
MONDAY, FEBRUARY 7, 2005

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

8:00 a.m. Weed and Parks board meeting at Weed and Parks Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 8, 2005.

TUESDAY, FEBRUARY 8, 2005

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

4:00 p.m. Long-term Planning Task Force meeting at Earl Bennett Building

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 9, 2005.

WEDNESDAY, FEBRUARY 9, 2005

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

Chairman Hall opened the public comment on matters within the Commissions' Jurisdiction,

Linda Christensen – I dropped off a rather large packet for each of you rather late in the day and I apologize for that. I have been a little bit under the weather and I have really been trying to get a lot of research done since you wanted more time to look at this. I have been learning a lot about this too. I have had a huge education in the last week. I just want to go over some of the main points in here to make sure that they are emphasized. I think that the major one is that the Montana Attorney General ruling that says that the water issues must be reviewed and solved before the preliminary plat approval for a subdivision. We have always been told in the planning process that our comments about the water quality are irrelevant because DEQ takes care of all of that. I think it has reached the point where a lot of people don't even testify about that anymore, because we have kind of been berated about that. I think that if you did a hearing that included these issues, that a lot more people would be coming forward with their concerns about their shallow wells and the type of system that is coming in out there. At the planning board meeting it seemed clear that the minimum system would be installed to avoid any monitoring at all. The storm water, water and sewage treatment facilities, and drainage plans should be approved by the Flathead City/County Health Dept. The attorney general ruling found that this condition was not adequate, since by law a local government can not pose additional comments after it has been approved on a preliminary plat. These issues are important in this also. If it goes to the DEQ after you have approved the preliminary plat there is no public input. We basically won't have a voice. As a neighbor and someone who is really concerned about water quality in the valley, I think that our constitutional right allows us to participate in decisions of

WEDNESDAY FEBRUARY 9, 2005
(Continued)

significant concern to our health, safety, and welfare. I think there needs to be a place for this consideration, and to look at the cumulative effects on local ground water of level 2, a very new technology. We looked down at Evergreen and see that they have allowed septic after septic and it is a problem now. No one is looking at cumulative effects. We don't want to become the next Evergreen out there, just because we are looking at one subdivision at a time, and not really thinking about the implications. As a result of this first issue I think that the preliminary plat should be postponed or denied at this time. The Flathead County subdivision regulations should be brought into compliance with the attorney generals rulings. If you would approve this preliminary plat at this time this developer would be allowed to use the systems that are no longer acceptable after May. That would be a huge concern to me. Those systems were not considered to be adequate after they looked at them again. I wanted to mention here that a desired action here is that the waster water treatment should reach level two treatment standards that are in place after May 1st, 2005. We should also require nitrate monitoring of public water system proposed. On a side note here, is that I understand that in Evergreen, in the sewer system, the reason I put the sewer system in is because of all these septic systems, the type of soil there, it was not actually the nitrates that were the problem, it was the phosphoreous. A third issue is that with the preliminary plat is the compliance with the Flathead County subdivision regulations. These regulations cover the responsibility and maintenance of a private community, facility or system. I can not find anywhere information that has been submitted explaining who the private operator of the water and sewer system will be. Who will pay for and be responsible for the upkeep and monitoring of these facilities. Conditions attached by the planning board only address maintenance of roads, and common areas, not the proposed sewer and water system. A point on the maintenance of roads is that in a meeting on Monday night the developer was backing out of part of that too. Saying that the ingress and egress was no longer an issue, and that he would not be doing that. Some level two systems, and I think the ones we are left with after May, they rely on electronic monitoring. In some cases this monitoring is done over long distances. I would have concerns about the real quality of the electronic monitoring of a remote system. Who is really doing it and what is there stake in all of this. Issues of bonding insurance, and who is responsible should be clarified. The covenants for Pressentine Ranch say that the community water system should be owned operated and maintained by a private operator. A copy of the service policy should be provided for the record and the public prior to approval of preliminary plat. A fourth issue is consideration of the preliminary plat compliance with Flathead County subdivision regulations is needed. They require an environmental assessment and there are lots of questions that are left unanswered on that. They don't say the acreage, the type, and the agricultural classifications of soil. I think this applies to the level two septic systems, and what type of soil it is, and are we going to have problems because of the type of soil, with these septic systems. They have not mentioned the groundwater at a time of the year when the water table is nearest the surface. Who is going to bare the cost of installation? Who will own and operate the system? We think that the environmental assessment is missing information and should be required. Another issue is the consideration of preliminary plat compliance with Flathead County subdivision regulations. These regulations require and adoption of findings of fact by the county commissioners that the subdivision is in compliance with that Flathead County master plan. I brought these up in a previous letter, so I won't read these, but it is talking about the productive farmlands, and growth should be directed to already established urban areas. Basically the development to go down to where the infrastructure is. If this subdivision is not consistant with the master plan than I do think that it should be denied. Another issue is with the preliminary plat is a suitable drainage, and I think those issues. I am just going to summarize than, and we think that the application before you is incomplete. We think that we need more information before you can make a sound decision. The developer can extend the time, I know we are faced with a sixty day limit, but the developer I think has the possibility of extending this time. Because of the sensitive nature of the aquifer we think this is an important issue. Because of the attorney general ruling we think that there is an obligation and a right to ask for more information. Level two may be appropriate in some areas, and some soil type, but we don't know about our area. We want to look to the future. I spent considerable time the other night looking at some win win situations, and I included a short memo about some other things that the Lybecks could do, in terms of working with the state, in terms of buying farmland. Since it wetlands and over the aquifer I think that those might be better alternatives for this land. I hope that is considered. I speak for probably a lot of the neighbors. We have not done any pole. I speak for myself.

