

\*\*\*\*\*

**MONDAY, JUNE 11, 2007**

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

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

**MONTHLY MEETING W/ JAY SCOTT, FAIRGROUNDS**

[9:02:54 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Fairgrounds Director Jay Scott, HR Director Raeann Campbell, Finance Director Laurel Raymond, Clerk Diana Kile

Discussion was held relative to temporary summer help at the Fairgrounds in regards to wages. Scott then reported that they are doing some landscaping work at the Fairgrounds and said that those wishing to continue horseracing would be coming in to talk to the Commission.

**BUDGET MEETING: FAIRGROUNDS**

[9:17:21 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Fairgrounds.

**PUBLIC HEARING: TAX INCENTIVE REQUEST/ TOTAL LABEL USA**

[9:33:15 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Clerk Diana Kile

Chairman Brenneman opened the public hearing to anyone wishing to speak in favor or opposition of the Total Label tax incentive request.

No one rising to speak, Chairman Brenneman closed the public hearing.

Commissioner Lauman made a **motion** to approve Resolution #2057 for a tax incentive request for Total Label, USA. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

RESOLUTION NO. 2057

WHEREAS, the Board of Commissioners of Flathead County, Montana, passed Resolution No. 476 on April 8, 1983, Resolution No. 476A on February 21, 1984, and Resolution 476B on May 4, 2005, allowing tax benefits for new or expanding manufacturing industry in Flathead County;

WHEREAS, Total Label USA, LLC, of Whitefish, Montana, has applied for the tax benefits for the expansion of manufacturing industry by adding a new, larger facility and additional printing equipment located at 500 Resource Lane, Whitefish;

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing under the provisions of Section 15-24-1402, M.C.A., on the 11<sup>th</sup> day of June, 2007, after due notice was published pursuant to Section 76-15-103, M.C.A., concerning the request for tax benefits filed by Total Label USA, LLC; and

WHEREAS, the Board of Commissioners of Flathead County, Montana, having reviewed the application of Total Label USA, LLC, and the testimony presented at the public hearing, has determined that the statutory \$50,000 investment requirement for expansion has been met, and has concluded that the application for tax reduction benefits meets the requirements of the applicable statutes and resolutions.

NOW, THEREFORE, BE IT RESOLVED that the manufacturing expansion by the addition of a new, larger facility and additional printing equipment by Total Label USA, LLC, at its facility located at 500 Resource Lane, Whitefish, shall be granted the tax benefits for new or expanding industry set forth in Resolution No. 476B and Section 15-24-1402, M.C.A. The new construction will be taxed at fifty percent of its taxable value in each of the first five years after approval; in each year thereafter, the percentage will be increased by equal percentages until the full taxable value is attained in the tenth year.

DATED this 11<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By: /s/ Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

By \_\_\_\_\_  
Gary D. Hall, Member

By: /s/ Dale W. Lauman  
Dale W. Lauman, Member

ATTEST:  
Paula Robinson, Clerk

By: /s/ Diana Kile  
Diana Kile, Deputy

#### **CONSIDERATION OF TUITION REIMBURSEMENT: GOODNOUGH**

[9:35:04 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Planning & Zoning Director Jeff Harris, HR Director Raeann Campbell, Clerk Diana Kile

Discussion was held relative to tuition reimbursement for a sociology class for professional development.

Commissioner Lauman made a **motion** to pay half of Goodnough's tuition. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **BUDGET MEETING: COUNTY ATTORNEY'S OFFICE**

[9:47:54 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, County Attorney Ed Corrigan, Vickie Eggum, Finance Director Laurel Raymond, Clerk & Recorder Paula Robinson, Jan Hardesty, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the County Attorney's Office.

#### **BUDGET MEETING: CLERK & RECORDER'S OFFICE**

[10:02:09 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Clerk & Recorder Paula Robinson, Finance Director Laurel Raymond, GIS Director Tom Reynolds, Plat Room Supervisor Vicki Gallo, Clerk & Recorder Manager Monica Eisenzimer, Records Detention Jan Hardesty, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Clerk & Recorder's Office

**11:00 a.m. Commissioner Brenneman to District 10 & 11 meeting @ St. Regis Community Center**  
**1:00 p.m. Commissioner Lauman to Animal Control meeting @ Earl Bennett Bldg.**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 12, 2007.

\*\*\*\*\*

**TUESDAY, JUNE 12, 2007**

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

**Chairman Brenneman opened public comment on matters within the Commissions' Jurisdiction.**

Clara LaChappelle spoke about gravel operations that are going on in the West Valley area. She then read a letter of conditions that the gravel trucks are to abide by in regards to hours of operation, dust abatement, noise, berms, signage and fencing, in which she stated that the conditions are not being followed. She then read condition #25 that states: Should the permittee fail or be unable to comply with any conditions of approval, this permit shall be null and void. LaChappelle then spoke about a letter written by DEQ to Schellinger Construction as a reminder that specific conditions were imposed on operations of their gravel pit and that conditions #3-6 have not been abided by. She then said that they can't get any help from anyone with the violations of the conditional use permit; with nothing being done and no one willing to stand up to those in violation of them. Also stated was that they have a contaminated water source in the West Valley area with no help there either; yet we want to stop the Cline Mine in Canada and don't seem to care what is happening in the West Valley area. LaChappelle then said that she wants to know if the Commissioners, Flathead County Planning Board, Board of Adjustments and Sheriff's Department won't help them, where do they go to now.

Nick Marshall, 263 East Many Lakes Drive asked the Commission to look at the procedures regarding subdivision applications. He then stated that he submitted an application for Kestrel Subdivision that was rejected by the Planning Board and was then presented to the Commissioners with no opportunity for involvement by the applicant. He questioned the process. In view of the application where there is a dispute he asked for assistance in getting information out of the Planning Department. It was stated that the Staff Report says that the access road is not to grade according to Subdivision Regulations; he said that he has substantial evidence that it is. His request from the Planning Department is the methodology and figures by which they came up with the finding of facts. He also spoke about trying to get permission from an existing road users association to have access onto the road; in which he has asked the Planning Department for and they have not given him that information after several requests. He then said that he cannot proceed without any factual information.

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

**BUDGET MEETING: MAINTENANCE**

[9:06:19 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Weed & Parks Director Jed Fisher, Brenda Hall, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Maintenance Department.

**BUDGET MEETING: WEED & PARKS**

[9:22:54 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Weed & Parks Director Jed Fisher, Brenda Hall, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Weed & Parks Department.

**PRELIMINARY PLAT: WIND SONG ACRES**

[9:30:51 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Planning & Zoning Director Jeff Harris, Planner Eric Giles, Marian Kelly, Brett Kelly, Fritz Kelly, Eric Mulcahy, Clerk Diana Kile

Giles reviewed the application received by Marian Kelly Surveyors Trust with technical assistance from Sands Surveying for preliminary plat approval of Wind Song Acres; a major residential subdivision that would create six residential lots on approximately 30 acres. The lots are five acres in size and are accessed from Smith Lake Road and an internal cul-de-sac road of approximately 600 feet in length. The EA indicates the applicant's intention is to sell or give five of the lots to grandchildren.

Giles then reviewed the summary of findings and stated there are 16 conditions attached.

Commissioner Lauman made a **motion** to adopt staff report FPP 07-08 as findings of fact as amended with condition #7. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Discussion was held relative to condition #8 that will be changed to: The applicant will participate in the reconstruction of Smith Lake Road by working with the developers of Buffalo Mountain to provide the necessary right-of-way to the county to ensure Smith Lake Road and the rebuilt intersection lies wholly within the county right of way.

Condition #17 will be added that states: All lots shall access from the internal subdivision road except lot 1.

Commissioner Hall made a **motion** to approve preliminary plat for Wind Song Acres as amended. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

## CONDITIONS

1. The subdivider shall comply with reasonable fire suppression and access requirements of the Smith Valley Fire District. A letter from the fire chief stating requirements have been met shall be submitted with the application for Final Plat.
2. The internal roadway shall consist of a 60-foot right of way, minimum 20-foot paved driving surface, and a minimum 55-foot radius cul-de-sac. The road shall meet all requirements of Section 3.9 of the Flathead County Subdivision Regulations.
3. The subdivider shall receive physical addresses in accordance with Flathead County Resolution #1626. All addresses and roadway names shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
4. Individual water and septic systems shall be reviewed by the Flathead City-County Environmental Health Department and approved by the Montana Department of Environmental Quality. A Certificate of Subdivision Approval shall be submitted with the final plat application.
5. New electrical and telephone utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Sections 3.17 & 3.18, FCSR]
6. The applicant shall submit a Storm Water Drainage Plan certified by a licensed Professional Engineer that shall be approved and reviewed by the Flathead County City-County Environmental Health Department and the Montana Department of Environmental Quality.
7. The subdivider will obtain and show proof of a completed approach permit from the Flathead County Road Department for access for five residential units onto Smith Lake Road. The permit shall indicate the approach has been built and received final inspection. [Section 3.8(A), FCSR]
8. The applicant will participate in the reconstruction of Smith Lake Road, by working with the developers of Buffalo Mountain to provide the necessary right-of-way to the County to ensure Smith Lake Road and the rebuilt intersection lie wholly within county right-of-way.
9. A 15-foot bicycle and pedestrian easement shall be established on the property along Smith Lake Road.
10. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [7-22-2116 MCA and Section 3.12(J), FCSR]
11. The 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]
12. Timbered areas shall be preserved to provide wildlife habitat and preserve travel corridors to the south of the subject property.
13. 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. Defensible space standards and *Firewise* principles shall be incorporated around all structures.
  - e. Class A or B roofing materials are required on all structures.
  - f. Lots in the subdivision shall be served by a contract hauler for disposal of solid waste.
  - g. Lot owners are alerted to the presence of large and potentially dangerous wildlife in the area and are reminded that feeding big game is illegal, as it not only has negative impacts on wildlife, but also increases the presence of dangerous predatory animals. They are encouraged to contact the Montana Department of Fish, Wildlife, and Parks to obtain information on safely living near wildlife and minimizing habitat impact, including:
    - i. Keeping dogs under owner control at all times.

