
MONDAY, MARCH 6, 2006

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

12:00 p.m. Commissioner Brenneman to attend Mosquito Board meeting at the Environmental Health Conference Room

1:00 p.m. Commissioner Brenneman to attend a meeting w/ Jim Oliverson / KRMC & Leslie Nieman at Pathways re: Detox Center

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 7, 2006.

TUESDAY, MARCH 7, 2006

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

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

Bob Smith spoke as a homeowner in Harbor Village. He stated that there was a group of people that were concerned about this subdivision. He stated that an original notice that was sent out had fictitious addresses, and that the plat map was different at the board of adjustment meeting and planning board meeting than what was being discussed. He then spoke on some of the other reasons that they felt that the Harbor Village subdivision coming up today should be denied including, the letters in opposition that did not get sent on from the Bigfork Land Use Advisory Committee, the fact that the applicant had complete control of the lot size, shape and topography, and the community area for a Common Park that was promised in the covenants.

Shirleen Weese stated that she had been sending the commissioner faxes over the past few weeks. She stated that it all boils down to the number of lots that have been actually developed on this land and her attempts at finding out what the county shows as the exact number of lots that have been developed. She then stated that TD&H had submitted a letter that listed 165 lots as of August of 2004 but since that time a lot more development has happened. She asked that if the commissioners did not find that, with the information that they have received today, to deny the subdivision, than she would like them to table the decision until more research can be done.

Bob Smith stated that if they approved the numbers that have been submitted than the applicant would be at 1.2 units per acre.

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

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[9:58:11 AM](#)

Members present:

Chairman Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell

Discussion was held relative to the months past HR transmittals that did not have to be previously approved by the commissioners, the three work comp recordable incidents at this time, the Allegiance account balance that is currently over 1 million dollars, the current benefit utilizations that have gone up, and an equal opportunity agreement that had been created for the sheriffs department. Raeann than discussed that changes that liberty mutual has recommended for the high risk departments including drug and alcohol testing for law enforcement.

FINAL PLAT: MORNING GLORY VIEW ESTATES, LOT 1

[10:37:09 AM](#)

Members present:

Chairman Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Rebecca Shaw, Debbie Shoemaker, Jeff Harris, DJ Walker, Phil Neuharth

Shaw reviewed the application submitted by Philip G Neuharth Jr for final plat approval of the Amended Lot 1 Morning Glory View Estates Subdivision, a subdivision creating one residential lot. The subdivision is located off Morning View Drive, .25 miles north of Highway 2 and .5 miles west of West Valley Drive. Preliminary plat approval was granted on November 1, 2005 subject to 10 conditions. All conditions have been met.

Commissioner Brenneman made a **motion** to approve the final plat of the Amended Plat of Lot 1 Morning Glory View Estates Subdivision. Commissioner Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

FINAL PLAT: OSPREY BUSINESS PARK

[10:38:24 AM](#)

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

Shaw reviewed the application submitted by Janice H Schnell Family Q-Tip Trust for final plat approval of Osprey Business Park, which will create four commercial lots. The site is located off US Highway 2, just south of Jellison Lane. Preliminary plat approval was granted on March 29, 2004, subject to 16 conditions. All conditions have been met.

Commissioner Brenneman made a **motion** to approve the final plat of Osprey Business Park. Commissioner Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

FINAL PLAT: SUBDIVISION NO. 257

[10:39:21 AM](#)
Members present:
Chairman Robert W. Watne
Commissioner Joseph D. Brenneman
Members absent:
Commissioner Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser

Shaw reviewed the application submitted by Glen A Thomas for final plat approval of Subdivision #257, a subdivision creating one residential lot. The proposed subdivision lot is located on the west side of Farm to Market Road, south of the intersection of Farm to Market and Tally Lake Road. Preliminary plat approval was granted on August 15, 2005, subject to 11 conditions. All conditions have been met.

Commissioner Watne made a **motion** to approve the final plat of Subdivision #257. Commissioner Brenneman **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

PRELIMINARY PLAT: HARBOR VILLAGE AT EAGLE BEND, PHASE 5

[11:04:58 AM](#)
Members present:
Chairman Robert W. Watne
Commissioner Joseph D. Brenneman
Members absent:
Commissioner Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Jeff Harris, Shirleen Weese, Bob Smith, Paula Smith, DJ Walker, Phil Neuharth, Dan Manning, James Berry, Bryan Long, Clarice Ryan

Holland reviewed the application submitted by Rocky Mountain Recreational Communities, LLC for preliminary plat approval of Harbor Village at Eagle Bend Phase 5 Subdivision a major subdivision that will create 36 residential townhouse lots in the Bigfork RC-1 Zoning designation. There are 15 attached conditions. Staff recommends approval.

