
MONDAY, JULY 31, 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 PT opened the public comment on matters within the Commissions' Jurisdiction,
[8:53:47 AM](#)

Sandy Penrod spoke in regards to the status of the county meeting the grant match for the period ending May 2006. She stated that they did not get the number of referrals that they were expecting. She then stated that she had been trying to speak with Judge Ortleby in regards to that issue. She also informed the commissioners that she would be on the agenda later this week to ask the commissioners to sign off on a grant. She then stated that she felt that the financial obligation of ten dollars a month is not a justifiable reason to not have the offenders referred to their department. She then spoke in regards to further applications that she intends to submit to the Board of Crime Control for further funds.

Janet Cahill addressed the same issue that Sandy Penrod did. She stated that she is the one that submits the budget information on grant applications. She spoke in regards to the additional grant requirement that will be required from the county.

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

CONSIDERATION OF RFQ: TRANSPORTATION PLANNING SERVICES

[9:09:03 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jeff Harris, Jim Burton, Doug Miller.

Jeff Harris reviewed the three responses that had been received from WGM Group, Stelling, and Peccia. He stated that they would like to begin contract negotiations with Peccia.

Commissioner Brenneman made a **motion** to approve the county proceeding with contract negotiations with Peccia and if that fails negotiate with Stelling. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

PRELIMINARY PLAT: ALPINE INDUSTRIAL PARK SUBDIVISION, PHASE 2

[9:16:51 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jeff Harris, Traci Sears-Tull, Jeff Raper, Doug Miller, Jim Burton

Sears-Tull reviewed the application submitted by Douglas M & Donna C Miller for preliminary plat approval of Alpine Industrial Park, Phase 2 Subdivision, a major subdivision that will create 13 residential lots. The subdivision is proposed on 27.716 acres and will be served by individual water & septic systems. The subdivision is located off of US Highway 93 north of Kalispell Industrial Center, and is unzoned. Staff recommends approval. She stated that the Shawn at the City of Kalispell noted that this area might be considered for annexation in the not to distant future. Traci Sears-Tull asked that they add to the end of condition one that the road will be to ASHTO standards.

Commissioner Hall made a **motion** to adopt Staff Report FPP-06-18 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Jim Burton questioned conditions, including the multi user condition. He asked how many wells this allows and stated that they one well that could supply four of the lots and individual for the rest. He then spoke in regards to the condition 6.

Traci Sears-Tull stated that the planning board did not specify the number of wells that they wanted. In regards to condition 19 she stated that they originally wanted the road abandoned and then understood that would not happen and therefore added this condition. She stated that it is hard to ask this subdivision to incur the entire cost of the road when the existing subdivisions in the area are already utilizing the road.

Commissioner Brenneman stated that the condition just states that they applicant will make the attempt.

Discussion was held relative to the wells that will be needed. The applicant stated that four of the lots that have been sold do not want water.

Commissioner Hall made a **motion** to approve the preliminary plat of Alpine Industrial Park Subdivision, Phase 2 as amended. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

MONDAY, JULY 31, 2006
(Continued)

CONDITIONS

1. The private, internal subdivision roads shall consist of a 60-foot right-of-way, minimum 24-foot paved driving surface, and 55-foot radius cul-de-sacs and be designed to an acceptable standard for industrial truck traffic and certified by a licensed, professional engineer for compliance with AASHTO standards. [Section 3.9, Flathead County Subdivision Regulations]
2. The applicant shall receive physical addresses and road names in accordance with Flathead County Resolution #1626. All road names will appear on the final plat. Street addressing will be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
3. A road identification sign and stop sign will be installed at the intersections of the internal subdivision roads and the intersections of US Highway 93 and Industrial Court. [Section 3.9(I)(8), FCSR]
4. The applicant is subject to all requirements of the Montana Department of Transportation, including a completed approach permit for access onto US Highway 93, indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR and Agency Comment]
5. The applicant is subject to all requirements of Flathead County Road Department including a completed approach permit for access from Industrial Court. [Section 3.8(A), FCSR and Agency Comment]
6. Lot owners within the subdivision shall participate in a Road Users Agreement or Property Owners Association for the internal subdivision road, which shall require each property owner to bear his or her pro-rata share for maintenance of the private road to include chip sealing, overlay and snow plowing. [Section 3.9(J)(3), FCSR]
7. 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]
8. The proposed multi-user wells and septic systems for the subdivision shall be reviewed 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]
9. The applicant must submit a Storm Water Drainage Plan that is certified by a licensed Professional Engineer that shall need to be approved and reviewed by the Flathead County City-County Environmental Health Department and the Montana Department of Environmental Quality. [Section 3.12.A]
10. The applicant shall comply with reasonable fire suppression and access requirements of the Somers Rural Fire District. A letter from the fire chief stating that an agreement has been made shall be submitted with the application for Final Plat. [Section 3.20, FCSR & Agency Comment]
11. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [7-22-2116 MCA and Section 3.12(J), FCSR]
12. The developer shall provide a common mailbox facility in accordance with the Flathead County Subdivision Regulations. [Section 3.22, FCSR]
13. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All addresses shall be visible from the road, and at the driveway entrance or on the house.
 - b. All utilities shall be placed underground.
 - c. Lot owners are notified they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
 - d. The property owners association or road users agreement shall govern maintenance of the internal subdivision roads. The roads shall be maintained, including necessary repairs, snow removal, and dust mitigation, to ensure safe all-weather travel for two-way traffic and to reduce negative impacts on air quality.
 - e. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - f. This subdivision is located in an agricultural area and potential nuisances such as noise, dust, odors, and irregular hours of operation are commonplace. As such, the right to farm on adjoining properties shall not be restricted as a result of the development or occupancy of this subdivision.
 - h.

Waiver of Protest
Participation in Special Improvement District
[per County Resolution 503-M]
- _____ (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.
14. Internal roads shall have crowning and ditches designed to direct water to the road side ditches. [Applicant Comment]
15. The vegetation in the proposed drainage ditch shall be maintained and there will be no change in the swale geometry which could lead to a flow obstruction in the drainage ditch. [Applicant Comment]
16. 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]
17. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]
18. Lot owners within the subdivision shall attempt to enter into a Road User Agreement or Property Owners Association for the existing county road, Industrial Drive which is within the Kalispell Industrial Center, which will require each property owner to bear his or her pro-rata share for maintenance of the existing road to include chip seal, overlay and snow plowing.
19. The developer shall install a multi-user water system.

MONDAY, JULY 31, 2006
(Continued)

PUBLIC HEARING: TURNER ZONE CHANGE / WESTSIDE ZONING DISTRICT

9:34:51 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, Erica Wirtala, Hubert Turner, Jim Burton, Jeff Raper

Lopez-Stickney reviewed Staff Report FZC-06-02.

Hunbert Turner stated that they do not have any for sure plans at this time on what they are going to do with the property.

Erica Wirtala stated that they had brought this in as a two prong application process that included an amendment that would allow mini storage in a SAG 5 zone. She also stated that Hubert Turner does currently live on the property.

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

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

Commissioner Brenneman questioned the West Valley Land Use Advisory Committee's motion to approve the application.

Nicole Lopez-Stickney reviewed the meeting that was held with the West Valley Land Use Advisory Committee meeting. She stated that she felt that they were not prepared to make the decision.

Erica Wirtala explained that there was some confusion as to the jurisdiction of the West Valley Land Use Advisory Committee on this area. She also stated that they had thought it should be zoned at a much higher density.

Commissioner Hall made a **motion** to adopt Resolution 678AR. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

RESOLUTION NO. 678 AR

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 31st day of July, 2006, concerning a proposal by Wayne Turner to change the zoning designation in a portion of the West Side Zoning District from AG-80 (Agricultural) to SAG-5 (Suburban Agricultural);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on July 18 and July 25, 2006;

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

WHEREAS, the Board of Commissioners reviewed the recommendation of the Kalispell City-County Planning Board regarding the proposed change in the West Side Zoning District.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning designation on property located in the West Side Zoning District from AG-80 (Agricultural) to SAG-5 (Suburban Agricultural), that area being described on Exhibit A hereto.

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

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

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

DATED this 31st day of July, 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

**MONDAY, JULY 31, 2006
(Continued)**

**WAYNE E. TURNER
ZONE CHANGE FROM AG-80 TO SAG-5
STAFF REPORT #FZC-06-02
June 14, 2006**

B. Location and Legal Description of Property:

The property is located on Stillwater Road, to the north of West Reserve Drive, and contains 16 acres. The property can legally be described as Tract 2A in Section 26, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana, or as follows:

Parcel "B"

A tract of land in the SE ¼ NE ¼ of Section 26, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana, described as follows:

Commencing at the east quarter corner of said Section 26; thence
N00°15'34"W 30.00 feet along the east boundary of the NE ¼ of said
Section 26 to a point on the north right-of-way of a 60 foot deeded county road known as Stillwater Road; thence S89°52'00"W 206.27 feet
along said right-of-way to the TRUE POINT OF BEGINNING of the tract of land herein described: thence continuing S89°52'00"W
1117.68 feet along said right-of-way to a point on the west boundary of the SE ¼ NE ¼ of said Section 26, thence N00°05'54"W 632.99 feet
along said west boundary, thence N89°50'29"E 1115.90 feet; thence S00°1.5'34"E 633.48 feet to the point of beginning containing 16.235
acres more or less, being subject to and
together with all appurtenant easements as shown and of record. (Parcel 'B' of Certificate of Survey No.14346)

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

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 678 AR on July 31, 2006, to change the zoning designation in a portion of the West Side Zoning District from AG-80 (Agricultural) to SAG-5 (Suburban Agricultural).

The boundaries of the area proposed to be amended from AG-80 to SAG-5 are set forth on Exhibit A hereto.

The proposed change would generally change the character of the zoning regulations applicable to the property from a district intended to protect and preserve agricultural land for the performance of a wide range of agricultural functions and to control the scattered intrusion of uses not compatible with an agricultural environment, including but not limited to residential development, to a district intended to protect and preserve agricultural land for the performance of smaller agricultural functions and to provide a buffer between urban and unlimited agricultural uses, encouraging concentration of such uses in areas where potential friction of uses will be minimized, and to provide areas for estate-type residential development. The AG-80 classification has a minimum lot size of 80 acres; a change to SAG-5 would result in a minimum lot size of 5 acres.

The regulations defining the AG-80 and SAG-5 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, Kalispell, Montana, in Permanent File No. 93270 13500.

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

DATED this 31st day of July, 2006.

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

Publish on August 3 and August 10, 2006.

