
MONDAY, APRIL 18, 2005

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

Commissioner Brenneman opened the public comment on matters within the Commissions' Jurisdiction,

Kimberly Launer – Spoke on her issues and concerns on the road impact, sewage, and water quality that would be caused by the proposed East Meadows Subdivision.

Mark Fields – Discussed his concerns on the water table on the proposed East Meadows Subdivision site, the negative impact on the schools caused by the increased density of the surrounding subdivisions, the impact on the road, and the impact on the wildlife in the area.

No one else rising to speak, Commissioner Watne PT closed the public comment period.

MONTHLY MEETING W/ JIM ATKINSON, AOA

Present at the April 18, 2005 9:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Discussion was held relative to the ongoing construction at the AOA office, the arrival of the new Eagle Transit buses, the status of the old armory building and the request made by AOA that they be considered for the future of the building, senior home repair, and current grant requests.

PUBLIC HEARING: ROAD ABANDONMENT #429 (PORTION HOFFMAN DRAW)

Present at the April 18, 2005 10:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Commissioner Watne PT opened the public hearing to anyone wishing to speak in favor

Seeing no one in the audience Commissioner Watne PT closed the public hearing.

Commissioner Brenneman made a **motion** to approve Road Abandonment #429 subject to the conditions listed on the viewers report. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTAL FORMS

Present at the April 18, 2005 10:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the Adult Detention Center position opening. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the dispatch position opening. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

PUBLIC HEARING: ROAD ABANDONMENT # 430 (PORTION SUNNYSIDE DR)

Present at the April 18, 2005 10:45 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Debbie Willis, and Clerk Moser.

Commissioner Watne PT opened the public hearing to anyone wishing to speak in favor

Debbie Willis – Spoke of the nonexistence of the road and her desire to own the property if she is going to be responsible for maintaining the property.

No one else rising to speak, Commissioner Watne PT closed the public hearing.

Commissioner Brenneman made a **motion** to approve Road Abandonment #430 subject to the conditions listed on the viewers report. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF POSITION OPENING: I&R TECHNICIAN / AOA

Present at the April 18, 2005 10:45 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the opening of the I&R Technician. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

MONDAY, APRIL 18, 2005
(Continued)

PRELIMINARY PLAT: EAST MEADOWS SUBDIVISION

Present at the April 18, 2005 11:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Joe Kauffman of Big Sky Surveying, Jesse Lee, Forest Sanderson, Bob Sandman, and Clerk Moser.

Holland reviewed the preliminary plat application submitted by Jesse Lee for East Meadows Subdivision, a major subdivision that will create six residential lots. The subdivision is proposed on 8.00 acres and will be served by individual water & sewage systems. The property is located off of Mooring Road, east of Montana Highway 206. There are nineteen conditions of approval. Staff recommends denial.

Commissioner Brenneman made a **motion** to adopt Staff Report #FPP-05-05 as findings of fact. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to deny the preliminary plat of East Meadows Subdivision. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF RESOLUTION OF INTENT & NOTICE OF PASSAGE: WHITEFISH AREA TRUST LAND NEIGHBORHOOD PLAN AMENDMENT / FLATHEAD COUNTY MASTER PLAN

Present at the April 18, 2005 11:15 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Forest Sanderson, Bob Sandman, and Clerk Moser.

Morrison reviewed Staff Report #FMFA-05-01
SUMMARY OF PLAN-

1. INTRODUCTION- The introduction states the need for conserving and protecting state school trust lands while creating limited lots to create revenue for schools. The document was created by The Department of Natural Resources, in cooperation with Community Development Services. In September of 2003 a land board made up of stakeholders and DNRC staff, worked collaboratively to develop a land use plan that would develop state lands with minimal conflict, while conserving lands and recreation with non-development values. Thus providing maximum benefit to Flathead County residents through proper use and management of State Trust lands within the Whitefish area of Flathead County.

2. PLAN CONCEPTS, POLICIES AND IMPLEMENTATION STRATEGIES- This section of the document provides a detailed overview of the plan and how the DNRC will implement their plans in each of the six "pod" areas of the neighborhood plan. In each of the six areas; a concept, a policy, and implementation are included. In each subsection the plan explains the existing uses that are currently on each site and goes into two to three scenarios that may happen to each section. Length of Implementation strategies range from five to twenty years.

3. ROADS: ACCESS AND TRANSPORTATION- The document makes very clear in this section that most of these lands will remain in the care of the DNRC. Portions may be taken care of by the Conservation district via a lot owner who buys a lot from the DNRC. Most areas are inaccessible by road. Whether the area is located near a road that is up to standard or substandard, is taken into consideration when deciding the best possible areas for homesites and recreation.

