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**MONDAY, OCTOBER 16, 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.**

Wallace Hill Best spoke briefly about an article that he has written called "Much Ado About Nothing" regarding the situation with those opposed to the growth plan.

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

**PRELIMINARY PLAT: TIERHAVEN ESTATES**

8:50:30 AM

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Nicole Lopez-Stickney, Jonathan Smith, Joe Kauffman, Kate Cassidy, Mike Raymond, Jarrod Mohr

Lopez-Stickney reviewed the application submitted by Michael J Raymond with technical assistance from Big Sky Surveying for Preliminary Plat approval of Tierhaven Estates, a major subdivision that will create 5 lots. The subdivision is proposed on 22.65 acres. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report FPP 06-44 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Kate Cassidy spoke in regards to condition #1 and stated that the road is coming off a county gravel road and they would like to do dust abatement instead of paving.

Joe Kauffman asked for clarification on condition #1 in regards to the cul-de-sac and he also spoke about dust abatement.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Tierhaven Estates. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**CONDITIONS:**

1. The internal subdivision road shall be certified by a licensed engineer and constructed with a minimum 60-foot right-of-way, a 20-foot paved travel surface, and 55-foot outside radius cul-de-sac, in accordance with Section 3.9 of the Flathead County Subdivision Regulations.
2. 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]
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. A road identification sign and stop sign shall be installed at the intersection of the internal subdivision road and Badrock Drive. [Section 3.9(I)(8), FCSR]
5. The subdivider shall dedicate a 15-foot pedestrian/bike path easement along Badrock Drive on Lots 1, 2, and 3. [Section 3.18(A) FCSR]
6. A sixty-foot road easement to provide future connectivity shall be established on Lots 4 and 5, extending from the internal subdivision road cul-de-sac to the northern boundary of the parcels. The easement shall be shown on the face of the final plat. The cul-de-sac will end at the northern parcel line of Tract 4 of C.O.S. 13761 to access Lot 5. No flag lot is allowed. [Section 3.4(C), 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 applicant shall comply with reasonable access requirements of the Badrock 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]
9. 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]
10. 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]
11. The developer shall provide written documentation from the appropriate USPS postmaster, indicating mail delivery requirements have been met. [Section 3.22, FCSR]
12. The subdivider shall pay a parkland fee equivalent to the value of 1.05 acres of the unimproved, undivided land. The subdivider shall provide a current appraisal from a certified MAI appraiser no sooner than six months prior to the final plat application to set the baseline value of the parkland cash donation. [Section 3.19, 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. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
- e. 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.
- f. The property owners association or road users' agreement shall govern maintenance of the internal subdivision road. The road 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.
- 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.

- 14. 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]
- 15. 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]
- 16. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]
- 17. The applicant shall grant an easement for access through the subdivision for Tract 1AA in Section 29, Township 30 North, Range 20 West.
- 18. There shall be no further subdivision of the five lots in Tierhaven subdivision.

NLS

#### **MONTHLY MEETING W/ JIM ATKINSON, AOA**

[9:31:37 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Raeann Campbell, Jim Atkinson, Jonathan Smith, Carol Talley

Jim Atkinson spoke in regards to the meal site in Lakeside that was recently closed and stated that they are now serving meals at the Lakeside Chapel. He also stated that they moved into there present site on November 2002, and it was planned that they would only be there for a short time. He also spoke about the building needing an electrical upgrade.

#### **DOCUMENT FOR SIGNATURE: MDOT SECTION 5311 OPERATING CONTRACT/ EAGLE TRANSIT**

[9:04:37 AM](#)

[10:05:59 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Jonathan Smith, Raeann Campbell, Jim Atkinson, Cheryl Talley, Rick Burkhalter, Bob Luceno, Robin Boon, Kim Thomas, Chris Holmer

Jim Atkinson spoke in regards to the agreement with MDT and Glacier Park that would provide public transportation to the Park. The agreement has been worked on for over a year with the overriding issue being the indemnification. The agreement has come through and it has been decided that the counties liability would be no more than what they have with liability with other agencies and businesses.

Cheryl Talley spoke about the need for 72 bus drivers and 8 supervisors for the program which she realizes will be a challenge to obtain. She has spoke with FVCC and the Blackfoot Reservation Community College in regards to them putting on special classes to get drivers certified with CDL's. It was stated that if the county can not find enough drivers to run the buses they can pull out of the contract. The contract also says that if either party is unsatisfied they have the right to pull out of the agreement. They will be getting 22 small vans and 8 large buses, which can be used anywhere they choose. She spoke about where the county benefits indirectly is with the match they will receive, which is a 50/50 match for operations. The match money has to come locally and it will be received from a variety of places, which will include mill levies, hospitals, cities and contracts from Dept of Public Health & Services. The contract is looked at as a contract that would be brought in locally, so that money can be used as a match for the DOT.

