

MONDAY, JUNE 7, 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.

8:00 a.m. Weed & Parks Board Meeting at Weed & Parks Office

9:00 a.m. Commissioner Hall attended RC & D Meeting at the Justice Center Community Room (till noon)

FINAL PLAT: ELK RUN SUBDIVISION

Present at the June 7, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forrest Sanderson, and Clerk Moser.

Sanderson reviewed the application submitted by Bill Bendetto with technical assistance by Montana Mapping for final plat approval of Elk Run Subdivision, a two lot minor subdivision at the intersection of Falling Leaf Court and Pinewood Court southeast of Whitefish. The subject property is 20.00 acres in size and is located in SAG-10 of the Hodgson Road Zoning District of the County. Preliminary plat approval was waived on August 27, 2003, subject to seven conditions. Staff recommends approval.

Commissioner Watne made a **motion** to adopt Staff Report #FWP-04-18 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 final plat for Elk Run Subdivision. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

FINAL PLAT: EVERGREEN RAIL INDUSTRIAL, LOT 3

Present at the June 7, 2004 9:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forest Sanderson, Ardis Larson from Larson Surveying and Clerk Moser.

Sanderson reviewed the application submitted by Larsen Engineering and Surveying for final plat approval of the amended plat of Lot 3, Evergreen Rail Industrial Center, which will create 2 commercial lots off Cooperative Way of Evergreen in Section 33, Township 29 North, Range 21 West. The property is zoned I-1, Evergreen Zoning District. Preliminary plat was approved on January 6, 2004 subject to 9 conditions. Staff recommends approval.

Commissioner Watne made a **motion** to adopt Staff Report #FFP-04-18 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 final plat for amended plat of Lot 3, Evergreen Rail Industrial Center. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

MEETING W/SCOTT HAGEL RE: FRICKE/JANNI MATTER

Present at the June 7, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Dawn Marquardt and Debbie Shoemaker of Marquardt & Marquardt Surveying, Betty Janni, Scott Janni, Deputy County Attorney Jonathon Smith, Deputy County Attorney Peter Steele, Scott Hagel and Clerk Moser.

Discussion was held relative to an Inter Family Transfer.

Commissioner Watne made a **motion** to consent to the firm of Crowley, Haughey, Hanson, Toole & Dietrich to represent Roger Fricke in a matter concerning a family transfer, which may be adverse to the county. Chairman Gipe **seconded** the motion. **Aye**-Watne and Gipe. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: CONSTRUCTION AGREEMENTS/HELENA FLATS BIKE PATH & FARM TO MARKET TRAIL

Present at the June 7, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Peggy Goodrich and Clerk Moser.

Discussion was held relative to the Construction agreements for Helena Flats Bike Path and Farm to Market Trail.

Commissioner Watne made a **motion** to approve Construction agreement for Farm to Market Road Path and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve Construction agreement for Helena Flats Road Path and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

OPEN BIDS: NORTH FORK RELOCATION PROJECT

Present at the June 7, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, John Bauer, Les Schlegel, Russell Olsen, Steve Settle, Bob Erickson, Jim Burton, Glen Karthusin, and Clerk Moser.

Discussion was held relative to bids submitted by Schellinger Construction for \$163,970.15, Les Schlegel Enterprises for \$139,931.00, Russell Olsen for \$114,221.55, Settle Services for \$237,778.24, and Ureco Inc for \$113,893.77.

Commissioner Watne made a **motion** to take the bids under advisement and refer them to the Department for a recommendation. Chairman Gipe **seconded** the motion. **Aye** – Watne, Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: POSTOVIT/GUILLORY

Present at the June 7, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Traci Tull, and Clerk Moser.

Tull reviewed Lake and Lakeshore Construction Permit filed by L.J. Guillory on Ashley Lake to remove approximately seven dead trees and clean up some brush in the Lakeshore Protection Zone. Remove the land berm that was created by ice build up on the 146 feet of lakeshore property. The berm has caused trees and brush to be uplifted and turned over. The applicant is hoping to clean this area up while saving all healthy shrubs and trees (larger than three inches in diameter). The berm will not be excavated for landscaping purposes, but rather to help bring the existing shoreline consistent with the surrounding contours of the property. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLP-04-62 with 16 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: KNOLL

Present at the June 7, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Traci Tull and Clerk Moser.

