
MONDAY, OCTOBER 17, 2005

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

Chairman Hall opened the public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Hall closed the public comment period.

MONTHLY MEETING W/ JIM ATKINSON, AOA

Due to a malfunction there is no audio recording of this meeting.

[9:05:37 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Jim Atkinson

Discussion was held relative to Eagle Transit and the on going strike. The Eagle Transit employees feel they should get a large raise because of the mill levy that was passed to keep Eagle Transit running. Cheryl has told the employees on strike what the budget was and what the money is for and the drivers don't believe them. Cheryl & Jim Atkinson feel they have made a good offer to the employees. They have every right to strike according to their contract. According to Dan Johns they can hire permanent replacements for the drivers now. They have told the drivers they are temporary at this point until further things can be checked out. Jim & Cheryl are working on getting more employees to drive. Cheryl will be going to Helena Thursday and Friday. The new Armory ribbon cutting ceremony is being scheduled by Conrad Burns. Meals program is doing fine.

MONTHLY MEETING W/ KAROLE SOMMERFIELD, 4-H OFFICE

Due to a malfunction there is no audio recording of this meeting.

[9:16:45 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Karole Sommerfield

Discussion was held relative to the building and the stairs that older people have to climb. Shelly went to Bozeman for support training and is doing a great job. Carol was in Miles City with the state leaders last month. Chris Scott from Flathead County was selected from all the leaders state wide for District 1 as the volunteer excellence leader and will be honored locally on Nov 4th for that award. 30 birthday boxes were put together for the Flathead Food Bank by 4-H members and presented to them. Carol is checking into taking a group of 4-H kids to Texas. She hopes to host this summer and travel the following summer.

MEETING W/ LYNN OGLE, OES

Due to a malfunction there is no audio recording of this meeting.

[9:46:26 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Lynn Ogle

Discussion was held relative to an OES Haz Mat cleanup in the Costco parking lot. Storm drains should catch the spills before going into the aqua fur. A resident of Rocky Cliff subdivision had buried fuel tanks and was notified that was illegal. There is \$115,000 available for Flathead County's Communication equipment that needs replaced if allocated by Oct 31. Lynn Ogle feels the OES Department would be ok if there was a disaster in Flathead County. Discussion was held in regards to an interim Director until the position is filled.

CROWN RE: CROWN JEWEL ESTATES

Due to a malfunction there is no audio recording of this meeting.

[10:01:44 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Kirsten Holland, Jeff Harris, Johna Morrison & Joe Matulavich, Schwartz Engineering, Warren McConkey, Trevor McConkey,

Discussion was held relative to Crown Jewel Estates by Johna Morrison with Schwartz Engineering and the questions about the flood plain and the clustering. Total of 40 acres is what is being subdivided. Jeff Harris spoke in regards to the planning board's recommendation of approval 6-2. Warren McConkey is willing to put a deed restriction on the 90 acres that he owns.

Ground water was discussed by Joe Matulavich and the topographic data that he has researched. Water wells were put in, in Feb 05, and they have remained dry. The intent of Warren McConkey is to put in an equestrian center which will be a 2 mile long horse riding track around the property. The homeowners will have an enclosed fence area as well as boarding stables for the horses.

Public comment made by Roy Hutchens a neighbor of Warren McConkey, and also the subdivision Crown Jewel Estates, that he has never seen water on the property. He spoke in regards to 5 acres tracks being too large for homeowners to maintain and explained about all the lots out in Lower Valley that are 5 acres and overgrown with weeds.

Chairman Hall made a **motion** to re-look at the Crown Jewel Estates Subdivision. Commissioner Watne **seconded** the motion. **Aye** – Hall and Watne. **Opposed** – Brenneman. Motion carried by quorum.

BOARD APPOINTMENT: 911 BOARD

Due to a malfunction there is no audio recording of this meeting.

[10:39:26 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile,

Commissioner Brenneman made a **motion to** appoint Diane Smith to the Northern Tier Interoperability Consortium. Commissioner Hall **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

DISCUSSION RE: ACTING OES DIRECTOR

Due to a malfunction there is no audio recording of this meeting.

[10:45:24 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Lynn Ogle, Jonathan Smith

Discussion was held relative to the advertising for a new OES Director and whether they should wait or advertise for the position now. Commissioner Hall wants an OES Director in place. Discussion was held as to appointing Mike Pence as the acting OES Director until the position is filled.