- ii. Using bear-proof garbage containers.
- iii. Removing obvious sources of food.
- iv. Securing compost piles with electrical fencing.
- v. Feeding pets indoors or bringing food dishes in at night.
- vi. Placing bird feeders well out of reach of deer and other large game species.
- vii. Birdseed is an attractant to bears and deer. Use of bird feeders is not recommended from April 1<sup>st</sup> through November 30<sup>th</sup>. Hummingbird feeders are also a known attractant to bears.

h. **Waiver of Protest  
Participation in Special Improvement District**

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

- 14. All required improvements shall be completed in place or a Subdivision Improvement Agreement, in accordance with Chapter 8 of the Flathead County Subdivision Regulations, shall be provided by the subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
- 15. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]
- 16. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]
- 17. All lots shall access from the internal subdivision road except Lot 1.

**CONSIDERATION OF FORMATION OF ANIMAL SHELTER ADVISORY COMMITTEE**

[10:01:29 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

Commissioner Lauman made a **motion** to instruct staff to prepare a resolution to set up a Animal Shelter Advisory Committee of 5 members for the purpose of advising the Commission on Animal Shelter operations and education of the public. Commissioner **Hall seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**CONSIDERATION OF FORMATION OF COUNTY ROAD ADVISORY COMMITTEE**

[10:04:39 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

Commissioner Lauman made a **motion** to instruct staff to prepare a resolution to set up a County Road Advisory Committee of 5 members for the purpose of advising the Commission and educating the public. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Lauman. Motion carried by quorum.

**CONSIDERATION OF ADOPTION OF RESOLUTION OF INTENT: APPENDIX B TO THE FLATHEAD COUNTY GROWTH POLICY**

[9:55:15 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Planning & Zoning Director Jeff Harris, Assistant Planning & Zoning Director B J Grieve, County Attorney Jonathan Smith, Clerk Diana Kile

Discussion was held relative to the history of the Growth Policy.

Commissioner Hall made a **motion** to adopt Resolution #2015B and authorized the publication of the Notice of Passage of Resolution of Intent. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

RESOLUTION NO. 2015 B

WHEREAS, the Board of Commissioners requested that the Flathead County Planning Board prepare and recommend a Growth Policy, that complies with the provisions of Section 76-1-601, M.C.A., for the jurisdictional area of the Flathead County Planning Board;

WHEREAS, the Flathead County Planning Board held public hearings pursuant to the provisions of Section 76-1-602, M.C.A.; considered the public comment that was received and documented by the staff of the Flathead County Planning and Zoning Department pursuant to Section 76-1-603, M.C.A.; and, by adoption of its Resolution on December 11, 2006, recommended a Growth Policy for the jurisdictional area of the Flathead County Planning Board, for adoption by the Board of Commissioners;

WHEREAS, the Board of Commissioners held a series of work sessions, considered the public comment received, revised the Growth Policy that was recommended by the Flathead County Planning Board and adopted the Flathead County Growth Policy as revised by the adoption of Resolution No. 2015 A on March 19, 2007; and

WHEREAS, the Board of Commissioners has determined that Appendix B, a Public Involvement Summary of the process involved in the development and adoption of the Growth Policy should be appended to the Flathead County Growth Policy.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, pursuant to Section 76-1-604, M.C.A., that it intends to adopt Appendix B, a Public Involvement Summary, to the Flathead County Growth Policy.

BE IT FURTHER RESOLVED that the Board of Commissioners will give the public an opportunity to comment in writing on the proposed Appendix B to the Flathead County Growth Policy and will consider any written comments which are received in the Board's Office prior to June 15, 2007. The Board will consider whether to make any revisions and whether to pass a final resolution adopting the proposed Appendix B to the Flathead County Growth Policy after that date.

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

By/s/Gary D. Hall  
Gary D. Hall, Member

By/s/Dale W. Lauman  
Dale W. Lauman, Member

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

NOTICE OF PASSAGE OF RESOLUTION OF INTENTION  
APPENDIX B TO  
FLATHEAD COUNTY GROWTH POLICY

The Board of Commissioners of Flathead County, Montana, hereby gives notice that, pursuant to Section 76-1-604, M.C.A., it passed a Resolution of Intention (Resolution No. 2015B) on June 12, 2007, to adopt Appendix B to the Flathead County Growth Policy as recommended by the Flathead County Planning Board.

Appendix B to the Flathead County Growth Policy is a Public Involvement Summary of the process involved in the development and adoption of the Flathead County Growth Policy for the jurisdictional area of the Flathead County Planning Board.

The proposed Appendix B to the Flathead County Growth Policy is available for public inspection at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, and at the Flathead County Planning and Zoning Office, 1035 1st Avenue West, Kalispell, Montana. It is also available on-line at the Flathead County Planning and Zoning Department's page on the Flathead County website.

The Board will give the public an opportunity to comment in writing on the proposed Appendix B to the Flathead County Growth Policy and will consider any written comments which are received in the Board's Office, Courthouse, West Annex, 800 South Main, Kalispell, MT 59901, prior to July 15, 2007. The Board will consider whether to pass a final resolution adopting the proposed Appendix B to the Flathead County Growth Policy after that date.

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

**Flathead County Growth Policy  
Appendix B: Public Involvement Summary**

The Flathead County Planning Board began the process of updating the 1987 Master Plan with a series of organizational workshops in the fall of 2002. It was decided that a series of "town hall meetings" would be the best way to distribute a survey, answer the public's questions about the growth policy, and learn what the people of Flathead County wanted to see in the document. The following timeline begins with the first "town hall meeting" that was held in the North Fork.

ALL public comments, meeting agendas, newspaper articles, papers, draft documents, emails and minutes referenced below are available for the public to review at the Flathead County Planning and Zoning Office, 1035 First Avenue West in Kalispell, MT.

- |                      |   |
|----------------------|---|
| November<br>12, 2002 | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at Sonderson Hall in the North Fork. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>       |
| November<br>19, 2002 | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the Earl Bennett Building in Kalispell. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul> |
| December<br>3, 2002  | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the Columbia Falls City Hall. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>           |
| December<br>10, 2002 | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the West Glacier Community Building. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>    |
| December<br>17, 2002 | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the Whitefish City Hall. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>                |
| January 7,<br>2003   | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the Evergreen School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>                   |
| January<br>14, 2003  | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the Bissell School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>                     |
| January<br>21, 2003  | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the West Valley School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>                 |
| January<br>28, 2003  | <ul style="list-style-type: none"><li>• <b>TOWN HALL MEETING</b> at the Bigfork High School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.</li></ul>                |

- February 4, 2003

  - **TOWN HALL MEETING** at the Lakeside School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.
  
- February 11, 2003

  - **TOWN HALL MEETING** at the Smith Valley School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.
  
- February 18, 2003

  - **TOWN HALL MEETING** at the Somers School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.
  
- February 25, 2003

  - **TOWN HALL MEETING** at the Creston School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.
  
- March 4, 2003

  - **TOWN HALL MEETING** at the Marion School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.
  
- March 11, 2003

  - **TOWN HALL MEETING** at the Canyon Elementary School. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.
  
- March 18, 2003

  - **TOWN HALL MEETING** at the Olney Fire Hall. Planning Board met with members of the public to discuss ideas for a growth policy. Surveys were handed out consisting of questions submitted by members of the public.
  - 73 total responses were ultimately collected at all Town Hall meetings. Surveys and meeting minutes were used when drafting the growth policy.
  
- July 7, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy. (Approval of minutes from this meeting occurred on July 30, 2003)
  
- July 25, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy. (Approval of minutes from this meeting occurred on July 30, 2003)
  
- July 30, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy. (Minutes from this meeting indicate workshops to be held August 6, 20 and 27, but no minutes of August 20 and 27 workshops exist).
  
- August 6, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
  
- August 20, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
  
- August 27, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
  
- September 30, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
  
- October 1, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
  
- October 29, 2003

  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.

- December 3, 2003
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy. (Minutes of this meeting were approved at January 21 meeting).
- January 21, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- January 28, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy. (Minutes of this meeting approved at February 2004 meeting).
- February 4, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- February 18, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- February 25, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- March 3, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- March 17, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- March 24, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- June 2, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy. (minutes of this meeting approved at June 16 meeting)
- June 16, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- June 23, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- June 30, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- July 7, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- August 4, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- September 1, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- September 22, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- September 29, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- October 6, 2004
  - Planning Board **WORKSHOP** to discuss and prioritize work being done to write the Flathead County Growth Policy.
- November 3, 2004
  - Planning Board moves to have staff prepare a **RFQ** for consultants "to assist the Flathead County Planning Board in preparing the Growth Policy..." and have the RFQ prepared by the next meeting (Nov. 10).