Jim Atkinson stated that for the first time in history they would have enough match money to get all of the federal dollars they need to run Eagle Transit.

Discussion was held relative to the agreement with Glacier Park and it was indicated that there would be no increase in premium liability or workers comp.

Rick Burkhalter spoke in regards to the workers comp being based on payroll and stated that if there is an increase in payroll then there would be an increase in workers comp. He explained that the plan the county is on is a retro plan and what drives the costs are losses and claims.

Commissioner Brenneman made a **motion** to approve the document for signature for MDOT Operating Contract and authorize the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: COOPERATIVE AGREEMENT BETWEEN DEPT OF THE INTERIOR NATIONAL PARK SERVICE/ STATE OF MONTANA/ FLATHEAD COUNTY**

[10:05:43 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Jim Atkinson, Cheryl Talley, Dave Prunty

Discussion was held relative to the possible increase in insurance costs with the agreement with Glacier Park.

Commissioner Brenneman made a **motion** to approve the document for signature for the cooperative agreement between National Park Service/ State of Montana/ Flathead County and authorize the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**CONTINUATION OF PUBLIC HEARING: FARLEY, et al, ZONE CHANGE/ LOWER SIDE ZONING DISTRICT**

[9:39:10 AM](#)

Members present:

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

Others present:

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

Commissioner Hall made a **motion** to continue the Public Hearing for Farley, et al Zone Change/ Lower Side Zoning District in 30 days. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**FINAL PLAT: GREAT BEAR ESTATES**

[9:45:33 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Jeff Harris, Rebecca Shaw, Paul Badgley, Kim Wunderlich

Shaw reviewed the application submitted by Paul Badgley and Ecliptic, LLC with technical assistance from Glacier Surveying for Final Plat approval of Great Bear Estates, a 13 lot residential subdivision. The property is located 2 miles southwest of Columbia Falls, approximately ½ mile west of Hwy 2 east on Hodgson Road. Preliminary Plat approval was granted on June 13, 2005, subject to 12 conditions. All conditions have been met. Staff recommends approval.

Commissioner Brenneman made a **motion** to approve the Final Plat of Great Bear Estates. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**MEETING W/ LIBERTY NORTHWEST RE: RENEWAL**

[10:17:24 AM](#) & [11:29:47 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Raeann Campbell, Tammy Skramovsky, Robin Boon, Bob Luceno, Rick Burkhalter, Kim Thomas, Chris Holmer, Dave Prunty, Jim Atkinson, Cheryl Talley

Robin Boon reviewed the renewal from Liberty Northwest which is at a \$40,000 dollar decrease this year. She stated that the class codes were worked through and once that was done the premium came in less. She also stated that the safety culture in the county is at a whole new level and that is important to achieve the goal of being self insured.

Bob Burkhalter spoke in regards to the decision that the county made last year with taking their workers compensation insurance in a new direction. It was stated that a three way partnership was formed with Western States Insurance, Liberty Northwest and Flathead County with a 5 year process to become self insured. He also spoke about the work that still needs to be done in having a greater degree of accountability on department heads in reporting accidents and claims in a timely manner. He stated that they would like to know about an injury within 3 days of it happening, instead of the 14 ½ day average.

Bob Luceno spoke in regards to the county wanting to improve the work place safety and be able to control work comp costs.

Chris Holmer spoke about claims that came through the office in regards to the early return to work program. Before he came on board claims were segmented into each separate department, which made it difficult for some to return to work on a lighter capacity. Now being able to allow an employee to move inter departmentally for light duty work, they were able to substantially limit the total disability costs by cutting their claims costs almost in half.

Robin Boon stated that the retro renewal will be coming in at \$743,675.00 plus the regulatory assessment fee and the increased reported liability limits, which brings it to about \$773,000.00

Mike Pence stated that they are looking at a significantly less premium than was paid to MACo.

Commissioner Brenneman made a **motion** to approve the renewal with Liberty Northwest for 1 year . Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

#### **DOCUMENT FOR SIGNATURE: EASEMENTS (ROAD IN TRUMAN-WILD BILL AREA AND PLEASANT VALLEY ROAD)**

[10:39:03 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, Debbie Boreson

Commissioner Hall made a **motion** to approve the document for signature on easements on roads in Truman Creek-Wild Bill area and Pleasant Valley Road and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### **AUTHORIZATION TO PUBLISH CALL FOR BIDS: COURTHOUSE ROOF**

[9:41:38 AM](#)

Members present:

Chairman Robert W Watne

Commissioner Gary D Hall

Commissioner Joseph D Brenneman

Others present:

Assistant Michael Pence

Clerk Diana Kile

Commissioner Hall made a **motion** to approve the authorization to call for bids on the Courthouse Roof and authorize the Chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

#### CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the replacement of the roof on the Flathead County Courthouse, 800 South Main, Kalispell, Montana.

