
MONDAY, APRIL 3, 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,

[9:05:56 AM](#)

Tracy Gardner spoke in regards to property that he has in Wapiti Acres. He is trying to subdivide it into five acre pieces. He requested the commissioners to look at the possibility of granting an easement to him through a county park to access his property in return for him cleaning up the county park. He reviewed the plans he has for updating the park. He stated that he had spoken with Jed Fisher who indicated that they were interested, but that the subdivision home owners association is not interested.

Rick Breckenridge stated that they had some good cooperation with the Weed and Parks department in the past. He stated that he did feel that there is a bigger interest in this besides just the Wapiti Acres homeowners group.

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

MEETING W/ EXECUTIVE RISK MANAGEMENT COMMITTEE

[9:21:12 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Robin Boon, Raeann Campbell, Dottie Hanson, Dave Prunty

Discussion was held relative to the retro memo that was submitted. Raeann reviewed how they would like to disburse the retro fund. Discussion was held relative to if the funds would be disbursed individually or by department, and how that money would be disbursed if it was on a bonus basis.

Discussion was then held relative to the early return to work program, and how the early return employee should be paid.

Commissioner Brenneman made a **motion** to approve the early return to work concept. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the safety program endorsement and statement and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the retro fund disbursement plan and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

PUBLIC HEARING: TAX INCENTIVE / SCHAFER

[10:01:15 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jonathan Smith

Chairman Watne opened the public hearing to anyone wishing to speak in favor or opposition.

No one present to speak Chairman Watne closed the public hearing.

Commissioner Hall made a **motion** to adopt Resolution 1927. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

RESOLUTION NO. 1927

WHEREAS, the Board of Commissioners of Flathead County, Montana, passed Resolution No. 475 on April 8, 1983, and Resolution No. 475A on February 21, 1984, allowing tax benefits to remodeling, reconstruction or expansion of existing structures in Flathead County;

WHEREAS, Ronald G. and Judith A. Schafer, of Columbia Falls, Montana, have applied for the tax benefits with regard to the remodeling and expansion of their building located at 706 Nucleus Avenue, Columbia Falls;

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing under the provisions of section 15-24-1501, M.C.A., on the 3rd day of April, 2006, concerning the request for tax benefits filed by Ronald G. and Judith A. Schafer; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, having reviewed the application of Ronald G. and Judith A. Schafer and the testimony presented at the public hearing, has concluded that the application for tax reduction benefits meets the requirements of the applicable statutes and resolutions.

NOW, THEREFORE, BE IT RESOLVED that the remodeling and expansion of the building at 706 Nucleus Avenue, Columbia Falls, Montana, shall be granted the tax benefits set forth in Resolution Nos. 475 and 475A and Section 15-24-1501, M.C.A., and the added value will be taxed at twenty percent of its taxable value in the first year after construction, forty percent of its taxable value in the second first year after construction, sixty percent of its taxable value in the third year after construction, eighty percent of its taxable value in the fourth year after construction, and one hundred percent of its taxable value in the fifth year after construction and thereafter.

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(Continued)**

DATED this 3rd day of April, 2006.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser
Deputy

2ND READING OF SPEED LIMIT ORDINANCE NO. 7: VALLEY DRIVE

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

Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Jonathan Smith

Commissioner Brenneman made a **motion** to approve the amended ordinance No. 7 and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

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:

10th Avenue WN for its entire length.

11th Avenue WN for its entire length.

12th Street EN for its entire length.

12th Avenue WN for its entire length.

13th Street W (behind JW Church) for its entire length.

13th Street EN for its entire length.

14th Street EN for its entire length.

15th Street E for its entire length.

15th Street EN for its entire length.

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

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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 2nd 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.

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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.

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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 1st 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.
Hartt 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.

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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.

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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.

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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 13th 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.

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Plummers Lake Drive for its entire length.
Ponderosa Drive for its entire length.
Poplar Drive for its entire length.
Possum 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 Foys 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.

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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 6th 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 for its entire length.

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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 3Rd Street for its entire length.

West 4th Street for its entire length.

West 7th 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:

4th 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.

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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.

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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.

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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.

**MONDAY, APRIL 3, 2006
(Continued)**

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.

**MONDAY, APRIL 3, 2006
(Continued)**

Olney 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.

**MONDAY, APRIL 3, 2006
(Continued)**

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.