**WAYNE E. TURNER
ZONE CHANGE FROM AG-80 TO SAG-5
STAFF REPORT #FZC-06-02
June 14, 2006**

C. Location and Legal Description of Property:

The property is located on Stillwater Road, to the north of West Reserve Drive, and contains 16 acres. The property can legally be described as Tract 2A in Section 26, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana, or as follows:

Parcel "B"

A tract of land in the SE ¼ NE ¼ of Section 26, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana, described as follows:

Commencing at the east quarter corner of said Section 26; thence
N00°15'34"W 30.00 feet along the east boundary of the NE ¼ of said
Section 26 to a point on the north right-of-way of a 60 foot deeded county road known as Stillwater Road; thence S89°52'00"W 206.27 feet
along said right-of-way to the TRUE POINT OF BEGINNING of the tract of land herein described: thence continuing S89°52'00"W
1117.68 feet along said right-of-way to a point on the west boundary of the SE ¼ NE ¼ of said Section 26, thence N00°05'54"W 632.99 feet
along said west boundary, thence N89°50'29"E 1115.90 feet; thence S00°1.5'34"E 633.48 feet to the point of beginning containing 16.235
acres more or less, being subject to and
together with all appurtenant easements as shown and of record. (Parcel 'B' of Certificate of Survey No.14346)

**MONDAY, JULY 31, 2006
(Continued)**

PRELIMINARY PLAT: EVERS CREEK NORTH

[9:50:45 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jeff Harris, Rebecca Shaw, Jim Burton, Jeff Raper

Shaw reviewed the application submitted by Chuck James Dooley for preliminary plat approval of Evers Creek North, a minor subdivision that will create two single family residential lots north of Whitefish near Star meadows off Evers Creek Connection Road, and is unzoned. There are 14 attached conditions.

Commissioner Hall made a **motion** to adopt Staff Report FSR-06-15 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Jim Burton stated that the owner had no concerns with conditions.

Commissioner Brenneman asked for either paving or a restriction that the lots will not be further subdivided.

Jim Burton stated that the covenants will not allow for further subdivision.

Commissioner Brenneman stated he would still like the statement on the face of the final plat.

Commissioner Hall made a **motion** to approve the preliminary plat of Evers Creek North. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

CONDITIONS

1. Evers Creek North Road shall be constructed to county standards with a 60' right of way and a 24' gravel driving surface.
2. A road identification sign and stop sign shall be installed at the intersection of North Evers Creek Road and Evers Creek Connection Road. [Section 3.9(I)(8), FCSR]
3. The applicant shall receive physical addresses and road names in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator." [Section 3.9(I)(7), FCSR]
4. The applicant and/or lot owners will perform dust abatement on North Evers Creek Road as outlined in Flathead County Resolution #1374.
5. The applicant will furnish proof of legal access for two lots on North Evers Creek Road from the Forest Service in the form of a signed written statement or completed approach permit.
6. New electrical and telephone utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Sections 3.17 & 3.18, FCSR]
7. All water, septic, and storm water drainage systems will be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 3.14(A) and 3.15(A), FCSR]
8. The applicant will comply with reasonable fire suppression and access requirements of the Flathead Fire Services Area. A letter from the Director stating requirements have been met shall be submitted with the application for Final Plat.[Section 3.20, FCSR]
9. All areas disturbed during development of the subdivision will be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [7-22-2116 MCA, Section 3.12(J), FCSR]
10. If required by the local Postmaster, the developer shall provide a common mailbox facility in accordance with the Flathead County Subdivision Regulations. A letter from the Postmaster shall be submitted outlining mail delivery requirements.[Section 3.22, FCSR]
11. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All addresses will be visible from the road, and at the driveway entrance or on the house.
 - b. All utilities will be extended underground.
 - c. Defensible Space Standards shall be incorporated around all structures.
 - d. Only Class A and B roofing materials are permitted.
 - e. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - f. Lot owners are notified this subdivision is located a significant distance from emergency services. Delayed response times may be experienced when requesting assistance from fire, medical or public safety services.
 - g. Lot owners are alerted to the presence of large and potentially dangerous wildlife in the area and are reminded that feeding big game is illegal, as it not only has negative impacts on the animals themselves, it increases the presence of dangerous predatory animals. They are encouraged to contact the Montana Department of Fish, Wildlife, and Parks to obtain information on safely living near wildlife and minimizing habitat impact, including:
 - i. Keeping dogs under owner control at all times.
 - ii. Using bear-proof garbage containers.
 - iii. Removing obvious sources of food.
 - iv. Securing compost piles with electrical fencing.
 - v. Feeding pets indoors or bringing food dishes in at night.
 - vi. Placing bird feeders out of reach of deer and other big game.
 - vii. Fencing must not impede movement of wildlife.

**MONDAY, JULY 31, 2006
(Continued)**

h. Waiver of Protest

Participation in Special Improvement District

_____ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes _____ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that _____ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. _____ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for _____ Subdivision.

12. All required improvements shall be completed in place or a Subdivision Improvement Agreement, in accordance with Chapter 8 of the Flathead County Subdivision Regulations, shall be provided by the applicant prior to final approval by the County Commissioners. [Chapter 8, FCSR]

13. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]

14. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]

PUBLIC HEARING: PEAK DEVELOPMENT ZONE CHANGE / EVERGREEN & VICINITY ZONING DISTRICT

[10:04:09 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Eric Giles, Jeff Harris, Erica Wirtala, Jim Burton, Annie Thompson

Giles reviewed Staff Report FZC-06-11.

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

Jim Burton stated that this is zoned B-2 and they are requesting that it be changed to allow for an apartment complex of fifty seven units. He stated that they are looking at a redesign to allow more use of the land for playgrounds and such.

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

Commissioner Brenneman stated his concern for the amount of traffic on Bando Lane expressing his concern with the ingress and egress from Bando Lane on the Highway.

Eric Giles stated that he agreed this is a safety concern and that a traffic light should be considered for this area.

Jim Burton stated that there is a sidewalk all along that side of the road up to the school.

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

RESOLUTION NO. 797 EB

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 31st day of July, 2006, to consider a request by Peak Development, LLP to change the zoning designation on property located in the Evergreen and Vicinity Zoning District from B-2 (General Business) to RA-1 (Residential Apartment);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on July 18 and July 25, 2006;

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

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

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning designation on property located in the Evergreen and Vicinity Zoning District from B-2 (General Business) to RA-1 (Residential Apartment), that area being described on Exhibit "A" hereto.

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

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

BE IT FURTHER RESOLVED that if forty per cent (40%) of the freeholders in the Evergreen and Vicinity Zoning District protest the proposed change, then the change will not be adopted.

**MONDAY, JULY 31, 2006
(Continued)**

DATED this 31st day of July, 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

**PEAK DEVELOPMENT, LLP
ZONE CHANGE FROM B-2 TO RA-1
STAFF REPORT #FZC-06-11**

Location and Legal Description of Property:

The property is located on the east side of U.S. Highway 2 East, directly north of the East Cottonwood Drive and U.S. Highway 2 East intersection at 145 Bando Lane. The property is legally described as Lot 4 of the Cherry Creek Village Subdivision in Section 4, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

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

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 797ED) on July 31, 2006 to change the zoning designation on property in the Evergreen and Vicinity Zoning District from B-2 (General Business) to RA-1 (Residential Apartment).

The boundaries of the area proposed to be changed from B-2 to RA-1 are set forth on Exhibit "A".

The proposed change would generally change the character of the zoning regulations applicable to the property from a business district to provide areas for those retail sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by major repair of motor vehicles, by outdoor commercial amusement and recreational activities, and by businesses serving the general needs of the tourist and traveler, to a district served by community water and sewer and having immediate access to fire, police, refuse and park facilities, to provide for multi-family use, for non-residential uses which support or are compatible with the primary residential character of the area, and to act as a buffer between residential districts and non-residential districts.

The regulations defining the B-2 and RA-1 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, in Permanent File No. 9327013500.

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

DATED this 31st day of July, 2006.

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

Publish on August 3 and August 10, 2006.

**PEAK DEVELOPMENT, LLP
ZONE CHANGE FROM B-2 TO RA-1
STAFF REPORT #FZC-06-11**

Location and Legal Description of Property:

The property is located on the east side of U.S. Highway 2 East, directly north of the East Cottonwood Drive and U.S. Highway 2 East intersection at 145 Bando Lane. The property is legally described as Lot 4 of the Cherry Creek Village Subdivision in Section 4, Township 28 North, Range 21 West, P.M.M., Flathead County, Montana.

MONDAY, JULY 31, 2006
(Continued)

FINAL PLAT: SPRING CREEK ESTATES

[10:16:28 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Annie Thompson, Jeff Harris, Eric Giles, Erica Wirtala, Bill Astle

Thompson reviewed the application submitted by Curt Runia with technical assistance from Sands Surveying for final plat approval of Spring Estates, a subdivision creating 3 residential lots. The subdivision is located northeast of Kalispell on Helena Flats Road and Eid Lane. Preliminary plat approval was granted on September 8, 2005, subject to 15 conditions. All conditions have been met. Staff recommends approval.

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

PUBLIC HEARING: EVERGREEN WATER & SEWER DISTRICT NO. 1 ZONE CHANGE / EVERGREEN & VICINITY ZONING DISTRICT

[10:37:48 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, Bill Astle, Roberta Truck, Andy Hyde

Shaw reviewed Staff Report FFZC-06-12.

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

Andy Hyde spoke as a representative of Evergreen Water and Sewer District. He stated that Evergreen does need additional storage. He stated that the site they are proposing to build the water storage tank is exactly adjacent to the current storage tank. He then gave a brief history of the storage tank. He then stated that they had been unable to repair the current tank due to the inability to drain it into a new tank. He also stated that the current tank pre dates the housing structures in the area. He stated that the planning board members who voted denial did not give a reason for their vote.

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

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

RESOLUTION NO. 797 ED

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing on the 31st day of July, 2006, to consider a request by Evergreen Water and Sewer District #1 to change the zoning designation on property located in the Evergreen and Vicinity Zoning District from R-1 (Suburban Residential) to R-2 (One-Family Limited Residential);

WHEREAS, notice of that hearing was published pursuant to Section 76-2-205(1), M.C.A., on July 18 and July 25, 2006;

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

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

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, hereby adopts the findings of fact as to the statutory criteria as adopted by the Flathead County Planning Board and, in accordance with Section 76-2-205(4), M.C.A., hereby adopts this resolution of intention to change the zoning designation on property located in the Evergreen and Vicinity Zoning District from R-1 (Suburban Residential) to R-2 (One-Family Limited Residential), that area being described on Exhibit "A" hereto.

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

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

BE IT FURTHER RESOLVED that if forty per cent (40%) of the freeholders in the Evergreen and Vicinity Zoning District protest the proposed change, then the change will not be adopted.