Tull reviewed After-The-Fact/ Lake and Lakeshore Construction Permit filed by Vernon Knoll on McWennegar Slough to relocate 8-foot wide by 25-foot long wooden dock with 3-foot wide by 10-foot long gangway. Dock has a ski platform. Cleaned dumped dirt filled with garbage & installed fresh sod on shoreline located west of dock. Installed water ski slalom buoy course. Placed small amount of gravel fill on existing road in Lakeshore Protection Zone. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLV-04-10 with 39 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: MANN

Present at the June 7, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Traci Tull and Clerk Moser.

Tull reviewed Lake and Lakeshore Construction Permit filed by Howard Mann on McGilvrey Lake to remove all dead trees on entire property. Leave all stumps of trees that are removed, Making them flush with surrounding ground. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLP-04-67 with 13 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Watne and Gipe. Motion carried by quorum.

MEETING W/FLATHEAD CITIZENS FOR COMMUNITY VALUES

Present at the June 7, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioner Watne and Hall, Betty Bryant, Carol Warner, Norm Deforrest, Anita Hoye, Richard E Mauzey, Jim Duff, Dan Jones, Karen Martin, E R Bryant, Nellie Wagoner, Nelbardice Dunn, Jane Knickerbocker, Darlene Jump-Rauthe, Donald Garner, Keri Dutter, Deborah Morton, Ken Evendar, Marvin Hobbs, Sharon Bogardus, Glazier Betty, Ginger Brauence, Denise Cofer, Samkuel Puberis, J B Stone, Dave King, Darlis H Newlin, Marie Newlin, Herman R Penttila, Deborah Pancoast, Sharon L Wilhelm, Todd R Baker, Delores L Theis, R J McNiel, Pastor Nue Gomez, Susan Gomez, Darold Reiner, Charlotte Kineda, Jerry O'Neil, Sharon Fontino, Harris Hines, Dallas Erickson, Linda Jackson, Paul Bruce, Dan Kelleher, and Clerk Moser.

Discussion was held relative to the Ten Commandments on the Courthouse Lawn.

CONSIDERATION OF LAKESHORE PERMIT: STEWART

Present at the June 7, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Traci Tull and Clerk Moser.

Tull reviewed Lake and Lakeshore Construction Permit filed by Lance & Joan Stewart on Lake Blaine to install a concrete pad measuring 10 feet by 50 feet in the Lakeshore Protection Zone. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLP-04-63 with 21 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: MOOTHART

Present at the June 7, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Traci Tull and Clerk Moser.

Tull reviewed Lake and Lakeshore Construction Permit filed by Boyd & Libby Moothart on Flathead Lake to install a buoy for their sailboat. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLP-04-65 with 18 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Watne and Gipe. Motion carried by quorum.

CONSIDERATION OF REQUEST FOR POSITION OPENING: PLANNER I/PLANNING AND ZONING OFFICE

Present at the June 7, 2004 11:15 A.M. Meeting were Chairman Gipe, Commission Watne, Planning and Zoning Director Forrest Sanderson, and Clerk Moser.

Commissioner Watne made a **motion** to approve the opening of the Position of Planner I for Planning and Zoning. Chairman Gipe **seconded** the motion. **Aye-** Watne and Gipe. Motion carried by quorum.

MEETING W/PATTY ARNOLD, TREASURER, RE: DELINQUENT PERSONAL PROPERTY TAXES

Present at the June 7, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Patty Arnold, Adele Krantz and Clerk Moser.

Discussion was held relative to writing off five year old taxes.

Commissioner Watne made a **motion** to write off taxes. Chairman Gipe **seconded** the motion. **Aye** Watne and Gipe. Motion carried by quorum.

