

MONDAY, AUGUST 2, 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 Weed & parks Board Meeting at Weed & Parks Office

FINAL PLAT: KRACK SUBDIVISION

Present at the August 02, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planner Kirsten Holland, Jane Eby with Eby Surveying and Clerk Moser.

Holland reviewed the application submitted by Jon Krack for final plat approval of Krack Subdivision, a one lot minor subdivision off of Conn Road southeast of Whitefish. The subject property is 2.625 acres in size and is unzoned. Preliminary plat approval was waived on May 17, 2004 subject to eight conditions. Staff recommends approval.

Commissioner Hall made a motion to adopt Staff Report #FWP-04-25 as Findings of Fact. Commissioner Gipe seconded the motion. Aye – Hall and Gipe. Motion carried by quorum.

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

CONSIDERATION OF LAKESHORE PERMIT: HATLEBERG

Present at the August 2, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planner George Smith and Clerk Moser.

Tull reviewed the Lake & Lakeshore Construction Permit filed by Robert and June Hatleberg on Flathead Lake to install a floating dock, parallel to the shoreline, measuring 20 feet long by six feet wide including a gangway measuring 20 feet long by six feet, and attached to the south end of the dock to form an 'L'. Remove a dead tree located within the Lakeshore Protection Zone, Hand excavate an area of less than 500 sq. feet adjacent to and on both sides of dock to remove silt, debris and weeds. Excavation of silt and tree removal shall not be attempted until the lake level has lowered sufficiently to allow work to be accomplished above the water line.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLP-04-86. Commissioner Hall **seconded** the motion. Aye – Watne, Gipe and Hall. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: KOOTENAY LAND COMPANY

Present at the August 2, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planner George Smith and Clerk Moser.

Tull reviewed the Lake & Lakeshore Construction Permit filed by Kootenay Land Company on Lake Blaine to replace existing wood retaining wall with a concrete retaining wall and restack existing rip-rap along approximately 160 feet of shoreline.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-82. Commissioner Watne **seconded** the motion. Aye – Watne, Gipe and Hall. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: ACCOUNTABILITY ENFORCEMENT PROGRAM:

Present at the August 2, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

Commissioner Hall made a **motion** to approve and authorize the Chairman to sign the approval of the continued 10% match for the Accountability Enforcement Program Grant. Commissioner Watne **seconded** the motion. **Aye** - Watne, Gipe and Hall. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF ISSUANCE OF BONDS: RSID #138

Present at the August 2, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Deputy County Attorney Jonathan Smith, and Clerk Moser.

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

Commissioner Watne made a motion to approve the Notice of Passage of Resolution of Intent to republish and authorize the Chairman to sign. Commissioner Hall seconded the motion. Aye – Watne, Gipe and Hall. Motion carried unanimously.

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
TO CREATE RURAL SPECIAL IMPROVEMENT DISTRICT NO. 138
AND TO ISSUE RURAL SPECIAL IMPROVEMENT DISTRICT NO. 138 BONDS
OF THE COUNTY IN THE AGGREGATE PRINCIPAL AMOUNT OF \$523,000
SECURED BY THE RURAL SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND
AND TO CREATE A MAINTENANCE DISTRICT THEREFOR

FLATHEAD COUNTY, MONTANA

NOTICE IS HEREBY GIVEN that on April 28, 2004, the Board of County Commissioners of Flathead County, Montana (the "County"), adopted a Resolution of Intent to Create Rural Special Improvement District No. 138 (the "District") for the purpose of financing the costs of certain local improvements (the "Improvements") and paying costs incidental thereto, including costs associated with the sale and the security of rural special

improvement district bonds of the County drawn on the District (the "Bonds"), the creation and administration of the District, and the funding of a deposit to the County's Rural Special Improvement District Revolving Fund (the "Revolving Fund"). The Improvements shall be constructed and installed pursuant to plans and specifications prepared by Carver Engineering, Inc.

Notice of passage of the Resolution of Intention (the "Resolution") and the calling a public hearing was published on May 2 and May 9, 2004 (the "Notice") and a public hearing was held on June 2, 2004. The Notice was not mailed to the persons, firms or corporations having real property within the proposed district as required by law. It is necessary for the County to mail this notice to allow a protest period of 30 days from the date of the first publication, and to conduct a new public hearing.

