne made a **motion** to adopt Staff Report FWP-03-46 as Findings of Fact. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to approve Final Plat for Buffalo Trail Subdivision. Commissioner Watne **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

FINAL PLAT: SUBDIVISION NO. 240

Present at the January 12, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Johna Morrison, Randy Moore, Roger Fricke, Tom Sands for Sands Surveying and Clerk Eisenzimer.

Morrison reviewed the final plat for Subdivision No. 240 which is an application by Roger Fricke for approval of a five lot minor subdivision along Highway 35 and Riverside Road, approximately 8 miles west of Kalispell. The subject property is 5.0 acres in size and is in an unzoned portion of Flathead County. Preliminary plat was waived on August 27, 2003 subject to six conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

**MONDAY, JANUARY 12, 2004
(CONTINUED)**

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-49 as Findings of Fact. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat for Subdivision No. 240. Commissioner Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

FINAL PLAT: SUNRISE CREEK SUBDIVISION

Present at the January 12, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Johna Morrison, Marc Liechti of Schwarz Architecture and Engineering Inc. and Clerk Eisenzimer.

Morrison reviewed the Final plat for Sunrise Creek Subdivision filed by John Dyck. The application is for a 16 lot commercial subdivision. The property is can be described as Assessor's Tract 1 in Section 14, Township 30 North, Range 21 West, P.M., Flathead County, Montana. Preliminary plat approval for this subdivision was granted on February 5, 2002 subject to seven conditions. The Flathead County Planning Board passed the motion to approve the plat unanimously. .

Commissioner Watne made a **motion** to approve Final Plat for Sunrise Creek Subdivision. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously

FINAL PLAT: BORGEN SUBDIVISION

Present at the January 12, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Morrison reviewed the final plat for Borgen Subdivision which is an application by Norman and Florence Borgen for approval of a two lot minor subdivision on Highway 2 East, between Kalispell and Columbia Falls. The subject property is 19.42 acres in size and is unzoned. Preliminary plat was waived on March 2, 2003 subject to seven conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-36 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Watne made a **motion** to approve Final Plat for Borgen Subdivision. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

FINAL PLAT: CRYSTAL SHORES

Present at the January 12, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Johna Morrison, and Clerk Eisenzimer.

Morrison reviewed the final plat for Crystal Shores Subdivision which is an application by Tom Ritzdorf for approval of a three lot residential subdivision. The subject property can be described as Assessors Tract 1AG in Section 15, Township 28 North, Range 24 West, P.M., Flathead County, Montana.. Preliminary plat was granted on February 6, 2001 subject to eleven conditions. All conditions have been met or otherwise addressed by the applicant. Staff recommends approval of the final plat.

Commissioner Watne made a **motion** to adopt Staff Report FFP-03-67 as Findings of Fact. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to approve Final Plat for Crystal Shores Subdivision. Commissioner Watne **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF POLICY & PROCEDURES MANUAL AMENDMENT

Present at the January 12, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Human Resources Director Raeann Campbell Computer Services Director Norm Calvert, Clerk and Recorder Paula Robinson and Clerk Eisenzimer.

Raeann gave support for disbanding Personnel Committee and transferring all responsibilities of Personnel committee to Department heads and Human Resources Office.

Commissioner Watne made a **motion** to approve changes to Personnel Policies & Procedures Manual Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

AWARD BIDS: CAB & CHASSIS DIESEL PLOW TRUCKS (2)/ ROAD DEPT.

Present at the January 12, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Road Superintendent Charlie Johnson, Guy Foy, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to award the bid for two cab and chassis plow trucks to Western Star Trucks, with upgrading engines to Caterpillar making a total of \$69,625 each. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #04-07-5-11-008-0

Present at the January 12, 2004 11:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve DPHHS Contract #04-07-5-11-008-0 and authorize Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

**MONDAY, JANUARY 12, 2004
(CONTINUED)**

5:30 Commissioner Hall is to attend Red Bridge Bike Path meeting @ Plum Creek Offices

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on January 13, 2004.

TUESDAY, JANUARY 13, 2004

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

COS REVIEW: SIELER

Present at the January 13, 2004 9:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forrest Sanderson, Rick Breckenridge of Montana Mapping Associates, Elmer Doug Sieler, and Clerk Eisenzimer.

Sanderson presented information to explain Certificate of Survey, Doug Sieler offered explanation as to details of family transfer.

Commissioner Watne made a **motion** to approve Certificate of Survey as presented. Commissioner Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

MONTHLY MEETING W/LAURIE REBUCK, JUVENILE DETENTION

Present at the January 13, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Laurie Rebuck, Juvenile Detention, and Clerk Eisenzimer.

General discussion was held relative to number of detainees, new electricity work by Kalispell Electric in Detention center; options of expansion for visitation room; three violations for December, new licensing specialist for Juvenile Detention, Saari Saba;

PRELIMINARY PLAT: BEAR RUN ESTATES

Present at the January 13, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forrest Sanderson, Road Superintendent Charlie Johnson, Dawn Marquardt of Marquardt & Marquardt Surveying and Clerk Eisenzimer.

Sanderson reviewed the preliminary plat for Bear Run Estates Subdivision filed by North Prairie Law office/Maureen E. Baer and Marquardt & Marquardt Surveying. Bear Run Estates Subdivision creates a five lot single-family minor residential subdivision on approximately 46.44 acres. The property is located about five miles west of Kalispell on Von Der Heide Lane in the Conrad Ranch Subdivision in an unzoned portion of Flathead County. Sanderson pointed out the conditions outlined in staff report. Staff recommends approval of the Preliminary Plat.

