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## MONDAY, DECEMBER 4, 2006

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

**8:00 a.m. Weed & Parks Board meeting @ Weed & Parks Office**  
**10:00 a.m. Commissioner Brenneman to Flathead Basin Commission meeting in Whitefish**

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

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## TUESDAY, DECEMBER 5, 2006

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

**1:15 p.m. 911 meeting @ Justice Center**

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

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## WEDNESDAY, DECEMBER 6, 2006

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

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

### **PLANNING BOARD INTERVIEW W/ BARRY CONGER**

[9:07:07 AM](#)

Members present:

Commissioner Gary D Hall  
Commissioner Joseph D Brenneman

Members absent:

Chairman Robert W Watne

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Jeff Harris, B J Grieve, Annie Thompson, Barry Conger

Interview was conducted with Barry Conger for the Planning Board position.

### **FINAL PLAT: SUBDIVISION NO. 251**

[9:18:53 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, B J Grieve, Annie Thompson, Erica Wirtala

Thompson reviewed the application submitted by Rhonda Lindner with technical assistance from Sands Surveying for Final Plat approval of Subdivision No. 251, a 1 lot major subdivision with a remainder. The subdivision is located southeast of McGregor Lake. Preliminary Plat approval was granted on October 13, 2005, subject to 14 conditions. All conditions have been met. Staff recommends approval.

Commissioner Brenneman made a **motion** to approve Final Plat for Subdivision No. 251. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

### **GRIEVANCE HEARING: PILSCH**

[9:30:28 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile, Cory Pilsch, Raeann Campbell, Guy Foy, Daniel Doogan

Daniel Doogan spoke as a representative of Teamsters Local #2 for Corey Pilsch who works under a labor agreement between Flathead County and Teamsters Local #2. He stated that Corey Pilsch has initiated a grievance based on a violation of the labor agreement and the grievance procedure of this contract. He then stated that this meeting was a level 2 hearing with the County Commissioners under article 15, adjustment agreements procedures. It was stated that for the record the nature of the grievance was that the grievant alleged a violation of article 16 of labor agreements. The article is titled job classifications and is commonly referred to as a craft interchange rule; which states that the county may temporarily shift a worker from 1 classification of work to another, and if the work in which the employee is transferred to pays more than the employees regular classification and the employee is assigned by the superintendent to the new classification for more than 3 consecutive hours during a work day, then the county shall pay the employee the higher wage rate for all the time spent at working at the new classification. He then stated that the true intent for craft interchange is not to cause any problems with the counties ability to fulfill its obligations to perform whatever work the department is obligated to perform.

