

MONDAY, JUNE 21, 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.

MONTHLY MEETING W/JIM ATKINSON, AOA

Present at the June 21, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Agency on Aging Director Jim Atkinson, David Scheschy, and Clerk Eisenzimer.

Discussion was held relative to Eagle Transit Building progress; Older American's picnic; Antique Auction fundraiser; case management; plans for acquiring Gateway West mall property for Agency on Aging.

OPEN BIDS: PATROL CARS/SHERIFF'S OFFICE

Present at the June 21, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Wade A. Herman, Steve N. Laird, Bob DePratu, David Scheschy, and Clerk Eisenzimer.

Eisinger Motors – Bid Bond Enclosed – 2005 Chevy Impala (new) – \$18,311.00 per unit
DePratu Ford – Bid Bond Enclosed – 1st bid – 2005 Crown Victoria - \$23,154.84 per unit
2nd Bid - 2005 Crown Victoria (new) - \$22,037.84 - Per unit
Don K Chevrolet – Bid Bond Enclosed – (10 new) 2005 Chevy Impala - \$19,122.00 per unit

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

FINAL PLAT: W-R SUBDIVISION

Present at the June 21, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner BJ Grieve, Dawn Marquardt of Marquardt & Marquardt Surveying, David Scheschy, and Clerk Eisenzimer.

Grieve reviewed the application submitted by Marquardt Surveying for approval of W-R Subdivision, which will create one industrial lot off Airport Way in Section 20, Township 28 North, Range 21 West. The property is zoned I-1, Westside Zoning District. Preliminary plat was approved on January 20, 2004, subject to eight conditions. Staff recommends approval.

Commissioner Watne made a **motion** to approve the final plat for W-R Subdivision. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: DRESCHER

Present at the June 21, 2004, 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit filed by Phillip & Marcia Drescher on Flathead Lake to remove existing gravel that has built up at the boat entrance of the dock. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-69 with 18 conditions and authorize Chairman to sign. Commissioner Watne **seconded** the motion. **Aye**- Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: CAREY

Present at the June 21, 2004, 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Traci Tull, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit filed by Bruce & Donna Carey on Ashley Lake to install 8 stone steps measuring 4 feet wide, install a floating dock measuring 30 feet by 8 feet wide to include a gangway measuring 10 feet by 4 feet wide and remove three dead trees. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-68 with 36 conditions and authorize Chairman to sign. Commissioner Watne **seconded** the motion. **Aye**- Watne, Hall and Gipe. Motion carried unanimously.

FINAL PLAT: MARVIN ACRES, RESUB. OF LOT 1, AMENDED PLAT OF LOTS 1 & 2

Present at the June 21, 2004, 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Peggy Goodrich, Ardis Larsen of Larsen Engineering and Surveying, and Clerk Eisenzimer.

Goodrich reviewed the application submitted by Ronald Marvin and Robin Jensen along with Larsen Engineering and Surveying for final plat approval of Resubdivision of Lot 1, Amended Plat of Lots 1 and 2, Marvin Acres, a two lot minor subdivision on Van Sant Road, approximately 1 mile north of Lake Blaine Road and 1 ½ miles East of Highway 206. The subject property is 14.32 acres in size and is located in an unzoned area of Flathead County. Preliminary plat approval was waived on December 10, 2002, subject to seven conditions. Staff recommends approval.

Commissioner Watne made a **motion** to adopt Staff Report #FWP-04-21 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye**-Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Watne made a **motion** to approve the final plat for Resubdivision of Lot 1, Amended Plat of Lots 1 and 2, Marvin Acres. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: WGTS ZONE CHANGE/HOLT ZONING DISTRICT

Present at the June 21, 2004, 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to adopt Resolution 533AA. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 533 AA

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after publication of legal notice, on the on the 21st day of April, 2004, concerning a proposal by WGTS, LLP, to change the zoning designation in a portion of the Holt Zoning District from R-1 (Suburban Residential) with a PUD overlay to RC-1 (Residential Cluster);

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Holt 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(4), M.C.A., adopted a resolution of intention (Resolution No. 533 Z, dated April 21, 2004) to change the zoning designation in a portion of the Holt Zoning District from; R-1 (Suburban Residential) with a PUD overlay to RC-1 (Residential Cluster); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on April 25 and May 2, 2004, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby adopts this resolution to change the zoning designation in a portion of the Holt Zoning District, as described on Exhibit A, from R-1 (Suburban Residential) with a PUD overlay to RC-1 (Residential Cluster), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 9327013500, in the Flathead County Clerk and Recorder's Office.