Terry Krogstad – Some of the things that I will say are much the same as what Linda said. First of all I would like to say that the sanitation department and DEQ should be involved at the start of subdivision process, instead of after approval in wetland situations. Subdivisions are being approved because they conform to regulations, without regard for long range planning. Level two waster water treatment, drainfield and septic tanks will not prevent sewage and affluent, from polluting in cases of standing or high ground water conditions. For six or seven years we have been in a draught. Shortly before the draught years started, there wad a year when water covered parts of Highway 35, and stayed well into the summer on Whitefish Stage. Many shallow wells on Helena Flats at this time were contaminated with sewage from septic tanks and drain fields. It has been stated numerous times by different people, that the proposed Pressentine Ranch has a groundwater problem. In regards to the widening of Helena Flats road to accommodate the estimated eight hundred and twenty trips per day, because of the number of large trucks using this road the widening should take place from the north entrance of the subdivision to the highway, instead of from the corner to the highway. I spoke with Charlie Johnson, the road superintendent, he said that he has no authority to have the road widened, but said it could be a condition of subdivision approval. Also Charlie, as well as many others, are concerned about having a right hand turn lane on the highway, at the intersection of Highway 2 and Birch Grove. Because the railroad cross arms are only two car lengths away from the Highway, it makes a dangerous situation when cars get backed up onto the Highway. Because this property encompass two school districts, a decision should be worked out on which district the students should attend. This problem should be taken care of before subdivision approval. If this subdivision is allowed to proceed it will set a precedent for high density in this area. Glacier International Airport has, on two previous subdivision attempts on this property, has stated concern with development this close to the runways. If Glacier Ranch subdivision is approved by DEQ and sanitation department, as well as this subdivision and probable others, the international airport will be faced with a situation similar to Kalispell Airport. When an aircraft comes down, short of the runway, ends up in a residential area. There is no shortage of building lots. In the Kalispell area alone, there are approximately five hundred and eighty one lots for sale. In the county there are two thousand three hundred and forty eight lots, and homes for sale, according to Coldwell Banker Real Estate. If Two Rivers project proceeds, much more land will become available for housing. One of the true stewards of the land, Robin Street, said he would develop his property when sewer lines are available for hookup. Having lived in the Helena Flats area for twenty two years, we feel this type of development would be best interest of the community if it was built further south on Helena Flats, where high density already exists. Some of the plus would be one school district, bike path to the school, and closer to existing sewer lines.

