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**MONDAY, JULY 11, 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/ JAY SCOTT, FAIRGROUNDS**

[9:07:49 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Jay Scott

Discussion was held relative to the new building construction and the estimated time of completion, liquidated damage charges, whether or not the building can be used for the fair, the preparation for the fair, chair rental, the need for a water tap near the new building for animal washing and different options to getting the tap, the new campsite, new overhead lights, parking plans, and the discussions with TD&H.

**2<sup>ND</sup> READING OF SPEED LIMIT ORDINANCE: CAYUSE LANE & PORTION OF WHITEFISH STAGE ROAD**

[9:34:02 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the amendment to Ordinance 7 and authorizes the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

ORDINANCE NO. 7

Speed Limits

WHEREAS, the Board of Commissioners is authorized, pursuant to Sections 7-5-102 through 7-5-107, 7-14-2113, and 61-8-310, M.C.A., to adopt an ordinance and to impose speed limits on certain public roads and highways;

WHEREAS, the Board of Commissioners has determined that all speed limits imposed by the Board since 1985 should be codified into a single ordinance.

NOW, THEREFORE, BE IT RESOLVED that, effective 30 days after the second and final adoption, the following Ordinance shall be in force and effect in Flathead County.

Section One: Speed Limits on Named Roadways

The following speed limits are hereby imposed on the following roadways and highways in Flathead County:

**Fifteen (15) miles per hour:**

Bridge Street from Old Bridge Street to Electric Avenue.

Caroline Point Road for 50 feet on each side of the boat shop.

FFA Drive for its entire length.

North Street for school zone only.

Old River Bridge Road for school zone only.

Parliament Road, for 1/8 of a mile on each side of the crosswalk near the East Evergreen School, when children are present.

Pheasant Drive, for 1/8 of a mile on each side of the crosswalk near the East Evergreen School, when children are present.

Sager Lane for its entire length.

**Twenty Five (25) miles per hour:**

10<sup>th</sup> Avenue WN for its entire length.

11<sup>th</sup> Avenue WN for its entire length.

12<sup>th</sup> Street EN for its entire length.

12<sup>th</sup> Avenue WN for its entire length.

13<sup>th</sup> Street W (behind JW Church) for its entire length.

13<sup>th</sup> Street EN for its entire length.  
14<sup>th</sup> Street EN for its entire length.  
15<sup>th</sup> Street E for its entire length.  
15<sup>th</sup> Street EN for its entire length.  
16<sup>th</sup> Street E for its entire length.  
1<sup>st</sup> Avenue for its entire length.  
1<sup>st</sup> Avenue North for its entire length.  
1<sup>st</sup> Avenue South for its entire length.  
1<sup>st</sup> Avenue W for its entire length.  
1<sup>st</sup> Street for its entire length.  
1<sup>st</sup> Street E for its entire length.  
1<sup>st</sup> Street SE for its entire length.  
1<sup>st</sup> Street SW for its entire length.  
1<sup>st</sup> Street W for its entire length.  
1<sup>st</sup> Street WN for its entire length.  
1<sup>st</sup> Street WN (east end) for its entire length.  
2<sup>nd</sup> Avenue for its entire length.  
2<sup>nd</sup> Avenue North for its entire length.  
2<sup>nd</sup> Avenue South for its entire length.  
2<sup>nd</sup> Avenue WN for its entire length.  
2<sup>nd</sup> Street for its entire length.  
2<sup>nd</sup> Street E for its entire length.  
2<sup>nd</sup> Street W for its entire length.  
2<sup>nd</sup> Street WN for its entire length.  
35 Approach (Grand) for its entire length.  
3<sup>Rd</sup> Avenue for its entire length.  
3<sup>Rd</sup> Avenue South for its entire length.  
3<sup>Rd</sup> Street for its entire length.  
3<sup>Rd</sup> Street W for its entire length.  
3<sup>Rd</sup> Street WN for its entire length.  
4<sup>th</sup> Avenue South for its entire length.  
4<sup>th</sup> Street for its entire length.  
4<sup>th</sup> Street EN for its entire length.  
4<sup>th</sup> Street WN for its entire length.  
5<sup>th</sup> Street for its entire length.  
5<sup>th</sup> Street W for its entire length.  
6<sup>th</sup> Street for its entire length.  
6<sup>th</sup> Street W for its entire length.  
7<sup>th</sup> Street for its entire length.  
7<sup>th</sup> Street W for its entire length.  
8<sup>th</sup> Avenue EN for its entire length.  
8<sup>th</sup> Street W for its entire length.  
9<sup>th</sup> Avenue WN for its entire length.  
9<sup>th</sup> Street W for its entire length.  
Adams Street for its entire length.

Alpha Road for its entire length.

Alpine Drive for its entire length.

Alpine Lane for its entire length.

Alpine Village Drive for its entire length.

Alpinglow Avenue for its entire length.

Antelope Trail for its entire length.

Appletree Circle for its entire length.

Arbour Drive East for its entire length.

Arbour Drive West for its entire length.

Armory Road from East 2<sup>nd</sup> Street to East end of Armory property.

Ash Road for its entire length.

Ashley Drive for its entire length.

Aspen Lane for its entire length.

Auction Road from its intersection with US Highway 93 to its intersection with Fir Terrace.

Bailey Drive for its entire length.

Bass Avenue for its entire length.

Bass Lake Court for its entire length.

Bass Lake Drive for its entire length.

Battle Hollow for its entire length.

Bauman Lane for its entire length.

Bay Drive for its entire length.

Beach Road for its entire length.

Bear Street for its entire length.

Bear Trail for its entire length.

Beaver Lake Road for its entire length.

Bernard Road for its entire length.

Best Way for its entire length

Bierney Creek Road from Highway 93 West 1.2 miles.

Big Sky Boulevard for its entire length.

Bills Road for its entire length.

Birch Drive, (Evergreen) for its entire length.

Birch Drive, (Whitefish) for its entire length.

Birch Glen Drive for its entire length.

Bison Drive for its entire length.

Bitterroot Lane, from its beginning point on Bitterroot Drive for one-half (½) mile.

Blenn Street for its entire length.

Brass Road for its entire length.

Breezy Point Avenue for its entire length.

Bridge Street from Old Bridge Street to Montana Highway 35.

Brook Drive for its entire length.

Brunner Road for its entire length.

Burke Lane for its entire length.

Burnell Avenue for its entire length.

Burns Street for its entire length.

Butterfly Lane for its entire length.

Cahill Court for its entire length.

Canyon Road for its entire length.

Capra Court for its entire length.

Cardiff Avenue for its entire length.

Caribou Street for its entire length.

Caroline Point Road for its entire length.

Caroline Road for its entire length.

Cascade Avenue for its entire length.

Cayuse Lane for its entire length.

Central Avenue (MC) for its entire length.

Char Court for its entire length.

Cherry Lynn Lane for its entire length.

Cheviot Loop for its entire length.

Circle Drive for its entire length.

Clothier Lane for its entire length.

Collier Lane for its entire length.

Commerce Street for its entire length.

Concord Lane for its entire length.

Coram School Lane for its entire length.

Cougar Drive for its entire length.

Cougar Trail for its entire length.

Country Way for its entire length.

Country Way East for its entire length.

Country Way North for its entire length.

Craven Street for its entire length.

Crestline Court for its entire length.

Cynthia Drive for its entire length.

Dairy Drive for its entire length.

Dale Drive for its entire length.

Dan Lake Court for its entire length.

Dawn Drive for its entire length.

Deer Street for its entire length.

Deer Trail for its entire length.

Diller Road for its entire length.

Dirt Road for its entire length.

Dodd Avenue for its entire length.

Dodger Lane for its entire length.

Dogwood Avenue for its entire length.

Donahoe Lane for its entire length.

Dorothy Street for its entire length.

Double Lake Court for its entire length.

Double Lake Drive for its entire length.

Double Lake Lane for its entire length.

Dover Drive for its entire length.

Duff Lane for its entire length.

East Evergreen Drive for its entire length except for the school zone.

Eagle Drive for its entire length.

East Cottonwood Drive East of Montana 35 for its entire length.

East Cottonwood Drive West of Montana 35 for its entire length.

Echo Cabin Loop for its entire length.

Echo Lake Road (loop Road) for its entire length.

Echo View Drive for its entire length.

Electric Avenue for its entire length.

Electric Avenue (North) for its entire length.

Elk Street for its entire length.

Elk Trail for its entire length.

Elm Avenue for its entire length.

Fairmont Road, for 500 feet on either side of Fairmont - Egan School.

Fawn Trail for its entire length.

Fehlberg Lane for its entire length.

Fir Lane for its entire length.

Flathead Road (North of 1<sup>st</sup> Avenue South) for its entire length.

Flathead Drive from US Highway 2 to Montclair Drive.

Florence Street for its entire length.

Forest Drive for its entire length.

Fox Hill Road for its entire length.

Frontage Road for its entire length.

Gamma Road for its entire length.

Garden Drive, from West Reserve Drive to Trail Ridge Road.

Gelande Street for its entire length.

Gilbert Lake Drive for its entire length.

Glacier Avenue for its entire length.

Goat Trail for its entire length.

Gopher Lane entire length, except the school zone.

Gordon Avenue for its entire length.

Grand Drive for its entire length.

Grandview Terrace for its entire length.

Granrud Lane for its entire length.

Grayling Road for its entire length.

Greenridge Drive for its entire length.

Hagerman Lane for its entire length.

Happy Hollow for its entire length.

Harbor Heights Boulevard for its entire length.

Harbin Hill Road for its entire length.