DATED this 21st day of June, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By/s/ Monica R. Eisenzimer
Deputy

Exhibit A WGTS, LLC and Whitaker Amendment to the Bigfork Zoning District Map/Holt Zoning District

The property proposed for rezoning is located just south of Eagle Bend North off of the West side of Chapman Hill Road. The property may be described as Assessor's Tracts 11 and 11C, in Section 26, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana.

CONSIDERATION OF RELEASE OF COLLATERAL: STONERIDGE ESTATES

Present at the June 21, 2004, 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to release collateral letter of credit for Stoneridge Estates. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF RELEASE OF COLLATERAL: EVERGREEN PINES

Present at the June 21, 2004, 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne made a **motion** to release collateral letter of credit for Evergreen Pines, Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF ENGINEER DOCUMENT: LAKESIDE- SOMERS BIKE PATH

Present at the June 21, 2004, 10:45 A.M. Meeting were Chairman Gipe, Commissioner Hall, Planning & Zoning Director Forrest Sanderson, Planner Peggy Goodrich, Marc Liechti from Schwarz Engineering, and Clerk Eisenzimer.

Goodrich presented the proposed recommendations from the CTEP Committee for the engineering of Lakeside – Somers Bike Path with Neil Consultants being their first recommendation with Schwarz Engineering being almost equivalent.

Commissioner Hall made a **motion** to recommend Schwarz Engineering for consultant services for Lakeside – Somers Bike Path. Chairman Gipe **seconded** the motion adding that Schwarz Engineering is the most qualified. **Aye** - Hall and Gipe. Motion carried by quorum.

11:00 a.m. Chairman Gipe attended Meeting w/Amy Emy
1:30 p.m. TAC 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 June 22, 2004.

TUESDAY, JUNE 22, 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.

CONSIDERATION OF ADOPTION OF RESOLUTION: CHERRY GROWERS EXPORTING

Present at the June 22, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioner Hall, Weed, Parks & Maintenance Superintendent Jed Fisher, Deputy County Attorney Jonathan Smith, Richard A Wilson, and Clerk Eisenzimer.

Mr. Wilson advised the Board of Commissioners of the need for the Western Cherry Fruit Fly Pest Control District in order to export cherries to California.

Commissioner Hall made a **motion** to adopt Resolution 1724, establishing Pest Control District. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

RESOLUTION NO. 1724

WHEREAS, having been identified as a significant pest that is known to occur in Flathead County, the organism known as Western Cherry Fruit Fly, *Rhagoletis indifferans*, which, without appropriate control measures, could cause significant harm to sweet cherry exports in Flathead County;

WHEREAS, because of the threat of significant harm, it is necessary to formalize a pest control district to control Western Cherry Fruit Fly to prevent the artificial spread of the Western Cherry Fruit Fly from cherries produced in Montana, packed in Washington state, and shipped to California; and

WHEREAS, the state of California, which imports a significant percentage of the Montana sweet cherry crop, has ordered it will no longer accept shipment of Montana cherries unless certain pest control measures are implemented.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Flathead County, Montana hereby orders, pursuant to the authority in Title 7, Chapter 5, Part 21, MCA, (Conduct of County Government), and Title 7, Chapter 22, Part 23, (County Control of Insect Pests), that a pest control program known as a Pest Control District is created. This Pest Control District, defined below, will remain in effect until rescinded.

Section 1. Pest Covered. *Rhagoletis indifferans*, the Western Cherry Fruit Fly.