Linda Johnson – I concur with what Terry Krogstad, and Linda Christianson said. Basically the only thing that I wanted to add was, we have a gravely, shallow, we have a shallow aquifer with gravely soil. We don't have that real heavy silty soil, which would help get rid of some of that affluent. It is the phosphates that are actually almost more important than the nitrates. The level two, as it stands right now, only gets out a certain percent of nitrates, and it is so controversial. They are saying it is actually lower they think, as far as getting it out than it should be. Some are saying sixty percent. Some are saying thirty percent. I just think that it should be looked at clearer. This subdivision is nice. John has tried to do, I saw his subdivision, the way it is layed out, and talked with. He is trying to do a nice subdivision. We all agree on that. There was never anyone that

**WEDNESDAY FEBRUARY 9, 2005
(Continued)**

said, oh it is ugly, don't put that junk here. It is just where it is going. High concern for the water quality, and the road safety. Adding eight hundred and something more road trips a day on those deep ditch roads is scary.

John Korpi – I also want to say that I concur with what Linda and Terry said. I addressed you commissioners twice before. I will say it again. It is a nice subdivision. I am not opposed to this. I think the density is an issue. Being in a shallow aquifer is also an issue. I think it is something that we should look at. Linda really brought up some good points this morning. Something that I was not aware of.

Eniy Amy – I am just off of Birch Grove, right directly diagonal from the subdivision from the subdivision, and next to Glacier Horse Ranch. I wanted to point out first of all agree with everything that has been said. I wish you all had been there for me. I brought a gift for a friend of mine today. This is the gift. (a carton of eggs) I just wanted to point out that I don't fit in the subdivision. I don't even fit next door to a subdivision. I am a really nice person. I keep my property beautiful. I have ten acres. I have been to the DNRC. I have been to the DEQ with concerns for my well. I am in the shallow aquifer. My well is twenty seven feet deep. Galcier Ranch, as well as Pressentine Ranch, will invade my aquifer. I am directly now down stream, down flow stream from what may happen on Pressentine Ranch. I am very concerned. I am willing to drive to Helena and talk to anybody I can get the attention of, about preserving the integrity of our aquifer. I don't know how many, how much pressure, you can put on a natural system before it just is not there for you anymore. We need to be very constius of the fact that people don't all want to live in subdivisions. We need to preserve an area of the Flathead Valley for folks to spread out and live Montana style, with a little more room to make decisions on there own, on what is important to them. John Schwartz, when he addressed the planning board, made a statement that when he went out there, and he looked at this piece of property, he thought what is really important to this piece of property, what is the most important thing that people would want. You know what people want? They want a very high quality of life. This high density subdivision, and the one that has already been approved, I mean Glacier Ranch, which is even higher density, so that you understand that there is two, back to back, right practically next door to each other, within a half of a mile of each other, that is not giving the rest of us, who are already there, a quality of life. That is destroying our quality of life. I am now looking into possibly selling and moving, but where am I going to go. I have to fight to preserve my way of life now, which is not fair to me. It is not fair to others who live like I do. I have a beautiful piece of property. I car for it beautifully, and I value my quality of life. I urge you, please to start on a path of preservation, and not just blanket covering the valley with subdivisions.

Sherry Iavicoli – I am right across the street from this large subdivision. I am very highly concerned with the same issues that the neighbors brought up about everything going on out there, and the aquifer, the well, and all of that, and the safety on the roads. I just want to go on record for that.

no one else rising present to speak, Chairman Hall closed the public comment period.

CONTINUATION OF PRELIMINARY PLAT: THE GLADES AT BIG MOUNTAIN, PHASES 2-13

Present at the February 9, 2005 9:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, Fred Jones, Jerry Nix, Tom Sands of Sands Surveying, Planner Peggy Goodrich, Erica Wirtala, Dawn Marquardt of Marquardt and Marquardt Surveying, Deputy County Attorney Jonathan Smith, and Clerk Moser.

General discussion was held relative to Peggy Goodrich again reviewed the staff report FPP-04-44 that was previously reviewed on February 3rd, 2005. Jonathan Smith reviewed the RSID process and the need for the waiver. Fred Jones reviewed his concerns about the waiver. Tom Sands explained that his major concern is the blanket effect on the title reports.

Commissioner Brenneman made a **motion** to continue the preliminary plat for further review of the RSID language. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

COS REVIEW: RAGLAND

Present at the February 9, 2005 9:45 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, Jim Burton of Jackola Engineering, Deputy County Attorney Peter Steele, and Clerk Moser.