**MONDAY, JULY 31, 2006
(Continued)**

DATED this 31st day of July, 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

**EVERGREEN WATER & SEWER DISTRICT NO. 1
ZONE CHANGE FROM R-1 TO R-2
Staff Report #FZC-06-12
June 7, 2006**

Location and Legal Description of Property:

The property is located on Mission Trail on the Bluff to the northwest of the Village Greens golf course. The property is legally described as Tracts 1AC and 1AF in Section 32, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana and can be further described as follows:

Tract 1:

That portion of the Northwest Quarter Northeast Quarter (NW ¼ NE ¼) of Section 32, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana, described as follows:

Beginning at the Southeast corner of Lot 10, Mission Village; thence
along the East line of Lot 10
North 39°47'04" East a distance of 505.46 feet to the Northeast corner of Lot 10; thence
South 37°06'06" East a distance of 92.93 feet to a point; thence
South 02°17'41" West a distance of 131.53 feet to a point; thence
South 39°48' 51" West a distance of 286.09 feet to the Northerly line of Mission Trail, a County Road; thence
Northwesterly along the Northerly line of the road to the Point of Beginning.

Tract 2:

A tract of land in the Northwest Quarter of the Northeast Quarter, (NW ¼ NE ¼) of Section 32, Township 29 North, Range 21 West, M.P.M., Flathead County, Montana, described as follows:

Commencing at the Quarter Corner common to Sections 29 and 32; thence
South 51°28'34" East a distance of 547.93 feet to the Point of Beginning; thence
North 5°13'57" West a distance of 154.16 feet to a point; thence
South 70°54'59" East a distance of 113.23 feet to a point; thence
South 37°23'59" East a distance of 123.81 feet to a point; thence
South 84°06'31" West a distance of 168.53 feet to the Point of Beginning.

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

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION

The Board of Commissioners of Flathead County, Montana, hereby gives notice pursuant to Section 76-2-205(5), M.C.A., that it passed a resolution of intention (Resolution No. 797DZ) on July 13, 2006 to change the zoning designation on property in the Evergreen and Vicinity Zoning District from R-1 (Suburban Residential) to R-2 (One-Family Limited Residential).

The boundaries of the area proposed to be changed from R-1 to R-2 are set forth on Exhibit "A".

The proposed change would generally change the character of the zoning regulations applicable to the property from a residential district, with a minimum lot size of one acre, intended to provide estate type development, normally located in rural areas away from concentrated urban development, or in areas where it is desirable to permit only low density development, e.g., extreme topography, areas adjacent to flood plains, airport runway alignment extension, etc., to a residential district, with a minimum lot size of 20,000 square feet, intended to provide for large tract development, in suburban areas, beyond sanitary sewer and/or water lines.

The regulations defining the R-1 and R-2 Zones are contained in the Flathead County Zoning Regulations, on file for public inspection at the Office of the County Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, in Permanent File No. 9327013500.

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

DATED this 31st day of July, 2006.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

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

ATTEST:
Paula Robinson, Clerk
By/s/Kimberly Moser

Deputy

Publish on July 18 and July 25, 2006.

MONDAY, JULY 31, 2006
(Continued)

EVERGREEN WATER & SEWER DISTRICT NO. 1
ZONE CHANGE FROM R-1 TO R-2
Staff Report #FZC-06-12
June 7, 2006

Location and Legal Description of Property:

The property is located on Mission Trail on the Bluff to the northwest of the Village Greens golf course. The property is legally described as Tracts 1AC and 1AF in Section 32, Township 29 North, Range 21 West, P.M.M., Flathead County, Montana and can be further described as follows:

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North 39°47'04" East a distance of 505.46 feet to the Northeast corner of Lot 10; thence
South 37°06'06" East a distance of 92.93 feet to a point; thence
South 02°17'41" West a distance of 131.53 feet to a point; thence
South 39°48' 51" West a distance of 286.09 feet to the Northerly line of Mission Trail, a County Road; thence
Northwesterly along the Northerly line of the road to the Point of Beginning.

Tract 2:

A tract of land in the Northwest Quarter of the Northeast Quarter, (NW ¼ NE ¼) of Section 32, Township 29 North, Range 21 West, M.P.M., Flathead County, Montana, described as follows:

Commencing at the Quarter Corner common to Sections 29 and 32; thence
South 51°28'34" East a distance of 547.93 feet to the Point of Beginning; thence
North 5°13'57" West a distance of 154.16 feet to a point; thence
South 70°54'59" East a distance of 113.23 feet to a point; thence
South 37°23'59" East a distance of 123.81 feet to a point; thence
South 84°06'31" West a distance of 168.53 feet to the Point of Beginning.

DOCUMENT FOR SIGNATURE: CORRECTED AMENDMENT #5 / HEALTH BENEFIT PLAN

[10:18:42 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 corrected amendment #5 to the Health Benefit Plan and authorize the chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

CONSIDERATION OF RELEASE OF COLLATERAL: HARBOR VILLAGE AT EAGLE BEND, PHASE 2BA; ELK HIGHLANDS; SUBDIVISION NO. 262

[10:19:22 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 release of collateral for Harbor Village at Eagle Bend, Phase 2BA subdivision. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the release of collateral for Elk Highlands subdivision. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Brenneman made a **motion** to approve the release of collateral for Subdivision no. 262. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

BOARD APPOINTMENT: FAIRVIEW CEMETERY

[10:29:08 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 appoint Orville Peters to the Fairview Cemetery Board. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**MONDAY, JULY 31, 2006
(Continued)**

BUDGET REVIEW: OES

10:55:32 AM

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Mark Peck

Discussion was held relative to the 2006-2007 year budget for OES.

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 1, 2006.

The following are the claims for the month of July, 2006.

VENDOR NAME	DESCRIPTION	AMOUNT
ABC BUSINESS SOLUTIONS	COPIER MAINT/JUNE	\$478.61
ABOVE & BEYOND PAINTING	PAINT OFFICE BLDG INTERIO	\$5,860.00
ACCURATE FIRE SYSTEMS LTD	SUPRESSUON SYSTEM INSPECT	\$163.95
ADAM, CONRAD W	S MAIN ST	\$4,576.00
AFLAC	PREMIUM AFTER TAX	\$2,467.29
ALAN'S PUMP SALES & SERVICE INC	LABOR/TIGHTEN CONTROL WIR	\$98.40
ALEXANDER, BAUCUS ETAL	REFUND	\$8.00
ALLEGIANCE BENEFIT PLAN MANAGEMENT	REPLACES #429357 FLEX CHI	\$20,325.45
ALLEGIANCE BENEFIT PLAN MGMT	AUGUST ADMIN FEES	\$3,563.25
ALLISON, PEG L.	DOOR HANDLE/REMODEL PROJE	\$36.65
ALPINE BUSINESS CENTER	AOA AUGUST RENT	\$4,360.00
AMSAN CUSTODIAL SUPPLY	6863 CUSTODIAL SUPPLIES	\$1,731.01
ANDERSON, CARL F	ASSIST INSTRUCT/BACKCOUNT	\$50.00
ANDERSON, TOKIKO	REFUN	\$16.00
ANYTIME LOCK & SAFE	KEYS	\$294.40
ARCEL, JEAN	CHAPPLE, BETTY JEAN VETER	\$250.00
ARCHITECTS DESIGN GROUP PC	REFUND/2002 SUBA LEG	\$28.00
ASCD	SUBSCRIPTION	\$104.00
ATHORN, LARRY	JUNE 06 MILEAGE	\$15.00
AUSTIN FUNERAL HOME	COUCH, FARRELL C VETERAN	\$250.00
B&C TELEPHONE, INC	92-7585770 PHONE CORD/SHI	\$5,011.64
BALDWIN, CHARLES	4TH QTR MILEAGE	\$12.00
BARR LABORATORIES, INC	7041074 192 PLAN B	\$1,495.68
BEAVER DAM LLC	REFUND/2005 FERR	\$231.00
BENJAMIN, BETH ANN	PERDIEM/BROWNING CLINIC	\$111.45
BENNETT, LANE K	LEGAL COUNSEL/7-1-05/6-30	\$1,536.00
BERNA PRODUCTS CORP	971433 15 TYPHOID	\$480.00
BIG SKY ANIMAL CLINIC	EMERGENCY VET CARE	\$186.20
BIGFORK PRO-TOW	CHEV BLAZER BLACK	\$95.00
BIGFORK SENIOR CITIZENS	SITE MANAGMENT/JUL 06	\$1,058.74
BIRKY, DR. PERRY	5 HRS/JULY 06	\$250.00
BISHOP, ALLISON	PERDIEM/FOORBORNE ILLNESS	\$274.44
BLACK MOUNTAIN SOFTWARE, INC	ACCOUNTING SITE	\$22,766.00
BLACKTAIL REFRIGERATION	REPAIR MAKE-UP AIR UNIT/W	\$121.50
BLANCHARD & LOEB PUBLISHERS	314609 VASCULAR SIGNS AND	\$54.90
BOB SCHWEIGERT CONSTRUCTION	FUEL CONTAINMENT/JUNE WOR	\$9,000.00
BOEHM, MARTY	18 HRS 7/16-22/06	\$2,011.50
BONHAM, CATHERINE	4TH QTR MILEAGE	\$10.80
BOOKPAGE	F6074 BOOK PAGE 12 MO	\$720.00
BRASS & BULLETS	AMMO 45/180 BOXES	\$4,563.05
BRESNAN COMMUNICATIONS LLC	JUVENILE CABLE	\$62.85
BRIDGEVIEW BANK	REFUND	\$4.00
BROKERS NATIONAL LIFE	PREMIUMS PRE TAX	\$1,469.50
BROWN, MARGARET L	MEDIATION SERVICES 7/6	\$25.00
BUFFALO HILL FUNERAL HOME	DOBLAR, ALLEN BURIAL	\$1,150.00
BUFFALO HILLS HOMEOWNERS ASSOC	FORECLOSE/D STANFIELD	\$122.32
BURTON, JAMES H.	SURVEYING 7/5-15/06	\$735.00
CALM ANIMAL CARE PC	RUSSELL SPAY	\$288.40
CARLSON'S SAND & GRAVEL LLC	PIT RUN	\$16,875.85
CBK SERVICES	GLACIER NEUROLOGICAL ASSO	\$491.89
CBM COLLECTIONS, INC	S HANSEN	\$242.69
CBM FOOD SERVICE	ADULT MEALS/ 6/29-7/5/06	\$5,039.04
CD'A METALS	FL201120 PLATE BURN SQUAR	\$204.80
CENTER FOR HEALTH TRAINING	BODICK, LINDA/CPT CODING &	\$50.00
CENTURYTEL	JULY 06	\$24,284.91
CHILD SUPPORT DIVISION	CHLD SPPT/C MANN P501063	\$510.82
CHISHOLM & CHISHOLM PC	REFUND	\$41.00
CHRISTIE, NADINE V	CHRISTIE, LAWRENCE NEIL VE	\$250.00
CHS INC - KALISPELL	254633 SCRUB BRUSH	\$155.48
CITI FINANCIAL	REFUND	\$4.00
CITYSERVICEVALCON	28672 DIESEL	\$25,856.32
COLONIAL LIFE AND ACCIDENT INS CO	PREMIUM/PRE TAX	\$18.50
COLUMBIA CONTAINERS	PURCHASE STORAGE CONTAIN	\$1,000.00
COLUMBIA PAINT & COATINGS	240418 WOODTECH/RANGE	\$107.50
CONRAD MAIN STREET LLC	MONTHLY RENT/JULY 06	\$2,790.66
CONSOLIDATED ELECTRICAL DIST, INC	86-30105 CNDUIT/ELBOS/COU	\$62.19
COX, SANDRA DR	BONNY, KATHLEEN	\$2,024.00
CRESTON TECH	WEB DESIGN "CENTER FOR RE	\$538.45