The project will consist of removing all layers of shingles on the roof and replacing them. Potential bidders are encouraged to inspect the roof for measurements and may arrange to do so by calling Don Mills at 758-5798. A contract form is also available from Mr. Mills.

Each bidder should submit bids for shingles with warranty periods of 20 years and 50 years and must produce a schedule showing when the work can be started and completed. Warranties and schedules will be considered when determining the bid that is in the best interest of Flathead County and will be included in the contract for replacement of the roof. Each bidder should also submit bids for replacement of the Clock Tower roof and without replacement of the Clock Tower roof.

Each bidder must deposit with his bid, a bid security in the amount of ten percent (10%) of the bid based upon 20-year shingles to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within ten (10) days, enter into a formal contract for the completion of the project. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States, a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank, or bid bond executed by a surety corporation authorized to do business in Montana.

No bidder may withdraw a bid after the actual date of the opening thereof.

A Performance Bond and Labor and Materials Payment Bond each in the amount of One Hundred percent (100%) of the contract sum will be required of the successful bidder, to secure the contractor's covenant to faithfully perform all of the conditions of the contract in accordance with the law and that contract. The successful bidder will also be required to provide proof of Workers' Compensation insurance and/or an independent contractor certification from the State dated after May 1, 2005, and General Liability and Automobile insurance policies, with Flathead County as an additional insured, each in the amount of at least \$1,000,000.00.

The successful bidder must contract to pay prevailing wage rates, set by the Montana Department of Labor, and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Montana Department of Labor and Industry in the proper

classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or country that enforces a preference for resident bidders equal to the preference given in the other state or country.

All sealed bids, plainly marked "Courthouse Roof Bid" must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, at or before 5:00 o'clock p.m., on November 9, 2006. Bids will be opened and read at 10:00 o'clock a.m., on November 14, 2006, in the Commissioners' Office at the Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Flathead County reserves the right to accept or reject any bid and to waive any irregularities which are deemed to be in the best interest of the County.

The award of bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 16th day of October, 2006.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:

Paula Robinson, Clerk

By/s/Diana Kile

Deputy

Publish: October 19 and October 26, 2006.

#### **CONSIDERATION OF EXTENSION: EAGLES NEST CONDOMINIUMS NO. 2**

[9:43:00 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile

Commissioner Brenneman made a **motion** to approve the extension for Eagles Nest Condominiums No. 2 for 30 days. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

#### **AUTHORIZATION TO CALL FOR BIDS: RSID #139 SANDY HILL LANE, #140 SHADY LANE, #141 WILLIAMS LANE PAVING**

[9:43:13 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile

Commissioner Hall made a **motion** to authorize the call for bids on RSID #139/ Sandy Hill Lane, RSID #140/ Shady Lane & RSID #141/ Williams Lane and authorize the Chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

#### CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the paving of RSID 141 - Williams Lane in Bigfork, Montana.

The project generally consists of paving approximately 70,000 square feet with 3-inch thick asphalt and 4-inch thick ¾-inch crushed gravel, clearing and grubbing of debris, improving existing drainage swales on the shoulder of the road, and paving driveway access approaches to the property line. Potential bidders are encouraged to pick up a set of plans from Morrison-Maierle at 1228 Whitefish Stage Road, Kalispell, Montana. They can also be reached at (406) 752-2216.

Each bidder should submit bids for and produce a schedule showing when the work can be started and completed. Warranties and schedules will be considered when determining the bid that is in the best interest of the homeowners of Williams Lane and will be included in the contract for paving Williams Lane.

Each bidder must deposit with his/her bid, a bid security in the amount of ten percent (10%) of the bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within 10 days, enter into a formal contract for the completion of the project. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States, a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank, or bid bond executed by a surety corporation authorized to do business in Montana.

No bidder may withdraw a bid after the actual date of the opening thereof.

A Performance Bond and Labor and Materials Payment Bond each in the amount of One Hundred percent (100%) of the contract sum will be required of the successful bidder, to secure the contractor's covenant to faithfully perform all of the conditions of the contract in accordance with the law and that contract. The successful bidder will also be required to provide proof of Workers' Compensation insurance and/or an independent contractor certification from the State dated after May 1, 2005, and General Liability and Automobile insurance policies, with Flathead County as an additional insured, each in the amount of at least \$1,000,000.00.

The successful bidder must contract to pay prevailing wage rates, set by the Montana Department of Labor, and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Montana Department of Labor and Industry in the proper classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or country that enforces a preference for resident bidders equal to the preference given in the other state or country.