On Monday, September 7, 2004, at 9:30 a.m., in the office of the Board of Commissioners of Flathead County, Flathead County Courthouse, West Annex, 800 South Main Street, Kalispell, Montana, the Board of County Commissioners will conduct a public hearing and pass upon all written protests against the creation or extension of the District, or the making of Improvements that may be filed in the period hereinafter described.

Written protests against the creation or extension of the District and the making of the Improvements may be filed by an agent, person, firm or corporation owning real property within the proposed District whose property is liable to be assessed for the Improvements. For purposes of protest, the owner of a property created as a condominium is collectively the owners of all units having an undivided interest in the common elements. The protest must be filed by the president, vice president, secretary or treasurer of the condominium owners' association, and such protest must be in writing, identify the condominium property, include a declaration or other document that shows how votes of unit owners in the condominium are calculated and be signed by owners of units in the condominium sufficient to constitute an affirmative vote for an undertaking relating to the common elements under the condominium declaration, as more particularly set forth in Section 7-12-2141, M.C.A. Such protests must be delivered to the County Clerk and Recorder at the Flathead County Courthouse, 800 South Main Street, Kalispell, Montana 59901, no later than 5:00 p.m., M.T., on Friday, September 3, 2004. As provided by law, such protests must be in writing, identify the property in the District owned by the protestor and be signed by all owners of the property. The protest must be delivered to the County Clerk and Recorder, who shall endorse thereon the date of its receipt by him or her.

A complete copy of the Resolution is on file with the County Clerk and Recorder which more specifically describes the nature of the Improvements, the boundaries and the area included in the District, the location of the Improvements and other matters pertaining thereto and further particulars. A map of the proposed District accompanies this notice.

The Improvements consist of the design, engineering and construction of paved roadways in Big Mountain View Subdivision No. 2, namely, Alpine Village Drive, Tamarack Avenue, Big Sky Street, Alpine Glow Avenue and Gelande Street, consisting of a subbase pit run gravel, base of crushed gravel and asphalt pavement, and the relocation of underground utilities necessitated by road work (the "Paving Improvements"), and the replacement of water mains (the "Utility Improvements"). (The Paving Improvements and Utility Improvements are referred to collectively as the "Improvements").

The County would issue the Bonds in an aggregate principal amount not to exceed \$523,000 in order to finance the costs of the Improvements. Principal of and interest on the Bonds will be paid from special assessments levied against the property in the District in the aggregate principal amount of \$523,000 and such payment will be secured by the Revolving Fund. **Subject to the limitations of Montana Code Annotated, Section 7-12-4222, the general fund of the County may be used to provide loans to the Revolving Fund or a general tax levy may be imposed on all taxable property in the County to meet the financial requirements of the Revolving Fund.**

All properties in the District will be assessed for their proportionate share of the costs of the Paving Improvements. The total estimated cost of the Paving Improvements is approximately \$371,000 and shall be assessed against each lot, tract or parcel of land in the District equally, such that each lot, tract or parcel in the District shall be assessed for the same amount of the cost of the Paving Improvements. There are 39 lots, tracts or parcels in the District. The estimated costs of the Paving Improvements per lot, tract or parcel to be assessed is \$9,512.65.

Each lot, tract or parcel of land in the District receiving a water service connection are deemed benefited by the Utility Improvements and shall be assessed for their proportional share of the costs of the Utility Improvements on an equal basis. There are 33 lots, tracts or parcels anticipated to receive a water connection. The estimated assessment for the Utility Improvements service connection is \$4,606.06 per lot.

Further information regarding the proposed District or the Bonds or other matters in respect thereof may be obtained from the Board of County Commissioners at 800 South Main, Kalispell, Montana, or by telephone at (406) 758-5503.

Dated: August 2, 2004.

