
MONDAY, OCTOBER 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.

8:00 a.m. Weed & Parks Board Meeting @ Weed & Parks Office

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

Linda Christenson spoke about her work in trying to protect the aquifer and is asking what, if anything can be done in regards to zoning for the aquifer and if their possibly could be an ordinance prepared to protect the water.

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

PUBLIC HEARING: N.W. DEVELOPMENT ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

9:31:31 AM

Members present:

Commissioner Gary D Hall

Commissioner Joseph D Brenneman PT

Members absent:

Chairman Robert W Watne

Others present:

Clerk Diana Kile, Erica Wirtala, BJ Grieve, Rebecca Shaw, Jeff Harris, Bev Willis, Steven Wong, Ralph Tahram, Michael Anders, Jonathan Smith

Shaw reviewed Staff Report #FZC 06-04 which will change the zoning designation on property located in the Evergreen and Vicinity Zoning District from SAG-10 to I-1H and R-4. The property contains 140.539 acres and falls within the Two Rivers Master Plan Amendment. The area is outside the service area of the Evergreen Water and Sewer District. Staff recommends denial.

Jeff Harris stated that they are not arguing whether the zone change is appropriate to be consistent with the Two Rivers Plan. He stated that it's an issue of timing with the public infrastructure not being in the ground or anticipated to support that level of intensity for high density residential. He spoke about the land being outside the Evergreen Water and Sewer District, so they could not be served by them and they have no provisions to serve them with their existing infrastructure. He also stated that the area is not ready to be an R-4 district.

Commissioner Brenneman PT opened the Public Hearing to anyone wishing to speak in favor or opposition.

Erica Wirtala spoke as a representative of Sands Surveying and addressed her concerns with the project. She stated that the applicant and his staff came in from Oregon to help out with the presentation. She also stated that Kelsey Addition has been purchased by the developer and is now called Trumble Creek Crossing. It has gone through extensive work with the Kalispell City Council and they now have a specific inter local agreement with Evergreen Water and Sewer to allow the 100,000 gallons per day of sewage to pass through Evergreen Water & Sewer District lines to be processed by the Kalispell Sewer Department. It was stated that the property is now included in the district and it brings the boundaries to Evergreen Water and Sewer District to the southern most border of the zone change; so it was stated they are adjacent to city services. The reason they asked for a delay was for the Kalispell Growth Policy to be adopted by the city council and that it would include the property. One of the statements made through out the Staff Report is that a less dense residential zone would be preferred in the area. The proposed zone change incorporates 160 acres of land and is made up of 4 tracts.

Mike Aders with Northwest Development spoke in regards to what has been going on in the valley this past 5 years with real estate and how growth has been occurring. He stated that he feels there is a better way to develop a community, especially for an entry level product. He spoke about the average income earners having to rent and being pushed out of the market. He also spoke about the property that is subject to the annexation request and would like to put in a subdivision that would be a nice community with city standards. He stated that the submittal to DEQ has been submitted so they are in their 60 day period to have that approved. He then spoke about comments from staff in regards to services having to be available in order to make a zone change and stated that he doesn't see anywhere in Flathead County or Montana zoning code that says municipal services must be present to change or amend a zone.

Commissioner Hall questioned what they projected to sell lots for.

Mike Aders stated that they are trying to work with a couple of builders to achieve a certain price range.

Jonathan Smith spoke in regards to making sure that everyone understood that if there is no Growth Policy, there can be no zone change. He stated that they can take the step today after October 1, 2006, but it possibly raises an issue that could be litigated in the future, if somebody wants to litigate it when they took the step after October 1, 2006, without a Growth Policy. There is nothing specific in the law that says they cannot, so he can't advise the commissioners not to. The more significant problem is, if they take the step today they set up a 65 day time limit to get it done and if there is no Growth Policy in 65 days then the process has to start over.

Commissioner Brenneman PT then stated that they have on occasion continued the Public Hearing.

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

Jeff Harris spoke in regards to having two options from here; he stated that they can close the Public Hearing and continue discussion of the item if they choose to, or that you don't have to hold the Public Hearing open but a decision could be deferred until later.