General discussion was held relative to Peggy Goodrich reviewed the family transfer application from Robert Ragland. Peter Steele reviewed that he thought this transfer exhibits a pattern of development and therefore would be an evasion. Jim Burton spoke on behalf of the applicant on there reasons for transferring the property.

Commissioner Watne made a **motion** to approve the Ragland family transfer. Chairman Hall **seconded** the motion. **Aye** – Hall and Brenneman. **Nay** - Watne Motion carried by quorum.

CONTINUATION OF PRELIMINARY PLAT: PRESENTINE RANCH SUBDIVISION

Present at the February 9, 2005 10:00 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, Linda Johnson, John Korpi, Sherry Iavicoli, Linda Christensen, Bobbie Krogstad, Terry Krogstad, Shirley Anderson, Dirk Lybeck, Loretta Olson, Joe Maturevich, Ken White, John Schwarz, Planner BJ Grieve, Planner Kirsten Holland, and Clerk Moser.

General discussion was held relative to BJ Grieve again reviewed Staff Report FPP-04-42. John Schwarz addressed the issue on the monitoring of the nitrates in the groundwater. He also explained the process of what they would do if the monitoring showed a negative impact. John Schwarz addressed the issue of flood waters.

Commissioner made a **motion** to deny the preliminary plat approval of Pressentine Ranch. No second. Motion failed.

Commissioner Watne made a **motion** to approve staff report FPP-04-42 with the 23 amended conditions and the most recently revised version of the RSID waiver of protest language on condition 14, also adding condition 24A and 24B regarding the 2 foot roadway widening, and adding condition 25 regarding the addition of two ground water monitoring wells that will be placed on site in locations most likely to intercept the proposed groundwater direction flow, the groundwater monitoring wells will analyze phosphate levels, and authorize the chairman to sign. Chairman Hall **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

**WEDNESDAY FEBRUARY 9, 2005
(Continued)**

Commissioner Watne made a **motion** to approve the preliminary plat approval of Pressentine Ranch Subdivision. Chairman Hall **seconded** the motion. **Aye** – Hall and Watne. **Nay** - Brenneman Motion carried by quorum.

CONSIDERATION OF RELEASE OF COLLATERAL: ASSEMBLY OF GOD SUBDIVISION

Present at the February 9, 2005 10:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the release of collateral for the Assembly of God Subdivision. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: CDBG FUNDING

Present at the February 9, 2005 10:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

General discussion was held relative to what the CDBG public participation process is.

Commissioner Brenneman made a **motion** to approve authorization to publish notice and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, will hold a public hearing on **1st day of March 2005, at 11:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana, for the purpose of obtaining public comments regarding the County's overall community development, public facilities, economic development, and housing needs, including the needs of low and moderate income persons. The Board of Commissioners will also seek the views of citizens on the activities that should be undertaken to meet the identified needs and their relative priority. The County may apply for state or federal funding to deal with local housing, public facilities, or other community needs and would like comments or suggestions from local citizens regarding the County's needs and the type of projects which should be considered. Comments may be given orally at the hearing or submitted in writing before the **1st day of March, 2005**.

Anyone who would like more information or who wants to submit suggestions should contact Kirsten Holland, Planner at the Flathead County Planning and Zoning office, 1035 1st Ave West, Kalispell, Montana or by phone at (406) 751-8201.

DATED this 9th day of February, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By/s/Kimberly Moser
Deputy

Publish on February 13 and February 20, 2005.

CONSIDERATION OF ADOPTION OF RESOLUTION: URGING PROTECTION OF MONTANA CATTLE HERDS AND BEEF CONSUMERS

Present at the February 9, 2005 10:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Watne made a **motion** to approve Resolution 1793. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

RESOLUTION 1793

A RESOLUTION URGENTLY REQUESTING THE GOVERNOR OF MONTANA, BRIAN SCHWEITZER, AND THE MONTANA STATE LEGISLATURE TO TAKE THE NECESSARY STEPS TO PROTECT BOTH THE HEALTH AND SAFETY OF THE MONTANA CATTLE HERDS AND MONTANA BEEF CONSUMERS FROM ACTIONS BY THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) TO RELAX THE UNITED STATES IMPORT RESTRICTIONS FOR COUNTRIES KNOWN TO BE AFFECTED BY BOVINE SPONGIFORM ENCEPHALOPATHY (BSE) DISEASE.