CROSSWHITE, DAVID J	CROSSWHITE, GERALDINE LEE	\$250.00
CROWLEY, HAUGHEY, HANSON, TOOLE & DAILY INTERLAKE	2006 IUOE ULP	\$105.00
DAVID, KELLY	PH:HAYDENS VIEW NAMING	\$1,544.17
DECKER, WENDY	REIM/SIT APPLICATION	\$159.00
DELL MARKETING LP	REDMOND, FRANCIS STERLING	\$250.00
DENNING, KRISTIN	043351546 COMPUTER	\$8,123.18
DEPRATU FORD SALES	DENNING, ALAN DEAN VETERA	\$250.00
DEPT OF ENVIRONMENTAL QUALITY	WIRE ASY	\$1,422.31
DEPT OF JUSTICE	LICENSE - 1ST QTR PAYMENT	\$12,881.30
DEPT OF REVENUE	CERELEAN SYSTEM USAGE/LIC	\$8,122.36
DEPT OF REVENUE	SCOTT BILLMAYER 4299531 0	\$301.78
DEPT OF REVENUE	1% WITHHOLDING MURPHY'S E	\$641.10
DEPT OF REVENUE	STATE INCOME TAX WITHHELD	\$52,256.14
DEPT OF REVENUE	JTL GROUP/LAKESIDE-SOMERS	\$479.10
DEPT OF REVENUE	STATE INCOME TAX WITHHELD	\$217.00
DICKMAN, DANIEL	PERDIEM/FOODBORNE ILLNESS	\$119.51
DIGITAL COMMUNICATIONS SYSTEM, INC	MISC PROGRAMMING OFFICE	\$980.80
DOLPHIN CAPITAL CORP	COPIER/STAND/JULY 06	\$73.98
DRUMMOND, ROBERT G	DEANN SAMPSON	\$1,380.00
DRURY, NOEL MD	ELICK, DAVID	\$1,037.00
DURAND, LISA	REIM/GAS...LOST CARD	\$8.03
DUROS, LAURA LEE	CHLD SPPT/BRADLEY S PARKE	\$261.00
DUSING, PADY CNM	REIM/50% LIABILITY INS	\$1,158.89
EAGLE FUEL, LLC	200316032 PP REMOVED FROM	\$754.33
EISINGER MOTORS	ALTERNATOR #1388	\$539.28
ELECTION SYSTEMS & SOFTWARE INC	111117 ON SITE SUPPORT 11	\$3,300.00
ELECTRICAL SYSTEMS INC	103 JUSTICE CENTER/UPS SY	\$7,266.58
ELECTRO CONTROLS INC	TECH SUPPORT PROGRAM JUL-	\$800.00
ENVIRO-TIRE INC	PICK UP 73 TIRES	\$832.90
EQUITABLE LIFE ASSURANCE SOCIETY	EQUIVEST PREM/UNIT 729435	\$1,240.00
EVERGREEN DISPOSAL INC	5412-114735 GARBAGE PICKU	\$59.07
EXPRESS SERVICES INC	15264968 TEMP SERVICES	\$2,428.41
F W DUNN CO	FRESH START 2000 CLEANER	\$160.00
FARMER BROTHERS CO	COFFEE/JURY ST V KOLB	\$55.50
FASTENAL COMPANY	MTKAL0092 RATCHET V-GUARD	\$42.36
FEDERAL EXPRESS CORP	1623-6635-1 PKG/DTC COMM	\$45.24
FIRST AMERICAN LENDERS	REFUND	\$25.00
FISCHER, CLAYTON	REIM/FUEL	\$10.00
FISHER, SUSIE	FISHER, SUSIE MAINT55875	\$300.00
FLATHEAD CO DEPUTY SHERIFF ASSOC	UNION DUES - DEPUTY SHERI	\$400.00
FLATHEAD CO SHERIFFS ASSN	UNION DUES	\$600.00
FLATHEAD CO TREASURER	D STANFIELD/K STANFIELD	\$2,049.16
FLATHEAD CREDIT UNION	CREDIT UNION DEDUCTIONS	\$4,156.10
FLATHEAD ELECTRIC CO-OP	CEMETARY RD GRAVEL PIT	\$1,422.66
FLATHEAD PUBLISHING GROUP	JULY SAFETY PG	\$25.00
FLATHEAD VALLEY CHEMICAL DEP CLINIC	JULY 06 SALARY	\$32,178.51
FLATHEAD VALLEY UMPIRE'S ASSOC.	REMAINING UMPIRE FEES/SOF	\$3,045.00
FOCUS TITLE & ESCROW	REFUND	\$7.00
FOOD SERVICES OF AMERICA	9040541 KITCHEN SUPPLIES	\$517.92
GENERAL INJECTABLES & VACCINES, INC	2031667 IMMUNE GLOBULIN I	\$169.79
GLACIER BANK FSB	PRINCIPAL/JULY 06	\$3,768.00
GLACIER DENTAL GROUP, PC	PEPIN, ROBERT	\$389.00
GLACIER PRE-CAST CONCRETE	RISER	\$30.00
GLAXOSMITHKLINE FINANCIAL INC	027353 ENGERIX/HAVRIX/TWI	\$3,983.00
GLAZIER, TODD	LEGAL COUNSEL/JUNE 06	\$2,856.00
GLOBALSTAR USA LLC	SAT PHONE/SNYDER	\$45.01
GOODWIN TILE	SHOWER FLOOR REMODEL	\$1,300.00
GOVCONNECTION INC	7746174 WLS LAER DT MSE 6	\$75.00
GRANGER, MARY M	LEAD INSTRUCT/BACKCOUNTRY	\$75.00
GREATAMERICA LEASING	LIGHTING RETROFIT	\$1,098.94
GRIEVE, BRANDON	REIM/SUPPLIES GROWTH POLI	\$28.17
GROVER, JASON	PERDIEM/MAY TRANSPORTS	\$64.00
HAMISEVICZ, MARY	B-TRANSITION NATL REG/SKI	\$50.00
HARRIS, JEFF	REIM/COMMISSIONERS LUNCH	\$51.95
HARRISON, MARTHA E	32 HRS 7/1-14/06	\$576.00
HART, JANICE	HART, WILLIAM WILLIS VETE	\$250.00
HASH & O'BRIEN, PLLP	REFUND	\$7.00
HEDMAN HILEMAN & LACOSTA	REFUND	\$60.00
HERITAGE CUSTOM BOOKBINDING &	SHIPPING FEE/PAPER PUNCHE	\$41.92
HERRMANN EQUIPMENT, INC	SPROCKETS/LINERS/LINKS/FR	\$2,363.11
HILL BROTHERS AUTOBODY	HONDA ACCORD	\$130.50
HINCHEY & HINCHEY, PC	LEGAL COUNSEL/JUNE 06	\$234.00
HINES, DON	MILEAGE/BD MTGS 7/12,19/0	\$5.34
HOBART SALES & SERCVICE	336441 SAFETY GUARD/TIMER	\$1,531.15
HOLBROOK, VICKI	REIM/FORMULA 409	\$9.99
HOLIDAY INN EXPRESS	PEGGY COLBY/AUG 8, 2006	\$72.76
HOLLINGER, SCOTT	MILEAGE/BD MTG 7/5/06	\$19.58
HOME TECHNOLOGIES	REPLACE INTERCOM SETUP	\$838.46
HSBC BANK	REFUND	\$7.00
HSBC BUSINESS SOLUTIONS	PENS	\$1,136.13
HUNGRY HORSE NEWS	1 YR SUBSCRIPTION	\$30.80
HUNTER VETERINARY CLINIC	KRIEGER SPAY	\$10.00
INLAND TRUCK PARTS & SERVICE	10377 LAH RATIO GEAR/FRT	\$3,793.02
INSTY PRINTS	03575 BROCHURES, LABEL, CO	\$1,488.48
INTERNATIONAL UNION OF OP ENGINEERS	UNION DUES	\$2,205.50
JACKOLA ENGINEERING & ARCHITURE PC	REFUND	\$18.00
JANA GOODMAN	KM THEATER FOR HOBBIT PER	\$25.00
JANITORS WORLD SUPPLIES	3361 BOTTLES, SIGN, SANITIZ	\$113.50
JESCO BOAT CENTER LLC	SERVICE/LABOR	\$402.74
JOES RADIATOR SHOP	CLEAN & TEST	\$170.00
JOHNSON CONTROLS INC	1171795 DMV/CONTRACTED SE	\$97.50
JOHNSON MORTUARY & CREMATORY	ZAGATA, LILLI BURIAL	\$1,600.00