Hare Trail for its entire length.

Harmony Road for its entire length.

Hart Hill Drive, inside Meadow Hills Subdivision.

Haskill Drive for its entire length.

Haven Court for its entire length.

Haven Drive for its entire length.

Haywire Gulch from Smith Lake Road to end of asphalt paving.

Helena Flats Road for school zone only.

Highland Drive for its entire length.

Highline Boulevard for its entire length.

Hillcrest Drive for its entire length.

Horseshoe Drive for its entire length.

Houston Drive for its entire length.

Howard Drive for its entire length.

Hughes Bay Road for its entire length.

Hungry Horse Boulevard for its entire length.

Hunter Lane for its entire length.

Jacquette Road, for 500 feet on either side of Fairmont - Egan School.

Jasper Road for its entire length.

Juanita Way for its entire length.

Judith Road for its entire length.

Juniper Drive for its entire length.

Karrow Avenue for its entire length.

Kathy Lake Lane for its entire length.

Kauffman Lane for its entire length.

Kehoe Lane for its entire length.

Kelly Road for its entire length.

Kelsey Road for its entire length.

Kila Hill for its entire length.

Kila Main Street for its entire length.

Kings Loop for its entire length.

Kings Way for its entire length.

Kirby Lane for its entire length.

Kiwanis Lane for its entire length.

Konley Drive for its entire length.

Kraft Avenue for its entire length.

Kristianna Close for its entire length.

Lake Avenue for its entire length.

Lake Blaine Road for school zone only.

Lake Blaine Road from Foothill to end of road.

Lake Drive for its entire length.

Lake Hills Court for its entire length.

Lake Hills Drive, (Bigfork) for its entire length.

Lake Hills Drive, (South West) for its entire length.

Lake Loop Drive for its entire length.

Lake Peters Court for its entire length.

Lakeside Avenue for its entire length.

Lakeside Boulevard for its entire length.

Lakeside Boulevard North for its entire length.

Lakeshore Drive from Buckboard Lane to end of Road.

Lakeview Drive for its entire length.

Lane Street for its entire length.

Lawrence Lane for its entire length.

Learn Lane for its entire length.

Leisure Drive for its entire length.

Lenwood Lane for its entire length.

Lesley Avenue for its entire length.

Lion Mountain Loop Road for its entire length.

Lion Trail for its entire length.

Lochness Avenue for its entire length.

Lodgepole Drive for its entire length.

Mabel Street for its entire length.

Main Street for its entire length.

Many Lakes Drive for its entire length.

Maple Drive for its entire length.

Margrethe Road for its entire length.

Marjorie Street for its entire length.

Martin Camp Road (Olney) for its entire length.

Martin Road for its entire length.

Maxine Drive for its entire length.

McDermott Lane for its entire length.

McDowell Drive for its entire length.

Meadow Hills Drive for its entire length.

Meadow Lake Drive for its entire length.

Meadow Lane for its entire length.

Meadowlark Drive for its entire length.

Michels Slough Road for its entire length.

Midale Road, inside Meadow Hills Subdivision. 676

Missy Lane for its entire length.

Middle Road for school zone only.

Midway Drive for its entire length.

Mill Street for its entire length.

Mission Trail for its entire length.

Mission Way for its entire length.

Mission Way North for its entire length.

Mission Way South for its entire length.

Monroe Street for its entire length.

Montclair Drive for its entire length.

Monte Vista Drive for its entire length.

Moose Lane for its entire length.

Moose Street for its entire length.

Moose Trail for its entire length.

Mountain Avenue for its entire length.

Mountain Shadows Drive for its entire length.

Mountain View Drive for its entire length.

North Cedar Drive for its entire length.

Newbury Circle for its entire length.

Nicholson Drive for its entire length.

North Fork Road (frontage) for its entire length.

North Haven Drive for its entire length.

North Hilltop Road for its entire length.

North Juniper Bay Road for its entire length.

North Karrow Avenue for its entire length.

North Many Lakes Drive for its entire length.

North Mission Drive for its entire length.

North Riding Road for its entire length.

Northwoods Drive for its entire length.

Nucleus Avenue (South of 13<sup>th</sup> Street East) for its entire length.

Old Bridge Street for its entire length.

Old Bridge Street (South) for its entire length.

Old River Bridge Road for its entire length.

Olney Loop Road from Railroad Crossing to 93.

Oregon Lane for its entire length.

Osborne Avenue for its entire length.

Oxford Circle for its entire length.

Panoramic Drive for its entire length.

Paradise Loop for its entire length.

Park Avenue (Columbia Falls) for its entire length.

Park Avenue (Evergreen) for its entire length.

Park Drive for its entire length.

Park Street for its entire length.

Parkhill Drive for its entire length.

Parklane Drive for its entire length.

Parkview Drive for its entire length.

Parkview Way for its entire length.

Parkway Avenue for its entire length.

Parliament Drive for its entire length.

Pavilion Hill Avenue for its entire length.

Peaceful Drive for its entire length.

Peaceful Lane for its entire length.

Pheasant Drive for its entire length.

Pickleville Lane for its entire length.

Pickwick Court for its entire length.

Pikes Peak Avenue for its entire length.

Pine Street for its entire length.

Pines Boulevard for its entire length.

Pleasant Hill Drive for its entire length.

Pleasant View Drive for its entire length.

Plentywood Drive for its entire length.

Plummers Lake Drive for its entire length.

Ponderosa Drive for its entire length.

Poplar Drive for its entire length.

Poosum Trail for its entire length.

Potter Lane for its entire length.

Preston Drive for its entire length.



Primrose Lane for its entire length.  
Ramsgate Drive for its entire length.  
Ranch Road for its entire length.  
Ranchetts Drive for its entire length.  
Ranchetts Lane for its entire length.  
Ranchetts Road for its entire length.  
Redfield Lane for its entire length.  
Rest Haven Drive for its entire length.  
Ridgewood for its entire length.  
River Avenue for its entire length.  
River Bend Drive for its entire length.  
River Drive for its entire length.  
River Road (Evergreen) for its entire length.  
River Street for its entire length.  
Riverside Drive for its entire length.  
Riverside Drive (Evergreen) for its entire length.  
Rogers Lane for its entire length.  
Sampson Lane for its entire length.  
Scarborough Avenue for its entire length.  
Scenic Drive for its entire length.  
Seven Row for its entire length.  
Shadow Lane for its entire length.  
Shady Glen Drive for its entire length.  
Sharon Road for its entire length.  
Shepherd Lane for its entire length.  
Siderius Lane for its entire length.  
Skookum Road for its entire length.  
Sleepy Hollow Road for its entire length.  
Sloan Lane for its entire length.  
Solberg Drive for its entire length.  
Somers Road from 1 mile South of Montana Highway 83 to US Highway 93.  
Somerset Drive for its entire length.  
South Cedar Drive from Montana Highway 35 to end.  
South Fork Drive for its entire length.  
South Foy's Lake Drive for its entire length.  
South Woodland Drive from Kelly Road to city limits.  
Spoon Road for its entire length.  
Spring Creek Road (Hatchery) for its entire length.  
Springdale Drive for its entire length.  
Spruce Road for its entire length.  
Stag Lane for its entire length.  
Stafford Street for its entire length.  
Steeles Drive for its entire length.  
Steven Road for its entire length.  
Stonecrest Drive for its entire length.

Sulky Lane for its entire length.

Summit Avenue for its entire length.

Sunnybrook Lane for its entire length.

Sunnyside Avenue for its entire length.

Sunnyside Drive for its entire length.

Sunrise Lane for its entire length.

Sunrise Road for its entire length.

Sunset Circle for its entire length.

Sunset Drive (Bigfork) for its entire length.

Sunset Drive (Evergreen) for its entire length.

Sunset Lane for its entire length.

Sussex Drive for its entire length.

Swan Retreat for its entire length.

Swede Hill Avenue for its entire length.

Swimming Lake Court for its entire length.

Tahoe Drive for its entire length.

Tamarack Avenue for its entire length.

Tamarack Drive for its entire length.

Tamarack Terrace for its entire length.

Tangent Road for its entire length.

Terrace Drive for its entire length.

Terrace Hill for its entire length.

Terry Road for its entire length.

Timber Lake Drive for its entire length.

Timber Lane for its entire length.

Timber Lane Terrace for its entire length.

Toftum Lane from US Highway 2 615 ft.

Trail Ridge Road for its entire length.

Treasure Lane for its entire length.

Trout Avenue for its entire length.

Troutbeck Road for its entire length.

Truck Route (US Highway 2 to 6<sup>th</sup> Avenue West) for its entire length.

Twilight Circle for its entire length.

Twin Acres Drive for its entire length.

Twin Pines Drive for its entire length.

Valley Drive for its entire length.

Valley View Drive from Trailhead to East end of road.

Vans Avenue for its entire length.

Vetville West, from its intersection with 12th Avenue West to its intersection with Meadow Lakes Boulevard.

Village Lane for its entire length.

Vitt Lane for its entire length.

Voerman Road from Monegan to city limits.

Walker Avenue for its entire length.

Watts Lane for its entire length.

Wedgewood Lane for its entire length.

Welf Lane for its entire length.

