

**MONDAY, AUGUST 16, 2004**

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

**Commissioner Watne asked for public comment within the Commission's jurisdiction, no one present to speak, Commissioner Watne closed the public comment period.**

**MONTHLY MEETING W/JIM ATKINSON, AOA**

Present at the August 16, 2004 9:00 A.M. Meeting were Commissioners Watne and Hall, AOA Director Jim Atkinson, Deputy County Attorney Jonathan Smith, Wes Hulla, and Clerk Eisenzimer.

General discussion was held relative to appropriations bill standings regarding grants through Conrad Burns' office; pop fee for aging services; request to fill a OAll position; health promotion contracts from Immanuel Lutheran home, North Valley Hospital and senior home repair program documents; bus barn is about ready for pavement.

Commissioner Hall made a **motion** to approve the request to open the OAll position. Commissioner Watne **seconded** the **motion**. Aye – Watne and Hall. Motion carried by quorum.

**PUBLIC HEARING: ROAD NAMES FOR DYE RANCH LOOP, MIDDLE VIEW TRAIL SOUTH, LYNNEWOOD DRIVE**

Present at the August 16, 2004 9:30 A.M. duly advertised public hearing were Commissioners Watne and Hall, and Clerk Eisenzimer.

Commissioner Watne opened the public hearing to anyone wishing to speak in favor of the proposed road names.

No one in the audience to speak, Commissioner Watne closed the public hearing.

Commissioner Hall made a **motion** to adopt Resolution 1738 naming Middle View Trail South, and Resolution 1739 naming Lynnewood Drive, and Resolution No. 1740 naming Dye Ranch Loop. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried unanimously.

**RESOLUTION NO.1738**

**WHEREAS**, Flathead County has proposed to name a private 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.

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing on August 16, 2004, concerning the proposal, after publication and mailing of notice thereof on August 5, 2004 and August 12, 2004; and

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, has determined that the road should be named Middle View Trail South.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, by the Board of Commissioners of Flathead County, that the private 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, should be, and it hereby is, named Middle View Trail South.

**BE IT FURTHER RESOLVED** that the naming of Middle View Trail South shall be effective on August 16, 2004.

Dated this 16<sup>th</sup> 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/ Monica R. Eisenzimer  
Deputy

**RESOLUTION NO.1739**

**WHEREAS**, Flathead County has proposed to name a private 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, P.M.M., Flathead County, Montana.

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing on August 16, 2004, concerning the proposal, after publication and mailing of notice thereof on August 5, 2004 and August 12, 2004; and

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, has determined that the road should be named Lynnewood Drive.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, by the Board of Commissioners of Flathead County, that the private 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, P.M.M., Flathead County, Montana, should be, and it hereby is, named Lynnewood Drive.

**BE IT FURTHER RESOLVED** that the naming of Lynnewood Drive shall be effective on August 16, 2004.

Dated this 16<sup>th</sup> 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/ Monica R. Eisenzimer  
Deputy

**RESOLUTION NO. 1740**

**WHEREAS**, Flathead County has proposed to name a private 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.

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, held a public hearing on August 16, 2004, concerning the proposal, after publication and mailing of notice thereof on August 5, 2004 and August 12, 2004; and

**WHEREAS**, the Board of Commissioners of Flathead County, Montana, has determined that the road should be named Dye Ranch Loop.

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, by the Board of Commissioners of Flathead County, that the private 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, should be, and it hereby is, named Dye Ranch Loop.

**BE IT FURTHER RESOLVED** that the naming of Dye Ranch Loop shall be effective on August 16, 2004.

Dated this 16<sup>th</sup> 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/ Monica R. Eisenzimer  
Deputy

Present at the August 16, 2004 9:45 A.M. Meeting were Commissioners Watne and Hall, Planner Johna Morrison, Artis and Jeff Larsen of Larsen Engineering & Surveying, Guy Clare and Clerk Eisenzimer.