4. WILDLIFE, AND RECREATION- The historical importance of recreation, wildlife protection and development are taken into consideration with each sub-district. A delicate balance is achieved between development, recreation and preservation. Wildlife is a consideration, but the right to recreate, hunt and enjoy the property by the public is also considered.

Commissioner Brenneman made a **motion** to adopt Staff Report # FMFA-05-01 as findings of fact. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

RESOLUTION NO. 789T

WHEREAS, the Department of Natural Resources (DNRC) has petitioned for a revision to the Flathead County Master Plan by the adoption of the Whitefish Area Trust Lands Neighborhood Plan for approximately 13,000 acres of State School Trust Land surrounding the community of Whitefish, which is located partially within the area covered by the Flathead County Master Plan;

WHEREAS, the purpose of the change is to provide increased revenue for the beneficiaries of the school trust lands while maintaining the economic, environmental, and cultural vitality of Whitefish and the surrounding area;

WHEREAS, the Flathead County Planning Board recommended that the Board of Commissioners adopt that amendment to the Flathead County Master Plan; and

WHEREAS, the Flathead County Board of Commissioners has reviewed the proposal and determined that the proposed amendment to the Flathead County Master Plan should be formally considered.

NOW THEREFORE, BE IT RESOLVED, pursuant to Section 76-1-604, M.C.A., by the Board of Commissioners of Flathead County, Montana, that it intends to consider the revision of the Flathead County Master Plan by the adoption of the Whitefish Area Trust Lands Neighborhood Plan for approximately 13,000 acres of State School Trust Land surrounding the community of Whitefish.

BE IT FURTHER RESOLVED that the Board of Commissioners will give the public an opportunity to comment in writing on the proposed master plan amendment and will consider any written comments which are received in the Board's Office by May 23, 2005. The Board will consider whether to pass a final resolution adopting the proposed amendment to the Flathead County Master Plan after that date.

DATED this 18th day of April, 2005.

**MONDAY, APRIL 18, 2005
(Continued)**

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
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

Commissioner Brenneman made a **motion** to approve the notice of passage and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

**NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
FLATHEAD COUNTY MASTER PLAN**

The Board of Commissioners of Flathead County, Montana, hereby gives notice that, pursuant to Section 76-1-601, M.C.A., it passed a Resolution of Intention (Resolution No. 789T) on April 18, 2005, to consider a revision to the Flathead County Master Plan proposed by the Montana Department of State Lands.

The proposed revision involves the adoption of the Whitefish Area Trust Lands Neighborhood Plan for approximately 13,000 acres of State School Trust Land surrounding the community of Whitefish, which is located partially within the area covered by the Flathead County Master Plan, in order to provide increased revenue for the beneficiaries of the school trust lands while maintaining the economic, environmental, and cultural vitality of Whitefish and the surrounding area. Documents relating to the request are available for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, or at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana.

The Board of Commissioners will give the public an opportunity to comment in writing on the proposed amendment to the Flathead County Master Plan and will consider any written comments which are received in the Board's Office by May 23, 2005. The Board will consider whether to pass a final resolution adopting the proposed amendment after that date.

DATED this 18th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By /s/Robert W. Watne PT
Gary D. Hall, Chairman

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Kimberly Moser Deputy

Publish on April 21 and April 28, 2005.

PRELIMINARY PLAT: WEST VALLEY VIEWS II

Present at the April 18, 2005 10:45 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Rick Breckenridge, and Clerk Moser.

Holland reviewed the preliminary plat application submitted by Roy L Curry for West Valley, a minor subdivision that will create three single family residential lots on approximately 39.67 acres. The subdivision is located approximately ½ mile north of the intersection of Three Mile drive and West Valley Drive. Staff recommends approval. The property is located in the West Valley Zoning District. There are thirteen conditions of approval.

Commissioner Brenneman made a **motion** to adopt Staff Report #FSR-05-14 as findings of fact. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the preliminary plat of West Valley View II Subdivision subject to thirteen conditions. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 19, 2005.

TUESDAY, APRIL 19, 2005

The Board of County Commissioner 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, no one present to speak, Chairman Hall closed the public comment period.

**TUESDAY, APRIL 19, 2005
(Continued)**

MONTHLY MEETING W/ JOHNA MORRISON, PLANNING & ZONING OFFICE

Present at the April 19, 2005 9:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Planning and Zoning Interim Director Johna Morrison, and Clerk Moser.