Commissioner Brenneman questioned the mail that was sent to the surrounding property owners, and the variances that were approved by the Board of Adjustment.

Holland reviewed the mailing that had gone out to the adjoining property owners.

Commissioner Brenneman than stated that he gets the impression that they do not know how many lots are actually down in that area. He stated that he did not believe that they could approve this at this time.

Jeff Harris stated that they could deny the subdivision based on density which would allow a thorough check of the density. He also stated that they could table this until the issue could be resolved.

James Berry stated that the opponents are debating the issue of the number of lots that the covenants allow and not the number of lots that the county approved in the first place.

Holland stated that they would like to complete this as soon as possible, but time is needed to determine the number of lots in the Eagle Bend/Harbor Village area.

Commissioner made a **motion** to adopt Staff Report FPP-05-81 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to deny the application unless a letter is received by the applicants, with no time line, extending the deadline so that the density issue can be reviewed. Commissioner Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF LAKESHORE PERMITS: MONTANA DEPT. OF FISH & GAME (2)

[11:59:17 AM](#)
Members present:
Chairman Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:
Commissioner Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, George Smith

Smith reviewed the lakeshore permit application for Echo Lake, submitted by Montana Department of Fish & Game to install a concrete boat ramp to State standards for public lake access and use. The total length of the concrete boat ramp shall be one hundred forty feet long by sixteen feet wide. Ramp may be extended to reach a depth of three and one-half feet. The ramp will be bounded by grade level riprap as wave mediation and over-run protection. There are 22 attached conditions.

Commissioner Brenneman made a **motion** to approve Lakeshore Permit FLP-06-06 subject to 22 conditions and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

Smith reviewed the lakeshore permit application for Lake Five submitted by Montana Department of Fish and Game to install a concrete boat ramp to State standards for public lake access and use. The total length of the concrete boat ramp shall be fifty feet long by sixteen feet wide. Ramp may be extended to reach depth of three and one-half feet. The ramp will be bounded by grade level riprap as wave mediation and over-run protection. There are 22 attached conditions.

Commissioner Brenneman made a **motion** to approve Lakeshore Permit #FLP-06-07 and authorize the chairman to sign. Commissioner Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF LEAVE REQUEST

[11:46:59 AM](#)
Members present:
Chairman Robert W. Watne
Commissioner Joseph D. Brenneman
Members absent:
Commissioner Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell, Vicki Gallo, Norm Calvert

Raeann Campbell reviewed the request from a plat room employee to use their sick leave to care for a sick family member.

Commissioner Brenneman made a **motion** to continue this decision until there are three commissioners present. Commissioner Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTAL FORM: MICROCOMPUTER SUPPORT SPECIALIST

[11:55:03 AM](#)
Members present:
Chairman Robert W. Watne
Commissioner Joseph D. Brenneman
Members absent:
Commissioner Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell, Norm Calvert

Commissioner Brenneman made a **motion** to rescind the previous decision made on February 1st of approving the specialist grade 3 position and replace it with the grade 12 transmittal form. Commissioner Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

10:15 a.m. Personnel matter
1:00 p.m. Commissioner Brenneman to attend Tour of County Museum with Bruce Ruby
1:15 p.m. 911 meeting at the Justice Center
3:00 p.m. Commissioner Brenneman to attend FBEC meeting at Blake Hall, FVCC

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 8, 2006.

WEDNESDAY, MARCH 8, 2006

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

9:00 a.m. Commissioner Brenneman to attend Teletch meeting at Teletch
11:00 a.m. County Attorney meeting at the County Attorney's Office
11:30 a.m. Long Range Planning Task Force Affordable Housing Committee meeting at the Earl Bennett Building
12:30 p.m. Commissioner Brenneman to attend Local Advisory Council for Mental Health meeting at The Summit
1:30 p.m. Commissioner Brenneman to attend OES Planning meeting at the OES Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 9, 2006.

THURSDAY, MARCH 9, 2006

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

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

Clara LaChappelle spoke with the commissioners in regards to the Riverdale Subdivision. She stated that her greatest concern is the property where Gary Krueger has his property. She spoke on her concern with having Gary Krueger on the West Valley Land Use Advisory Board. She asked the commissioners to step up to the plate and put people on the board who have an interest in the valley and not these large landowners. She stated that the Tutvedt gravel pit is going to the Supreme Court and she hopes that they will do the right thing and not allow it. She then stated that she was glad that the decision at the planning board had been tabled for at least sixty days.