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.

**MONDAY, APRIL 3, 2006
(Continued)**

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

MONDAY, APRIL 3, 2006
(Continued)

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 3rd day of April, 2006.

**MONDAY, APRIL 3, 2006
(Continued)**

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

ATTEST:
Paula Robinson, Clerk

By /s/Robert W. Watne
Robert W. Watne, 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
18. Amended April 3, 2006

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT AMENDMENT #06-7-5-21-008-09

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

Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Jonathan Smith

Commissioner Brenneman made a **motion** to approve DPHHS Contract Amendment #06-7-5-21-008-09 and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

PUBLIC HEARING: TAX INCENTIVE / BACKROOM-NITE OWL

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

Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Jonathan Smith

Chairman Watne opened the public hearing to anyone wishing to speak in favor or opposition

No one present to speak Chairman Watne closed the public hearing.

Commissioner Hall made a **motion** to adopt Resolution 1928. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

RESOLUTION NO. 1928

WHEREAS, the Board of Commissioners of Flathead County, Montana, passed Resolution No. 475 on April 8, 1983, and Resolution No. 475A on February 21, 1984, allowing tax benefits to remodeling, reconstruction or expansion of existing structures in Flathead County;

WHEREAS, JJS, LLC (Back Room Restaurant, Inc.), of Columbia Falls, Montana, has applied for the tax benefits with regard to the remodeling and expansion of their building located 522 Ninth Street West, Columbia Falls;

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing under the provisions of section 15-24-1501, M.C.A., on the 3rd day of April, 2006, concerning the request for tax benefits filed by JJS, LLC (Back Room Restaurant, Inc.); and

WHEREAS, the Board of Commissioners of Flathead County, Montana, having reviewed the application of JJS, LLC (Back Room Restaurant Inc.), and the testimony presented at the public hearing, has concluded that the application for tax reduction benefits meets the requirements of the applicable statutes and resolutions.

NOW, THEREFORE, BE IT RESOLVED that the remodeling and expansion of the Back Room Restaurant, Inc., located on 522 Ninth Street West, Columbia Falls, Montana, shall be granted the tax benefits set forth in Resolution Nos. 475 and 475A and Section 15-24-1501, M.C.A., and the added value will be taxed at twenty percent of its taxable value in the first year after construction, forty percent of its taxable value in the second first year after construction, sixty percent of its taxable value in the third year after construction, eighty percent of its taxable value in the fourth year after construction, and one hundred percent of its taxable value in the fifth year after construction and thereafter.

**MONDAY, APRIL 3, 2006
(Continued)**

DATED this 3rd day of April, 2006.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By /s/ Kimberly Moser
Deputy

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

COMPENSATION BOARD APPOINTMENT: ADELE KRANTZ, TREASURER

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

Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Adele Krantz, Paula Robinson, Jim Dupont

Commissioner Hall made a **motion** to appoint Adele Krantz to the compensation board. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

MEETING W/ COMPENSATION BOARD

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

Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Jim Dupont, Adele Krantz, Paula Robinson, Jonathan Smith, Raeann Campbell

Discussion was held relative to the elected official salaries. Raeann Campbell reviewed the comparison survey of Flathead County compared to other counties of similar size.

FINAL PLAT: HARBOR VILLAGE AT EAGLE BEND NO. 9

[11:35:46 AM](#)

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

Others present:
Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Shirleen Weese, Bob Smith, Dan Manning, Jim Berry, Mike Fraser

Holland reviewed the application submitted by Thomas, Dean & Hoskins for Harbor Village No. 9, an Amended Plat of Lots 7A through 15B and Common Areas A and B of Harbor Village at Eagle Bend Phase 4B. The amended final plat reduces 18 townhouse lots to 10 townhouse lots with a .544 acre increase in common area to facilitate the placement of 59 feet of sanitary sewer line. Phase 4B received final plat approval on October 6, 2004. The property is located in the Eagle Bend area of Bigfork. Preliminary plat approval was granted on October 6, 2004 for Harbor village at Eagle Bend Phase 4B. This amendment of a filed final plat conforms to all the previous conditions imposed and met with Phase 4B.

Commissioner Brenneman made a **motion** to approve the final plat of Harbor Village at Eagle Bend No. 9 an amended final plat. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

MEETING W/ DENNIS BEE RE: MONEGAN ROAD

This meeting was not held.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 4, 2006.