Discussion was held relative to the Gravel Pit Text Amendment waiting for the Governors signature, the April 20th planning board meeting agenda, May 3rd board of adjustments meeting, May Planning Board meeting agendas, Bigfork Pierce Property and contacting the MDOT for comment, subdividing property with an Ag restriction, the electrical trouble with a Planning and Zoning vehicle and the possibility of trading the vehicle in for a different one, the Planner position opening, a review of the budget, printer problems, a possible data entry position for planning and zoning, and the Planning and Zoning Director position applications.

PUBLIC HEARING: PHEASANT HOLLOW WAY, WINDMILL DRIVE, FOXTROT LANE, ELK RANCH ROAD & LONE STAR TRAIL ROAD NAMING

Present at the April 19, 2005 9:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Bryce Mideke, Kris McPherson, Plat Room Staff Member Karen Yerian, Paul Wachholz, Andy Miller, and Clerk Moser.

Commissioner Watne PT opened the public hearing to anyone wishing to speak in favor

Bryce Mideke – Spoke in favor of the Windmill Drive road naming to complete the address system.

Paul Wachholz – Spoke in favor of the Pheasant Hollow Way road naming and that the reason is the restructure of the tracts in that area.

No one else rising to speak, Commissioner Watne PT asked for anyone wishing to speak in opposition

Kris McPherson – Spoke in opposition of the Lone Star Trail road naming and the question as to why they wanted to name the road. Commissioner Watne explained that the purpose of the road naming was for 911 purposes only.

No one else rising to speak, Commissioner Watne PT closed the public hearing.

Commissioner Brenneman made a **motion** to approve Resolutions 1812, 1813, 1814, 1815, and 1816. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

RESOLUTION NO. 1812

WHEREAS, Flathead County has proposed to name a private road generally running southerly off Foy's Bend Lane and located in the East ½ of the Southeast ¼ of Section 33, and in the Southwest ¼ of the Southwest ¼ of Section 34, all in Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on April 19, 2005 concerning the proposal, after publication and mailing of notice thereof on April 2, 2005 and April 9, 2005; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has determined that the road should be named **Pheasant Hollow Way**.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running southerly off Foy's Bend Lane and located in the East ½ of the Southeast ¼ of Section 33, and in the Southwest ¼ of the Southwest ¼ of Section 34, all in Township 28 North, Range 21 West, P.M.M., Flathead County, Montana should be, and it hereby is, named **Pheasant Hollow Way**.

BE IT FURTHER RESOLVED that the naming of **Pheasant Hollow Way** shall be effective on April 19, 2005.

Dated this 19th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
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

RESOLUTION NO. 1813

WHEREAS, Flathead County has proposed to name a private road generally running northeasterly off an unnamed road which runs easterly off U.S. Highway 2 and located in the Southwest ¼ of the Southwest ¼ Section 24, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana.

**TUESDAY, APRIL 19, 2005
(Continued)**

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on April 19, 2005 concerning the proposal, after publication and mailing of notice thereof on April 2, 2005 and April 9, 2005; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running northeasterly off an unnamed road which runs easterly off U.S. Highway 2 and located in the Southwest ¼ of the Southwest ¼ Section 24, Township 30 North, Range 21 West, P.M.M., Flathead County, Montana, should be, and it hereby is, named **Windmill Drive**.

BE IT FURTHER RESOLVED that the naming of **Windmill Drive** shall be effective on April 19th 2005.

Dated this 19th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
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

RESOLUTION NO. 1814

WHEREAS, Flathead County has proposed to name a private road generally running easterly off U.S. Highway 93 and located in the Southeast ¼ of the Southeast ¼ of Section 13, Township 30 North, Range 22 West and in Government Lot 4 of Section 18 Township 30 North, Range 21 West, P.M.M., Flathead County, Montana.

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on April 19, 2005 concerning the proposal, after publication and mailing of notice thereof on April 2, 2005 and April 9, 2005; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running easterly off U.S. Highway 93 and located in the Southeast ¼ of the Southeast ¼ of Section 13, Township 30 North, Range 22 West and in Government Lot 4 of Section 18 Township 30 North, Range 21 West, P.M.M., Flathead County, Montana, should be, and it hereby is, named **Foxtrot Lane**.

BE IT FURTHER RESOLVED that the naming of **Foxtrot Lane** shall be effective on April 19th , 2005.