Morrison reviewed the preliminary plat for Clare Subdivision a minor subdivision, filed by Emeral Clare and Larsen Engineering & Surveying to create five single family residential lots. The subdivision is located approximately one mile west of Kalispell in the Lower side Zoning District. The subdivision is proposed on 13.45 acres and will be served by individual water and sewage systems. Staff recommends approval of the Preliminary Plat. Jeff Larsen requested that Lot 5 be considered Phase I of Clare Subdivision with written request to come at a later date.

Commissioner Hall made a **motion** to adopt Staff Report #FSR-04-28 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye** – Watne, and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Clare Subdivision subject to 8 conditions. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### **PRELIMINARY PLAT: CRESTVIEW EIGHTY NO. 1, LOT 1, BLOCK 1**

Present at the August 16, 2004 10:00 A.M. Meeting were Commissioners Watne and Hall, Planner Johna Morrison, Dawn Marquardt of Marquardt Surveying, and Clerk Eisenzimer.

Morrison reviewed the preliminary plat filed by Robert Shaw & Diane Gottier and Marquardt Surveying for the amended plat of Lot 1, Block 1 Crestview Eighty No. 1, a minor subdivision that will create two single family residential lots. The subdivision is located off South Crestview Terrace. The subdivision is proposed on .90 acres and will be served by Bigfork municipal water and Sewer. The property is zoned R-4. Staff recommends approval of the Preliminary Plat.

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

Commissioner Hall made a **motion** to approve the Amended Preliminary Plat of Lot 1, Block 1 Crestview Eighty No. 1 subject to 12 conditions. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### **CONSIDERATION OF RELEASE OF COLLATERAL: CHESTER ESTATES**

Present at the August 16, 2004 10:15 A.M. Meeting were Commissioners Watne and Hall, and Clerk Eisenzimer.

Commissioner Watne reviewed a consideration of release of collateral for Chester Estates because the road is finished.

Commissioner Hall made a **motion** to approve the release of collateral for Chester Estates. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### **CONSIDERATION OF PRINTING BIDS: LIBRARY**

Present at the August 16, 2004 10:15 A.M. Meeting were Commissioners Watne and Hall, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve on behalf of the Library, the bid submitted by Insty Prints for 500 business cards in the amount of \$34.95. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### **MEETING W/MITZI ANDERSON RE: MENTAL HEALTH STATUTES**

Present at the August 16, 2004 10:30 A.M. Meeting were Commissioners Watne and Hall, Mitzi Anderson, and Clerk Eisenzimer.

Discussion was held relative to the Outpatient Commitment Law and clarification of procedures of commitment by petition to the County Attorney's office and the savings to county and state government by implementing the Outpatient Commitment Law through community enforcement.

#### **MEETING W/CHARLIE JOHNSON, ROAD DEPT.**

Present at the August 16, 2004 11:00 A.M. Meeting were Commissioners Watne and Hall, Roads Superintendent Charlie Johnson, and Clerk Eisenzimer.

Discussion was held relative to rebuilding of Old Steel Bridge and paving of Holt Stage Road; overlay on Columbia Falls Stage, Holman Road, Haskill Basin Road, Edgewood Drive, budget concerns involving striping of roads, the necessity of paving roads as they are being eroded quicker than they can be repaired due to the increased traffic. The recommendation from the Road Department is the composition of Road Districts with implementation of more paving requirements.

#### **CONNIE JONES RE: HOFFMAN DRAW**

#### **THIS MEETING DID NOT TAKE PLACE**

#### **FINAL PLAT: WINDSOR RIDGE**

Present at the August 16, 2004 11:30 A.M. Meeting were Commissioners Watne and Hall, Planner Kirsten Holland, Tom Sands of Sands Surveying, and Clerk Eisenzimer.

Holland reviewed the application submitted by Sands Surveying for final plat approval of Windsor Ridge Subdivision, which will create 17 residential lots in Section 25, Township 27 North, Range 20 West, P.M., Flathead County, Montana. The property is zoned R-1, in the Bigfork Zoning District. Preliminary plat approval was granted on May 28, 2003 to the previous name of Lake Hills Estates subject to 17 conditions. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Subdivision Improvement Agreement for \$89,251.10 and authorize the Chairman to sign. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the final plat for Windsor Ridge Subdivision. Commissioner Watne **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 August 17, 2004.