JOM PHARMACEUTICAL SERVICES	30729 TRI-CYCLEN LO VER	\$2,257.92
JTL GROUP INC	LAKESIDE-SOMERS BIKE PATH	\$47,443.83
KALISPELL AUTO PARTS	2020 CAR WASH	\$38.79
KALISPELL CITY	JULY 06	\$778.56
KALISPELL CITY AMBULANCE SERVICE	TROMBLEE, ROBERT/MAID RAT	\$432.11
KALISPELL CITY PARKS & RECREATION	FY05-06 SENIOR ACTIVITIES	\$2,000.00
KALISPELL FARMERS MARKET	80 COUPONS REDEEMED	\$216.00
KALISPELL REGIONAL MEDICAL CENTER	PERTUSSIS TEST/A BRITT	\$10,787.93
KALISPELL SENIOR CENTER	QTR OPERATIONS FUND PMT/J	\$1,383.74
KALISPELL TRANSMISSION CENTER	TRANSMISSION REPAIR	\$2,530.80
KAMAN INDUSTRIAL TECHNOLOGIES CORP	122939 SHEAVES/HI-POWER	\$289.47
KAR PRODUCTS	178563 SWIVELS/ELBOWS/PLU	\$327.61
KARI DODGE CHRYSLER PLYMOUTH HYUNDA	1043 FLASHER	\$123.00
KASPER, LINDSAY	PERDIEM/FOODBORNE ILLNESS	\$69.00
KELLY, BRIAN	SITE ATTENDANT/JULY ESSEX	\$210.00
KELLY'S HAULAWAY	JUNE HANDLING	\$6,237.47
KEN PEDERSEN PUMPING SERVICE	PUMP SEPTIC TANKS	\$400.00
KLEMPPEL, GINA	MILEAGE/BD MTG 7/5/06	\$24.92
KMART 7030	LYSOL/TP/SOAP/BLEACH	\$156.31
KRAUSE, PAUL	CSED WITHHOLDING/JULY	\$170.00
LAKESIDE BAPTIST CHURCH	SITE MANAGEMENT/JULY 06	\$323.62
LANDSYSTEMS NORTH, INC	200361232 VALUE REDUCED	\$3,163.36
LANKTREE GLASS, INC	REAR SLIDER FOR TRUCK	\$631.00
LAPP, CHARLES	MILEAGE/BD MTGS 7/12,19/0	\$26.70
LARSEN, JEFF	MILEAGE/BD MTG 7/12/06	\$17.80
LASALLE AUTOMOTIVE	REPAIR ALTERNATOR	\$464.75
LAWRENCE, PAULETTE	38,25 HRS 7/1-15/06	\$956.25
LAWSON PRODUCTS, INC.	7219920 58414 GRINDING WH	\$4,618.86
LC STAFFING SERVICE INC	402S 57.5 HRS LABOR	\$6,723.68
LEONARD, RONALD A & DOROTHY	200662604 AB-26 VALUE CHA	\$15.53
LIVINGGOOD, KAREN	REIM/2 PARCEL POST TO BUT	\$10.48
LONE PONDEROSA RETREAT, LLC	TRNG/WIC RETREAT 7/11/06	\$180.00
LOREN'S AUTO REPAIR, INC	A/C SYSTEM/BRAKE BOOSTER/	\$3,566.79
LSI NORTH RECORDING DIV	REFUND	\$15.00
M4A	ANNUAL DUES JUL 06 - JUN	\$500.00
MACKOFF KELLOGG	REFUND	\$4.00
MACO/JPIA	FY07 ANNUAL PREMIUM	\$548,004.00
MAHUGH FIRE & SAFETY, LLC	SERVICE/RECHARGE FIRE EXT	\$253.70
MAIL ROOM, THE	42703 POSTAGE/JULY 06	\$5,338.15
MALONE, MAGI	REPLACES #428927 LOST	\$149.98
MALONE-HAMILTON, GLENDA	MILEAGE/BALLOTS TO COUNTI	\$11.13
MARATHON IMAGING SUPPLIES, INC	CIMT01 SERIES 4000 TONER/	\$360.29
MASTERS FUNERAL HOME, PA	BALANCE OF FUNERAL EXP/MO	\$1,880.75
MAYER, KATHLEEN	REIM/SUPPLIES NREMT TEST	\$9.98
MC CAMLEY, RICK AND	FORECLOSE/D STANFIELD	\$100.00
MCCONNELL, MIANTAE METCALF	ARTIST IN RESIDENCY/COL F	\$175.00
MICHAELS CONVENIENCE STORE	PROPANE	\$76.77
MICROMEDIA	164 ML MICROFICHE	\$6.34
MIDWEST CANCER SCREENING	PAP TESTS/JUNE 06	\$1,255.60
MIKITA, CORY	PERDIEM/FOODBORNE ILLNESS	\$366.45
MILLER, MARY-ANNE	REIM/FCCHD CLOTHING SCRUB	\$100.00
MISDU	CHLD SPPT W FORSYTH 19903	\$320.24
MISSION VALLEY SECURITY INC	QTR ALARM SYSTEM	\$70.50
MISSOULA TRUCK SALES INC	10125 TACHOMETER	\$104.35
MOBILFONE	PAGER	\$78.82
MONTANA ASSN OF COUNTIES	DUES/MACO,PILT,NACO,FY 07	\$12,004.00
MONTANA CAD	15.45 TONS PEA GRAVEL	\$361.22
MONTANA CSED	WAGE WITHHOLDING/PAUL KRA	\$170.00
MONTANA DIGITAL LLC	ONLINE SERVICE	\$825.00
MONTANA OE-CI TRUST FUND	.10 HR BENE S/W	\$10,594.66
MONTANA ONE CALL CENTER	JULY 06	\$107.21
MONTANA PUBLIC EMPLOYEES ASSN	UNION DUES	\$720.00
MONTANA REFINING COMPANY	ASPHALT	\$58,502.94
MONTANA SUPREME COURT	COMPLIANCE TRACKER GRANT	\$15,000.00
MONTANA TRANSIT ASSN	MEMBERSHIP DUES/7/-6 - 6/	\$100.00
MONTANA VEBA HRA ADMINISTRATOR	CAROL MIZEE	\$3,394.44
MOORE MEDICAL CORP	21179344 OXY TANK/OXY SLE	\$238.76
MORBERG, MAURA	JUNE 06 MILEAGE	\$14.40
MSASCD	KELLY, BOBBIE 06-07 DUES	\$25.00
MSU FIRE SERVICES TRAINING SCHOOL	ER SERVICES RESOURCE CENT	\$165.00
MURPHY'S EXCAVATING, INC	MARION SITE IMPROVEMENTS	\$63,468.90
MUSIC ONE WORKSHOP	WIRELESS MIC FOR PUBLIC H	\$249.95
NATIONAL ANIMAL CONTROL ASSOCIATION	BENWARE,JENNIFER NACA TRA	\$495.00
NEWMAN TRAFFIC SIGNS	APPLICATION TAPE/LETTERS	\$724.35
NOODLE SOUP	142158 BALLOONS/PENS/SHIR	\$104.50
NORMONT EQUIPMENT CO	13F3528 SEALS/FRT	\$72.77
NORTH VALLEY HOSPITAL INC	FY05-06 WEEKLY BP SCREENI	\$1,150.00
NORTH VALLEY SENIOR CENTER	HEALTH PROMOTION/JUNE 06	\$1,378.74
NORTHERN ENERGY INC	80118 PROPANE/HOT PLANT	\$12,567.30
NORTHWEST IMAGING PC	CORK,JUSTIN	\$301.57
NORTHWEST PARTS & RIGGING CO INC	FLAT02 HOSES, MISC	\$912.10
NORTHWEST PORTABLES LLC	RENTAL/CHEMICAL TOILETS/G	\$478.00
NORTHWEST TRUCK REPAIR INC	SPRING	\$542.37
NORTHWESTERN ENERGY	NATURAL GAS	\$3,173.94
NURTURING CENTER INC	FAIM 4TH QTR	\$10,632.64
OCCUPATIONAL HEALTH & WELLNESS SRVS	DRUG TESTING/DOT PHYSICAL	\$170.00
OFFICE SOLUTIONS AND SERVICES	28686 HANGING FILE FOLDER	\$1,971.81
OLD CREAMERY MALL	RONAN OFFICE	\$510.00
OLSON, FLORENCE	SITE ATTENDANT/JULY LAKES	\$275.00
OREGON DEPT OF JUSTICE	CHLD SPPT GIL PARSONS	\$223.38
ORKIN EXTERMINATING CO INC	SERVICE	\$84.83
PACIFIC MEDICAL, INC	STEPHAN,ADAM/SLIN	\$30.00