Corey Pilsch spoke in regards to recapping what Daniel Doogan had already stated. He then stated that he worked on Friday, Monday, Tuesday and Wednesday and on Monday or Tuesday Charlie come out to talk to Grant Rasmussen who was at the crusher. They were short on salt sand and had a machine coming in that they needed to get salt sand made for. They were running behind because equipment had broken. Grant said if you want to get some extra tonnage out, maybe we should work on Friday and Charlie stated that was a good idea. Grant asked who could work and Charlie said, I don't care who works, but you can't force anyone to work; you have to ask them and it has to be on a voluntary basis. Grant Rasmussen then came over and talked to me about working and stated that he had asked Charlie if he minded if Corey worked. Charlie said that it was fine, that he did not have a problem with that. He stated that Bob Simmons was gone at that time and Marcus O'Keefe was the lead man under Charlie Johnson at that time. Marcus came up to him and asked him to work and he said yes, he would work; he did have plans on Friday, but would change them and work. He then stated that he continued to work Monday, Tuesday, Wednesday and Thursday morning. When Bob Simmons came back he came out to the crusher and told him he did not want him out there and that he needed an operator and not to ask why. He then asked Bob Simmons about overtime on Friday; which he had changed his plans to be able to work and was told that they needed an operator out there. He was irritated about it and went and did his normal job and called Charlie Johnson on Friday morning when it didn't change and Charlie Johnson said he would look into it and Monday came and it was simply stated; this is the way it is that they needed an operator over there. Some of the points that he has that he feels in regards to the way the county operates is that it is just the good old boy system. We have this deal when we need operators there to run the crusher, but on Monday both of the operators did not show up for work with them both being sick. They worked their overtime on Friday and did not show up Monday and left the county hanging. Bob then sends 2 teamsters to the crusher and they sit until 12:30 and don't do a single thing, so he sends 2 more teamsters to the crusher. He then stated that 4 teamsters ran the crusher on Monday, but we had to have operators or the normal crushing staff on Friday to get the overtime. He stated that he doesn't agree with that and doesn't think it is right. He thinks Bob Simmons basically does what he wants when he wants and doesn't follow any rules that are set up for the interchange. They failed to use the interchange and it was totally inappropriate that they didn't let him work on Friday. His schedule was changed after they asked him to work and then they put an operator in there to work and he does not show up on Monday. It doesn't make any sense that it's okay and then on top of it, when they sent the other 2 teamsters on Monday, nobody had run the button shack, not one of the 4 people had ever run the crusher. Bob Simmons jumped up in the shack and said push this button, this button and then walked out the door. He doesn't think that it is probably very safe and doesn't think it is probably a great idea for somebody that has never looked at it, never ran it, to be in charge of it and on top of it, here he is; they just stick him in a truck that day and failed to call and ask him to come back, because of the situation with him being irritated with them on Friday. He then questioned if they have an interchange, why didn't Bob say Corey you run the crusher, you need to go back over there even though we got a problem, I need somebody to run the crusher. They did not do that, they just stuck somebody else in there that didn't have a clue as to what they were doing. He stated that he does not quite understand how that works, that it doesn't make a lot of sense since he asked to be over there and volunteered to be there and they have an interchange to allow for it. He stated that he takes a lot of pride in his work and doesn't mind having responsibilities and doing a good job with turning out more material in those few days than had ever been turned out before, and yet they keep sending people over there that don't care, that don't want to be there and break the machine on purpose if need be by running to much stuff through it and plugging it up and don't do maintenance on it, yet that's okay. We still continue to send these people over there. In reference to what happened on Thanksgiving Day, he was one of the employees that took the Friday after Thanksgiving Day as a vacation day. He stated that Bob was gone on Wednesday, so he told Ovilia Byrd, who was the lead man that day that he wouldn't be there on Friday and to make sure and let Bob know. It snowed on Thursday night or Friday morning and it was a mess out. He came back from Missoula and was home at 1:00 a.m. to make sure if they needed someone that they could call him in. They didn't call him in and they didn't call in a lot of the teamsters; with the whole census being from Bob and Charlie that the people that left us short handed are not going to get any overtime, because they screwed us over, so we are going to send operators out in their trucks. One of the operators Nicole called Bob on Friday afternoon and asked Bob if he needed someone to work on Saturday and Bob said no, an operator ran your truck today, and he can run it tomorrow. He then questioned is that what is okay? The county can do what they want, but in the same token they didn't use the interchange with me. He stated that what the county doesn't want to admit is that when he was over working at the crusher one of the operators was going to file a grievance against him, since he was going to work Friday. He then stated that all you have to do is ask the shop steward for the operating engineer's. There was a guy in the shop that was going to file a grievance because he was going to work on Friday. The shop steward said that you can't file a grievance until he actually works, so Bob thinking that the teamsters haven't filed a grievance in the 5 years that he has been there for any kind of an interchange problem; which the operators have filed over and over with interchange problems and tool allowances and you name it, if there is anything to do with negotiations they are always the one causing problems. Bob just figured Corey's not going to do anything about it, so I will stick an operator in there and take care of it and there won't be a grievance filed, done deal. He stated that he had \$300 taken out of his pocket for not working that Friday, which he does not think is fair, when he was told by 2 supervisors including Charlie Johnson, who is the head guy,

