

MONDAY, OCTOBER 11, 2004

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

COUNTY OFFICES CLOSED – COLUMBUS DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 12, 2004.

TUESDAY, OCTOBER 12, 2004

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

MONTHLY MEETING W/JAY SCOTT, FAIRGROUNDS

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

General discussion was held relative to increased use of the fair buildings; anticipation of increased revenue and workload with new buildings will increase the need for an additional employee.

COS REVIEW: SHOULER

Present at the October 12, 2004 9:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forrest Sanderson, Judith Souler, Joe Kauffman of Big Sky Surveying, Assistant Webb, and Clerk Eisenzimer.

Sanderson presented the Immediate Family Transfer Request for Judith Souler on property located in Marion,

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

Commissioner Hall excused himself.

9:30 a.m. Commissioner Hall attended Fire Plan Steering Committee Meeting at the Justice Center

MONTHLY MEETING W/LAURIE REBUCK, JUVENILE DETENTION

THIS MEETING WAS NOT HELD

PRELIMINARY PLAT: MEADOW LAKE NORTH AT MEADOW LAKE RESORT

Present at the October 12, 2004 10:00 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forrest Sanderson, Assistant Webb and Clerk Eisenzimer.

Sanderson reviewed the preliminary plat filed by Peter Tracy for approval of Meadow Lake North at Meadow Lake Resort, a fifty lot major subdivision (22 single family lots, 10 cottage lots and 18 duplex lots) on approximately 21.5 acres. All lots in the subdivision are proposed to have neighborhood water systems and public sewer systems. The Board recommends this amendment to the Findings of Fact: The subject property is located in a portion of Flathead County that is frequented by large and potentially dangerous animals such as moose, deer, elk, bears and mountain lions. Owners of lots should be served notice of this fact and encouraged to contact the Department of Fish Wildlife and Parks to obtain information on living with wildlife. Addition of Condition 21 reading that phasing is allowed subject to the provisions of Section 2.7 of the Flathead County Subdivision Regulations.

Commissioner Watne made a **motion** to approve the addition of Condition 21 to the Staff Report. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to adopt Staff Report #FPP-04-29 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve Preliminary Plat for Meadow Lake North at Meadow Lake Resort as amended subject to 21 conditions. Chairman Gipe **seconded** the motion. **Aye**- Watne and Gipe. Motion carried by quorum.

FINAL PLAT: PAUL'S F.A.S. ON LAKE FIVE

Present at the October 12, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioner Watne, Planning and Zoning Director Forrest Sanderson, Tom Sands of Sands Surveying, Assistant Webb, and Clerk Eisenzimer.

Sanderson reviewed the Staff Report regarding the application filed by Montana Fish Wildlife and Parks for Paul's F.A.S. (Fishing Access Site) which creates a one lot minor subdivision on Lake Five in West Glacier. The subject property is 10 acres in size and is zoned Middle Canyon Zoning District. Preliminary plat approval was waived on September 7, 2004 subject to six conditions. Sanderson indicated that all conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Watne made a **motion** to adopt Staff Report #FWP-04-30 as Findings of Fact. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Watne made a **motion** to approve Final Plat of Paul's F.A.S. on Lake Five. Chairman Gipe **seconded** the motion. **Aye** – Watne and Gipe. Motion carried by quorum.

Commissioner Hall was seated.

MEETING W/BRIDGE CLUB RE: CTEP FUNDS

Present at the October 12, 2004 10:30 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Planning and Zoning Director Forrest Sanderson, Planner Peggy Goodrich, Anne Scott-Markle, Bill Shaw, Erik Garberg, District Court Judge Kitty Curtis, Assistant Webb, and Clerk Eisenzimer.

Discussion was held relative to:

Anne Scott Markle – About five years ago, the reason we're called the Bridge Club is because we got CTEP funds to take the Red Bridge out of Columbia Falls and make it walkable. But when had engineering assessment it wasn't feasible to do that and you graciously allowed us to have the CTEP funds and we rolled it over into the River Bike Path project. We worked on that pretty consistently for three or four years and we just a month ago decided to call it quits because the new landowners that have come on since we started the project were not willing to grant easement and that was part of what we needed to complete the project. So what we're basically asking today is if you would consider rolling over these CTEP funds yet again for a Columbia Falls project. We have several in mind, we're not willing to commit ourselves to any project until we do more leg work and have a certainty that it's going to fly this time.

Chairman Gipe – What else?

