
MONDAY, NOVEMBER 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.

8:00 a.m. Weed & Parks Board meeting @ Weed & Parks Office
1:15 p.m. 911 meeting @ Justice Center
4:00 p.m. Flathead on the Move meeting @ Library

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

TUESDAY, NOVEMBER 7, 2006

COUNTY OFFICES CLOSED - GENERAL ELECTION DAY

WEDNESDAY, NOVEMBER 8, 2006

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

Commissioner Brenneman PT opened the public comment on matters within the Commissions' Jurisdiction, no one present to speak, Commissioner Brenneman PT closed the public comment period.

MEETING W/ LISA CANO RE: HORSE RACING

[9:03:21 AM](#)

Members present:

Commissioner Gary D Hall
Commissioner Joseph D Brenneman

Members absent:

Chairman Robert W Watne [9:14:04 AM](#) Seated

Others present:

Assistant Michael Pence
Clerk Diana Kile, Adele Krantz, Ron Tjaden, Mariam Berg, Thomas Reed, Ron Thibert, Tish Keck, Lisa Cano, Jack Cano, Karen Mower, R. D. Mower, Rebecca Boulden, Allison Hawes, Sue Austin, Kris Page, Marcey Riley, Janis Schoepf, Clarence Chamberlain

Lisa Cano spoke in regards to the barns at the fairgrounds and is asking that they not be torn down. She stated that she does not believe that the barns need to be torn down at this time, and spoke in regards to doing research and is asking for more time to gather facts.

Ron Thibert stated that he is interested in leasing the facility at the Fairgrounds. He stated that he had spoken to Commissioner Brenneman about a letter of understanding that he had in regards to leasing the Fairgrounds and racing facilities in tact as they are now, similar to what they are doing in Yellowstone County Metro Park, where they rent the stalls and return a percentage of the rental to the county. He then stated that he has spoken to the Assistant County Attorney and was advised to get some details from Yellowstone County.

Marcey Riley spoke about renting stalls at the fairgrounds and stated that she was a member of the Steering Committee last year that was promised to be given a chance to save horse racing. She spoke about an article in the newspaper that said the fairgrounds didn't lose as much money this year as they had before with horse racing. She then asked if this was due to the accounting principals that were in place. She questioned the discrepancy in the money the state said was sent to the county as to what the county says it has gotten for horse racing. She then stated that she has seen the audit report and at the end of the report she said she could not say whether horse racing lost money or not because of the accounting, and she then asked if the checks and balances were more in place this past year than they have been. She stated that she knows for a fact that the year before that the sponsorships on horse racing that they were allotted and said that they had gotten, were totally out of wack. She then spoke about the Steering Committee last year being promised to be given a chance; and when they realized that they were going to make money and keep horse racing there she stated that's when they decided to cancel horse racing. She then stated that she was at the meeting when Sam Murphit the executive secretary for the board of horse racing stood up and said; if you are worried about insurance issues don't let this be an issue for you not to race, because it is covered by the state.

Commissioner Hall then asked what would be covered by the state, is the \$10,000 per incident going to be covered.

Marcey Riley then asked if they realized what was bought with horse racing money for the fairgrounds and stated that the green John Deere tractor that not only works the track, but works the arena for 4-H, the packer and half of the water truck was purchased by the Turf Club. She then asked what would happen to those items and questioned if the money would go back into the horseman's money or go back to the state to help horse racing. She stated that they always say that they need to run the Fairgrounds as a business and she agrees, but by tearing down the barns she asked, doesn't that inhibit you on what future events you can bring in. She spoke about an event just a few years ago where they had the silver challis horse show that filled

the barns and stated that no one is doing anything at the Fairgrounds to help promote it. She then spoke about seeing kids get excited about showing their livestock and she doesn't want to see the fair leave, but that seems to be what the hidden agenda is. She also questioned the indoor arena and asked how many millions of dollars it took to build it, and is wondering how much of that money was horseman's money from Senate Bill 65. She spoke about the arena only being used for 2 horse shows in 2 years and then the horse show this year because it rained for the 4-H kids. She stated that the fairground is for 4-H and questioned why the arena couldn't be used. She spoke about leasing it and paying so much an hour to use it in the fall and spring when the weather is bad. She then spoke about 4-H groups that would love to use it also, but they can't because it's full of boats and stuff and it's our tax payer dollars that built the arena. She then questioned Commissioner Hall in regards to having a hidden agenda in selling the fairgrounds.

Commissioner Hall stated that it was a discussion point that he had no hidden agenda to sell the fairgrounds that it is just something that has been talked about for years and he stated that he doesn't anticipate the fairgrounds being sold.

Marcey Riley then asked if he would put that in writing.

Commissioner Hall then stated that they are there to take testimony.

Marcey Riley then stated that she would like to know what the personal gain and the hidden agenda is behind the Fair Board members.

Commissioner Brenneman then stated that he would like to make one thing very clear and that Marcey Riley was getting very close to accusing them of malfeasance and if that is the case, then the discussion ends here and you go over to the District Attorney or the Sheriff's Office and start an investigation. The other option would be to have their group hire an accountant or to schedule a meeting with the county accountant who looked into this and have it explained. He stated that the questions that she has asked are questions that can be answered and a discussion can be held, but it needs to be held with the people who did the research that can explain it. He then stated that he could explain it, but right now would not be the time to do it and the accountant would be much better at explaining it. He then suggested that it would be good to have a meeting with Susan Nicosia, Laurel Raymond and Adele Krantz, so that they can explain where the money went.

Marcey Riley then asked where the \$150,000 was.

Commissioner Brenneman stated that she needs to set up a meeting with those who can explain it to her in detail and perhaps she should have an accountant there to help her understand it.

Ron Tjaden spoke about his grandfather homesteading in Malta in 1908 and stated that he is not a horseman and doesn't ever intend to be a horseman, but that he loves the horse races. He spoke about being born and raised in eastern Montana and the one event that his family could afford to do was to go to the County Fair. He stated that he came to talk because he has heard excuses that well nobody comes to these hearings, so I guess there is no interest in horse racing. He then stated that he doesn't know about all the other stuff that has been brought up today, but he just came to talk about the horse racing and would like to see it continue as it is. He spoke about feeling good when he gets to the races even after not finding a parking space and then stated that the very first day Jay Scott puts tickets on sale he gets his reserved seat. He then said that there are other people other than horseman and horse owners that are in favor of horse racing. He spoke about changes happening within the valley with outsiders wanting to make it a city throughout the whole county with county services all over and it is the kind of heritage that he would like to not give up on for a few dollars. He then stated that he knew it was a hassle for Jay Scott to get people to man the booths and to collect money from the betting and that type of thing, but there are service groups out there that can use it as fund raisers. He then asked why they don't charge an admission to enter the grandstands for the racing and stated that they are missing a revenue opportunity. He then spoke about the Indian Relay Races this year having the stands fully packed when they were so messed up, but the people were still there and he also spoke about enjoying the Pow Wow with the Indian representation, which gave a lot of heritage and background with the dances, costumes and native dress. He then said that you can't tell him that there isn't any interest in horse racing in Flathead County or anywhere in north western Montana with the stands packed more than any other year he has ever seen, and he has only retired and come back for the last 8 years.

Jack Cano with the Montana Board of Stewards for horse racing spoke in regards to the support that they have for horse racing in Montana. He stated that he has gotten with Sam Murphitt and is looking at options for sponsors with the Task Force going and an outside entity that is going to come in to see about helping them keep horse racing going. He then stated if they lose the races that his feeling would be that they are done and they are going to try their best, but they just need a little time to regroup and would appreciate the help in doing so.

Sue Austin spoke in regards to being a commissioner on the State Board of Horse Racing and wanted to clarify, as she stated it was clarified to the Fair Board last spring when they had the meeting, is that the money for the jockey insurance which seems to be such a concern of the Commissioners was available from state money. It was stated that the State Board of Horse Racing made a motion and it passed that they could use purse money to pay the \$10,000, and if you got hit with a couple of extra claims you could use your future money to recover those costs, and the Fair Board was aware of that. She then stated that what's bothering her is that evidently they didn't tell you about that. She then stated that the Governor's Task Force is busy at work trying to find sources of funding to alleviate the cost of horse racing to all the counties.

Marvin Berg spoke in regards to representing the Kalispell Lions Club and stated that he is not a horse lover, but the food booth at the Fair is important to him. He stated that he feels their sales were down this year because of the loss of horse racing. He then stated that the Kalispell Lions Club is a public service group with all of the money they bring in going back to the community with the main push being to provide eye glasses to those that can't afford them and they feel that removing the horse racing is going to limit their ability to serve the community.