TUESDAY, APRIL 4, 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 in regards to Phase Five of the Harbor Village development. He presented the commissioners with a letter. He spoke in regards slip owners, the use of the marina, density, and games being played between their development and Eagle Bend. He stated that Rocky Mountain Recreation Owns Eagle Bend Yacht Harbor and Harbor Village. He then stated that one of the issues in the original approval was the right to use the marina with conditions that living aboard overnight accommodations on the boats would eliminate the use by them of twenty four building rights, with the reasoning being that the use of the slip includes showers, thirty amp hookup for power, water availability, and a dump station. He stated that a boat could be considered a residence under federal definition if it has a galley, sleeping quarters, and a bathroom and that all of the boats over twenty five feet have that. He again stated that in the initial approval they put a condition that if they were going to use it for overnight use they could not also count it for other residential uses. He then stated that from the beginning living was aboard was provided for in the rules and regulations and clearly was available, and they allowed people to live full time all boating season long on their boats for almost all of the time from when the docks were originally built in 1993 or 1994 until 2005. He stated that in 2005 there was a regular meeting that was moved up to February 8th, 2005 because Tim Mahoney, who was the marina director and the president of Rocky Mountain Recreational Communities, came to town. He then stated that at that meeting the first item that they discussed was people living aboard their boat and he expressed concern with one individual who was living full time on the boat and moved that live a board's not be allowed and that motion passed. He continued by saying that in the minutes it was agreed that a letter would go out to the individual involved because people were seeing it as just that one individual and that is how Mr. Mahoney presented it but he did not point out that he was leasing that slip to that individual and all he had to do was not lease it to him. He then stated that at the April meeting they were given drafts of the new rules and regulations and they said just that live a board's were not allowed and he was concerned that it could be construed to mean that people could not sleep overnight on their boats, as people regularly did, so it was amended at the April meeting to add in a phrase that living aboard could be construed as a long term residence rather than casual usage. He stated that this came up at their last monthly meeting on March 15 and he proposed that they clarify that language again and make clear that overnight use was allowed because of this claim by harbor village that it is not allowed. He also stated that Dan Manning had stated that he had never made that claim and he can not imagine why anybody would of think that and there was no reason to amend it. He stated that a motion was put on the table and is up for their final action at their April 19th meeting and he expects it to pass and they will probably just put it back to the way that it was. He then stated that they had sold one hundred and eighty four of their one hundred and eighty five slips to people who believed that they had the right to twenty four hour usage and that they had that in effect because they had the building rights to go with it. He stated that those slip have a value at today's market of over 11 million dollars and people have said that if that right is taken away all of these people are going to look at going elsewhere and that could result in a decrease of value. He then spoke on the resources that are available that make these slips so valuable.

Mr. Smith then spoke in regards to a second issue he had, which is that they want to count density units that are freed up when someone buys a lot and combines it. He stated that that has happened to nine lots so far within Harbor Village with another in the process. He then spoke on the two lots that Shirleen Weese and her husband bought and were told by Harbor Village that they might be able to pay them for the building right if they wanted to sell it to them but no payment was ever made and no written agreement to that affect, but now Rocky Mountain Recreation has stated that the rights that were freed up now belong to them and they do not believe that is true, and that Shirleen Weese paid for that. He then stated that some of the houses combined the lots but still have not built anything on them so they could decide that they want to go the other way or their house could burn down and they want to strip it and sell the two lots and move somewhere else. He stated that if they give it to Rocky Mountain Recreational Communities than they have taken away something from them and in given it to them in affect for free.

He stated that their last issue is that in the covenants for Lakepointe it states that Rocky Mountain Recreation retain to themselves the right to amend the plat or any amended plat to the properties known as Lakepointe so long as such amendments do not change the boundary of a lot no longer owned by the declarant. He explained this by saying that right now when you buy a lot from them is says that you have a lot at Lakepointe at Harbor Village and they want to come in and be able to change that. He stated that the rumor is going around that they want to say that part of this is not in Lakepointe but in Eagle Bend and are basing that on two letters that were sent out by Mike Fraser that talk about the general concept of the Eagle Bend Recreational community, which includes Eagle Bend, Eagle Bend North and Harbor Village or Eagle Bend west, in which he described the general community, and a letter from Forest Sanderson in which he thanks him for the information and acknowledges receipt. He asked the commissioners to read the letter closely because they are saying that because Mr. Sanderson mentioned that there was a total of one hundred and sixty five density units that those are now available to harbor Village to use however they wish. He then went on to explain why he did not agree with this concept or the number of lots that they are now planning for.