Section 2. Pest Control District – Defined Area. All lands situated within Flathead County.

Section 3. Standards for the Pest Control District.

- (A) Standards for pest control will apply to all live cherry trees within the defined area, including abandoned orchards and backyard trees;
- (B) Growers of cherry fruit will use a degree-day predictive computer model to determine first emergence of cherry fruit fly for proper timing of applications of control materials **OR** will carry on a trapping program for adult cherry fruit flies to determine proper timing for application of control materials.
- (C) Growers of cherry trees must control cherry fruit flies with pesticides at specified intervals, or other methods acceptable by the state of California.
- (D) Growers of cherry trees must keep detailed records of all control measures.

Section 4. Enforcement.

Pursuant to the authority vested in the County by Title 7, Chapter 22, part 23 MCA, including but not limited to Section 7-22-2301, Destruction of Insect Pests Authorized, it is the intention of the County to use all lawful means to insure compliance with the conditions of the Order.

Dated this 22nd day of June, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By _____
Robert W. Watne, Member

ATTEST:
Paula Robinson, Clerk

By /s/ Monica R. Eisenzimer
Deputy

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

AUTHORIZE COUNTY ATTORNEY'S OFFICE TO ACCEPT SERVICE: FLATHEAD LAKE PROTECTION ASSOC. V. COUNTY

Present at the June 22, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioner Hall, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to authorize the County Attorney's office to accept service in Flathead Lake Protection Association vs. County. Chairman Gipe **seconded** the motion. **Aye** - Gipe and Hall. Motion carried unanimously.

PRELIMINARY PLAT: SUBDIVISION NO. 249

Present at the June 22, 2004 9:15 A.M. Meeting were Chairman Gipe, Commissioner Hall, Planner Peggy Goodrich, Tom Sands of Sands Surveying and Clerk Eisenzimer.

Goodrich reviewed the preliminary plat for Subdivision No. 249 filed by Kurt & Maria Markus and Sands Surveying, Inc. Subdivision No. 249 is a minor subdivision that will create four (4) single-family residential lots. The subdivision is located off of Lone Pine Road in the Foy's Lake area. Staff recommends approval of the Preliminary Plat.

Commissioner Hall made a **motion** to adopt Staff Report #FSR-04-22 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Subdivision No. 249 subject to 9 conditions. Chairman Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

GIS MEETING W/PAULA ROBINSON AND TOM REYNOLDS

Present at the June 22, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioner Hall, GIS Coordinator Tom Reynolds, and Clerk Eisenzimer.

General discussion was held relative to installation of ARC mapping software; ongoing data collection; progress of website; GIS new roads; updating of address data in Kalispell.

MEETING W/JEAN AGATHER RE: CONRAD (LASALLE) CONNECTOR

Present at the June 22, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioner Hall, Shelley Graham, Sally Delby, Allen Sieler, Lorinda Baker, Dorothy Merola, and Clerk Eisenzimer.

Discussion was held relative to Chairman Gipe updated those in attendance that at this time, there is no progress of this project. At this time there

CONSIDERATION OF WAIVER PAGE: ELKHORN COVENANTS, CONDITIONS & RESTRICTIONS

Present at the June 22, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer

Commissioner Hall made a **motion** to approve consideration of waiver page for Elkhorn Covenants, Conditions & Restrictions Chairman Gipe **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE DPHHS CONTRACT #04-07-4-51-103-0

Present at the June 22, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer

Commissioner Hall made a **motion** to approve contract for Department of Public Health and Human Services and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: GRANT DEED/HOMESTEAD HOUSE

Present at the June 22, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer

Commissioner Hall made a **motion** to approve Grant Deed to Franz Barthel for Homestead House and authorize the Chairman to sign. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAME/ BEARS SPRINGS LODGE ROAD

Present at the June 22, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer

Commissioner Hall 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** - Gipe and Hall. Motion carried by quorum.

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 **BEAR SPRINGS LODGE ROAD**.