Janis Schoepf a local horse trainer in Flathead County and a 40 year fair attendant spoke in regards to this being the first time in 40 years that she did not attend the fair, but that she was there training horses. She spoke about the Indian Relay Races in regards to how inhumane they were. She stated that she was on the back side of where the Indian Relay Teams were and then stated that the reason they only had 2 races was because the teams split and ran their horses twice; which was absolutely cruel. She then questioned the betterment of the fair with the attendance being down as to the thousands of dollars that were lost. She spoke about the Fair Board meeting that she was not allowed to attend and stated that in those minutes there is a statement about the 6 million dollars that could be made off the sale of lots at the Fairgrounds. She questioned if they were aware of this and then said that they keep trying to get together in a meeting with the State Board coming and then the Commissioners don't come. She then stated that the Fair Boards says that they were directed to not have horse races, and when they ask the Commission, they say we never said that. She spoke about the Commission putting an end to an industry not a family hobby. She then stated that this is what she does for a living.

Commissioner Brenneman stated that Fair Board meetings are open to public.

Janice Schoeph stated that she was asked to leave at the last meeting.

Commissioner Brenneman stated that the liability insurance was an issue and they were not given the assurances that were stated today.

Janice Shoeoph stated that they were told that the insurance was covered for everyone in the state

Gary Hall spoke about being accused of not liking horse racing and personally trying to eliminate them and he then stated that it was not true. He then spoke about being a steward of the taxpayer's money and stated that it is not a personal thing with horse racing.

Janice Schoeph stated that she doesn't feel her money is being stewarded very well. She keeps going to all these meetings and it seems that all the groups can't get together for a meeting. She then stated that she knows that there was \$150,000 in an account and she wants to know where it is.

Commissioner Brenneman stated that the horse racing decision was made in March 2005, so everyone was made aware that their would be no horse racing in 2006, and now the dates are due for next year and we have people coming in saying give us a little more time. He then spoke about scheduling a meeting with the ones that can sit down and explain the figures.

Marcie Riley stated that she has been keeping in touch with Jay Scott all through the summer and she was told by him that they were putting in for dates to be able to run next year, and then all of a sudden they were told to clean up their tack room, because they were going to tear down the barns.

Commissioner Brenneman stated lets pull together a meeting next week with the Fair Board and set up a meeting with Adele Krantz and a committee that can explain the finances to them.

Ron Thibert stated that the Task Force has been working on scheduling races since March.

Tom Reed spoke about running a horse mainly for fun and would like to some day make a profit. He stated that all the people that train horses have to have a place to train and he would like to train here in the valley and regardless of if they have horse racing at the Fair Grounds or not, that it should be used as a training center. He spoke about the Fairgrounds advertising and making money in running it.

R. D. Mower spoke in regards to living here for the past 25 years and stated that back in the 50's they had horseman on the Fair Board that ran horses and used them and he never did hear of them costing the county any money. He stated that the horse races always seemed to make a little money and he would like to see a better audit on the horse races next year.

COS REVIEW: HILLS

[9:56:21 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Diana Kile, Kirsten Holland, Jeff Harris, Olaf Irving, Mary Hills, Wendy Austin, Paul Heidegger, Jerod Slaybaugh

Holland reviewed the Hill family transfer request which she stated does not meet the criteria for exemption under the family transfer. It was stated that they have received numerous calls and complaints about Mary Hills intent to divide the parcel despite the zoning of the area. She intends to transfer 7.14 acres to her daughter Lindsey and keep 12.19 acres for herself. She spoke about parcel 2 being drawn at an angle, so that it meets the 1500 foot road requirement. She stated that parcel 2 is exactly 1500 feet off Farm to Market Road by virtue of the way the lot has been drawn, however access to the parcel continues west and then south and then enters at the bottom, so it is not accessed within 1500 feet of a county road. It was stated that it appears to be an invasion of the West Valley Zoning regulations, and if this was to come through the Planning Office as a subdivision, it would not meet the criteria. Planning staff recommends denial of the family transfer.

Chairman Watne questioned the 1500 foot access to a county road.

Holland explained that according to the West Valley Zoning regulations that you have to have access within 300 feet or 1500 feet of a county road, depending on the density with the intent to keep everyone safe and close to a county road so that fire services could be dispatched in an expedient fashion.

Olaf Irving stated that they were trying to meet the requirements for West Valley Zoning and as far as the letter of the law he feels that it does meet the criteria of West Valley Zoning.

The applicant Mary Hills stated that she did not know that the property did not meet the criteria and she also stated that she is planning on doing this transfer for the benefit of her daughter. She also stated that she is not planning on selling the property.

Wendy Austin spoke in regards to her concern that Mary Hills was going to subdivide and the purpose of doing a family transfer was to avoid widening the road, with the road being dangerous, steep, one lane and narrow. She stated that the road needs to be upgraded and that it would put too much traffic on a single lane, gravel and steep road.

Mary Hills again addressed the road issue and stated that the part of the road was not steep.

Holland stated that the road would not meet the standards and she then spoke about all the surrounding circumstances that they have to consider. She also spoke about the calls and letters that were received from adjoining property owners who indicated

that Mary Hills said that if she did a family transfer she didn't have to meet zoning. It is also felt that this is a violation of the zoning that each lot has to meet the 1500 foot criteria and each lot doesn't.

Olaf Irving stated that Mary Hills agreed that she would sign a deed restriction preventing the sale of the parcel for a reasonable amount of time, just to show that it is not an attempt to evade.

Jeff Harris questioned whether conditioning family transfers were allowed in the law.

Commissioner Brenneman made a **motion** to deny the Hill COS. Commissioner Hall **seconded** the motion. **Aye** - Hall and Brenneman. **Opposed** - Watne. Motion carried by quorum.

COS REVIEW: PING

[10:17:04 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Diana Kile, Kirsten Holland, Jeff Harris, Dawn Marquardt, Debbie Shoemaker, Scott Ping

Holland reviewed the Ping family transfer request which she stated is actually in the Whitefish planning jurisdiction, but not within Whitefish City limits. It was stated that the Plat Room advised her that the County Commissioners have jurisdiction over all family transfers. The request is to transfer a 10.42 acre parcel to his daughter.

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

PRELIMINARY PLAT: FLATHEAD RIVER LANDING SUBDIVISION

[10:34:05 AM](#)

Members present:

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

Others present:

Assistant Michael Pence
Clerk Diana Kile, Traci Sears-Tull, Jeff Harris, Dan Evans, Eric Mulcahy

Sears-Tull reviewed the application submitted by Dan Evans with technical assistance from Sands Surveying for Preliminary Plat approval of Flathead River Landing Subdivision. This proposal for a minor subdivision will create three single-family residential lots in an unzoned portion of Flathead County on Oldenburg Road on the west bank of the Flathead River.

Commissioner Hall made a **motion** to adopt Staff Report #FSR 06-14 as findings of fact. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the Preliminary Plat for Flathead River Landing Subdivision with amended conditions. Commissioner Brenneman seconded the motion. **Aye** - Watne and Hall. **Opposed** - Brenneman. Motion carried by quorum.

CONDITIONS

1. The subdivider shall receive physical addresses and road name in accordance with Flathead County Resolution #1626. The addresses and road names shall appear on the final plat. [Section 3.9(I)(7), FCSR]
2. The subdivider will obtain and show proof of a completed approach permit from the Flathead County Road Department for access onto Oldenburg Road, indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR]
3. The subdivider will dedicate a 15-foot bicycle/pedestrian easement the portion of all lots that abut Oldenburg Road. [Section 3.18(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. [Sections 3.17 & 3.18, FCSR]
5. The lots within the subdivision shall be reviewed and approved for water, sewer systems and storm water by the Flathead City-County Health Department at the time of development. [3.15(B), FCSR].
6. The subdivider shall comply with reasonable fire suppression and access requirements of the Somers Fire Department. A letter from the fire chief stating requirements have been met shall be submitted with the application for Final Plat. [Section 3.20, FCSR]
7. All areas disturbed during development of the subdivision 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]
8. The applicant will obtain a letter from the local postmaster, indicating the applicant has met the postal service's requirements for mail delivery in accordance with the Flathead County Subdivision Regulations. [Section 3.22, FCSR]
9. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All addresses will be visible from the road, and at the driveway entrance or on the house.
 - b. All utilities will be extended underground.
 - c. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed

Department agreed.

- d. Elevation certificates for all residential structures shall be submitted to the Flathead County Floodplain Administrator as stipulated in Floodplain Permit FDP-04-17.
- e. To comply with Section 5.09.020 FCZR, no lot shall be further subdivided. Lot owners are alerted to the presence of large and potentially dangerous wildlife in the area and are reminded feeding big game such as deer and bear is illegal in Montana. Lot owners are strongly encouraged to contact the Montana Department of Fish, Wildlife and Parks to obtain information on methods for safely living near wildlife and minimizing habitat impact. The following are required:
 - i. Dogs must be kept under owner control at all times, either leashed or confined.
 - ii. Bear-proof containers are required for refuse and feed for pets or livestock.
 - iii. Compost piles are prohibited unless secured by electrical fencing or otherwise enclosed.
 - iv. Pets must be fed indoors or food dishes must be brought in at night.
 - v. Bird feeders must be placed out of reach of deer, bear and other large game.

f. 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.