Commissioner Brenneman asked if when the boats come in to the slip to stay overnight if they actually hook up to sewer

Bob Smith stated that they use a dump station just like with an RV or mobile home park but that there is a water outlet and 30 amp electric to each slip. He also stated that there eleven slips that are thirty nine feet or longer, thirty slips that are between thirty five and thirty nine feet which can handle boats with living accommodations.

Commissioner Hall stated that from his understanding the covenants allow for overnight guests.

Bob Smith stated that yes the rules and regulations and the covenants that they are attached to allow and have had all but this year people living full season on their boats. He also presented the commissioners a copy of the regulations and stated that when they sold lots they told people that if they bought land at Lake point you got the right to buy a slip from them and that the regulations that he was giving them are the regulations that they gave to purchasers in 2003 that states that overnight use was allowed. He again stated that they would be taking action on a motion that is on the table to add in including overnight weekend and overnight usage but there was some debate that and whether they needed to say it since it was already covered it, but since Harbor Village sent a letter stating that overnight use is not allowed they need to get that clarified.

Commissioner Brenneman asked if they provided shower facility's there.

Bob Smith stated that there are six shower rooms, a laundry, freezer and refrigerator as well as the club house with all kinds of facilities and now are getting satellite television and internet hookups.

TUESDAY, APRIL 4, 2006
(Continued)

Shirleen Weese spoke in regards to the Harbor Village At Eagle Bend Phase V preliminary plat. She stated that in the commissioners journal of September 3, 1996 it is stated when they were doing the preliminary plat of Eagle Bend West Stratton asked about the Eagle Bend west Boat slips as a residential overnight stay and it was stated that they could live within the policy number five as written which is the option of documenting that there are no over night stays. She continued by stating that it also stated that if they allow limited overnight stays they would take that acreage out of the over all density calculation and that they felt this was an equitable way to proceed. She then addressed the letters that had been submitted between Mr. Fraser and Mr. Sanderson.

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

QUARTERLY MEETING W/ MARCIA SHEFFELS, SUPT OF SCHOOLS

[9:22:51 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Marcia Sheffels

Discussion was held relative to the office financials, training, paper orders, bus routes, and meetings having been attended. Discussion was also held relative to the duties of the Superintendent of Schools. They then discussed the current testing going on in the schools.

BI-MONTHLY MEETING W/ NORM CALVERT, I.T.

[9:28:52 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Norm Calvert

Discussion was held relative to the staffing rework, the Unisys server being ready to be shut down, the recent Creston auction, the auctioning of used computers, and the recent E911 change.

PUBLIC HEARING: ROAD ABANDONMENT #444 (PORTION RAMSFIELD ROAD)

[9:36:45 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, George Darrow, Marstinel Murray

Chairman Watne opened the public hearing to anyone wishing to speak in favor or opposition.

George Darrow spoke in opposition of the road abandonment #444.

Discussion was held relative to the location of the requested Road Abandonment.

Mr. Darrow and Mr. Murray stated that they were mistaken as to where the request was for and withdrew their opposition.

No one else rising to speak Chairman Watne closed the public hearing.

Commissioner Hall made a **motion** to approve Road Abandonment #444 subject to the conditions on the viewers report. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

PUBLIC HEARING: ROAD ABANDONMENT #445 (PORTION NORTH HILLTOP ROAD)

[9:44:15 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Chuck Rody, Paul McKenzie, Linda Hewitt Connors, John Eisinger, Ken Snyder, Theresa Bilger-Habeger, Richard Habeger

Chairman Watne opened the public hearing to anyone wishing to speak in favor or opposition.

Linda Hewitt Connors spoke as a representative of Flathead Electric. She stated that Pacificorp purchased the property in 1980 which was then purchased by Flathead Electric in 1998. She stated that the county road was never built and did not show up on

**TUESDAY, APRIL 4, 2006
(Continued)**

any surveys until Lone Juniper Lane was surveyed. She stated that Flathead electric had not received any correspondence from abutting landowners and the board of viewers recommended approval.