Dated this 19th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
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

RESOLUTION NO. 1815

WHEREAS, Flathead County has proposed to name a private road generally running southerly off Coon Hollow Road and located in the East ½ of the West ½ of Section 27, Township 27 North, Range 22 West, P.M.M., Flathead County, Montana.

**TUESDAY, APRIL 19, 2005
(Continued)**

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on April 19, 2005 concerning the proposal, after publication and mailing of notice thereof on April 2, 2005 and April 9, 2005; and

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

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running southerly off Coon Hollow Road and located in the East ½ of the West ½ of Section 27, Township 27 North, Range 22 West, P.M.M., Flathead County, Montana, should be, and it hereby is, named **Elk Ranch Road**.

BE IT FURTHER RESOLVED that the naming of **Elk Ranch Road** shall be effective on April 19th, 2005.

Dated this 19th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
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

RESOLUTION NO. 1816

WHEREAS, Flathead County has proposed to name a private road generally running northerly off Mc Mannamy Draw and located in the West ½ of the West ½ of Section 26 and in the East ½ of Section 27 all in Township 29 North, Range 23 West, P.M.M., Flathead County, Montana.

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on April 19, 2005 concerning the proposal, after publication and mailing of notice thereof on April 2, 2005 and April 9, 2005; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, has determined that the road should be named **LONE STAR TRAIL**.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the private road generally running northerly off Mc Mannamy Draw and located in the West ½ of the West ½ of Section 26 and in the East ½ of Section 27 all in Township 29 North, Range 23 West, P.M.M., Flathead County, Montana, should be, and it hereby is, named **LONE STAR TRAIL**.

BE IT FURTHER RESOLVED that the naming of **LONE STAR TRAIL**, shall be effective on April 19, 2005.

Dated this 19th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By _____
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

**TUESDAY, APRIL 19, 2005
(Continued)**

CONSIDERATION OF POSITION OPENING: COMMUNITY HEALTH NURSE / HEALTH DEPARTMENT / AND OA III / COUNTY ATTORNEY'S OFFICE

Present at the April 19, 2005 9:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the Community Health Nurse position opening. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the OA III position opening for the County Attorney's office. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the operator position opening for the Road Department. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

MONTHLY MEETING W/ KAROL SOMMERFELD, 4-H OFFICE

Present at the April 19, 2005 9:45 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Steve Siegelin, Karol Sommerfeld, Justin Morris, and Clerk Moser.

Discussion was held relative to the having a food booth again at the fairgrounds for 4-H, ambassador position replacement, upcoming teen retreat, and Steve Siegelin introduced himself as the new Western Region Department Head and the role he will play within the 4-H group.

MONTHLY MEETING W/ JIM DUPONT, SHERIFF

This meeting was not held.

PUBLIC HEARING: SEWER TEXT AMENDMENT / FLAHEAD COUNTY ZONING REGULATIONS

Present at the April 19, 2005 10:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Larry Van Rinsum, Leo Good, Michael J Wise, Pam Holmquist, Allen Sieler, Kerry Finley, Health Department Director Joe Russell, Planner BJ Grieve, Wendy Daly, Jeremiah Allen, Linda Bodick, Patrick Bodick, Josh Doely, Leslie Dyer, Bryan Miller, Janet Holter, Sherry Wilbert, Kerry Finley, Clark Krantz, Gordie Jewett, Dan Makowski, Jim Sappington, Judy Lucian, and Clerk Moser.

Commissioner Watne PT opened the public hearing to anyone wishing to speak in favor

Kerry Finley – Spoke in support of the Sewer Text Amendment and read back a portion of the Staff Report.

Clark Krantz – Spoke in general on the Sewer Text Amendment, that this will only effect this property, as an educator he does not like the thought of having a sewage treatment plant next to their school, a compost would have a smell even if the plat itself would not.

No one else rising to speak, Commissioner Watne PT asked for anyone wishing to speak in opposition

Michael Wise – The impact on the Vo Ag and Christian School building, asked why, if the current facility is running at 60%, is a new facility needed, asked what would happen if there was an accident and where the waste would go, kids are our greatest asset, wanted to know it could not be moved somewhere else.

Dan Makowsky – The investment of money into the current school site and asked why when they have tried to buy more property it was not available, but now it is available for this plant.

Allen Sieler – A new county master plan, that is currently being written, will effect in a whole the Evergreen area, and this is an inappropriate time to have this come forth, that it should wait until the new master plan is written

Wendy Doely - Putting a sewage treatment plant next to any public school building is a bad idea.

Jeremiah Allen – Vice President of the Flathead Vo-Ag and the negative effects on the water system if there is an accident at the plant, the negative impact of having a sewage plant next to schools, crippling the revenue of kids of the value.