All sealed bids, plainly marked " Paving Williams Lane RSID 141 Bid " must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, at or before 5:00 o'clock p.m., on November 13, 2006. Bids will be opened and read at 10:15 o'clock a.m., on November 14, 2006, in the Commissioners' Office at the Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Flathead County reserves the right to accept or reject any bid and to waive any irregularities which are deemed to be in the best interest of the County.

The award of bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 16<sup>th</sup> day of October, 2006.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:

Paula Robinson, Clerk

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

By/s/Diana Kile

Deputy

Publish: October 20 and October 27, 2006.

#### CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the paving of RSID 139 – Sandy Hill Lane in Whitefish, Montana.

The project generally consists of paving approximately 80,000 square feet with 3-inch thick asphalt and 6-inch thick ¾-inch crushed gravel, improving existing drainage swales on the shoulder of the road, and paving driveway access approaches to the property line. Potential bidders are encouraged to pick up a set of plans from Morrison-Maierle at 1228 Whitefish Stage Road, Kalispell, Montana. They can also be reached at (406) 752-2216.

Each bidder should submit bids for and produce a schedule showing when the work can be started and completed. Warranties and schedules will be considered when determining the bid that is in the best interest of the homeowners of Sandy Hill Lane and will be included in the contract for paving Sandy Hill Lane.

Each bidder must deposit with his/her bid, a bid security in the amount of ten percent (10%) of the bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within 10 days, enter into a formal contract for the completion of the project. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States, a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank, or bid bond executed by a surety corporation authorized to do business in Montana.

No bidder may withdraw a bid after the actual date of the opening thereof.

A Performance Bond and Labor and Materials Payment Bond each in the amount of One Hundred percent (100%) of the contract sum will be required of the successful bidder, to secure the contractor's covenant to faithfully perform all of the conditions of the contract in accordance with the law and that contract. The successful bidder will also be required to provide proof of Workers' Compensation insurance and/or an independent contractor certification from the State dated after May 1, 2005, and General Liability and Automobile insurance policies, with Flathead County as an additional insured, each in the amount of at least \$1,000,000.00.

The successful bidder must contract to pay prevailing wage rates, set by the Montana Department of Labor, and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Montana Department of Labor and Industry in the proper classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or country that enforces a preference for resident bidders equal to the preference given in the other state or country.

All sealed bids, plainly marked "Paving Sandy Hill Lane RSID 139 Bid" must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, at or before 5:00 o'clock p.m., on November 13, 2006. Bids will be opened and read at 10:15 o'clock a.m., on November 14, 2006, in the Commissioners' Office at the Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Flathead County reserves the right to accept or reject any bid and to waive any irregularities which are deemed to be in the best interest of the County.

The award of bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 16<sup>th</sup> day of October, 2006.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

By/s/Diana Kile  
Deputy

Publish: October 20 and October 27, 2006.

CALL FOR BIDS

Notice is hereby given that the Board of County Commissioners of Flathead County, Montana, will receive bids for the paving of RSID 140 - Shady Lane in Bigfork, Montana.

The project generally consists of paving approximately 70,000 square feet with 3-inch thick asphalt and 3-inch thick ¾-inch crushed gravel, installing culverts where necessary for drainage under driveways, improving existing drainage swales on the shoulder of the road, and paving driveway access approaches to the property line. Potential bidders are encouraged to pick up a set of plans from Morrison-Maierle at 1228 Whitefish Stage Road, Kalispell, Montana. They can also be reached at (406) 752-2216.

Each bidder should submit bids and produce a schedule showing when the work can be started and completed. Warranties and schedules will be considered when determining the bid that is in the best interest of the homeowners of Shady Lane and will be included in the contract for paving Shady Lane

Each bidder must deposit with his/her bid, a bid security in the amount of ten percent (10%) of the bid to secure the bidder's express covenant that if the bidder is awarded the contract, the bidder will, within 10 days, enter into a formal contract for the completion of the project. Bid security shall be payable to Flathead County and shall be in the form of lawful money of the United States, a cashier's check, certified check, bank money order, or bank draft issued by a Montana bank, or bid bond executed by a surety corporation authorized to do business in Montana.

No bidder may withdraw a bid after the actual date of the opening thereof.

A Performance Bond and Labor and Materials Payment Bond each in the amount of One Hundred percent (100%) of the contract sum will be required of the successful bidder, to secure the contractor's covenant to faithfully perform all of the conditions of the contract in accordance with the law and that contract. The successful bidder will also be required to provide proof of Workers' Compensation insurance and/or an independent contractor certification from the State dated after May 1, 2005, and General Liability and Automobile insurance policies, with Flathead County as an additional insured, each in the amount of at least \$1,000,000.00.