Chuck Roady spoke as a representative of Stoltze Land and Lumber. He stated that they do not formally oppose the abandonment but oppose abandoning access through there. He stated that Stoltz suggested that Flathead Electric work with Birky to continue the easement around the Flathead Electric substation.

Discussion was held relative to the equipment that is currently on the roadway, and to the substation and where it provides power.

Linda Hewitt Conners asked if the county would be willing to grant an easement within the roadway for a limited amount of time to give Flathead Electric time to come up with a plan to move the substation.

No one else rising to speak Chairman Watne closed the public hearing.

Commissioner Hall made a **motion** to continue until May 2 at 10:30. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[10:07:31 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell

Discussion was held relative to workcomp recordables for this year, the early return to work program and the plans to have a class for the department heads, claims paid and account balance on the trust fund, the Summit wellness program, March personell actions that needed to be approved, and the upcoming benefits fair.

Commissioner Brenneman made a **motion** to approve the March personnel actions. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

PUBLIC HEARING: ROAD ABANDONMENT #447 (PORTION GARLAND LANE)

[10:15:31 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Liz Marchi

Chairman Watne opened the public hearing to anyone wishing to speak in favor or opposition.

Liz Marchi spoke in favor of the Road Abandonment. She stated that Mr. Farris is in Mexico and asked her to be here today.

No one else rising to speak Chairman Watne closed the public hearing.

Commissioner Brenneman made a **motion** to approve Road Abandonment #447 subject to the conditions listed on the viewers report. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

MEETING W/ JED FISHER / MAINTENANCE RE: DISCUSSION OF ROOF BID

[10:18:11 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jed Fisher

Discussion was held relative to the recent call for bids for the courthouse roof. Jed Fisher stated that all three bids that came in all came over budget. He also stated that there is money left from the savings of the Justice Center Roof that could go towards the cost but they would still be 7000 dollars short. He then reviewed additional unexpected costs. He recommended holding off until July and re bid at that time to give time to plan financially.

Commissioner Hall made a **motion** to reject all bids and go out for re bid in July. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

11:00 a.m. Personnel Interview
1:15 p.m. 911 meeting at the Justice Center

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

WEDNESDAY, APRIL 5, 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.

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

Bob Smith spoke in regards to the Harbor Village at Eagle Bend, Phase 5 preliminary plat application. He spoke on a staff recommendation that aggregated lots can not be counted and yet in the numbers they use they do count them. He reviewed the number of lots that he has calculated. He then reviewed problems he had with the marina. He reviewed the staff notes that indicate that living aboard is not allowed, and stated that an amendment was made that living aboard shall be construed as long term residence rather than casual usage.

Shirleen Weese addressed an item on the memo that they received yesterday afternoon. She stated that it said that the 1996 policy is unenforceable. She stated that the master plan refers to policy number five that any overnight accommodation would be considered residential use. She stated that just because lot lines are resurveyed does not mean that zoning lines have been changed.

Charles Gough stated that he had bought a lot and boat slip and reviewed the paperwork that was given to him at that time. He reviewed number five on the Rules and Regulations that stated that overnight use shall be considered residential rather than casual use. He also reviewed the rule that any residential use of a boat slip shall be removed from the total number of lots available.

Mike Fraser spoke on behalf of Rocky Mountain Recreational Community. He reviewed the history of the area. He also reviewed the letter that had been submitted to the planning department reviewing the number of lots that had been used and the number of lots that should still be available. He stated that he does believe that they have adequate density and asked for approval of the requested preliminary plat. He reviewed the issues that have been brought up in regards to policy number 5. He stated that he did believe that Kirsten's memo is sound and that they can agree with the facts.

Commissioner Brenneman questioned if the total number of lots included the twenty five residential uses for the slip area.

Paul Sandry spoke on behalf of Rocky Mountain Recreational Communities. He reviewed a memo in response to Kirsten Holland's memo. He reviewed the one issue in regards to the density of the marina. He stated that in the zoning regulation density is defined as a dwelling used for human usage. He asked the commissioners to not consider the Marina usage towards the density.

Dan Manning spoke as the general manager of Harbor Village. He asked the commissioners to approve the application for Phase V. He stated that they do not particularly agree with everything in Kirsten's memo but based on that memo they are asking for the Phase V to be approved since the letter shows they do have the density for it. He stated that the Harbor Village board of directors has voiced support.