Dawn Marquardt presented concerns. Part of my concern with this subdivision is the way it was brought to your attention. We had a pre-application meeting with Johna and my clients on September 25th I believe it was. On November 10th Mr. Conrad met with you regarding this subdivision and it was discussed at that time. He was complaining about approaches onto Von Der Heide Lane, on November 25th Mr. Johnson discussed this subdivision with you, it was submitted to the planning office on November 26th then on December 8th it was again discussed it had been, the copy of the preliminary plat had been sent to Mr. Johnson at his regular meeting with you this subdivision was again discussed and he talked about the fact that it indicated that with this layout we'd end up with eight or ten approaches on a county road within a matter of three hundred or four hundred feet, which is not the case. At the December 8th meeting he also asked for your permission to send the plat back and ask for consideration to be given for approaches off an interior street to service these lots because the County Commissioners were concerned about the number of approaches that would be generated with this layout and indeed on December 9th Mr. Johnson sent a letter to Mr. Sanderson asking for that. Shortly after that I sat down with Mr. Sanderson and I explained to him that there were no lots that were going to front off the county road for this subdivision. We always and the preliminary plat is the same as it was from day one there has never been an approach proposed for any of these lots directly onto Von Der Heide Lane, they don't even touch Von Der Heide Lane. I guess that's my concern is that this was discussed three times in this office and when you don't have the right information it's pretty hard to discuss the development. I got the tape of the meetings and it was discussed quite a bit and like I say, nobody, I don't know if nobody looked at the map the last time it was discussed but it shows clearly on there that these lots do not front on Von Der Heide Lane. Right now, the approach for the road that these lots front is off of an approach permit that was issued to Gordon Conrad in July of 2001. My clients, the Baers purchased approximately 550 acres of the Conrad Ranch in 2000, since then they've purchased another approximately 100 acres of the ranch. It's always been their plan to ranch this property; they plan on raising bison on the ranch portion. Just recently they decided to sell off the two houses that were on the property, they've been renting them out since they purchased it and they decided to also sell some of this land, it's up in the trees, it's not actually part of the working ranch and they just decided that they might as well go ahead and sell some of this off since they were going to be selling off the houses anyway. Talking about Von Der Heide Lane a little bit, Von Der Heide Lane is a dead end road. My clients have 2800 feet of frontage on the road and yet they don't have one single approach off the county road into their property at this time. The only approach that comes off of Von Der Heide is the approach that Gordon Conrad was granted to access the back of his property. As far as I know, there aren't problems with site distance or anything in this area. The other area of concern is the paving requirements. The average size of these lots is 9.3 acres I think is what they come out to and when we talked at the pre-application meeting, the Baers were not informed that they would have to pave this whole road, especially, I'm very confused as to why they're asking for pavement all the way down to the end of the cul de sac. That cul de sac would only serve three lots and according to any of the rules in the subdivision regulations, that would not require paving. The only paving that would be required is at the point where the subdivision road handles over 200 vehicle trips per day. I have some real questions, I talked to Forrest about this, and I've actually got a map that shows all the and I would like to point this out, most of the parcels that are back there were existing parcels, yes Gordon Conrad's done boundary line adjustments on them, but they were there when he started. They were there when he, I believe he had 27 separate parcels before we even started surveying out there. I believe the ranch is about 1500 acres, so we're talking a large area. Based on the subdivision regulations when you count vehicle trips per day, you use the most obvious travel route due to convenience or obvious destination for determining traffic flow counts within a proposed subdivision. I've got a map and I've

shown on there all the parcels that Gordon Conrad has created; there are actually two accesses to the back portion of the property that Gordon Conrad owns. One is from Hoffman Draw and the other is from Von Der Heide and most of the parcels that Mr. Conrad has created actually access off of Hoffman Draw. I counted 8 pieces for sure that access off of Von Der Heide and there's four others that are pretty much even. They could access either off of Hoffman Draw or Von Der Heide. I actually went out there this weekend and drove all the way through and around the property and it's pretty obvious that most of the traffic any of the traffic that's coming into this is coming off of Hoffman Draw. The portion of the property that's accessed directly off of Von Der Heide or closest to Von Der Heide, you come off of the road that's going to go through this subdivision and you turn north and that road you can't go any further than they've got it, unless they want to spend a lot of money doing that. From what I understand the rest of the property up in that area, Gordon Conrad is negotiating to sell that to the Summit Academy back there for a buffer. One of the things that I heard on the tapes of the meetings with Mr. Johnson was you asked him about the changes that were proposed to the subdivision regulations and everybody is saying that none of those changes were well received but that's not totally true and I think that one of the changes that everybody that I've talked to really liked was the private driveway easement that was proposed that would allow for basically a triple approach rather than a double approach. I had quite a few clients actually ask me if the county was going to initiate that. I don't know where this thing has gone, if it's gone anywhere after the workshops were held, but I just think you know when we're talking about approaches onto county roads that's something that a lot of people would like to see and I don't think that anybody would fight over it. So basically what I'm saying is my client does have a real problem with paving this whole road, especially all the way down to the end of the cul-de-sac considering that portion of the road for sure. Sanderson questioned how long that portion of the road is. Marquardt answered with it's about 1000 feet, Sanderson projected it's more than that, it's going to be more like 2,000 feet from Von Der Heide. Marquardt continued, we're talking about something that would probably add somewhere in the neighborhood of \$10,000 per lot to the price of these lots if he paved 2000 feet of road in there. Like I say, the back three lots I mean there's going to be you know, based on the calculations there would be thirty vehicle trips per day on that portion of the road so I think it's really excessive, I don't think that we're at that 200 vehicle trips per day, I don't know what Gordon Conrad's plans are as far as how if he's planning on dividing up the rest of his property but I guess at that time there's a possibility. But like I say, most of the property that he hasn't gotten divided yet would access off of Hoffman Draw.

Sanderson questioned Road Superintendent Charlie Johnson asking if he has finalized the approach permit for Gordon Conrad with the current alignment at Von Der Heide Lane and Johnson replied that, no he has not.

Sanderson viewed map along with Charlie Johnson verifying approaches. Recommending deletion of condition 12 which reads the internal subdivision road shall be paved from the intersection with Von Der Heide Lane to the end of the cul-de-sac.

Amend staff report's mitigating factors number 3, reducing traffic load expectations from 250 to 310 down to below 200, deletion of last sentence in Effects on Health and Safety since 200 traffic trips are not expected and deletion of condition 12 requiring internal roads to be paved, deletion in "Roads" section of Effects on Local Services, given the connection and the number of lots created by exemption by Gordon Conrad, paving should be required.