- g. A native vegetative buffer should be maintained twenty (20) horizontal feet from the bank full of Flathead River.
10. All buildings shall be set back 50 feet from the 100-year floodplain boundary. The setback boundary shall be staked in the field prior to the application for final plat. [Applicant Comment]
11. No basements shall be allowed. The lowest floor and gas forced air system with ducts below the floor shall be elevated at least 2 feet above the BFE of 2893.0' msl. [Applicant/Agency Comment]
12. There shall be no removal, destruction or cutting of trees, plants, or spraying of biocides, or herbicides, except to control noxious weeds. A native vegetative buffer should be maintained twenty (20) horizontal feet from the bank full of Flathead River. [Floodplain Administrator Comment]
13. Application of fertilizers, herbicides, and biocides shall be limited to the minimum required for maintenance on all landscaped areas and not permitted within the vegetated buffer zone. [Floodplain Administrator Comment]
14. The portion of the property that abuts Flathead River is a critical bank stabilization area. Removal of vegetation from this area should not be allowed. Any alteration to this area will need to go through Flathead County Floodplain Permit Process, Flathead County Conservation 310 Permit Process and the Army Corp. of Engineers 404 Permit Process. [Floodplain Administrator Comment]
15. 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]
16. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]
17. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]

TST

CONSIDERATION OF LETTER TO DNRC RE: SOUTHSIDE TOWNHOMES SEWER PROJECT/ PLACEMENT ON PRIORITY LIST

[11:06:00 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

Jonathan Smith spoke in regards to the Southside Townhomes sewer project and stated that he has contacted the state in regards to applying for a loan from the DNRC for the 16 unit Southside Townhomes Subdivision. He spoke about the state having a program where they fund sewer projects and it was stated that they got into this late into the game, so the letter of consideration would put them on the list to continue forward with the plans for a loan. He then spoke about the several requirements they might not be able to meet. Mark Munsinger, their engineer, has a design that the local health department has looked at and approved. It doesn't meet some technical DEQ standards for state requirements and they may have to get variances or change the plans if they want to pursue state money. Mark Munsinger is wanting to go ahead with the RSID and get on the list, but to also look at alternatives. He is suggesting that they send the letter, but to also check into selling bonds, which would be quicker and easier. He then spoke about a portion of the pipes being put in from the lift station from each unit being on private property so the state will not fund that part of the project, which would be around \$7,000 to \$8,000 for the homeowners.

Commissioner Brenneman made a **motion** to approve the consideration of a letter for Southside Townhomes Sewer Project. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #07-07-5-31-023-0

[11:11:10 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

Commissioner Hall made a **motion** to approve the document for signature for fetal alcohol DPHHS Contract #07-07-5-31-023-0. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

11:00 a.m. County Attorney meeting @ Co. Atty's Office

11:30 a.m. Long Range Planning Task Force Affordable Housing Committee meeting @ Earl Bennett Bldg.

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

THURSDAY, NOVEMBER 9, 2006

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

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

MONTHLY MEETING W/ JEFF HARRIS, PLANNING & ZONING OFFICE

[9:06:26 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Clerk Diana Kile, Jeff Harris, Debbie Shoemaker

Others absent:

Assistant Michael Pence

Jeff Harris reported on the status of Planning Board applications that were received from Ashley Lake Land Use Committee, Columbia Falls City Council Planning Board, Egan Slough Planning & Zoning Commission, Flathead County Board of Adjustments, Flathead County Planning Board, Helena Flats Land Use Advisory Committee, La Brant Lindsey Lane Land Use Advisory Committee, Middle Canyon Land Use Advisory Committee, West Valley Land Use Advisory Committee, Whitefish City-County Planning Board and Whitefish Lakeshore Protection Committee. Concern was expressed over the lack of applications that have been turned in. He spoke about the Flathead County Growth Policy still moving ahead with the Planning Board and stated that they are half way through the Natural Resource chapter. It was stated that they are working long hours and working diligently to get it done. He then spoke about statues under the subdivision regulations in regards to condominiums having to go through a plat review, which is a preliminary revised preliminary plat process and they are not recorded, but it is needed to have action so that they can submit unit ownership documents to the state. They are in the process of doing an analysis now to see if this has become a problem. He also spoke about applicants coming back to the Commission in regards to changing conditions.

CONTINUATION OF BLASDEL ZONE CHANGE/ EVERGREEN & VICINITY ZONING DISTRICT

[9:36:44 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Clerk Diana Kile, Eric Mulcahy

Others absent:

Assistant Michael Pence

Eric Mulcahy spoke in regards to hoping that the Growth Policy is done soon and then stated that he appreciates all the work that is being done on it and spoke in high regards of the Planning Staff in the good job they are doing.

Commissioner Hall made a **motion** to continue the Blasdel Zone Change in 30 days. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

SECOND READING OF SPEED LIMIT ORDINANCE: WHITEFISH STAGE ROAD

[9:39:42 AM](#)

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

ORDINANCE NO. 7

Speed Limits

WHEREAS, the Board of Commissioners is authorized, pursuant to Sections 7-5-102 through 7-5-107, 7-14-2113, and 61-8-310, M.C.A., to adopt an ordinance and to impose speed limits on certain public roads and highways;

WHEREAS, the Board of Commissioners has determined that all speed limits imposed by the Board since 1985 should be codified into a single ordinance.

NOW, THEREFORE, BE IT RESOLVED that, effective 30 days after the second and final adoption, the following Ordinance shall be in force and effect in Flathead County.

Section One: Speed Limits on Named Roadways

The following speed limits are hereby imposed on the following roadways and highways in Flathead County:

Fifteen (15) miles per hour:

Bridge Street from Old Bridge Street to Electric Avenue.
Caroline Point Road for 50 feet on each side of the boat shop.
FFA Drive for its entire length.
North Street for school zone only.
Old River Bridge Road for school zone only.
Parliament Road, for 1/8 of a mile on each side of the crosswalk near the East Evergreen School, when children are present.

Pheasant Drive, for 1/8 of a mile on each side of the crosswalk near the East Evergreen School, when children are present.

Sager Lane for its entire length.

Twenty Five (25) miles per hour:

10th Avenue WN for its entire length.
11th Avenue WN for its entire length.
12th Street EN for its entire length.
12th Avenue WN for its entire length.
13th Street W (behind JW Church) for its entire length.
13th Street EN for its entire length.
14th Street EN for its entire length.
15th Street E for its entire length.
15th Street EN for its entire length.
16th Street E for its entire length.
1st Avenue for its entire length.
1st Avenue North for its entire length.
1st Avenue South for its entire length.
1st Avenue W for its entire length.
1st Street for its entire length.
1st Street E for its entire length.
1st Street SE for its entire length.
1st Street SW for its entire length.
1st Street W for its entire length.
1st Street WN for its entire length.
1st Street WN (east end) for its entire length.
2nd Avenue for its entire length.
2nd Avenue North for its entire length.
2nd Avenue South for its entire length.
2nd Avenue WN for its entire length.

2nd Street for its entire length.
2nd Street E for its entire length.
2nd Street W for its entire length.
2nd Street WN for its entire length.
35 Approach (Grand) for its entire length.
3Rd Avenue for its entire length.
3Rd Avenue South for its entire length.
3Rd Street for its entire length.
3Rd Street W for its entire length.
3Rd Street WN for its entire length.
4th Avenue South for its entire length.
4th Street for its entire length.
4th Street EN for its entire length.
4th Street WN for its entire length.
5th Street for its entire length.
5th Street W for its entire length.
6th Street for its entire length.
6th Street W for its entire length.
7th Street for its entire length.
7th Street W for its entire length.
8th Avenue EN for its entire length.
8th Street W for its entire length.
9th Avenue WN for its entire length.
9th Street W for its entire length.
Adams Street for its entire length.
Alpha Road for its entire length.
Alpine Drive for its entire length.
Alpine Lane for its entire length.
Alpine Village Drive for its entire length.
Alpinglow Avenue for its entire length.
Antelope Trail for its entire length.
Appletree Circle for its entire length.
Arbour Drive East for its entire length.
Arbour Drive West for its entire length.
Armory Road from East 2nd Street to East end of Armory property.
Ash Road for its entire length.
Ashley Drive for its entire length.
Aspen Lane for its entire length.
Auction Road from its intersection with US Highway 93 to its intersection with Fir Terrace.
Bailey Drive for its entire length.
Bass Avenue for its entire length.
Bass Lake Court for its entire length.
Bass Lake Drive for its entire length.
Battle Hollow for its entire length.
Bauman Lane for its entire length.

Bay Drive for its entire length.

Beach Road for its entire length.
Bear Street for its entire length.

Bear Trail for its entire length.

Beaver Lake Road for its entire length.

Bernard Road for its entire length.

Best Way for its entire length

Bierney Creek Road from Highway 93 West 1.2 miles.

Big Sky Boulevard for its entire length.

Bills Road for its entire length.

Birch Drive, (Evergreen) for its entire length.

Birch Drive, (Whitefish) for its entire length.

Birch Glen Drive for its entire length.

Bison Drive for its entire length.

Bitterroot Lane, from its beginning point on Bitterroot Drive for one-half (½) mile.