Jonathan Smith stated that they could also close the Public Hearing and not take action.

Mike Aders questioned what the likely hood of the Growth Policy being in effect on Oct 15, 2006, would be.

Jeff Harris then stated that the Planning Board is moving through the review of the draft, but staff is uncertain where they are going to go once they get past the review process.

Commissioner Brenneman PT stated that he would be unable to vote in favor of the zone change without municipal services available. He also stated that the project has merit, but the timing issue isn't appropriate now. He also questioned whether any of the homes would fall into the category of being affordable housing in the Flathead, which would be around \$110,000.

Mike Aders stated that it would depend on the zoning, but it is their intent.

Jeff Harris spoke in regards to his understanding that Kelsey Subdivision, before it became Trumble Creek Subdivision would be annexed into the city, and after it's annexed into the city then it would be subject to city zoning and not the counties.

Shaw spoke about a letter from Evergreen Water and Sewer dated May 8, 2006, describing the property as being outside of the RSID district. She also spoke in regards to Mike Aders talking about not having to have public services available for a zone change. She then stated that development within the districts will require all public utilities and all community facilities.

Commissioner Hall stated that he would like to give the developer an opportunity by delaying action and seeing if we get a Growth Policy or services provided to the area.

Erica Wirtala stated that a developer won't negotiate with the city or Evergreen Sewer and Water without any zoning in place.

Mike Aders spoke in regards to having to have services in order to develop the property and his request is that they are not asking for development approval at this point, they are only asking for the zone change so they can go to the next step to present development approval. He stated they are trying to get through each step to obtain zoning first and then to obtain the development application.

Jeff Harris stated that Erica Wirtala raised a valid point in that any developer will look at infrastructure cost and have agreements in place before the infrastructure is placed in the ground and before they would put anything into the ground they would have agreements worked out ahead of time.

Erica Wirtala questioned whether she could apply for an extension on zoning.

Jonathan Smith spoke in regards to what has been done in the past and spoke about an extension not being an option with the zoning laws. He spoke about step one being the Public Hearing, step two would be to pass the Resolution of Intent, step three is to give Notice of the Resolution of Intent and step four being accept protests for 30 days from the time the notice is published and if sufficient protests are not received the board has 30 days within to act on that.

Erica Wirtala then stated that as long as the commissioners don't pass the Resolution of Intent today then the time limits wouldn't start.

Jonathan Smith spoke in regards to it being after October 1, 2006, and not having a Growth Policy in place as of yet. He stated that when there is a new Growth Policy it would have to be looked at again to see if it applies to the new Growth Policy that they would now be under.

Jeff Harris stated that he believes that you can close the Public Hearing, but continue the discussion of the item.

Jonathan Smith stated that what they have done on some Public Hearings in this last month was to continue the Public Hearing with the 60 day limitation in mind, and after the first 30 days end there is another 30 day period in which they can take action.

Jonathan Smith stated that when the Planning Board gets the Growth Policy to the Commissioners that it will not take effect at that time, it will not be until they have had a chance to take public comment for 30 days and then adopt the Growth Policy.

Commissioner Brenneman stated that with the Growth Policy date all aside he would not be able to vote on a zone change with municipal services not being available.

Shaw again spoke about a letter from Evergreen Water & Sewer dated May 8, 2006, that said "will serve" at the top and she stated that the Planning Board had an issue with that at the time, with the property being outside the RSID district.

Jeff Harris indicated that he felt the zone change should be denied based on the fact that there is no infrastructure in place at this time.

Erica Wirtala stated that if it was denied they would have to wait one year before they could come back. She also stated that they would rather take there chances in them allowing them to work further with the city.

Jeff Harris stated that the only way this project was going to move forward would be if the property is annexed.

Commissioner Brenneman PT made a **motion** to deny Northwest Development Zone Change/ Evergreen and Vicinity Zoning District. Commissioner Hall **seconded** the motion. **Aye** - Brenneman **Opposed** – Hall. Zone changed denied for lack of a quorum.