West 3<sup>Rd</sup> Street for its entire length.  
West 4<sup>th</sup> Street for its entire length.  
West 7<sup>th</sup> Street from Baker to South Karrow.  
West Cottonwood Drive for its entire length.  
West Lake Shore Drive (Whitefish) for its entire length.  
West Valley Drive (South of US Highway 2) for its entire length.  
West View Drive for its entire length.  
Westwood Lane for its entire length.  
Whipps Lane for its entire length.  
Whitefish Stage for school zone only.  
Williams Lane for its entire length.  
Willow Drive for its entire length.  
Wilson Heights Road for its entire length.  
Winchester Street for its entire length.  
Winter Lane for its entire length.  
Wishert Lane for its entire length.  
Wulff Lane for its entire length.  
Yodelin Ridge Road for its entire length.  
Zimmerman Road for its entire length.

**Thirty Five (35) miles per hour:**

4<sup>th</sup> Avenue WN for its entire length.  
Addison Square for entire length, except the school zone.  
Aero Lane for its entire length.  
Ainley Lane for its entire length.  
Alder Lane for its entire length.  
Amdahl Lane for its entire length.  
Anderson Lane for its entire length.  
Angel Point Road for its entire length.  
Armory Road from Voerman to Armory property.  
Ashley Lake Road (West) for its entire length.  
Ashley Lake Road, from its intersection with Sherman Road to the point at which the pavement ceases.  
Auction Road from Fir Terrace to Somers Stage.  
Austin Crossroad for its entire length.  
Bachelor Grade for its entire length.  
Badrock Drive for its entire length.  
Bald Rock Road for its entire length.  
Barnes Lane for its entire length.  
Batavia Lane for its entire length, except the school zones.  
Battle Butte Road for its entire length.  
Bayou Road for its entire length.  
Bear Creek Road for its entire length.  
Belton Stage Road for its entire length.  
Berne Road from RMB Lumber to Columbia Mountain Road gravel.  
Berne Road for other segments.  
Berne Road South leg from RBM Lumber to Montana Highway 206.  
Berne Road from Columbia Mountain Road to Monte V. Drive.

Bierney Creek Road from 1.2 miles from US Highway 93 to end of Road.

Bigfork Stage for its entire length.

Bighorn Drive for its entire length.

Birch Grove Road for its entire length.

Bitterroot Drive (South end) for the gravel portion.

Bitterroot Drive from Pleasant Valley Road to Bitterroot Lane.

Blackmer Lane from Montana Highway 206 to Steel Mountain Road.

Blacktail Road for its entire length.

Blaine View Lane for its entire length.

Blanchard Lake Drive for its entire length.

Blanchard Lake Road for its entire length.

Blankenship Road for its entire length.

Bloomer Lane for its entire length.

Boon Road for its entire length.  
Boorman Lane for its entire length.

Bowdish Road for its entire length.

Braig Road for its entire length.

Broeder Loop Road for its entire length.

Brosten Lane for its entire length.

Browns Gulch Road for its entire length.

Browns Meadow Road/Mount Road, for its entire length.

Browns Road for its entire length.

Buckboard Lane for its entire length.

Bucks Lane for its entire length.

Capistrano Drive for its entire length.

Cemetery Road for its entire length.

Chapman Hill Road for its entire length.

Chubb Lane for its entire length.

Church Drive for its entire length.

Clark Drive for its entire length.

Cobbler Village for its entire length.

Coclet Lane for its entire length.

Columbia Falls Stage Road (North of Trap Road) from Kelley Road to River Road.

Columbia Mountain Lane for its entire length.

Columbia Mountain Road for its entire length.

Conn Road for its entire length.

Conrad Point Road for its entire length.

Coon Hollow Road for its entire length.

Coram Stage for its entire length.

Cottage Lane for its entire length.

Coverdell Road for its entire length.

Creston Hatchery Road for its entire length.

Creston Road except for school zone only.

Daley Lane for its entire length.

Danford Lane for its entire length.  
Danielson Road for its entire length.

Deer Creek Road (US Highway 93 in) for its entire length.

Deer Creek Road (Bierney Creek in) for its entire length.

Dehlbom Lane for its entire length.

Delrey Road for its entire length.

Demersville Road from Lower Valley Road to Snow line Lane.

Dern Draw for its entire length.

Dern Road for its entire length.

Desert Lodge Road for its entire length.

Dyer Road for its entire length.

East Reserve Drive from Helena Flats East to end of Road.

East Edgewood Drive for its entire length.

East Lakeshore Drive from 1.8 mile W of Big Mountain Rd to end of road.

East Second Street for its entire length.

Eastman Drive for its entire length.

Echo Lake Road for its entire length.

Eckelberry Drive, Michels Slough to Montana Highway 206 (South end).

Eckelberry Drive from Michels Slough to Montana Highway 206 (North end).

Edgewood Drive for its entire length.

Egan Road for its entire length.

Egan Slough Road for its entire length.

Eid Lane for its entire length.

El Rancho Road for its entire length.

Elk Park Road for its entire length.

Emil's Lane for its entire length.

Ezy Drive for its entire length.

Fairmont Road for its entire length, except the school zone.

Fairview Cemetery Road for its entire length.

Fairview Crossroad for its entire length.

Fairway Blvd to City limits.

Farm Road for its entire length.

Farm-to-Market Road (US Highway 93 to Tally Lake Road) for its entire length, except the school zone.

Fern Lane for its entire length.

Ferndale Drive for its entire length.

Fir Terrace (South of US Highway 93) for its entire length.

Fir Terrace (East of US Highway 93) for its entire length.

Flathead Lodge Road for its entire length.

Foothill Road for its entire length.

Forest Hill Road for its entire length.

Four Mile Drive (West of Farm-to-Market) from Farm-to-Market to end of Road.

Four Mile Drive (Stillwater-West Springcreek) for its entire length.

Fox Farm Road for its entire length.

Foys Lake Road (South of Foys Canyon) for its entire length.

Garland Lane for its entire length.

Gladys Glen Road for its entire length.

Good Creek Road for its entire length.

Gosney Crossroad for its entire length.

Halfmoon Flats Road for its entire length.

Halfmoon Road for its entire length.

Hanging Rock Drive for its entire length.

Haskill Basin Road for its entire length.

Hathaway Lane for its entire length.

Helena Flats Road from Montana Highway 35 North for .6 miles.

Helena Flats Road from 1.5 to 2.8 miles North of Montana Highway 35.

Hellman Lane for its entire length.

Hemler Creek Drive for its entire length.

Hoffman Draw for its entire length.

Hog Heaven Road for its entire length.

Holt Drive for its entire length.

Holt Stage Road, from its intersection with Montana Highway 35 to its intersection with Fairmont Road.

Holt Stage from Montana Highway 35 to Fairmont Road.

Holt Stage from Steel Bridge to East for .8 miles.

Homestead Drive for its entire length.

Homestead Road, from its intersection with Holt Stage Road to its intersection with Fairmont Road. 856

Hubbart Dam Road for its entire length.

Idaho Hill for its entire length.

Jacquard Lane for its entire length.

Jacquette Road for its entire length, except the school zone.

Jellison Lane for its entire length.

Jellison Road, from North of Trestle.

Jensen Road for its entire length.

JP Road for its entire length.

Kallner Lane for its entire length.

Kelley Road (East of 206) from Montana Highway 206 to east end.

Kickbusch Lane for its entire length.

Kienas Road for its entire length.

Kila Road for its entire length, except the school zone.

Kinshella Road for its entire length.

KM Ranch Road from US Highway 93 to Twin Bridges Road.

Kuhns Road for its entire length.

Kuzmic Lane for its entire length.

Labrant Road for its entire length.

Lake Blaine Drive for its entire length.

Lake Five Road for its entire length.

Lakeshore Drive from Foys Lake Road to Buckboard Lane.

Lauman Road for its entire length.

Lee Road for its entire length.

Lindsey Lane for its entire length.

Lone Pine Road from top of hill.

Lost Creek Drive for its entire length.

Lost Prairie Road for its entire length.

Lower Valley Road from US Highway 93 for 2.5 miles.

Lower Valley Road for the entire gravel portion.

Lupfer Road for its entire length.

Lutheran Camp Road for its entire length.

Managhan Lane from US Highway 2 to Batavia Lane.

Manning Road for its entire length.

Marken Loop for its entire length.

Martin Camp Road for its entire length.

McCaffery Road for its entire length.

McMannamy Draw for its entire length.

Meadow Lake Boulevard from US Highway 2 to Tamarack Lane.

Mooring Road for its entire length.

Morning View Drive for its entire length.

Mountain Creek Road for its entire length.

Mountain Meadow Road for its entire length.

Mud Lake Road for its entire length.

Muddy Lane for its entire length.

Muth Lane for its entire length.

North Ashley Lake Road for its entire length.

North Fork Road, from its intersection with Camas Creek Road, South to Canyon Creek.

North Fork Road, from its intersection with Glacier Park Road and to the point where the roadway surface changes from gravel to asphalt paving (approximately 6.5 miles north of the Glacier Park Intersection, a total of 6.5 miles).

North Fork Road, beginning approximately 1200 feet south of the Hay Creek Bridge and ending at the Canadian border (approximately 34 miles north of the Glacier Park Intersection, a total of 22.6 miles).

North Foys Lake Drive for its entire length.

North Hill Road for its entire length.

North Ramsfield Road for its entire length.

North Somers Road for its entire length.

Obryan Lane for its entire length.

Old US Highway 93 (Juniper Bay) for its entire length.

Old US Highway 93 (state shop) for its entire length.

Oldenberg Road for its entire length.

Oiney Loop Road from Good Creek to RR Crossing.

Passmore Lane for its entire length.

Patrick Creek Road for its entire length.

Pederson Road for its entire length.

Phanco Lane for its entire length.

Pierce Lane for its entire length.

Pine Needle Lane for its entire length.

Pioneer Road for its entire length.