MEETING W/SANDY PENROD/FAMILY VIOLENCE PREVENTION COUNCIL RE: VIOLENCE FREE GRANT MATCH

Present at the June 7, 2004 11:45 A.M. Meeting were Chairman Gipe, Commissioner Watne, Sandy Penrod and Clerk Moser.

Discussion was held relative to Flathead County's twenty-five percent grant match to the Family Violence Prevention Council.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 7, 2004.

TUESDAY, JUNE 8, 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.

PRELIMINARY PLAT: TIEBUCKER PHASE TWO

Present at the June 8, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forrest Sanderson, Planner Peg Goodrich, Emy Amy, Mette Cephers, and Clerk Eisenzimer.

Goodrich reviewed the application submitted by Northwest Montana Human Resources for preliminary plat approval of Tiebucker Subdivision Phase 2, a major subdivision that will create 22 residential lots. The subdivision is proposed on 7.10 acres, currently Lot 39 of the Tiebucker Subdivision, and will be served by Somers municipal water and sewer. The property is located in the Somers area on Sunnybrook Lane just past the intersection of Sunnybrook and School Addition Road. General discussion was held. Staff recommends approval.

Commissioner Watne made a **motion** to strike Condition 16 as written. Commissioner Hall **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Hall made a **motion** to rewrite condition 16 that the developer shall install a new approach for Cephers, prior to final plat, said approach shall be approved by the Flathead County Road and Bridge Department. Commissioner Watne **seconded** the motion. **Aye**- Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-04-12 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye**- Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Watne made a **motion** to approve the preliminary plat of Tiebucker Subdivision Phase 2 as amended with 16 conditions. Commissioner Hall **seconded** the motion. **Aye**- Watne, Gipe and Hall. Motion carried unanimously.

PRELIMINARY PLAT: CONRAD FARMS, AMENDED PLAT OF LOT 4

Present at the June 8, 2004 9:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Peg Goodrich, Robert Brown, and Clerk Eisenzimer.

Goodrich reviewed the application submitted by Shaun and Sabrina Simonsen with Technical assistance by Robert Brown Surveying for preliminary plat approval of Amended plat of Lot 4, Conrad Farms, a major subdivision that will create 2 residential lots. All lots in the subdivision are to be served by individual well and septic systems. The property is located in the Somers area on Farm Road just northwest of the intersection of Lower Valley Road and Manning Road. General discussion was held. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-04-13 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye**- Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Watne made a **motion** to approve the preliminary plat of Amended plat of Lot 4, Conrad Farms with 12 conditions. Commissioner Hall **seconded** the motion. **Aye**- Watne, Gipe and Hall. Motion carried unanimously.

MONTHLY MEETING W/LAURIE REBUCK, JUVENILE DETENTION CENTER

Present at the June 8, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Discussion was held relative to installation of fire alarms; Commissioner Hall recommended they work on a capital improvement plan; numbers are high; new food program.

CONSIDERATION OF LAKESHORE PERMIT: MACLENNON

Present at the June 7, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Tim Beck, Cameron and Cathy MacLennon and Clerk Eisenzimer.

Beck reviewed Lake and Lakeshore Construction Permit and Minor Variance filed by Cameron MacLennon on Echo Lake to reconstruct two nonconforming decks on two separate structures in the Lakeshore Protection Zone. First project consists of reconfiguration & expansion of existing deck & railing on a house/cottage. Second project consists of expansion of a previously existing deck/walkway on a bunkhouse/boathouse. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve variance allowing for adjustment of deck reinforcements. Commissioner Watne **seconded** the motion. **Aye-** Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLP-04-63 with 21 conditions and authorize Chairman to sign. Commissioner Hall **seconded** the motion. **Aye-** Watne, Hall and Gipe. Motion carried unanimously.

MONTHLY MEETING W/KIRSTEN HOLLAND, GRANT WRITER

Present at the June 8, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Weed/Parks & Maintenance Superintendent Jed Fisher, and Clerk Eisenzimer.

Discussion was held relative to grant proposals by for Agency on Aging; GIS; leasing of Flathead Christian School gymnasium; museum grant; OES grants; solid waste windbreak; mosquito control district.