Jeff Harris stated that if the applicant would like to withdraw the application before a decision to deny is made, they would then terminate the file and if they wanted to come back in at the appropriate time when arrangements have been worked out if its less than one year, then they could do that if the zone change is withdrawn. He then stated if they get a denial then it remains at one year before they can do another application.

Commissioner Brenneman PT then stated that the zone change is not denied at this point for a lack of quorum.

Erica Wirtala stated that they would like to withdraw the application at this time.

Commissioner Brenneman PT made a motion for the record that the applicant has withdrawn the application at this point.

MEETING W/ CHARLIE JOHNSON, ROAD DEPT

[11:03:04 AM](#)

Members present:

Commissioner Gary D Hall
Commissioner Joseph D Brenneman PT

Members absent:

Chairman Robert W Watne

Others present:

Assistant Michael Pence
Clerk Diana Kile, Charlie Johnson

Discussion was held relative to safety balls that were purchased by the city and county to put on the crosswalks on Whitefish Stage Road. He spoke about the problem that they ran into with the electrical in installing them, but through a grant from Round Up For Safety from Flathead Electric for \$7,000 they were able to finish. He also spoke about doing some test strips for dust control with a new product that he has been checking into with the cost per mile at approximately \$3,800. He also stated that they are in the process of doing stripping on roads and spoke about trying to involve the other cities in partnering with the county to purchase a paint stripping truck. He spoke briefly about the county not owning right of ways on property that they only have easements and that presents problems in regards to abandoning roads.

PRELIMINARY PLAT: FREDERICK SUBDIVISION NO. 1

[11:32:31 AM](#)

Members present:

Commissioner Gary D Hall
Commissioner Joseph D Brenneman PT

Members absent:

Chairman Robert W Watne

Others present:

Assistant Michael Pence [11:44:35 AM](#) seated
Clerk Diana Kile, Nicole Lopez-Stickney, Jeff Harris, Clarice Zabel, Gary Zabel, Jeff Larsen

Lopez-Stickney reviewed the application submitted by Clarice Zabel for Preliminary Plat approval of Frederick Subdivision No. 1; a minor subdivision that will create two single family residential lots. The subdivision is proposed on 3.86 acres on Frederick Way, a private road accessed from Trap Road between MT Hwy 206 and Middle Road.

Commissioner Hall made a **motion** to adopt Staff Report #FSR 06-19 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

Jeff Larsen spoke in regards to condition #16 which the applicant would like removed.

Gary Zabel spoke about easements and his concern with someone putting a road through.

Commissioner Hall made a **motion** to approve the Preliminary Plat of Frederick Subdivision No. 1, and remove condition #16. Commissioner Brenneman PT **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

RECOMMENDATION

1. A variance shall be granted by the Flathead County Board of Commissioners to Section 3.9 Table 3 for the subdivision cul-de-sac road length to exceed the maximum road length by no more than 75 feet. [Section 7.1, Flathead County Subdivision Regulations]
2. The applicant shall receive physical addresses and the road name in accordance with Flathead County Resolution #1626. The road name shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
3. The applicant shall show proof of a completed approach permit from the Flathead County Road Department, indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR]
4. Lot owners within the subdivision will participate in a Road User's Agreement or Property Owners Association for the subdivision road, which will require each property owner to bear his or her pro-rata share for maintenance of the private road and sidewalks. [Section 3.9(J)(3), FCSR]
5. 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]
6. The proposed water and septic treatment 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]
7. The applicant shall comply with reasonable fire suppression and access requirements of the applicable 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]
8. 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]

9. The developer shall provide written documentation from the appropriate USPS postmaster, indicating mail delivery requirements have been met. [Section 3.22, FCSR]
10. The developer shall contact the Superintendent of Schools and, if required, provide and improve a location for the safe loading and unloading of students.
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 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. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - e. The Road Maintenance Agreement shall be responsible for maintenance of the private roadway. The road shall be maintained, including necessary repairs and snow removal, to ensure safe all-weather travel for two-way traffic
 - 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.
 - g.