Road generally running southerly off a road locally known as Skookum Rd which runs southerly off US Highway 2 W and located in the northwest quarter of section 13 and in the east half of Section 14, Township 26 North, Range 25 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **6th day of July, 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 **BEAR SPRINGS LODGE ROAD**.

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

Dated this 22nd 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/ Monica R. Eisenzimer
Monica R. Eisenzimer, Deputy

Publish on June 25th and July 2nd, 2004.

PRELIMINARY PLAT: WEST HILL SUBDIVISION

Present at the June 22, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioner Hall, Planner BJ Grieve, Dennis Green, John Parsons, and Clerk Eisenzimer.

Grieve reviewed the preliminary plat for West Hill Subdivision filed by Budget Finance, John Parsons, and Jim Burton. West Hill Subdivision creates a minor subdivision that will create three (3) single-family residential lots. The subdivision is located off US Highway 2 West. Staff recommends approval of the Preliminary Plat.

Commissioner Hall made a **motion** to adopt Staff Report #FSR-04-23 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Commissioner Hall made a motion to approve the variance to accommodate the nonconformity of Lot 3. Chairman Gipe seconded the motion. **Aye** – Hall and Gipe. Motion carried by quorum.

Chairman Gipe continued the Preliminary Plat for West Hill Subdivision to determine access issues.

CONSIDERATION OF LAKESHORE PERMIT: BAILEY

Present at the June 22, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Traci Tull, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit/After-the-Fact filed by David & Anna Marie Bailey on Little Bitterroot Lake to utilize an I-shaped floating dock. Entire structure will measure 4 feet in width by 48 feet in length. Add a shore station 10 feet in width by 20 feet in length. Add a shore station 10 feet in width by 20 feet in length. Install a 157 square foot water trampoline. Extend ramp (currently 10 feet in width by 84 feet in length) with a new extension that will measure approximately 10 feet in width & 27 feet in length. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-70 with 44 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye**- Hall and Gipe. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: HEALY & DAY

Present at the June 22, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioner Hall, Planner Traci Tull, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit filed by Kathleen Healy & Julian Day on Flathead Lake to place gravel that was removed from the entrance of the dock back on the beach as part of an annual permit. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-45a with 22 conditions and authorize Chairman to sign. Chairman Gipe **seconded** the motion. **Aye**- Hall and Gipe. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: MSU EXTENSION SERVICE AGREEMENT/J. MORRIS

Present at the June 22, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Hall and Clerk Eisenzimer

Commissioner Hall made a **motion** to approve MSU Extension Service Agreement for Justin Morris. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF RESOLUTION: ELECTED OFFICIALS SALARIES FY04-05

Present at the June 22, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Hall, Planning & Zoning Director Forrest Sanderson, Coleen Baars, Susan Nicosia, and Clerk Eisenzimer

Commissioner Hall made a **motion** to adopt Resolution 1725 as presented. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

ELECTED OFFICIALS SALARIES – 2004/2005

WHEREAS, the Board of County Commissioners of Flathead County, Montana is required to fix the salaries of all elected officials by resolution by August 1, 2004, in accordance with Section 7-4-2504, M.C.A.;

WHEREAS, 7-4-2503(4), M.C.A., establishes a County Compensation Board to set the base salary for county elected officials;

WHEREAS, the Board of County Commissioners appointed the County Compensation Board consisting of the three County Commissioners, Howard W. Gipe, Robert W. Watne and Gary D. Hall, County Attorney Ed Corrigan, Sheriff Jim Dupont, Clerk and Recorder/Auditor Paula Robinson, and public members John G. Weaver and Patti Kimpton in 2002;

WHEREAS, the County Compensation Board considered the required factors including county population trends, current population statistics and a comprehensive review of county elected official salaries of five other counties in Montana, four counties in Idaho and a county in each South Dakota and Wyoming, all sharing population trends with that of Flathead County, in putting together a three-year plan for elected officials salaries beginning with fiscal year 2002-03;