Pleasant Hill Drive for its entire length.

Pleasant Valley Road from Bitterroot Drive to end of asphalt paving.

Pleasant Valley Road from US Highway 2 to Bitterroot Drive.

Political Hill for its entire length.

Prairie View Road for its entire length.

Rabe Road for its entire length.

Ramsfield Road for its entire length.

Reimer Lane for its entire length.

Reservoir Road for its entire length.

River Bend for its entire length.

River Junction for its entire length.

River Road for its entire length.

Riverside Road from MT 35 west to N. Ramsfield and from MT 35 south to Dyer Rd.

Robocker Lane for its entire length.

Rocky Cliff Drive for its entire length.

Rocky Lane for its entire length.

Rogers Lake Road for its entire length.

Rogers Road for its entire length.

Rose Crossing (East of US Highway 2) for its entire length, except the school zone.

Rose Crossing (West of US Highway 2) for its entire length.

Scenic Ridge Road for its entire length.

School Addition Road for its entire length.

Schrade Road for its entire length.

Seville Lane for its entire length.

Siblerud Lane for its entire length.

Sickler Creek Road for its entire length.

Shermann Road for its entire length.

Skyline Drive for its entire length.

Smith Lake Road from Whalebone to end of asphalt paving.

Smith Lake Road for the gravel portion.

Smith Lake Road for its entire length.

Snowline Lane for its entire length.

Somers Road from Montana Highway 83 South for 1 mile.

Somers Stage for its entire length.

Sonsteli Lane for its entire length.

Sonsteli Road for its entire length.

South Ashley Lake Road for its entire length.

South Fork Road for its entire length.

South Hilltop Road for its entire length.

South Many Lakes Drive for its entire length.

Spotted Bear Road for its entire length.

Spring Creek Road for its entire length.

Spring Creek Drive for its entire length.

Spring Hill Road for its entire length.

Spring Prairie Road for its entire length.

Star Meadows Road for its entire length.

State Park Road for its entire length.

Steel Bridge Road for its entire length.

Stillwater Road for its entire length.

Stoner Creek Road for its entire length.

Sullivan Crossroad for its entire length.

Sullivan Gulch Road for its entire length.

Sunday Lane for its entire length.



Swan Hill Drive for its entire length.

Swan River Road for its entire length.

Sylvan Drive for its entire length.

Tamarack Creek Road for its entire length.

Tamarack Lane for its entire length.

Tavern Lane from Montana Highway 206 to Mooring Road.

Tetrault Road for its entire length.

Therriault Lane (West of river) for its entire length.

Thompson River Road for its entire length.

Three Eagle Lane for its entire length.

Three Mile Drive (West of Farm-to-Market) for its entire length.

Three Mile Drive from its intersection with West Springcreek Road to its intersection with West Valley Drive.

Three Mile Drive from West Valley Drive, West to the end of the road.

Trap Road for its entire length.

Tronstad Road for its entire length.

Truman Creek Road, from the end of the asphalt paving to the end of the road.

Truman Creek Road from Browns Meadow to end of asphalt paving.

Trumble Creek Road for its entire length.

Twin Bridges Road (Lodgepole-Farm-to-Market) for its entire length.

Two Mile Drive (West of Greenbriar Court) for its entire length.

Valley View Drive from Foys Lake Road to the trailhead.

Van Sant Road for its entire length.

Veterans Drive, from its intersection with US Highway 2 to its intersection with Talbot Road.

Voerman Road from Monegan east 900 ft.

Vonderheide Lane for its entire length.

Wagner Road for its entire length.

Weaver Lane for its entire length.

West Evergreen Drive for its entire length, except the school zone.

West Springcreek Drive for its entire length.

West Valley Drive from US Highway 2 to Kuhns Road.

Wagner Lane for its entire length.

Whalebone Drive for its entire length.

Whalebone Drive, for its entire length from its intersection with US Highway 2 to its intersection with Foys Lake Road. 818

Whitefish Stage from the City Limits to Fairway Blvd.

White Birch Lane for its entire length.

Wiley Dike Road for its entire length.

Winfield Lane for its entire length.

Wishart Road for its entire length.

Witty Lane for its entire length.

Wolf Creek Drive for its entire length.

Woodland Road for its entire length.

Yeoman Hall Road from Montana Highway 206 to Van Sant.

Yeoman Hall Road from Van Sant to end of Road.

**Forty (40) miles per hour:**

Browns Meadow Road/Mount Road, beginning at its intersection with Smith Lake Road and ending approximately 700 feet east of the end of the asphalt paving (a total of 2500 feet).

Hodgson Road from US Highway 93 to Whitefish Stage.

**Forty Five (45) miles per hour:**

Aluminum Drive for its entire length.

Columbia Falls Stage Road for its entire length.

Dillon Road from Voerman to Montana Highway 40.

East Reserve Drive from US Highway 2 to Helena Flats Road.

East Lakeshore Drive Big Mountain Road to W for 1.8 miles.

Helena Flats Road on all other segments.

Hodgson Road from Whitefish Stage to US Highway 2.

Kelley Road (West of 206) from Montana Highway 206 to Columbia Falls Stage Road.

Lake Blaine Road from Montana Highway 35 to Foothill, except the school zone.

Lower Valley Road from 2.5 miles East of US Highway 93 to end of asphalt pavement.

Middle Road from Sullivan Cross Road to Kelly Road.

Middle Road from Montana Highway 35 to Fairview Crossroad.

Middle Road from Gosney Crossroad to Kelly Road.

Montana Highway 83, for 600 feet on either side of the Swan River School crosswalk, during the entire school year.

North Fork Road, beginning approximately 6.5 miles north of its intersection with Glacier Park Road and ending at approximately 11.5 miles north of that intersection (approximately 1200 feet south of the Hay Creek Bridge, a total of 5 miles). 562

Rhodes Draw Road, from its intersection with Farm-to-Market Road to its intersection with Bald Rock Road. 642

Rhodes Draw from Farm-to-Market to Bald Rock Road.

Riverside Road from Dyer Rd. to N. Ramsfield Rd.

US Highway 2, West of Kalispell, for 600 feet on either side of the Smith Valley School crosswalk, between the hours of 7:30 a.m. and 8:45 a.m. and 2:00 p.m. and 3:45 p.m., on days when children are present at school.

Voerman Road, from its intersection with Dillon Road to 900 feet East of its intersection with Monegan Road. 609

Voerman Road from 900 feet East of Monegan to Dillon.

Walsh Road for its entire length.

West Springcreek Road, from its intersection with US Highway 2 to its intersection with Three Mile Drive. 676

Whitefish Stage from Reserve Drive South to Fairway Blvd.

**Fifty Five (55) miles per hour:**

Farm-to-Market Road (US Highway 93 to Lodgepole) from Lodgepole to Tally Lake Road.

**Section Two. School Zone Limits on Highways.**

(Section 61-8-310(1)(d), M.C.A.)

School zone speed limits, which shall be 25 miles per hour for 300 feet on each side of a school cross walk across a public roadway or highway and 35 miles per hour for a distance of from 300 feet to 600 feet on each side of a school cross walk across a public roadway or highway (See Appendix 1), are hereby imposed adjacent to the following listed schools on the following listed roadways:

1. Deer Park School located on Middle Road.
2. Cayuse Prairie School on Lake Blaine Road.
3. Helena Flats School located on Helena Flats Road and Rose Crossing Road.
4. Pleasant Valley School located on Pleasant Valley Road.
5. Somers School located School Addition Road.
6. Marion School located on Gopher Lane.
7. Smith Valley Primary School located on Batavia Lane.
8. Smith Valley Intermediate located on Batavia Lane and Boorman Road.
9. Bissell School located on Farm-to-Market Road.
10. Montana Highway 83, for one-quarter of a mile on each side of its intersection with the Echo Lake Road. 855
11. Thirty Five miles per hour on Whitefish Stage Road from 400 feet South of the intersection of Whitefish Stage Road with Winchester Street and continuing North to a point 400 feet North of the intersection of Whitefish Stage Road with Mission Way Road, an approximate distance of 6,500 feet, on school days during the morning and afternoon crossing periods.

12. Twenty Five Miles per hour for 400 feet on either side of the Hawthorne Street school crosswalk on Three Mile Drive, on school days during the morning and afternoon crossing periods.

Section Three. Other County Roads.

The following speed limits are hereby imposed on all County roads and highways not previously named:

Thirty Five miles per hour on all County gravel roads.

Fifty Five miles per hour on all paved County roads and on Montana State Montana Highway 206 and Montana State Highway 209.

Section Four. Violation of Ordinance - Penalties  
(Section 61-8-711, M.C.A.)

- A. It is a misdemeanor for any person to violate any of the speed limits set forth in this ordinance.
- B. Every person convicted of a violation of this ordinance shall for a first conviction be punished by a fine of not less than \$10 or more than \$100 or by imprisonment for not more than 10 days. For a second conviction within 1 year thereafter, the person shall be punished by a fine of not less than \$25 or more than \$200 or by imprisonment for not more than 10 days or by both such fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, he person shall be punished by a fine of not less than \$50 or more than \$500 or by imprisonment for not more than 6 months or by both such fine and imprisonment.
- C. On failure of payment of a fine, the offender shall be imprisoned in the Flathead County Detention Center, and the imprisonment shall be computed upon the basis of 1 day's incarceration for each \$25 of the fine.
- D. Upon conviction, the court costs or any part thereof may be assessed against the Defendant in the discretion of the Court.

Section Five. Signage.