WHEREAS, the health, safety, and welfare of the citizens of Flathead County is the primary responsibility of the Flathead County Commissioners who are duly elected by the citizens of Flathead County, State of Montana;

WHEREAS, agriculture is Montana's number one industry and the cattle industry in Montana is a significantly important part of Flathead County and Montana's economy;

WHEREAS, if the USDA relaxes current restrictions on imports of cattle and beef from countries known to be affected with BSE not only will it expose Montana cattle producers to sever economic hardships, but also the health and safety of Montana's beef consumers;

WHEREAS, Montana and the United States have never had a confirmed case of BSE in domestic cattle while Canada has had three confirmed cases in the last twenty months;

WHEREAS, it is greatly understood that the number one defense in keeping BSE out of Flathead County; Montana and the United States has been our historical protocols prohibiting the importation of ruminants, ruminant by-products and beef from countries known to have BSE;

**WEDNESDAY FEBRUARY 9, 2005
(Continued)**

WHEREAS, the strongest firewall any country has for preventing BSE from infecting their cattle herds is to preclude feeding of livestock meat and bone meal;

WHEREAS, Canada, at their own admission, continues to allow blood and bone meal to be used in cattle feed, despite good science indicating that blood can be a transferring agent for BSE; and

WHEREAS, Montana's beef consumers are not given the choice of country of origin when purchasing beef.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County does hereby oppose any relaxing of our import food safety standards concerning BSE.

BE IT FURTHER RESOLVED that the Board of Commissioners of Flathead County strongly urges mandatory country or origin labeling to take affect immediately.

BE IT FURTHER RESOLVED that the Board of Commissioners of Flathead County firmly opposes the USDA's ruling to designate Canada as a "minimal-risk region" which allows Canada to expand its beef exports to the U.S., which involves live cattle under 30 months of age, beef and certain beef products.

DATED this 9th day of February, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

By /s/Joseph D. Brenneman
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Kimberly Moser Deputy

DOCUMENT FOR SIGNATURE: TRAINING AGREEMENT/AOA

Present at the February 9, 2005 10:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

11:00 a.m. County Attorney meeting at County Attorneys Office.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 10, 2005

THURSDAY FEBRUARY 10, 2005

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

Chairman Hall opened the public comment on matters within the Commissions' Jurisdiction,

Linda Christenson – I just had a couple of questions. When I was in yesterday I noticed that you were meeting with Johna this morning. I wondered if you were going to discuss the Helena Flats neighborhood plan. I am just wondering what the status is of that, if it can get scheduled, and start the process. I am not sure what the status is of that ten thousand dollar fee that was discussed last year, if that is still an issue or not. I just have questions as to if that is going to come up for discussion. I would stay during Johna's presentation and hear the answers.

no one present to speak, Chairman Hall closed the public comment period.

MONTHLY MEETING W/ JOHNA MORRISON, PLANNING & ZONING OFFICE

Present at the February 10, 2005 9:00 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, Planning and Zoning Iterim Director Johna Morrison, and Clerk Moser.

General discussion was held relative to Helena Flats neighborhood plan timeline hopefully to have it on the agenda in April or May, Zoning definitions for ag and sag to clarify the gravel pit issues will be in an upcoming planning board meeting, seventeen items for the March 16th planning board meeting, Sewer text amendment for Bigfork, DNRC Whitefish growth policy plan, Two Rivers master plan amendment scheduled for March 3rd and topics that will be brought up at that meeting, the proposed Kalispell Zoning jurisdictional area map was viewed and discussed, management training meetings, staff issues, Russ Clowter letter regarding his requested text amendment, Peterson/Johnson master plan amendment request, long range planning task force, the purpose of monthly meetings, and the Big Mountain sewer district.

**THURSDAY FEBRUARY 10, 2005
(Continued)**

BOARD APPOINTMENT: RSVP

Present at the February 10, 2005 9:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Watne made a **motion** to appoint Marie Basaraba, and Dick Taylor. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

AUTHORIZATION TO PUBLISH REQUEST FOR QUALIFICATIONS: COUNTY SURVEYOR

Present at the February 10, 2005 9:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

General discussion was held relative to the possibility of the Road Department taking over some of the responsibility of the positions.