WHEREAS, the Compensation Board conducted a review of that three-year County elected officials' salary plan in determining its recommendation for County elected officials' salaries for the 2004-05 fiscal year;

WHEREAS, the County Compensation Board determined that the three-year plan should be fully implemented in its third year, and that the Flathead County elected officials' salaries should be increased sufficiently to be commensurate with the average of the salaries for elected officials in the 5 most populous Montana Counties (excluding Flathead County) which are Cascade, Gallatin, Lewis & Clark, Missoula and Yellowstone Counties; and

WHEREAS, the Board of Commissioners reviewed the recommendation of the County Salary Board and determined that the three-year plan should be adhered to and that the final base salary for elected officials in Flathead County should be calculated based on the base salaries projected for 2005 in three-year plan, plus the current COLA of 2.3% and the amount required to reach the average of the 5 other most populous Montana Counties.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners of Flathead County, Montana, hereby fixes the annual salaries of the following elected officials, effective July 1, 2004, as follows:

Clerk of District Court	\$51,865.00
County Treasurer/Assessor	\$52,865.00
Justice of the Peace	\$77,798.00
Clerk/Recorder/Surveyor	\$53,865.00
County Commissioners	\$53,865.00
Sheriff	\$53,865.00
Superintendent of Schools	\$53,865.00
County Attorney	\$82,555.00

DATED this 22nd day of June, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By: _____
Robert W. Watne, Member

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

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Deputy

CONSIDERATION OF RIDGE MULCHER/ROAD DEPARTMENT

Present at the June 22, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Hall, Ted Gilbertson of the Road Department, and Clerk Eisenzimer.

Chairman Gipe reviewed a request from the Road Department to purchase a ridge mulcher for \$14,000.

Commissioner Hall made a **motion** to approve the purchase of a ridge mulcher. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

CONSIDERATION OF CREDIT CARD: OES

Present at the June 22, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioner Hall, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to deny credit card for OES. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

CONSIDERATION OF TEMPORARY STREET CLOSURE: GRAND AVE., ELECTRIC AVE. & BRIDGE STREET/JULY 4TH PARADE, BIGFORK

Present at the June 22, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioner Hall, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve the temporary closure of Grand Avenue, Electric Avenue & Bridge Street for the July 4th parade. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: \$10,000,000.00 BOND ISSUE ON BALLOT/FLATHEAD LAND TRUST

Present at the June 22, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioner Hall, and Clerk Eisenzimer.

Commissioner Hall 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** - Gipe and Hall. Motion carried by quorum.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to receive public input concerning the request of the Flathead Land Trust to place a \$10,000,000 bond issue on the ballot for approval by the voters of Flathead County in the November 2, 2004, general election.

The resolutions to be considered by the Board would (i) place a ballot issue on the general election ballot by which \$10,000,000 in bonds would be sold for the purposes of purchasing property or easements in order to protect clean water in streams, rivers and lakes, conserve farms and ranches, maintain open space lands, conserve habitat for game birds and wildlife, conserve traditional recreational access and pay costs associated with the sale and issuance of the bonds and (ii) to adopt criteria to be used in determining the relative merits of proposed purchases and to create the Flathead Land and Water Conservation Board to administer the funds raised by selling the bonds and recommend particular transactions to the Board of Commissioners to carry out the purposes for selling the bonds.

The proposed resolutions are on file for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana and the Office of the Commissioners, Courthouse West Annex, 800 South Main, Kalispell, Montana.

The public hearing will be held on the 7th day of July, 2004, at 10:00 o'clock a.m., in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposal to place a \$10,000,000 bond issue on the ballot for approval by the voters of Flathead County in the November 2, 2004, general election for the purposes stated above.

Dated this 22nd 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/ Monica R. Eisenzimer
Deputy

Publish on June 25 and July 2, 2004.

DOCUMENT FOR SIGNATURE: HEALTH PROMOTION FUNDS & TITLE III BUDGET MODIFICATION/AOA

Present at the June 22, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioner Hall, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve Health Promotion Funds & Title III Budget Modification for Agency on Aging. Chairman Gipe **seconded** the motion. **Aye** - Hall and Gipe. Motion carried by quorum.