Blenn Street for its entire length.

Brass Road for its entire length.

Breezy Point Avenue for its entire length.

Bridge Street from Old Bridge Street to Montana Highway 35.

Brook Drive for its entire length.

Brunner Road for its entire length.

Burke Lane for its entire length.

Burnell Avenue for its entire length.

Burns Street for its entire length.

Butterfly Lane for its entire length.

Cahill Court for its entire length.

Canyon Road for its entire length.

Capra Court for its entire length.

Cardiff Avenue for its entire length.

Caribou Street for its entire length.

Caroline Point Road for its entire length.

Caroline Road for its entire length.

Cascade Avenue for its entire length.

Cayuse Lane for its entire length.

Central Avenue (MC) for its entire length.

Char Court for its entire length.

Cherry Lynn Lane for its entire length.

Cheviot Loop for its entire length.

Circle Drive for its entire length.

Clothier Lane for its entire length.

Collier Lane for its entire length.

Commerce Street for its entire length.

Concord Lane for its entire length.

Coram School Lane for its entire length.

Cougar Drive for its entire length.

Cougar Trail for its entire length.

Country Way for its entire length.

Country Way East for its entire length.

Country Way North for its entire length.

Craven Street for its entire length.

Crestline Court for its entire length.

Cynthia Drive for its entire length.

Dairy Drive for its entire length.

Dale Drive for its entire length.

Dan Lake Court for its entire length.

Dawn Drive for its entire length.

Deer Street for its entire length.

Deer Trail for its entire length.

Diller Road for its entire length.

Dirt Road for its entire length.

Dodd Avenue for its entire length.

Dodger Lane for its entire length.

Dogwood Avenue for its entire length.

Donahoe Lane for its entire length.

Dorothy Street for its entire length.

Double Lake Court for its entire length.

Double Lake Drive for its entire length.

Double Lake Lane for its entire length.

Dover Drive for its entire length.

Duff Lane for its entire length.

East Evergreen Drive for its entire length except for the school zone.

Eagle Drive for its entire length.

East Cottonwood Drive East of Montana 35 for its entire length.

East Cottonwood Drive West of Montana 35 for its entire length.

Echo Cabin Loop for its entire length.

Echo Lake Road (loop Road) for its entire length.

Echo View Drive for its entire length.

Electric Avenue for its entire length.

Electric Avenue (North) for its entire length.

Elk Street for its entire length.

Elk Trail for its entire length.

Elm Avenue for its entire length.

Fairmont Road, for 500 feet on either side of Fairmont - Egan School.

Fawn Trail for its entire length.

Fehlberg Lane for its entire length.

Fir Lane for its entire length.

Flathead Road (North of 1st Avenue South) for its entire length.

Flathead Drive from US Highway 2 to Montclair Drive.

Florence Street for its entire length.

Forest Drive for its entire length.

Fox Hill Road for its entire length.

Frontage Road for its entire length.

Gamma Road for its entire length.

Garden Drive, from West Reserve Drive to Trail Ridge Road.

Gelande Street for its entire length.

Gilbert Lake Drive for its entire length.

Glacier Avenue for its entire length.

Goat Trail for its entire length.

Gopher Lane entire length, except the school zone.

Gordon Avenue for its entire length.

Grand Drive for its entire length.

Grandview Terrace for its entire length.

Granrud Lane for its entire length.

Grayling Road for its entire length.

Greenridge Drive for its entire length.

Hagerman Lane for its entire length.

Happy Hollow for its entire length.

Harbor Heights Boulevard for its entire length.

Harbin Hill Road for its entire length.

Hare Trail for its entire length.

Harmony Road for its entire length.

Hartt Hill Drive, inside Meadow Hills Subdivision.

Haskill Drive for its entire length.

Haven Court for its entire length.

Haven Drive for its entire length.

Haywire Gulch from Smith Lake Road to end of asphalt paving.

Helena Flats Road for school zone only.

Highland Drive for its entire length.

Highline Boulevard for its entire length.

Hillcrest Drive for its entire length.

Horseshoe Drive for its entire length.

Houston Drive for its entire length.

Howard Drive for its entire length.

Hughes Bay Road for its entire length.

Hungry Horse Boulevard for its entire length.

Hunter Lane for its entire length.

Jacquette Road, for 500 feet on either side of Fairmont - Egan School.

Jasper Road for its entire length.

Juanita Way for its entire length.

Judith Road for its entire length.

Juniper Drive for its entire length.

Karrow Avenue for its entire length.

Kathy Lake Lane for its entire length.

Kauffman Lane for its entire length.

Kehoe Lane for its entire length.

Kelly Road for its entire length.

Kelsey Road for its entire length.

Kila Hill for its entire length.
Kila Main Street for its entire length.
Kings Loop for its entire length.
Kings Way for its entire length.
Kirby Lane for its entire length.
Kiwanis Lane for its entire length.
Konley Drive for its entire length.
Kraft Avenue for its entire length.
Kristianna Close for its entire length.
Lake Avenue for its entire length.
Lake Blaine Road for school zone only.
Lake Blaine Road from Foothill to end of road.
Lake Drive for its entire length.
Lake Hills Court for its entire length.
Lake Hills Drive, (Bigfork) for its entire length.
Lake Hills Drive, (South West) for its entire length.
Lake Loop Drive for its entire length.
Lake Peters Court for its entire length.
Lakeside Avenue for its entire length.
Lakeside Boulevard for its entire length.
Lakeside Boulevard North for its entire length.
Lakeshore Drive from Buckboard Lane to end of Road.
Lakeview Drive for its entire length.
Lane Street for its entire length.
Lawrence Lane for its entire length.
Learn Lane for its entire length.
Leisure Drive for its entire length.
Lenwood Lane for its entire length.
Lesley Avenue for its entire length.
Lion Mountain Loop Road for its entire length.
Lion Trail for its entire length.
Lochness Avenue for its entire length.
Lodgepole Drive for its entire length.
Mabel Street for its entire length.
Main Street for its entire length.
Many Lakes Drive for its entire length.
Maple Drive for its entire length.
Margrethe Road for its entire length.
Marjorie Street for its entire length.
Martin Camp Road (Olney) for its entire length.
Martin Road for its entire length.
Maxine Drive for its entire length.
McDermott Lane for its entire length.
McDowell Drive for its entire length.
Meadow Hills Drive for its entire length.
Meadow Lake Drive for its entire length.

Meadow Lane for its entire length.

Meadowlark Drive for its entire length.

Michels Slough Road for its entire length.

Midale Road, inside Meadow Hills Subdivision. 676

Missy Lane for its entire length.

Middle Road for school zone only.

Midway Drive for its entire length.

Mill Street for its entire length.

Mission Trail for its entire length.

Mission Way for its entire length.

Mission Way North for its entire length.

Mission Way South for its entire length.

Monroe Street for its entire length.

Montclair Drive for its entire length.

Monte Vista Drive for its entire length.

Moose Lane for its entire length.

Moose Street for its entire length.

Moose Trail for its entire length.

Mountain Avenue for its entire length.

Mountain Shadows Drive for its entire length.

Mountain View Drive for its entire length.

North Cedar Drive for its entire length.

Newbury Circle for its entire length.

Nicholson Drive for its entire length.

North Fork Road (frontage) for its entire length.

North Haven Drive for its entire length.

North Hilltop Road for its entire length.

North Juniper Bay Road for its entire length.

North Karrow Avenue for its entire length.

North Many Lakes Drive for its entire length.

North Mission Drive for its entire length.

North Riding Road for its entire length.

Northwoods Drive for its entire length.

Nucleus Avenue (South of 13th Street East) for its entire length.

Old Bridge Street for its entire length.

Old Bridge Street (South) for its entire length.

Old River Bridge Road for its entire length.

Olney Loop Road from Railroad Crossing to 93.

Oregon Lane for its entire length.

Osborne Avenue for its entire length.

Oxford Circle for its entire length.

Panoramic Drive for its entire length.

Paradise Loop for its entire length.

Park Avenue (Columbia Falls) for its entire length.

Park Avenue (Evergreen) for its entire length.

Park Drive for its entire length.
Park Street for its entire length.
Parkhill Drive for its entire length.
Parklane Drive for its entire length.
Parkview Drive for its entire length.
Parkview Way for its entire length.
Parkway Avenue for its entire length.
Parliament Drive for its entire length.
Pavilion Hill Avenue for its entire length.
Peaceful Drive for its entire length.
Peaceful Lane for its entire length.
Pheasant Drive for its entire length.
Pickleville Lane for its entire length.
Pickwick Court for its entire length.
Pikes Peak Avenue for its entire length.
Pine Street for its entire length.
Pines Boulevard for its entire length.
Pleasant Hill Drive for its entire length.
Pleasant View Drive for its entire length.
Plentywood Drive for its entire length.
Plummers Lake Drive for its entire length.
Ponderosa Drive for its entire length.
Poplar Drive for its entire length.
Possum Trail for its entire length.
Potter Lane for its entire length.
Preston Drive for its entire length.
Primrose Lane for its entire length.
Ramsgate Drive for its entire length.
Ranch Road for its entire length.
Ranchetts Drive for its entire length.
Ranchetts Lane for its entire length.
Ranchetts Road for its entire length.
Redfield Lane for its entire length.
Rest Haven Drive for its entire length.
Ridgewood for its entire length.
River Avenue for its entire length.
River Bend Drive for its entire length.
River Drive for its entire length.
River Road (Evergreen) for its entire length.
River Street for its entire length.
Riverside Drive for its entire length.
Riverside Drive (Evergreen) for its entire length.
Rogers Lane for its entire length.
Sampson Lane for its entire length.
Scarborough Avenue for its entire length.
Scenic Drive for its entire length.