Commissioner Watne made a **motion** to approve the publication of the request for qualifications and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

REQUEST FOR QUALIFICATIONS

The Flathead County Board of Commissioners is requesting interested surveyors or firms to submit their qualifications for providing surveying services to Flathead County. Such qualification statements are to be submitted, in writing, to the Flathead County Board of Commissioners at 800 South Main, Kalispell, Montana 59901 and must be received no later than **5:00 p.m.** On **February 25th, 2005**. All responses will be reviewed by the Board of Commissioners on **February 28th, 2005** at **9:30 a.m.** and those firms chosen for further discussion or more detailed submittals will be so notified by written letter from the Office of the Flathead County Board of Commissioners.

SCOPE OF WORK

- The person/firm selected may be required to survey County roads, and/or property.
- All work will be performed in a timely manner and within statutory or policy imposed deadlines.

CRITERIA OF SELECTION

Selection of a person/firm for the provision of these services will be based upon the following criteria and each of the seven criteria must be addressed within the qualifications response submitted in order to be eligible for consideration.

1. Qualifications of the proposed professional personnel who will be assigned to the project.
2. Capability to meet time and project budget requirements.
3. Location of the office of the person/firm.
4. Present and projected workloads of the person/firm.
5. Related experience on similar projects.
6. Recent and current work for this agency (Flathead County).
7. Technical approach.

The person/firm selected to provide these services will be required to enter into a contract effective through June 30th, 2006

DATED this 10th day of February 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By: /s/Kimberly Moser
Kimberly Moser Deputy

Publish on February 15th and February 22nd

REQUEST FOR QUALIFICATIONS

The Flathead County Board of Commissioners is requesting interested surveyors or firms to submit their qualifications for providing surveying services to Flathead County. Such qualification statements are to be submitted, in writing, to the Flathead County Board of Commissioners at 800 South Main, Kalispell, Montana 59901 and must be received no later than **5:00 p.m.** on **February 25th, 2005**. All responses will be reviewed by the Board of Commissioners on **February 28th, 2005** at **9:30 a.m.** and those firms chosen for further discussion or more detailed submittals will be so notified by written letter from the Office of the Flathead County Board of Commissioners.

**THURSDAY FEBRUARY 10, 2005
(Continued)**

SCOPE OF WORK

- The person/firm selected for providing surveying services for Flathead County will act as a party for reviewing all requested road abandonments and will be required to write up the viewers report and recommendation for consideration by the Flathead County Board of Commissioners.
- The person/firm selected will be required to examine and sign all of the Subdivision Plats and Certificates of Survey filed in Flathead County.
- The person/firm selected will be required to examine any other surveying related documents that are presented for formal review

CRITERIA OF SELECTION

Selection of a person/firm for the provision of these services will be based upon the following criteria and each of the seven criteria must be addressed within the qualifications response submitted in order to be eligible for consideration.

1. Qualifications of the proposed professional personnel who will be assigned to the project.
2. Capability to meet time and project budget requirements.
3. Location of the office of the person/firm.
4. Present and projected workloads of the person/firm.
5. Related experience on similar projects.
6. Recent and current work for this agency (Flathead County).
7. Technical approach.

The person/firm selected to provide these services will be required to enter into a contract effective through June 30th, 2006.

Persons and firms submitting proposals should also indicate whether or not they would like to be considered for the position of Assistant Surveyor in the event that they are not selected for the position of Surveyor.

DATED this 10th day of February 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk

By: /s/Kimberly Moser
Kimberly Moser Deputy

Publish on February 15th and February 22nd

CONSIDERATION OF EXTENSION REQUEST: SUNDANCE ACRES

Present at the February 10, 2005 9:45 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the one year extension request for Sundance Acres. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

CONSIDERATION OF EXTENSION REQUEST: HAYDEN HEIGHTS

Present at the February 10, 2005 9:45 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Watne made a **motion** to approve the one year extension request for Hayden Heights. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MBCC GRANT/YOUTH COURT SERVICES

Present at the February 10, 2005 9:45 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the MBCC document and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

TAX REFUND REQUEST: STODDARD CONSTRUCTION

Present at the February 10, 2005 10:00 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Watne made a **motion** to approve the tax refund request. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

**THURSDAY FEBRUARY 10, 2005
(Continued)**

FINAL PLAT: LOST CREEK, PHASE 1 AMENDED

Present at the February 10, 2005 10:15 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, Planning and Zoning iterim Director Johna Morrison, Tom Sands of Sands Surveying, Russell Swindall, and Clerk Moser.