Kitty Curtis – Well, I would just add that what we have in mind is, we don't want to pick a project again. We want the people in the Columbia Falls area to pick a project because we think that's possibly how we ran into a dead end with this one was not having the people most directly impacted, being land owners, on board. And so what we have in mind is having some public meetings probably in connection with the input process that the planning office would do typically for new funds and just see what the priorities of the community are and then we may as the Bridge Club, continue with our project. We may morph into a different group depending on where the project is, what our personal interest levels are who else might be willing to pick up the ball and run with it at that point. That's sort of the approach we'd like to take this time.

Chairman Gipe – Okay, thank you. Forrest, do you have anything to add to this?

Forrest Sanderson – Yes, unfortunately gentlemen, you can't roll the money from River Road to another Columbia Falls project. You've already committed a rollover to drive Great Northern to completion next year. That's not a bad thing, Great Northern and River Road were all part of our priority systems that we're going to build. And early next year we'll go through the needs assessment system with the construction of Great Northern and Lakeside-Somers, we will have completed all of the Commissioners priorities for construction that we have at this point. You've also been asked by the City of Kalispell to participate on the build of Willow Glen, you've been asked by the City of Whitefish to coop with them on their priority list, you're now being asked by the community of Columbia Falls to either assist the City or build another project in Columbia Falls. Bigfork has asked for construction along the river, down along Highway 209. The Swan River School is asking for an extension of their trail and the community of Lakeside is asking to build Lakeside north. My advice to the Bridge Club and any one who comes in to the Commissioners asking for funding is to do your legwork now. We will be going through needs assessment early next spring. We will have funding for at least one, possibly two trail projects next year. But you have to be ranked and approved by the Board of Commissioners following that needs assessment cycle and there are some heavy hitters that have stepped to the plate, all demanding access to those limited funds. We have to follow that federal process for needs assessment and priority assignment.

Chairman Gipe – well, if they come in with a project, they could be in the next, it would be up the Commissioners at that time, but the history should mean something.

Forrest Sanderson – they'll select which one or two projects you'll build.

Commissioner Hall – Forrest, you said that the projects, your 03-04 budget is what you're talking about.

Forrest Sanderson – 04-05.

Commissioner Hall – The money that was set aside for Columbia Falls, you're talking about rolling that over into the Great Northern project to complete that. You could just as well roll that over to a Columbia Falls project.

Forrest Sanderson – We don't have a Columbia Falls project to build. Until we've completed needs assessment, we do not have any other approved projects other than Lakeside-Somers and Great Northern.

Chairman Gipe – That's why I said, if they come up with a project and it's suitable for you, why you could build it next year.

Commissioner Hall – And what, I understand that you're planning to reduce some of the amount of projects that you're taking on next year compared to what you've done this year?

Forrest Sanderson – we're going to in our needs assessment, we'll only build whatever we can fund that given year. Instead of doing as we've done in the past, here are our top 5 priorities, Helena Flats, Farm to Market, Great Northern, River Road and Lakeside. We won't go out on a needs assessment until we build all of those. We will annually select number one or two depending on what we can afford and build those and then start the cycle over. That way we're not stuck in a rut of construction on things that were identified in 2001 for 5 years while we build up the CTEP money and drive to completion. We build highest priorities every given year. I think that gives people a lot more access to the program, they might not have a project in 2005 but they might have a wonderful idea that would be number one in 2006 and if we're still building the '05 priorities we can't get to them for a long time.

Commissioner Hall – (*question to Ann Scott Markle*) So in your eyes, the project is completely dead then as far as right-of-way acquisition.

Ann Scott Markle – yes

Commissioner Hall – Could the trail be rerouted behind the subdivision?

Ann Scott Markle – It would have to cross River Road. At this point we were following the river and we don't have access to the property at the far northeast end.

Chairman Gipe – Well, we tried.

Ann Scott Markle – and there is a part of that project that is still really viable and that would be the part of the bike path that goes up Columbia Falls Stage; because it's building so heavily up that direction anyhow, it gives us access but without that bridge there it puts a lot of bikes and pedestrians right down where they can't get across the road or they have to go on River Road which is really dangerous so.

Forrest Sanderson – we're still looking for funds to replace the Red Bridge as well. We will find those.

Ann Scott Markle – I thought that was on the Montana.