MEETING W/HEALTH BOARD RE: WEST NILE VIRUS

Present at the June 8, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Deputy County Attorney Dennis Hester, Health Director Joe Russell, Weed/Parks & Maintenance Superintendent Jed Fisher, Clerk & Recorder Paula Robinson, Grant Writer Kirsten Holland, Nancy Askew, Arthur Thompson, and Clerk Eisenzimer.

Nancy Askew advised the Board of Commissioners that the Board of Health needs the support of the Commissioners for countywide campaign for education and preparedness plan in case of west nile virus occurrence in Flathead County.

Joe Russell informed the board of the availability of a low toxicity pesticide to spray for mosquitoes and questioned the board as to whether the possibility of spray or ultra low volume is a probability and to be prepared in case of the need for applications

Agreement was made that the Board of Commissioners does support the education of the public as to the effects of west nile virus and will support the use of spraying of larvicides should west nile virus become an issue.

CONSIDERATION OF SCHOOL RESOURCE OFFICER PROGRAM

Present at the June 8, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed established plan to give \$25000 to Columbia Falls High School for Resource Officer Program.

Commissioner Hall made a **motion** to commit to \$25000 for fiscal year 04-05. Commissioner Watne **seconded** the motion. **Aye -** Watne, Hall and Gipe. Motion carried unanimously

DOCUMENT FOR SIGNATURE: DHHS CONTRACT #04-07-3-010-240

Present at the June 8, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed obesity contract for Department of Public Health and Human Services.

Commissioner Hall made a **motion** to approve document for signature. Commissioner Watne **seconded** the motion. **Aye -** Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF PRINTING BIDS: WEEDS/PARKS & MAINTENANCE

Present at the June 8, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve on behalf of the Weed/Parks & Maintenance Department, the bid submitted by Wright Impressions for 1,000 Noxious Weed Education Compliance Inspection Record Forms in the amount of \$366.08. Commissioner Watne **seconded** the motion. **Aye -** Watne, Hall and Gipe. Motion carried unanimously.

MEETING W/FORREST SANDERSON/PLANNING & ZONING OFFICE RE: DESIGN MODIFICATION/POINT OF VIEW CONDOMINIUMS

Present at the June 8, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forrest Sanderson, and Clerk Eisenzimer.

Discussion was held relative to reduction of condominiums from 12 to 6, at issue is substantial change in plan having to go back to Planning Board for discussion and requested that the Board of Commissioners find that the reduction is not significant and does not require going back to Planning Board.

Agreement was made to support the decision of the Planning Director and not send the change back to the Planning Board.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 9, 2004.

WEDNESDAY, JUNE 9, 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.

- 9:00 a.m. Chairman Gipe is to attend KOFI Talk**
- 11:00 a.m. County Attorney meeting at County Attorney's Office**
- 1:00 p.m. Commissioner Hall attended Semitool Open House**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 10, 2004.

THURSDAY, JUNE 10, 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.

- 7:00 a.m. Commissioner Hall gave a speech at the Rotary Club**
- 7:00 a.m. Chairman Gipe attended a Meeting re: Cottonwood Estates sewage treatment at the Earl Bennett Building.**
- 8:00 a.m. Commissioner Hall attended and All-Day RAC Field Trip (meet at Forest Service Office)**

MONTHLY MEETING W/FORREST SANDERSON, PLANNING AND ZONING OFFICE

Present at the June 10, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioners Watne, Planning and Zoning Director Forrest Sanderson, and Clerk Moser.

General discussion was held relative to 2003-2004 budget, Columbia Falls Planning Board meetings, Glacier Horse Ranch, Bike Trails, Planner positions opening, and upcoming Budget Hearing.

PUBLIC HEARING: ROAD NAMING FOR COBBLER WAY AND NORTHWOODS TRAIL

Present at the June 10, 2004 9:30 A.M. duly advertised public hearing were Chairman Gipe, Commissioner Watne, Elaine Badley, Nathan Garber, Karen Yerian, Becky Eslick, and Clerk Moser.

Chairman Gipe opened the public hearing to anyone wishing to speak in favor of the naming of Cobbler Way.