Commissioner Brenneman made a **motion to** appoint Mike Pence as the acting OES Director. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

MEETING W/ JED FISHER, WEED/PARKS/MAINTENANCE

Due to a malfunction there is no audio recording of this meeting.

[10:52:33 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Jed Fisher, Jonathan Smith, Frank Sweeney, Orrin Weber,

Discussion was held relative to a property swap by Foy's Lake Resident, Mr Herron, Flathead County Parks and Recreation Department and the State. Jed Fisher feels there is a safety issue with families crossing the road. They need some appraisals so the Herron's who own the property will have something to look at. They are looking for approval from the Commissioners to get an appraisal on the Herron land. The Herron's are not interested in building on the lake frontage, their main goal is to have a building site in the woods. Jed is looking for directives as to filling out paperwork with the Herron's and the State. Suggestion was made to get the Herron's back in here and continue to pursue the idea of the land swap.

Orin Weber spoke in regards to the Broussards and the access issue thru Herron Park. Committee of Friends of Herron Park was formed and the board denied any kind of land swap at that time. Jed will get this on the agenda again.

MEETING W/ FLATHEAD COUNTY WATER & SEWER DISTRICT

Due to a malfunction there is no audio recording of this meeting.

[11:12:05 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Jonathan Smith, Denise Cofer, Roberta Struck, Jack Fallon, Andy Hyde, Pam Holmquist, B J Lupton, William Astle, Joe Russell, others in attendance.

Discussion was held relative to a Flathead County Water & Sewer District Treatment Plant looking for a treatment site. Jack Fallon spoke in regards to the Water/Sewer District asking the county to transfer 20 acres to them off of Willow Glen Drive and

south of FFA Road. The land is out of the flood plain. With the treatment center located at the lower end of the community, there would be less cost in pumping. Discharge would be pumped into the Stillwater or Flathead. To order to get funding for the feasibility study, they have to own the land. One hundred and twenty five thousand has been budgeted for this.

Commissioner Watne made a **motion** to adopt Resolution #1892. **Aye** – Hall and Watne. **Opposed** – Brenneman. Motion carried by quorum

RESOLUTION NO. 1892

WHEREAS, Flathead County Water & Sewer District No. 1 – Evergreen (“District”) has adopted Resolution No. 2004-04, requesting that the Flathead County Board of Commissioners adopt a resolution to approve the transfer of land located off Willow Glen Drive, to the District for the construction by the District of a sewage treatment plant facility on said parcel of land;

WHEREAS, the District is prepared to utilize its funds to conduct a feasibility study of said parcel of land to determine whether it is suitable for the location of a sewage treatment plant facility thereon; and

WHEREAS, the property owned by the County is not, in its entirety, necessary for the conduct of the County business, and a parcel of approximately 20 acres could be segregated from the property and conveyed to the District with no effect on the conduct of County business.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that, upon agreement as to the boundaries of the parcel and the filing of a survey thereof, Flathead County will commence the process necessary to convey, and if that process concludes successfully, will convey an option to purchase said parcel of approximately 20 acres to Flathead County Water & Sewer District No. 1 – Evergreen, with the express condition that the property can be used by the District only for a sewage treatment plant facility and that the property will be conveyed to the District at such time as funding for the construction of a sewage treatment plant facility is secured and, if such funding is not secured within a ten-year period from the date of the filing of the Option, the Option shall expire and title shall remain in Flathead County.

Dated this 17th day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

By /s/Gary D. Hall
Robert W. Watne, Member

By _____
Joseph D. Brenneman, Member

ATTEST:
Paula Robinson, Clerk

By /s/Diana Kile
Deputy

12:30 p.m. Commissioners Brenneman to attend Flathead Fire Plan Meeting at DNRC & Forest Service at the Forest Service Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 18, 2005.

TUESDAY, OCTOBER 18, 2005

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

Chairman Hall opened the public comment on matters within the Commissions' Jurisdiction, no one present to speak, Chairman Hall closed the public comment period.

MEETING W/ KIRSTEN HOLLAND/PLANNING & ZONING OFFICE RE: ELK PARK ESTATES AND SUBDIVISION NO 254

9:35:54 AM

Members present:
Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Jeff Harris, Eric Mulcahy, David Patera, Bret Birk

Discussion was held relative to Elk Park Estates. Preliminary plat approval was granted August 2003. Kirsten spoke in regards to a condition requiring 20 acres of permanent open space designation. The applicant was requesting that this condition be removed.

Commissioner Watne made a **motion** to strike the condition number 2 that required 20 acres of permanent open space for Elk Park Estates Subdivision. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. **Abstain** – Brenneman. Motion carried by quorum.