BY ORDER OF THE BOARD OF
COUNTY COMMISSIONERS
OF FLATHEAD COUNTY, MONTANA

/s/Howard W. Gipe
Howard W Gipe

/s/Kimberly Moser
Deputy County Clerk and Recorder

(Publication Dates: August 4 and August 11, 2004)

Present at the August 2, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 2-9-212, M.C.A., that the Board of Commissioners of Flathead County, Montana, will hold a public hearing to receive comment from the public on the Board's intention to levy \$426,084 for the permissive medical levy. The increase in the permissive medical levy for the 2005 fiscal year is \$231,405. The permissive medical levy is used to pay for premium contributions for the group health insurance program for County employees and is not subject to the statutory limitations on increases in County mill levies.

The public hearing will be held on the 17th day of August, 2004, at 10:00 o'clock a.m., in the Office of the Commissioners, Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Any member of the public may appear and will be heard concerning the Board's intention to levy \$426,084 for the permissive medical levy.

For further information, please contact Susan Nicosia, Office of the Board of Commissioners, 800 South Main, Kalispell, Montana 59901, Telephone 758-5503.

DATED this 2nd day of August, 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 August 5 and August 12, 2004.

PRELIMINARY PLAT: DUNWOODY ACRES

Present at the August 2, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner BJ Grieve, Randy Morken, Brad Roberts, Wendy Pendergraft, Irene Burgi, Dawn Marquardt of Marquardt Surveying, Debbie Shoemaker of Marquardt Surveying, and Clerk Moser.

Grieve reviewed the application submitted by Vance Brash and Marquardt Surveying for preliminary plat approval of Dunwoody Acres to create four single – family residential lots. The subdivision is located about a half mile east of the intersection of US Highway 2 East and Hodgson Road, approximately three miles southwest of Columbia Falls. General discussion was held. Staff recommends approval.

Chairman Gipe continued preliminary plat meeting.

FINAL PLAT: LOGAN ACRES, AMENDED PLAT OF LOT 1

Present at the August 2, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner BJ Grieve, and Clerk Moser.

Morrison reviewed the application submitted by Mark and Lucy Johnson for final plat approval of the amended plat of Lot 1, Logan Acres, a two lot minor subdivision off Yeoman hall Road near Lake Blaine. The subject property is 27.39 acres in size and is located in an unzoned portion of the County. Preliminary Plat approval was waived on March 1, 2004, subject to seven conditions. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report #FWP-04-24 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

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

MEETING W/CONNIE JONES RE: HOFFMAN DRAW

Present at the August 2, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Connie Jones, Kathleen Sudan, Pieter Hondius, Road Department Superintendent Charlie Johnson, and Clerk Moser.

Discussion was held relative to the paving of Hoffman Draw.

MEETING W/CHARLIE JOHNSON, ROAD DEPT.

Present at the August 2, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Road Department Superintendent Charlie Johnson, Deputy County Attorney Jonathon Smith, and Clerk Moser.

Discussion was held relative to Whitefish Stage Speed limit, Bigfork Vendors encroachment permits, Jensen Road dust oiling, Weeds on three mile drive, Dust issues and paving for subdivisions, the paving of Plaza Road, the paving of intersection of Reserve drive and Highway 2, and the North Fork Road Bids.

DOCUMENT FOR SIGNATURE

Present at the August 2, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioner Watne and Hall, and Clerk Moser.

Commissioner Hall made a **motion** to approve the filling of 3 vacancies in District Court. Commissioner Watne **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD NAMING/DYE RANCH LOOP, MIDDLE VIEW TRAIL SOUTH AND LYNNEWOOD DRIVE

Present at the August 2, 2004 11:30 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 for Dye Ranch Loop and authorize the Chairman to sign. Commissioner Hall **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 **DYE RANCH LOOP**.

Road generally running southerly off Ashley Lake Road and located in the Northwest ¼ in Section 24, Township 28 North, Range 24 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **16th day of August, 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 **DYE RANCH LOOP**.

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

Dated this 2nd day of August, 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 August 5th & 12th, 2004.

Commissioner Watne made a **motion** to authorize the publication of the Notice of Public Hearing for Middle View Trail South and authorize the Chairman to sign. Commissioner Hall **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 **MIDDLE VIEW TRAIL SOUTH**.

Road generally running southerly off Middle View Trail and located in the Southwest ¼ of the Northwest ¼ in Section 4, Township 29 North, Range 20 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **16th day of August, 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 **MIDDLE VIEW TRAIL SOUTH**.