PACIFIC STEEL & RECYCLING	81600 HR FLAT	\$91.15
PAGE NORTHWEST	SNYDER PAGERS/JUL	\$392.33
PAPERDIRECT	48711378 WORD TEMPLATES	\$9.00
PARADIGM MANAGEMENT PC	PARADIGM 10% MAY 06	\$48,646.31
PARK BOTTLING	INMATE POP	\$24.00
PATHOLOGY ASSOCIATES MEDICAL LABS	MISC LAB TESTS/JUNE 06	\$2,297.52
PATHOLOGY CONSULTANTS OF W MT	J HAGEN	\$138.70
PAVLIK ELECTRIC CO INC	SERVICE CALL/LECHATE PUMP	\$345.68
PBS&J	GROUNDWATER MONITORING	\$3,794.51
PERENNIAL ENERGY INC	4100-004 VALVE/AMPLIFIER/	\$1,472.20
PESI	PEGGY COLBY/REGISTRATION/	\$193.95
PETTY CASH - AOA	FILM DEVELOPING	\$34.78
PETTY CASH - REFUSE DISPOSAL DIST.	STAMPS	\$39.00
PETTYJOHN'S THE WATER STORE INC	DRINKING WATER	\$54.00
PFIZER PHARMACEUTICALS	34317 DEPO PROVERA	\$4,704.00
PHOTO VIDEO PLUS	DEVELOP/PRINT/7-35	\$10.40
PIERCE MFG. COMPANY INC	MAG TOW LIGHTS	\$82.00
PIERSON PERFORMANCE EXHAUST	EXHAUST PITE & MUFFLER	\$150.00
PIERSON TRUCK PARTS	554 HUBCAPS	\$175.03
PINNACLE INVESTIGATION CORP	BACKGROUND INVESTIGATION/	\$152.04
POLSEN, VIRGINIA L	TUITION REIMBURSEMENT PER	\$969.00
PONDEROSA VETERINARY HOSPITAL PC	FITZSIMMONS NEUTER	\$10.00
PROFESSIONAL BUSINESS SYSTEMS INC	40 HR CONTRACT/HP PRINTER	\$2,300.00
PURDY, ERIKA S.	CHLD SPPT/VICTOR SAM COX	\$275.00
QUILL CORPORATION	815401 MINI CRUZER USB DR	\$233.74
QWEST	FLATHEAD CO 911/JUL 06	\$272.49
REA, ROBERT DENNIS	MILEAGE/BD MTG 7/5/06	\$16.02
REGALIA MANUFACTURING CO	3363 2006 FAIR AWARD RIBB	\$2,599.44
RENSMON, MICHAEL M	B-TRANSITION NATL REG-SKI	\$50.00
RIEBES MACHINE WORKS INC	YOKE	\$1,130.00
RIMROCK STAGES INC	LAB TESTING	\$29.50
RINGQUIST SIGNS, INC	FLAMMABLE/NO SMOKING SIGN	\$632.20
ROBERTSON, KATHY	MILEAGE/BD MTGS 7/12,19/0	\$21.36
ROCKY MOUNTAIN IMAGES INC	500 MAGNETIC BUSINESS CAR	\$381.64
ROCKY MOUNTAIN SUPER VAC INC	VACUUM LOT	\$200.00
RON'S ALIGNMENT INC	ALIGNMENT	\$50.00
ROSENDAHL, THEODORE M	MEDIATION SERVICES 7/6	\$25.00
ROSCOE STEEL & CULVERT	10615000 BANDS/FRT	\$325.44
RTR PROPERTIES, LLC	EXCESS PROCEEDS/TRUSTEE S	\$39,258.56
RUFFATTO, F RAY	B-TRANSITION NATL REG/SKI	\$50.00
SANITATION STRATEGIES, LLC	TRIFECTANT DISINFECTANT	\$88.65
SANOFI PASTEUR, INC	70009069 TUBERSOL/TUBERSO	\$984.69
SCARFF AUTO CENTER INC	SILL PLATE PLT-F/SI	\$130.05
SCHLEGEL & SONS HEAVY HAULING	HAUL 826 FROM WESTERN STA	\$395.00
SCHLEPP, LISA	PERDIEM/13TH WORLD CONF O	\$162.00
SCHWARZ ENGINEERING, INC	LAKESIDE/SOMERS BIKE PATH	\$2,585.79
SELBYS	1521080 PAPER ROLL 36"	\$43.21
SEVIER, MARY	REIM/LABELS	\$4.58
SHEA, COREY G	MEDIATION SERVICES	\$25.00
SHED MAN	8X16 SHED	\$1,675.00
SIMPLE RTS	FTR MINUTES/TRAINING/SHIP	\$1,312.00
SMIRNOW, DAVID DR.	DENNING,ALAN AUTOPSY	\$1,000.00
SMITH, PETER A MD	BINGMAN, JAMES	\$2,000.00
SNAPPY SPORT SENTER	GUN CASE/MAG EXTS	\$177.94
SORENSEN, DEB	B-TRANSITION NATL REG/SKI	\$50.00
SPENCER FLUID POWER	1071204 DUMP-PUMP LOCK OU	\$17.10
ST MARIE GRAPHICS LLC	REPAIR UNIT 7-35	\$201.57
ST ROSE, RENAY	MEDIATION SERVICES	\$25.00
STANDARD BATTERIES OF SPOKANE INC	38716 TERMINAL SLA BATTER	\$16.40
STANFIELD, DONALD I JR AND	FORECLOSURE-EXCESS FUNDS	\$44,911.64
STAPLES CREDIT PLAN	DRYLINE	\$358.34
STEWART TITLE OF MISSOULA CO, INC	REFUND	\$8.00
STRONG, JOANNE	REFUND/DOUBLE PAYMENT	\$63.75
SULLIVAN, MARK R	LEGAL COUNSEL/JUNE 06	\$54.00
SUMMATION TECHNOLOGY LLC	TAIYO YUDEN DVD-R MEDIA 8	\$110.00
SUMMIT ACCOMMADATORS	REFUND	\$4.00
SUMMIT ROOFING, INC	ROOFING CONTRACT	\$66,385.00
SURE-WAY SYSTEMS, INC	29232 HAZARDOUS WASTE REM	\$4,195.92
SWISS CHALET EXCAVATING	GATE ATTENDANT/JULY CFALL	\$900.00
SYKES GROCERY	ACCOUNT BALANCE/ESTATE OF	\$431.99
TEAMSTERS UNION LOCAL #2	UNION DUES R&B	\$826.00
TEAMSTERS UNION LOCAL #2	UNION DUES - AOA DRIVERS	\$248.00
THEISSEN, DONNA W	4TH QTR MILEAGE	\$36.00
THOMAS, DEAN & HOSKINS INC	RECYCLE BUILDING	\$4,289.29
THOMAS, RONALD	SITE ATTENDANT/JULY BIGFO	\$2,805.00
THOMPSON, ANNIE	REIM/GROWTH POLICY MEETIN	\$11.13
THORNTON, TIM	B-TRANSITION NATL REG/SKI	\$50.00
THREE RIVERS BANK	DELTA/LANDIS/SF CA TRAINI	\$3,066.60
TILLSON, ALICE	TILLSON,CHARLES BURROUGHS	\$250.00
TOAVS, RANDY	MILEAGE/BD MTG 7/12,19/06	\$26.70
TONERPORT INCORPORATED	TONER	\$982.00
TORGERSON, RANDY	FORECLOSE/STANFIELD	\$548.00
TRACKER SOFTWARE CORP, INC	PUBWORKS COST ACCT SOFTWA	\$330.00
TRAVELERS PROPERTY CASUALTY	PREMIUM, AUTO/HOUSE	\$5,906.51
TRAVELING LANTERN THEATRE CO	HOBBIT PERFORMANCE AT KM	\$475.00
TRIGG, JUDGE DALE P	TRAVEL/CTS OF LIMITED JUR	\$349.18
TRS	SHEFFELS,MARCIA PP13 BENE	\$925.66
TYPEWRITER GUY INC, THE	CLEAN,OIL,ADJUST JETWRITE	\$75.00
UNITED TOOL RENTAL INC	1212 TOOL RENTAL	\$50.00
UNITED WAY OF FLATHEAD COUNTY	UNITED WAY DEDUCTION	\$267.16
UNIVERSITY BOOK STORE	3 PEDIATRIC RED BOOKS	\$299.85
US DEPT OF EDUCATION	BOBBIE KELLY	\$285.86

US POSTAL SERVICE	POSTAGE MACHINE REFILL	\$3,499.35
US POSTAL SERVICE	4000 POSTCARDS/DMV	\$1,040.00
US TREASURY	BOBBIE KELLY	\$299.41
VALIC	VALIC DEDUCTION	\$8,288.46
VANDER VLOEDT, MARLYNNA	200662241 ADDED TO RE 200	\$771.33
VANTAGEPOINT TRANSFER AGENTS-457	PENCE,M 305779 PP14 DEDUC	\$1,061.67
VECTOR TECHNOLOGIES, LTD.	260870 BEARING COVER/OIL	\$179.76
VERIZON WIRELESS	PHONE/JULY 06	\$3,175.76
VEYNA, KEVIN	REFUND ON-SITE EVAL FEE	\$180.00
VISA	IT/MS TECHSUPPORT MICROSO	\$1,084.60
VONDAL, DAYLE R	JUNE 06 MILEAGE	\$15.00
WAGNER, DIANNA L & HEIDI L	REFUND/1992 FORD EXP	\$42.00
WALLACE, LEW	4TH QTR MILEAGE	\$42.00
WASHINGTON STATE SUPPORT REGISTRY	CHLD SPPT TRACY COURTNEY	\$73.84
WATSON, CHERYL	REIM/FEEES FOR B-TRANSTION	\$15.62
WESTERN BUILDING CENTER	DOOR W/BOLTS,REMODEL PROJ	\$1,102.26
WESTERN BUILDING CENTER	FLCORO RED ROSIN PAPER	\$24.90
WESTERN ELECTRONICS, INC	INSTALL AIRCARD/7-1446	\$867.00
WESTERN STATES INSURANCE	FY-2007 LIAB INSURANCE	\$2,731.00
WESTMOR INCUSTRIES, LLC	FLA014 PUSH RODS/GASKETS/	\$598.21
WHITEFISH ANIMAL HOSPITAL	LICENSES SOLD 8/05-6/06	\$52.00
WHITEFISH CREDIT UNION	CREDIT UNION DEDUCTION	\$3,216.60
WHITEFISH GOLDEN AGERS	SITE MANAGEMENT/JUL 06	\$1,258.74
WILSON, ELAINE A	ASST INSTRUCT/BACKCOUNTRY	\$50.00
WISCTF	MICHAEL HOVILA	\$136.16
WOEPEL, DARIN	REIM/1 MM 30X1 PWR TAPE R	\$12.99
WYETH PHARMACEUTICALS	2921 75 LO/OVRAL-28	\$1,423.69
YOGO INN OF LEWISTOWN	SAYLOR,ALEX/ADV DRIVER ED	\$353.04
ZEE MEDICAL SERVICE	019902 KIT/STND TRUCK PRO	\$256.67
ZELLMER, WYNNE	MILEAGE/MEDICINE HAT/INSP	\$343.41
0607	TOTAL VENDOR ACTIVITY FOR THE MONTH	\$1,516,322.22

-----END OF REPORT-----

Minutes for the month of July, 2006, approved this 1st, August, 2006

BOARD OF COUNTY COMMISSIONERS

Robert W. Watne, Chairman

Paula Robinson, Clerk and Recorder

PUBLIC NOTICE

The Board of Commissioners of Flathead County did this 1st day of August, 2006, approve payroll and claims for payment in the amount of \$2,452,158.39 for the period beginning July 1, 2006 and ending on July 31, 2006.

The full and complete claim list is available for public view in the Office of Clerk & Recorder, Flathead County Courthouse, Kalispell, Montana. Individual requests for personal copies will be accepted by the Clerk Recorder.

Dated this 1st day of August, 2006.

**BOARD OF COMMISSIONERS
Flathead County, Montana**

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

**By: /s/Paula Robinson
Paula Robinson, Clerk**

Publish August 31, 2006

PUBLIC NOTICE

The Board of County Commissioners' proceedings for Flathead County for the period of July 1, 2006, and July 31, 2006, are now available for public review in the Office of the Clerk and Recorder, Flathead County Courthouse, Kalispell, Montana, and at the Flathead County Library, 247 First Avenue East, Kalispell, Montana.

Individual requests for personal copies will be accepted by the Flathead County Clerk and Recorder, Flathead County, Courthouse, Kalispell, Montana.

Dated this 1st day of August, 2006

**BOARD OF COMMISSIONERS
Flathead County, Montana**

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

**By: /s/Paula Robinson
Paula Robinson, Clerk**

Publish August 31, 2006.

TUESDAY, AUGUST 1, 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,
[8:54:18 AM](#)

McGregor Rhodes stated that he understood that there would be a new levy request for the mosquito control and he thinks that is a bad idea. He stated that the voters already voted against the levy. He then stated that only one mill should have been looked at in the first place. He also stated that he felt that this would not lend credibility to the commissioners if they voted to put this on the ballot again. He asked the commissioners to respect the will of the voters. He stated that he did campaign against the levy and has not intention to back down on his position against the levy. He then stated that he felt that the money that was left in the budget is enough to last a couple more years.

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

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

[8:58:23 AM](#)

Members present:

Chairman Robert W. Watne

Members absent:

Commissioner Gary D. Hall

Commissioner Joseph D. Brenneman

Others present:

Clerk Kimberly Moser, Norm Calvert

Discussion was held relative to the new phone system upgrade. Norm stated that he could provide a written evaluation. He then reviewed the applicants that they had received for the Network Administrator position for the I.T. Department.

BUDGET REVIEW: 4-H OFFICE

[9:49:22 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, Karole Sommerfeld, Bob O'Neil, Raeann Campbell, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for the 4-H Office.

Discussion was held relative to the new extension agent position. Commissioners Watne and Brenneman agreed that they should move forward with hiring the new extension agent position but would move forward with it at the time that they decide on all of the new position in six days.