The Flathead County Road Department shall install and maintain speed limit and other appropriate signs in accordance with this Ordinance.

No speed limit enacted by this ordinance shall be enforced until the appropriate signage is installed. (Section 61-8-310(4), M.C.A.)

Section Six. Severability.

If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision. To this end the provisions of this ordinance are declared to be severable.

DATED this 11<sup>th</sup> day of July, 2005.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

By /s/Kimberly Moser

Deputy

1. Adopted July 5, 1995
2. Amended September 25, 1995
3. Amended November 22, 1995
4. Amended December 20, 1995
5. Amended July 15, 1996
6. Amended September 16, 1997
7. Amended November 25, 1997
8. Amended November 19, 1998
9. Amended May 10, 1999
10. Amended December 5, 2000
11. Amended October 15, 2001
12. Amended August 12, 2003
13. Amended March 29, 2004
14. Amended November 10, 2004
15. Amended May 10, 2005
16. Amended May 24, 2005
17. Amended July 11, 2005

**CONSIDERATION OF ENCROACHMENT PERMIT: BIGFORK CHAMBER**

[9:36:49 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the encroachment permit for the Bigfork Chamber of Commerce. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #504010**

[9:37:26 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the DPHHS Contract #504010. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**BOARD APPOINTMENT: INSURANCE COMMITTEE**

[9:38:43 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser

Commissioner Watne made a **motion** to appoint Kimberly Moser to the Health Benefits Committee. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**CONSIDERATION OF ADOPTION OF RESOLUTION AMENDING RESOLUTION OF INTENT FOR CREATION OF MOSQUITO CONTROL DISTRICT PUBLIC HEARING**

[9:44:18 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Jonathan Smith

Discussion was held relative to the dissolving of the current Kalispell Mosquito district and the Somers mosquito district to create the Flathead mosquito district.

Commissioner Watne made a **motion** to adopt Resolution 1849A. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

RESOLUTION NO. 1849 A

WHEREAS, the Board of Commissioners of Flathead County, Montana, is authorized by Section 7-22-2403 to initiate proceedings for the creation of mosquito control district by the adoption of a resolution of intent;

WHEREAS, the movement into Montana in recent years of the West Nile Virus (a virus carried by mosquitoes) has significantly increased the risk of serious disease in both humans and animals and the Board of Commissioners of Flathead County, Montana, deems it advisable to consider the creation of a county-wide mosquito control district in order to be able to address the growing threat from mosquitoes on a broader basis, and to consider whether the Kalispell and Somers Mosquito Control Districts should be dissolved with the property included in those districts becoming part of the county-wide district; and

WHEREAS, the Board of Commissioners passed Resolution No. 1849, a resolution of intent to create the Flathead County Mosquito District, setting a public hearing for July 11, 2005, but the required notices could not be mailed in a timely manner prior to that date.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 7-22-2403, M.C.A., hereby amends Resolution No. 1849 to change the date of the public hearing to consider the creation of a county-wide mosquito district to be known as the Flathead County Mosquito Control District, and to dissolve the Kalispell and Somers Districts, the boundaries of which are the boundaries of Flathead County.

BE IT FURTHER RESOLVED that a public hearing will be held on the **3<sup>rd</sup> day of August, 2005, at 10:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, 800 South Main, Kalispell, Montana and that at the public hearing, any qualified elector or owner of property lying within the boundaries of the proposed district may appear before the Commissioners at the time of the hearing and show cause why the district should not be created or may file a written objection to the creation of the district at any time before the date of the hearing.

BE IT FURTHER RESOLVED, that notice of the said public hearing shall be published in accordance with Section 7-1-2121, M.C.A., and be mailed to each nonresident property owner and purchaser under contract for deed, in the manner provided by Section 7-1-2122, M.C.A.

DATED this 11<sup>th</sup> day of July, 2005.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:  
Paula Robinson, Clerk

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

By/s/Kimberly Moser  
Deputy

By: \_\_\_\_\_  
Joseph D. Brenneman, Member

Commissioner Watne made a **motion** to approve the Notice of Passage and Notice of Public hearing and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

NOTICE OF PASSAGE OF RESOLUTION OF INTENT AND  
AMENDED NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 7-22-2403, M.C.A., that it has amended the resolution of intent it previously adopted to consider the creation of a county-wide mosquito district, to be known as the Flathead County Mosquito Control District, and to dissolve the Kalispell Mosquito Control District and the Somers Mosquito Control District, to change the date that it will hold a public hearing concerning the creation of the Flathead County Mosquito Control District and the dissolution of the Kalispell and Somers Districts.

The boundaries of the proposed mosquito control district shall be the boundaries of Flathead County.

Adoption of the proposed mosquito control district would allow for a county-wide mill levy and county-wide mosquito control efforts to address the growing threat from mosquitoes as the movement into Montana, in recent years, of the West Nile Virus (a virus carried by mosquitoes) has significantly increased the risk of serious disease in both humans and animals.

The public hearing will be held on the **3<sup>rd</sup> day of August, 2005, at 10:00 o'clock a.m.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, 800 South Main, Kalispell, Montana. At the public hearing, the Board of Commissioners will afford any qualified elector or owner of property lying within the boundaries of the proposed district to appear and show cause why the district should not be created, and the Kalispell and Somers Districts dissolved, and will consider any written objections to the proposed creation and dissolutions filed before the date of the hearing.

DATED this 11<sup>th</sup> day of July, 2005.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
By Paula Robinson, Clerk

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

By /s/Kimberly Moser  
Deputy

Publish on July 14 and July 28, 2005.

**PRELIMINARY PLAT: KLONDYKE ACRES**

[10:00:30 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Peggy Goodrich, Dawn Marquardt, Debbie Shoemaker, William Paullin, Tim Birk

Goodrich reviewed the application submitted by William Paullin, Carol Keys, and Tim & Julia Birk for preliminary plat approval of Klondyke Acres, a major subdivision that will create 3 residential lots. The subdivision is proposed on 63.79 acres and will be served by Somers municipal water & sewer. The property is currently not zoned. Staff recommends approval.

Commissioner Watne made a **motion** to adopt Staff Report FPP-05-30 as findings of fact. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

Dawn Marquardt questioned condition 9 stating that her clients would rather just pay a fee and not have to pay an appraiser.

Commissioner Watne made a **motion** to approve the preliminary plat of Klondyke Acres Subdivision subject to 13 conditions including the RSID waiver condition and with the amendment to conditions 9 requiring a \$3200 parkland cash in lieu fee. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**CONDITIONS:**

1. The developer shall pave the entire subdivision road to mitigate any impacts to surrounding ownerships. Interior roads shall be 24 feet in width with a *gravel* 55 foot radius cul-de-sac and built to AASHTO standards. [Section 3.9 B, FCSR].
2. All areas disturbed during development of the subdivision shall be revegetated in accordance with a plan approved by the County Weed Department. [Section 3.12(J), FCSR].
3. The applicant shall receive physical addresses and name all roads in accordance with Flathead County Resolution #1626. The addresses and road names shall appear on the final plat. [Section 3.9 (I)(7), FCSR].
4. The developer shall contact the Child Transportation Committee and, if required, provide and improve a location for the safe loading and unloading of students [long standing office policy].
5. Electrical and telephone utilities shall be extended underground to abut and be available to each lot in accordance with Flathead County Subdivision Regulations [Sections 3.17 and 3.18, FCSR]. Utility plans shall be approved by the applicable utility companies.
6. The developer shall contact the Somers Fire Chief and fire suppression shall be placed per the Chief's requirements. The developer shall receive a letter from the Fire Chief stating his requirements have been met. [Section 3.20, FCSR].
7. If required by the local postmaster, the developer shall provide a common mailbox facility in accordance with Flathead County Subdivision Regulations [Section 3.22].
8. The following statements shall be placed on the face of the final plat applicable to all lots:
  - a) All house or business addresses will be visible from the road, either at the driveway entrance or on the house. [Section 3.20(D), FCSR].
  - b) All utilities shall be placed underground. [Section 3.17(A), FCSR].
  - c) Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed. [Section 3.12(J), FCSR].
  - d) This subdivision is located in an agricultural area and that such potential nuisance such as noise, dust, odors, and irregular hours of operation are commonplace. As such, the right to farm on adjoining properties shall not be restricted as a result of the development or occupancy of this subdivision.
  - e) The Property Owners Association shall be responsible for maintenance of roads. Roads shall be maintained, including necessary repairs and snow removal, to insure safe all-weather travel for two-way traffic. [Section 3.9(J)3, FCSR].
  - f) **The following statement shall be placed on the face of the final plat:**  
\_\_\_\_\_ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes \_\_\_\_\_ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that \_\_\_\_\_ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. \_\_\_\_\_ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for \_\_\_\_\_ Subdivision.
9. The developer shall pay cash in lieu of parkland. ~~The parkland fee shall be 2,800.00. The A cash-in lieu fee of \$3,200 will be paid to Flathead County. is based on the appraised value of .09 of an undeveloped, undivided acre. The current market value of the 3.79 acres shall be established by means of an independent appraisal of Lot 2 by a licensed appraiser.~~ [Section 3.19 (A), FCSR].
10. All required improvements shall be completed in place or an improvement guarantee in accordance with Chapter 8 of the Flathead County Subdivision Regulations shall be provided by the subdivider, prior to final approval by the Flathead County Commissioners.[Chapter 8, FCSR].
11. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR].
12. Lot 2 shall be reviewed and approved by the Flathead City-County Health Department and the Montana Department of Environmental Quality for water and sewer. Lots 1 and 3 are over 20 acres in size and do not require review at this time. [Sections 3.14 & 3.15, FCSR].
13. Preliminary plat approval is valid for three years. Section 2.5 (D)(6), FCSR].