Forrest Sanderson – It's on a list, but it's on a different list for us to get it replaced. If we had known that gladhanding was the way to get the funding two years ago, we'd have already had the money to replace it. We didn't know it was a political game, we thought it was on the merits of the application. Missoula built a new interchange on I-90 with the money we had hoped to use to replace the Red Bridge.

Erik Garberg – Forrest, are you talking about Federal funds here and not the State.

Forrest Sanderson – not passed through MDOT, it would be a direct grant from the Feds to replace it.

Kitty Curtis – and so we might get funding from either source and we'll just take the first we get.

Forrest Sanderson – Absolutely, we will take the first funding that we can get to replace the Red Bridge.

Commissioner Hall – I think we're still number 2 on MDOT.

Forrest Sanderson – That's MDOT, but we're pursuing alternate funding sources as well. We just haven't had any success.

Kitty Curtis – So, could I ask a question, I don't understand that these funds for this project have already been rolled into another project. I don't understand that.

Forrest Sanderson – The reason being, we have so many dollars in the CTEP account and those monies are appropriated by the Board of Commissioners to build the various projects. As a project comes on line, we spend that account down. When your project can't be built, we have to reappropriate that money to another project. There's more money coming but we have to take the money that's there now and build Great Northern which is going to cost us 2 ½ times what it was initially proposed to cost.

Kitty Curtis – So it hasn't yet gone there but it's going there like this minute that we say we can't build the River Road?

Forrest Sanderson – When the River Road project was declared not feasible, it can't be built, we have to move those monies to something that is feasible.

Ann Scott Markle – And is it possible for us to do part of the project?

Commissioner Hall – You're talking about on the River Road?

Ann Scott Markle – On Columbia Falls Stage because it's really a serious problem.

Forrest Sanderson – It is a problem, there but it wasn't identified as the priority. The priority was the River Road, if we want to build Columbia Falls Stage, we have to have that project designed, ranked, approved and funding appropriated to it.

Commissioner Hall – Wasn't that already done?

Erik Garberg – There was a stem part of it that was part of the.... I don't know though.... It depends on how they look at the application process. If you change the project very much then the funding mechanism becomes a little bit less stable. They might but there was a portion of the project. Curb project proposed that went along Columbia Falls Stage, something like 400-800 feet of path, that was shown on our plan. Basically what you're doing is you're eliminating a large chunk of the path and saying we're still going to go with this chunk here. It has to be how you approach it.

Commissioner Hall – Yeah, but the question is, can we use that portion of the funds to complete that path at this time and then.

Forrest Sanderson – It would cost us a fortune to marshall the equipment and the personnel to build 400 feet of trail, it's not worth it.

Commissioner Hall – I think it's more like 800 feet.

Forrest Sanderson – Even if it's 800 feet it's not cost effective to build 800 feet of trail. That doesn't mean that Columbia Falls is forever off the priority list. We just can't build the one we had hoped for now. The future is wide open. I hate to be the bearer of bad news. It's not a dead issue in terms of CTEP funding in Columbia Falls just for this go around it's something that we can't do. You said you have projects, rank the one that you believe is the most viable and get it in the system.

Discussion continued as to gathering information from the community as to the path plan that will be presented.

CONSIDERATION OF POSITION OPENING: PROGRAM MANAGER/EAGLE TRANSIT

Present at the October 12, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

Chairman Gipe presented the request for the replacement of Program Manager for Eagle Transit.

Commissioner Watne made a **motion** to approve opening the position of Program Manager for Eagle Transit. Chairman Gipe **seconded** the motion. **Aye** - Watne and Gipe. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: SETTLEMENT AGREEMENT/CUMMINGS V. CRAMER & COUNTY

Present at the October 12, 2004 11:00 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Deputy County Attorney Jonathan Smith, Assistant Webb, and Clerk Eisenzimer.

Smith presented the settlement agreement between Steve Cummings and Ken Kramer. County will dismiss law suit once covenants are in place.

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

11:00 a.m. Commissioner Watne Viewed Road Abandonment #422 (portion of Timberlane Terrace)
3:00 p.m. Commissioner Hall attended BID meeting at First Interstate Bank

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

WEDNESDAY, OCTOBER 13, 2004

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

11:00 a.m. County Attorney meeting at County Attorney's office
4:00 p.m. Commissioner Hall attended Jobs Now Meeting at Westcoast City Center, Ballroom B

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

THURSDAY, OCTOBER 14, 2004

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

MONTHLY MEETING W/FORREST SANDERSON, PLANNING AND ZONING OFFICE

Present at the October 14, 2004 9:00 A.M. Meeting were Commissioners Watne and Hall, Planning and Zoning Director Forrest Sanderson, and Clerk Eisenzimer.