5:00 p.m. Commissioner Watne attended Refuse Board meeting at Solid Waste District Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 23, 2004.

WEDNESDAY, JUNE 23, 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: KOFI Talk (till 10)

MONTHLY MEETING W/BOBBIE KELLY, RSVP

Present at the June 23, 2004 9:00 A.M. Meeting were Commissioners Watne and Hall, RSVP Director Bobbie Kelly, and Clerk Eisenzimer.

General discussion was held relative to an opening on RSVP Advisory Board; Golf Tournament.

FINAL PLAT: MONTANA DREAMS, LOT 1

Present at the June 23, 2004 9:15 A.M. Meeting were Commissioners Hall and Watne, Planner Johna Morrison, Joseph Boyes, Jane Eby of Eby and Associates, and Clerk Eisenzimer.

Morrison reviewed the application submitted by Joseph Boyes for the Amended Plat of Lot 1 of Montana Dreams Subdivision, a two-lot minor subdivision near Marion. The subject property is 8.981 acres in size and is located in an unzoned portion of the County. Preliminary plat approval was waived on February 26, 2003, subject to six conditions. Staff recommends approval.

Commissioner Hall made a motion to adopt Staff Report#FWP-04-22 as Findings of Fact. Commissioner Watne PT seconded the motion. Aye – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the final plat the Amended Plat of Lot 1 of Montana Dreams Subdivision. Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MONTHLY MEETING W/DAVE PRUNTY

Present at the June 23, 2004 9:30 A.M. Meeting were Commissioners Watne and Hall, Solid Waste Director Dave Prunty, and Clerk Eisenzimer.

General discussion was held relative to Landfill Assessment Adjustment; code enforcement officers; work on Columbia Falls site; purchase of Creston container site; work on purchase for Somers Container site; conditionally exempt Small Quantity Generator Hazardous Waste Business Event; refuse operations; FY 2005 Budget process.

MONTHLY MEETING W/KIM CROWLEY, LIBRARY

Present at the June 23, 2004 10:00 A.M. Meeting were Commissioners Watne and Hall, Library Director Kim Crowley, Valerie Haglund, and Clerk Eisenzimer.

General discussion was held relative to request to fill vacant position with temporary replacement; request to fill substitute position to fill in for vacations; community visioning process;

Commissioner Hall made a motion to authorize Kim Crowley to post and hire a temporary replacement for vacant position. Commissioner Watne seconded the motion. Aye – Hall and Watne. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: LEONIS

Present at the June 23, 2004 10:15 A.M. Meeting were Commissioners Hall and Watne, Planner Traci Tull, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit filed John Leonis on Whitefish Lake to replace community dock with new E-shaped EZ-dock (709 square feet of constructed surface area) that will be situated on both the applicant's property and the subdivision community park. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #WLP-04-10 with 13 conditions and authorize Chairman to sign. Commissioner Watne PT **seconded** the motion. **Aye-** Watne and Hall. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: LAM

Present at the June 23, 2004 10:15 A.M. Meeting were Commissioners Hall and Watne, Planner Traci Tull, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit filed by Lizika Lam on Whitefish Lake to temporarily move subdivision's dock onto her property. Temporary dock will be F-shaped with 432 square feet of constructed surface area. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #WLP-04-20 with 13 conditions and authorize Chairman to sign. Commissioner Watne PT **seconded** the motion. **Aye-** Watne and Hall. Motion carried by quorum.

COS REVIEW: MCALLISTER

Present at the June 23, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, Planning & Zoning Director Forrest Sanderson, Ardis Larsen of Larsen Engineering & Surveying, Inc., and Clerk Eisenzimer.

Sanderson presented family transfer for Terry McAllister.