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

Dated this 2nd day of August, 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 August 5th & 12th, 2004.

Commissioner Watne made a **motion** to authorize the publication of the Notice of Public Hearing for Lynnewood Drive and authorize the Chairman to sign. Commissioner Hall **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 **LYNNEWOOD DRIVE**.

Road generally running westerly off MT Highway 206 and located in the Southwest ¼ of the Northeast ¼ and in the Southeast ¼ of the Northwest ¼ in Section 28, Township 30 North, Range 20 West., Flathead County, Montana.

The public hearing will be held on the **16th day of August, 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 **LYNNEWOOD DRIVE**.

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

Dated this 2nd day of August, 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 August 5th & 12th, 2004.

BOARD APPOINTMENT: LAKESIDE COMMUNITY COUNCIL.

Present at the August 2, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

Commissioner Hall made a **motion** to approve the appointment of David Reynolds to the Lakeside Community Council. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

BOARD APPOINTMENT: HEALTH DEPT

Present at the August 2, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Joe Russell, and Clerk Moser.

Commissioner Watne made a **motion** to approve the appointment of Doug Smith to the Health Department until Dec 31, 2006. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Watne made a **motion** to approve the appointment of Glen Alsime to the Health Department until Dec 31, 2005. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Watne made a **motion** to approve the appointment of Kim Fleming to the Health Department until Dec 31, 2005. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF PRINTING BIDS: HEALTH DEPT.

Present at the August 2, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

Commissioner Hall made a **motion** to approve on behalf of the Department, the bid submitted by Wright Impressions for Printing in the amount of \$150.00. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to approve on behalf of the Department, the bid submitted by Insty Prints for Printing in the amount of \$430.00. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: LEASE AGREEMENT/AOA

Present at the August 2, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Deputy County Attorney Jonathon Smith and Clerk Moser.

Commissioner Hall made a **motion** to approve the Lease Agreement for the Agency on Aging. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

PRELIMINARY PLAT: OUTBACK HEIGHTS

Present at the August 2, 2004 11:45 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planner Johna Morrison, Tom Sands of Sands Surveying, and Clerk Moser.

Grieve reviewed the application submitted by Nigel Cini and Sands Surveying for preliminary plat approval of Outback Heights a minor subdivision that will create four single-family residential lots. The subdivision is located off Jensen Road approximately two miles southeast of Columbia Falls. General discussion was held. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report #FSR-04-26 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to approve Preliminary Plat for Outback Heights. Commissioner Watne **seconded** the motion. **Aye** – Watne, Hall 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 August 3, 2004.

TUESDAY, AUGUST 3, 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/DONNA MADDUX, SUPERINTENDENT OF SCHOOLS

This meeting was not held.

MONTHLY MEETING W/NORM CALVERT, COMPUTER SERVICES

This meeting was not held.

PUBLIC HEARING: TALLENT LANE ROAD NAME

Present at the August 03, 2004 9:30 A.M. duly advertised public hearing were Chairman Gipe, Commissioners Watne and Hall, and Clerk Moser.

Chairman Gipe opened the public hearing to anyone wishing to speak in favor of the Road Name Change.

No one else rising to speak, Chairman Gipe asked for anyone wishing to speak in opposition to the Road Name Change.

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

Commissioner Hall made a **motion** to adopt Resolution No. 1734. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

RESOLUTION NO. 1734

WHEREAS, Flathead County has proposed to name a private road generally running easterly off Montana Highway 206 and located in the Northeast ¼ of the Northeast 1/4 in Section 20, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on August 3, 2004, concerning the proposal, after publication and mailing of notice thereof on July 16, 2004, and July 23, 2004; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has determined that the road should be named Tallent Lane.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running easterly off Montana Highway 206 and located in the Northeast ¼ of the Northeast 1/4 in Section 20, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, should be, and it hereby is, named Tallent Lane.

BE IT FURTHER RESOLVED that the naming of Tallent Lane shall be effective on August 3, 2004.

Dated this 3rd day of August, 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/ Kimberly Moser
Kimberly Moser, Deputy

PRELIMINARY PLAT: LAKESIDE SHORES SUBDIVISION PHASE II

Present at the August 3, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planner Johna Morrison, Rick Breckenridge of MT Mapping, Peggy Mathiason of MT Mapping, Christine Bailey, Earl Bach, Mike Murphy, and Clerk Moser.