General discussion was held relative to the Lakeside Marina project has been tabled for the Planning Board until November 17th meeting; planning board will authorize hiring a consultant for the growth policy; explanation of duties and powers of Bigfork Land Use Advisory Committee; copy of letter for Mike Frasier representing JTL on jurisdiction of Flathead County to regulate gravel pits in nonresidential areas; will wait for Chairman Gipe to be present to draft letter for Fish, Wildlife and Parks concerning Flathead River; formal request for vacation October 24 – October 31; awareness of Two Rivers Project; discussion of previously denied family transfer request on property; awareness of pending lawsuit on Koenig Subdivision.

MEETING W/PAULA ROBINSON

Present at the October 14, 2004 9:30 A.M. Meeting were Commissioners Hall and Watne, Clerk & Recorder Paula Robinson, Assistant Webb, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve the temporary hiring of Deb Williams to aid with election publications. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

BOARD APPOINTMENT: RSVP

Present at the October 14, 2004 9:30 A.M. Meeting were Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve the appointment of Ruth Hack to the RSVP Board. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF EXTENSION REQUEST: EAGLE RIDGE ESTATES

Present at the October 14, 2004 9:30 A.M. Meeting were Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

Commissioner Hall made a **motion** to approve the thirty day extension for Eagle Ridge Estates. Commissioner Watne **seconded** the motion. **Aye**- Watne and Hall. Motion carried by quorum.

FINAL PLAT: KELLER 2 SUBDIVISION

Present at the October 14, 2004 9:30 A.M. Meeting were Commissioners Watne and Hall, Planner BJ Grieve, Les Keller, Ardis Larsen from Larsen Engineering and Surveying, Assistant Webb, and Clerk Eisenzimer.

Grieve reviewed the Staff Report regarding the application filed by Les Keller for Keller 2 Subdivision which creates a two lot minor subdivision off of Brunner Road southwest of Columbia Falls. The subject property is 2.29 acres in size

and is unzoned. Preliminary plat approval was waived on January 15, 2004 subject to seven conditions. Grieve indicated that all conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to adopt Staff Report #FWP-04-33 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve Final Plat of Keller 2 Subdivision. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MEETING W/RAEANN CAMPBELL/HUMAN RESOURCE OFFICE RE: PT JUSTICE OF THE PEACE

Present at the October 14, 2004 10:00 A.M. Meeting were Commissioners Hall and Watne, Deputy County Attorney Jonathan Smith, Cheryl Berger, Office Administrator for Justice Court, Human Resource Director Raeann Campbell, Denise Michel, Assistant Webb, and Clerk Eisenzimer.

Cheryl Berger presented a letter to the Board of Commissioners requesting authorization to hire a part time justice of the peace and suggesting that small selection committee be formed to interview applicants.

Commissioner Hall made a **motion** to approve Judge Ortle's request for recruitment of a part time Justice of the Peace and the presented selection Committee process. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: DEER CREEK HAVEN ROAD NAMING

Present at the October 14, 2004 10:15 A.M. Meeting were Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

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 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 **DEER CREEK HAVEN**.

Road generally running southerly off Deer Creek Road and located in the Northeast 1/4 Section 1, Township 26 North, Range 21 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **28th day of October, 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 **DEER CREEK HAVEN**.

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

Dated this 14th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By: /s/ Monica R. Eisenzimer
Deputy

Publish on October 18th & 25th, 2004.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD ABANDONMENT #418

Present at the October 14, 2004 10:15 A.M. Meeting were Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

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 and Hall. Motion carried by quorum.

**NOTICE OF DISCONTINUANCE
OF PUBLIC ROADWAY
NO. 418**

Notice is hereby given that the Board of Viewers have reported favorably to the Board of Flathead County Commissioners on the discontinuance of that certain public roadway in Flathead County, Montana, described as follows:

A tract of land situated lying and being in the NW ¼ of Section 16, Township 30 North, Range 20 West, Principal Meridian, Montana and more particularly described as follows to with:

Beginning at the SW corner of Lot 2 of the Plat of River View Subdivision (records of Flathead County, Montana); Thence along the southerly boundary of Lots 2 & 1 of said Plat S82° 08'00"E 66.84 ft; Thence S23°36'00"W 68.70 ft; Thence N81° 08'00"W 166.95 feet to a point on the southerly boundary of Lot 4 of said Plat; Thence along the southerly boundary of Lots 4 & 3 of said Plat N69°50'00" E 134.50 ft to the point of beginning and containing 0.176 acres. Subject to and together with all appurtenant easements of record.