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.
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 subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
13. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]
14. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]
15. Frederick Way shall consist of a 60-foot right of way and minimum 20-foot paved travel surface, extending from its intersection with Trap Road to the edge of the cul-de-sac. The cul-de-sac will consist of a minimum 50-foot paved travel surface radius and 55-foot outside right of way radius. The road system shall be designed by a licensed professional engineer and, upon completion of construction, be certified by a licensed professional engineer for compliance with AASHTO standards. [Section 3.9, FCSR]

PRELIMINARY PLAT: FREDERICK SUBDIVISION NO. 2

[12:01:56 PM](#)

Members present:

Commissioner Gary D Hall
 Commissioner Joseph D Brenneman PT

Members absent:

Chairman Robert W Watne

Others present:

Assistant Michael Pence
 Clerk Diana Kile

Lopez-Stickney reviewed the application submitted by Gary Zabel for Preliminary Plat approval of Frederick Subdivision No. 2; a minor subdivision that will create two single family residential lots. The subdivision is proposed on 3.86 acres on Frederick Way, a private road accessed from Trap Road between MT Hwy 206 and Middle Road.

Commissioner Hall made a **motion** to adopt Staff Report #FSR 06-18 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 Frederick Subdivision No. 2, and remove condition #16. Commissioner Brenneman PT **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum

RECOMMENDATION

1. A variance shall be granted by the Flathead County Board of Commissioners to Section 3.9 Table 3 for the subdivision cul-de-sac road length to exceed the maximum road length by no more than 75 feet. [Section 7.1, Flathead County Subdivision Regulations]
2. The applicant shall receive physical addresses and the road name in accordance with Flathead County Resolution #1626. The road name shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]

3. The applicant shall show proof of a completed approach permit from the Flathead County Road Department, indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR]
4. Lot owners within the subdivision will participate in a Road User's Agreement or Property Owners Association for the subdivision road, which will require each property owner to bear his or her pro-rata share for maintenance of the private road and sidewalks. [Section 3.9(J)(3), FCSR]
5. 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]
6. The proposed water and septic treatment 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]
7. The applicant shall comply with reasonable fire suppression and access requirements of the applicable 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]
8. 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]
9. The developer shall provide written documentation from the appropriate USPS postmaster, indicating mail delivery requirements have been met. [Section 3.22, FCSR]
10. The developer shall contact the Superintendent of Schools and, if required, provide and improve a location for the safe loading and unloading of students.
11. The following statements shall be placed on the face of the final plat applicable to all lots:
 - h. All addresses will be visible from the road, and at the driveway entrance or on the house.
 - i. All utilities will be placed underground.
 - j. 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.
 - k. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - l. The Road Maintenance Agreement shall be responsible for maintenance of the private roadway. The road shall be maintained, including necessary repairs and snow removal, to ensure safe all-weather travel for two-way traffic
 - m. 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.
 - n.

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.
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 subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
13. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]
14. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]
15. Frederick Way shall consist of a 60-foot right of way and minimum 20-foot paved travel surface, extending from its intersection with Trap Road to the edge of the cul-de-sac. The cul-de-sac will consist of a minimum 50-foot paved travel surface radius and 55-foot outside right of way radius. The road system shall be designed by a licensed professional engineer and, upon completion of construction, be certified by a licensed professional engineer for compliance with AASHTO standards. [Section 3.9, FCSR]

CONSIDERATION OF RELEASE OF COLLATERAL: COLUMBIA MOUNTAIN VIEW II

12:05:04 PM

Members present:

Commissioner Gary D Hall

Commissioner Joseph D Brenneman PT

Members absent:

Chairman Robert W Watne

Others present:

Assistant Michael Pence

Clerk Diana Kile

Commissioner Hall made a **motion** to release the collateral for Columbia Mountain View II. Commissioner Brenneman PT **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: LAKESIDE NUTRITION SITE CONTRACT AOA

[12:07:42 PM](#)

Members present:
Commissioner Gary D Hall
Commissioner Joseph D Brenneman PT
Members absent:
Chairman Robert W Watne
Others present:
Assistant Michael Pence
Clerk Diana Kile

Commissioner Hall made a **motion** to continue the document for signature until Tuesday, October 3, 2006 for the Lakeside Nutrition Site Contract for AOA. Commissioner Brenneman PT **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

CONSIDERATION OF PRINTING BIDS: ANIMAL CONTROL

[12:13:21 PM](#)

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

Commissioner Hall made a **motion** to accept the printing bids from Hand Print Design for 6 sets of 500 business cards for \$90.00. Commissioner Brenneman PT **seconded** the motion. **Aye** - Hall and Brenneman. Motion carried by quorum.