No one rising to speak, Chairman Gipe asked for anyone wishing to speak in opposition to the naming of Cobbler Way.

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

Commissioner Watne made a **motion** to adopt Resolution No 1720. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 1720

WHEREAS, Flathead County has proposed to name a private road generally running **southerly off Cobbler Village and located in the Northwest ¼ of the Northwest ¼, Section 11, Township 28, North Range 22 West, P.M.M., Flathead County, Montana. This road was previously named Tristan Lane.**

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on June 10, 2004, concerning the proposal, after publication and mailing of notice thereof on May 30, 2004, and June 6, 2004; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has determined that the road should be renamed Cobbler Way.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running **southerly off Cobbler Village and located in the Northwest ¼ of the Northwest ¼, Section 11, Township 28, North Range 22 West, P.M.M., Flathead County, Montana and was previously named Tristan Lane**, should be, and it hereby is, renamed Cobbler Way.

BE IT FURTHER RESOLVED that the naming of Cobbler Way shall be effective on June 10, 2004.

Dated this 10th day of June, 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 _____
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

Chairman Gipe opened the public hearing to anyone wishing to speak in favor of the naming of Northwoods Trail.

No one rising to speak, Chairman Gipe asked for anyone wishing to speak in opposition to the Northwoods Trail.

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

Commissioner Watne made a **motion** to adopt Resolution No. 1721 Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

RESOLUTION NO. 1721

WHEREAS, Flathead County has proposed to name a private road generally running **southerly off Northwoods Drive and located in the Southeast ¼ Northeast ¼, Section 20, Township 31 North Range 21 West, P.M.M., Flathead County, Montana. This road was previously named Timber Lane.**

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on June 10, 2004, concerning the proposal, after publication and mailing of notice thereof on May 30, 2004, and June 6, 2004; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has determined that the road should be renamed Northwoods Trail.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running **southerly off Northwoods Drive and located in the Southeast ¼ Northeast ¼, Section 20, Township 31 North Range 21 West, P.M.M., Flathead County, Montana and was previously named Timber Lane**, should be, and it hereby is, renamed Northwoods Trail.

BE IT FURTHER RESOLVED that the naming of Northwoods Trail shall be effective on June 10, 2004.

Dated this 10th day of June, 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 _____
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

PRELIMINARY PLAT: BOON ROAD SUBDIVISION

Present at the June 2, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Tim Beck, Dawn Marquardt of Marquardt & Marquardt Surveying, and Clerk Moser.

Beck reviewed the application submitted by Boon Road Partner LLC with Technical Assistance by Marquardt & Marquardt Surveying for preliminary plat approval of Boon Road Subdivision, a major subdivision that will create 2 residential lots. All lots in the subdivision are to be served by individual well and septic systems. The property is located at 887 Boon Road. General discussion was held. Staff recommends approval.

Commissioner Watne made a **motion** to adopt Staff Report #FPP-04-16 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 of Boon Road Subdivision with 17 conditions. Chariman Gipe **seconded** the motion. **Aye**- Watne and Gipe. Motion carried by quorum.

HOMESTEAD HOUSE AUCTION AT 295 HOMESTEAD ROAD

CONSIDERATION OF LAKESHORE PERMIT: HALEY

Present at the June 10, 2004 10:00 A.M. Meeting were Chairman Gipe Commissioner Watne, Planner Tim Beck and Clerk Moser.

Beck reviewed Lake and Lakeshore Construction Permit Amendment & Extension filed by Tom & Alicia Haley to amend existing permit to allow for installation of F-shaped floating dock measuring 42 feet in total length with 2 breakwater wings measuring 20 feet each. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #WLP-03-29a with 20 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye**- Gipe and Watne. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: CASHIN

Present at the June 10, 2004 10:00 A.M. Meeting were Chairman Gipe Commissioner Watne, Planner Tim Beck and Clerk Moser.