The successful bidder must contract to pay prevailing wage rates, set by the Montana Department of Labor, and will be subject to withholding of 1% of all payments for transmittal to the Department of Revenue to pay the public contract tax. The Contractor and all subcontractors will be required to have a certificate of registration from the Montana Department of Labor and Industry in the proper classification. The successful bidder must contract to give preference to the employment of bona fide residents of Montana in the performance of the work. A resident bidder will be allowed a preference against the bid of any nonresident bidder from any state or country that enforces a preference for resident bidders equal to the preference given in the other state or country.

All sealed bids, plainly marked " Paving Shady Lane RSID 140 Bid " must be in the hands of the County Clerk and Recorder, 800 South Main, Kalispell, Montana 59901, at or before 5:00 o'clock p.m., on November 13, 2006. Bids will be opened and read at 10:15 o'clock a.m., on November 14, 2006, in the Commissioners' Office at the Courthouse, West Annex, 800 South Main, Kalispell, Montana.

Flathead County reserves the right to accept or reject any bid and to waive any irregularities which are deemed to be in the best interest of the County.

The award of bid will be made solely by the issuance of a letter of award to the successful bidder by the Office of the Flathead County Clerk and Recorder.

Dated this 16<sup>th</sup> day of October, 2006.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

By/s/Diana Kile  
Deputy

Publish: October 20 and October 27, 2006.

**PRELIMINARY PLAT: MOUNTAIN VIEW SUBDIVISION, LOT 8, BLOCK 3**

[10:50:49 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, Anne Thompson, Traci-Sears Tull, Dawn Marquardt, Debbie Shoemaker, Keith Hall, Donald E Hall

Thompson reviewed the application submitted by Donald E and Celine D Hall for Preliminary Plat approval of Mountain View Subdivision, Amended Plat Lot 8, Block 3 with technical assistance from Marquardt & Marquardt Surveying. It will create a minor subdivision with 2 single family residential lots. The property is located at 528 Mountain View Drive in the Evergreen Zoning District.

Discussion was held relative to condition #9 being removed and adding condition #11C to the face of the Final Plat that says lot owners should be aware that this property lies within close proximity to the 100 year flood plain. All development must be at or above natural grade and it is recommended that all development elevate lowest floor elevations to two feet above natural grade.

Commissioner Hall made a **motion** to adopt Staff Report FSR 06-22 as findings of fact as amended. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Mountain View Subdivision, Lot 8, Block 3 as amended. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### CONDITIONS

1. The applicant will comply with reasonable fire suppression and access requirements of the Evergreen Fire District. A letter from the Fire Chief stating requirements have been met shall be submitted with the application for Final Plat.
2. The subdivision lots will be connected to Evergreen Water and Sewer. The proposed water and sewer systems for the subdivision will be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality.
3. The applicant shall furnish a will-serve letter from the Evergreen Water and Sewer District for the number of lots proposed. [Section 3.14(C) FCSR; Section 3.15(C) FCSR; Section 3.12(A) FCSR]
4. New electrical and telephone utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers.
5. All areas disturbed during development of the subdivision will be re-vegetated in accordance with a plan approved by the Flathead County Weed Department.
6. 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]
7. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
8. The subdivider will obtain and show proof of completed, updated approach permits from the Flathead County Road Department for access onto Mountain View Drive, indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR]
9. The developer will dedicate a 15-foot bike/pedestrian easement on Mountain View Road.
10. The following statements shall be placed on the face of the final plat:
  - a. All addresses will be visible from the road, and at the driveway entrance or on the house.
  - b. The current address for Lot 8A may be subject to change during readdressing.
  - c. Lot owners should be aware that this property lies in close proximity to 100-year floodplain. All development must be at or above natural grade, and it is recommended that all development elevate lowest floor elevations to two feet above natural grade.
  - d. There shall be no basements or crawl spaces below the Base Flood Elevation.
  - e. All utilities will be extended underground.
  - f. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
  - g. 

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.
11. 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]
12. 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]
13. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]

AT

#### **PRELIMINARY PLAT: EDMISTON SUBDIVISION**

[10:58:58 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, Jeff Harris, Annie Thompson, Traci Sears-Tull, Marla Edmiston, Jim Edmiston, Dawn Marquardt, Debbie Shoemaker, Jeff Larsen, Ardis Larsen, Shirley Anderson, Sandy Connelly

Thompson reviewed the application submitted by Glacier Trust for Preliminary Plat approval of Edmiston Subdivision with technical assistance from Larsen Engineering. It will create a minor subdivision with 4 single family residential lots located north of the intersection of Helena Flats Road and Bayou Road. She spoke in regards to combining lots 1 & 2 to address the issue of prohibition of filling drainages and depressions. Condition #10 being; lot 1 should be combined with lot 2 creating a 3 lot subdivision. That would change the parcel size to two five acre parcels and one ten acre parcel.