Charles Gough stated that the whole board has agreed that they will not take a position on this project.

Dan Manning stated that he could bring in the minutes for the board that show Vince Rasmussen's support.

Shirleen Weese stated that she could see where if there were twenty four boat docks that were occasional usage she could see that, but this has one hundred and eighty one slips and it should be reasonable to give it a residential value.

Bob Smith stated that the government stated that a boat could be considered a residence if it meets certain requirements.

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

Commissioner Hall questioned number five in the rules and regulations.

Bob Smith reviewed the history of the Rules and Regulations.

Dan Manning reviewed the meeting minutes for when the current language for rule number five was implemented.

CONTINUATION OF PRELIMINARY PLAT: HARBOR VILLAGE AT EAGLE BEND, PHASE 5

9:15:57 AM

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Kirsten Holland, Jeff Harris, Bob Smith, Paula Smith, Charles Gough, Jim Berry, Dan Manning, Bryan Long, Paul Sandry, Shirleen Weese, Bob Kimball, Mike Fraser, Kirsten Holland, Jeff Harris, Karl Redbach, Ken Taylor, Dennis Hester

Kirsten Holland reviewed the past density conversations that have been held. She stated that it is her opinion that these one hundred sixty five units is not available exclusively for use by Harbor Village. She then reviewed the 1996 conceptual plan for Marina Usage. She stated that in RC1 zoning the numbers of acres must equal the number of lots. She stated that a boat is not a platted lot, and there is no reasonable way to calculate it. She then reviewed the math. She stated that Harbor Village has two hundred sixty two acres and so they have Two hundred and sixty two lots available. She reviewed all of the two hundred and twenty two lots that have been approved. She also stated that they do not agree that when a land owner buys an adjoining lot that does not add another lots to be used, but that if they aggregated the lot it does go back to Harbor Village not to the landowner. She stated that there are forty three remaining lots available if you count the aggregated lot theory.

WEDNESDAY, APRIL 5, 2006
(Continued)

Commissioner Watne stated that if this were approved than there would only be six or seven more lots available.

Commissioner Brenneman questioned the letter submitted by Mike Fraser on the number of lots that he stated were available for development.

Commissioner Hall stated that based on staff presentation he does not have a problem with this.

Kirsten Holland did recommend approving the 43 lots being available for development and to amend the staff report to state that it includes staff memo dated April 4, 2006.

Commissioner Brenneman stated that he believed that they should allow for some residential units for the slip area.

Discussion was held relative to the usage of the slip area, and to if any conversations had been held between the applicants and the people opposing the development.

Commissioner Hall made a **motion** to amend the staff report by amending the summary of finding number four that the most recent staff memo dated April 4, 2006 referencing the number of available lots is attached. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. **Opposed** - Brenneman. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the preliminary plat of Harbor Village at Eagle Bend, Phase 5. Commissioner Watne **seconded** the motion. **Aye** – Watne and Hall. **Opposed** - Brenneman. Motion carried by quorum.

Kirsten Holland requested that the developer show the density calculations and refer to the request by all of its names when applying for future developments.

CONDITIONS

1. The private, internal subdivision road designated as "Common Area/Easement" on the preliminary plat will consist of a 60-foot right-of-way, minimum 20-foot paved driving surface, and a 55-foot radius cul-de-sac and shall be designed and certified by a licensed, professional engineer. [Section 3.9, FCSR]
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. 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]
4. 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]
5. The applicant will provide a "will-serve" letter for 36 lots 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]
6. The applicant will comply with reasonable fire suppression and access requirements, including cul-de-sac design, 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]
7. 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, Section 3.12(J), FCSR]
8. 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]
9. The applicant will permanently dedicate Common Area 8 (Existing Lot 16A of Harbor Village Phase 3), as indicated on the preliminary plat to fulfill the parkland dedication requirement. [Section 3.19, FCSR]
10. The subdivider will have the floodplain boundaries surveyed and the 100-year floodplain shall be clearly delineated on the face of the final plat and designated as a no-build zone. [Section 3.4 and 3.5, 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.

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(Continued)**

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 ensure that security and exterior lighting be directed downward and designed to have no impact on adjoining properties. "Dark Sky" principles shall be incorporated for each housing unit. [Flathead County Planning Board recommendation, 2/8/06]

CONSIDERATION OF ADOPTION OF RESOLUTION: ORDINANCE NO. 3-SCHEDULE OF FEES / ANIMAL CONTROL

9:52:39 AM

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Dennis Hester, Richard Stockdale

Richard Stockdale reviewed the reasons for the request to raise fees.