Commissioner Hall made a **motion** to approve family transfer because a pattern of development is not able to be established. Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MEETING W/RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

Present at the June 23, 2004 10:45 A.M. Meeting were Commissioners Hall and Watne, Human Resource Director Raeann Campbell, and Clerk Eisenzimer.

Discussion was held relative to update on administrative officer candidates.

11:00 a.m. County Attorney Meeting at County Attorney's Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 24, 2004.

THURSDAY, JUNE 24, 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.

CONSIDERATION OF LAKESHORE PERMIT: KINNIBURGH

Present at the June 24, 2004 9:00 A.M. Meeting were Commissioners Hall and Watne, Planner Traci Tull, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit filed Jerry Kinniburgh on Bitterroot Lake to replace existing retaining wall along approximately 60 feet of shoreline to prevent further erosion. New wall will be built 4 ½ feet high, using rough faced retaining blocks. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-75 with 24 conditions and authorize Chairman to sign. Commissioner Watne PT **seconded** the motion. **Aye-** Watne and Hall. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMIT: COTTAGE COVE, LLC

Present at the June 24, 2004 9:00 A.M. Meeting were Commissioners Hall and Watne, Planner Traci Tull, and Clerk Eisenzimer.

Tull reviewed Lake and Lakeshore Construction Permit filed Cottage Cove, LLC on Flathead Lake to place a boundary fence down the common dock to help alleviate liability issues between property owners and to define the property line. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to strike condition 13 in Lakeshore Permit #FLV-04-16 to allow for fence. Commissioner Watne PT **seconded** the motion. **Aye –** Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLV-04-16 with 22 conditions as amended and authorize Chairman to sign. Commissioner Watne PT **seconded** the motion. **Aye-** Watne and Hall. Motion carried by quorum.

MEETING W/LARRY VANRINSUM/CONSERVATION DISTRICT RE: UPDATE

Present at the June 24, 2004 9:15 A.M. Meeting were Commissioners Hall and Watne, Larry VanRinsum, Julie Hawn, and Clerk Eisenzimer.

Discussion was held relative to introduction of Julie Hawn as workshop consultant; Vo-Ag update and request of consideration to sell a couple acres to Vo-Ag for relocation of pig barn.

MEETING W/RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

Present at the June 24, 2004 9:30 A.M. Meeting were Commissioners Hall and Watne, Human Resource Director Raeann Campbell.

THIS MEETING WAS CLOSED

PRELIMINARY PLAT: BLAINE CREEK ESTATES

Present at the June 24, 2004 9:45 A.M. Meeting were Commissioners Hall and Watne, Planner Johna Morrison, Wally Massie, Rick Breckenridge of Montana Mapping Associates, Steve Middlesworth, and Clerk Eisenzimer.

Morrison reviewed the preliminary plat for application filed by Ken Kramer for Blaine Creek Estates, a twenty two lot single family residential subdivision on approximately 102 acres. The property is located off of Mennonite Church Road, approximately 10 miles southeast of Kalispell. The lots are 2.07 to 6.90 acres in size. Staff recommends approval of the Preliminary Plat.

Commissioner Hall made a **motion** to adopt Staff Report #FPP-04-14 as Findings of Fact. Commissioner Watne PT **seconded** the motion. **Aye –** Hall and Watne. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Blaine Creek Estates subject to 14 conditions. Commissioner Watne PT **seconded** the motion. **Aye –** Hall and Watne. Motion carried by quorum.

FINAL PLAT: EAGLE BEND #30

Present at the June 24, 2004 10:00 A.M. Meeting were Commissioners Hall and Watne, Planner Johna Morrison, Helen Brien of Brien Surveying, and Clerk Eisenzimer.

Morrison reviewed the application submitted by Jerry Slezak for final plat approval of Eagle Bend #30, an amended plat of Lot 51, Eagle Bend Original Subdivision, a two lot minor subdivision on Eagle Bend Drive in Bigfork. The subject property is .18 acres in size and is zoned RC-1. Preliminary plat approval was waived on February 19, 2004, subject to six conditions. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report #FWP-04-20 as Findings of Fact. Commissioner Watne PT **seconded** the motion. **Aye-** Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the final plat for Eagle Bend #30. Commissioner Watne PT **seconded** the motion. **Aye –** Watne and Hall. Motion carried by quorum.