Seven Row for its entire length.
Shadow Lane for its entire length.
Shady Glen Drive for its entire length.
Sharon Road for its entire length.
Shepherd Lane for its entire length.
Siderius Lane for its entire length.
Skookum Road for its entire length.
Sleepy Hollow Road for its entire length.
Sloan Lane for its entire length.
Solberg Drive for its entire length.
Somers Road from 1 mile South of Montana Highway 83 to US Highway 93.
Somerset Drive for its entire length.
South Cedar Drive from Montana Highway 35 to end.
South Fork Drive for its entire length.
South Foys Lake Drive for its entire length.
South Woodland Drive from Kelly Road to city limits.
Spoon Road for its entire length.
Spring Creek Road (Hatchery) for its entire length.
Springdale Drive for its entire length.
Spruce Road for its entire length.
Stag Lane for its entire length.
Stafford Street for its entire length.
Steeles Drive for its entire length.
Steven Road for its entire length.
Stonecrest Drive for its entire length.
Sulky Lane for its entire length.
Summit Avenue for its entire length.
Sunnybrook Lane for its entire length.
Sunnyside Avenue for its entire length.
Sunnyside Drive for its entire length.
Sunrise Lane for its entire length.
Sunrise Road for its entire length.
Sunset Circle for its entire length.
Sunset Drive (Bigfork) for its entire length.
Sunset Drive (Evergreen) for its entire length.
Sunset Lane for its entire length.
Sussex Drive for its entire length.
Swan Retreat for its entire length.
Swede Hill Avenue for its entire length.
Swimming Lake Court for its entire length.
Tahoe Drive for its entire length.
Tamarack Avenue for its entire length.
Tamarack Drive for its entire length.
Tamarack Terrace for its entire length.
Tangent Road for its entire length.

Terrace Drive for its entire length.

Terrace Hill for its entire length.

Terry Road for its entire length.

Timber Lake Drive for its entire length.

Timber Lane for its entire length.

Timber Lane Terrace for its entire length.

Toftum Lane from US Highway 2 615 ft.

Trail Ridge Road for its entire length.

Treasure Lane for its entire length.

Trout Avenue for its entire length.

Troutbeck Road for its entire length.

Truck Route (US Highway 2 to 6th Avenue West) for its entire length.

Twilight Circle for its entire length.

Twin Acres Drive for its entire length.

Twin Pines Drive for its entire length.

Valley Drive for its entire length.

Valley View Drive for its entire length.

Vans Avenue for its entire length.

Vetville West, from its intersection with 12th Avenue West to its intersection with Meadow Lakes Boulevard.

Village Lane for its entire length.

Vitt Lane for its entire length.

Voerman Road from Monegan to city limits.

Walker Avenue for its entire length.

Watts Lane for its entire length.

Wedgewood Lane for its entire length.

Welf Lane for its entire length.

West 3Rd Street for its entire length.

West 4th Street for its entire length.

West 7th Street from Baker to South Karrow.

West Cottonwood Drive for its entire length.

West Lake Shore Drive (Whitefish) for its entire length.

West Valley Drive (South of US Highway 2) for its entire length.

West View Drive for its entire length.

Westwood Lane for its entire length.

Whipps Lane for its entire length.

Williams Lane for its entire length.

Willow Drive for its entire length.

Wilson Heights Road for its entire length.

Winchester Street for its entire length.

Winter Lane for its entire length.

Wishert Lane for its entire length.

Wulff Lane for its entire length.

Yodelin Ridge Road for its entire length.

Zimmerman Road for its entire length.

Thirty Five (35) miles per hour:

4th Avenue WN for its entire length.

Addison Square for entire length, except the school zone.

Aero Lane for its entire length.

Ainley Lane for its entire length.

Alder Lane for its entire length.

Amdahl Lane for its entire length.

Anderson Lane for its entire length.

Angel Point Road for its entire length.

Armory Road from Voerman to Armory property.

Ashley Lake Road (West) for its entire length.

Ashley Lake Road, from its intersection with Sherman Road to the point at which the pavement ceases.

Auction Road from Fir Terrace to Somers Stage.

Austin Crossroad for its entire length.

Bachelor Grade for its entire length.

Badrock Drive for its entire length.

Bald Rock Road for its entire length.

Barnes Lane for its entire length.

Batavia Lane for its entire length, except the school zones.

Battle Butte Road for its entire length.

Bayou Road for its entire length.

Bear Creek Road for its entire length.

Belton Stage Road for its entire length.

Berne Road from RMB Lumber to Columbia Mountain Road gravel.

Berne Road for other segments.

Berne Road South leg from RBM Lumber to Montana Highway 206.

Berne Road from Columbia Mountain Road to Monte V. Drive.

Bierney Creek Road from 1.2 miles from US Highway 93 to end of Road.

Bigfork Stage for its entire length.

Bighorn Drive for its entire length.

Birch Grove Road for its entire length.

Bitterroot Drive (South end) for the gravel portion.

Bitterroot Drive from Pleasant Valley Road to Bitterroot Lane.

Blackmer Lane from Montana Highway 206 to Steel Mountain Road.

Blacktail Road for its entire length.

Blaine View Lane for its entire length.

Blanchard Lake Drive for its entire length.

Blanchard Lake Road for its entire length.

Blankenship Road for its entire length.

Bloomer Lane for its entire length.

Boon Road for its entire length.

Boorman Lane for its entire length.

Bowdish Road for its entire length.

Braig Road for its entire length.

Broeder Loop Road for its entire length.

Brosten Lane for its entire length.

Browns Gulch Road for its entire length.

Browns Meadow Road/Mount Road, for its entire length.

Browns Road for its entire length.

Buckboard Lane for its entire length.

Bucks Lane for its entire length.

Capistrano Drive for its entire length.

Cemetery Road for its entire length.

Chapman Hill Road for its entire length.

Chubb Lane for its entire length.

Church Drive for its entire length.

Clark Drive for its entire length.

Cobbler Village for its entire length.

Coclet Lane for its entire length.

Columbia Falls Stage Road (North of Trap Road) from Kelley Road to River Road.

Columbia Mountain Lane for its entire length.

Columbia Mountain Road for its entire length.

Conn Road for its entire length.

Conrad Point Road for its entire length.

Coon Hollow Road for its entire length.

Coram Stage for its entire length.

Cottage Lane for its entire length.

Coverdell Road for its entire length.

Creston Hatchery Road for its entire length.

Creston Road except for school zone only.

Daley Lane for its entire length.

Danford Lane for its entire length.

Danielson Road for its entire length.

Deer Creek Road (US Highway 93 in) for its entire length.

Deer Creek Road (Bierney Creek in) for its entire length.

Dehlbom Lane for its entire length.

Delrey Road for its entire length.

Demersville Road from Lower Valley Road to Snow line Lane.

Dern Draw for its entire length.

Dern Road for its entire length.

Desert Lodge Road for its entire length.

Dyer Road for its entire length.

East Reserve Drive from Helena Flats East to end of Road.

East Edgewood Drive for its entire length.

East Lakeshore Drive from 1.8 mile W of Big Mountain Rd to end of road.

East Second Street for its entire length.

Eastman Drive for its entire length.

Echo Lake Road for its entire length.

Eckelberry Drive, Michels Slough to Montana Highway 206 (South end).

Eckelberry Drive from Michels Slough to Montana Highway 206 (North end).

Edgewood Drive for its entire length.

Egan Road for its entire length.

Egan Slough Road for its entire length.

Eid Lane for its entire length.

El Rancho Road for its entire length.

Elk Park Road for its entire length.

Emil's Lane for its entire length.

Ezy Drive for its entire length.

Fairmont Road for its entire length, except the school zone.

Fairview Cemetery Road for its entire length.

Fairview Crossroad for its entire length.

Fairway Blvd to City limits.

Farm Road for its entire length.

Farm-to-Market Road (US Highway 93 to Tally Lake Road) for its entire length, except the school zone.

Fern Lane for its entire length.

Ferndale Drive for its entire length.

Fir Terrace (South of US Highway 93) for its entire length.

Fir Terrace (East of US Highway 93) for its entire length.

Flathead Lodge Road for its entire length.

Foothill Road for its entire length.

Forest Hill Road for its entire length.

Four Mile Drive (West of Farm-to-Market) from Farm-to-Market to end of Road.