Commissioner Watne made a **motion** to amend Staff Report #FSR-03-40 by deleting condition twelve and amending mitigating factors as stated above. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum

Commissioner Watne made a **motion** to adopt Staff Report #FSR-03-40 as amended as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve the Preliminary Plat for Bear Run Estates Subdivision with elimination of condition 12, subject to 16 conditions. Commissioner Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

PRELIMINARY PLAT: CIMARRON SUBDIVISION

Present at the January 13, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Dawn Marquardt and Debbie Shoemaker of Marquardt & Marquardt Surveying, Aaron Jordt Planner Johna Morrison and Clerk Eisenzimer.

Morrison reviewed the preliminary plat for Cimarron Subdivision filed by Aaron Jordt and Ron Platke and Marquardt & Marquardt Surveying. Cimarron Subdivision creates a four lot single-family subdivision on approximately 42.89 acres. The property is located in the Kalispell area approximately ½ mile east of Whitefish Stage Road. Staff recommends approval of the Preliminary Plat.

Commissioner Watne made a **motion** to adopt Staff Report #FSR-03-43 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve the Preliminary Plat for Cimarron Subdivision subject to 11 conditions. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

PRELIMINARY PLAT: SHAWNEE WOODS SUBDIVISION

Present at the January 13, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Tom and Sharon Lewis, Planner Johna Morrison and Clerk Eisenzimer.

Morrison reviewed the preliminary plat for Shawnee Woods Subdivision filed by Tom and Sharon Lewis. Shawnee Woods Subdivision creates a four lot single-family subdivision on 20 acres. The property is located in the Bigfork area approximately ¼ mile north of the green boxes on MT Highway 83. Staff recommends approval of the Preliminary Plat.

Commissioner Watne made a **motion** to adopt Staff Report #FSR-03-44 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve the Preliminary Plat for Shawnee Woods Subdivision subject to 9 conditions. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

PRELIMINARY PLAT: BAY VIEW CONDOMINIUMS

Present at the January 13, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioner Watne, Lisa Wurster of Thomas Dean & Hoskins, Rob Wink, Planner Johna Morrison and Clerk Eisenzimer.

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

Morrison reviewed the preliminary plat for Bay View Condominiums filed by S & SW Trust and Mike Fraser, Thomas, Dean & Hoskins. Bay View Condominiums creates a five condominium unit subdivision on approximately .4881 acre. The property is located at 466 Electric Avenue in Bigfork. Staff recommends approval of the Preliminary Plat.

Commissioner Gipe made a **motion** to adopt Staff Report #FSR-03-45 as Findings of Fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried unanimously.

Commissioner Watne made a **motion** to approve the Preliminary Plat for Bay View Condominiums subject to 9 conditions including the variance for Table 3. Commissioner Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

11:00 Commissioner Hall is to attend Which Way Columbia Falls meeting @ North Valley Community Center

AUTHORIZATION TO PUBLISH CALL FOR BIDS: LIQUID ASPHALT(2)/ ROAD DEPARTMENT

Present at the January 13, 2004, 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve Call for Bids for **Liquid Asphalt** and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following grades of LIQUID ASPHALT:

Estimated Usage

Emulsified Asphalt - CRS 2 -- 500 tons

Bidding is to be by the ton F.O.B. to Flathead County and the specific site, which will be disclosed at the time the order is placed. Bid price is to also include appropriate placement of materials on County site by successful bidder. Distributor to be mounted with a Bear Cat computerized spray bar with a minimum 4,000 tank or equivalent. Supplier shall have oil sample test results on hand and available upon request of Flathead County. Bidder will be responsible for proper product, temperature, consistency, and application.

All orders will be placed with the successful bidder by 4:00 p.m. on the day prior to delivery. All orders to be delivered at 7:00 a.m. the next morning. Tanks to be equipped with factory mounted visual thermometers.

Bidder will be responsible to provide County with two (2) oil samples to be taken at the point of delivery, before application begins. Oil samples will be labeled and ready to be tested. Labels and attached documentation are to include date, type of material, temperature, and any other information needed for adequate testing.

Bid to be from February 1, 2004 through January 31, 2005, or until the County Commissioners call for new bids, with the right to go to the next supplier if asphalt is not available or if the asphalt does not meet MDOT specifications from the successful bidder. Bid price is to include on site delivery within Flathead County and for materials to be placed on the road by the vendor.

Each bidder must deposit with his bid, a bid security in the amount of three-thousand dollars (\$3,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract the bidder will, within ten (10) days, enter into a formal contract; or otherwise the bidder will pay to Flathead County the difference between the amount of his bid and the amount for which Flathead County contracts with another party to complete the contract; bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States: a cashier's check, certified check, bank money order or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

All sealed bids must be plainly marked "LIQUID ASPHALT BID" and must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana, 59901, on or before 5:00 p.m. on January 30, 2004. Bids will be opened and read at 9:30 on February 3, 2004 in the Commissioners' Office in the West Annex of the Courthouse.

The form of contract to be signed is on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish on:

January 16th and January 23, 2004

Commissioner Watne made a **motion** to approve Call for Bids for **Liquid Asphalt (tack oil)** and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following grades of LIQUID ASPHALT:

		<u>Estimated Usage</u>
Asphalt -	PG64-22 & PG58-22	-- 2,000 tons
Asphalt -	SS 1 Tack Oil	-- 30 tons

The award of bid will be made to a single vendor who will supply both types of liquid asphalt. The award of bid will be made on the basis of an overall low bid determined by use of the County's estimated usage for each type of liquid asphalt and the bidders' price for each type of liquid asphalt. The estimated usage figures are to be used only for the purpose of determining an overall low bid; actual usage of each type of asphalt for _____ asphalt season may vary from those estimates.

All pricing is to be by the ton F.O.B. to the Flathead County Asphalt Plant in Kalispell and/or to the Flathead County Shop in Kalispell.

All orders will be placed with the successful bidder by 4:00 p.m. on the day prior to delivery, at which time the contractor will be told the type of oil to deliver. All orders to be delivered at 7:00 a.m. the next morning. All trucks shall have pumps to unload in overhead tanks. Asphalt will be 290 degrees Fahrenheit at time of delivery. Emulsified asphalt will be 140 degrees Fahrenheit when delivered. Tanks to be equipped with factory mounted visual thermometers. Supplier shall have oil sample test results on hand and available upon request to Flathead County.

Bid to be from February 1, 2004 through January 31, 2005, or until the County Commissioners call for new bids, with the right to go to the next supplier if asphalt is not available or if the asphalt does not meet MDOT specifications from the successful bidder.