Commissioner Hall made a **motion** to adopt Resolution 1303A. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

RESOLUTION NO. 1303A

WHEREAS, the fees charged by Flathead County Animal Control were adopted on December 14, 1989 and were last amended on November 25, 1997, by the adoption of Resolution No. 1303;

WHEREAS, Flathead County Animal Control is implementing a spay and neuter program whereby all dogs and cats adopted through the Flathead County Animal Shelter will be spayed and/or neutered prior to adoption;

WHEREAS, the spay and neuter program will be of benefit to the persons adopting dogs and cats, to the dog and cat population and to the citizens and taxpayers of Flathead County;

WHEREAS, the spay and neuter program will incur certain veterinary and administrative expenses which should be offset by the adoption fees of the Animal Shelter;

WHEREAS, the costs for impounding and caring for impounded dogs and cats has increased since the last fee amendment;

WHEREAS, the costs for impounding and caring for impounded dogs and cats should be borne by the pet owner and not the taxpayer;

WHEREAS, the State of Montana has imposed certification fees and requirements which have raised the costs of euthenizing animals; and

WHEREAS, the Board of Commissioners has determined that the fee schedule for the spay and neuter program, euthanasia and the costs for impounding and caring for impounded dogs and cats should be amended.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, Montana, that the Schedule of Fees for the Flathead Animal Control Program and Flathead Animal Shelter is amended as set forth in the Schedule of Fees attached.

BE IT FURTHER RESOLVED that the changes set forth herein shall take effect immediately upon the passage of this Resolution.

Dated this 5th day of April, 2006.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

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

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

ATTEST:
Paula Robinson, Clerk

By /s/Kimberly Moser

Deputy

**WEDNESDAY, APRIL 5, 2006
(Continued)**

SCHEDULE OF FEES

| | | |
|---------------|--------------------------------|---------|
| License Fees. | | |
| | Spayed or Neutered | \$ 5.00 |
| | Unaltered | \$10.00 |
| | Transfer Fee | \$ 1.00 |
| | Duplicate Tag Fee | \$ 1.00 |
| | Annual Kennel Registration Fee | \$50.00 |

| | | |
|-----------------|---|------------------------------|
| Impoundment Fee | Licensed | Unlicensed |
| First Offense | \$ 20.00 | \$ 40.00 |
| Non-Neutered | \$ 40.00 | \$ 60.00 |
| Repeat Offense* | Double (\$40 or \$80) | Double (\$80.00 or \$120.00) |
| | *During same calendar year | |
| | <u>After-hours (5pm to 7am) impound - double the impound fee.</u> | |

Daily Boarding Fee \$10.00 per day

| | | |
|---------------|------|----------|
| Adoption Fees | | |
| | Dogs | \$ 65.00 |
| | Cats | \$ 45.00 |

Euthanasia Fee \$ 20.00

Fines:

| | | |
|------------------------|---|-----------|
| Dogs Running at Large: | | |
| | First Offense | \$ 35.00 |
| | Second Offense | \$100.00 |
| | Third and Subsequent Offense | \$250.00* |
| | *Personal Appearance before Justice of the Peace | |

| | | |
|-------------|---|-----------|
| No License: | | |
| | First Offense | \$ 35.00 |
| | Second Offense | \$100.00 |
| | Third and Subsequent Offense | \$250.00* |
| | *Personal Appearance before Justice of the Peace | |

No Rabies Vaccination \$ 20.00

Dogs in Heat \$ 35.00

FEES ADOPTED: December 14, 1989
FEES AMENDED: January 14, 1990
FEES AMENDED BY RESOLUTION: November 25, 1997
FEES AMENDED BY RESOLUTION: April 5, 2006

DOCUMENT FOR SIGNATURE: APPENDIX A AMENDMENT / ALLEGIANCE

[9:57:48 AM](#)

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

Commissioner Brenneman made a **motion** to approve the appendix A amendment for Allegiance and authorize the chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

WEDNESDAY, APRIL 5, 2006
(Continued)