Notice is hereby given to the petitioners or landowners as disclosed by the last assessment roll of Flathead County, owning land abutting the roadway described above and being considered for abandonment.

The hearing on this petition for abandonment is set for **Thursday, November 4, 2004 at 9:30 A.M.** in the County Commissioners' Office, West Annex, Courthouse, Kalispell, Montana.

DATED this 14th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

PAULA ROBINSON,
CLERK AND RECORDER

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

Publish on **October 19th and 26th, 2004**

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD ABANDONMENT #419

Present at the October 14, 2004 10:15 A.M. Meeting were Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

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 and Hall. Motion carried by quorum.

**NOTICE OF DISCONTINUANCE
OF PUBLIC ROADWAY
NO. 419**

Notice is hereby given that the Board of Viewers have reported favorably to the Board of Flathead County Commissioners on the discontinuance of that certain public roadway in Flathead County, Montana, described as follows:

A tract of land in Government Lot 6 of Section 23, Township 27 North, Range 20 West, P.M.M., Flathead County, Montana, described as follows:

Commencing at the southeast corner of Parcel "A" as shown on Certificate of Survey No. 9151, records of Flathead County; thence N20°21'06"W 157.99 feet along the east boundary of said Parcel "A" to the TRUE POINT OF BEGINNING of the tract of land herein described; thence N84°57'12"W 83.36 ft; thence North 74.65 feet to the left (south) bank of the Flathead River; thence Easterly along said left bank 60 feet more or less to a point that is N20°21'06"W from the point of beginning; thence S20°21'06"E 80 feet more or less to the point of beginning.

Notice is hereby given to the petitioners or landowners as disclosed by the last assessment roll of Flathead County, owning land abutting the roadway described above and being considered for abandonment.

The hearing on this petition for abandonment is set for **Thursday, November 4, 2004 at 9:45 A.M.** in the County Commissioners' Office, West Annex, Courthouse, Kalispell, Montana.

DATED this 14th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

PAULA ROBINSON,
CLERK AND RECORDER

By: /s/ Monica R. Eisenzimer

Monica R. Eisenzimer, Deputy

Publish on **October 19th and 26th, 2004**

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD ABANDONMENT #421

Present at the October 14, 2004 10:15 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

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 and Hall. Motion carried by quorum.

**NOTICE OF DISCONTINUANCE
OF PUBLIC ROADWAY
NO. 421**

Notice is hereby given that the Board of Viewers have reported favorably to the Board of Flathead County Commissioners on the discontinuance of that certain public roadway in Flathead County, Montana, described as follows:

East End of River Street, Between Block 5 Lot 8 and Block 6 Lot 1A, Plat of Bigfork. East of intersection with Cascade Avenue.

Notice is hereby given to the petitioners or landowners as disclosed by the last assessment roll of Flathead County, owning land abutting the roadway described above and being considered for abandonment.

The hearing on this petition for abandonment is set for **Thursday, November 4, 2004 at 10:00 A.M.** in the County Commissioners' Office, West Annex, Courthouse, Kalispell, Montana.

DATED this 14th day of October, 2004.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

PAULA ROBINSON,
CLERK AND RECORDER

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

Publish on **October 19th and 26th, 2004**

Chairman Gipe was seated.

FINAL PLAT: ARROWHEAD ESTATES OF WHITEFISH

Present at the October 14, 2004 9:30 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planner Kirsten Holland, Debbie Shoemaker of Marquardt & Marquardt Surveying, Assistant Webb, and Clerk Eisenzimer.

Holland reviewed the Staff Report regarding the application filed by Marquardt & Marquardt Surveying for Arrowhead Estates of Whitefish Subdivision which will create four residential lots in Assessor's Tract 5B in Section 36, Township 31 North, Range 22 West, P.M.M., Flathead County, Montana. The subdivision is located off Karrow Avenue approximately ½ mile south of Whitefish. The property is zoned WLR. Preliminary Plat was approval was granted on July 17, 2003 subject to 10 conditions. Holland indicated that all conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Watne made a **motion** to approve Final Plat of Arrowhead Estates of Whitefish Subdivision. Commissioner Hall **seconded** the motion. **Aye** –Watne Gipe and Hall. Motion carried unanimously.