changed his plans and basically got stuffed in the closet, with that's the way it is; that we don't feel this is an interchange problem, because he was taken off the day before overtime. He disagrees and feels it is an interchange problem because he was told he could work and Dan Johns then writes a letter and says it would be inappropriate for him to work; how is it inappropriate, we have an interchange. What's inappropriate is what Bob did on Thanksgiving Day by not calling in the teamsters and letting operators work, that was inappropriate and it's the reason why Bob and Charlie both said well because we are going to punish the people that didn't come in they are not going to get any overtime. He then stated I thought our job here was to serve the public and do a good job instead of sending people out that don't know how to run their trucks as well as they do. In the flip side, there would never be a chance where he would be sent out to run one of the operator's blades. He then spoke about being at the county for 5 years and never being asked to run one of the operator's blades. There is a lot of favoritism that goes on at the Road Department and the reason for the favoritism is because whenever Bob Simmons leaves and goes out of town, it is always another operator in charge, it is never a teamster, it is not based on seniority, it is not based on anything, it is based on the fact that there are operators down there that won't take an order from a teamster. They will go home or tell them to do it themselves, that it isn't going to happen. So to make it warm and fuzzy and keep everybody happy down there, it's always an operator and the teamsters just follow in line. He then stated that he wished the county was based on pure ability, because I challenge any operator out there, except for a blade, that he can run any piece of equipment as well or better than they can, but that's not the way that it works here. When I go out to the crusher and run the dozer or front end loader he has operators coming up to him saying that you do a much better job than any operator that comes over here. He doesn't understand why any of that is never recognized. It was then stated this is basically his case and he feels this definitely is an infraction of the interchange when it was offered to him by 2 supervisors and it should have been given to him, and Bob Simmons should have figured out what was going on during the 3 days that he was gone.

Commissioner Brenneman made a **motion** to take the grievance under advisement. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

#### **MONTHLY MEETING W/ RAEANN CAMPBELL, HUMAN RESOURCE OFFICE**

[10:03:34 AM](#)

Members present:

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

Others present:

Clerk Diana Kile, Raeann Campbell

Others absent:

Assistant Michael Pence

The personnel transactions for the month of November were reported. Also reported were the work comp expenses with a significant increase in Solid Waste and a decline in the Road Department injuries. The trust balance is up about \$600,000 for health insurance and claims were down \$15,000. Discussion was held in regards to implementing a non DOT alcohol drug policy.

Commissioner Brenneman made a **motion** to approve the personnel transactions for the month of November. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

#### **FINAL PLAT: ASHLEY TRAIL SUBDIVISION**

[10:11:15 AM](#)

Members present:

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

Others present:

Clerk Diana Kile, Nicole Lopez-Stickney, Dawn Marquardt

Others absent:

Assistant Michael Pence

Lopez-Stickney reviewed the application submitted by Jay and Vickie D. Billmayer with technical assistance from Marquardt & Marquardt Surveying for Final Plat approval of Ashley Trail Subdivision, a subdivision creating 5 residential lots. The subdivision is located ½ mile from Kalispell on the west side. Preliminary Plat approval was granted on July 30, 2003, subject to 10 conditions and was granted a one year extension on May 31, 2006, under the current name. All conditions have been met and staff recommends approval.

Commissioner Hall made a **motion** to approve Final Plat for Ashley Trail Subdivision. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

#### **AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: JEFFREY LANE, MISTY LANE, UNDERDAHL LANE, SANCTUARY FARM LANE & LENZ RANCH LANE ROAD NAMING**

[10:02:00 AM](#)

Members present:

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

Others present:

Assistant Michael Pence  
Clerk Diana Kile

Commissioner Hall made a **motion** to authorize the publication of the Notice of Public Hearing for road naming Jeffrey Lane, Misty Lane, Underdahl Lane, Sanctuary Farm Lane and Lenz Ranch Lane. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**NOTICE OF PUBLIC HEARING**

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **JEFFREY LANE**.

**Road generally running easterly off Mooring Road and located in the N1/2 of the SW1/4 of Section 10, Township 29 North, Range 20 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **21<sup>ST</sup> day of December, 2006, at 10:00 A.M.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed naming of **JEFFREY LANE**.

This notice shall be mailed to each landowner who has access off of the proposed **JEFFREY LANE**, who has an address assignment on the proposed **JEFFREY LANE** or who owns property along the proposed **JEFFREY LANE**.

Dated this 6<sup>th</sup> day of December, 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 on December 10<sup>th</sup> and December 17<sup>th</sup>, 2006.

**NOTICE OF PUBLIC HEARING**

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **MISTY LANE**.

**Road generally running westerly off U.S. Highway 2 and located in the SW1.4 of the NW1/4 of Section 28, Township 31 North, Range 19 West, and in the SE1/4 of the NE1/4 of Section 29, Township 31 North, Range 19 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **21<sup>ST</sup> day of December, 2006, at 10:00 A.M.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed naming of **MISTY LANE**.