Each bidder must deposit with his bid, a bid security in the amount of three-thousand dollars (\$3,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract the bidder will, within ten (10) days, enter into a formal contract; or otherwise the bidder will pay to Flathead County the difference between the amount of his bid and the amount for which Flathead County contracts with another party to complete the contract; bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

All sealed bids must be plainly marked "LIQUID ASPHALT BID" and must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana, 59901, on or before 5:00 p. m. on January 30, 2004.

Bids will be opened and read at 9:30 a.m. on February 3, 2004, in the Commissioners' Office in the West Annex of the Courthouse.

The form of contract to be signed is on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/ Howard W. Gipe
Howard W. Gipe, Chairman

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish on:

January 16th and January 23, 2004.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: GRAVEL CRUSHING/ ROAD DEPARTMENT

Present at the January 13, 2004, 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve Call for Bids for **Gravel for stockpiling** and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that sealed bids for the crushing and stockpiling of gravel at one Flathead County gravel pit will be received by the County Board of Commissioners of Flathead County, Montana.

The work contemplated consists of crushing and stockpiling the following:

Approximately 70,000 tons of 3/4" inch minus crushed gravel at the Old Steel Bridge Pit. Crushed material to meet Montana Department of Transportation Standard Specifications for Road and Bridge Construction, 1995 edition, page 392, Table 701-15, crushed top surfacing Type "B".

Specified asphalt minimum three piles: 1. Course, 2. Crushed Fines, 3. Natural Fines.

<u>Sieve Size</u>	<u>Job Mix Tolerance</u>	<u>Job Mix Grade Three Target Limits</u>
3/4"		100 %
1/2"	+(-) 7	86-90 %
3/8"	+(-) 7	75-79 %
No. 4	+(-) 7	53-57 %
No. 10	+(-) 6	34-40 %
No. 40	+(-) 5	16-18 %
No. 200	+(-) 1	5-7 %

Change Article 701.03 (A)(3) to read not less than 60% of coarse aggregate particles by weight shall have at least two mechanically fractured faces as determined by MT-217.

Contractor performs sieve analysis every 1,000 tons.

Natural fines shall be 100 % passing 3/4" sieve size.

Actual amounts to be crushed shall be determined based upon unit prices. Crushed material to be weighed by scales on a belt conveyor, and or cross section of stockpile to be done by engineer to verify quantities. Gradation testing shall be conducted by the contractor in accordance with MT-202. All material up to 4 feet shall be crushed, any material over 4 feet will be considered oversize. Location shown on map attached to the Bid Proposal. Material and pit area may be viewed by making an appointment with the Road Department. The exact location of material to crush and of the stockpile will be designated by the Flathead County Road Department at the time of crushing. Contact the Flathead County Road Department if there are any questions or to set up a time to view the crushing site.

Bid proposals must be submitted on a form to be provided for the purpose, addressed to the Board of County Commissioners, Flathead County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, and enclosed in an envelope marked, "Proposal for Crushing and Stockpiling Gravel."

No proposal will be considered unless accompanied by a proposal security in the amount of ten percent (10%) of his bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase and sale of said materials. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States: a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

A performance bond will be required for the faithful performance of the successful contractor in the full amount of the bid.

Plans and specifications, forms of contract, proposal blanks, and full instructions are on file and may be obtained at the Clerk and Recorder's office in the Courthouse at 800 South Main, Kalispell, MT 59901.

Flathead County shall assess a penalty of \$100. per day for failure of the contractor to complete the contract in sixty (60) days. This allows thirty (30) days for the contractor to file a public notice of moving and the State change of location notice. Extenuating circumstances will be considered by the County Commissioners for extension of the contract without penalty.

The successful bidder must contract to pay prevailing wage rates set by the Montana Department of Labor and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Employment Relations Division of the Montana Department of Labor and Industry in the proper classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or county that enforces a preference for resident bidders equal to the preference given in the other state or county.

All sealed bids, plainly marked as such, must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, on or before 5:00 p.m. on January 30, 2004. Bids will be opened and read at 9:30 on February 3, 2004 in the Commissioner's Office in the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

PLEASE PUBLISH IN YOUR ISSUES OF:
January 16th and January 23, 2004.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: GAS & DIESEL/ ROAD DEPARTMENT

Present at the January 13, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve Call for Bids for **Gas and Diesel** and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following:

GASOLINE AND DIESEL

Bidder will furnish in writing an affidavit that the bidder will be able to furnish all the materials (gasoline and diesel) that Flathead County will use in the next year, February 1, 2004 through January 31, 2005.

DIESEL - estimated usage - 225,000 gallons
REGULAR NO LEAD - estimated usage - 100,000 gallons

Bidder must be able to deliver materials to the following delivery points on a keep full basis.

Bid prices for all materials must be listed for each delivery point listed below, on the bid form.

Delivery/Shipping will be F.O.B. to the following destinations.

Delivery Points:

Martin City	Premium No Lead Gas and Red Dyed Low Sulfur Diesel
Columbia Falls	Premium No Lead Gas and Red Dyed Low Sulfur Diesel
Busch Pit	Premium No Lead Gas and Red Dyed Low Sulfur Diesel
Olney - Mielke	Red Dyed Low Sulfur Diesel
Kila - Widgren	Red Dyed Low Sulfur Diesel
Bigfork - Sullivan	Red Dyed Low Sulfur Diesel
Bigfork - Thoennes	Red Dyed Low Sulfur Diesel
County Shop, Road	Regular No Lead Gas and Red Dyed Low Sulfur Diesel
Mixing Plant	Red Dyed Low Sulfur Diesel Fuel
Main Courthouse	Regular No Lead Gasoline and Red Dyed Low Sulfur Diesel

Diesel fuel to be blended a minimum of 30% in winter months, approximately from November 1 through March 31, at the discretion of the Flathead County Road Department, depending upon winter weather.

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

Bidder to furnish net state prices. At the time a price fluctuation occurs the term contract holding vendor shall be required to supply a written, dated notice, detailing the effect the price fluctuation will have on his "Base Price".

For fuel provided under the term contract, prices and meter readings or "stick" measurements must be on all invoices. Invoices must be signed at the delivery point or signed at the County Shop Office after each delivery.