No one else rising to speak, Commissioner Watne PT closed the public hearing.

Commissioner Brenneman made a **motion** to take the Text Amendment under advisement. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

PRELIMINARY PLAT: SALANSKY SUBDIVISION

Present at the April 19, 2005 10:45 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Mark Salansky, Ardis Larson and Jeff Larsen of Larsen Engineering and Surveying, Planner Traci Sears-Tull, Scott Hedstrom, Planning and Zoning Interim Director Johna Morrison, and Clerk Moser.

Sears-Tull reviewed the application submitted by Mark Salansky for preliminary plat approval of Salansky Subdivision, a minor subdivision creating two residential lots. The subdivision is proposed on 20.12 acres and will be served by individual on-site wells and septic systems. The subdivision is located off US Highway 2 west and is zoned SAG-10 in the Lower Side Zoning District. Staff recommends approval. Jeff Larsen discussed his opposition to the condition on Flood Plain surveying, and that there is no danger of flooding in that area.

Commissioner Brenneman made a **motion** to adopt Staff Report # FSR-05-25 as findings of fact. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

**TUESDAY, APRIL 19, 2005
(Continued)**

Commissioner Brenneman made a **motion** to approve the preliminary plat of Salansky Subdivision subject to 14 conditions including the addition of a condition requiring a ten foot bike path easement be dedicated to Flathead County and the deletion of condition 10 requiring a topographic survey of the property detailing where the Base Flood Elevation, obtained from the Flood Insurance Study for Flathead County, intersects the natural grade. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

PUBLIC HEARING: LUCIEN & BEARS ZONE CHANGE / LOWER SIDE ZONING DISTRICT

Present at the April 19, 2005 11:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Judy Lucian, Jim Sappington, Planning and Zoning Interim Director Johna Morrison, Addis Larsen and Jeff Larsen of Larsen Engineering and Surveying, and Clerk Moser.

Commissioner Watne PT opened the public hearing to anyone wishing to speak in favor

No one rising to speak, Commissioner Watne PT asked for anyone wishing to speak in opposition

No one rising to speak, Commissioner Watne PT closed the public hearing.

Commissioner made a **motion** to adopt Staff Report # FZC-05-01 as findings of fact. Commissioner **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve Resolution 957AV. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

RESOLUTION NO. 957AV

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 19th day of April, 2005, to consider a request by Henry and Judith Lucian and Wanda H. Bears Trust to change the zoning designation in a portion of the Lower Side Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on April 9 and April 16, 2005;

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

WHEREAS, the Board of Commissioners reviewed the recommendations of the Flathead County Planning Board regarding the proposed change in the Lower Side Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning for a portion of the area in the Lower Side Zoning District from R-2 to B-2, that area being described on Exhibit "A" hereto.

BE IT FURTHER RESOLVED that notice of the passage of this resolution, stating the boundaries of the portion of the Lower Side Zoning District to be changed, the general character of the proposed change in regulations for the area, that the regulations for said district are on file in the Clerk and Recorder's Office, and that for thirty (30) days after the first publication of thereof, the Board will receive written protests to the change to the Lower Side Zoning District, shall be published once a week for two weeks.

BE IT FURTHER RESOLVED, that written protests will be received from persons owning real property within the Lower Side Zoning District for a period of thirty (30) days after first publication of that notice, provided that, in order that only valid signatures are counted, the freeholders who file protests are either registered to vote in Flathead County or execute and acknowledge their protests before a notary public.

BE IT FURTHER RESOLVED that if forty per cent (40%) of the freeholders within the Lower Side Zoning District protest the proposed change in said district, then the change will not be adopted.

DATED this 19th day April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: _____
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

Commissioner Brenneman made a **motion** to approve the Notice of Passage and authorize the Chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION
LOWER SIDE ZONING DISTRICT

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 957AV) on April 19th, 2005, to change the zoning designation in a portion of the Lower Side Zoning District from R-2 (One Family Limited Residential) to B-2 (General Business).

The boundaries of the area proposed to be amended from R-2 to B-2 are set forth on Exhibit "A".

**TUESDAY, APRIL 19, 2005
(Continued)**

The proposed change would generally change the character of the zoning regulations applicable to the property from providing a residential district designed to provide for large tract development, in suburban areas, beyond sanitary sewer and/or water lines, to providing for retail sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, by outdoor commercial amusement and recreational activities, and by businesses serving the general needs of the tourist and traveler.