Beck reviewed After-The-Fact Lake and Lakeshore Construction Permit filed by Mike Cashin to install an Fshaped Glacier Dock. The dock will measure 50 feet in total length with two breakwater wings measuring twenty feet each. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to DENY Lakeshore Permit #WLP-04-11 due to an active 8 month old violation regarding the planting of five trees and revegetation of the lakeshore zone, which has not been resolved and authorize chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Gipe and Watne. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: LYMAN

Present at the June 10, 2004 10:00 A.M. Meeting were Chairman Gipe Commissioner Watne, Planner Tim Beck and Clerk Moser.

Beck reviewed Lake and Lakeshore Construction Permit filed by Charles Lyman to install an F-shaped Glacier Dock measuring 40 feet in total length with 2 breakwater wings measuring 20 feet each. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #WLP-04-12 with 13 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Gipe and Watne. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: SCHMID

Present at the June 10, 2004 10:00 A.M. Meeting were Chairman Gipe Commissioners Watne and Hall, Planner Tim Beck and Clerk Moser.

Beck reviewed Lake and Lakeshore Construction Permit filed by Scott & Cindy Schmid to replace existing dock with new L-shaped EZ dock measuring 56 ½ feet in total length with a 20 foot breakwater wing. New dock will also have 2 floating EZports. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #WLP-04-13 with 14 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye-** Gipe and Watne. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: GLACIER HORSE RANCH TEXT AMENDMENT/FLATHEAD CO. GROWTH POLICY

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

Commissioner Watne made a **motion** to approve Resolution 789D Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried unanimously.

RESOLUTION NO. 789D

WHEREAS, Glacier Horse Ranch has requested a revision to the Flathead County Master Plan, to change the designation of approximately 170 acres of land located on the West side of U.S. Highway 2, approximately 3/8 mile South of Birch Grove Road, to allow for future subdivision and development of the area;

WHEREAS, the Flathead County Planning Board made a recommendation to approve the request; and

WHEREAS, the Flathead County Board of Commissioners has reviewed the proposal and determined that the proposed amendment to the Flathead County Master Plan should be formally considered.

NOW THEREFORE, BE IT RESOLVED, pursuant to Section 76-1-604, M.C.A., by the Board of Commissioners of Flathead County, Montana, that it intends to consider the revision of the Flathead County Master Plan by changing the designation of approximately 170 acres of land located on the West side of U.S. Highway 2, approximately 3/8 mile South of Birch Grove Road, from an Agricultural designation to a Residential designation on approximately 150 acres and a Commercial designation on approximately 20 acres of highway frontage, to allow for future subdivision and development of the area.

BE IT FURTHER RESOLVED that the Board of Commissioners will give the public an opportunity to comment in writing on the proposed master plan amendment and will consider any written comments which are received in the Board's Office prior to July 10, 2004. The Board will consider whether to pass a final resolution adopting the proposed amendment to the Flathead County Master Plan after that date.

DATED this 10th day of June, 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 _____
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

Commissioner Watne made a **motion** to approve Notice of Passage of Resolution of Intent 789D. Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried unanimously.

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
FLATHEAD COUNTY MASTER PLAN**

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it passed a Resolution of Intention (Resolution No. 789D) on June 10, 2004, to consider a revision to the Flathead County Master Plan proposed by Glacier Horse Ranch LLC.

The proposed revision involves changing the designation of approximately 170 acres of land located in on the West side of U.S. Highway 2, approximately 3/8 mile South of Birch Grove Road, from an Agricultural designation to a Residential designation on approximately 150 acres, and a Commercial designation on approximately 20 acres of highway frontage, to allow for future subdivision and development of the area. Documents related to the proposal are on file at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, and at the Flathead Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana, where they may be examined by the public.

The Board of Commissioners will give the public an opportunity to comment in writing on the proposed amendment to the Flathead County Master Plan and will consider any written comments which are received in the Board's Office prior to July 10, 2004. The Board will consider whether to pass a final resolution adopting the proposed amendment after that date.

DATED this 10th day of June, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

Publish on June 15 and June 22, 2004.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: EASTHAVEN BAPTIST CHURCH ZONE CHANGE/BIGFORK ZONING DISTRICT

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

Commissioner Watne made a **motion** to authorize the publication of the Notice of Public Hearing and authorize the Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by Easthaven Baptist Church to change the zoning designation in a portion of the Bigfork Area Zoning District from SAG-5 (Suburban Agricultural) to B-3 (Community Business).