DOCUMENT FOR SIGNATURE: CONSTRUCTION BID / LAKESIDE-SOMERS BIKE PATH

[9:58:43 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Rebecca Shaw

Commissioner Brenneman made a **motion** to approve the notice of award and contract for JTL for construction of the Lakeside-Somers Bike Path. Commissioner **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve the amended engineering contract. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

CONSIDERATION OF VACATION EXTENSION: J. KRUCKENBERG

[10:02:16 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Hall made a **motion** to approve the vacation extension request for J. Kruckenberg. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: CONTRACT ADDENDUM / DIGITAL COMMUNICATIONS SYSTEM

[10:03:00 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Commissioner Hall made a **motion** to approve the contract addendum for the Digital Communications System and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

MEETING W/ JIM BERANEK RE: PLEASANT HILL ROAD

[10:05:54 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, WM Thielen, Jim Beranek, Gary Bolliger

Discussion was held relative to the need for repair on Pleasant Hill Road. It was stated that an SID had already paid for these roads and they would not be willing to pay for an additional SID. Mike Pence stated that road does need an overlay to prevent losing the road, but that it has been explained that there is a lot of need out there and subdivisions are lower on the priority list.

The commissioner agreed that they would need to speak with Charlie Johnson and take this under advisement during the budget process. Jim Beranek requested that Commissioner Watne go out and view the road.

CONSIDERATION OF HR TRANSMITTAL FORMS: PLANNER I / PLANNING & ZONING OFFICE; DIRECTOR / SOLID WASTE DISTRICT; BUS DRIVER / EAGLE TRANSIT; OA II / EAGLE TRANSIT; E-911 COORDINATOR / E-911 CENTER

[10:13:43 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Raeann Campbell, Jeff Harris, Cheryl Talley, Jim Atkinson

Raeann Campbell reviewed the Planning department HR Transmittal requests, recommending approval of the Planner III to Planner I and the Planner tech to a Planner one, and denial of the request to make the data entry position a permanent full time position. Jeff Harris stated that in terms of budget they could make the position permanent.

**WEDNESDAY, APRIL 5, 2006
(Continued)**

Commissioner Hall made a **motion** to approve restructuring of the Planning dept. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve addition of the new FTE position for the planning dept. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve the Eagle Transit HR Transmittal forms. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the changes to the job description for the Solid Waste Director position and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve the opening of the new E911 Coordinator position to be funded from the telephone tax funding controlled by the E911 Board and the job classification. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

FINAL PLAT; ESTHER SUBDIVISION

10:33:45 AM

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Nicole Lopez-Stickney, Ginger Kauffman, Ken Kauffman, Dan Kauffman

Lopez-Stickney reviewed the application submitted by Paul & Esther Kauffman with technical assistance from Big Sky Surveying for final plat approval of Esther Subdivision, a subdivision creating 3 residential lots. This subdivision is located at the intersection of Creston Hatchery Road and Bachelor Grade, approximately 2 miles east of Montana highway 35. Preliminary plat approval was granted on May 3, 2005 subject to 13 conditions. All conditions have been met or otherwise addressed. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Subdivision Improvement Agreement for the approaches and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

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

CONSIDERATION OF LAKESHORE PERMIT: AVERILL

10:37:51 AM

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser

Smith reviewed the Lakeshore construction permit application submitted by Dan Averill to excavate accumulated washed-in gravel from an existing boat slip. After the removal, the materials will be evenly deposited in the soured-out areas of the shoreline on property. All work will be done during low pool, and no motorized equipment will enter the lake during removal and re-application operations. This permit may be renewed for one additional year upon notification of the department and payment of the permit fee. There are 21 attached conditions.

Commissioner Hall made a **motion** to approve Lakeshore Permit Application #FLP-06-12 subject to 21 conditions. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

11:00 a.m. County Attorney's meeting at the County Attorney's Office

11:30 a.m. Long Range Planning Task Force Education & Outreach Committee meeting at Earl Bennett Building.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 6, 2006.

THURSDAY, APRIL 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.

Commissioner Brenneman to attend Northern Tier Interoperability meeting in Havre

8:30 a.m. AOA TAB at Eagle Transit

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

FRIDAY, APRIL 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.

**Commissioner Hall to attend National Forest Counties & Schools Coalition Conference in Sparks. NV
10:00 a.m. Commissioners Watne and Brenneman to attend Health Board & Mosquito Board meeting at Earl
Bennett Building**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on April 10, 2006.