The regulations defining the R-2 and B-2 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, Kalispell, Montana, in Permanent File No. 93270 13500.

For thirty (30) days after the first publication of this notice, the Board of Commissioners will receive written protests to the change proposed for a portion of the Lower Side Zoning District from persons owning real property within that District whose names appear on the last completed assessment roll of Flathead County and who either are registered voters in Flathead County or execute and acknowledge their protests before a notary public.

DATED this 19th day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By/s/Robert W. Watne PT
Gary D. Hall, Chairman

By/s/Kimberly Moser
Kimberly Moser Deputy

Publish on April 23 and April 30, 2005.

**Exhibit A
HENRY & JUDIAN LUCIAN / WANDA H. BEARS TRUST
REQUEST FOR ZONE CHANGE FROM R-2 TO B-2
STAFF REPORT #FZC-05-01
March 23, 2005**

Location and legal description of property:

The property proposed for rezoning is located on the south side of Montana Highway 35, approximately ½ mile east of the Flathead River. The property can be described as Lot 28 of Sunrise Terrace Subdivision, Section 2, Township 28 North, Range 21 West, P.M.M., Flathead County.

PRELIMINARY PLAT: BARREL HED ACRES

Present at the April 19, 2005 11:15 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Bill Spurzen, Scott Hedstrom, Planning and Zoning Interim Director Johna Morrison, Jeff Larsen and Ardis Larsen of Larsen Engineering and Surveying, and Clerk Moser.

Morrison reviewed the application submitted by Richard and Judy Hedstrom for preliminary plat approval of Barrel Hed Acres, a minor subdivision creating five residential lots. The subdivision is located in the Majestic Arena area approximately five road miles west and north of Kalispell. The property is zoned SAG-5 and in the Highway 93 North Zoning District. Staff recommends approval.

Commissioner Brenneman made a **motion** to adopt Staff Report # FSR-05-24 as findings of fact with the amendment to C under Findings of Fact removing the last sentence that "The project and overall density complies with the 5 acre policy of the Flathead County Commissioner". Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the preliminary plat of Barrel Hed Acres subject to 11 conditions. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

PRELIMINARY PLAT: RIVER PARK AT ASHLEY CREEK

Present at the April 19, 2005 11:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Tom Sands of Sands Surveying, Russell Swindall, Planner Kirsten Holland, and Clerk Moser.

Holland reviewed the application submitted by Russell Swindall for preliminary plat approval of River Park at Ashley Creek, a minor subdivision that will create five residential lots. The subdivision is located south of Kalispell off Lower Valley Road. The subdivision is proposed on 29.547 acres and will be served by individual water and sewer systems. The property is unzoned. Tom Sands requested a time frame as to how long they are going to have to get Preliminary Plat approval for minor subdivision instead of having the ability of applying for a waiver.

Commissioner Brenneman made a **motion** to adopt Staff Report # FSR-05-22 as findings of fact. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the preliminary plat of River Park at Ashley Creek subdivision subject to 13 conditions including a ten foot bike path easement dedicated to Flathead County. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

PRELIMINARY PLAT: MARCO HEIGHTS

Present at the April 19, 2005 11:45 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Dawn Marquardt and Debbie Shoemaker with Marquardt and Marquardt Surveying, Mark and Jane Von Schledorn, Planner Traci Sears-Tull, and Clerk Moser.

**TUESDAY, APRIL 19, 2005
(Continued)**

Sears-Tull reviewed the application submitted by Mark & Jane Von Schledorn for preliminary plat approval of Marco Heights Subdivision, a minor subdivision that will create two single-family residential lots on approximately 4.01 acres. The subdivision is located in the Somers area approximately 12 road miles south of Kalispell. The project is located in an unzoned portion of Flathead County. Planner Sears-Tull also requested that Condition five be removed as it is addressed by condition 12. Staff recommends approval.

Commissioner Brenneman made a **motion** to adopt Staff Report # FSR-05-19 as findings of fact. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the preliminary plat of Marco Heights Subdivision subject to 12 conditions with the deletion of condition five requiring the lots be reviewed and approve the connect to Lakeside County Water & Sewer District prior to Final Plat. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

1:00 p.m. Commissioner Brenneman to view West Valley Drive and Three Mile Drive
1:30 p.m. Assistant Mike Pence to attend Annual RSID meeting at the Commissioner Meeting Room
4:00 p.m. Natural Resource Committee meeting at the Commissioners Meeting Room

THURSDAY, APRIL 21, 2005

The Board of County Commissioner 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, no one present to speak, Chairman Hall closed the public comment period.