The boundaries of the area proposed to be amended from SAG-5 to B-3 are set forth on Exhibit "A".

The proposed change would generally change the character of the zoning regulations applicable to the property from a district designed to protect and preserve agricultural land for the performance of limited agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction of uses will be minimized, to an area allowing for those retail sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, by outdoor commercial amusement and recreational activities, and businesses intended to serve the general needs of the tourist and traveler.

The regulations defining the SAG-5 and B-3 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, Kalispell, Montana, in Permanent File No. 93270 13500.

The public hearing will be held on the **29th of June, 2004, at 10:15 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed change in the regulations for the described portion of the Bigfork Area Zoning District.

DATED this 10th day of June, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

Publish on June 15, and June 22, 2004.

**EXHIBIT A
EASTHAVEN BAPTIST CHURCH**

The property is located at 2855 MT Highway 82, Bigfork, MT, and contains approximately 5.31 acres. The property is further described as Lot 1A of Amended Lot 4, Flathead Swan Junction, in Section 14, Township 27 N, Range 20 W.

PUBLIC HEARING: CREATION OF GREEN TREE MEADOWS WATER & SEWER DISTRICT

Present at the June 10, 2004 10:30 A.M. duly advertised public hearing were Chairman Gipe, Commissioner Watne, Deputy County Attorney Jonathon Smith, and Clerk Moser.

Chairman Gipe opened the public hearing to anyone wishing to speak in favor of the Water and Sewer District.

No one else rising to speak, Chairman Gipe asked for anyone wishing to speak in opposition to the Water and Sewer District.

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

Commissioner Watne made a **motion** to adopt Resolution No.1722. Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried unanimously.

RESOLUTION NO.1722

WHEREAS, the Board of Commissioners received a petition, pursuant to Section 7-13-2204, M.C.A., signed by at least 10 % of the registered voters within the proposed district, requesting the creation of a water and/or sewer district to be known as the Green Tree Meadows Water and/or Sewer District;

WHEREAS, the Board of Commissioners of Flathead County, Montana, published notice of a public hearing on the petition;

WHEREAS, after publication of said legal notice, the Board of Commissioners conducted a public hearing, on June 10, 2004, regarding the proposed creation of the Green Tree Meadows Water and/or Sewer District; and

WHEREAS, the Board of Commissioners conducted considered the petition and those appearing thereon, and considered such written protests as were filed with the county clerk and recorder prior to said hearing, by or on behalf of owners of taxable property situated within the boundaries of the proposed district.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of Flathead County that the petition complies with the requirements of the provisions of parts 22 and 23 of Chapter 13, Title 7, M.C.A.

BE IT FURTHER RESOLVED, that the boundaries of said proposed Green Tree Meadows Water and/or Sewer District are those set forth in said Petition and on Exhibit A hereto.

BE IT FURTHER RESOLVED, that notice of an election to be held in the proposed district for the purpose of determining whether or not the district is to be incorporated shall be published as provided in Section 13-1-108, M.C.A., and said election shall be held in conjunction with the general election to be held on November 2, 2004.

BE IT FURTHER RESOLVED, that the election of five directors for the proposed district, who shall be shall be owners or lessees of real property within said district or a resident therein, shall be held on the same date and at the same time, that is, at the general election to be held on November 2, 2004 and that candidates for the office of director shall be nominated in the manner required by Sections 7-13-2241 and 7-13-2246, M.C.A.