Jeff Larsen spoke about the swale and indicated that it would not be a problem to move the driveway along the north boundary of lot 1.

Jim Edmiston spoke about living on the property for 45 years and stated that the last time the swale had water in it was 1964. He also spoke about the trees and vegetation and stated that he has planted everything on the property.

Chairman Watne stated that he did not have a problem with condition #1.

Thompson questioned condition #13-B which states that no fill shall be placed in natural or man-made drainages or depressions and suggested that it read that no fill shall be placed in natural or man-made drainages or depressions, except to allow access to lot 1. The language on condition #13-B-I would be changed from healthy trees shall be preserved to healthy trees should be preserved where possible.

Commissioner Hall made a **motion** to adopt Staff Report FSR 06-20 as findings of fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Jeff Larsen spoke in regards to the original farmstead being preserved and also spoke about the owner of the 10 acre lot removing all the vegetation and that is what they are trying to preserve.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Edmiston Subdivision with condition #10 removed and condition #13-C to read should instead of shall. Chairman Watne seconded the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### CONDITIONS

1. The subdivider will obtain and show proof of completed, updated approach permits from the Flathead County Road Department for access onto Helena Flats Road, indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR]
2. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
3. The applicant will comply with reasonable fire suppression and access requirements of the Evergreen Fire District. A letter from the Fire Chief stating requirements have been met shall be submitted with the application for Final Plat.
4. Electrical and telephone utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the utility companies.
5. All water and septic systems shall receive final approval from the Flathead City-County Health Department and the Montana Department of Environmental Quality. [Section 3.14(A) and 3.15(A), FCSR]
6. Applicant shall include a storm drainage plan approved by the Flathead City-County Health Department and the Montana Department of Environmental Quality.
7. Building sites shall be provided on the final plat to ensure that the natural drainage will be preserved. (Section 3.2, 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.
9. The applicant shall provide a homeowner maintained Long Term Weed Management Plan.
10. The developer will dedicate a 15-foot bike/pedestrian easement on Helena Flats Road.
11. 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]
12. The following statements shall be placed on the face of the final plat:
  - a. All addresses will be visible from the road, and at the driveway entrance or on the house.
  - b. No fill shall be placed in natural or man-made drainages or depressions, except to allow access to Lot 1.
    - i. Healthy trees should be preserved where possible to maintain the buffer between residential and agricultural uses to protect the right to farm on adjacent parcels.
  - c. 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.
  - 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. No lot may be further subdivided.
  - f. No development shall occur within the BPA Transmission easement.
  - g. 

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.

13. 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]
14. 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]
15. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]

AT

### **FINAL PLAT: DANCING CRANE PONDS**

[11:23:10 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, Dawn Marquardt, Debbie Shoemaker

Thompson reviewed the application submitted by Pablo S & Veronica A Andreanni with technical assistance from Marquardt & Marquardt Surveying for Final Plat approval of Dancing Crane Ponds, a 4 lot minor subdivision. The property is located on Clark Drive in West Valley. Preliminary Plat approved was granted on April 13, 2006, subject to 18 conditions. All conditions have been met. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Final Plat for Dancing Crane Ponds Subdivision. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

### **FINAL PLAT: EVERGREEN ACRES, LOT 19**

[11:26:00 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, Dawn Marquardt, Debbie Shoemaker, Traci Sears-Tull

Sears-Tull reviewed the application submitted by Marquardt & Marquardt Surveying for Final Plat approval of Evergreen Acres Amd Plat, Lot 19, a 2 lot major subdivision located off of Mountain View Drive in Evergreen. Preliminary Plat approval was granted on May 15, 2006, subject to 9 conditions. All conditions have been met. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Final Plat for Evergreen Acres, Lot 19. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

### **FINAL PLAT: MOUNTAIN MEADOW ESTATES**

[11:30:02 AM](#)

Members present:

Chairman Robert W. Watne  
Commissioner Joseph D. Brenneman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence  
Clerk Diana Kile

Sears-Tull reviewed the application submitted by G. R. Kirk Company with technical assistance from Marquardt & Marquardt Surveying for Final Plat approval of Mountain Meadow Estates, a subdivision creating 4 residential lots, approximately 15 miles southwest of Whitefish. Preliminary Plat approval was granted on August 15, 2005, subject to 15 conditions.

Commissioner Brenneman made a **motion** to approve the Final Plat for Mountain Meadow Estates. Chairman Watne **seconded** the motion. **Aye** - Watne 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 17, 2006.