- November 10, 2004
  - Draft **RFQ** presented to Planning Board and approved to be forwarded to the Commissioners.
- November 29, 2004
  - Commissioners authorize **RFQ** for publishing on December 5 and 19. RFQ published in *Missoulian*, *Independent Record* and *Daily Interlake* as well as nationally on the American Planning Association website.
- January 26, 2005
  - **SELECTION COMMITTEE**, consisting of three members of the Flathead County Planning Board, meets and selects four most qualified applicants from submitted SOQs.
- March 3, 2005
  - **SELECTION COMMITTEE** meets to hear presentations by three selected consulting firms (fourth dropped out prior to presentations).
- March 18, 2005
  - **CONSULTANT** (Collins Planning Associates of Jackson, WY) is selected.
- April 6, 2005
  - **CONTRACT FOR SERVICES** with Collins Planning Associates is signed by Flathead County Commissioners. Contract provides for initial "issue identification" visit and creation of a "scope of work" document detailing process for creating a Flathead County Growth Policy.
- May 09, 2005
  - Consultants arrive for three-day "**ISSUE IDENTIFICATION**" visit. Meet with Commissioners, Long Range Planning Task Force, Planning Board and representatives from each of the neighborhood plans.
- May 10, 2005
  - **PANEL ISSUE MEETINGS**
    - 8:00 am- Transportation
    - 9:45 am- Public Health and Community Services
    - 12:45 pm- Mapping
    - 2:30 pm- Natural Resources
    - 6:00 pm- **PUBLIC** Issue Meeting
- May 11, 2005
  - **PANEL ISSUE MEETINGS**
    - 8:00 am- Education
    - 9:45 am- Economic Development
    - 1:15 pm- Emergency Services
    - 2:30 pm- Recreation
    - 3:45 pm- Existing Zoning, Floodplain and Lakeshore Regulations.
    - 6:00 pm Conclusion meeting with Planning Board.
- May 31, 2005
  - **SCOPE OF WORK** document received from Collins. Document calls for "Issue Papers" to present alternatives for addressing issues identified. Document also proposes a limited, advisory role for consultants in light of budget constraints. Document details work program that fits available budget and requires extensive "in house" work by staff.
- July 5, 2005
  - Commissioners **APPROVE CONTRACT** for consultant's services for "Option A" outlined in scope of work. Consultants will serve an advisory role to staff. Issue paper preparation and scoping meetings will occur concurrently.
- August 29, 2005
  - List of **271 "ISSUES" RELEASED** and public comment requested.
- August 31, 2005
  - **NEWSPAPER** article on page A6 of the Daily Interlake covers the variety of ways that public will be encouraged to interact with the upcoming growth policy process. List includes meetings, website, email, mailings, phone numbers to call, flyers and workshops.
- October 12, 2005
  - **PRESENTATION** to local banks, realtors, and builders.
- October 13, 2005
  - **HOUSING ISSUE PAPER** released.

- November 6, 2005

  - **NEWSPAPER** article on the front page of the Daily Interlake covers upcoming scoping meetings and gives schedule of all 21 meetings.
  - **POSTERS** hung county-wide in retail businesses, libraries and offices displaying schedule of scoping meetings.
  - **TELEVISION** coverage of scoping meeting schedule on "Wake Up" on KTMF.
  
- November 10, 2005

  - **NEWSPAPER** article on the front page of the Bigfork Eagle covers upcoming scoping meetings and gives schedule of all meetings.
  - **GROWTH MANAGEMENT ISSUE PAPER** released.
  
- November 16, 2005

  - 7:00 am **STAKEHOLDER MEETING** with Kalispell Area Chamber of Commerce Natural Resources Committee.
  
- November 17, 2005

  - **NATURAL RESOURCES ISSUE PAPER** released.
  - **EDUCATIONAL PRESENTATIONS** to two Flathead Valley Community College classes. Approximately 20 students in each class.
  
- November 27, 2005

  - **NEWSPAPER** article on the front page of the Daily Interlake covers upcoming scoping meetings and gives schedule of first four meetings.
  - **RADIO** spots appear on all Flathead radio stations advertising December 5 scoping meeting.
  
- November 28, 2005

  - Full page **ADVERTISEMENT** containing a schedule of all scoping meetings appears on Page A14 of Daily Interlake.
  - **SCOPING MEETING** held at 6:00 pm at the Olney Fire Hall. Written comments received from approximately 35 people in attendance.
  
- November 29, 2005

  - **SCOPING MEETING** held at 6:00 pm at Bethany Lutheran Church in Bigfork. Written comments received from approximately 44 people in attendance.
  
- November 30, 2005

  - **SCOPING MEETING** held at 6:00 pm at Somers School. Written comments received from approximately 41 people in attendance.
  
- December 1, 2005

  - **SCOPING MEETING** held at 6:00 pm in the Glacier National Park Community Center in West Glacier. Written comments received from approximately 30 people in attendance.
  
- December 5, 2005

  - **RADIO** commercials appear on all Flathead radio stations advertising Dec. 5 scoping meeting.
  - **SCOPING MEETING** held at 6:00 pm at Kalispell Junior High School. Written comments received from approximately 11 people in attendance.
  
- December 6, 2005

  - Full list of scoping meetings appear on [www.flatheadevents.com](http://www.flatheadevents.com) **WEBSITE**
  - **SCOPING MEETING** held at 6:00 pm at West Valley School. Written comments received from approximately 22 people in attendance.
  
- December 12, 2005

  - **NEWSPAPER** article on page A11 of the Daily Interlake covers upcoming scoping meetings and gives schedule of five upcoming meetings.
  - **TELEVISION** covers growth policy on ABC-42.
  - **SCOPING MEETING** held at 1:00 pm at Flathead Electric in Evergreen. Written comments received from approximately 38 people in attendance.
  - **SCOPING MEETING** held at 6:00 pm at Evergreen Junior High School. Written comments received from approximately 20 people in attendance.
  
- December 13, 2005

  - **SCOPING MEETING** held at 6:00 pm at Bethany Lutheran Church in Bigfork. Written comments received from approximately 9 people in attendance.
  
- December 14, 2005

  - 9:00 am **EDUCATIONAL PRESENTATION** to "Career Awareness" class at Flathead Valley Community College.
  - **SCOPING MEETING** held at 6:00 pm at West Valley School. Written comments received from approximately 21 people in attendance.
  
- December 15, 2005

  - **SCOPING MEETING** held at 6:00 pm at Creston School. Written comments received from approximately 25 people in attendance.

- December 16, 2005
  - **COMMUNITY CHARACTER ISSUE PAPER** released.
- December 29, 2005
  - **NEWSPAPER** article on page A6 of the Daily Interlake covers public opinions presented at scoping meetings so far and gives schedule of four upcoming meetings.
- January 3, 2006
  - **NEWSPAPER** article in the Westshore News covers upcoming January 9 meeting in Lakeside.
  - Scoping meetings continue to appear in the Daybook calendar in the Daily Interlake.
  - Schedule of January scoping meetings appears in the Interact section of the Daily Interlake.
  - **SCOPING MEETING** held at 1:00 pm at the Earl Bennett Building in Kalispell. Written comments received from approximately 22 people in attendance.
  - **SCOPING MEETING** held at 6:00 pm at Marion School. Written comments received from approximately 58 people in attendance.
- January 5, 2006
  - **NEWSPAPER** article about the January 9 and 17 scoping meetings appears on the front page of the Hungry Horse News.
  - **SCOPING MEETING** held at 1:00 pm at North Valley Hospital in Whitefish. Written comments received from approximately 23 people in attendance.
  - **SCOPING MEETING** held at 6:00 pm at the Earl Bennett Building in Kalispell. Written comments received from approximately 14 people in attendance.
- January 8, 2006
  - **LEGAL NOTICE** of January 25 workshop appears in Daily Interlake.
- January 9, 2006
  - **SCOPING MEETING** held at 1:00 pm at Moving Image in Columbia Falls. Written comments received from approximately 26 people in attendance.
  - **SCOPING MEETING** held at 6:00 pm at Lakeside Chapel. Written comments received from approximately 49 people in attendance.
- January 10, 2006
  - **SCOPING MEETING** held at 6:00 pm at Smith Valley School. Written comments received from approximately 47 people in attendance.
- January 12, 2006
  - **NEWSPAPER** article describing January 9 scoping meeting appears on page A9 of the Hungry Horse News.
  - **SCOPING MEETING** held at 6:00 pm at the North Valley Hospital in Whitefish. Written comments received from approximately 25 people in attendance.
- January 16, 2006
  - **NEWSPAPER** article on page A5 of the Daily Interlake reviews scoping meetings so far and gives schedule of 2 remaining meetings.
- January 17, 2006
  - **SCOPING MEETING** held at 6:00 pm at Moving Image in Columbia Falls. Written comments received from approximately 18 people in attendance.
- January 18, 2006
  - **SCOPING MEETING** held at 6:00 pm at Swan River School outside Bigfork. Written comments received from approximately 25 people in attendance.
  - **TELEVISION** covers growth policy on KAJ.
- January 24, 2006
  - **NEWSPAPER** article covering January 25 joint Planning Board/Long Range Planning Task Force workshop appears on page A6 of the Daily Interlake.
- January 25, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board/Long Range Planning Task Force reviewed scoping meetings and public comments received at meetings. 44 people in attendance. Draft growth policy outline and completion timeline is distributed.
- January 26, 2006
  - **NEWSPAPER** article covering final scoping meeting at Swan River School and discussing the upcoming process appears on the front page of the Bigfork Eagle.
- February 3, 2006
  - **STAKEHOLDER MEETING** with Flathead County farmers. 33 attended.
- February 17, 2006
  - **STAKEHOLDER MEETING** with Flathead County timber interests. 10 attended.