Four Mile Drive (Stillwater-West Springcreek) for its entire length.

Fox Farm Road for its entire length.

Foys Lake Road (South of Foys Canyon) for its entire length.

Garland Lane for its entire length.

Gladys Glen Road for its entire length.

Good Creek Road for its entire length.

Gosney Crossroad for its entire length.

Halfmoon Flats Road for its entire length.

Halfmoon Road for its entire length.

Hanging Rock Drive for its entire length.

Haskill Basin Road for its entire length.

Hathaway Lane for its entire length.

Helena Flats Road from Montana Highway 35 North for .6 miles.

Helena Flats Road from 1.5 to 2.8 miles North of Montana Highway 35.

Hellman Lane for its entire length.

Hemler Creek Drive for its entire length.

Hoffman Draw for its entire length.

Hog Heaven Road for its entire length.

Holt Drive for its entire length.

Holt Stage Road, from its intersection with Montana Highway 35 to its intersection with Fairmont Road.

Holt Stage from Montana Highway 35 to Fairmont Road.

Holt Stage from Steel Bridge to East for .8 miles.

Homestead Drive for its entire length.

Homestead Road, from its intersection with Holt Stage Road to its intersection with Fairmont Road. 856

Hubbart Dam Road for its entire length.

Idaho Hill for its entire length.

Jacquard Lane for its entire length.

Jacquette Road for its entire length, except the school zone.

Jellison Lane for its entire length.

Jellison Road, from North of Trestle.

Jensen Road for its entire length.

JP Road for its entire length.

Kallner Lane for its entire length.

Kelley Road (East of 206) from Montana Highway 206 to east end.

Kickbusch Lane for its entire length.

Kienas Road for its entire length.

Kila Road for its entire length, except the school zone.

Kinshella Road for its entire length.

KM Ranch Road from US Highway 93 to Twin Bridges Road.

Kuhns Road for its entire length.

Kuzmic Lane for its entire length.

Labrant Road for its entire length.

Lake Blaine Drive for its entire length.

Lake Five Road for its entire length.

Lakeshore Drive from Foys Lake Road to Buckboard Lane.

Lauman Road for its entire length.

Lee Road for its entire length.

Lindsey Lane for its entire length.

Lone Pine Road from top of hill.

Lost Creek Drive for its entire length.

Lost Prairie Road for its entire length.

Lower Valley Road from US Highway 93 for 2.5 miles.

Lower Valley Road for the entire gravel portion.

Lupfer Road for its entire length.

Lutheran Camp Road for its entire length.

Managhan Lane from US Highway 2 to Batavia Lane.

Manning Road for its entire length.

Marken Loop for its entire length.

Martin Camp Road for its entire length.

McCaffery Road for its entire length.

McMannamy Draw for its entire length.

Meadow Lake Boulevard from US Highway 2 to Tamarack Lane.

Mooring Road for its entire length.

Morning View Drive for its entire length.

Mountain Creek Road for its entire length.

Mountain Meadow Road for its entire length.

Mud Lake Road for its entire length.

Muddy Lane for its entire length.

Muth Lane for its entire length.

North Ashley Lake Road for its entire length.

North Fork Road, from its intersection with Camas Creek Road, South to Canyon Creek.

North Fork Road, from its intersection with Glacier Park Road and to the point where the roadway surface changes from gravel to asphalt paving (approximately 6.5 miles north of the Glacier Park Intersection, a total of 6.5 miles).

North Fork Road, beginning approximately 1200 feet south of the Hay Creek Bridge and ending at the Canadian border (approximately 34 miles north of the Glacier Park Intersection, a total of 22.6 miles).

North Foys Lake Drive for its entire length.

North Hill Road for its entire length.

North Ramsfield Road for its entire length.

North Somers Road for its entire length.

Obryan Lane for its entire length.

Old US Highway 93 (Juniper Bay) for its entire length.

Old US Highway 93 (state shop) for its entire length.

Oldenberg Road for its entire length.

Olney Loop Road from Good Creek to RR Crossing.

Passmore Lane for its entire length.

Patrick Creek Road for its entire length.

Pederson Road for its entire length.

Phanco Lane for its entire length.

Pierce Lane for its entire length.

Pine Needle Lane for its entire length.

Pioneer Road for its entire length.

Pleasant Hill Drive for its entire length.

Pleasant Valley Road from Bitterroot Drive to end of asphalt paving.

Pleasant Valley Road from US Highway 2 to Bitterroot Drive.

Political Hill for its entire length.

Prairie View Road for its entire length.

Rabe Road for its entire length.

Ramsfield Road for its entire length.

Reimer Lane for its entire length.

Reservoir Road for its entire length.

River Bend for its entire length.

River Junction for its entire length.

River Road for its entire length.

Riverside Road from MT 35 west to N. Ramsfield and from MT 35 south to Dyer Rd.

Robocker Lane for its entire length.

Rocky Cliff Drive for its entire length.

Rocky Lane for its entire length.

Rogers Lake Road for its entire length.

Rogers Road for its entire length.

Rose Crossing (East of US Highway 2) for its entire length, except the school zone.

Rose Crossing (West of US Highway 2) for its entire length.

Scenic Ridge Road for its entire length.

School Addition Road for its entire length.

Schrade Road for its entire length.

Seville Lane for its entire length.

Siblerud Lane for its entire length.

Sickler Creek Road for its entire length.

Shermann Road for its entire length.

Skyline Drive for its entire length.

Smith Lake Road from Whalebone to end of asphalt paving.

Smith Lake Road for the gravel portion.

Smith Lake Road for its entire length.

Snowline Lane for its entire length.

Somers Road from Montana Highway 83 South for 1 mile.

Somers Stage for its entire length.

Sonsteli Lane for its entire length.

Sonsteli Road for its entire length.

South Ashley Lake Road for its entire length.

South Fork Road for its entire length.

South Hilltop Road for its entire length.

South Many Lakes Drive for its entire length.

Spotted Bear Road for its entire length.

Spring Creek Road for its entire length.

Spring Creek Drive for its entire length.

Spring Hill Road for its entire length.

Spring Prairie Road for its entire length.

Star Meadows Road for its entire length.

State Park Road for its entire length.

Steel Bridge Road for its entire length.

Stillwater Road for its entire length.

Stoner Creek Road for its entire length.

Sullivan Crossroad for its entire length.

Sullivan Gulch Road for its entire length.

Sunday Lane for its entire length.

Swan Hill Drive for its entire length.

Swan River Road for its entire length.

Sylvan Drive for its entire length.

Tamarack Creek Road for its entire length.

Tamarack Lane for its entire length.

Tavern Lane from Montana Highway 206 to Mooring Road.

Tetrault Road for its entire length.

Therriault Lane (West of river) for its entire length.

Thompson River Road for its entire length.

Three Eagle Lane for its entire length.

Three Mile Drive (West of Farm-to-Market) for its entire length.

Three Mile Drive from its intersection with West Springcreek Road to its intersection with West Valley Drive.

Three Mile Drive from West Valley Drive, West to the end of the road.

Trap Road for its entire length.

Tronstad Road for its entire length.

Truman Creek Road, from the end of the asphalt paving to the end of the road.

Truman Creek Road from Browns Meadow to end of asphalt paving.

Trumble Creek Road for its entire length.

Twin Bridges Road (Lodgepole-Farm-to-Market) for its entire length.

Two Mile Drive (West of Greenbriar Court) for its entire length.

Van Sant Road for its entire length.

Veterans Drive, from its intersection with US Highway 2 to its intersection with Talbot Road.

Voerman Road from Monegan east 900 ft.

Vonderheide Lane for its entire length.

Wagner Road for its entire length.

Weaver Lane for its entire length.

West Evergreen Drive for its entire length, except the school zone.

West Springcreek Drive for its entire length.

West Valley Drive from US Highway 2 to Kuhns Road.

Wagner Lane for its entire length.

Whalebone Drive for its entire length.

Whalebone Drive, for its entire length from its intersection with US Highway 2 to its intersection with Foys Lake Road. 818

Whitefish Stage from the City Limits to Fairway Blvd.

White Birch Lane for its entire length.

Wiley Dike Road for its entire length.

Winfield Lane for its entire length.

Wishart Road for its entire length.

Witty Lane for its entire length.

Wolf Creek Drive for its entire length.

Woodland Road for its entire length.

Yeoman Hall Road from Montana Highway 206 to Van Sant.

Yeoman Hall Road from Van Sant to end of Road.

Forty (40) miles per hour:

Browns Meadow Road/Mount Road, beginning at its intersection with Smith Lake Road and ending approximately 700 feet east of the end of the asphalt paving (a total of 2500 feet).

Hodgson Road from US Highway 93 to Whitefish Stage.

Forty Five (45) miles per hour:

Aluminum Drive for its entire length.

Columbia Falls Stage Road for its entire length.

Dillon Road from Voerman to Montana Highway 40.

East Reserve Drive from US Highway 2 to Helena Flats Road.

East Lakeshore Drive Big Mountain Road to W for 1.8 miles.

Helena Flats Road on all other segments.