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## **TUESDAY, AUGUST 17, 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.

**Chairman Gipe asked for public comment within the Commission's jurisdiction, no one present to speak, Chairman Gipe closed the public comment period.**

### **MEETING W/RAEANN CAMPBELL/HUMAN RESOURCE OFFICE RE: JOB DESCRIPTION**

Present at the August 17, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

General discussion was held relative to the administrative officer job description and questions involving recruitment and revision of the starting salary. Agreement was made to increase the starting salary and begin recruitment.

### **PUBLIC HEARING: PERMISSIVE MEDICAL LEVY**

Present at the August 17, 2004 9:30 A.M. duly advertised public hearing were Chairman Gipe, Commissioners Watne and Hall, Susan Nicosia, Human Resource Director Raeann Campbell, Deputy County Attorney Jonathan Smith, and Clerk Eisenzimer.

Chairman Gipe opened the public hearing to anyone wishing to speak in favor of the permissive medical levy.

No one rising to speak, Chairman Gipe asked for anyone wishing to speak in opposition to the permissive medical levy.

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

Susan Nicosia advised the Board of Commissioners that Section 2-9-212 allows the County to levy for \$476,044 for insurance fund.

### **MEETING W/HALE LAKE RE: BIGFORK STREET DANCE**

Present at the August 17, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Roads Superintendent Charlie Johnson, Hale Lake, Mark Langlois, and Clerk Eisenzimer.

Hale Lake presented the Commissioners with the letter he delivered to the merchants of Bigfork and having received no comments from the merchants, they are requesting to close the road for the Bigfork Street Dance. Commissioners gave approval for the closure of the street behind the Garden Bar if the event receives approval from the Sheriff's Office.

### **MONTHLY MEETING W/JIM DUPONT, SHERIFF'S OFFICE**

Present at the August 17, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Sheriff Jim Dupont, and Clerk Eisenzimer.

General discussion was held relative to jail population; plans for remodel of jail facilities.

### **TAX REFUND REQUEST: LEWIS**

Present at the August 17, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed a memo from the Assessor's office requesting they deny the tax refund request

Commissioner Hall made a **motion** to deny the tax refund request. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

### **TAX REFUND REQUEST: BUSH FAMILY LTD. PARTNERSHIP**

Present at the August 17, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed a request for property tax refund for Bush Family Limited Partnership.

Commissioner Watne made a **motion** to deny the Bush Family Ltd. Partnership tax refund. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

### **CONTINUATION OF MONTHLY MEETING W/FORREST SANDERSON, PLANNING & ZONING OFFICE**

Present at the August 17, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planning and Zoning Director Forrest Sanderson, and Clerk Eisenzimer.

General discussion was held relative to budget meeting; capital improvements plan; discussion of impact fees; projects in progress- Helena Flats trail almost finished; Farm to Market trail is complete, getting ready to bid on Great Northern Trail, plans

for River Road Trail has some concerns due to right of way issues, Highway 93 Bypass meeting on August 24 and parking issues in Kila concerning the Bike Trail.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 18, 2004.

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### **WEDNESDAY, AUGUST 18, 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.

**9:15 a.m. Commissioner Hall attended RSVP meeting at Windward Place**

**Chairman Gipe asked for public comment within the Commission's jurisdiction, no one rising to speak, Chairman Gipe closed the public comment period.**

#### **FINAL PLAT: WHISPERING ROCK ESTATES**

Present at the August 18, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planner Johna Morrison, Richard J. Swan from Thomas, Dean & Hoskins, Randy Snyder, and Clerk Eisenzimer.

Morrison reviewed the application submitted by Thomas, Dean & Hoskins for final plat approval of Whispering Rock Estates, formerly Chapman Hill Estates) Subdivision, which will create 17 single family residential lots in Section 26, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana. Preliminary plat approval was granted on November 18, 2003 subject to 23 conditions. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Subdivision Improvement Agreement for \$79,435.00 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 final plat for Whispering Rock Estates Subdivision. Commissioner Hall **seconded** the motion. **Aye** – Watne, Gipe and Hall. Motion carried unanimously.