Bidder to state brand of gasoline and/or diesel fuel being on the bid form.

Bidder to include the following taxes with their price breakdown per gallon per delivery point on the attached form:

Gasoline include state tax no federal tax
Diesel include no state tax no federal tax

Award of bid will be made only to a single vendor who can supply both gasoline and diesel fuel. If delivery points are not kept full Flathead County reserves the right to order fuel from another supplier to maintain operations.

All fuels provided and delivered under the terms of this contract shall meet or exceed Federal Fuel Commodity Specifications as referenced below:

Fuel Quality Requirements:

Gasoline - All gasoline provided shall meet or exceed Federal Specifications, VV-G-1690B.

Diesel Fuel - All diesel fuels provided shall meet or exceed Federal Specifications, VV-F-800B with reference to grades DF-#1 and DF-#2.

NOTE - If quality of fuels is questioned, the County reserves the right to have fuels tested and if found unsatisfactory to refuse delivery.

Each bidder must deposit with his bid, a bid security in the amount of two-thousand dollars (\$2,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the supply, purchase, and sale of said gasoline and diesel fuels. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

The form of contract and the bid form to be signed are on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

All sealed bids, plainly marked as such, must be in the hands of the Clerk and Recorder on or before 5:00 p.m. on January 30, 2004. Bids will be opened and read at 9:30 on February 3, 2004 in the Commissioners' Office at the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interests of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish on:
January 16th and January 23rd, 2004.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: PROPANE/ ROAD DEPARTMENT

Present at the January 13, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve Call for Bids for **Propane** and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following:

Propane Fuel

Bidder will furnish in writing an affidavit that the bidder will be able to furnish all the materials (propane) that Flathead County will use in the next year, February 1, 2004 through January 31, 2005.

PROPANE - estimated usage - 200,000 gallons

Vendor to provide the 11,000 gallon minimum porta-pac/tank, the pump and motors, all piping and pressure regulating valves and gauges and related equipment to the liquid propane manifold which will meet the burner specifications on both volume and pressure down to a temperature of 32 degrees Fahrenheit, see attached diagram with specifications. If rental agreements are applicable, pertinent information maybe listed at the appropriate space provided. This should include the delivery and removal of the tank and equipment upon job completion and or the termination of said contract, including any man-hours required for set up or removal.

Bidder will provide the equipment necessary for the hookup between the porta-pac and the liquid propane manifold. Flathead County agrees to purchase any items needed for the hookup that are specific to our particular plant.

Once the porta-pac has been moved to the site Flathead County will bear the costs of any further relocating.

Bidder must be able to deliver materials to the Old Steel Bridge Pit, 1333 Holt Stage Road, Kalispell, MT. 59901, or to another predetermined location within Flathead County, on a keep full basis. Alternate delivery locations will be given to the vendor one-week prior to the effective date of change.

Delivery/Shipping will be F.O.B. to the specified plant location.

Bidder to furnish propane at net state prices (laid in price, rack price). At the time a net state prices (laid in price, rack price) fluctuation occurs the term contract holding vendor shall be required to supply a written, dated notice, detailing the effect the price fluctuation will have on net state prices (laid in price, rack price) and the total cost per gallon delivered.

For fuel provided under the term contract, net state prices (laid in price, rack price), delivery prices, totals per gallon, invoice total and meter reading measurements before and after delivery must be on all invoices. Invoices must be signed at the delivery point or signed at the County Shop Office after each delivery.

Bidder to state brand of propane fuel on the bid form.

Bidder is to bid only the delivery cost per gallon over the net state prices (laid in price, rack price) on the attached bid form.

Award of bid will be made only to a single vendor who can supply propane fuel, porta-pac unit, and related items needed to hook up to the liquid propane manifold. If delivery points are not kept full Flathead County reserves the right to order fuel from another supplier to maintain operations.

All fuels provided and delivered shall meet or exceed Federal Fuel Commodity Specifications.

NOTE - If quality of fuel is questioned, the County reserves the right to have fuel tested and if found unsatisfactory to refuse delivery.

Each bidder must deposit with his bid, a bid security in the amount of two-thousand dollars (\$2,000.00), to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the supply, purchase, and sale of said propane fuels. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank; or a bid bond executed by a surety corporation authorized to do business in Montana.

The form of contract and the bid form to be signed are on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, Montana.

All sealed bids, plainly marked as such, must be in the hands of the Clerk and Recorder on or before 5:00 p. m. on January 30, 2004. Bids will be opened and read at 9:30 a. m. on February 3, 2005 in the Commissioners' Office at the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interests of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13th day of January, 2004.

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish on:
January 16th and January 23rd, 2004.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: TIRES/ ROAD DEPARTMENT

Present at the January 13, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve Call for Bids for **Tires** and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids on the following:

TIRES

Tires for Flathead County Road and Bridge Departments.

Bids for new tires, tubes, recaps, and recapping.

Bidder will deliver and pick up tires at the Flathead County
Shop Compound, 1249 Willow Glen Drive, Kalispell, MT.

There may be one bid for new tires and tubes and one bid for recaps and recapping.

Bid to be "firm" throughout contract period of February 1, 2004 through January 31, 2005 or until the County Commissioners call for new bids.

Bidder to furnish Net State Prices.

Tire Sizes: New Tires

11R24.5 12 ply (minimum) Highway

11R24.5 12 ply (minimum) Summer Traction

1400R24 12 ply (minimum) Non Directional Grader Tires

20.5X25 L5 Loader Tires

23.5X25 L5 Loader Tires

225/60R16 Speed Rated All Season

225/60R16 Speed Rated Mud and Snow

235/85R16 10 ply All Season

235/85R16 10 ply Mud and Snow

Tire Sizes: Recap Tires

11R24.5 Gripper Caps (Using County Casings)

Any other specialty tires needed will be purchased at Net State Prices.

Bidder to attach a typed copy of the above tire sizes listing the brand, size, tread style, grade or quality, and prices for bid comparison and to be attached to the contract if awarded the bid. Bidder is requested to include a catalog of their bid products that would include photos of tires and treads.

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

Delivery: Pickup and/or delivery/shipping will be F.O.B. to the Flathead County Shop at 1249 Willow Glen Dr. Kalispell, MT 59901.