- February 21, 2006
  - 12:00 pm **EDUCATIONAL PRESENTATION** on the Flathead County Growth Policy effort to approximately 170 members of the Kalispell Area Chamber of Commerce.
  - **STAKEHOLDER MEETING** with Flathead National Forest. Forest supervisor, public relations director and planning staff present.
  
- February 22, 2006
  - 1:00 pm **EDUCATIONAL PRESENTATION** to the North Fork Interlocal Agreement Meeting. Approximately 49 people attended.
  - 6:00 pm **JOINT WORKSHOP** held at which Planning Board/Long Range Planning Task Force received a progress report and gave approval of the general direction the process was headed.
  
- February 23, 2006
  - 12:00 pm **EDUCATIONAL PRESENTATION** to a faculty luncheon at Flathead Valley Community College. Approximately 15 faculty members attended.
  
- February 26, 2006
  - **NEWSPAPER** article covering ongoing writing of draft growth policy appears on page A6 of the Daily Interlake.
  
- February 28, 2006
  - **STAKEHOLDER MEETING** with Columbia Falls City Manager and Flathead County planning staff.
  - **STAKEHOLDER MEETING** with Flathead County Solid Waste District and Flathead County planning staff.
  
- March 3, 2006
  - **STAKEHOLDER MEETING** with The Confederated Salish and Kootenai Tribes of the Flathead Reservation and Flathead County planning staff.
  
- March 8, 2006
  - 10:00 am **STAKEHOLDER MEETING** with Kalispell management and Flathead County planning staff.
  - 12:00 pm **STAKEHOLDER MEETING** with Flathead Conservation Roundtable and Flathead County planning staff.
  - 3:00 pm **STAKEHOLDER MEETING** with Whitefish planning staff and Flathead County planning staff.
  - 4:00 pm **STAKEHOLDER MEETING** with Whitefish growth policy steering committee and Flathead County planning staff.
  
- March 24, 2006
  - **EDUCATIONAL PRESENTATION** scheduled for Flathead County real estate professionals. All members of NMAR were notified and 3 attended. Presentation was postponed.
  
- March 28, 2006
  - **EDUCATIONAL PRESENTATION** to the Lakeside Chamber of Commerce at Vista Linda south of Somers.
  
- March 29, 2006
  - **STAKEHOLDER MEETING** with leadership of local property rights group.
  
- March 30, 2006
  - 12:00 pm **EDUCATIONAL PRESENTATION** to approximately 60-70 members of the Kalispell Rotary Club.
  
- April 6, 2006
  - **STAKEHOLDER MEETING** with representatives of Flathead County schools.
  
- April 7, 2006
  - **STAKEHOLDER MEETING** with representatives of public and private utility companies.
  
- April 14, 2006
  - **STAKEHOLDER MEETING** with representatives of local surveying companies.
  
- April 18, 2006
  - 6:00 pm **EDUCATIONAL PRESENTATION** to the Flathead Builders and Industry Association. Approximately 150 people in attendance, presentation was approximately one hour long.
  
- April 19, 2006
  - 7:00 am **EDUCATIONAL PRESENTATION** to members of the "Business Network Inc." 23 people in attendance.
  
- April 20, 2006
  - **EDUCATIONAL PRESENTATION** to a Geography class at FVCC. Approximately 11 students present, presentation lasted 60 minutes.
  
- April 25, 2006
  - **NEWSPAPER** article covering April 26 joint Planning Board/Long Range Planning Task Force workshop appears on page A6 of the Daily Interlake.

- April 26, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board/Long Range Planning Task Force first reviewed preliminary goals and policies and suggested changes. 35 people in attendance.
  
- April 28, 2006

  - **STAKEHOLDER MEETING** with representatives of local property rights groups.
  
- May 31, 2006

  - 6:00 pm **JOINT WORKSHOP** held at which Planning Board/Long Range Planning Task Force reviewed draft goals and policies and suggested numerous revisions.
  
- June 8, 2006

  - 7:00 am **EDUCATIONAL PRESENTATION** to the "Daybreakers Rotary Club." Approximately 50 people in attendance; spoke for 15 minutes and took 5 minutes of questions.
  
- June 22, 2006

  - 11:20 am Presentation to **COMMISSIONERS** summarizing the entire public process through recent completion of the draft growth policy and reviewing upcoming distribution and meeting schedule.
  
- June 25, 2006

  - **NEWSPAPER** article in the Daily Interlake advertising day of availability and all methods to interact with draft growth policy.
  
- June 27, 2006

  - **PRESS RELEASE** announcing availability of Draft Flathead County Growth Policy sent to all radio, TV and newspapers in Flathead County.
  
- June 28, 2006

  - **DRAFT GROWTH POLICY** given to Planning Board
  
- June 29, 2006

  - Draft growth policy given to Commissioners
  - 11:00 am, draft growth policy available online
  - 5:00 pm, Email sent to 700+ recipients notifying that draft available online.
  
- June 30, 2006

  - Draft growth policy available in paper form at Flathead County libraries and Flathead County Planning and Zoning Office.
  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on page A5 of Daily Interlake.
  
- July 2, 2006

  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on Page A4 of Daily Interlake.
  
- July 3, 2006

  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on Page A7 of Daily Interlake.
  
- July 4, 2006

  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on Page A7 of Daily Interlake.
  
- July 5, 2006

  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on Page A7 of Daily Interlake.
  
- July 6, 2006

  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on Page A7 of Daily Interlake.
  - **ADVERTISEMENT** of July 12 Bigfork open house appears in the Bigfork Eagle.
  
- July 8, 2006

  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on Page A7 of Daily Interlake.
  
- July 9, 2006

  - **NEWSPAPER** article in Daily Interlake regarding open houses and comment opportunities.
  
- July 10, 2006

  - 9:10 am, 50 minutes of "KOFI Talk" on KOFI
  - 6:00 pm, draft growth policy **OPEN HOUSE** in Kalispell attended by 42 people.
  
- July 11, 2006

  - 6:00 pm, draft growth policy **OPEN HOUSE** in Evergreen attended by 20 people.
  
- July 12, 2006

  - 6:00 pm, draft growth policy **OPEN HOUSE** in Bigfork attended by 63 people. Advertisement of meeting appeared in the July 6 Bigfork Eagle.

- July 13, 2006

  - 6:00 pm, joint draft growth policy **WORKSHOP** between Planning Board and Long Range Planning Task Force to review first thoughts and comments. 8 members of public attended.
  - Most local **TV** and **RADIO** stations carrying news stories regarding availability of draft and schedule of meetings.
  - **NEWSPAPER** article in Daily Interlake regarding subdued response to draft.
  - **ADVERTISEMENT** of draft availability and all upcoming open houses appears on Page 35 of Missoula Independent.
  
- July 16, 2006

  - **NEWSPAPER** article in Daily Interlake regarding first joint workshop.
  
- July 17, 2006

  - 6:00 pm, draft growth policy **OPEN HOUSE** in Whitefish attended by 36 people.
  
- July 18, 2006

  - 9:00 am, meeting with agricultural landowners in Flathead County to discuss draft growth policy
  - 6:00 pm, draft growth policy **OPEN HOUSE** in Somers/Lakeside attended by 45 people.
  
- July 19, 2006

  - 6:00 pm, draft growth policy **OPEN HOUSE** in Columbia Falls attended by 8 people.
  
- July 20, 2006

  - 6:00 pm, joint draft growth policy **WORKSHOP** between Planning Board and Long Range Planning Task Force to review first thoughts and comments. 7 members of public attended.
  - **NEWSPAPER** editorial in Daily Interlake regarding growth policy.
  - **NEWSPAPER** article in Bigfork Eagle regarding July 12 open house.
  - **NEWSPAPER** editorial in Hungry Horse News regarding growth policy.
  - **NEWSPAPER** article in Whitefish Pilot regarding growth policy.
  
- July 23, 2006

  - **NEWSPAPER** article appears in Daily Interlake regarding upcoming events.
  
- July 24, 2006

  - **LEGAL NOTICE** of August 8 and 10 public hearings appears in Daily Interlake.
  
- July 30, 2006

  - **NEWSPAPER** editorial in Daily Interlake regarding close of public comment on draft growth policy.
  
- August 01, 2006

  - 5:00 pm, close of written comment period. 625 paper copies of the draft were printed and distributed since June 28, 2006. Comments received from approximately 200 individuals and/or groups.
  
- August 6, 2006

  - Full page **ADVERTISEMENT** notifying of all public involvement so far, ways to read the draft, upcoming public hearings and upcoming process.
  
- August 7, 2006

  - **NEWSPAPER** article appears in Daily Interlake regarding public hearings to be held August 8 and 10.
  
- August 8, 2006

  - Local **RADIO** and **TV** advertise public meetings throughout the day.
  - **NEWSPAPER** article appears in Daily Interlake regarding public hearings to be held tonight.
  - 6:00 pm, **PUBLIC HEARING** at Red Lion Kalispell Center. Attended by approximately 152 people. 52 people spoke. 9 additional written comments submitted.
  