#### **CONSIDERATION OF APPOINTMENT: COUNTY TREASURER**

Present at the August 18, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Computer Services Director Norm Calvert, Human Resource Director Raeann Campbell, Clerk & Recorder Paula Robinson, Rod Bitney, Nina Critchfield, Adele Krantz, Kate Beinhoff, Marla Roberts, Jodie Tyson-Flyn, Sue Waggener, Karen Okamoto, and Clerk Eisenzimer.

Chairman Gipe explained that the County Treasurer has resigned as of August 27<sup>th</sup> and at this time we have three people that are interested in that position. We have Rod Bitney, Roger Somerville and Adele Krantz. It was thought that the Central Committee would send three names over but that does not apply for the Treasurer's office. The Chairman of Republican Central Committee, John Dudis did send over as I certainly agree with him, we have three good candidates for that position and I think you've all reviewed the letters from all three of them.

Commissioner Hall expressed his support for Rod Bitney due to his experience with the Legislature and ability to work with people.

Commissioner Watne expressed his support for Adele Krantz due to her experience in the Treasurer's office.

Chairman Gipe expressed support for Adele Krantz due to her experience as well.

Commissioner Watne made a **motion** to appoint Adele Krantz as County Treasurer. Commissioner Hall **seconded** the motion. **Aye** – Watne and Gipe. **Nay** – Hall. Motion carried.

#### **CONSIDERATION OF FEE SCHEDULE: PLANNING & ZONING OFFICE**

Present at the August 18, 2004 9:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning & Zoning Director Forrest Sanderson, Jolene Smith, Shirley Anderson, Karen Young, Karen Mercaldo, Gianna Mercaldo, Helen Gray, John Korpi, Jim Edmiston, Ted L. Giesey, Linda Johnson, Emy Amy, Caitlin Amy, Sherry Iavicoli, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to remove fee schedule from the table. Commissioner Watne **seconded** the motion. **Aye** - Watne, Hall and Gipe. Motion carried unanimously.

Chairman Gipe continued with the only change of the printed section that we had was that the growth policy amendment was stated that \$1500 plus \$10 per acre or \$10,000 whichever is the less. That's the only change.

Forrest Sanderson explained, the proposal that I sent over Howard said \$5000, I know we'd talked about it but the proposal I sent said \$5000. Is that the amendment made by Jon or the Commission?

Chairman Gipe responded it was made by the Commissioners.

Forrest Sanderson stated that was the only question he had on it.

Commissioner Hall added I was not a part of that decision to go to \$10,000, I think that Neighborhood Plans definitely need a fee assessed, if it was \$10 an acre, this particular Neighborhood plan would be what? Did you figure 50 some thousand?

Forrest Sanderson The Helena Flats Neighborhood is 4,937 acres if memory serves. The fee without a cap would be \$50,870, that is clearly unreasonable, we already determined that. The quest from the Board was to propose a cap and get it back to you for consideration. This would become the standard for anyone that is not an agent of Flathead County that would be assessed or applications. On a project the size of Helena Flats, \$10,000 would cover the vast majority of expenses that we

would incur if it went through a one shot deal if we didn't have to do multiple advertisings, multiple hearings, and the like. The lion's share as with our budget is going to be staff time and salaries. It's fairly that simple.

Chairman Gipe, well I think that I stated this before Gary, that I would do it for nothing for them if we could afford to do that. We can't afford that and I can't see why the rest of the county should support it. I think that it should stand on it's own. If it cost \$10,000 they should be paid that. I can't see why the rest of the county should pay half or any portion of it.

Commissioner Hall continued I understand what you're saying. I guess it's just back to the fact that when a Neighborhood plan gets put together there is incredible amount of work and expense incurred by the people that do it, it's not that any of our staff is being used at the time except for resource information but, personally, my opinion is \$10,000 is excessive, \$5000 is reasonable because of like I said, the expenses incurred already in the Neighborhood Plan. There's a certain amount of work that we have to do anyway and the Neighborhood Plan is more of an advisory type document that's put together for the Planning Board to consider, correct? I mean that's kind of a simple way of putting it.