Hodgson Road from Whitefish Stage to US Highway 2.

Kelley Road (West of 206) from Montana Highway 206 to Columbia Falls Stage Road.

Lake Blaine Road from Montana Highway 35 to Foothill, except the school zone.

Lower Valley Road from 2.5 miles East of US Highway 93 to end of asphalt pavement.

Middle Road from Sullivan Cross Road to Kelly Road.

Middle Road from Montana Highway 35 to Fairview Crossroad.

Middle Road from Gosney Crossroad to Kelly Road.

Montana Highway 83, for 600 feet on either side of the Swan River School crosswalk, during the entire school year.

North Fork Road, beginning approximately 6.5 miles north of its intersection with Glacier Park Road and ending at approximately 11.5 miles north of that intersection (approximately 1200 feet south of the Hay Creek Bridge, a total of 5 miles).
562

Rhodes Draw Road, from its intersection with Farm-to-Market Road to its intersection with Bald Rock Road. 642
Rhodes Draw from Farm-to-Market to Bald Rock Road.

Riverside Road from Dyer Rd. to N. Ramsfield Rd.

US Highway 2, West of Kalispell, for 600 feet on either side of the Smith Valley School crosswalk, between the hours of 7:30 a.m. and 8:45 a.m. and 2:00 p.m. and 3:45 p.m., on days when children are present at school.

Voerman Road, from its intersection with Dillon Road to 900 feet East of its intersection with Monegan Road. 609

Voerman Road from 900 feet East of Monegan to Dillon.

Walsh Road for its entire length.

West Springcreek Road, from its intersection with US Highway 2 to its intersection with Three Mile Drive. 676

Whitefish Stage from Reserve Drive South to Fairway Blvd.

Fifty Five (55) miles per hour:

Farm-to-Market Road (US Highway 93 to Lodgepole) from Lodgepole to Tally Lake Road.

Section Two. School Zone Limits on Highways.
(Section 61-8-310(1)(d), M.C.A.)

School zone speed limits, which shall be 25 miles per hour for 300 feet on each side of a school cross walk across a public roadway or highway and 35 miles per hour for a distance of from 300 feet to 600 feet on each side of a school cross walk across a public roadway or highway (See Appendix 1), are hereby imposed adjacent to the following listed schools on the following listed roadways:

1. Deer Park School located on Middle Road.
 2. Cayuse Prairie School on Lake Blaine Road.
 3. Helena Flats School located on Helena Flats Road and Rose Crossing Road.
 4. Pleasant Valley School located on Pleasant Valley Road.
 5. Somers School located School Addition Road.
 6. Marion School located on Gopher Lane.
 7. Smith Valley Primary School located on Batavia Lane.
 8. Smith Valley Intermediate located on Batavia Lane and Boorman Road.
- Bissell School located on Farm-to-Market Road.
- Montana Highway 83, for one-quarter of a mile on each side of its intersection with the Echo Lake Road. 855
11. Thirty Five miles per hour on Whitefish Stage Road from 400 feet South of the intersection of Whitefish Stage Road with Winchester Street and continuing North to a point 400 feet North of the intersection of Whitefish Stage Road with Mission Way Road, an approximate distance of 6,500 feet to be in effect during the hours of 7:30 to 8:30 a.m. and 2:00 to 4:00 p.m. on school days. During the remainder of the day, and on non-school days, the speed limit will continue to be 45 mph.
 12. Twenty Five Miles per hour for 400 feet on either side of the Hawthorne Street school crosswalk on Three Mile Drive, on school days during the morning and afternoon crossing periods.

Section Three. Other County Roads.

The following speed limits are hereby imposed on all County roads and highways not previously named:

Thirty Five miles per hour on all County gravel roads.

Fifty Five miles per hour on all paved County roads and on Montana State Montana Highway 206 and Montana State Highway 209.

Section Four. Violation of Ordinance - Penalties
(Section 61-8-711, M.C.A.)

- A. It is a misdemeanor for any person to violate any of the speed limits set forth in this ordinance.
- B. Every person convicted of a violation of this ordinance shall for a first conviction be punished by a fine of not less than \$10 or more than \$100 or by imprisonment for not more than 10 days. For a second conviction within 1 year thereafter, the person shall be punished by a fine of not less than \$25 or more than \$200 or by imprisonment for not more than 10 days or by both such fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, he person shall be punished by a fine of not less than \$50 or more than \$500 or by imprisonment for not more than 6 months or by both such fine and imprisonment.
- C. On failure of payment of a fine, the offender shall be imprisoned in the Flathead County Detention Center, and the imprisonment shall be computed upon the basis of 1 day's incarceration for each \$25 of the fine.
- D. Upon conviction, the court costs or any part thereof may be assessed against the Defendant in the discretion of the Court.

Section Five. Signage.

The Flathead County Road Department shall install and maintain speed limit and other appropriate signs in accordance with this Ordinance.

No speed limit enacted by this ordinance shall be enforced until the appropriate signage is installed. (Section 61-8-310(4), M.C.A.)

Section Six. Severability.

If any provision of this ordinance is held invalid, such invalidity shall not affect other provisions which can be given effect without the invalid provision. To this end the provisions of this ordinance are declared to be severable.

DATED this 9th day of November, 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

1. Adopted July 5, 1995
2. Amended September 25, 1995
3. Amended November 22, 1995
4. Amended December 20, 1995
5. Amended July 15, 1996
6. Amended September 16, 1997
7. Amended November 25, 1997
8. Amended November 19, 1998
9. Amended May 10, 1999
10. Amended December 5, 2000
11. Amended October 15, 2001
12. Amended August 12, 2003
13. Amended March 29, 2004
14. Amended November 10, 2004
15. Amended May 10, 2005
16. Amended May 24, 2005
17. Amended July 11, 2005
18. Amended April 3, 2006
19. Amended November 9, 2006

Commissioner Hall made a **motion** to approve the amendment on the second reading of Ordinance #7 and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: ROAD ABANDONMENT #456 (ALLEY IN SOUTHFORK ADDITION)

[9:42:29 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Clerk Diana Kile

Others absent:

Assistant Michael Pence

Commissioner Hall made a **motion** to authorize the publication of the Notice of Public Hearing and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** - Watne and Hall. Motion carried by quorum.

**NOTICE OF PUBLIC HEARING
TO CONSIDER
DISCONTINUANCE
OF PUBLIC ROADWAY
NO. 456**

Notice is hereby given that the Board of Viewers have reported favorably to the Board of Flathead County Commissioners on the discontinuance of that certain public roadway in Flathead County, Montana, described as follows:

The 20 foot alley lying between lots 9 – 17 of Block 6 of South Fork Subdivision.

Notice is hereby given to the petitioners or landowners as disclosed by the last assessment roll of Flathead County, owning land abutting the roadway described above and being considered for abandonment.

The hearing on this petition for abandonment is set for **November 27, 2006 at 9:45 a.m.** in the County Commissioners' Office, West Annex, Courthouse, Kalispell, Montana.

DATED this 9th day of November, 2006.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Robert W. Watne

Robert W. Watne, Chairman

PAULA ROBINSON,
CLERK AND RECORDER

By/s/Diana Kile
Deputy

Publish on November 14 and November 21, 2006.

MEETING W/ ERICA WIRTALA/ SANDS SURVEYING RE: SUMMIT VIEW, CONDITION NO. 12

10:02:00 AM

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Clerk Diana Kile, Jeff Harris, Nicole Lopez-Stickney, Erica Wirtala, Jerry Lipp, Jonathan Smith

Others absent:

Assistant Michael Pence

Discussion was held relative to condition 12 on the Preliminary Plat of Summit View in regards to the language with the level 2 septic system.

Jerry Lipp spoke in regards to the DEQ not requiring a level 2 septic system.

Erica Wirtala then stated that it was not necessary for the \$20,000 septic system versus a conventional system, which would meet the county requirements for \$5,000. She is proposing that they strike the individual level 2 system from the conditions.

Lopez-Stickney spoke about condition 12 being added by the Planning Board as a result of public comment and that the Planning Board ultimately did not recommend approval, citing ground water issues. A condition was added to the Preliminary Plat by the Commission that states this is an area of spring time flooding. She then stated that because of the high ground water planning staff does support a level 2 system for the area.

Jerry Lipp presented ground water data and spoke about the results of the data in regards to ground water being on the lots and stated that Flathead County did double check the monitoring information. He stated that what is going on out there is that there are low areas out next to the highway. He spoke about monitoring ground water which was done out by the sand dunes at 8 feet deep and stated that there was no water. He then spoke about an existing 55 foot water well that serves 2 houses that is definitely in the shallow aquifer where he pulled a nitrate sample out of and it was .09, which is barely detectable. He then ran the calculations as DEQ would and stated that they are allowed up to 5 milligrams per liter of nitrogen. He stated that to put the level 2 system in would not make any difference at all.

Erica Wirtala stated that the system proposed would not help in the ground water instance.

Lopez-Stickney spoke about the concern with the potential impact of more homes out there.