- August 9, 2006

  - **NEWSPAPER** article appears in Daily Interlake regarding topics public discussed at August 8 hearing.
  
- August 10, 2006

  - 6:00 pm, **PUBLIC HEARING** at Red Lion Kalispell Center. Attended by approximately 90 people. 55 people spoke. 19 additional written comments submitted.
  - **NEWSPAPER** article in the Missoula Independent regarding the content of the draft growth policy.
  
- August 12, 2006

  - **NEWSPAPER** article appears in Daily Interlake regarding public comments received at August 10 hearing.
  
- August 17, 2006

  - **NEWSPAPER** article in the Bigfork Eagle regarding August 8 and 10 public hearings.

- August 18, 2006

  - All **PUBLIC COMMENTS** along with staff revision suggestions available for public review. Electronic (CD and Online) and paper copies available.
  - **CONSULTANTS COMMENTS** posted to the county website.
  
- August 20, 2006

  - **LEGAL NOTICE** of September 6 public hearing appears in Daily Interlake.
  
- August 27, 2006

  - **LEGAL NOTICE** of September 7, 12, and 14 workshops appears in Daily Interlake.
  
- September 1, 2006

  - **NEWSPAPER** article in Daily Interlake regarding September 6 hearing on revisions suggestions.
  
- September 2, 2006

  - **NEWSPAPER** article in Daily Interlake regarding consultant's review of growth policy.
  
- September 3, 2006

  - **NEWSPAPER** article in Daily Interlake regarding public comments.
  - **LEGAL NOTICE** of September 19 workshop appears in Daily Interlake.
  - **LEGAL NOTICE** of September 7, 12, and 14 workshops appears again in Daily Interlake (also see August 27).
  
- September 6, 2006

  - 6:00 pm, **PUBLIC HEARING** on staff's revision suggestions. Attended by 66 people. 30 people spoke. 10 written comments submitted to Planning Board.
  
- September 7, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- September 8, 2006

  - **NEWSPAPER** article in Daily Interlake regarding Planning Board beginning work on growth policy revisions.
  
- September 10, 2006

  - **NEWSPAPER** article in Daily Interlake regarding the growth policy needing more time.
  - **NEWSPAPER** article in Daily Interlake regarding zone changes being postponed until the growth policy is adopted.
  
- September 12, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- September 14, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  - **NEWSPAPER** article in Daily Interlake regarding open space provisions being removed from growth policy.
  
- September 17, 2006

  - **NEWSPAPER** article in Daily Interlake regarding Planning Board supporting affordable housing.
  - **NEWSPAPER** editorial in Daily Interlake regarding growth policy.
  
- September 19, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  - **LEGAL NOTICE** of September 26 and 28 workshops appears in Daily Interlake.
  
- September 21, 2006

  - **NEWSPAPER** article in Daily Interlake regarding speed at which draft will be reviewed.
  
- September 26, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- September 28, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- October 4, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- October 10, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- October 12, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- October 17, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  
- October 19, 2006

  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.

- October 24, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
- October 26, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
- November 2, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
  - **NEWSPAPER** article in Daily Interlake updating public on workshop review process and status
- November 9, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
- November 12, 2006
  - **NEWSPAPER** article on front page of Daily Interlake informing that final adoption of the growth policy will now officially take place in the new year, due to timing required for all actions.
- November 14, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
- November 16, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
- November 17, 2006
  - **NEWSPAPER** article in Daily Interlake regarding planning board deciding to hold a special meeting on December 11.
- November 21, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy.
- November 24, 2006
  - **LEGAL NOTICE** of December 11 special meeting appears in Daily Interlake.
- November 30, 2006
  - 6:00 pm **WORKSHOP** held at which Planning Board reviewed and revised draft growth policy. Planning Board finished revising document, adopted Appendix A and cancelled meetings scheduled for Dec. 5 and 7.
- December 10, 2006
  - **NEWSPAPER** article in Daily Interlake regarding special meeting to be held December 11 and highlighting some of the changes to the draft.
- December 11, 2006
  - 6:00 pm **SPECIAL MEETING** held by the Planning Board to pass a resolution unanimously recommending approval of the revised draft growth policy.
- December 12, 2006
  - **NEWSPAPER** article in Daily Interlake regarding unanimous approval of resolution favorably forwarding the draft growth policy to the commissioners.
- December 14, 2006
  - **NEWSPAPER** article in the Hungry Horse News regarding unanimous approval of resolution favorably forwarding the draft growth policy to the commissioners.
  - Tentative Commissioner's review **SCHEDULE RELEASED** via email to over 600 people and all media outlets. Public service announcements will follow in Daily Interlake.
- December 15, 2006
  - **NEWSPAPER** editorial in Daily Interlake thanking staff, citizens and especially planning board for all their work and effort in moving the growth policy forward.
- December 18, 2006
  - **NEWSPAPER** article appears on page A6 of Daily Interlake summarizing Commissioner's review schedule released December 14 (see above). Dates, locations and times of meetings are given, as well as reference to tentative nature of schedule.
- December 24, 2006
  - 4" by 5.5" newspaper **ADVERTISEMENT** notifying public of commissioner's growth policy workshop appears in the Daily Interlake on page D3, opposite the Opinion page.
- December 31, 2006
  - 4" by 5.5" newspaper **ADVERTISEMENT** notifying public of commissioner's growth policy workshop appears in the Daily Interlake on page A15.

- January 9, 2007

  - **NEWSPAPER** article appears on front page of Daily Interlake indicating that a meeting will take place that night for the commissioners to review the growth policy, and that public comment will be taken.
  - Commissioners hold a **WORKSHOP** meeting at which they review the growth policy as revised by the planning board, ask representatives of the planning board questions, and take public comment per open meeting laws.
  
- January 10, 2007

  - **NEWSPAPER** article appears on front page of Daily Interlake reviewing the first workshop that was held and a summary of the Commissioner's review and public comment received.
  
- January 13, 2007

  - **NEWSPAPER** article appears on front page of Daily Interlake covering changes to the Commissioner's review schedule. Same meetings, just rescheduled to give staff more time to review public comment.
  
- January 18, 2007

  - **STAFF REPORT** presented to Commissioners summarizing public comment on Planning Board's changes to draft growth policy received through January 11, 2007.
  
- January 19, 2007

  - **NEWSPAPER** article appears on front page of Daily Interlake summarizing comments on the Planning Board's revisions to the growth policy and issues raised by public on morning of January 18 at Commissioner's morning general comment period.
  
- January 23, 2007

  - **COMMISSIONER'S WORKSHOP** to review draft growth policy and planning board's revisions. Commissioners proposed and made changes to revised draft growth policy.
  
- January 24, 2007

  - **NEWSPAPER** article appears on front page of Daily Interlake summarizing work done by Commissioners at January 23, 2007 workshop.
  
- January 29, 2007

  - **NEWSPAPER** article appears on the Valley page of the Daily Interlake discussing schedule of commissioners review events.
  
- January 30, 2007

  - **COMMISSIONER'S WORKSHOP** to review draft growth policy and planning board's revisions. Commissioners proposed and made changes to revised draft growth policy.
  
- January 31, 2007

  - **NEWSPAPER** article appears on front page of Daily Interlake summarizing work done by Commissioners at January 30, 2007 workshop.
  
- February 05, 2007

  - **COMMISSIONERS PASS** resolution of intent to adopt final draft of Flathead County Growth Policy, beginning 30-day comment period.
  
- February 06, 2007

  - **NEWSPAPER** article appears on page A6 of Daily Interlake covering passage of resolution of intent and announcing 30-day comment period.
  - **RADIO** stations carry notification of opening of 30-day comment period.
  
- March 9, 2007

  - 30-day final draft public **COMMENT PERIOD ENDS** at 5:00 pm. 145 individual comments and 2 petitions received.
  
- March 19, 2007

  - Flathead County **COMMISSIONERS APPROVE** Resolution #2015A adopting Flathead County Growth Policy
  - **TELEVISION** report covering adoption of growth policy.
  
- March 20, 2007

  - **NEWSPAPER** article appears on front page of Daily Interlake announcing adoption of new growth policy.
  
- March 22, 2007

  - **NEWSPAPER** articles appear in Whitefish Pilot and Hungry Horse News announcing adoption of new growth policy.
  
- March 29, 2007

  - **NEWSPAPER** article in the Missoula Independent covers adoption of the Flathead County Growth Policy.

The growth policy process outlined above was finished with a series of 6 town hall meetings at which the public was encouraged to learn and ask questions about the new growth policy. Staff was available from 6:00 to 7:30 at each of the meetings listed below.

**“50 for the Flathead”**

March 26, 6:00 pm- Evergreen, Flathead Electric

March 27, 6:00 pm- Marion School Gym

April 9, 6:00 pm- Lakeside Chapel

April 17, 6:00 pm- Bigfork, Bethany Lutheran

April 24, 6:00 pm- Glacier National Park Community Building

May 1, 6:00 pm- Whitefish, Mountain West Bank

**BUDGET MEETING: JUSTICE COURT**

[10:10:57 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Justice Court David Ortley, Justin Beck, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for Justice Court.

**BUDGET MEETING: I.T.**

[10:22:57 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, I.T. Director Vicki Saxby, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the I. T. Department.