This notice shall be mailed to each landowner who has access off of the proposed **MISTY LANE**, who has an address assignment on the proposed **MISTY LANE** or who owns property along the proposed **MISTY LANE**.

Dated this 6<sup>th</sup> day of December, 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 on December 10<sup>th</sup> and December 17<sup>th</sup>, 2006.

**NOTICE OF PUBLIC HEARING**

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **UNDERDAHL LANE**.

**Road generally running easterly off North Fork Road and located in the NE1/4 of the SE1/4 of Section 28, Township 31 North, Range 20 West, and in the SW1/4 of Section 27, Township 31 North, Range 20 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **21<sup>ST</sup> day of December, 2006, at 10:00 A.M.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed naming of **UNDERDAHL LANE**.

This notice shall be mailed to each landowner who has access off of the proposed **UNDERDAHL LANE**, who has an address assignment on the proposed **UNDERDAHL LANE** or who owns property along the proposed **UNDERDAHL LANE**.

Dated this 6<sup>th</sup> day of December, 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 on December 10<sup>th</sup> and December 17<sup>th</sup>, 2006.

**NOTICE OF PUBLIC HEARING**

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **SANCTUARY FARM LANE**.

**Road generally running westerly off Farm to Market Road (Mt. Highway 424) and located in the S2 of the NE1/4 of Section 20, Township 29 North, Range 22 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **21<sup>ST</sup> day of December, 2006, at 10:00 A.M.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed naming of **SANCTUARY FARM LANE**.

This notice shall be mailed to each landowner who has access off of the proposed **SANCTUARY FARM LANE**, who has an address assignment on the proposed **SANCTUARY FARM LANE** or who owns property along the proposed **SANCTUARY FARM LANE**.

Dated this 6<sup>th</sup> day of December, 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 on December 10<sup>th</sup> and December 17<sup>th</sup>, 2006.

**NOTICE OF PUBLIC HEARING**

The Board of Commissioners of Flathead County, Montana, hereby gives notice that it will hold a public hearing to consider a proposal to name a road as **LENZ RANCH ROAD**.

**Road generally running northerly off Deer Creek Road and located in the SW ¼ of the SW1/4 of Section 35, Township 27 North, Range 21 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **21<sup>ST</sup> day of December, 2006, at 10:00 A.M.**, in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, Kalispell, Montana. At the public hearing, the Board of Commissioners will give the public an opportunity to be heard regarding the proposed naming of **LENZ RANCH ROAD**.

This notice shall be mailed to each landowner who has access off of the proposed **LENZ RANCH ROAD**, who has an address assignment on the proposed **LENZ RANCH ROAD** or who owns property along the proposed **LENZ RANCH ROAD**.

Dated this 6<sup>th</sup> day of December, 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 on December 10<sup>th</sup> and December 17<sup>th</sup>, 2006.

**DOCUMENT FOR SIGNATURE: MSU CONTRACT #F124-07-W0152/ HEALTH DEPT.**

[9:29:06 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 MSU Contract #F124-07-W0152 for the Health Department and authorize the Chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: DEQ CONTRACT #2070.22/ HEALTH DEPT.**

[9:29:33 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 DEQ Contract #2070.22 for the Health Department and authorize the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: WAIVER PAGE/ RIVER VIEW GREENS COVENANTS, CONDITIONS & RESTRICTIONS**

[9:29:50 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 waiver page for River View Greens covenants, conditions and restrictions and authorize the Chairman to sign. Commissioner Brenneman **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: LAND SURVEYOR CONTRACT**

[10:48:55 AM](#)

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

Commissioner Brenneman made a **motion** to approve the land surveyor contract and authorize the Chairman to sign. Chairman Watne **seconded** the motion. **Aye** – Watne and Brenneman. Motion carried by quorum.

**DOCUMENT FOR SIGNATURE: PROFESSIONAL SERVICES CONTRACT/ HYDROMETRICS INC.**

[9:59:00 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 professional services contract for Hydrometrics Inc., and authorize the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

**PRELIMINARY PLAT: COYOTE RIDGE**

10:51:34 AM

Members present:

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

Others present:

Clerk Diana Kile, Rebecca Shaw, Jeff Harris, Joe Kauffman, Kevin Lensman

Others absent:

Assistant Michael Pence

Shaw reviewed the application submitted by John Hoppner with technical assistance from Big Sky Surveying for Preliminary Plat approval of Coyote Ridge. The proposal will create a minor subdivision with 3 single family residential lots on 19.83 acres and is located west of Farm to Market Road on Mountain Meadows Road.