Discussion was held relative to a condition on Subdivision 254 requiring 200 feet of the internal subdivision road to be paved. The applicant wishes instead to pave 200 feet of Mountain Brook Road.

Commissioner Watne made a **motion** to change condition 4 to 200 feet of the primary access road be paved instead of 200 feet of internal subdivision road. Commissioner Hall **seconded** the motion. **Aye** – Hall and Watne. **Abstain** – Brenneman. Motion carried by quorum.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: BOLL & PARKER ZONE CHANGE/BIGFORK ZONING DIST.

[9:54:42 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Jeff Harris, Eric Mulcahy

Commissioner Brenneman made a **motion** to adopt Resolution 956BQ. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

RESOLUTION NO. 956 BQ

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, after the publication of legal notice, on the 6th day of September, 2005, concerning a proposal to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-20 (Agricultural) to SAG-5 (Suburban Agricultural);

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Bigfork Area Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 956 BP, dated September 6, 2005) to change the zoning designation in a portion of the Bigfork Area Zoning District from AG-20 (Agricultural) to SAG-5 (Suburban Agricultural) and;

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on September 10 and September 14, 2005, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Bigfork Area Zoning District to change the zoning designation for the area described on Exhibit "A" hereto, from AG-20 (Agricultural) to SAG-5 (Suburban Agricultural), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 18th day of October, 2005.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By/s/Kimberly Moser

Deputy

BOLL/ PARKER
REQUEST FOR ZONE CHANGE FROM AG-20 TO SAG-5
STAFF REPORT #FZC-05-13

Location and Legal Description of Property:

The property proposed for rezoning is located just east of MT Highway 35 on Parker Lakes Road. The property can be described as Assessor's Tracts 3 and 3D in Section 12, Township 27 North, Range 20 West P.M.M., Flathead County.

CONSIDERATION OF ADOPTION OF FINAL RESOLUTION: MCMANUS ZONE CHANGE

[9:56:41 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:
Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Watne made a **motion** to adopt Resolution 797DN. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

RESOLUTION NO. 797 DN

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following publication of legal notice, on the on the 6th day of September, 2005, to consider a proposal to change the zoning designation on property in the Evergreen and Vicinity Zoning District from R-1 (Suburban Residential) to I-1 (Light Industrial);

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Flathead County Planning Board regarding the proposed change in the Evergreen and Vicinity Zoning District;

WHEREAS, based upon that recommendation and the public testimony, the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205, M.C.A., adopted a resolution of intention (Resolution No. 797 DM, dated September 6, 2005) to change the zoning designation from R-1 (Suburban Residential) to I-1 (Light Industrial); and

WHEREAS, notice of passage of that Resolution was published once a week for two weeks, on September 10 and September 17, 2005, and the Board of Commissioners did not receive written protests to the change from forty per cent (40%) of the freeholders.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 76-2-205(6), M.C.A., hereby amends the Evergreen and Vicinity Zoning District to change the zoning designation, for the area described on Exhibit "A" hereto, from R-1 (Suburban Residential) to I-1 (Light Industrial), as those terms are used and defined in the Flathead County Zoning Regulations, located in Permanent File No. 93270 13500, in the Flathead County Clerk and Recorder's Office.

DATED this 18th day of October, 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

ATTEST:
Paula Robinson, Clerk

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

By/s/Kimberly Moser

Deputy

MCMANUS ZONE CHANGE
REQUEST FOR ZONE CHANGE FROM R-1 to I-1
STAFF REPORT #FZC-05-14

Location and Legal Description of Property:

These properties are on the south side of East Reserve Drive approximately one-quarter mile east of LaSalle Road generally on the southeast corner of East Reserve Drive and Ash Road. The properties proposed for rezoning are addressed as 563 Ash Road. The properties can be described as Assessor's Tracts 1K and 1L located in Section 33, Township 29 North, Range 21 West, P.M. M., Flathead County, Montana.

DOCUMENT FOR SIGNATURE: MOTOR VEHICLE RECYCLING & DISPOSAL PROGRAM REPORTS/SOLID WASTE DIST.