Note: Changes in *italics* were made by the Flathead County Planning Board.  
Changes in **bold** were made by the Flathead County Commissioners.

**FINAL PLAT: MEADOWLARK**

[10:18:13 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne



Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser, Kirsten Holland, Dawn Marquardt, Debbie Shoemaker

Holland reviewed the final plat application for Meadowlark, a two-lot minor subdivision on Meadowlark Drive in Evergreen. The subject property is .60 acres in size, is served by Evergreen water & sewer, and is R-3. Preliminary plat was waived on October 8, 2004, subject to seven conditions. There were 7 conditions. All conditions have been met. Staff recommends approval.

Commissioner Watne made a **motion** to adopt Staff Report FWP-05-12 as findings of fact. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

Commissioner Watne made a **motion** to approve the final plat of Meadowlark subdivision pending final approach permit signature. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

#### **TAX REFUND REQUEST: PENTELUTE**

[9:52:01 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the Pentelute tax refund request. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

#### **DOCUMENT FOR SIGNATURE: COLLECTIVE BARGAINING AGREEMENT / SHERIFFS OFFICE**

[9:40:46 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the Sheriffs office Collective Bargaining Agreement and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

#### **CONSIDERATION OF RELEASE OF COLLATERAL: MCCAFFERY RANCH**

[9:41:21 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser

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

#### **DOCUMENT FOR SIGNATURE: LORD ABBOTT 457 PLAN AUTHORIZATION**

[9:39:41 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the Lord Abbott 457 Plan Authorization changing the signators. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on July 12, 2005.

\*\*\*\*\*

**TUESDAY, JULY 12, 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/ LAURIE REBUCK, JUVENILE DETENTION CENTER**

This meeting was not held

**MONTHLY MEETING W/ KAROLE SOMMERFIELD, 4-H OFFICE**

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Karole Sommerfield, Sean Stewart, Megan Lynch, Ashley Clerk, Ethan Thacker, Amanda Brandt, Desiree Drake, Culette Krantz, Ashley Clare, Megan Lynch, Annie Ward, Heidi Eyestone, Michael Smith

Discussion was held relative to a conference in Bozeman, members of the 4-H group stood and spoke on there current projects, and the events for the conference.

**BOARD APPOINTMENTS: WEST VALLEY LAND USE ADVISORY COMMITTEE AND BOARD OF ADJUSTMENTS**

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Tony Sagami, Mary Sevier,

Commissioner Watne made a **motion** to continue the appointment to the West Valley Land Use Advisory Committee until they have more time to review the applicants. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

Commissioner Watne made a **motion** to appoint Tony Sagami to the Board of Adjustments. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**MEETING W/ RAEANN CAMPBELL**

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser

Discussion was held relative to background checks on temporary employees previously being waived for the fairgrounds, Commissioner Hall asked Raeann to check with like counties to see what there procedure is.

**MEETING W/ PETER STEELE RE: LYNNEWOOD BIKE PATH**

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Peter Steel, Kirsten Holland, Rick Breckenridge, Peggy Mathiason, BJ Grieve, Walt Reddig

Discussion was held relative to three subdivisions that have an easement for a bike path on the plat that Montana mapping would like to correct deleting these bike path easements, the easements were not a conditions of plat approval, Peter stated that an amended plat would be required by the Flathead County Zoning Regulations if the commissioners decided that this is not a surveyor error that does directly effect the plat,

Rick Breckenridge stated that the developer originally wanted to have the bike path easement, even though it was not a condition, but has since changed his mind. The developer has asked Montana Mapping to remove the bike path easement.

Commissioner Hall stated that he is not comfortable removing the bike path.

Peter Steele stated that the other issue that comes to his mind if there is a corrected plat is who would sign the plat. He believes that since some of the lots have been sold each of those new owners would have to sign the new plat. He stated that the commissioner would have to decide today if this is a drafting or surveying error that would materially alter the final plat.

The developer stated that a lot of resistance has been expressed by the property owners on having the bike path, and that it effects there privacy.



Commissioner Watne stated that he would like to see the new owners sign off saying that they don't want this easement.

Rick Breckenridge stated that he believes that they would have enough room to address putting the bike path along the interior road.

Peter Steele stated that he does believe that this would be a material alteration and that they need to amend the plat, and should not be allowed to just correct the plat. He stated that he believes that property owners need to have the opportunity to comments on this.

Rick Breckenridge stated that since the developer retained the easement it is not a material alteration.

Commissioner Hall questioned the process of amending the plat.

Peter Steele stated that if the commissioners decide today that a corrected plat would be the appropriate way to go he would like to see the current property owners sign off on the correction.

Commissioner Watne made a **motion** that this correction is not a materially alteration of the plat. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

Commissioner Watne made a **motion** to require the owners signature on the corrected plat. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

### **PRELIMINARY PLAT: COLUMBIA MOUNTAIN VIEW II**

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, BJ Grieve, Rick Breckenridge, Peggy Mathiason, Walt Reddig

Grieve reviewed the application submitted by Matthew Reddig for preliminary plat approval of Columbia Mountain View II Subdivision, a major subdivision that will create five residential lots. The subdivision is proposed on 9.64 acres and will be served by individual water and septic systems. The property is unzoned. Staff recommends approval.

Commissioner Hall stated that he felt that a park needs to be designated in stead of accepting cash in lieu.

Rick Breckenridge stated that these are two acre lots, and the developer was concerned about the liability issue.

BJ Grieve stated that the reason he recommend cash in lieu is due to the bike path, and the size of the lots.

Commissioner Watne made a **motion** to adopt Staff Report FPP-05-31 as findings of fact. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

Commissioner Watne made a **motion** to approve the preliminary plat of Columbia Mountain View II subject to 23 conditions including the condition requiring a separated 8 foot wide pedestrian/bike path dedication within the road right of way along the inside perimeter of the internal subdivision loop and that the road have a pedestrian bike path access on Lynnwood Drive with identification stripping. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

### **CONDITIONS**

1. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. (7-22-2116 M.C.A., Section 3.12(J), Flathead County Subdivision Regulations)
2. Except as modified by the above variance, the subdivision shall comply with Chapter 3 of the Flathead County Subdivision Regulations.
3. All road construction and road improvements must comply with Section 3.9 of the Flathead County Subdivision Regulations and shall be inspected, approved, and signed off by a licensed engineer.
4. A variance to Table 3 in Section 3.9, Minor Street Standards, shall be granted for the subdivision based on the attached findings of fact in staff report #FPP-05-31.
5. A Road Users Agreement or a Property Owners Association shall be formed which will require each property owner to bear their pro-rata share for road maintenance. (3.9(J)(3), Flathead County Subdivision Regulations)
6. The developer shall provide a valid approach permit for the private road access from the Montana Department of Transportation.
7. The applicant shall obtain and provide proof of legal easement across the access properties.
8. The developer shall install a stop sign at the intersection of the private access road and Montana Highway 206 in accordance with Section 3.9(I)(8) of the Flathead County Subdivision Regulations.
9. A road identification sign in compliance with county standards shall be installed at the intersection of the private access road and Montana Highway 206.
10. Electrical and telephone utilities shall be extended underground to abut and be available to each lot in accordance with Flathead County Subdivision Regulations (see Sections 3.17 and 3.18). Utility plans shall be approved by the applicable utility companies.
11. If required by the local postmaster, the developer shall provide a common mailbox facility in accordance with Flathead County Subdivision Regulations (Section 3.22).
12. The developer shall contact the Child Transportation Committee and, if required, provide and improve a location for the safe loading and unloading of students.

13. The applicant shall receive physical addresses and name all roads in accordance with Flathead County Resolution #1626. The addresses and road names shall appear on the final plat.
14. Only Class A and Class B fire resistant roofing materials are allowed. Wood shake shingles, treated or otherwise, are prohibited. (Section 3.21, Flathead County Subdivision Regulations)
15. Defensible Space Standards shall be incorporated around all primary structures as described in Appendix G of the Flathead County Subdivision Regulations.
16. The following statements shall be placed on the face of the final plat applicable to all lots:
  - All addresses shall be visible from the road, and at the driveway entrance or on the house.
  - All utilities shall be placed underground.
  - All areas disturbed during development of structures and driveways shall be revegetated in accordance with a plan approved by the County Weed Department.
  - The Property Owners Association shall be responsible for maintenance of the road. Roads shall be maintained, including necessary repairs and snow removal, to ensure safe all-weather travel for two-way traffic.
  - Lot owners are responsible for the eradication and control of noxious weeds upon their property.
  - Only Class A and Class B fire resistant roofing materials are allowed. Wood shake shingles, treated or otherwise, are prohibited.
  - Defensible Space Standards shall be incorporated around all primary structures as described in Appendix G of the Flathead County Subdivision Regulations.
17. The lots within the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality for individual sewer and water facilities. (3.14 and 3.15, Flathead County Subdivision Regulations)
18. All required improvements shall be completed in place, or a Subdivision Improvement Agreement in accordance with Chapter 8 of the Flathead County Subdivision Regulations shall be provided by the subdivider, prior to final approval by the County Commissioners.
19. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions.
20. The following shall appear on the face of the final plat (Appendix D(XII), Flathead County Subdivision Regulations):

Waiver of Protest

Participation in Special Improvement District

\_\_\_\_\_ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes \_\_\_\_\_ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that \_\_\_\_\_ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District.

\_\_\_\_\_ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for \_\_\_\_\_ Subdivision.