MONTHLY MEETING W/ RICHARD STOCKDALE, ANIMAL CONTROL

Present at the April 21, 2005 8:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Discussion was held relative to statistics for the month of March, the barking dog ordinance, viscous dog procedures, Share Fair at the Mall promoting adoptions, the hiring of a new Kennel Attendant, and the euthanasia class is still on schedule for May, the exemplary performance of Dave Swanson during a recent viscous dog problem.

MONTHLY MEETING W/ JED FISHER, WEED/PARKS/MAINTENANCE

This meeting was not held.

FINAL PLAT: SWAN RIVER CENTER I

[9:36:42 AM](#)

Present at the April 21, 2005 9:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Carole Hill, Ardis Larsen with Larsen Engineering and Surveying, Planning and Zoning Interim Director Johna Morrison, and Clerk Moser.

Morrison reviewed the application submitted by Larsen Engineering and Surveying for final plat approval of Swan River Center I Subdivision, a minor subdivision which will create five industrial lots off Highway 83, east of Streeters corner in Bigfork. The property is zone I-1. Preliminary plat approval was granted on September 8, 2004 subject to eight conditions. All conditions have been met. Staff recommends approval. Discussion was held on condition 7 and that the letter from the Bigfork fire chief states that he recommends that a \$500 fee be collected, Commissioner Brenneman wanted a way to enforce this.

Commissioner Brenneman made a **motion** to table the meeting on Swan River Center I and Swan River Center II until 8:45 a.m. on April 27 until such time as there is a more sufficient approval letter received from the Bigfork Fire Chief on condition 7. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the 30 day extension for the Swan River Center I and II subdivisions. Commissioner **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

FINAL PLAT: SWAN RIVER CENTER II

Present at the April 21, 2005 9:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

This meeting was postponed until April 27th at 8:45 a.m.

CONSIDERATION OF EXTENSION REQUEST: YETI'S BOG

Present at the April 21, 2005 10:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the on year extension on the preliminary plat of Yeti's Bog. Commissioner **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: WHITE TAIL RIDGE, BOONE'S BLUFF & SCOUT'S FOREST ROAD NAMING

Present at the April 21, 2005 10:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

**THURSDAY, APRIL 21, 2005
(Continued)**

Commissioner Brenneman made a **motion** to approve the publication of notice of public hearing for White Tail Ridge, Boone's Buff, and Scout's Forest road naming and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. 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 **WHITE TAIL RIDGE**.

Road generally running southerly off Brown's Meadow Road and located in the East ½ of the West ½ and in the West ½ of the East ½, Section 19, Township 27 North, Range 22 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **9th day of May, 2005, 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 **WHITE TAIL RIDGE**.

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

Dated this 21st day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Robert W. Watne PT
Gary D. Hall, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Kimberly Moser
Kimberly Moser Deputy

Publish on April 2 and April 9, 2005.

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 **SCOUTS FOREST**.

Road generally running westerly off an unnamed road running southerly off Farm To Market Road and located in the Southwest ¼ of the Southeast ¼ Section 1, Township 30 North, Range 23 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **9th day of May, 2005, 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 **SCOUTS FOREST**.

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

Dated this 21st day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Robert W. Watne PT
Gary D. Hall, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Kimberly Moser
Kimberly Moser Deputy

Publish on April 2 and April 9, 2005.

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 **BOONES BLUFF**.

Road generally running westerly off an unnamed road running southerly off Farm To Market Road and located in the Southwest ¼ of the Southeast ¼ Section 1, Township 30 North, Range 23 West, P.M.M., Flathead County, Montana.

The public hearing will be held on the **9th day of May, 2005, 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 **BOONES BLUFF**.

**THURSDAY, APRIL 21, 2005
(Continued)**

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

Dated this 21st day of April, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Robert W. Watne PT
Gary D. Hall, Chairman

ATTEST:
Paula Robinson, Clerk

By/s/Kimberly Moser
Kimberly Moser Deputy

Publish on April 2 and April 9, 2005.

CONSIDERATION OF EXTENSION OF LEAVE

Present at the April 21, 2005 10:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Human Resource Director Raeann Campbell, Deputy County Attorney Jonathan Smith, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the extension of leave request received from Clerk of District Court. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: EMPLOYMENT AGREEMENTS / HAZARDOUS RESPONSE TASK FORCE

Present at the April 21, 2005 0:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Human Resource Director Raeann Campbell, Deputy County Attorney Jonathan Smith, and Clerk Moser.