**MONTHLY MEETING W/ MARK PECK, OES**

This meeting was not held

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: GRASSHOPPER HILL ROAD, GRAY LANE, LABEL LANE, RIVER FALLS DRIVE, ROGERS LANE, SPENCER HILL DRIVE AND SPENCER TRAIL ROAD NAMING**

[11:00:03 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Clerk Diana Kile

Commissioner Hall made a **motion** to authorize the publication of road namings. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. 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 **GRASSHOPPER HILL ROAD**.

**Road generally running easterly off North Hill Road and located in the NE4NE4 Sec.17, the NW4NW4 Sec.16, and the S2SW4 Sec.9, Township 28 N, Range 22 W, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **26<sup>th</sup> day of June, 2007, 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 **GRASSHOPPER HILL ROAD**.

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

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/ Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/ Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

**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 **GRAY LANE**.

**Road generally running easterly & northerly of US Highway 2 W and located in the E2NE4 Section 20 and in the W2NW4 of Section 21, Township 28 North, Range 22 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **26<sup>th</sup> day of June, 2007, 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 **GRAY LANE**.

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

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/ Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/ Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

**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 **LABEL LANE**.

**Road generally running easterly and northerly off US Highway 93 N and located in the SW4 Section 24, Township 31 N, Range 23 W, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **26<sup>th</sup> day of June, 2007, 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 **LABEL LANE**.

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

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/ Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/ Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

**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 **RIVER FALLS DRIVE**.

**Road generally running easterly off Columbia Falls Stage and located in the SE4SE4 Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana. This will rename Little Man Drive to River Falls Drive.**

The public hearing will be held on the **26<sup>th</sup> day of June, 2007, 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 **RIVER FALLS DRIVE**.

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

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

**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 **ROGERS LANE**.

**Road generally running southerly off Rogers Lake Road and connecting to Rogers Lane and located in the SW4NW4 Section 29, Township 27 N, Range 23 W, P.M.M., Flathead County, Montana. East Rogers Lake Road should be renamed to be included in Rogers Lane.**

The public hearing will be held on the **26<sup>th</sup> day of June, 2007, 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 **ROGERS LANE**.

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

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

**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 **SPENCER HILL DRIVE**.

**Road generally running southeasterly off US Highway 93 W and is located in the W 1/2 of the SW 1/4 of Section 34, Township 31 North, Range 22 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **26<sup>th</sup> day of June, 2007, 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 **SPENCER HILL DRIVE**.

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

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

#### **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 **SPENCER TRAIL**.

**Road generally running southerly off a road proposed to be named Spencer Hill Drive which runs southeasterly off US Highway 93 W and is located in the W ½ of the SW ¼ of Section 34, Township 31 North, Range 22 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **26<sup>th</sup> day of June, 2007, 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 **SPENCER TRAIL**.

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

Dated this 12<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By/s/Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

ATTEST:  
Paula Robinson, Clerk

By/s/Diana Kile  
Diana Kile, Deputy

Publish on June 16<sup>th</sup> and June 23<sup>rd</sup>, 2007.

#### **CONSIDERATION OF HR TRANSMITTALS: DEPUTY EMERGENCY COORDINATOR/ OES AND COOK I/ AOA**

[11:07:31 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, H R Director Raeann Campbell, Clerk Diana Kile

Commissioner Lauman made a **motion** to approve the position for a Deputy Emergency Coordinator for OES and a cook for AOA. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### **DOCUMENT FOR SIGNATURE: DPHHS CONTRACT #07-07-5-01-015-0**

[11:10:28 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

Commissioner Hall made a **motion** to approve DPHHS contract #07-07-5-01-015-0. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**CONSIDERATION OF ADOPTION OF RESOLUTION: FIXING FORM & DETAILS OF RSID POOL BOND**

11:15:48 AM

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

County Attorney Jonathan Smith said that resolution #2048B outlines the legal details of how the bond sale to pool bonds will be sold and assessed.

Commissioner Lauman made a **motion** to adopt resolution #2048B and authorized the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE**

I, the undersigned, being the duly qualified and acting recording officer of Flathead County, Montana (the "County"), hereby certify that the attached resolution is a true copy of a Resolution entitled: "RESOLUTION RELATING TO \$508,000 POOLED RURAL SPECIAL IMPROVEMENT DISTRICT BONDS (RURAL SPECIAL IMPROVEMENT DISTRICT NOS. 139, 140, AND 141); FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR" (the "Resolution"), on file in the original records of the County in my legal custody; that the Resolution was duly adopted by the Board of County Commissioners of the County at a regular meeting on June 12, 2007, and that the meeting was duly held by the Board of County Commissioners and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.

I further certify that, upon vote being taken on the Resolution at said meeting, the following Commissioners voted in favor thereof: **Brenneman, Hall & Lauman**

\_\_\_\_\_ ; voted against the same: \_\_\_\_\_ ; abstained from voting thereon: \_\_\_\_\_ ; or were absent: \_\_\_\_\_ .

WITNESS my hand and seal officially this 12<sup>th</sup> day of June, 2007.

Paula Robinson  
Flathead County Clerk and Recorder

By/s/Diana Kile  
Diana Kile, Deputy

**RESOLUTION NO. 2048 B**

**RESOLUTION RELATING TO \$508,000 POOLED RURAL SPECIAL IMPROVEMENT DISTRICT BONDS (RURAL SPECIAL IMPROVEMENT DISTRICT NOS. 139, 140, AND 141); FIXING THE FORM AND DETAILS AND PROVIDING FOR THE EXECUTION AND DELIVERY THEREOF AND SECURITY THEREFOR**

BE IT RESOLVED by the Board of County Commissioners (the "Board") of Flathead County, Montana (the "County"), as follows:

Section 1. Recitals. It is hereby found, determined and declared as follows:

1.01. Resolution of Intention. By Resolution Nos. 1956A, 1957A, and 1958A, adopted August 16, 2006 (collectively, the "Resolutions of Intention"), this Board declared its intention to create Rural Special Improvement District No. Nos. 139, 140, and 141 (each, a "District"; collectively, the "Districts"), for the purpose of making special improvements for the special benefit of the Districts. Each of the Resolutions of Intention designated the number of the District, described the boundaries thereof, stated whether the District was an extended district and stated the general character of the improvements to be made (collectively, the "Improvements") and an approximate estimate of the costs thereof, in accordance with the provisions of Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended (the "Act"). By each Resolution of Intention this Board also declared its intention to cause the cost and expense of making the improvements specially benefiting a District to be assessed against the properties included within the boundaries thereof in accordance with one or more methods of assessment authorized in Montana Code Annotated, Section 7-12-215 1 and as set forth in the Resolutions of Intention.

In the Resolutions of Intention, this Board further found that it is in the public interest, and in the best interest of the County and the Districts, to secure payment of principal of and interest on the Bonds by the Rural Special Improvement District Revolving Fund of the County, on the basis of the factors required to be considered under Section 7-12-2185 of the Act. Those findings are hereby ratified and confirmed. The County also found that it is in the best interest of the County and Rural Special Improvement District No. 141 ("RSID No. 141") to secure payment of principal of and interest on that portion of the Bonds payable from special assessments against properties in RSID No. 141 subject to assessment by a reserve subaccount as described in Section 1.05 below.

1.02. Notices. Notices of the passage of each of the Resolutions of Intention was given by two publications, with at least six days between publications, in a qualified newspaper of general circulation in the County or, if no such newspaper

is published, in a qualified newspaper published in an adjacent county, as required by Montana Code Annotated, Sections 7-12-2105(1) and 7-1-2121. Notices of the passage of each of the Resolutions of Intention was also mailed to all persons, firms or corporations or the agents thereof having real property within the District listed in their names upon the last completed assessment roll for state, county and school district taxes, at their last known addresses. The notices for each District described the general character of the Improvements, stated the estimated cost of the Improvements and the method or methods of assessment of such costs against properties in the District, specified the time when and the place where the Board would hear and pass upon all protests made against the making of the Improvements or the creation or extension of the District, referred to the appropriate Resolution of Intention as being on file in the office of the County Clerk and Recorder for a description of the boundaries of the District, all in accordance with the provisions of each Resolution of Intention, and included a statement that, subject to the limitations of Section 7-12-2182 of the Act, the general fund of the County may be used to provide loans to the revolving fund or a general tax levy may be imposed on all taxable property in the County to meet the financial requirements of the revolving fund.

1.03. Creation of Districts. At the time and place specified in the notices hereinabove described, this Board met to hear, consider and pass upon all protests made against the making of the Improvements and the creation of each of the Districts, and, after consideration thereof, it was determined and declared that insufficient protests against the creation or extension of each of the Districts or the proposed work had been filed in the time and manner provided by law by the owners of the property to be assessed for the Improvements in the respective Districts, and this Board did therefore create Rural Special Improvement District Nos. 139 ("RSID No. 139"), Rural Special Improvement District No. 140 ("RSID No. 140"), and RSID No. 141 by Resolution Nos. 1956B, 1957B, and 1958B, respectively, adopted September 20, 2006, and ordered the proposed Improvements in each District in accordance with the Resolutions of Intention. In the resolution creating each District, the Board of County Commissioners also confirmed the findings it made with respect to the pledge of the Revolving Fund in the Resolutions of Intention.