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

TUESDAY, OCTOBER 3, 2006

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

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

QUARTERLY MEETING W/ MARCIA SHEFFELS, SUPT OF SCHOOLS

[9:11:37 AM](#)

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Assistant Michael Pence
Clerk Diana Kile, Marcia Sheffels

Discussion was held relative to the opening of the school year in Flathead County and statistics were reviewed relevant to the county. It was stated that there are 23 school districts in Flathead County, with 19 of them being elementary schools and the other 4 high schools. There are 13,300 students enrolled in the public schools, 1,100 in private schools and 576 home schooler's. There are also 1,482 teachers registered and 48 active substitutes. There are approximately 100 bus routes up and going.

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

[9:26:53 AM](#)

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Assistant Michael Pence
Clerk Diana Kile, Norm Calvert

Norm Calvert reported that a new employee started last week and the new Network Administrator has started her new position also. He spoke briefly about the tax bills being printed and the problem Larry had in regards to different school districts on the tax bills.

CONSIDERATION OF PROCLAMATION: CHILDHOOD CANCER AWARENESS

[9:36:08 AM](#)

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Assistant Michael Pence
Clerk Diana Kile

Commissioner Hall made a **motion** to approve the Childhood Cancer Awareness and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #07-07-6-11-018-0

[9:36:33 AM](#)

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Assistant Michael Pence
Clerk Diana Kile

Commissioner Hall made a **motion** to approve the DPHHS contract #07-07-6-11-018-0 and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF EXTENSION REQUEST: TEN ARROWS RANCH

[9:41:09 AM](#)

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Assistant Michael Pence
Clerk Diana Kile

Commissioner Hall made a **motion** to approve the extension request for Ten Arrows Ranch. Chairman Watne seconded the motion. **Aye** – Watne and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: CONVEYANCE/ DEMERSVILLE CEMETERY LOT

[9:36:58 AM](#)

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Assistant Michael Pence
Clerk Diana Kile, Jonathan Smith

Commissioner Hall made a **motion** to approve the document for signature for conveyance for Demersville Cemetery lot and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF EXTENSION REQUEST: EAGLES NEST INDUSTRIAL PARK

[9:42:12 AM](#)

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Assistant Michael Pence
Clerk Diana Kile

Commissioner Hall made a **motion** to approve the extension request for Eagles Nest Industrial Park. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTAL: OA III/ JUSTICE COURT AND SERVICE ASSISTANT/ HEALTH DEPT.

[9:42:46 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile

Commissioner Hall made a **motion** to approve the HR Transmittal in Justice Court for an OA III and the Service Assistant for the Health Department. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONTINUATION OF DOCUMENT FOR SIGNATURE: LAKESIDE NUTRITION SITE CONTRACT/ AOA

[9:30:39 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Wes Hulla

Commissioner Hall made a **motion** to approve the document for signature for the Lakeside Nutrition Site Contract/ AOA and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE

[10:03:00 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Diana Kile

Discussion was held relative to the recordable injuries for the month of September and the Health Insurance Trust Fund balance. Raeann stated that she needs to work with department heads so that she can be notified of injuries in a timely manner. She also spoke about a supervisors training session that she held last month with 20 people attending.