Commissioner Brenneman made a **motion** to adopt Staff Report #FSR 06-27. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Commissioner Brenneman expressed his concern with the forest service closing roads.

Commissioner Hall made a **motion** to approve Preliminary Plat for Coyote Ridge as amended. Commissioner Hall **seconded** the motion. **Aye** - Watne, Hall and Brenneman. Motion carried unanimously.

Conditions:

1. 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]
2. The applicant shall show proof of a completed approach permit from the ~~Flathead County Road Department (or the Montana Department of Transportation)~~, USDA Forest Service indicating the approach has been built and received final inspection. [Section 3.8(A), FCSR]
3. The applicant shall comply with reasonable fire suppression and access requirements of the applicable fire district. A letter from the fire chief stating that an agreement has been made shall be submitted with the application for Final Plat. [Section 3.20, FCSR]
4. Only Class A or B fire rated roofing materials are allowed. [Section 3.21, FCSR]
5. Defensible Space Standards shall be incorporated around all primary structures. [Appendix G, FCSR]
6. The proposed water, septic treatment systems and storm water plan for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 3.14(A) and 3.15(A), FCSR]
7. 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 developer shall provide written documentation from the appropriate USPS postmaster, indicating mail delivery requirements have been met. [Section 3.22, FCSR]
9. The developer shall contact the Superintendent of Schools and, if required, provide and improve a location for the safe loading and unloading of students.
10. 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 should be aware they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
  - d) West Valley density has been met. Lots cannot be further subdivided.
  - e) Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
  - f) Only Class A or B fire rated roofing materials are allowed. [Section 3.21, FCSR]
  - g) Defensible Space Standards shall be incorporated around all primary structures. [Appendix G, FCSR]
  - h) Lot owners are alerted to the presence of large and potentially dangerous wildlife in the area and are reminded that feeding big game is illegal. These include, but are not limited to grizzly and black bears, mountain lions, moose, elk and deer. They are encouraged to contact the Montana Department of Fish, Wildlife, and Parks to obtain information on safely living near wildlife and minimizing habitat impact, including:
    - i. Dogs must be kept under owner control at all times.
    - ii. Residents must use bear-proof garbage containers.
    - iii. Remove obvious sources of food.
    - iv. Birdfeeders must be over 10 feet off the ground and out of the reach of deer and other big game.
    - v. Compost piles are prohibited unless secured by electrical fencing.
    - vi. Pets should be fed indoors and no pet food shall be left outdoors.
    - vii. Fencing must not impeded movement of wildlife.
- i) Waiver of Protest
- j) Participation in Special Improvement District
- k) \_\_\_\_\_ (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.

- l) Access is from a USDA Forest Service Road and is subject to USDA Forest Service regulations.
11. 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]
12. All required improvements shall be completed in place or a Subdivision Improvement Agreement, in accordance with Chapter 8 of the Flathead County Subdivision Regulations, shall be provided by the subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
13. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]
14. Preliminary plat approval is valid for three years. . [Section 2.5(D)#6, FCSR].

RS

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

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

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**THURSDAY, DECEMBER 7, 2006**

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

**8:30 a.m. AOA TAB Meeting @ Eagle Transit**

**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.**

**PLANNING BOARD INTERVIEW W/ CRAIG WAGNER**

[9:04:00 AM](#)

Members present:

- Commissioner Gary D Hall
- Commissioner Joseph D Brenneman

Members absent:

- Chairman Robert W Watne

Others present:

- Clerk Diana Kile, Jeff Harris, B J Grieve, Craig Wagner

Others absent:

- Assistant Michael Pence

Interview was conducted with Craig Wagner for the Planning Board position.

**PLANNING BOARD INTERVIEW W/ DAVID MADIEROS**

[9:14:48 AM](#)

Members present:

- Commissioner Gary D Hall
- Commissioner Joseph D Brenneman

Members absent:

- Chairman Robert W Watne

Others present:

- Clerk Diana Kile, Jeff Harris, B J Grieve, David Madieros

Others absent:

- Assistant Michael Pence

Interview was conducted with David Madieros for the Planning Board position.