1.04. Construction Contracts. Plans, specifications, maps, profiles and surveys for construction of the Improvements were prepared by the engineers acting for the County, and were thereupon examined and approved by this Board. Advertisements for bids for construction of the Improvements to the Districts were published in the official newspapers of the County in accordance with the provisions of Montana Code Annotated, Section 7-12-2 132, after which the bids theretofore received were opened and examined. After referring the bids to the engineers for the County it was determined that the lowest regular proposals for the furnishing of all work and materials required for constructing the Improvements to the Districts in accordance with the approved plans and specifications were the following:

Work	Bidder	Contract Price
RSID No. 139: Application of crushed gravel, a tack coat and asphalt paving on approximately 80,000 square feet of Sandy Hill Lane	Schellinger Construction, Inc.	\$132,605.00
	Schellinger Construction, Inc.	\$108,784.00
RSID No. 140: Application of crushed		
RSID No. 141: Application of crushed gravel, a tack coat and asphalt paving on approximately 70,000 square feet of Williams Lane	Schellinger Construction, Inc	\$120,976.25

Contracts for the construction of the Improvements to Districts were therefore awarded to said bidders, and upon the issuance of the Bonds the County and the successful bidder will enter into written contracts for construction of the Improvements to the Districts upon the bidders having executed and filed bonds satisfactory to this Board and in the form and manner provided by Montana Code Annotated, Title 18, Chapter 2, Part 2.

1.05. Costs. It is currently estimated that the costs and expenses connected with and incidental to the formation of the Districts to the County to be assessed against properties in the Districts, including costs of preparation of plans, specifications, maps, profiles, engineering superintendence and inspection, preparation of assessment rolls, expenses of making the assessments, the cost of work and materials and all other costs and expenses, including the deposit of proceeds in the Revolving Fund and in the District Reserve Subaccount established for RSID No. 141 in the District Account for RSID No. 141 (the "RSID No. 141 Reserve Subaccount") and the deposit of a rounding amount of \$159 in the applicable Principal Subaccount in the District Accounts, are \$174,528 for RSID No. 139, \$152,777 for RSID No. 140, and \$180,695 for RSID No. 141, for a total of \$508,000. Such amounts will be levied and assessed upon the assessable property within each of the Districts on the basis described in the Resolutions of Intention. This Board has jurisdiction and is required by law to levy and assess such amounts, to collect such special assessments and credit the same to the rural special improvement district accounts created for each District, which accounts are to be maintained on the official books and records of the County separate from all other County funds, within the Pooled Rural Special Improvement District Sinking Fund (the "Sinking Fund") for the payment of principal and interest when due on the bonds herein authorized. Costs in excess of the proceeds of the Bonds will be paid from funds the County has on hand and available therefor in the amount of \$24,161.

1.06. Sale and Issuance of Bonds. For the purpose of financing the costs and expenses of making the Improvements, which are to be assessed against the property within each District as provided in the Resolutions of Intention, pursuant to Resolution No. 2048, adopted May 8, 2007, this Board determined that the issuance and sale of bonds in a pooled single offering was in the best interests of the County and the Districts and would facilitate the sale of the bonds at a lower interest rate. This Board then called for the public sale of bonds in the total aggregate amount of \$508,000 (the "Bonds"), which amount represents Bonds for each District as follows:

Principal Amount	
District No.	_____ of Bonds
RSID No. 139	\$174,528



any Bond or portion thereof selected or called for redemption. No transfer or exchange of a Bond shall affect its order of registration for purposes of redemption pursuant to Section 2.05.

(c) Exchange. Whenever any Bond is surrendered by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the County.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The County and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the County upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer of Bonds or exchange of Bonds (except an exchange upon a partial redemption of a Bond), the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be destroyed, stolen or lost, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that such Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it, in which both the County and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the County. If the mutilated, destroyed, stolen or lost Bond has already matured or such Bond has been called for redemption in accordance with its terms, it shall not be necessary to issue a new Bond prior to payment.

#### 2.05. Redemption.

(a) Mandatory Redemption. If on any interest payment date there will be a balance in the Sinking Fund after payment of the principal and interest due on all Bonds drawn against it, either from the prepayment of special assessments levied in the Districts or from the transfer of surplus money from the Construction Subaccounts to the Principal Subaccounts as provided in Section 3.02 or otherwise, the County Clerk and Recorder shall call for redemption on the interest payment date outstanding Bonds, or portions thereof, in an amount which, together with the interest thereon to the interest payment date, will equal the amount of such funds on deposit in the Sinking Fund on that date. The redemption price shall equal the amount of the principal amount of the Bonds to be redeemed plus interest accrued to the date of redemption.

(b) Optional Redemption. The Bonds are subject to redemption, in whole or in part, at the option of the County from sources of funds available therefor other than those described under Section 2.05(a) on the terms of this paragraph. The Bonds with stated maturities on or after July 1, 2013 will be subject to redemption on July 1, 2012, and any date thereafter, at the option of the County, in whole or in part, at a redemption price equal to the principal amount thereof to be redeemed plus interest accrued to the redemption date, without premium.

(c) Selection of Bonds for Redemption; Partial Redemption. If less than all of the Bonds are to be redeemed, Bonds shall be redeemed in order of the stated maturities thereof. If less than all Bonds of a stated maturity are to be redeemed, the Bonds of such maturity shall be selected for redemption in \$5,000 principal amounts selected by the Registrar by lot or other manner it deems fair. Upon partial redemption of a Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount thereof outstanding.

(d) Notice and Effect of Redemption. The date of redemption and the principal amount of the Bonds shall be fixed by the County Treasurer, who shall give notice thereof to the Registrar in sufficient time for the Registrar to give notice, by first class mail, postage prepaid, or by other means required by the securities depository, to the owner or owners of such Bonds at their addresses appearing in the bond register, of the numbers of the Bonds or portions thereof to be redeemed and the date on which payment will be made, which date shall be not less than thirty (30) days after the date of mailing notice. On the date so fixed interest on the Bonds or portions thereof so redeemed shall cease.

(e) Notification to the Paying Agent. Upon request by the County under the above sections 2.05(a) and 2.05(b), the Registrar shall give notice of redemption as directed provided that the County has given the Registrar such request at least 45 days prior to the redemption date.

2.06. Form. The Bonds shall be drawn in substantially the form set forth in Exhibit A hereto, and by this reference made a part hereof, with such modifications as are permitted by the Act.

2.07. Execution, Registration and Delivery. The Bonds shall be prepared under the direction of the County Clerk and Recorder and shall be executed on behalf of the County by the signatures of the Chair of the Board of County Commissioners, the County Clerk and Recorder and the County Treasurer and sealed with the official seal of the County; provided that the signatures and the corporate seal may be printed, engraved or lithographed facsimiles of the originals. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless a certificate of authentication on such Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution. The Bonds shall be registered in order of their serial numbers by the Registrar, as attested by the Certificate of Authentication, as of the date of delivery of the Bonds. When the Bonds have been so executed, authenticated and registered, they shall be delivered by the Registrar to the Purchaser upon payment of the purchase price in accordance with

the contract of sale heretofore made and executed. The Purchaser shall not be obligated to see to the application of the purchase price, but from the proceeds of the Bonds the County Clerk and Recorder shall credit forthwith \$25,392 to the Revolving Fund, as required by Section 7-12-4169(2) of the Act, \$7,854 to the RSID No. 141 District Reserve Subaccount, as authorized by Section 7-12-4169(3) of the Act; \$55 to the Principal Subaccount in the District Account for RSID No. 139, \$48 to the Principal Subaccount in the District Account for RSID No. 140, and \$56 to the Principal Subaccount in the District Account for RSID No. 141; any accrued interest to the Interest Subaccounts in the District Accounts, as provided in Section 3.03, and the balance of such proceeds to the Construction Subaccounts in the respective District Accounts, in proportion to the principal amounts of the Bonds allocable to each of the Districts, as set forth in Section 1.06, to be used solely for the purposes described in Section 3.02.

#### 2.08. Securities Depository for the Bonds.

(a) For purposes of this Section 2.08, the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds the Bonds as securities depository.

“Representation Letter” shall mean the Blanket Issuer Letter of Representations from the County to DTC, attached to this resolution as Exhibit B, which is hereby incorporated by reference and made a part hereof.

(b) The Bonds shall be initially issued as separately authenticated fully registered Bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the Bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the County may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this Resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the County shall be affected by any notice to the contrary. Neither the Registrar nor the County shall have any responsibility or obligation to any Participant, any Person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other Person which is not shown on the Bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this Resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with the Representation Letter, and all such payments shall be valid and effective to fully satisfy and discharge the County’s obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No Person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the County to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the County determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of Bond certificates, the County may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the County and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The Representation Letter sets forth certain matters with respect to, among other things, notices, consents and approvals by registered owners of the Bonds and Beneficial Owners and payments on the Bonds. The Registrar shall have the same rights with respect to its actions thereunder as it has with respect to its actions under this resolution.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this Resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of Bond certificates and the method of payment of principal of and interest on such Bonds in the form of Bond certificates.

#### Section 3. Sinking Fund; Assessments.

3.01. Sinking Fund. There is hereby created and established the Sinking Fund designated as the “Pooled Rural Special Improvement District Sinking Fund” which shall be maintained by the County Clerk and Recorder on the books and records of the County separate and apart from all other funds of the County. Within the Sinking Fund there shall be maintained separate accounts for each of the Districts, designated accordingly (collectively, the “District Accounts”). Within each District Account there shall be maintained three separate subaccounts, designated as the “Construction Subaccount,” “Principal Subaccount,” “Interest Subaccount,” and with respect to the District Account for RSID No. 141, there shall also be maintained the RSID No. 141 Reserve Account.