[9:59:02 AM](#)

Members present:
Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman
Others present:
Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the Motor Vehicle Recycling & Disposal Program Reports. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: LSC TRANSPORTATION CONSULTANTS CONTRACT

[10:00:02 AM](#)

Members present:
Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman
Others present:
Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the LSC Transportation Consultants Contract and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

QUARTERLY MEETING W/ JIM DUPONT, SHERIFF

[10:01:27 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jim Dupont

Discussion was held relative to MIP Laws, the Juvenile Task Force, the fee charged by Solid Waste for trailers for delinquent tax payers, jail population, the status of the current jail and the plans for the expansion, the current wages for detention officers, funding for jail facilities, and Jim Dupont submitted his resignation from the Northern Tier.

CONSIDERATION OF PRINTING BIDS: SHERIFFS OFFICE AND LIBRARY

[10:33:37 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve, for the sheriffs office, the bid submitted by American Printing in the amount of \$65.81 for 5,000 Court slip, the bid submitted by Great Northern Printing in the amount of \$240.77 for 5,000 Partner Assault Forms, and the bid submitted by Northstar Printing in the amount of \$148.00 for 5,000 Voluntary Statements and \$119.00 for 10,000 Inmate Request Forms. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

Commissioner Watne made a **motion** to approve, for the Library, the bid submitted by Great Northern Printing in the amount of \$29.95 for 500 business cards. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

Commissioner Watne made a **motion** to approve, for the Sheriffs Department, the bid submitted by Kalispell Copy Center in the amount of \$37.00 for 6,000 Visitor Information tablets, and the bid submitted by Insty Prints in the amount of \$148.00 for 10 sets of 500 business cards. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

TAKE ACTION: SUN RISE RIDGE, PHASE V

[10:40:07 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

The commissioners read into the minutes that Sun Rise Ridge Phase V preliminary plat has died for lack of action.

FINAL PLAT: HIGGINS HILLS 2

[10:44:46 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Eric Giles, Ardis Larsen, Marilyn Noonan

Giles reviewed the application submitted by Larsen Engineering & Surveying for final plat approval of Higgins Hills 2, a five-lot residential subdivision. This subdivision is located off of Middle Road Directly across From Deer Park Elementary School. Preliminary plat approval was granted on September 21, 2004 subject to 14 conditions. All conditions have been met. Staff recommends approval.

Commissioner Watne made a **motion** to approve the final plat of Higgins Hills 2 Subdivision. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

FINAL PLAT: STAGE ROAD RIVER ESTATES II

[10:49:58 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Eric Giles

Giles reviewed the application submitted by Marquardt & Marquardt Surveying for final plat approval of Stage Road River Estates Phase II, a three-lot residential subdivision. This subdivision is located west of Columbia Falls Stage Road just north of Trapp Road. Preliminary plat approval was granted on June 22, 2005 subject to 12 conditions. All conditions have been met. Staff recommends approval.

Commissioner Watne made a **motion** to approve the final plat of Stage Road River Estates Phase II. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

FINAL PLAT: BLAINE CREEK ESTATES

[10:52:12 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Eric Giles, Rick Breckenridge

Giles reviewed the application submitted by Rick Breckenridge for final plat approval of Blaine Creek Estates, a five-lot residential subdivision. This subdivision is located in the Lake Blaine area off Mennonite Church Road. Preliminary plat approval was granted on June 22, 2005, subject to 19 conditions. All conditions have been met or otherwise addressed. Staff recommends approval.

Commissioner Watne made a **motion** to approve the final plat of Blaine Creek Estates. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

PRELIMINARY PLAT: HARBOR VILLAGE AT EAGLE BEND, PHASE 2BA

[11:35:18 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Jerry Nix, Jim Berry, Dan Manning

Holland reviewed the application submitted by Rocky Mountain Recreational Communities, LLC for preliminary plat approval of Harbor Village at Eagle Bend Phase 2BA Subdivision, a minor subdivision that will create five residential lots. The subdivision is proposed on 2.010 acres and will be served by the Bigfork Water and Sewer District. The property is located on Holt Drive in the Eagle Bend area of Bigfork. The property is zoned RC-1 in the Bigfork Zoning District. There are 14 conditions of approval.

Discussion was held relative to defining a condition stating that the applicant will dedicate a fifteen foot bike path easement within the 20 foot no access easement.