Each bidder must deposit with his bid, a bid security in the amount of one thousand dollars (\$1,000.00) to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the period of February 1, 2004, through January 31, 2005. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

The successful bidder must be able to deliver materials within ten (10) days of their being ordered by the County.

Should continued problems arise with the materials being supplied by the bidder or if the bidder cannot supply the materials needed, Flathead County reserves the right to purchase the bid items from another supplier in order to maintain operations and safety standards.

The form of contract to be signed is on file and may be obtained at the Clerk and Recorder's Office in the Courthouse at Kalispell, MT.

All sealed bids, plainly marked as such, must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, on or before 5:00 p.m. on January 30, 2004. Bids will be opened and read at 9:30 a.m. on February 3, 2004, in the Commissioner's Office in the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish on:

January 16th and 23rd, 2004.

AUTHORIZATION TO PUBLISH CALL FOR BIDS: GRAVEL FOR CHIP SEALING

Present at the January 13, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve Call for Bids for **Gravel for Chipsealing** and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CALL FOR BIDS

Notice is hereby given that sealed bids for the purchase of gravel will be received by the County Board of Commissioners of Flathead County, Montana.

The specifications are as follows:

Approximately 3,000 tons of 3/8 inch crushed washed gravel for chip sealing. Crushed material to meet Montana Department of Transportation Standard Specifications for Road and Bridge Construction, 1995 edition, section M-701.029 table 701-12 for grade 4A, 3/8 inch minus cover material. **NOTE: Budget restraints could cancel the purchase of any or all chipping materials, thus any or all bids, contracts or proposals would be voided.** Actual amounts to be purchased may be determined, based upon locations of projects, funds available, unit prices and estimated material quantities for projects, to be determined by the Flathead County Road Department. Crushed material to be weighed by scales on a belt conveyor. Gradation testing shall be conducted by the contractor in accordance with MT-202. Chips to be of sufficient moisture content to meet Flathead County satisfaction at time of loading to County trucks. Supplier shall have on hand laboratory analysis of chip materials verifying they meet MDOT specifications and test results shall be available upon request to Flathead County. Material is to be located within a twelve-mile radius of Kalispell. The County will pick up the material at the contractor's pit. Bid price is to include the material and the loading of said material into County trucks. A maximum waiting period for the trucks to be loaded will be five minutes. Contact the Flathead County Road Department if there are any questions.

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

Flathead County may award more than one bid depending upon locations of projects, funds available, bid prices, stock pile location, etc., to reduce haul time to various locations of the County. Bid proposals must be submitted on a form to be provided for the purpose, addressed to the Board of County Commissioners, Flathead County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, and enclosed in an envelope marked, "Proposal for Crushing and Stockpiling Gravel."

No proposal will be considered unless accompanied by a proposal security in the amount of one thousand dollars (\$1,000.00) of his bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the purchase and sale of said materials. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States; a

cashier's check, certified check, bank money order or bank draft issued by a Montana bank, or a bid bond executed by a surety corporation authorized to do business in Montana.

Plans and specifications, forms of contract, proposal blanks, and full instructions are on file and may be obtained at the Clerk and Recorder's office in the Courthouse at 800 South Main, Kalispell, MT 59901.

Contractor shall have bid materials on hand thirty (30) days prior to July 1, of this current year. The County will notify the bidder 24 hours prior to the anticipated delivery time. Materials are to be provided on an as needed basis when requested by the County. County may cancel acceptance of material at any time due to weather conditions, project complications, condition of material, etc. If at any time the County deems the material unacceptable, they reserve the right to purchase said material from the next lowest bidder.

All sealed bids, plainly marked as such, must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, MT 59901, on or before 5:00 p.m. on January 30, 2004. Bids will be opened and read at 9:30 a.m. on February 3, 2004 in the Commissioner's Office in the West Annex of the Courthouse.

The Board of County Commissioners reserves the right to reject any and all bids and to accept the bid deemed to be in the best interest of Flathead County. This contract will be in effect from the date the contract is signed thru January 31, 2005.

The award of a bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 13th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

ATTEST:
Paula Robinson, Clerk

By /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish on:
January 16th and January 23, 2004

FINAL PLAT: CRYSTAL COVE ESTATES, AMENDED PLAT OF LOT 4

Present at the January 13, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Jane Eby or Eby and Associates, Planning and Zoning Director Forrest Sanderson and Clerk Eisenzimer.

Sanderson reviewed the final plat for the Amended Plat of Lot 4 of Crystal Cove Estates, which is an application files by David and Helen Engel for a subdivision that will create two residential lots. The property can be described as Lot 4 of Crystal Cove Estates in Section 25, Township 27 North, Range 24 West, P.M., Flathead County, Montana. Preliminary plat approval for this subdivision was granted on July 24, 2003 subject to nine conditions.

Commissioner Watne made a **motion** to adopt Staff Report FFP-03-67 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve Final Plat for the Amended Plat of Lot 4 of Crystal Cove Estates Subdivision. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

FINAL PLAT: SWEETGRASS NO. 2

Present at the January 13, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forrest Sanderson and Clerk Eisenzimer.

Sanderson reviewed the final plat for Sweetgrass No. 2 Subdivision which is an application filed by Paul J. Stokes and Associates for approval of a seven lots subdivision. The legal description of the property is Assessor's SW1/4 of the NE1/4 of

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

Section 16, Township 29 North, Range 21 West, P.M., Flathead County, Montana. Preliminary plat approval for this subdivision was granted on September 9, 2002 subject to twelve conditions.

Commissioner Watne made a **motion** to adopt Staff Report FFP-03-63 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve Final Plat for Sweetgrass No. 2 Subdivision. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried unanimously

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on Tuesday, January 14, 2004.

WEDNESDAY, JANUARY 14, 2004

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

MEETING W/CHRIS KUKULSKI/CITY OF KALISPELL RE: EVERGREEN WATER & SEWER

Present at the January 14, 2004 9:00 A.M. Meeting were Commissioners Hall and Watne, Hank Olson, Jayson Peters, Charles Harball, Pamela Kennedy, Planning and Zoning Director Forrest Sanderson, City County Health Director Joe Russell, and Clerk Eisenzimer.