CONSIDERATION OF POSITION OPENING: GRANTWRITER

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne presented a request from Elaine Nelson to open the grantwriter position after current grantwriter accepted a position in a different part of the County.

Commissioner Hall made a **motion** to approve the opening of the grantwriter position. Commissioner Watne PT **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

CONSIDERATION OF AGREEMENT FOR OES: REGIONAL HAZMAT TRAILER

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Watne presented a request from the Office of Emergency Services to agree to State requirements to maintain Hazmat trailers for regional use.

Commissioner Hall made a **motion** to approve the signing of the agreement. Commissioner Watne **seconded** the motion. **Aye**- Watne and Hall. Motion carried by quorum.

FINAL PLAT: MCGREGOR MEADOWS

Present at the June 24, 2004 10:15 A.M. Meeting were Commissioners Hall and Watne, Planner Peggy Goodrich, and Clerk Eisenzimer.

Goodrich reviewed the application submitted by Edward Wolfe, Jr for final plat approval McGregor Meadows, which will create a five lot minor subdivision along North Fork Murr Creek Road, approximately 10 miles west of Marion. The subject property is 23.771 acres in size and is located in an unzoned area. Preliminary plat approval was granted on June 3, 2003, subject to seven conditions. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report #FFP-04-19 as Findings of Fact. Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Watne made a **motion** to approve the final plat for McGregor Meadows. Commissioner Hall **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

DISCUSSION W/ALLEN SKARE RE: BLAINE CREEK ESTATES

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, Allen Skare, and Clerk Eisenzimer.

Discussion was held relative to Mr. Skare's concerns about the Blaine Creek Estates subdivision regarding water levels.

CONSIDERATION OF ELECTION OF PRECINCT COMMITTEE/REPUBLICAN

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to continue consideration of precinct committee Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF TRIP REPORT: SPRUCE PARK

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, OES Director Alan Marble, and Clerk Eisenzimer.

Commissioner Hall read a memo from regarding a trip to Spruce Park with the Army Corps of Engineers regarding consideration of proposals to resolve riverbank issues at Spruce Park and discussion continued.

MEETING W/PAULA ROBINSON & RAEANN CAMPBELL

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, Clerk & Recorder Paula Robinson, Human Resource Director Raeann Campbell, and Clerk Eisenzimer.

Robinson presented a letter to explain to department heads the effective date of the COLA increase as July 1, 2004 and more specifically pay period 15.

Commissioner Hall made a **motion** to approve the letter stating new payment schedule to be sent to department heads. Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF POSITION OPENING: LIBRARY TECH ASSISTANT II

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve the consideration and opening of Library Tech Assistant II position. Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #505009

Present at the June 24, 2004 A.M. Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve Contract and authorize Chairman to sign. Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF SIA EXTENSION: HILLCREST ESTATES UNIT NO. 8

Present at the June 24, 2004 10:30 A.M. Meeting were Commissioners Hall and Watne, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve consideration of extension to July 15, 2004. Commissioner Watne PT **seconded** the motion. **Aye** – Watne and Hall. Motion carried unanimously.

MEETING W/DANIELLE BOLAN & DOUG BAILEY/MDOT RE: HIGHWAY 40 & LASALLE/HIGHWAY 2 SPEED ZONE STUDY

Present at the June 24, 2004 11:00 A.M. Meeting were Commissioners Hall and Watne, Glen Cameron and Doug Bailey of Montana Department of Transportation, and Clerk Eisenzimer.

Discussion was held relative to speed limits on MT Highway 40 and US Highway 2. Doug Bailey advised the Board of Commissioners as to the process of conducting the speed limit studies.

Commissioner Hall made a **motion** to approve the speed zone study. Commissioner Watne PT **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 June 25, 2004.

FRIDAY, JUNE 25, 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.

NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 28, 2004.