Forrest Sanderson, right, it's no different than any other application, subdivision, zoning plan that would be submitted.

Chairman Gipe asked Commissioner Watne for comment.

Commissioner Watne, I think \$10,000 is reasonable, that's roughly what it's going to cost in staff time and everything.

Commissioner Hall - is that your opinion Forrest, is it going to cost that much?

Forrest Sanderson responded with on a one shot through, yes. We're going to spend at least \$10,000 by the time we pay legal notices for the Planning Board hearing, Publication for the Resolution of Intent, staff and the hearings, reports, phones, fuel, all the costs of operation. I'm certain, and then a couple that I have to store that file whether it's approved or denied, I have to store that file forever as an application submitted to Flathead County. I have to pay for record storage as well.

Commissioner Watne answered it's actually 1/5<sup>th</sup> of what it would have been under the old regulation.

Forrest Sanderson added, correct, I support the concept of the cap, absolutely.

Commissioner Watne, I do too, 100%.

Forrest Sanderson – it's your decision to set that cap.

Shirley Anderson – Chairman Gipe, since I sat in on the other two meetings, can I have an opportunity to speak?

Chairman Gipe – No, your chance to speak was when we started at 9:30.

Commissioner Hall – Just for the audience sake as educational purposes, if there was a public hearing, that's when we take public comment and needless to say, we've spent a lot of time with Shirley and Shirley's done a good job of educating us and has worked tirelessly on this plan so we have of course all of your written comments and your petitions signed and so forth, but as Howard said, we have and if you watch a City Council meeting you'll observe that that's the same thing, the beginning of our meeting is when the public can comment on anything in our agenda unless it's a public hearing. Otherwise we'd be here for days on one subject perhaps so, it's just important for you to understand that. Getting back to the document we're discussing today, fellow Commissioners, I'm just one vote but I think that I would hate to do something that would actually in this particular case although not every case, but there's a lot of work that's gone into this, a lot of expense and to impose a fee such as this one it could potentially hinder even this thing being completed because of the excessive cost. I understand what you're saying about the \$10,000 that I think is the County Planning office, you know we have a portion that we need to share too so I'm still in support of the \$5000 cap. I'm one vote.

Commissioner Watne – Well, as we stated, I think the \$10,000 is more realistically what it's going to cost us. I move we enact the \$10,000.

Chairman Gipe – No, we need to approve the whole fee schedule.

Commissioner Watne – oh, the whole fee schedule.

Commissioner Watne made a **motion** to approve the fee schedule as amended. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. **Nay** – Hall.

#### **CONSIDERATION OF LAKESHORE PERMIT: ENGEL**

Present at the August 18, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planning & Zoning Director Forrest Sanderson, and Clerk Eisenzimer.

Sanderson reviewed Lake and Lakeshore Construction Permit filed by Herb Engel on Little Bitterroot Lake to relocate larger stones to the high water line and application of washed gravel to the existing gravel beach to mitigate past & potential erosion. Area will not be extended lakeward, application will stop at existing water level, no excavation will occur & existing shoreline armament will remain in place. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-94 with 11 conditions and authorize Chairman to sign. Commissioner Watne **seconded** the motion. **Aye**- Watne, Gipe and Hall. Motion carried unanimously.

#### **CONSIDERATION OF LAKESHORE PERMIT: HART**

Present at the August 18, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planning & Zoning Director Forrest Sanderson, and Clerk Eisenzimer.

Sanderson reviewed Lake and Lakeshore Construction Permit filed by Roger L. Hart on Ashley Lake to remove a dead tree on the bank. Stabilize large fir tree on bank below using rip-rap around root system, which has been exposed by erosion. Staff recommends approval. General discussion was held.

Commissioner Watne made a **motion** to approve Lakeshore Permit #FLP-04-101 with 16 conditions and authorize Chairman to sign. Commissioner Hall **seconded** the motion. **Aye-** Watne, Gipe and Hall. Motion carried unanimously.

**CONSIDERATION OF LAKESHORE PERMIT: STACK**

Present at the August 18, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planning & Zoning Director Forrest Sanderson, and Clerk Eisenzimer.