21. Preliminary plat approval is valid for three (3) years.
22. *The applicant shall pay \$4,000.00 to the Flathead County Weed, Parks and Recreation and Building Maintenance Department in lieu of parkland dedication.*
23. *The developers shall provide a separated 8' wide pedestrian/bike path within the road right-of-way along the inside perimeter of the Lynnewood Drive loop and create a pedestrian/bicycle lane identification stripe on the primary access portion of Lynnewood Drive.*

**PRELIMINARY PLAT: PAINTED HILLS**

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, BJ Grieve, Raylynn Carolin, Tim Carolin, Paula Wunderlich

Grieve reviewed the application submitted by Timothy S. Carolin for preliminary plat approval of Painted Hills Subdivision, a minor subdivision that will create four residential lots. The subdivision is proposed on 6.19 acres and will be served by individual water & sewer systems. The property is located off a private access road extending from Northwoods Drive, accessed from Reservoir Road north of Whitefish. The property is unzoned. Staff recommends approval.

Commissioner Watne made a **motion** to adopt Staff Report FSR-05-42 as findings of fact. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

Commissioner Watne made a **motion** to approve the preliminary plat of Painted Hills subdivision subject to 16 conditions. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

***CONDITIONS***

1. A variance **will not** be granted to Section 3.9 for the private primary access road to allow the 17.5-foot travel surface. Instead, the applicant **WILL** improve Latigo Lane from the eastern intersection of Latigo Lane and Northwoods Drive to the intersection with the internal subdivision road AND the segment of road from Latigo Lane north to the southwest property corner of Lot 1. All segments of road identified above will be improved to the Primary Access Road standard outlined in Section 3.9 of the Flathead County Subdivision Regulations. All primary access road improvements shall be paved.

2. The internal subdivision road shall be improved to the standard detailed in Section 3.9 of the Flathead County Subdivision Regulations. The applicants shall pave 200' of internal subdivision road in compliance with 3.9(K)(2) of the Flathead County Subdivision Regulations.
3. The internal subdivision road shall comply with Table 2 in Section 3.9 of the Flathead County Subdivision Regulations.
4. Tree and vegetation removal shall only occur to comply with Appendix G and trees shall be preserved whenever possible to create natural-vegetation buffers. The entrance to the subdivision shall be attractively landscaped with naturally occurring vegetation (Section 3.2, Flathead County Subdivision Regulations).
5. That a variance be granted to Section 3.6(B) of the Flathead County Subdivision Regulations.
6. During construction of infrastructure improvements, no silt-laden water shall flow to downstream areas. Erosion control measures are required and will be enforced. (Section 3.13, Flathead County Subdivision Regulations).
7. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the County Weed Department. [Section 3.12(J), Flathead County Subdivision Regulations (FCSR)]
8. The lots within the subdivision shall be reviewed and approved by the Flathead City-County Health Department and the Montana Department of Environmental Quality for individual sewer and water facilities and storm water management. [Sections 3.14(A) and 3.15(A), FCSR]
9. A water supply with minimum flow of 500 gpm for all lots or a tanker recharge system specified by the local fire chief shall be installed.
10. Electrical and telephone utilities shall be extended underground to abut and be available to each lot in accordance with Flathead County Subdivision Regulations. Utility plans shall be approved by the applicable utility companies. [Sections 3.17 and 3.18 FCSR].
11. The following statements shall be placed on the face of the final plat applicable to all lots:
  - All addresses shall be visible from the road, and at the driveway entrance or on the house. [3.20(D), FCSR]
  - All utilities shall be placed underground. [3.17(A), FCSR]
  - Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed. [3.12(J), FCSR]
  - Lot owners are advised that they are moving into an area that is frequented by wild animals. As such, lot owners are strongly encouraged to contact the Montana Department of Fish, Wildlife and Parks to obtain information on living with wildlife. Dogs must be contained by a physical or electronic/invisible fence or kept on leashes at all times. Homeowner's need to be aware of bear attractants: keep pet foods, barbecue grills, and garbage indoors, in a secure shed, or in a bear proof container; feed birds only in the winter; pick fruit as soon as it becomes ripe; do not create compost piles; and wait to put garbage containers out until the morning of pickup.
  - All driveways shall be a 10% maximum grade to ensure access by emergency vehicles. [Section 3.6 E FCSR]
- f) **Waiver of Protest**  
Participation in Special Improvement District
 

\_\_\_\_\_ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes \_\_\_\_\_ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that \_\_\_\_\_ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. \_\_\_\_\_ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for \_\_\_\_\_ Subdivision.
- g) Only Class A and Class B fire resistant roofing materials are allowed. Wood shake shingles, treated or otherwise, are prohibited. [Section 3.21 F]
- h) Defensible Space Standards shall be incorporated around all primary structures as described in Appendix G of the Flathead County Subdivision Regulations. [Section 3.21 F]
12. The developer shall contact the local postmaster to confirm area mail delivery and establish an appropriate location for mailbox placement in accordance with Flathead County Subdivision Regulations [Section 3.22 FCSR].
13. The applicant shall receive physical addresses and name all roads in accordance with Flathead County Resolution #1626. The addresses and road names shall appear on the final plat. [Section 3.9(I)(7), FCSR]
14. Except as modified above, the subdivision shall comply with Chapter 3 of the Flathead County Subdivision Regulations. [Chapter 3, FCSR]
15. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]
16. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on July 13, 2005.

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### WEDNESDAY, JULY 13, 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.

**11:00 a.m. County Attorney meeting at the County Attorney's Office**  
**3:00 p.m. Commissioner Hall to attend Whitefish Urban & West Projects Decision Team meeting**  
**5:00 p.m. Commissioner Hall to attend Northfork Interlocal Potluck & meeting at Sondreson Hall**

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

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## THURSDAY, JULY 14, 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/ JEFF HARRIS, PLANNING & ZONING OFFICE

[9:08:13 AM](#)

Members present:

Chairman Gary D. Hall

Members absent:

Commissioner Robert W. Watne

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser, Jeff Harris, Peter Steele,

Discussion was held relative to the recent Board of Adjustments meeting, a strategic work plan for the planning department was presented to the commission which included a vision statement, departmental organization, an organizational chart, and a work plan for the fiscal year 2006, part of the plan will be to completely rewrite the Flathead County Subdivision Regulations to reflect current and future needs, they would like to have the employees that inspect the lakeshore to have something that will allow them to be easily recognized as county employees, the growth policy development is the number one goal of the Long Range Planning Team with a draft hopefully being completed by July 2006.

Discussion continued with the draft criteria and procedures for master plan amendments which included 7 criteria that the master plan amendment application must meet to be processed before completion of the new master plan, Commissioner Hall stated that a planning board recommended that the staff and the planning board should not be completing and correcting the applications submitted, they stated that if an application comes in incomplete it should go back to the applicant telling them to resubmit in six months as a complete application, Peter Steele stated that the laws requires that the department review the application for so long and then it can be submitted again, he stated that there are requirements out there that address these concerns.

Jeff Harris stated that he approached the planning board on having a workshop with the planning staff to discuss each of their concerns and a communication coordination, he continued with discussing the process of the change in the planning office fees, the commission requested that Peter Steele look into the implementation process of the planning fees, Jeff Harris also informed the commissioners of current lawsuits referencing the planning department

### CONSIDERATION OF APPROVAL: QUIT CLAIM EASEMENT / SOLID WASTE DISTRICT

[9:44:34 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne over the phone

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser, Dave Prunty, Peter Steele

Dave Prunty reviewed the reason for the quit claim deed. The Solid Waste Board approved the quit claim of easement interest.

Commissioner Watne made a **motion** to approve the Quit Claim Easement for the Solid Waste District and authorize the chairman of the Solid Waste Board to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

### DOCUMENT FOR SIGNATURE: CDBG CONTRACT / MIDWAY RENTAL & POWER EQUIPMENT, INC

[9:48:44 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne over the phone

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser, Gary Winship

Commissioner Watne made a **motion** to approve the CDBG contract and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

### AUTHORIZATION TO PUBLIC NOTICE OF PUBLIC HEARING: WHITEFISH HILL ZONE CHANGE / BLANCHARD LAKE ZONING DISTRICT

[9:51:06 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne over the phone

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the notice of public hearing and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

#### NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice, pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by Whitefish Hills, LLC, Paul and Shelly Coe, Tim Flynn and PRA Hart Bowl Association to change the zoning designation in a portion of the Blanchard Lake Area Zoning District from AG-40 (Agricultural) to AG-20 (Agricultural).

The boundaries of the area proposed to be changed from the AG-40 classification to the AG-20 classification are set forth on Exhibit "A" hereto.

The proposed change would change the minimum lot size allowed from 40 acres to 20 acres, while maintaining the character of the zoning regulations applicable to the property, which are intended to protect and preserve agricultural land for the performance of a wide range of agricultural functions and to control the scattered intrusion of uses not compatible with an agricultural environment, including but not limited to residential development. The change would allow splitting the property into 20 acre sites, instead of the minimum 40 acre sites now required, and for more intensive cluster development.

The regulations defining the AG-40 and AG-20 Zones are contained in the Flathead County Comprehensive 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.

The public hearing will be held on the 1st day of August, 2005, at 10:00 o'clock 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 members of the public an opportunity to be heard regarding the proposed amendment to Blanchard Lake Area Zoning District.

DATED this 14<sup>th</sup> day of July, 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 July 19 and July 26, 2005.