Commissioner Watne made a **motion** to adopt Staff Report FSR-05-58 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve the preliminary plat of Harbor Village at Eagle Bend, Phase 2BA with 15 amended conditions. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

CONDITIONS

1. The private, internal subdivision road will consist of a 60-foot right-of-way, minimum 20-foot paved driving surface, and a 55-foot radius cul-de-sac in compliance with Section 3.9 of the Flathead County Subdivision Regulations and shall be designed and certified by a licensed, professional engineer. [Section 3.9, Flathead County Subdivision Regulations]
2. The applicant shall receive physical addresses and road names in accordance with Flathead County Resolution #1626. The addresses and road names shall appear on the final plat. [Section 3.9(I)(7), FCSR]
3. A road identification sign and stop sign shall be installed at the intersection of the internal subdivision road and Holt Drive. [Section 3.9(I)(8), FCSR]
4. The applicant will obtain and show proof of a completed approach permit from the Flathead County Road Department for access onto Holt Drive, indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR]
5. Lot owners within the subdivision will participate in a Road User's Agreement or Property Owners Association for the internal subdivision road, which will require each property owner to bear his or her pro-rata share for maintenance of the private road. [Section 3.9(J)(3), FCSR]
6. New electrical and telephone utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Sections 3.17 & 3.18, FCSR]
7. The applicant will provide a "will-serve" letter from the Bigfork Water and Sewer District for service to the proposed lots. All water, septic, and storm water drainage systems will be approved by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 3.14(A) and 3.15(A), FCSR]
8. The applicant will comply with reasonable fire suppression and access requirements of the Bigfork Volunteer Fire Department. A letter from the fire chief stating requirements have been met shall be submitted with the application for Final Plat. [Section 3.20, FCSR]

9. All areas disturbed during development of the subdivision will be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [7-22-2116 MCA and Section 3.12(J), FCSR]
10. If required by the local postmaster, the developer shall provide a common mailbox facility in accordance with the Flathead County Subdivision Regulations. [Section 3.22, FCSR]
11. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All addresses will be visible from the road, and at the driveway entrance or on the house.
 - b. All utilities will be extended underground.
 - c. The property owners association or road users' agreement will govern maintenance of the internal subdivision road. The road will be maintained, including necessary repairs and snow removal to ensure safe all-weather travel for two-way traffic.
 - d. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - e.

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.

12. 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 applicant prior to final approval by the County Commissioners. [Chapter 8, FCSR]
13. 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]
14. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]
15. *The applicant shall dedicate a 15-foot bicycle/pedestrian easement within the 20-foot no access strip on Holt Drive.*

7:00 a.m. Commissioner Hall Economic Development meeting @ Back Room/Nite Owl
2:00 p.m. Commissioner Brenneman NAMI meeting @ The Summit
4:00 p.m. Commissioner Hall Capital Campaign Committee meeting @ Grouse Mountain

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

WEDNESDAY, OCTOBER 19, 2005

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

9:15 a.m. RSVP meeting @ Windward Place
11:00 a.m. County Attorney meeting @ Co. Atty's Office
11:30 a.m. Long Range Planning Task Force Education & Outreach Committee meeting @ Earl Bennett Building
12:00 p.m. Commissioner Brenneman DUI Task Force meeting @ The Summit
2:00 p.m. Commissioner Brenneman View Road Abandonment #439 w/ Jim Burton

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 20th, 2005.

THURSDAY, OCTOBER 20, 2005

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

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

Al Tronstad spoke with the commissioners on a new road named Tronstad Drive. This road is in a newly developed subdivision and he was never spoken with about naming the road with his last name. He has spoken with the developers about the road naming and has not come about with any solutions. The commissioners stated that they would look into what they might be able to do.

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

QUARTERLY MEETING W/ RICHARD STOCKDALE, ANIMAL CONTROL

8:33:03 AM

Members present:

Chairman Gary D. Hall

Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Richard Stockdale

Discussion was held relative to the job description for animal control officers which requires that employees work weekends and holidays, all employees are now up to date and licensed and current inspection have been done, the fair booth update, field activity statistics for July, August, and September, the situation in regards to a dog that has been in custody since April, and the reorganization of the Humane Society which allows them to work more with Animal Control.

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

[8:51:51 AM](#)

Members present:
Chairman Gary D. Hall [8:59:44 AM](#) Chairman Hall exits
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Jed Fisher

Discussion was held relative to the developed and undeveloped parkland in Flathead County, Jed presented the commissioners with a map of the parkland owned by the Commissioners, he also stated that when the unused parkland is sold he wants to make sure that money does come back to the parks department to be used for updating current parks, Jed Fisher stated all of the concerns that there are with the current parks.

Discussion was also held relative to the Herron Park land transfer issue. Commissioner Watne explained what the property owner is interested in trading. Jed Fisher explained the needs for the Herron Park area.

Discussion was also held relative to the Evergreen Sewer District Property.