Bob O'Neil stated that they are concerned about this position and believe that it is very important. He also stated that they are particularly concerned with preserving agriculture in the valley and at this time there is no one for them to turn to in terms of agri business and an extension agent would be at the center of that.

BUDGET REVIEW: ANIMAL CONTROL

[9:35:30 AM](#)

Members present:

Chairman Robert W. Watne

Members absent:

Commissioner Gary D. Hall

Commissioner Joseph D. Brenneman

Others present:

Assistant Michael Pence

Clerk Kimberly Moser, Richard Stockdale, Laurel Raymond, Bob O'Neil

Discussion was held relative to the 2006-2007 budget for Animal Control.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #06-07-5-41-015-0

[10:09:06 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 DPHHS contract #06-07-5-41-015-0 and authorize the chairman to sign. Commissioner Watne Brenneman **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTAL: LIBRARY ASST/ DIRECTOR & DISPATCHER I

[10:09:58 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, Raeann Campbell.

Commissioner Brenneman made a **motion** to approve the HR Transmittals for the Library Assistant Director and the Dispatcher I position. Commissioner Watne Brenneman **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[10:11:57 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, Raeann Campbell, Laurel Raymond

Discussion was held relative to the Health Insurance Trust Fund balance. Raeann stated that the health insurance claims are running about six percent higher this year compared to last year. She also reviewed the workers comp incidents that have occurred. She then reviewed the turnover statistics this year compared to last year.

Commissioner Brenneman made a **motion** to approve the Human Resource administrative actions for the month of July. Commissioner Watne Brenneman **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

BUDGET REVIEW: HUMAN RESOURCE OFFICE

[10:17:59 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, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for Human Resource.

MEETING W. FLATHEAD COUNTY SENIOR CENTERS

[10:21:48 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, Dale Lauman, Gladys Shay, Cy Appel, Doug Gilbertson

Discussion was held relative to the Senior Centers requesting additional funds. Mike Pence stated that they were going to try and involve the cities in more of the funding. Cy Appel stated that Whitefish had already submitted one thousand dollars to help defray the utility costs. He stated that \$4500 would pretty much balance their budget. He then discussed the expiration of the lease on the building. He also reviewed the costs for liability insurance that they are required to hold. Gladys Shay stated that the Whitefish Senior Center is in the same situation. She also reviewed the budget for their center. Doug Gilbertson reviewed the cost of wages. Jim Rehbein stated that they are in dire need of funds for meals on wheels and other such programs in the senior center. He also spoke in regards to the governors proposal to return 400 dollars to every tax payer.

BUDGET REVIEW: AOA

[10:37:22 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, Wes Hula, Jim Atkinson, Laurel Raymond, Dale Lauman, Doug Gilbertson, Gladys Shay, Jim Rehbein.

Discussion was held relative to the 2006-2007 budget for AOA.

BUDGET REVIEW: PLANNING & ZONING OFFICE

[10:58:45 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, Mary Sevier, Jeff Harris, BJ Grieve, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for the Planning & Zoning Office.

BUDGET REVIEW: DISTRICT COURT

[11:26:43 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, Bonnie Olson, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for District Court.

BUDGET REVIEW: SUPERINTENDENT OF SCHOOLS

[11:38:02 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, Marcia Sheffels, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for the Superintendent of Schools office.

PRELIMINARY PLAT: SUBDIVISION NO. 269

[11:47:58 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, Nicole Lopez-Stickney, Erica Wirtala

Lopez-Stickney reviewed the application submitted by Noreen K Richeson for preliminary plat approval of Subdivision #269, a minor subdivision that will create one residential lot and a remainder. The subject property consists of 20.99 acres. The lot proposed totals 2.001 acres. The property is located in Creston on Creston Hatchery Road, and is unzoned.

Commissioner Brenneman made a **motion** to adopt Staff Report FSR-06-11 as findings of fact. Commissioner Watne Brenneman **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

Commissioner Brenneman made a **motion** to approve the preliminary plat of Subdivision #269. Commissioner Watne Brenneman **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONDITIONS

1. The driveway shall conform to maximum grade standards [Section 3.6(E) FCSR]
2. The applicant will receive a physical address for the Lot in accordance with Flathead County Resolution #1626. Street addressing will be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
3. The developer shall obtain and show proof of a valid approach permit for the subdivision from the Flathead County Road and Bridge Department. [Appendix C (III)(G) FCSR].
4. The developer shall dedicate a fifteen (15)-foot bike/walk easement along Creston Hatchery Road. [Section 3.11(A)]
5. All utilities shall be placed underground to abut and be available to each lot, in accordance with a plan approved by the utility companies. Utilities and easements shall comply with Section 3.17 and 3.18 of the Flathead County Subdivision Regulations.
6. All storm water drainage plans, and water and sewer facilities shall be approved by the Flathead City-County Health Department and the Montana Department of Environmental Quality. [Section 3.14(C) FCSR; Section 3.15(C) FCSR; Section 3.12(A) FCSR]

7. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [Section 3.12(J) FCSR]
8. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All house numbers will be visible from the road, either at the driveway entrance or on the house.
 - b. All utilities will be extended underground.
 - c. Lot owners are notified they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
 - 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.

9. All required improvements shall be completed in place or a Subdivision Improvement Agreement, in accordance with Chapter 8 of the Flathead County Subdivision Regulations, shall be provided by the subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
10. 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]
11. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]

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 August 2, 2006.

WEDNESDAY, AUGUST 2, 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.

QUARTERLY REPORT W/ ADELE KRANTZ, TREASURER

[9:04:46 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, Adele Krantz

Discussion was held relative to the most recent report for the Flathead County Treasurers Office. Adele commented that the sweep account has worked out well for the county making over sixty thousand this quarter alone. She also stated that they are working on a new investment policy.

DOCUMENT FOR SIGNATURE: GRANT AWARD / DV & ACCOUNTABILITY OFFICER (FAMILY VIOLENCE PREVENTION COUNCIL)

[9:17:36 AM](#)

Members present:
 Commissioner Joseph D. Brenneman
 Members absent:
 Chairman Robert W. Watne
 Commissioner Gary D. Hall
 Others present:
 Assistant Michael Pence
 Clerk Kimberly Moser, Sandra Penrod, Janet Cahill, Mike Meehan, Laurel Raymond

Sandra Penrod reviewed the grant award amounts and match amounts. Janet Cahill reviewed the federal grant that the city of Kalispell had received. Discussion was held relative to the Justice Court's wish to not continue this program. Janet Cahill and Sandra Penrod indicated that they were not informed of the reasons behind Judge Ortle's request to discontinue the program.

Commissioner Brenneman made a **motion** to continue the decision on the grant award for the DV & Accountability Officer for the Family Violence Prevention Council until next week and not beyond. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

CONSIDERATION OF EXTENSION REQUEST: SIA / HAYDEN HEIGHTS

[9:30:42 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 SIA extension through October 8, 2006 for Hayden Heights. Commissioner Watne **seconded** the motion. **Aye** - Watne and Brenneman. Motion carried by quorum.

BUDGET REVIEW: SHERIFF'S OFFICE

[9:32:14 AM](#)

Members present:

Chairman Robert W. Watne
Commissioner Joseph D. Brenneman
Commissioner Gary D. Hall - [9:42:51 AM](#) seated

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jim Dupont, Mike Meehan, Tom Snyder, Pete Wingert, Karen Moore, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for the Sheriff's Office.

BUDGET REVIEW: FLATHEAD SEARCH & RESCUE

[10:06:48 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jim Dupont, Mike Meehan, Pete Wingert, Tom Snyder, Karen Moore, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for Flathead Search & Rescue.

BUDGET REVIEW: NORTH VALLEY SEARCH & RESCUE

[10:06:48 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Jim Dupont, Mike Meehan, Pete Wingert, Tom Snyder, Karen Moore, Laurel Raymond

Discussion was held relative to the 2006-2007 budget for North Valley Search & Rescue.

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

McGregor Rhodes, a member of the mosquito control board, spoke in regards to the request for a new levy. He urged the commissioners to accept the will of the voters who voted no on the levy. He stated that he believes that voting is a serious matter. He also stated that he was not here to make the commissioner's job any tougher. He then stated that if they try to put it on the ballot again he will fight it more than he did before.

Commissioner Hall questioned why he is so against controlling mosquitos in the valley.

McGregor Rhodes stated that he does not believe the county is qualified to do this and that it should not be under the county jurisdiction. He also stated that there has not been one case of a human having contracted West Nile Virus in Flathead County. He also stated that he does not believe that mosquito's are a health hazard they are a nuisance. He then stated that there is sixty thousand dollars in the budget to fight mosquitos.

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

PUBLIC HEARING: POHAKU KAHAWAI PUD

[11:00:02 AM](#)

Members present:

Commissioner Gary D. Hall
Commissioner Joseph D. Brenneman PT

Members absent:

Chairman Robert W. Watne

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Traci Sears-Tull, Jon Pilling, Paul Clark, Brett Walcheck, Steve Parker, Bruce Lutz, BJ Grieve, Mel Allen

Sears-Tull reviewed Staff Report FPUD-06-01.

Commissioner Brenneman PT opened the public hearing to anyone wishing to speak in favor or opposition.

Steve Parker stated that the name of the subdivision will be changed later on. He then stated that the original plan was to do a condominium and then discovered that Montana law did not allow for unattached condominiums. He also stated that the plan was to leave as much of the natural vegetation as they can. He also stated that timeshares would not be permitted in the covenants. He stated that Lakeside Water and Sewer agreed to accommodate them. He then reviewed the surrounding properties stating that one of the attached properties has attached condominiums. He then stated that the Lakeside Planning Board gave unanimous approval with a few attached conditions. He also stated that it was never a plan to have the daylight basements. He then reviewed the recommendation by the planning board to remove houses 4 and 5 and put in parking spots. He stated that they do not want to see parking next to the creek and that the board member who recommended this has a subdivision along the creek.

Mel Allen presented to letter for the commissioners review. He stated that the like use of this land is very consistent with what Lakeside would like to see. He stated that many developers try to push density to its maximum without the consideration that these developers are giving the water. He stated that he is in support of this project and feels that it fits Montana very well. He also stated that this fits a notch dollar wise for people.

Bruce Lutz reviewed the house design that will be put in this area. He then stated that units 4 and 5 are not going to have daylight basements and have no problem raising them two feet. He also stated that the road and the trail will be open to the public and are suggesting no modification to the stream bed. He then stated that they would be preserving the native vegetation as much as possible. He then spoke in regards to the hammer head on the road stating that the fire department had asked for that.

Bret Walcheck asked for the restating of conditions 5 and 6. He asked for further clarification and that these are requirements that will be reviewed by the state. He stated that as it reads now it looks like no storm water go into the creek.