Dated this 10th day of June, 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: _____
Gary D. Hall, Member

ATTEST:
Paula Robinson, Clerk

By/s/Kimberly Moser
Deputy

EXHIBIT A

GREEN TREE MEADOW, FLATHEAD COUNTY, MONTANA:

Those portion of the Southwest ¼ of the Northeast ¼ and the Northeast ¼ of the Southwest ¼, Section 28, Township 28 North, Range 21 West, Flathead County, Montana described as follows:

Commencing at the Southeast corner of the Northwest ¼ of the Southeast ¼, Section 28; thence along the East line of the Northwest ¼ of the Southeast ¼ North 0°03'43" West 478.89 feet to the Point of Beginning; thence continuing along the East line North 0°03'43" West 845.00 feet to the Southeast corner of the Southwest ¼ of the Northeast ¼; thence along the East line of the Southwest ¼ of the Northeast ¼ North 0°03'51" West 1236.20 feet to the Southerly line of the Lower Valley Road; thence along the Southerly line of the road South 89°55'35" West 744.64 feet; thence South 0°02'30" East 645.86 feet; thence Southerly 89°48'40" West 491.83 feet to the Easterly line of Demersville Road; thence along the Easterly line of the road South 0°04'51" East 587.74 feet and South 89°59'28" East 1.00 feet; and South 0°04'51" East 1021.12 feet; thence South 83°29'48" East 654.45 feet; thence North 2°35'31" East 265.32 feet; thence South 57°22'51" East 29.68 feet; thence South 79°47'46" East 101.61 feet; thence North 87°34'14" East 448.20 feet to the Point of Beginning, containing 55.071 acres of land, all as shown hereon.

GREEN TREE MEADOWS-UNIT NO 2, FLATHEAD COUNTY, MONTANA:

That portion of the Southwest ¼ of the Northwest ¼, Section 28, Township 28 North, Range 21 West, Portions of Blocks C, D, G, and H, Demersville, Flathead County, Montana described as follows:
Lots 1-12, Block C, Lots 1, 2, 11 and 12, Block D, Lots 1, 2 and the North 75 feet of Lots 11 and 12, Block G and Lots 1-6 and the North 75 feet of Lots 7-12, Block H of Demersville, Flathead County Montana together with vacated streets and alleys adjacent thereto containing 7.299 acres of land all as shown hereon.

BUDGET AMENDMENT

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

Commissioner Watne made a **motion** to adopt Resolution 1723. Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: HEALTH PLAN DOCUMENT AMENDMENT

Present at the June 10, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioner Watne, Human Resources Director Raeann Campbell, and Clerk Eisenzimer.

Raeann presented the Commissioners with an amendment to the Health Plan document agreeing to increase in mammogram benefit and increasing the amount paid per employee.

Commissioner Watne made a **motion** to approve Health Plan Document Amendment and authorize the Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

PRELIMINARY PLAT: PRESENTINE ESTATES (TILL NOON)

Present at the June 10, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning & Zoning Director Forrest Sanderson, Planner Peg Goodrich, Ray Lybeck, Cleona Lybeck, Shirley Anderson, Marla Edmiston, Terry Krogstad, Jim Edmiston, Duane Lybeck, Dirk Lybeck, Loretta Olsen, Ken White, Jayson Morre, John Schwarz, Joe Matulevich, John Korpi, Robert Anderson, Kari Mackin, Jordan Mackin, Linda Johnson, Linda Christensen, Chris Fritz, Carter Fritz, Sherry Iavicoli, Ross Mackin and Clerk Eisenzimer.

Goodrich reviewed the application submitted by Jayson Moore for preliminary plat approval of Presentine Estates, a major subdivision creating 54 single-family residential lots within a subdivision encompassing 164.963 acres. All lots in the subdivision are to be served by individual well and septic systems. The property is located east of Highway 2 on parcels north and west of Helena Flats Road. General discussion was held. Staff recommends approval.

Chairman Gipe commented that he can not support this project without public water and sewer due to density.

Commissioner Watne also commented that the density is unacceptable.

Commissioner Watne made a **motion** to deny the preliminary plat of Presentine Estates. Chairman Gipe **seconded** the motion. **Aye**- Watne and Gipe. Motion carried by quorum.

7:30 p.m. Fair Board meeting at Fair Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 11, 2004.

FRIDAY, JUNE 11, 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. Canvass Primary Election at Election Department

11:30 a.m. Commissioner Hall attended Fire Preparedness Meeting at Mackenzie River Pizza

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