Morrison reviewed the application submitted by Lakeside Shores LLC and MT Mapping for revised preliminary plat approval of Lakeside Shores Subdivision Phase II This is the second phase of the Lakeside shores Subdivision located on Adams Street and Lakeside Boulevard in Lakeside. Phase II contains 7 units on 2.25 acres. Staff recommends approval.

Commissioner Watne made a **motion** to approve the Revised Preliminary Plat of Lakeside Shores Subdivision Phase II. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

MONTHLY MEETING w/RAEANN CAMPBELL, HUMAN RESOURCES

Present at the August 03, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Human Resource Director Raeann Campbell, and Clerk Moser.

General discussion was held relative to Trust Fund Claims and Balance, Employee Assistance Program, and District Court Wage for Temporary Position.

COS REVIEW: HODGSON

Present at the August 3, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forest Sanderson, Conn Hodgson, and Clerk Moser.

Discussion was held relative to a family transfer request from Conn Hodgson.

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

COS REVIEW: BEDRIN

Present at the August 3, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forest Sanderson, Richard Bedrin, Pauline Bedrin, and Clerk Moser.

Discussion was held relative to a family transfer request from Richard Bedrin.

Commissioner Hall made a **motion** to approve the Bedrin Family Transfer. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

COS REVIEW: TURNER

Present at the August 3, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forest Sanderson, and Clerk Moser.

Discussion was held relative to a family transfer request from George Turner.

Commissioner Watne made a **motion** to approve the Turner Family Transfer. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

COS REVIEW: OSTROOT

Present at the August 3, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forest Sanderson, Mark Ostroot, Sylvia Ostroot, and Clerk Moser.

Discussion was held relative to a family transfer request from Mark Ostroot.

Commissioner Watne made a **motion** to approve the Ostroot Family Transfer. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF LAKESHORE PERMIT: SCOTT

Present at the August 3, 2004 11:15 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planner George Smith, and Clerk Moser.

Tull reviewed the Lake & Lakeshore Construction Permit filed by Robert & Joyce Scott on Flathead Lake to install attached cover over newly installed shore station.

Commissioner Watne made a **motion** to remove condition 13 from Lakeshore Permit #FLV-04-18. Commissioner Hall **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLV-04-18 without condition 13. Commissioner Watne **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

DOCUMENT FOR SIGNATURE:DPHHS CONTRACT #05-07-5-01-015-0

Present at the August 3, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

Commissioner Hall made a **motion** to approve Contract 05-07-5-01-015-0. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

DOCUMENT FOR SIGNATURE:HEALTH PROMOTION CONTRACT/WFSH GOLDEN AGERS

Present at the August 3, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

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

DOCUMENT FOR SIGNATURE:AIMS MEMORANDUM OF UNDERSTANDING/AOA

Present at the August 3, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

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

CONSIDERATION OF EXTENSION REQUEST:SIA/EAGLE RIDGE ESTATES SUBDIVISION

Present at the August 3, 2004 11:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Moser.

Commissioner Watne made a **motion** to approve the Extension Request for Eagle Ridge Estates Subdivision. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

1:15 p.m. 911 Meeting at Justice Center

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 4, 2004.

WEDNESDAY, AUGUST 4, 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/JOAN SCHMIDT RE: STILLWATER BLUFF SUBDIVISION

Present at the August 4, 2004 9:00 A.M. Meeting were Commissioners Hall and Watne, Jennifer Desmul, Joan Schmidt, and Clerk Moser.

General discussion was held relative to the opposition of Stillwater Bluff Subdivision.

CONTINUATION OF AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: BUDGET FY04-05

Present at the August 4, 2004 9:15 A.M. Meeting were Commissioners Hall and Watne, Clerk and Recorder Paula Robinson, Human Resource Director Raeann Campbell, Susan Nicosia, Colleen Baars, and Clerk Moser.

Discussion was held relative to the 2004-2005 Budget.

Commissioner Hall made a **motion** to approve Notice of Public Hearing and authorize the Chair to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne, and Hall. Motion carried by quorum.