Commissioner Brenneman questioned Clara LaChappelle if she had read the By-Laws of the West Valley Land Use Advisory Committee.

Clara stated that she believes that the commissioners should be able to do something to help them. She then spoke more on the plans for Gary Krueger's gravel pit proposal.

Shirleen Weese spoke with the commissioners in regards to the Harbor village at Eagle Bend Phase 5. She reviewed the questions that had arisen in regards to the mailings that had been sent out to the surrounding land owners. She presented the commissioners with a time line of notices and what those notices included. She stated that the planning board had been extremely cooperative and approachable. She spoke on the Board of Adjustments meeting where everyone was shown for the first time the changed plat.

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

MONTHLY MEETING W/ JEFF HARRIS, PLANNING & ZONING OFFICE

[9:08:55 AM](#)

Members present:

Chairman Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jeff Harris, Clara LaChappelle, Shirleen Weese, Kirsten Holland

Discussion was held relative to the large crowd at the most recent planning board meeting and the possibility of using the fairgrounds building for large meetings in the future. Jeff Harris spoke on the planning board's decision to table the Riverdale Subdivision for sixty days to give the public an opportunity to review the plans, and the planning staff's plans to have some public workshops. He then spoke on the upcoming requests including the Cooper Farms Master Plan Amendment. Jeff then presented the commissioners with a layout for bike trail projects for the CTEP committee, and that the Somers bike path coming in over bid.

Discussion was then held relative to the departmental business. He stated that they have been concerned about having the time to work on the growth policy. He then reviewed the progress of the subdivision regulations rewrite. Commissioner Brenneman questioned Jeff about the notice process that had been done for the Harbor Village subdivision.

COS REVIEW: DUVAL

[9:31:19 AM](#)

Members present:

Chairman Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Joe Kauffman, Mitzi Duval

Holland reviewed the Duval family transfer request.

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

BOARD APPOINTMENTS: SOLID WASTE DISTRICT, COUNTY MUSEUM, RSVP

[9:35:57 AM](#)

Members present:

Chairman Robert W. Watne
Commissioner Joseph D. Brenneman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Brenneman made a **motion** to appoint Helen Quimby, Brad Hanson, Joe Duckett, and Susie Marino to the Flathead County Museum Board. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to appoint Bill Shaw to the Solid Waste District Board. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to appoint Linda Crandall to the RSVP board. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: EMPLOYMENT CONTRACT / J. OGLE

[9:57:14 AM](#)

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

Commissioner Brenneman made a **motion** to approve the employment contract for Justin Ogle. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

MONTHLY MEETING W/ RICK TREMBATH, FIRE WARDEN

[9:57:30 AM](#)

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

Discussion was held relative to Rick Trembaths work with DNRC on burning permits including the DNRC idea of getting rid of their burning permit center and having it a web based center. Rick Trembath than discussed a national emphases to involve more local government in NIMS. Rick also spoke on a recent conference that he attended, and a restrictions and closures meeting. He then spoke on training that Jesse Best with DNRC is doing and the different agencies that he has worked with, and on a Flathead County exercise that is scheduled for April. He continued by speaking more on the mutual aid agreements that they are working on. He then brought attention to the commissioner to an already existing mutual aid agreement that only had the cities and fire districts signatures that is currently not being followed. He also spoke on the 911 concerns that have recently been brought forward.

MEETING W/ JOE RUSSELL & NAN ASKEW RE: TMDL & SEWER RELATED ISSUES

[10:31:30 AM](#)

Members present:
Chairman Robert W. Watne
Commissioner Joseph D. Brenneman
Members absent:
Commissioner Gary D. Hall
Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Joe Russell, Nan Askew, Turner Askew, Dennis Hester

Discussion was held relative to the Total Maximum Daily Load (TMDL) that can be put in Flathead Lake without degradation. The board of health has petitioned that commissioners to address some of the issues that the TMDL does not deal with. Joe Russell explained that TMDL process.

Commissioners Brenneman and Watne agreed that a stakeholders group should be formed to review the TMDL requirements.

- 9:45 a.m. Personnel Matter**
- 2:00 p.m. AOA Board meeting at the Kalispell Senior Center**
- 2:30 p.m. Long Range Planning Task Force Sewer, Water & Storm Drainage Committee meeting at the Commissioners Meeting Room**
- 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 March 10, 2006.

FRIDAY, MARCH 10, 2006

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Watne, Commissioners Hall 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 March 13, 2006.