Commissioner Brenneman made a **motion** to approve the Employment Agreements for the Hazardous Response Task Force. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

AUTHORIZE COUNTY ATTORNEY'S OFFICE TO ACCEPT SERVICE: COUNTY HIGHLANDS HOMEOWNERS V. COUNTY
[10:08:34 AM](#)

Present at the April 21, 2005 10:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Commissioner Brenneman made a **motion** to authorize the county attorney's office to accept service in regards to the County Highlands Homeowners v. County case. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to authorize the county attorney's office to accept service in regards to the Lakeside Marina case. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

COS REVIEW: ROBINSON

[10:32:19 AM](#)

Present at the April 21, 2005 10:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Dan Brien with Sands Surveying, Planner Peggy Goodrich, and Clerk Moser.

Goodrich reviewed the family transfer request submitted by Ray and Dianne Robinson to transfer property to their son and daughter, Goodrich stated that she did not see a problem with the transfer.

Commissioner Brenneman made a **motion** to approve the COS for Robinson. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

COS REVIEW: POMEROY

[10:35:12 AM](#)

Present at the April 21, 2005 10:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Bruce A Veerkamp, Addie Veerkamp, Tanja Pomeroy, Dan Brien of Sands Surveying, Planner Peggy Goodrich, and Clerk Moser.

Goodrich reviewed the family transfer request made by Kevin Pomeroy to transfer property to his parents.

Commissioner Brenneman made a **motion** to approve the COS for Pomeroy. Commissioner **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

FINAL PLAT: EAGLE'S CREST RIDGE, LOT 6

[10:46:24 AM](#)

Present at the April 21, 2005 10:45 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Planner Peggy Goodrich, Dawn Marquardt of Marquardt Surveying, and Clerk Moser.

Goodrich reviewed the application submitted by Marquardt Surveying for final plat approval of Lot 6, Eagles Crest Ridge Subdivision, which will create 2 residential lots off Highway 93 south of Lakeside. The property is unzoned. Preliminary plat approval was granted on July 1, 2004, subject to 10 conditions. All conditions have been met. Staff recommends approval

**THURSDAY, APRIL 21, 2005
(Continued)**

Commissioner Brenneman made a **motion** to approve the final plat of Eagle's Crest Ridge, Lot 6. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

FINAL PLAT: MCCAFFERY RANCH

[10:59:46 AM](#)

Present at the April 21, 2005 11:00 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Planning and Zoning Interim Director Johna Morrison, Valerie Mckay, Greg Davis, and Clerk Moser.

Morrison reviewed the application submitted by RLK Hydro Inc for final plat approval of McCaffrey Ranch Subdivision, which will create five residential lots off McCaffrey Road north of Bigfork. The property is zoned SAG-5. Preliminary plat approval was granted on November 29, 2004, subject to ten conditions. All conditions have been met or otherwise addressed. Staff recommends approval.

Commissioner Brenneman made a **motion** to approve the Subdivision Improvement Agreement addressing condition five and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the final plat of McCaffery Ranch Subdivision. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

FINAL PLAT: TIEBUCKER SUBDIVISION, PHASE 2

[11:03:27 AM](#)

Present at the April 21, 2005 11:15 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, Planning and Zoning Interim Director Johna Morrison, Rick Breckenridge and Peggy Goodrich of Montana Mapping, and Clerk Moser.

Morrison reviewed the application submitted by Montana Mapping for final plat approval of Tiebucker II Subdivision, which will create 22 residential lots off Sunnybrook Lane. The property is unzoned. Preliminary plat approval was granted on July 8, 2003 subject to 16 conditions. All conditions have been met or otherwise addressed. Staff recommends approval

Commissioner Brenneman made a **motion** to approve the Subdivision Improvement Agreement addressing conditions one, nine, and thirteen and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the Final Plat of Tiebucker Subdivision, Phase 2. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONTINUATION OF PRELIMINARY PLAT: MEADOWBROOKE (CONDITION #25)

Present at the April 21, 2005 11:30 A.M. meeting were Commissioners Watne PT and Brenneman, Assistant Pence, and Clerk Moser.

Commissioner Brenneman made a **motion** to amend the condition 25 that was previously approved on the preliminary plat of Meadowbrooke, that prohibited further subdividing, and now allow further subdividing on Lots 45 and 46. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

MEETING W/ RICK HAWK RE/ JUSTICE CENTER SECURITY

This meeting was cancelled.

FRIDAY, APRIL 22, 2005

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

NO MEETINGS SCHEDULED.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 25, 2005.