NOTICE OF HEARING ON PROPOSED BUDGET

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Flathead County, Montana, has completed the Proposed Budget for the current fiscal year and that said budget is on file in the County Clerk and Recorder's Office and is open to public inspection.

The Board will meet on the **19th day of August, 2004 at 10:30 o'clock A.M.** for the purpose of holding a hearing and fixing the final budget and making appropriations. Said Meeting is to be held in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana.

Any taxpayer may appear thereat and will be heard for or against any part of such budget.

For further information, please contact Paula Robinson, Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, Telephone 758-5530.

DATED this 4th day of August, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: /s/Robert W. Watne, PT
Howard W. Gipe, Chairman

FLATHEAD COUNTY CLERK & RECORDER
Paula Robinson, Clerk

By: /s/Kimberly Moser
Kimberly Moser, Deputy

Publish August 8th and 15th, 2004.

BUDGET AMENDMENT

Present at the August 04, 2004 9:15 A.M. Meeting were Commissioners Hall and Watne, Computer Services Director Norm Calvert, Deputy County Attorney Jonathon Smith, Susan Nicosia, Colleen Baars, and Clerk Moser.

Commissioner Hall made a **motion** to approve Budget Amendment Resolution 1735. Commissioner Watne **seconded** the motion. **Aye** - Watne, and Hall. Motion carried by quorum.

COUNTY OF FLATHEAD

**GENERAL
JOURNAL
VOUCHER
BUDGET
AMENDMENT
RESOLUTION # 1735**

DATE ISSUED:
DATE OF RECORD:

VOUCHER NO.: 0406-180

MCA 7-6-4006	ACCOUNTING COPY	"B" Entry		
Account Number	Description	Line	Debit General Ledger	Credit General Ledger
2982-0191-383000	Transfer-In	8	\$6,315.15	
2982-172000	Revenue Control	9		\$6,315.15
2983-0191-383000	Transfer-In	10	\$1,749.00	
2983-172000	Revenue Control	11		\$1,749.00
-----	Establish Budgeted Lines	-----		
		13		
2888-0191-331174	AIMS Contract	14	\$7,185.00	
2888-172000	Revenue Control	15		\$7,185.00
		16		
-----	Bdgt Adjust per AIMS agreement	-----		
		18		
2280-0726-331181	III-A	19	\$2,000.00	
2280-0726-331161	III-B	20		\$2,000.00
		21		
2983-0191-334100	State Special Funds	22	\$18,400.00	
2983-172000	Revenue Control	23		\$18,400.00
		24		
2987-0191-331172	Training Grant	25	\$1,880.00	
2987-172000	Revenue Control	26		\$1,880.00
2987-0191-450325-378	Travel	27		\$1,880.00
2987-242000	Expenditure Control	28	\$1,880.00	

		29		
-----	Budget Increase for available	-----		
-----	funds-per contract modifications	-----		
2991-0221-331118	PDM Grant		\$7,500.00	
2991-172000	Revenue Control			\$7,500.00
2991-0221-420600-110	Salaries			\$6,196.13
2991-0221-420600-141	Unemployment			\$15.49
2991-0221-420600-142	Work-Comp			\$375.16
2991-0221-420600-143	Health Ins			\$17.72
2991-0221-420600-144	FICA			\$384.23
2991-0221-420600-145	PERS			\$421.41
2991-0221-420600-147	Medi			\$89.86
2991-242000	Expenditure Control		\$7,500.00	
-----	Establish Budget for PDM Grant	-----		
		Total	\$46,345.00	\$46,345.00

Explanation:

by: Gary L Como, Finance
Approved by:
Commissioners by
Resolution

DOCUMENT FOR SIGNATURE: SECOND TITLE III MODIFICATION/AOA

Present at the August 4, 2004 9:15 A.M. Meeting were Commissioners Hall and Watne PT, Deputy County Attorney Jonathon Smith, Animal Control Director Richard Stockdale, and Clerk Moser.

Commissioner Hall made a **motion** to approve Second Title III Modification and authorize Chair to sign. Commissioner Watne PT **seconded** the motion. **Aye** – Watne PT, and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: MOU/USDA WILDLIFE SERVICE & MONTANA WOOLGROWERS ASSOC

Present at the August 4, 2004 9:15 A.M. Meeting were Commissioners Hall and Watne PT, and Clerk Moser.