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

Commissioner Brenneman stated that under present zoning they would be allowed slightly over ten lots. He asked if the comments from the Lakeside Planning were included in the staff report.

Traci Sears-Tull stated that they were included. She also stated that their office would be okay with removing condition six as that is addressed in condition 4. She also stated that she felt that condition 5 should stay.

Commissioner Hall recommended different language for condition 6.

Bret Walcheck suggested just adding that the applicant shall comply with Montana DEQ.

It was decided to eliminate condition 6 and to amend condition five to state that they shall comply with the Montana DEQ.

Commissioner Brenneman stated that he was unwilling to add recommended conditions 25 and 26.

Commissioner Hall stated that he does not want condition 25 but likes the adding of 8 additional parking spaces that is recommended in condition 26.

Commissioner Brenneman expressed his concern with maintaining the natural vegetation.

Traci Sears-Tull stated that they could add to the end of the visitor parking condition that they shall maintain as much of the natural vegetation as possible.

Commissioner Hall made a **motion** to amend condition 10 to state that Near Creek Road shall have a 40' easement w/ a 20' paved travel surface constructed w/ curb and gutter. Commissioner Brenneman **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

Commissioner Hall made a **motion** to amend condition 11 to state that Home numbers three, seven and eight shall have a 2 car garage and an 18 foot wide driveway surface. Commissioner Brenneman **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

Discussion was held relative to a letter that had been received by the fire department to have snow removal addressed. It was discussed having the snow removed so that the hammer head would not be utilized for snow storage. Traci Sears-Tull recommended adding a condition to state that the covenants shall state that the hammer head shall be remain open for emergency services and shall not be used for snow storage or parking.

Commissioner Hall made a **motion** to add a condition to state that the covenants shall state that the hammer head shall be remain open for emergency services and shall not be used for snow storage or parking. Commissioner Brenneman **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

Commissioner Hall made a **motion** to adopt Resolution 1955. Commissioner Brenneman **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

RESOLUTION NO. 1955

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following the publication of legal notice, on the 2nd day of August, 2006, to consider a proposal to approve a Planned Unit Development (PUD) in the Lakeside Zoning District (LS);

WHEREAS, the Board of Commissioners did hear public comment on the proposed Planned Unit Development at that hearing;

WHEREAS, the Board of Commissioners has reviewed the recommendation of the Flathead County Planning Board regarding the proposed Planned Unit Development;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 3.31.020.4, Flathead County Zoning Regulations, hereby conditionally approves the proposed Planned Unit Development

(PUD) in the Lakeside Zoning District (LS) overlaying approximately 2.47 acres to be developed into 10 single-family units. The deviations from the Lakeside Zoning District requirements are related to small lot sizes surrounding the proposed homes, the decrease from 60 feet to 40 feet for right of way required for internal subdivision roads and the deviation from the parking requirements for three of the home sites.

BE IT FURTHER RESOLVED that the property to be overlaid is described as Assessor's Tracts 1CAH, 1SJ and 1R in Section 18 of Township 26 North, Range 20 West, P.M.M., Flathead County, Montana. The property is located at 101 Stoner Creek Road, West of US Highway 93, Lakeside, Montana.

BE IT FURTHER RESOLVED that the applicant shall submit a final plan or plat showing compliance with the proposed overlay prior to redesignation of the property as a Planned Unit Development.

DATED this 2nd day of August, 2006.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By: _____
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

1. Lots 4 and 5 shall not have a basement and the lowest floor elevation shall be two feet above the existing grade.
2. Lot 4 shall be situated closer to Near Creek Road to allow a larger buffer between the structure and Stoner Creek.
3. Due to the potential for creek contamination due to fertilizers, lawns shall not be permitted for Lots 4 and 5. This shall be stipulated in the covenants.
4. The applicant shall submit a mitigation plan that shall incorporate all necessary means to prevent pollution of the Stoner Creek, including erosion, sediment and storm runoff controls before and after construction activity.
5. The applicant shall submit covenants that address storm runoff controls, as required by Montana DEQ, directed away from the Stoner Creek.
6. Near Creek Road will be recognized as a private road open to the public. This shall also be stipulated in the covenants.
7. Near Creek Road and the proposed walking trail shall be open to the public.
8. All lots shall be between 1,968 and 2,297 square feet in size.
9. Near Creek Road shall have a 40' easement w/ a 20' paved travel surface constructed w/ curb and gutter.
10. Home numbers three, seven and eight shall have a 2 car garage and an 18-foot wide driveway.
11. The final plan shall indicate the amount of open space/common area that is designated as driveways.
12. The designated riparian zone along Stoner Creek shall be protected from further development and maintained as a natural area similar to the areas outside of the unit yard areas.
13. A deed restriction shall be placed on the designated riparian zone along Stoner Creek to comply with its intended purpose.
14. Near Creek Road and the walkways shall be opened to public use.
15. The architectural perspectives included with the application depict two variations of log cabin style single-family structures, Whisper Creek Log Homes Bighorn and Firefox design.
16. All dwellings will require Class "A" or "B" roofing with similar coloring.
17. The building heights will not exceed 35 feet and all structures will adhere to the 20 foot rear setback and 10 foot side setback.
18. No fences are being proposed except silt fencing to control erosion from sites under construction.
19. There will be one sign constructed at the entry of the project off of Stoner Creek Road.
20. The project includes a small eight foot by three foot sand blasted wood monument sign with the subdivision name on the side facing the entry.
21. The project will be developed in one phase and the property shall comply with the PUD final plan within five years.
22. The applicant shall submit the PUD Final Plan pursuant to Section 3.31.030(6) of the FCPZ.
23. The applicant shall submit an overall development plan with PUD Final Plan.
24. Eight total visitor parking spaces shall be added between lots 1 and 2, Lot 9 and the east property line, and alongside the southern edge of the road opposite Lot 2, while maintaining as much of the natural vegetation as possible.
25. Covenants shall include the statement that the hammer head turn around shall remain open for emergency services: this would include no parking or snow storage.

PRELIMINARY PLAT: POHAKU KAHAWAI

[11:59:55 AM](#)

Members present:

Commissioner Gary D. Hall
Commissioner Joseph D. Brenneman PT

Members absent:

Chairman Robert W. Watne

Others present:

Assistant Michael Pence
Clerk Kimberly Moser, Traci Sears-Tull, Jon Pilling, Paul Clark, Brett Walcheck, Steve Parker, Bruce Lutz, BJ Grieve, Mel Allen

Sears-Tull reviewed the application submitted by Steve & Michele Parker for preliminary plat approval of Pohaku Kahawai, a major subdivision that will create ten single-family residential lots with a common area in the Lakeside Zoning District. The subdivision is proposed on 2.47 acres and will be served by Lakeside Water and Sewer. Staff recommends denial based on the failure of the Planning Board to approve the PUD.

Sears-Tull asked to add a condition 17 as a standard addressing condition. It was decided to remove condition 13 since it is addressed in condition 3 and in the PUD.

Commissioner Hall stated that he felt his concerns had been addressed and he liked this proposal.

Commissioner Hall made a **motion** to adopt Staff Report FPP-06-28 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the preliminary plat of Pohaku Kahawai subject to 16 amended conditions including the addition of a standard addressing condition and the removal of condition 13. Commissioner Brenneman **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

CONDITIONS

1. The deviation from Flathead County Subdivision Regulations is contingent upon the PUD Final Plan approval. [Section 3.31.020(4)]
2. 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]
3. The water and sewer system plan and storm water drainage systems will be reviewed 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]
4. The applicant will comply with reasonable fire suppression and access requirements of the Somers/Lakeside Fire Department and the Lakeside QRU 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]
5. Fire hydrants and water services sized to accommodate fire sprinkler systems will be included in the PUD Final Plan and the Final Plat. [Applicant submitted information]
6. 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]
7. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. Lot owners will participate in the Home Owners Association for maintenance of the internal subdivision road and all common/open space areas. The road will be maintained, including necessary repairs, snow removal, and dust mitigation, to ensure safe all-weather travel for two-way traffic and to reduce negative impacts on air quality. The PUD Final Plan indicates specific architectural design requirements that all lot owners shall adhere to.
 - b. All addresses will be visible from the road, and at the driveway entrance or on the house.
 - c. All utilities will be extended underground.
 - d. Lot owners should be aware they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
 - e. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - f. Stoner Creek shall be protected by setbacks as delineated on the face of the PUD Final Plan and the Final Plat. These areas are “no-build” zones and no vegetation shall be removed without proper authorization.
 - g. If archaeological, historical, or paleontological sites are discovered during residential construction, all work will cease and the lot owner will contact Flathead County and the Montana State Historic Preservation Office to determine if the find constitutes a cultural resource and if any mitigation or curation is appropriate.
 - h. Only Class A or B fire rated roofing materials are allowed. [Section 3.21, FCSR]
 - i. Defensible Space Standards shall be incorporated around all primary structures. [Appendix G, FCSR]
 - j. Lot owners are alerted to the presence of large and potentially dangerous wildlife in the area and are reminded that feeding big game is illegal. They are encouraged to contact the Montana Department of Fish, Wildlife, and Parks to obtain information on safely living near wildlife and minimizing habitat impact, including:
 - i. Dogs must be kept under owner control at all times.
 - ii. Residents must use bear-proof garbage containers.
 - iii. Remove obvious sources of food.
 - iv. Compost piles are prohibited unless secured by electrical fencing.
 - v. Pets should be fed indoors or food dishes brought in at night.
 - vi. Place bird feeders out of the reach of deer and other big game.
 - k. 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.
8. 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]
9. 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]
10. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]
11. Lot 4 shall be situated closer to Near Creek Road to allow a larger buffer between the structure and Stoner Creek. [PUD Plan]
12. Due to the potential for creek contamination from fertilizers, lawns shall not be permitted for Lots 4 and 5. This shall be stipulated in the covenants. [PUD Plan]
13. Near Creek Road will be recognized as a private road open to the public. This shall also be stipulated in the covenants. [PUD Plan]
14. Near Creek Road and the proposed walking trail shall be open to the public. [PUD Plan]

15. A flood hazard evaluation and mapping shall be conducted for the reach of Stoner Creek that abuts the proposed project. [Agency Recommendation]
16. The applicant shall receive physical addresses and road names in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]

1:00 p.m. Commissioner Brenneman to attend a meeting w/ Cathy Barboulatos at the Forest Service
3:00 p.m. Commissioner Brenneman to travel to Havre
4:00 p.m. Roadless Rule Task Force meeting at the Earl Bennett Building

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on August 3, 2006.

THURSDAY, AUGUST 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.

Commissioner Brenneman to attend Northern Tier Interoperability meeting in Havre

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

FRIDAY, AUGUST 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.

NO MEETINGS SCHEDULED

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