Discussion continued with the process required to sell the unused parkland areas, board member opening, the attempt to acquire the parks on the sides of the courthouse and the current maintenance of the parks.

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[9:19:47 AM](#)

Members present:
Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman
Members absent:
Chairman Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell, Tammy Skromovsky, Robin Boon, Jed Fisher, Richard Stockdale,

Discussion was held relative to personnel transaction for the month of September, the Health Insurance Trust Fund Balance, recordable incidents by department for the month of September, and the Mechanic job description for Solid Waste.

Commissioner Brenneman made a **motion** to approve the personnel transaction for the month of September and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTAL FORM: MECHANIC / SOLID WASTE DISTRICT

[9:23:59 AM](#)

Members present:
Commissioner Robert W. Watne PT
Commissioner Joseph D. Brenneman
Members absent:
Chairman Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell

Commissioner Brenneman made a **motion** to approve the HR Transmittal form for the Solid Waste District Mechanic. Commissioner Watne **seconded** the motion. **Aye** - Watne, and Brenneman. Motion carried by quorum.

WORKERS' COMP SESSION W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[9:32:21 AM](#)

Members present:
Chairman Gary D. Hall [9:37:45 AM](#) Chairman Hall seated
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell, Jonathan Smith, Tammy Skromovsky, Robin Boon, Rick Burkhalter

Discussion was held relative to the proposals that have been made to the county on workers comp coverage, Raeann Campbell presented the commissioners with a spreadsheet of the highlights of the different proposals. Mike Pence and Raeann Campbell reviewed the pros and cons of each of the proposals. Robin Boon reviewed the benefits of Liberty Mutual. Rick Burkhalter

reviewed the pros and cons of the Liberty Mutual proposal. Robin Boon reviewed the State Fund proposal. The commissioners decided to get together again next week to make a decision.

FINAL PLAT: HARBOR VILLAGE AT EAGLE BEND, PHASE 2B

[10:19:01 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Jonathan Smith, Rick Swan, Dan Manning

Holland reviewed the application submitted by Rocky Mountain Recreational Communities for final plat approval of The Harbor Village at Eagle Bend Phase 2B Subdivision, which will convert 40 proposed town home lots into 44 single family residential lots. The subdivision is located in the Harbor Village Subdivision area near Eagle Bend Golf Course. The subject property is approximately 2 road miles west of the Bigfork Village. Preliminary plat approval was granted on February 3, 2005, subject to 18 conditions. All conditions have been met or otherwise addressed.

Commissioner Watne made a **motion** to approve the Subdivision Improvement Agreement for Harbor Village at Eagle Bend, Phase 2B referencing conditions #4, #11, #13, #14, #16, and #18. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

Commissioner Watne made a **motion** to approve the final plat Harbor Village at Eagle Bend, Phase 2B. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

CONSIDERATION OF RELEASE OF COLLATERAL: COLUMBIA MOUNTAIN VIEW LOTS, UNIT 2

[10:30:26 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the release of collateral for Columbia Mountain View Lots, Unit 2. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

CONSIDERATION OF RELEASE OF COLLATERAL: STILLWATER SCENIC DRIVE NO. 2

[10:30:49 AM](#)

Members present:

Commissioner Robert Watne
Chairman Gary Hall
Commissioner Joseph Brenneman

Others present:

Assistant Mike Pence
Clerk Kimberly Moser

Commissioner Watne made a **motion** to approve the release of collateral for Stillwater Scenic Drive No. 2. Commissioner Brenneman **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

CONSIDERATION OF EXTENSION: CROWN JEWEL ESTATES

[10:31:05 AM](#)

Members present:

Commissioner Robert Watne
Chairman Gary Hall
Commissioner Joseph Brenneman

Others present:

Assistant Mike Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the 60 day extension request for Crown Jewel Estates. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: INTERLOCAL AGREEMENT / CITY OF KALISPELL & COUNTY PLANNING & ZONING OFFICE

[10:31:17 AM](#)

Members present:

Chairman Gary D. Hall
Commissioner Robert W. Watne
Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to approve the interlocal agreement between the City of Kalispell and the County Planning & Zoning Office. Commissioner Watne **seconded** the motion. **Aye** - Hall, Watne, and Brenneman. Motion carried unanimously.

9:30 a.m. Commissioner Hall to attend KOFI Talk

2:00 p.m. Commissioners Hall and Watne to attend Health Board meeting @ Earl Bennett Building

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 21, 2005.

FRIDAY, OCTOBER 21, 2005

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

No meetings scheduled.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 24, 2005.