**PLANNING BOARD INTERVIEW W/ BOB UPTON**

[9:29:14 AM](#)

Members present:

- Commissioner Gary D Hall
- Commissioner Joseph D Brenneman

Members absent:

- Chairman Robert W Watne

Others present:

- Clerk Diana Kile, Jeff Harris, B J Grieve, Bob Upton

Others absent:  
Assistant Michael Pence

Interview was conducted with Bob Upton for the Planning Board position.

#### **PLANNING BOARD INTERVIEW W/ STEPHANIE HANNIGAN**

[9:45:29 AM](#)

Members present:  
Commissioner Gary D Hall  
Commissioner Joseph D Brenneman  
Members absent:  
Chairman Robert W Watne  
Others present:  
Clerk Diana Kile, Jeff Harris, B J Grieve, Stephanie Hannigan  
Others absent:  
Assistant Michael Pence

Interview was conducted with Stephanie Hannigan for the Planning Board position.

#### **PLANNING BOARD INTERVIEW W/ PAM HOLMQUIST**

[10:02:31 AM](#)

Members present:  
Commissioner Gary D Hall  
Commissioner Joseph D Brenneman  
Members absent:  
Chairman Robert W Watne  
Others present:  
Clerk Diana Kile, Jeff Harris, B J Grieve, Pam Holmquist  
Others absent:  
Assistant Michael Pence

Interview was conducted with Pam Holmquist for the Planning Board position.

#### **PLANNING BOARD INTERVIEW W/ MICHAEL MOWER**

[10:17:27 AM](#)

Members present:  
Commissioner Gary D Hall  
Commissioner Joseph D Brenneman  
Members absent:  
Chairman Robert W Watne  
Others present:  
Clerk Diana Kile, Jeff Harris, B J Grieve, Michael Mower  
Others absent:  
Assistant Michael Pence

Interview was conducted with Michael Mower for the Planning Board position.

#### **PLANNING BOARD INTERVIEW W/ JIM KAMPF**

[10:32:15 AM](#)

Members present:  
Commissioner Gary D Hall  
Commissioner Joseph D Brenneman  
Members absent:  
Chairman Robert W Watne  
Others present:  
Clerk Diana Kile, Jeff Harris, B J Grieve, Jim Kampf  
Others absent:  
Assistant Michael Pence

Interview was conducted with Jim Kampf for the Planning Board position.

#### **PLANNING BOARD INTERVIEW W/ LAWRENCE SPINOSA**

[10:44:34 AM](#)

Members present:  
Commissioner Gary D Hall  
Commissioner Joseph D Brenneman  
Members absent:  
Chairman Robert W Watne  
Others present:  
Clerk Diana Kile, Jeff Harris, B J Grieve, Lawrence Spinosa  
Others absent:  
Assistant Michael Pence

Interview was conducted with Lawrence Spinosa for the Planning Board position.

**PLANNING BOARD INTERVIEW W/ WILL SCHMAUTZ**

[11:00:54 AM](#)

- Members present:
  - Commissioner Gary D Hall
  - Commissioner Joseph D Brenneman
- Members absent:
  - Chairman Robert W Watne
- Others present:
  - Clerk Diana Kile, Jeff Harris, B J Grieve, Will Schmutz
- Others absent:
  - Assistant Michael Pence

Interview was conducted with Will Schmutz for the Planning Board position.

**PLANNING BOARD INTERVIEW W/ MELVIN SHEERAN**

[11:19:41 AM](#)

- Members present:
  - Commissioner Gary D Hall
  - Commissioner Joseph D Brenneman
- Members absent:
  - Chairman Robert W Watne
- Others present:
  - Clerk Diana Kile, Jeff Harris, B J Grieve, Melvin Sheeran
- Others absent:
  - Assistant Michael Pence

Interview was conducted with Melvin Sheeran for the Planning Board position.

**4:00 p.m. Commissioner Hall to Montana West Economic Development meeting**

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

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**FRIDAY, DECEMBER 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.

- 7:30 a.m. Commissioners' Retreat @ Grouse Mountain Lodge (till 1:30)**
- 2:00 p.m. Commissioner Brenneman to speak at Leadership Flathead @ Central School Museum**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on December 11, 2006.