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**TUESDAY, OCTOBER 17, 2006**

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

- 12:00 p.m. Chairman Watne, Commissioner Hall and Brenneman to Planning Board Luncheon @ Earl Bennett Bldg.**
- 6:30 p.m. Commissioner Brenneman to Evergreen Jr High for Bike Path Meeting**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 18, 2006.

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**WEDNESDAY, OCTOBER 18, 2006**

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

- 9:15 a.m. RSVP Board Meeting @ Windward Place**
- 11:00 a.m. County Attorney meeting @ County Atty's Office**
- 4:00 p.m. Commissioner Hall to Flathead on the Move Steering Committee meeting @ Library**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 19, 2006.

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**THURSDAY, OCTOBER 19, 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.**

**BI-MONTHLY MEETING W/ JED FISHER, WEED/ PARKS/ MAINTENANCE**

9:10:22 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, Jed Fisher

Discussion was held relative to a request from Jed Fisher to his asking for permission to have the Park Board appoint a sub-committee to appoint a committee in Bigfork to explore an option for another park site. He spoke about the diversity with some wanting the park developed and others wanting it left open space. He then stated that his mission is recreation and the Park Board wants to keep a centrally located site that can be used for recreation.

Commissioner Hall made a **motion** that the park site land is not available. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Discussion was also held relative to Wagner Lane and Church Slough wherein he stated that he believes that Flathead County could maintain the site. In a recent meeting with Mr. Carver, Mr. Vashro and Eric from Sands Surveying he stated that Mr. Carver is willing to do a lot of the fencing and development of the parking lot area and that the county would be the agency that would insure and help maintain the site. He then stated that he feels that he can get the donations to help put that into place without affecting the taxpayers. He also spoke about making the 4-H building handicapped assessable. He also stated that Mark Newman with Trout Unlimited with Money for Kids Fishing Foundation would like to turn the program over to the Park Board to help improve the program.

**CONSIDERATION OF ADOPTION OF RESOLUTION: 1<sup>st</sup> AMENDMENT LONG RANGE PLANNING TASK FORCE MEMBERSHIP/ TERMS**

[9:27:09 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, Dennis Hester, Jed Fisher

Dennis Hester spoke in regards to the staggered term resolution that was drawn up to increase the number of positions on the Task Force. The proposal was to increase the number of members by 7, which means they will go from 19 to 26 members. He stated that he would like to go back to the Task Force and state these are the members and these are the voting members.

Commissioner Hall stated that he was not comfortable changing the original resolution.

Dennis Hester then spoke in regards to a discussion with Kari Finley in that she wanted the resolution to be re-considered or discussed more by the Task Force at their next meeting.

Jed Fisher also spoke in regards to a discussion with Kari Finley where she felt the resolution happened to quickly and basically desired to have Commissioner Hall at the next meeting to resolve the issue as to how many members vote.

Commissioner Hall made a **motion** to continue for 30 days to allow for public comment on Resolution 1785A to amend the Long Range Planning Task Force Membership/ Terms. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**CONSIDERATION OF HR TRANSMITTAL: GIS INTERN**

[9:40:52 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 revised classification for the GIS Intern position. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: SUBGRANT 06-158/AOA**

[9:41:02 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 Subgrant 06-158/AOA and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: DQ VENDOR INVOICE/ SOLID WASTE DISTRICT**

[9:41:00 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 DQ vendor invoice for Solid Waste and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

**MEETING W/ OLAF ERVIN/ MONTANA MAPPING ASSOCIATES RE: CONDITION #5 OF SUBDIVISION NO. 123, LOT 1**

[9:48:55 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, Nicole Lopez-Stickney, Olaf Ervin, Sarah Arrigoni, Brooke Howard

Discussion was held relative to condition #5 and #25 in regards to the need of clarification. He is asking to have condition #5 removed which calls for a cul-de-sac which he feels does not apply and is an unnecessary expense.

Jeff Harris spoke in regards to the subdivision being in a high fire hazard area with no turn around available and stated that there needs to be some where for emergency services to be able to turn around, whether it benefits the subdivision or not.

Commissioner Hall made a **motion** to amend condition #5 to eliminate original language and replace it with to say; that signage will be placed at both the primary and secondary accesses stating no turn around ahead. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

### **FINAL PLAT: GOOSE MEADOWS, RESUBDIVISION OF LOTS 1-3**

[10:07:40 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, Eric Giles

Giles reviewed the application submitted by Montana Mapping for Final Plat approval of Goose Meadows Re-subdivision, Lots 1-3, a 17 lot major subdivision, located east of Farm Road and north of Hwy 82. Preliminary Plat approval was granted on January 31, 2005, subject to 14 conditions. All conditions have been met. Staff recommends approval.