FINAL PLAT: FAIRVIEW ESTATES

Present at the October 14, 2004 10:45 A.M. Meeting were Commissioners Watne and Hall, Planner Johna Morrison, Debbie Shoemaker of Marquardt & Marquardt Surveying, Assistant Webb, and Clerk Eisenzimer.

Morrison reviewed the Staff Report regarding the application filed by Kirk Gentry for Fairview Estates Subdivision which creates a three lot minor subdivision off of Columbia Falls Stage Road southeast of Columbia Falls. The subject property is 11.04 acres in size and is unzoned. Preliminary Plat was approval was waived on March 2, 2004 subject to 7 conditions. Morrison indicated that all conditions had been met or otherwise addressed. Staff recommends approval of the final plat.

Commissioner Hall made a **motion** to adopt Staff Report #FWP-04-32 as Findings of Fact. Commissioner Watne **seconded** the motion. **Aye** – Watne Gipe and Hall. Motion carried by quorum.

Commissioner Watne made a **motion** to approve Final Plat of Fairview Estates Subdivision. Commissioner Hall **seconded** the motion. **Aye** –Watne, Gipe and Hall. Motion carried by quorum.

PRELIMINARY PLAT: COLUMBIA MOUNTAIN VIEW

Present at the October 14, 2004 10:45 A.M. Meeting were Chairman Gipe, Commissioners Watne and Hall, Planner Johna Morrison, Rick Breckenridge of Montana Mapping Associates, Debbie Shoemaker of Marquardt & Marquardt Surveying, Assistant Webb, and Clerk Eisenzimer.

Morrison reviewed the preliminary plat filed by Monte Reddig and Montana Mapping/Surveyor for approval of Columbia Mountain View, a minor subdivision that will create five single family residential lots. The subdivision is located west of Montana Highway 206, north of Badrock Drive and is situated approximately two miles south of Columbia Heights. Staff recommends approval. The Staff Report contains a variance be granted in regards to the length of the road requiring that the road be paved.

Commissioner Watne made a **motion** to adopt Staff Report #FSR-04-40 as Findings of Fact. Commissioner Hall **seconded** the motion. **Aye** – Watne, Hall and Gipe. Motion carried unanimously.

Commissioner Hall made a **motion** to approve Preliminary Plat for Columbia Mountain View subject to 18 conditions. Commissioner Watne **seconded** the motion. **Aye**- Watne, Hall and Gipe. Motion carried unanimously.

CONSIDERATION OF REQUEST FOR TITLE III FUNDS: SHERIFF'S OFFICE

Present at the October 14, 2004 11:15 A.M. Meeting were Commissioners Hall and Watne, Assistant Webb, and Clerk Eisenzimer.

Agreement was made to continue this decision until Commissioner Hall returns from the meeting with RAC Committee.

MEETING W/BOB SANDMAN & GREG PONSIN/DNRC RE: WHITEFISH PROJECT

Present at the October 14, 2004 11:45 A.M. Meeting were Chairman Gipe, Commissioners Hall and Watne, Steve Lorch, Bob Sandman, Greg Ponsin, Planning and Zoning Director Forrest Sanderson, Assistant Webb, and Clerk Eisenzimer.

Discussion was held relative to update of information on development of State Lands Whitefish Neighborhood Plan.

Commissioner Hall explained that Mayor Feury and he put together this group at the DNRC's suggestion from Whitefish and County to work on this plan. So then they started meeting and hired a guy for \$40-50,000 to write the plan. The group then proceeded to inform the Board of Commissioners on the process of completing the Neighborhood Plan and explained that this plan will make uses of State Lands more equitable while protecting these lands for public uses. The three objectives outlined were to educate the populous about State Lands, try to match up entitlements on State Land with private property, establish some decision criteria to use when being asked to make decisions about requests to use these properties or if the DNRC proposes to do something on these properties that's in line with the community, the County and the City and not do it just blindly without any coordination.

Agreement was made that this is a county cooperative project and therefore exempt from fees.

2:00 p.m. Commissioner Hall attended AOA Board meeting at Kalispell Senior Center
7:30 p.m. Fair Board meeting at Fair Office

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

FRIDAY, OCTOBER 15, 2004

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

Commissioner Hall is to attend RAC Meeting in Missoula

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

SATURDAY, OCTOBER 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 Hall is to attend RAC Meeting in Missoula

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