Jeff Harris stated that the Planning Board conducted a Public Hearing and the public spoke and after all the information was weighed a recommendation was made and in this case, he stated that he wonders if it is appropriate to now come in and produce new information that the public or the Planning Board has not had an opportunity to review.

Erica Wirtala stated that she disagrees, because the ground water information was in the packet.

Jeff Harris stated that if that is the case then it goes back to the recommendation by the Planning Board and the Commission having had all that information in the beginning.

Discussion was then held in regards to the condition of the shared well vs. shared wells.

Erica Wirtala stated that we have lay people on the Planning Board and a staff that are planners and not sanitarians that are making recommendations that should be DEQ recommendations.

Jeff Harris stated that through the process there was opportunity to get the thoughts and comments into the record for consideration by both the Planning Board and the Commission.

Jerry Lipp questioned the days that the Planning Board simply left the decisions to the professionals in regards to DEQ decisions on septic systems.

Erica Wirtala stated that what they are considering is that they will get DEQ approval before the Planning Board starts calling out requirements.

Jerry Lipp stated that there have been lots of subdivisions done in the same aquifer and that he has done several and no one has ever talked about a level 2 system, and questioned if everything in Flathead County would now have to be a level 2 system.

Commissioner Hall spoke about the flooding in the area and that is why it has escalated to this.

Lopez-Stickney stated that the information that was submitted was for all the ground water sanitation and water information was submitted to Environmental Health and DEQ for agency comments and Environmental Health commented on it and stated that this area has very shallow ground water.

Jerry Lipp stated that if they went to Glen Gray today and presented all the information that he has that he would say that a level 2 system is not required.

Lopez-Stickney stated that during the public process that there were many times to bring up the issue in regards to the level 2 septic system.

Erica Wirtala stated that this came up after board discussion had closed and they were no longer able to.

Jeff Harris stated that as a courtesy the Commission always asks the application if they have a problem with the conditions and in this case there was not a problem.

Jeff Harris spoke about the high ground water with someone canoeing in the area.

Jerry Lipp stated that if he put in a level 2 system that they could legally drive the nitrate level up to 7.5 and that they would not gain anything. He then stated that if he puts in a level 2 system that is what will happen.

Commissioner Hall stated that they made valid points and the conditions should not be changed at this time.

Jonathan Smith advised them that they should get the Planning Boards approval before changing any conditions and that Sands Surveying could present condition 12 to the Planning Board for their consideration.

Jerry Lipp questioned how the Planning Board ever got into making these type of decisions when there are paid professional to make them.

Jonathan Smith spoke in regards to the statues changing in requiring them to look at all the water and sewer information.

Commissioner Hall made a **motion** to return condition 12 of Summit View to the Planning Board for further review and consideration. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONTINUATION OF MEETING W/ KEVIN DETTMERING RE: PARKER HILL

[10:25:47 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Clerk Diana Kile, Charlie Johnson, Jonathan Smith, Kevin Dettmering, Heidi Dettmering

Others absent:

Assistant Michael Pence

Discussion was held relative to Parker Hill Road and the problem with the condition of the road.

Kevin Dettmering stated that Mr. Brouard put in a culvert that drains into the low point of the road.

Charlie Johnson stated that Schwartz Engineering has confirmed that the road was brought up to fill and what he feels the county needs to do is to require Mr. Brouard to build the driveway to county standards, so that it does not drain onto the county road.

Kevin Dettmering spoke about the angle of the road being a problem with the plowing issue. He then stated that he has an order from the judge, but in order to enforce it he has to go back to the court to get another order from the judge to enforce the order.

Jonathan Smith spoke about how the system works in regards to him having to prove to the judge that it was contempt of the order and that he has to go through the due process of the law.

Commissioner Hall made a **motion** to send a letter to Mr. Brouard to require him to get an encroachment permit to meet county standards and that the fill placed across the current county easement shall be removed to allow for proper drainage. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

FINAL PLAT: MC CAFFERY WOODS

[10:47:03 AM](#)

Members present:

Chairman Robert W Watne
Commissioner Gary D Hall

Members absent:

Commissioner Joseph D Brenneman

Others present:

Clerk Diana Kile, Kirsten Holland, Jeff Harris, Kim Underlich

Others absent:

Assistant Michael Pence

Holland reviewed the application submitted by Thomas G and Sharon K Lewis for Final Plat approval of Mc Caffery Woods Subdivision, a 7 lot major subdivision with technical assistance from Glacier Surveying. The property is located in the Bigfork area, approximately 1.6 miles east of Hwy 35 on Mc Caffery Road in the Bigfork Zoning District. Preliminary Plat approval was granted on September 19, 2005, subject to 21 conditions. All conditions have been met.

Holland spoke in regards to a condition that came to the attention of the Planning Board that Mr. Lewis planned to offer to the lots owners in Mc Caffery Woods lake access through a piece of tract land and stated that would not be authorized under the current Preliminary Plat approval, with it never being addressed or reviewed. She stated it was discussed with Mr. Underlich and spoke with him in regards to the liability issue and he agreed to remove it from his covenants.

Commissioner Hall made a **motion** to approve the Final Plat for Mc Caffery Woods. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF HR TRANSMITTALS: CUSTODIAN (2) MAINTENANCE DEPT., OA III/ COUNTY ATTORNEY'S OFFICE

[10:52:50 AM](#)

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

Commissioner Hall made a **motion** to approve the HR transmittals for a Custodian and OA III. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

DOCUMENT FOR SIGNATURE: MDOT SECTION 5311 CONTRACT/ EAGLE TRANSIT

[10:55:30 AM](#)

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

Commissioner Hall made a **motion** to approve the MDOT contract. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION OF RELEASE OF COLLATERAL: PONDEROSA BOAT CLUB

[9:54:38 AM](#)

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

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

CONSIDERATION OF PRINTING BIDS: PLANNING & ZONING OFFICE AND HEALTH DEPT.

[9:44:02 AM](#)

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

Commissioner Hall made a **motion** to approve the print bid from Insty-Prints for 4 sets of business cards for \$66.00. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the print bid from Insty-Prints for 500 business cards for \$44.95. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the print bid from Great Northern for 2,000 reproductive health appointment cards for \$57.90. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the print bid from Northstar Printing for 5,000 immunization post cards for \$114.00 and 1,000 breast and cervical health papers for \$78.00. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

Commissioner Hall made a **motion** to approve the print bid from Paper Chase for the Flathead County Growth Policy for \$5,370.00. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

CONSIDERATION ON EXTENSION: ROBERT RINKE SUBDIVISION

9:53:31 AM

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

Commissioner Hall made a **motion** to approve the extension on Robert Rinke Subdivision for 1 year. Chairman Watne **seconded** the motion. **Aye** – Watne and Hall. Motion carried by quorum.

MEETING W/ BOB FRASER RE: DECLARATION OF UNIT OWNERSHIP

11:32:11 AM

Members present:
Chairman Robert W Watne
Commissioner Gary D Hall
Members absent:
Commissioner Joseph D Brenneman
Others present:
Clerk Diana Kile, Bob Fraser, Jonathan Smith, Jeff Harris, Traci Sears-Tull, Ardis Larsen, Brooke Howard, Kirsten Holland, Dennis Hester
Others absent:
Assistant Michael Pence

Bob Fraser spoke about the process of zoning and stated that he stumbled across a proposal and if what he has found actually works like it is being proposed, then he is questioning why we have subdivision review and proposals.

Jeff Harris spoke about the declaration of unit ownership which is referred to as unit ownership document papers and stated that they are researching now back to January and have pulled all the unit of ownership documents and are comparing those with their files to see if they came in for approval. He stated that there is concern, but that can't be substantiated yet. If they are recording them and actually implementing them without going through the subdivision regulation statues for condominium review then they are avoiding the regulations.

Bob Fraser spoke about condominiums that are presently being built as rental units, so that they do not have to go through subdivision review, because of the rental loop hole. Now that they are close to completion they have filed a declaration of unit ownership and to further circumvent subdivision review by the Commission by just calling them condominiums, instead of rental units. He stated that it seems rather obtuse that this can actually happen.

Jonathan Smith then spoke in regards to anyone being able to file a declaration of unit ownership papers. If you have a condominium project you can file them with condominiums being considered under the subdivision act to be a subdivision even though you don't divide up the ground you are still selling the space and the building. He then said the subdivision act has always said that condo's are subdivisions. Jonathan Smith spoke in regards to if there is no zoning then zoning doesn't preclude condos.

Ardis Larsen questioned the subdivision review in regards to her building condos for her own personal use to rent out as to if she would have to go through subdivision review.

Jonathan Smith spoke in regards to someone just building an apartment building and renting them out, and then you do not have to go through review.

Bob Fraser spoke of his concern with the avoidance of subdivision review.

6:00 p.m. Growth Policy Work Session @ Commissioners' Meeting Room
7:00 p.m. Fair Board meeting @ Fair Office

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on November 13, 2006.

FRIDAY, NOVEMBER 10, 2006

COUNTY OFFICES CLOSED – VETERANS' DAY