Commissioner Hall made a **motion** to approve the Final Plat for Goose Meadows, Re-subdivision of Lots 1-3. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

### **PRELIMINARY PLAT: MOOSE SUBDIVISION**

[10:15:00 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, Eric Giles, Ardis Larsen, Jeff Larsen, Gary Treweek, Fred Ricketts, William Paullin

Giles reviewed the application submitted by Treweek Family Partnership, with technical assistance from Larsen Engineering for Preliminary Plat approval of Moose Subdivision, a major subdivision that will create 19 commercial lots. The subdivision is proposed on 16.42 acres and is located at 2138 Hwy 2 north of Cottonwood Drive and south of the West Evergreen School. There are 16 attached conditions. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report FPP 06-36 as findings of fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat of Moose Subdivision, subject to 16 conditions. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

### **PRELIMINARY PLAT: LAZY PINE TREE SUBDIVISION**

[10:30:24 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, Leo Arbuckle, Donna Arbuckle, Jeff Larsen, Ardis Larsen

Shaw reviewed the application submitted by Leo & Donna Arbuckle with technical assistance from Larsen Surveying for Preliminary Plat approval of Lazy Pine Tree Subdivision, a minor subdivision creating 2 residential lots with a remainder. The subdivision is proposed on 40.94 acres located north of Coram and is unzoned. Staff recommends approval.

Commissioner Hall made a **motion** to adopt Staff Report FSR 06-24 as findings of fact. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the Preliminary Plat of Lazy Pine Tree Subdivision, subject to 13 conditions. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### **QUARTERLY MEETING W/ LAUREL RAYMOND, FINANCE DEPT.**

This meeting was not held.

#### **MEETING W/ CHARLES HAMMIL RE: ROAD NEAR FOOTHILLS ROAD**

[11:06:50 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, Pete Wessel, Charles Hammil

Pete Wessel reviewed the situation in regards to a road on Foothills that needs an address change in order for EMS services to find the home. It was stated that the main goal for changing addresses is for public safety with the naming or renaming of roads. He also spoke about the 200 address changes he has done in the last 3 months.

Mr. Hammill spoke in regards to the huge amount of work it would require to change his address with all the business associates that he has. He stated that no one in the past has ever had a problem locating him with only 3 mail boxes and 3 people on the road. It was also stated that he feels that Mr. Turner is upset with the fact that he has to change his address also. He then stated that if the road name had to be changed, the suggested name would be Turner Road.

Pete Wessel spoke briefly of the fact that the focus of his work is not to look at situations where there are 3 existing homes on a road, that most of his work comes from the development of the community. He then stated that the way the addressing has been done in the past has gotten them to the point they are in right now when addresses were assigned in these kinds of bad situations.

Mr. Hammill stated that he understands why he is concerned with a road that has 10 homes on it, but he stated this is a simple situation. He also spoke in regards to feeling that Mr. Turner is upset and is asking that to be taken into consideration and to not change the address.

Pete Wessel spoke in regards to them just waiting to see what happened, but stated that they would just be delaying the inevitable until which time someone else subdivides.

#### **CONSIDERATION OF LAKESHORE PERMIT: JOHNSON**

[11:40:42 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

Smith reviewed the Lakeshore permit application submitted by James W & Myrna M Johnson on Lake Five, to reinforce a section of the shoreline with a riprap wall using native stone to prevent further erosion of the bank. Dry-set stone steps and stairs no greater than four feet wide and a prefabricated fire pit may be incorporated into the riprap wall to access the existing dock. Work is to prevent soil erosion and beach migration. If required rocks and the portion of the lake bed directly adjacent to and below the high water line may be stabilized with application of washed gravel. Trees that have been undermined and are diseased may be removed to prevent further shoreline disruption. Existing downed trees may be removed from the shoreline and lake edge. Construction will occur during low pool, and no equipment will enter the water. There are 6 attached conditions.

Commissioner Hall made a **motion** to approve Lakeshore Permit #FLP 06-103. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

#### **CONSIDERATION OF PRINTING BIDS: HEALTH DEPT.**

[11:05:31 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 printing bid from North Star for 8,000 FCCHD Influenza Vaccine Records for \$175.00 and 5,000 FCCHD In-Activate Vaccine Records for \$185.00. Chairman Watne **seconded** the motion. **Aye** - Watne and Hall. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: CREDIT CARD CHANGE REQUEST/ I.T.**

[11:06:08 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 document for signature for a credit card change request and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** - Watne and Hall. Motion carried by quorum.

**2:00 p.m. Chairman Watne to a Health Board Meeting @ Earl Bennett Bldg.**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 20, 2006.

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**FRIDAY, OCTOBER 20, 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.

**10:00 a.m. Commissioner Hall to a Mental Health Council & CDC meeting in Polson (till 3)**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 23, 2006.