Sanderson reviewed Lake and Lakeshore Construction Permit filed by North Shore Homeowners Association, c/o Walter Stack on Flathead Lake to relocate an existing rectangular, wood dock measuring 72 feet long by 6 feet wide. New dock w/ill be wood-clad steel frame/steel piling construction of same dimensions and anchored to an existing concrete landing. Staff recommends approval. General discussion was held.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP-04-92 with 19 conditions and authorize Chairman to sign. Commissioner Watne **seconded** the motion. **Aye-** Watne, Gipe and Hall. Motion carried unanimously.

**CONSIDERATION OF POSITION DESCRIPTION: EXTENSION AGENT**

Present at the August 18, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Human Resource Director Raeann Campbell, and Clerk Eisenzimer.

Discussion was held relative to education requirements in the job description.

Commissioner Hall made a **motion** to continue decision on the job description. Commissioner Watne **seconded** the motion. **Aye -** Watne, Hall and Gipe. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: HEALTH PROMOTION CONTRACT/IMMANUEL LUTHERAN HOME & AOA**

Present at the August 18, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed a document for signature between Agency on Aging and Immanuel Lutheran Home to provide health promotion activities.

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

**DOCUMENT FOR SIGNATURE: HEALTH PROMOTION CONTRACT/N. VALLEY HOSPITAL & AOA**

Present at the August 18, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed a document for signature between Agency on Aging for North Valley Hospital to provide health promotion activities.

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

**DOCUMENT FOR SIGNATURE: HEALTH PROMOTION CONTRACT/N. VALLEY SENIOR CENTER & AOA**

Present at the August 18, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed a document for signature between Agency on Aging and North Valley Senior Center to provide health promotion activities.

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

**DOCUMENT FOR SIGNATURE: HOME GRANT/AOA**

Present at the August 18, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, and Clerk Eisenzimer.

Chairman Gipe reviewed HOME Grant Documents to provide home repair for seniors.

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

**11:00 a.m. County Attorney's 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 19, 2004.

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**THURSDAY, AUGUST 19, 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/RICHARD STOCKDALE, ANIMAL CONTROL**

Present at the August 19, 2004 8:30 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Animal Control Director Richard Stockdale, and Clerk Eisenzimer.

General discussion was held relative to adoption of 45 dogs; several calls on bats and the increased cost of shipping and testing for rabies; fair booth; Governor's Conference September 8<sup>th</sup>; donations of dog food from Target, Wal-Mart and Costco.

### **MONTHLY MEETING W/JED FISHER, WEED/PARKS/MAINTENANCE DEPARTMENT.**

Present at the August 19, 2004 9:00 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Weed, Parks and Maintenance Director Jed Fisher, and Clerk Eisenzimer.

General discussion was held relative to costs for materials and labor for remodel for Agency on Aging in the leased space, Board will discuss the issue with Agency on Aging; lowering lake levels are causing issues with boat launches; request for park to be developed on easement at Breezy Point has received many letters of protest and therefore will not be developed for a park; vacant positions being filled; development of Somers Beach Park; parking area on Kila Trail being built by Rails to Trails; ramping into Election being delayed; interest in obtaining surplus computers from Computer Services; progress on development of a park in Columbia Falls.

### **MONTHLY MEETING W/ALAN MARBLE, OES**

Present at the August 19, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, OES Director Alan Marble, Kelly McHenry, County Sheriff Jim Dupont, and Clerk Eisenzimer.

General discussion was held relative to grant updates; LEPC reprioritized the bomb grant to essential items necessary to complete the bomb team; appropriations for the '04 grant cycle from Office of Defense Preparedness; regional Haz-mat trailers being relooked at due to budget concerns of continued upkeep after grants are no longer available; placement of Emergency Services Response units; signing of document for Board of Crime Control for Sheriff Dupont;