THIS MEETING WAS RESCHEDULED FOR JANUARY 29, 2004 AT 10:00 A.M.

DOCUMENT FOR SIGNATURE: SONDRON HALL LEASE AGREEMENT/WILDFIRES JUL-AUG 2003

Present at the January 14, 2004 10:00 A.M. Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve lease agreement and authorize chairman to sign Chairman Hall P.T. **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: DPHHS MENTAL HEALTH MEDICAID MATCH

Present at the January 14, 2004 10:00 A.M Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to approve county funds transfer and authorize Chairman to sign Chairman Hall P.T. **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on Thursday, January 15, 2004.

THURSDAY, JANUARY 15, 2004

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

8:30 AOA TAB meeting at Lutheran Home Cottage

MONTHLY MEETING W/JED FISHER, WEED, PARKS AND MAINTENANCE DEPARTMENT

Present at the January 15, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Weed, Parks and Maintenance Director Jed Fisher, and Clerk Eisenzimer.

General discussion was held relative to Bitterroot Lake property on Blue Grouse park; Vetville Park issues; Bigfork wants to build library on underdeveloped park land in Ferndale; maintenance survey results; maintenance issues in Earl Bennett Building; requesting budgeting for floating janitor to fill in for missing employees; emergency fire escape for courthouse; employee parking in courthouse complex; transferring east and west parks into County property; storage of surplus property; fuel tank removal has been turned over to AOA; requesting permission to attend mosquito control conference, agreement was made to send Jed to mosquito conference.

MONTHLY MEETING W/ALAN MARBLE, OES

Present at the January 15, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Human Resources Director Raeann Campbell, OES Director Alan Marble, Gary Mahugh, Les Schlegel, and Clerk Eisenzimer.

General discussion was held relative to Spruce Park project completion; Homestead House; completion of grant writing; received agreement for disaster and fire service agreement and request for Gary Mahugh to become Deputy Director.

CONSIDERATION OF EXTENSION REQUEST: ERHMAN NINE LEASE SUBDIVISION

Present at the January 15, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to extend Ehrman Nine Lease Subdivision Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

THURSDAY, JANUARY 15, 2004
(CONTINUED)

DECLARE SURPLUS PROPERTY: COMPUTER SERVICES

Present at the January 15, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to declare detector as surplus property Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING – DUSTY TRAIL, FALLING LEAF COURT, HIDDEN HILLS LANE, HIDDEN MEADOW LANE

Present at the January 15, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to authorize the publication of the naming of Dusty Trail and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Gipe and Hall. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **DUSTY TRAIL**.

Road generally running easterly off Browns Meadow Road and located in the S1/2S1/2 of Section 1, Township 26 North, Range 23 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the 2nd day of February, 2004 at 9:30 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 naming of **DUSTY TRAIL**.

This notice shall be mailed to each landowner who has access off of the proposed **Dusty Trail**, who has an address assignment on the proposed **Dusty Trail**, or who owns property along the proposed **Dusty Trail**.

Dated this 15th day of January, 2004

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish January 20 and 27, 2004

Commissioner Watne made a **motion** to authorize the publication of the naming of Falling Leaf Road and authorize the Chairman to sign. Commissioner Gipe **seconded** the motion. **Aye** - Watne, Gipe and Hall. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **FALLING LEAF COURT**.

Road generally running northwesterly off Scholar Boulevard and located in W1/2SW1/4 in Section 20, Township 30 North, Range 21 West, P.M.M., Flathead County.

The public hearing will be held on the 2nd day of February, 2004 at 9:30 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 naming of **FALLING LEAF COURT**.

This notice shall be mailed to each landowner who has access off of the proposed **Falling Leaf Court**, who has an address assignment on the proposed **Falling Leaf Court**, or who owns property along the proposed **Falling Leaf Court**.

Dated this 15th day of January, 2004

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

THURSDAY, JANUARY 15, 2004
(CONTINUED)

ATTEST:
Paula Robinson, Clerk

By/s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish January 20 and 27, 2004

Commissioner made a **motion** to authorize the publication of the Naming of Hidden Hills Lane and authorize the Chairman to sign. Commissioner **seconded** the motion. **Aye** - Watne, Gipe and Hall. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **HIDDEN HILLS LANE**.

Road generally running easterly, southerly and westerly off Big Mountain Road and located in the SE1/4NE1/4 of Section 14, Township 31 North, Range 22 West, P.M.M., Flathead County, Montana. This road was, in part, formerly known as Woods Lane.

The public hearing will be held on the 2nd day of February, 2004 at 9:30 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 naming of **HIDDEN HILLS LANE**.

This notice shall be mailed to each landowner who has access off of the proposed **Hidden Hills Lane**, who has an address assignment on the proposed **Hidden Hills Lane**, or who owns property along the proposed **Hidden Hills Lane**.

Dated this 15th day of January, 2004

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Howard W. Gipe
Howard W. Gipe, Chairman

ATTEST:
Paula Robinson, Clerk

By:/s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish January 20 and 27, 2004

Commissioner made a **motion** to authorize the publication of the Naming of Hidden Meadow Lane and authorize the Chairman to sign. Commissioner **seconded** the motion. **Aye** - Watne, Gipe and Hall. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **HIDDEN MEADOW LANE**.

Road generally running east and northerly off MT Highway 40 West and located in the E1/2W1/2 of Section 11, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana. This road was, in part, formerly known as Svensrud Road.

The public hearing will be held on the 2nd day of February, 2004 at 9:30 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 naming of **HIDDEN MEADOW LANE**.

This notice shall be mailed to each landowner who has access off of the proposed **Hidden Meadow Lane**, who has an address assignment on the proposed **Hidden Meadow Lane**, or who owns property along the proposed **Hidden Meadow Lane**.

Dated this 15th day of January, 2004

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Howard W. Gipe
Howard W. Gipe, Chairman

**THURSDAY, JANUARY 15, 2004
(CONTINUED)**

ATTEST:
Paula Robinson, Clerk

By/s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish January 20 and 27, 2004

DOCUMENT FOR SIGNATURE: DENNING, DOWNEY & ASSOCIATES CONTRACT

Present at the January 15, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve and authorize Chairman to sign Contract. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF PRINTING BIDS: HEALTH DEPT. AND WEED & PARKS DEPT.