Commissioner Hall made a **motion** to approve MOU/USDA Wildlife Service document and authorize chair to sign. Commissioner Watne PT **seconded** the motion. **Aye** – Watne PT, and Hall. Motion carried by quorum

MEETING W/RICHARD STOCKDALE/ANIMAL CONTROL RE: ON-CALL PAY

Present at the August 4, 2004 9:30 A.M. Meeting were Commissioners Hall and Watne, Human Resouce Director Raeann Campbell, Computer Services Director Norm Calvert, Animal Control Director Richard Stockdale, Deputy County Attorney Jonathon Smith, and Clerk Moser.

Discussion was held relative to the wording for On-Call Pay in the policy manual.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: GLACIER HORSE RANCH TEXT AMD/FLTHD CNTY GROWTH POLICY

Present at the August 4, 2004 10:00 A.M. Meeting were Commissioners Hall and Watne, LL Wilson, Galen Amy, Caitlin Amy, Emy Amy, John Schwartz, Linda Johnson, Jake Bellamy, Planning and Zoning Director Forest Sanderson, Clerk Moser.

Discussion was held relative to Glacier Horse Ranch Text Amendment.

Commissioner Hall made a **motion** to approve Resolution 789E. Commissioner Watne **seconded** the motion. **Aye** – Watne, and Hall. Motion carried by quorum.

RESOLUTION NO. 789E

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 recommended that the Board of Commissioners adopt that amendment to the Flathead County Master Plan;

WHEREAS, the Board of Commissioners passed a resolution of intent (Resolution No. 789D) to consider the requested plan change on June 10, 2004, and gave notice that it would consider public comment received prior to July 10, 2004; and

WHEREAS, the Board of Commissioners has considered the information presented to it since the adoption of that resolution of intent.

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 hereby adopts an amendment 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, 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, the property being Tract 3A in Section 10, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana; Tracts 2AA and 2B in Section 16, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana; Tract 2B in Section 9, Township 29

North, Range 21 West, P.M.M., Flathead County, Montana; and Tract 1A in Section 15, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana.

DATED this 4th day of August, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
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/Kimberly Moser
Deputy

MEETING W/FOREST SANDERSON/PLANNING AND ZONING OFFICE RE: HELENA FLATS NEIGHBORHOOD PLAN

Present at the August 04, 2004 10:00 A.M. Meeting were Commissioners Hall and Watne, Shirley Anderson, Planning and Zoning Director Forest Sanderson, and Clerk Moser.

Discussion was held relative to Helena Flats Neighborhood Plan.

MEETING W/BARBARA FENCHAK RE: LAKESIDE EASEMENT

Present at the August 04, 2004 10:15 A.M. Meeting were Commissioners Hall and Watne, Barbara Fenchak, Planning and Zoning Director Forest Sanderson, and Clerk Moser.

Discussion was held relative to Rain runoff problem on Bierney Road.

AWARD BIDS: NORTH FORK ROAD RELOCATION PROJECT

Present at the August 04, 2004 10:45 A.M. Meeting were Commissioners Hall and Watne, and Clerk Moser.

Commissioner Hall made a **motion** to approve the Bid from Ureco in the amount of \$113,893.77. Commissioner Watne **seconded** the motion. **Aye** - Watne, and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: LEASE AGREEMENT/WEED, PARKS & MAINTENANCE DEPT.

Present at the August 04, 2004 10:45 A.M. Meeting were Commissioners Hall and Watne PT, Weed, Parks and Maintenance Director Jed Fisher, and Clerk Moser.

Commissioner Hall made a **motion** to approve the lease agreement with VHM for Weed, Parks and Maintenance. Commissioner and authorize the chair to sign. Watne PT **seconded** the motion. **Aye** – Watne PT, and Hall. Motion carried by quorum.

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 August 5, 2004.

THURSDAY, AUGUST 5, 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. Commissioner Hall attended AOA/TAB Meeting at the Lutheran Home Cottage

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 6, 2004.

FRIDAY, AUGUST 6, 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 August 9, 2004.