### **PUBLIC HEARING: BUDGET FY 04-05**

Present at the August 19, 2004 10:30 A.M. duly advertised public hearing were Chairman Gipe, Commissioners Watne and Hall, Brian Mau, Shirley Anderson, Computer Services Director Norm Calvert, Judge David Ortley, Health Director Joe Russell, County Treasurer Adele Krantz, Karen Okamoto, Sassi Forden, Deb Deist, Karen Maar, Denise Michel, Clerk & Recorder Paula Robinson, Colleen Baars, Agency on Aging Director Jim Atkinson, Wes Hulla, Brenda Hall, Weed, Parks & Maintenance Superintendent Jed Fisher, Roads Superintendent Charlie Johnson, Mary Sevier, OES Director Alan Marble, Peggy Johnston, Planning and Zoning Director Forrest Sanderson, Human Resources Director Raeann Campbell, Solid Waste Director Dave Prunty, Susan Nicosia, Superintendent of Schools Donna Maddux, Carol Mizze, Library Director Kim Crowley, Guy Foy, Tina Frownfelter, Sheriff Jim Dupont, Fair Superintendent Jay Scott, Denise Cofer, John Weaver, Deputy County Attorney Jonathan Smith, and Clerk Eisenzimer.

Chairman Gipe opened the public hearing to anyone wishing to give any comments on the proposed budget. As you all know, Susan has done this budget and she's done a tremendous job for all of us and we'll say more about that when it's over before we adjourn today but she has been a tremendous help to all of you and I know you appreciate it. Anyway, this is a budget public hearing and as we do every year, we'll open the public hearing and anyone who would like to speak on the budget, any department you're interested in that you'd like to question, the Director of that department will answer the question. If there's anything beyond that that we need, we'll call on Susan to answer. In most cases the Department director can handle that.

Shirley Anderson – A taxpayer from 1479 Helena Flats Road. I imagine you've all seen, now don't flinch, I'm not going to pick on you, Amazing Pace. All the subdivisions sprouting, Glacier Bank official says amazing, more than in 14 years he's been here. The facts and figures are all in here and it's scary. What scares me is that we foot the bill. The subdivisions can be built out with no paved roads in un-zoned areas and they are built without nearby schools developers don't pay an impact fee. Don't tell me it's not legal, if it isn't it should be. They simply, this is heaven for a developer, Flathead County the demand is here, the Planning Office is pro-development, Planning officials often have to make decisions based on too little or erroneous information. The developer pays nothing for infrastructure. He pockets his earning and walks away. They talk about paving an interior road, and they're proud of that or maybe a mile or two outside the development. They talk about the increase tax base but obviously if it were enough we wouldn't be here having these problems. So developers are salivating and they want the taxpayers to take care of it. Well, I don't want to lose the home that I've worked 60 years with my husband to have. They're out of land for development in a lot of other states and now they have impact fees. We're ripe for plucking, we don't have anything and boy, developers are salivating and I really would urge you to somehow find some way for them to bear their fair share of the costs. I never voted against a school bond issue, I pay my taxes, I don't have a quarrel with any of you but I do have a quarrel with letting all of this money go and them not paying their share. Thank you.

Brian Mau - Executive Director of Citizens for a Better Flathead and I have some comments I'd like to read to you about the budget but before I do that I want to introduce myself and let you know that I'm looking forward to working with you on community development projects in the coming years. I'm sure that you probably know that Citizens for a Better Flathead is a local, membership based nonprofit organization and we work to inform the power of citizens on cooperative community development so with that in mind, I just want to draw your attention to one of the sections of your budget which is under the proposed Flathead County Fiscal Year 2005 Preliminary Budget, as you know Flathead County is required to update its growth policy, formally called a Master Plan by October, 2006. Updating a growth policy is a serious undertaking for any county and even more so for Flathead County where we are currently the second fastest growing county in the State. Of course depending on how that policy is written, it will make it easier or harder for us to attract and expand the good paying jobs that the new involving economy can provide support or jeopardize our working lands and the agricultural and timber resources they provide for our economy and the ecological richness of our valley. Depending on how the policy is written it will increase or limit costs for road building and maintenance, other public services, public safety and in turn county taxes. And of course the growth policy could make our valley more or less for current and future generations. So, despite several town hall meetings that have been held by the Planning Board and there's a proposed draft growth policy which I'm sure you've seen. These efforts are unfortunately inadequate and they don't meet the legal standards and best practices used around the State. There is still no resource analysis or agreement on issues and goals to form a rational basis for either the proposed draft policy or the Map coloring exercises taking place at Planning Board policy growth work sessions. So, on August 2004 we provided the Planning Board numerous examples of recent processes. In August in this room, there was a Planning Board meeting we came to the Planning Board, we presented numerous examples of processes that are used to create growth policies and other fast growing