Present at the January 15, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve decal stickers on behalf of the Health Department, the bid submitted by Grateful Graphics in the amount of \$250. Commissioner Watne **seconded** the motion. Aye - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to approve printing bid on behalf of the Health Department, the bid submitted by The Towne Printer for 5000 envelopes in the amount of \$127.50. Commissioner Watne **seconded** the motion. Aye - Watne, Hall and Gipe. Motion carried unanimously.

OPEN BIDS: ASHLEY LAKE ROAD PROJECT RELOCATION

Present at the January 15, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Les Schlegel, Chris Rasmussen, John Bauer, Bob Warren, Dick Brady, Terri Siefke, Marc Blanden, Thor Jackola, Jim Burton and Clerk Eisenzimer.

Bids received from:

Schlegel and Sons—\$293,308.50
Alternate 1 deduct \$32,500 Alternate 2 deduct \$22,785 Alternate 3 deduct \$103,127

Les Schlegel Enterprises---\$ 448,884
Alternate 1 deduct \$75,600 Alternate 2 deduct \$31,350 Alternate 3 deduct \$99,822

Settle Services--\$496,579.83
Alternate 1 deduct \$4,500 Alternate 2 deduct \$22,215 Alternate 3 deduct \$115,000

LHC --\$454,016.45
Alternate 1 deduct \$37,800 Alternate 2 deduct \$19,222.50 Alternate 3 deduct \$151,914.25

JTL Group--\$502,910
Alternate 1 deduct \$7,200 Alternate 2 deduct \$32,175 Alternate 3 deduct \$50,000

Schellinger Construction --\$309,593
Alternate 1 deduct \$4,500 Alternate 2 deduct \$18,975 Alternate 3 deduct \$100,000

Goose Bay Equipment --\$389,868.75
Alternate 1 deduct \$5400 ; Alternate 2 deduct \$28,462.50; Alternate 3 deduct \$126,725

Sandon Construction--- 459,977.15
Alternate 1 deduct \$41,760 Alternate 2 deduct \$24,420 Alternate 3 deduct \$111,516.40

Commissioner Watne made a **motion** to take the bids under advisement and refer them to the Road Department for a recommendation. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

FINAL PLAT: SHELTER CREST

Present at the January 15, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Tim Beck, Dan Brien of Brien Surveying and Clerk Eisenzimer.

Beck reviewed the final plat for Shelter Crest Subdivision which is an application filed by John and Connie MacLean for approval of a three lot subdivision off of Shelter Valley Drive and Pine Shelter, approximately five miles south of Kalispell. The subject property is 20.119 acres in size and is located in an unzoned portion of Flathead County. Preliminary plat approval was waived on March 5, 2003, subject to seven conditions.

Commissioner Hall made a **motion** to adopt Staff Report FWP-03-41 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried unanimously.

**TUESDAY, JANUARY 13, 2004
(CONTINUED)**

Commissioner Hall made a **motion** to approve Final Plat for Shelter Crest Subdivision. Commissioner Watne **seconded** the motion. **Aye** – Watne and Gipe. Motion carried unanimously

FINAL PLAT: RESERVE DRIVE ESTATES

Present at the January 15, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forrest Sanderson and Clerk Eisenzimer.

Sanderson reviewed the final plat for Reserve Drive Estates #2 Subdivision which is an application filed by Tonia May and Shannon Fraleigh for approval of a two lot minor subdivision along White Birch Lane, approximately 2 miles northeast of Kalispell. The subject property is 2.27 acres in size and is located in the R-1 Evergreen & Vicinity Zoning District. Preliminary plat approval was waived on march 18, 2003, subject to seven conditions.

Commissioner Watne made a **motion** to adopt Staff Report FWP-03-47 as Findings of Fact. Chairman Hall **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve Final Plat for Reserve Drive Estates Subdivision. Chairman Hall **seconded** the motion. **Aye** – Watne and Gipe. Motion carried unanimously

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: TRONSTAD ZONE CHANGE/HIGHWAY 93 NORTH ZONING DIST.

Present at the January 15, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to adopt Resolution 837AV Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 837 AV

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 1st day of December, 2003, concerning a proposal to change the zoning designation in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural);

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Highway 93 North Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 837 AU, dated December 1st, 2003) to change the zoning designation of the property described on Exhibit A, in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on December 4 and December 11, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders in the Highway 93 North Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Highway 93 North Zoning District to change the zoning designation of the property described on Exhibit A in a portion of the Highway 93 North Zoning District from SAG-10 (Suburban Agricultural) to SAG-5 (Suburban Agricultural).

DATED this 15th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

By: /s/Robert W. Watne
Robert W. Watne, Member

By: /s/ Gary D. Hall
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: WILKINSON ZONE CHANGE/HIGHWAY 93 NORTH ZONING DIST.

Present at the January 15, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

**THURSDAY, JANUARY 15, 2004
(CONTINUED)**

Commissioner Watne made a **motion** to adopt Resolution 837AT Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 837 AT

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the 1st day of December, 2003, concerning a proposal to change the zoning designation in a portion of the Highway 93 North Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural);

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Highway 93 North Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 837 AS, dated December 1st, 2003) to change the zoning designation of the property described on Exhibit A, in a portion of the Highway 93 North Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on December 4 and December 11, 2003, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders in the Highway 93 North Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Highway 93 North Zoning District to change the zoning designation of the property described on Exhibit A in a portion of the Highway 93 North Zoning District from AG-40 (Agricultural) to SAG-10 (Suburban Agricultural).

DATED this 15th day of January, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Howard W. Gipe
Howard W. Gipe, Chairman

By: /s/Robert W. Watne
Robert W. Watne, Member

By: /s/ Gary D. Hall
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

11:00 Commissioner Hall is to meet with Lee Coray-Ludden of RSVP
2:00 Commissioner Watne is to attend Health Board meeting at Earl Bennett Building

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on Friday, January 16, 2004.

FRIDAY, JANUARY 16, 2004

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

8:30 A.M. Chairman Gipe is to travel to Polson
9:00 A.M. Commissioner Hall is to speak at Youth Leadership Conference at the Central School Museum
10:00 A.M. Chairman Gipe is to attend Mental Health Board Meeting at Lake County Courthouse, Polson

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on Monday, January 19, 2004.