Commissioner Hall made a **motion** to approve the HR administrative actions for the month of September and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** - Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the insurance amendment and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: SUBDIVISION NO. 271

[10:18:45 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Jeff Harris, Erica Wirtala

Harris reviewed the application submitted by Evalyn Allison with technical assistance from Sands Surveying for Final Plat approval of Subdivision No. 271, a subdivision creating one residential lot. The subdivision is located east of MT 206 on Mooring Road. Preliminary Plat approval was granted on June 27, 2006, subject to 10 conditions. All conditions have been met. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Final Plat of Subdivision No. 271. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: WEST VALLEY SUBDIVISION NO. 1

[10:25:51 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Annie Thompson

Thompson reviewed the application submitted by Sam and Ann Middleton with technical assistance from Sands Surveying for Final Plat approval of West Valley Subdivision #1, a 4 lot major subdivision located on the southwest corner of West Valley Drive and West Reserve Drive. Preliminary Plat approval was granted on March 22, 2005, subject to 12 conditions. All conditions have been met. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Final Plat of West Valley Subdivision No. 1. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: PONDEROSA BOAT CLUB

[10:29:23 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile

Thompson reviewed the application submitted by Harbor Springs, LLC with technical assistance from Michael W Fraser for Final Plat approval of Ponderosa Boat Club, a subdivision creating 73 residential lots. The subdivision is located at the intersection of Holt Drive and Chapman Hill Road, just west of Bigfork. Preliminary Plat approval was granted on April 25, 2005 subject to 21 conditions. All conditions have been met. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Subdivision Improvement Agreement for Ponderosa Boat Club and authorize the Chairman to sign. Chairman Watne seconded the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Final Plat of Ponderosa Boat Club. Chairman Watne seconded the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: BADROCK ESTATES

[10:30:54 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Assistant Michael Pence
Clerk Diana Kile, Annie Thompson, Jeff Harris

Thompson reviewed the application submitted by Dennis and Christine Hostetler with technical assistance from Montana Mapping for Final Plat approval of Badrock Estates, a subdivision creating 2 residential lots, located off of Badrock Drive, west of MT Hwy 206. Preliminary Plat approval was granted on January 12, 2006, subject to 17 conditions. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Subdivision Improvement Agreement for Badrock Estates and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Final Plat of Badrock Estates. Chairman Watne seconded the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: MOUNTAIN HOME SUBDIVISION

[10:49:32 AM](#)

Members present:

- Chairman Robert W Watne
- Commissioner Gary D Hall

Members absent:

- Commissioner Joseph D Brenneman

Others present:

- Assistant Michael Pence
- Clerk Diana Kile, Eric Giles, Sarah Arrigoni, Brooke Howard

Giles reviewed the application submitted by Montana Mapping for Final Plat approval of Mountain Home Subdivision, a subdivision creating 2 residential lots. The subdivision is located north of Hodgson Road across from Happy Valley and contains 20 acres. Preliminary Plat approval was granted on October 21, 2003, subject to 8 conditions.

Commissioner Hall made a **motion** to approve the Final Plat of Mountain Home Subdivision. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

AUTHORIZE COUNTY ATTORNEY’S OFFICE TO ACCEPT SERVICE: PLUM CREEK LAND v. COUNTY; FRIENDS OF LITTLE BITTERROOT v. COUNTY; ANTHONY CLAYTON v. COUNTY

[11:14:53 AM](#)

Members present:

- Chairman Robert W Watne
- Commissioner Gary D Hall

Members absent:

- Commissioner Joseph D Brenneman

Others present:

- Assistant Michael Pence
- Clerk Diana Kile, Jonathan Smith

Commissioner Hall made a **motion** to authorize the County Attorney’s Office to accept service for Plum Creek Land v. County, Friends of Little Bitterroot v. County and Anthony Clayton v. County services. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

- 11:30 a.m. Chairman Watne meeting w/ Ken Kalvig**
- 1:15 p.m. 911 meeting @ Justice Center**
- 2:00 p.m. Commissioner Brenneman weight limit planning meeting @ Commissioners’ Meeting Room**

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

WEDNESDAY, OCTOBER 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.

- 11:00 a.m. County Attorney meeting @ Co. Atty’s Office**
- 4:00 p.m. Commissioner Brenneman to Havre**

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

THURSDAY, OCTOBER 5, 2006

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

- 8:30 a.m. Commissioner Brenneman Northern Tier Interoperability meeting in Havre**
- 8:30 a.m. AOA TAB meeting @ Eagle Transit**
- 5:30 p.m. Montana West Economic Development Annual Investor Meeting @ Flathead Lake Lodge**

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

FRIDAY, OCTOBER 6, 2006

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

NO MEETING SCHEDULED

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