Montana counties as well as some data that could be used to create a resource analysis and public participation plan for Flathead County. A copy of this letter and a list of those resources are attached, I'll give you that in a minute. Based on the budget that you have there in front of you, there does not appear to be any funding set aside to meet the requirements of M.C.A. 76-1-601 for either the public participation process or the background data required for you and the public to make an informed decision about this critical policy change. While there is a substantial increase in salaries for the Planning & Zoning Office, it is not clear that this proposed increase in staffing would do anything to address the enormous workload required to produce a resource analysis and organize a public participation process. In addition, based on the work done in other Montana counties, to update their growth policies, we would expect that the fiscal year 2005 budget would provide the resources necessary for Flathead County to contract with appropriate regional and national experts and GIS, economic development, transportation, water quality, public participation, web design, and growth projections. Other counties recognize the need for the sophisticated expertise and anticipated these costs in their budgets prior to updating their growth policies. So, to summarize, we feel that State Law requires and certainly the citizens of Flathead County deserve no less than, an expanded public process that will serve to craft a fact based growth policy resulting in real long term prosperity and security for residents and their quality of life. So we therefore request that you set aside adequate resources to update the County's growth policy before the fiscal year 2005 budget is approved and we would be happy to work with you and your staff to develop a budget proposal that would result in a useful and widely accepted growth policy. So I'd be happy to give you copies of some of the materials we distributed to the Planning Board, just so you can appreciate the scope of the work that's involved in updating the growth policy.

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

Chairman Gipe continued with, I want to go back to what I started to say, Susan, we appreciate everything you've done on this budget, I know and I've been told by a number of the people that you worked with, the department heads that they were extremely happy with the way you worked with them and how things worked out and I just want to tell you how much we from the Commissioners office appreciate what you did and the time that you put in because it's a tough tough job. The public hearing but if any of you have anything to say that you wanted to add or anything from your side. Anyway, if not, thank you very much and have a good day.

#### PUBLIC NOTICE

The Board of Commissioners of Flathead County did this 19<sup>th</sup> day of August, 2004, approve payroll and claims for payment in the amount of \$ 2,628,674.08 for the period beginning July 1, 2004 and ending on July 31, 2004.

The full and complete claim list is available for public view in the Office of Clerk & Recorder, Flathead County Courthouse, Kalispell, Montana. Individual requests for personal copies will be accepted by the Clerk Recorder.

Dated this 19<sup>th</sup> day of August, 2004.

BOARD OF COMMISSIONERS  
Flathead County, Montana

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

By: /s/Paula Robinson  
Paula Robinson, Clerk

Publish August 24, 2004.

#### PUBLIC NOTICE

The Board of County Commissioners' proceedings for Flathead County for the period of July 1, 2004, and July 31, 2004, are now available for public review in the Office of the Clerk and Recorder, Flathead County Courthouse, Kalispell, Montana, and at the Flathead County Library, 247 First Avenue East, Kalispell, Montana.

Individual requests for personal copies will be accepted by the Flathead County Clerk and Recorder, Flathead County, Courthouse, Kalispell, Montana.

Dated this 19<sup>th</sup> day of August, 2004.

BOARD OF COMMISSIONERS  
Flathead County, Montana

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

By: /s/Paula Robinson  
Paula Robinson, Clerk

Publish August 24, 2004.

#### **2:00 p.m. Commissioner Watne attended Health Board meeting at the Earl Bennett Building**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 20, 2004.

#### **FRIDAY, AUGUST 20, 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.

**10:00 a.m. Commissioner Gipe attended Child Development Board Meeting at Perkins Conference Room**  
**12:00 a.m. Commissioner Hall attended Kalispell Chamber of Commerce meeting**

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