Morrison reviewed the final plat application submitted by Sand surveying for Lost Creek Subdivision, Phase 1, which is an amended plat. The subdivision is located along Lost Creek Raod in the West Valley near Kalispell in Section 5, Township 29 North, Range 22 West, P.M.M. Flathead County, Montnan. The project does not create additional lots, however more than six lots are affected by the amendment. As such the project is subject to review and approval by the Board of Commissioners. Staff recommends approval.

Commissioner Watne made a **motion** to approve the final plat of Lost Creek Phase 1 amended to make the internal road private and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

FINAL PLAT: SUBDIVISION #243, LOT 1

Present at the February 10, 2005 10:30 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, Planner Kirsten Holland, Tom Sands of Sands Surveying, Sandy Oconnell, and Clerk Moser.

Holland reviewed the Final plat application for the Amended Plat of Lot 1, Subdivision 243, which willl create 5 residential lots off of Lower Valley Road in section 8, Township 27 North, Range 20 West, P.M.M., Flathead County Montana. The property is unzoned. Staff recommends approval.

Commissioner Brenneman made a **motion** to approve the final plat of subdivision #243, Lot 1 and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

CONTINUATION OF CONSIDERATION OF ADOPTION OF RESOLUTION: TAKE TAXES

Present at the February 10, 2005 10:45 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Watne made a **motion** to approve Resolution 1794. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

RESOLUTION NO. 1794

WHEREAS, Flathead County assessed taxes on the following properties;

Assessor No.	Description
0003878	TR 2F in Lot 2 & TR 3 in SW4, 01-26-21
0370550	TR 1BAAC in W2NW4NE4, 29-26-20
0498210 L 6, B 41, 06-30-19	IMP 406 on ASSEMBLY OF GOD LAND
0941340	IMP 448 in ESSEX ON G N LAND, 15-29-16

WHEREAS, taxes on the listed properties have been delinquent from 2000;

WHEREAS, the Flathead County Clerk and Recorder gave notice to interested parties, pursuant to Section 15-18-212, M.C.A., that a tax deed to the properties could be taken if all delinquencies were not paid on or before September 30, 2004; and

WHEREAS, the taxes on the listed property have not been paid and remain delinquent.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby directs the County Treasurer to issue a tax deed to Flathead County for each of the following properties:

Assessor No.	Description
0003878	TR 2F in Lot 2 & TR 3 in SW4, 01-26-21
0370550	TR 1BAAC in W2NW4NE4, 29-26-20
0498210 L 6, B 41, 06-30-19	IMP 406 on ASSEMBLY OF GOD LAND
0941340	IMP 448 in ESSEX ON G N LAND, 15-29-16

Dated this 10th day of February, 2004.

**THURSDAY FEBRUARY 10, 2005
(Continued)**

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

By /s/Joseph D. Brenneman
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Kimberly Moser Deputy

CONSIDERATION OF APPOINTING L. BARRIE AS APPRAISER/PROPERTY BY LANDFILL

Present at the February 10, 2005 10:45 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve appointing L Barrie as appraiser. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

CONSIDERATION OF REQUEST FOR POSITION OPENING: LIBRARY ASSISTANT & WEED/PARK/MAINTENANCE SEASONAL POSITIONS

Present at the February 10, 2005 10:45 A.M. Meeting were Chairman Hall, Commissioners Watne and Brenneman, Assistant Webb, and Clerk Moser.

Commissioner Watne made a **motion** to approve the positions opening for Weed and Parks. Commissioner Brenneman **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve the position opening for the Library Assistant. Commissioner Watne **seconded** the motion. **Aye** – Hall, Watne and Brenneman. Motion carried unanimously.

11:00 a.m. Juvenile Detention Facility Tour.
2:00 p.m. Commissioner Hall to attend AOA Board meeting at Kalispell Senior Center
7:30 p.m. Fair Board meeting at the Fair Office.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 11, 2005

FRIDAY FEBRUARY 11, 2005

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

10:00 a.m. Commissioner Brenneman to attend Neighbors in Need meeting until 2:00

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on February 14, 2005