**WHITEFISH HILLS, LLC.**

**REQUEST FOR ZONE CHANGE FROM AG-40 TO AG-20**

**STAFF REPORT #FZC-05-11**

Location and Legal Description of Property:

The property proposed for rezoning is located on the west side of Highway 93 North, southwest of the city of Whitefish and consists of 600 acres. The site can be described as Lots 1, 2, 3, 7 and S of Whitefish Hills, Phase 1 in Sections 3, 10, and 11 and Assessor's Tract 5 in Section 10, all in Township 30 North, Range 22 West P.M., Flathead County, Montana.

#### **AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: CHVILICEK ZONE CHANGE / LOWER SIDE ZONING DISTRICT**

[9:51:42 AM](#)

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne over the phone

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the notice of public hearing and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

#### NOTICE OF PUBLIC HEARING

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(1), M.C.A., that it will hold a public hearing to consider a request by John Chvilicek zoning designation in a portion of the Lower Side Zoning District from AG-40 (Agricultural) to SAG-5 (Suburban Agricultural).



The boundaries of the area proposed to be amended from AG-40 to SAG-5 are set forth on Exhibit "A".

The proposed change would generally change the character of the zoning regulations applicable to the property from those intended to protect and preserve agricultural land for the performance of a wide range of agricultural functions, intended to control the scattered intrusion of uses not compatible with an agricultural environment, including, but not limited to, residential development, to regulations intended to protect and preserve smaller agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential conflict of uses will be minimized, and to provide areas of estate-type residential development. The AG-40 classification has a minimum lot size of 40 acres; a change to SAG-5 would result in a minimum lot size of 5 acres.

The regulations defining the AG-40 and SAG-5 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.

The public hearing will be held on the **1<sup>st</sup> day of August, 2005, at 10:15 o'clock 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 change in the regulations for the described portion of the Lower Side Zoning District.

DATED this 14<sup>th</sup> day of July, 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 July 19 and July 26, 2005.

**JOHN CHVILICEK**  
**ZONE CHANGE FROM AG-40 TO SAG-S**  
**STAFF REPORT #FZC-05-10**

Location and Legal Description of Property:

The property proposed for the map amendment is located east of Smith Lake Road and west of the Foys Lake area and contains approximately 429.8 acres. The property's legal description is Tracts 4, 8, 1, 7, 6, and 9 of Section 22, Township 28 North, Range 22 West, P.M.M.

**CONSIDERATION OF ADOPTION OF RESOLUTION: TITLE III FEDERAL FUNDS SEARCH & RESCUE ACTIVITY AND COMMENT PERIOD**

[9:52:55 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne over the phone

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Peter Steele, Tom Snyder

Commissioner Watne questioned what the Title III funds can be used for.

Commissioner Watne made a **motion** to adopt Resolution 1856. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

RESOLUTION NO. 1856

WHEREAS, Federal Title III, Section 302(b) allows Flathead County, Montana, to expend a portion of the federal funds received under section 102(d)(1)(B)(ii) or section 103(c)(1)(b)(ii) for purposes including provision of search and rescue and emergency services;

WHEREAS, Federal lands make up a significant portion of Flathead County and provide recreational activities on a year-round basis;

WHEREAS, the nature of those activities, including hunting, hiking, river rafting, skiing, mountain climbing, and boating, and extreme weather conditions, often results in the calling of search and rescue units into duty, putting a strain on the limited Search and Rescue Fund and Sheriff's Fund resources;

WHEREAS, Flathead County desires to expend a portion of the federal funds it receives under section 102(d)(1)(B)(ii) or section 103(c)(1)(b)(ii) for search and rescue and emergency services purposes, in order to provide reliable and effective search and rescue emergency services on federal lands throughout Flathead County; and

WHEREAS, the Board of Commissioners has determined that a public comment period should be established during which the Board will receive and consider public input concerning its desire to expend a portion of the federal funds it receives under section 102(d)(1)(B)(ii) or section 103(c)(1)(b)(ii) for search and rescue and emergency services purposes

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that it intends to budget search and rescue costs within Fund 2902, Title III, in an amount equal to the prior year's search and rescue missions on federal land, and budget for necessary capital outlay purchases based on the department request.

BE IT FURTHER RESOLVED that the budget for fiscal year 2005-2006 is anticipated to be \$27,000 to reimburse for Search and Rescue Missions and \$40,000 Capital outlay for vehicles and diving gear.

BE IT FURTHER RESOLVED that the Board of Commissioners will give the public an opportunity to comment in writing on the proposed expenditure of Title III funds for search and rescue and emergency services purposes and will consider any written comments which are received in the Board's Office between July 19<sup>TH</sup>, 2005 and September 2<sup>ND</sup>, 2005.

Dated this 14<sup>th</sup> day of July, 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 \_\_\_\_\_  
Joseph D. Brenneman, Member

ATTEST:  
Paula Robinson, Clerk

By /s/Kimberly Moser  
Deputy

Commissioner Watne made a **motion** to approve the notice of public comment period and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

NOTICE OF PUBLIC COMMENT PERIOD  
Federal Title III Funds

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it passed Resolution No. 1856 on July 14, 2005, to provide for a public comment period during which the Board will receive and consider written comment on the proposed expenditure of Title III funds for search and rescue and emergency services purposes.

The Board plans to expend a portion of the federal funds it receives under section 102(d)(1)(B)(ii) or section 103(c)(1)(b)(ii) for search and rescue and emergency services purposes, in order to provide reliable and effective search and rescue emergency services on federal lands throughout Flathead County. The Board anticipates budgeting search and rescue costs within Fund 2902, Title III, in an amount equal to the prior year's search and rescue missions on federal land, and budget for necessary capital outlay purchases based on the department request. The budget for fiscal year 2005-2006 is anticipated to be \$27,000 to reimburse for Search and Rescue Missions and \$40,000 Capital outlay for vehicles and diving gear.

The Board of Commissioners will give the public an opportunity to comment in writing on the proposed budgeting of funds received from the federal government for search and rescue and emergency services purposes and will consider any written comments which are received in the Office of the Flathead County Commissioners, 800 South Main, Kalispell, MT 59901, between July 19<sup>TH</sup>, 2005 and September 2<sup>ND</sup>, 2005. Further information is available from the Board of Commissioners, 800 South Main, Kalispell, MT, 59901, telephone 406-758-5503.

DATED this 14<sup>th</sup> day of July, 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 July 19 and July 26, 2005.

**COS REVIEW: JOHNSTON**

[9:57:52 AM](#)

Members present:

Chairman Gary D. Hall  
Commissioner Robert W. Watne over the phone

Members absent:

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence  
Clerk Kimberly Moser, Peggy Goodrich, Brooke Johnston, Rick Breckenridge

Goodrich reviewed the Johnston family transfer request

Commissioner Watne made a **motion** to approve the Johnston COS. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**COS REVIEW: KNAFF**

[10:00:58 AM](#)

Members present:

- Chairman Gary D. Hall
- Commissioner Robert W. Watne over the phone

Members absent:

- Commissioner Joseph D. Brenneman

Others present:

- Assistant Michael Pence
- Clerk Kimberly Moser, Rick Breckenridge, Robert Brown, Jerry Leaming, Kelly Knaff, Joe Kauffman, Bob Blake Jr, Sandy Weeks, Delores Blake, Robert H Blake, Peggy Goodrich

Goodrich reviewed the Knaff family transfer request.

Commissioner Watne made a **motion** to approve the Knaff COS. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**COS REVIEW: BLAKE**

[10:04:55 AM](#)

Members present:

- Chairman Gary D. Hall
- Commissioner Robert W. Watne over the phone

Members absent:

- Commissioner Joseph D. Brenneman

Others present:

- Assistant Michael Pence
- Clerk Kimberly Moser, Robert Brown, Jerry Leaming, Joe Kauffman, Bob Blake Jr, Sandy Weeks, Delores Blake, Robert H Blake, Peggy Goodrich

Goodrich reviewed the Blake family transfer request

Commissioner Watne made a **motion** to approve the Blake COS. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**COS REVIEW: ANDERSON**

[10:08:39 AM](#)

Members present:

- Chairman Gary D. Hall
- Commissioner Robert W. Watne over the phone

Members absent:

- Commissioner Joseph D. Brenneman

Others present:

- Assistant Michael Pence
- Clerk Kimberly Moser, Robert Brown, Jerry Leaming, Dawn Marquardt, Debbie Shoemaker, Joe Kaufman, Peggy Goodrich

Goodrich reviewed the Anderson family transfer request.

Commissioner Watne made a **motion** to approve the Anderson COS. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**COS REVIEW: LEAMING**

[10:11:32 AM](#)

Members present:

- Chairman Gary D. Hall
- Commissioner Robert W. Watne over the phone

Members absent:

- Commissioner Joseph D. Brenneman

Others present:

- Assistant Michael Pence
- Clerk Kimberly Moser, Peggy Goodrich, Robert Brown, Joe Kauffman, Jerry Leaming

Goodrich reviewed the Leaming family transfer request.

Commissioner Watne made a **motion** to approve the Leaming COS. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. Motion carried by quorum.

**11:00 a.m. Long Range Planning Task Force Education & Outreach Committee meeting at the Earl Bennett Building**

**2:00 p.m. AOA Board meeting at the Kalispell Senior Center**

**4:00 p.m. Long Range Planning Task Force meeting at the Earl Bennett Building**

**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 July 15, 2005.

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**FRIDAY, JULY 15, 2005**



The Board of County Commissioner met in continued session at 8:00 o'clock A.M. Chairman Hall, Commissioners Watne and Breneman, 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 July 17, 2005.