3.02. Construction Subaccounts. There shall be credited to the Construction Subaccount in each of the District Accounts the proceeds of the sale of the Bonds attributable to the respective District as provided in Section 2.07. Any earnings on investment of money in a Construction Subaccount shall be retained therein. All costs and expenses of constructing the Improvements to be paid from proceeds of the Bonds in and for the benefit of a District shall be paid from time to time as incurred and allowed from the Construction Subaccount in the respective District Account in accordance with the provisions of applicable law, and money in the Construction Subaccount shall be used for no other

purpose, except payment of costs of issuance and administration of the District; provided that upon completion of the Improvements in or for the benefit of a District and after all claims and expenses with respect to such Improvements and costs of issuance and District administration have been fully paid and satisfied, any money remaining in said Construction Subaccount shall be transferred to the Principal Subaccount in the District Account for the respective District and used to redeem Bonds as provided in Section 3.03.

3.03. Principal Subaccounts and Interest Subaccounts. Money in the Principal Subaccount and the Interest Subaccount shall be used only for payment of the principal of and interest on the Bonds as such payments become due or to redeem Bonds. From the proceeds of

the Bonds, there shall be deposited in the Interest Subaccount any interest on the Bonds accrued to the date of their delivery, pro rata, in proportion to the principal amount of Bonds issued for such District as set forth in Section 1.06.

Upon collection of the installment of principal and interest due on November 30 and May 31 of each fiscal year on the special assessments to be levied with respect to the Improvements in each of the Districts, the County Clerk and Recorder shall credit to the Interest Subaccount in the respective District Account so much of said special assessments as is collected as interest

payment and the balance thereof to the respective Principal Subaccount. Any installment of any special assessment paid prior to its due date with interest accrued thereon to the next succeeding interest payment date shall be credited with respect to principal and interest payments in the same manner as other assessments are credited to the District Accounts. All money in each Interest Subaccount and the Principal Subaccount shall be used first to pay interest due, and any remaining money shall be used to pay Bonds then due and, if money is available, to redeem Bonds in accordance with Section 2.05; provided that any money transferred to a Principal Subaccount from the Construction Subaccount pursuant to Section 3.02 shall be applied to redeem Bonds to the extent possible on the next interest payment date for which notice of redemption may properly be given pursuant to Section 2.05. Redemption of Bonds shall be as provided in Section 2.05, and interest shall be paid as accrued thereon to the date of redemption, in accordance with the provisions of Section 7-12-2 174 of the Act.

3.04. RSID No. 141 Reserve Account. Money in the RSID No. 141 Reserve Account shall be applied on any interest payment date to payment of principal of and interest on the Bonds at the stated maturity thereof if funds on hand in the Principal Subaccount and the Interest Subaccount for RSID No. 141 are insufficient therefor. Funds in the RSID No. 141 Reserve Account must be used for such purpose before a loan is made by the Revolving Fund therefor. If money is on hand in the RSID No. 141 Reserve Account and all Bonds have been paid or discharged as provided in Section 7, such money shall be transferred to the Revolving Fund, as required by Section 7-12-2153(3).

3.05. Loans from Revolving Fund. The Board shall annually or more often if necessary issue an order authorizing a loan or advance from the Rural Special Improvement District Revolving Fund of the County (the "Revolving Fund") to each of the District Accounts in an amount sufficient to make good any deficiency then existing in each Interest Subaccount in each District Account, and shall issue an order authorizing a loan or advance from the Revolving Fund to each of the District Accounts in an amount sufficient to make good any deficiency then existing in the Principal Subaccount of each District Account, in such order and in each case to the extent that money is available in the Revolving Fund; provided, however, that at the time any such loan or advance is to be made in respect of RSID No. 141, the RSID No. 141 Reserve Account shall have been or shall be depleted on the next interest payment date. A deficiency shall be deemed to exist in a Principal Subaccount or an Interest Subaccount in a District Account if the money on deposit therein, together with any funds on deposit in the RSID No. 141 Reserve Account in respect of the District Account for RSID No. 141, on any June 15 or December 15 (excluding amounts in the Principal Subaccount representing prepaid special assessments) is less than the amount necessary to pay Bonds due (other than upon redemption), and interest on all Bonds payable, on the next succeeding interest payment date.

Pursuant to a Resolution adopted on May 11, 1984, the County has undertaken and agreed to provide funds for the Revolving Fund by levying such tax or making such loan from the General Fund as authorized by Montana Code Annotated, Section 7-12-2182. In the event that the balance on hand in the Revolving Fund fifteen days prior to any date when interest is due on special improvement district bonds or warrants of the County is not sufficient to make good all deficiencies then existing in the special improvement district funds for which the County has covenanted to make loans from the Revolving Fund, the balance on hand in the Revolving Fund shall be allocated to the funds of the special improvement districts in which such deficiencies then exist in proportion to the amounts of the deficiencies on the respective dates of receipt of such money, until all interest accrued on such special improvement district bonds or warrants of the County has been paid. On any date when all accrued interest on special improvement district bonds and warrants of the County payable from funds for which the County has covenanted to make loans from the Revolving Fund has been paid, any balance remaining in the Revolving Fund shall be lent or advanced to the special improvement district funds for payment and redemption of bonds to the extent the special improvement district funds are deficient for such purpose, and, if money in the Revolving Fund is insufficient therefor, pro rata, in an amount proportionate to the amount of such deficiency.

The County hereby determines, covenants and agrees to levy the property tax described in the immediately preceding paragraph to provide funds for the Revolving Fund so long as any Bonds are outstanding to the extent required under the provisions of this Resolution and the Act, even though such property tax levy may, under applicable law, require that property tax levies of the County for other purposes be reduced correspondingly. Thus, while any property tax levy to be made by the County to provide funds for the Revolving Fund is subject to levy limits under current law, the County agrees to levy property taxes to provide funds for the Revolving Fund to the extent described in this paragraph and, if necessary, to reduce other property tax levies correspondingly to meet applicable levy limits.

Section 4. Covenants. The County covenants and agrees with the owners from time to time of each of the Bonds that until all the Bonds and interest thereon are fully paid:

4.01. Compliance with Resolution. The County will hold the Sinking Fund and the Revolving Fund as trust funds, separate and apart from all of its other funds, and the County, its officers and agents, will comply with all covenants and agreements contained in this resolution. The provisions hereinabove made with respect to the Sinking Fund and the Revolving Fund are in accordance with the undertaking and agreement of the County made in connection with the public offering of the Bonds and the sale of the Bonds as set forth in Section 1.06.

4.02. Construction of Improvements. The County will do all acts and things necessary to enforce the provisions of the construction contracts and bonds referred to in Section 1.04 and to ensure the completion of the Improvements for the benefit of the Districts in accordance with the plans and specifications and within the time therein provided, and will pay all costs thereof promptly as incurred and allowed, out of the District Accounts and within the amount of the proceeds of the Bonds appropriated thereto.

4.03. Levy of Assessments. The County will do all acts and things necessary for the final and valid levy of special assessments upon all assessable real property within the

boundaries of the Districts in accordance with the Constitution and laws of the State of Montana and the Constitution of the United States in an aggregate principal amount not less than the following amounts for each of the Districts:

Principal Amount	
District No.	of Bonds
RSID No. 139	\$174,473 <sup>1</sup>
RSID No. 140	\$152,729 <sup>2</sup>
RSID No. 141	\$180,639 <sup>3</sup>

Such special assessments shall be levied on the basis or bases prescribed in the Resolutions of Intention and, as authorized by Montana Code Annotated, Section 7-12-4190(2), shall be payable in equal semiannual installments of principal and interest. The unpaid installments of the assessments shall bear interest at an annual rate determined each fiscal year equal to the sum of: (i) the average annual interest rate borne by the Bonds, plus (ii) one-half of one percent (0.50%) per annum. The assessments in respect of RSID No. 140 will be payable in installments on the 30th day of November in each of years 2007 through 2026 and on the 31st day of May in the years 2008 through 2027, inclusive, if not theretofore paid, and shall become delinquent on such date unless paid in full, and the assessments in respect of RSID No. 139 and RSID No. 141 will be payable in installments on the 30th day of November in each of years 2007 through 2021 and on the 31st day of May in the years 2008 through 2022, inclusive, if not theretofore paid, and shall become delinquent on such date unless paid in full. The payment due on any installment date shall be the amount necessary to amortize, over the 20-year term in respect of RSID No. 140 and the 15-year term in respect of RSID No. 139 and RSID No. 141 in substantially equal semiannual payments, the principal amount of the assessment, together with interest to accrue thereon over said term at the interest rate thereon; provided that the amount of each such installment shall be adjusted each fiscal year to an amount equal to the amount necessary to amortize fully the then outstanding principal amount of the assessment (excluding any delinquent amounts), plus interest accrued at the interest rate on the assessments then in effect in the number of installments then remaining until July 1, 2027 in respect of RSID No. 140 and until July 1, 2022 in respect of RSID No. 139 and RSID No. 141. There shall be added to the first installment payment of each assessment interest on the entire assessment from the date of original registration of the Bonds to January 1, 2008. The assessments shall constitute a lien upon and against the property against which they are made and levied, which lien may be extinguished only by payment of the assessment with all penalties, costs and interest as provided in Montana Code Annotated, Section 7-12-2168. No tax deed issued with respect to any lot or parcel of land shall operate as payment of any installment of the assessment thereon which is payable after the execution of such deed, and any tax deed so issued shall convey title subject only to the lien of said future installments, as provided in Montana Code Annotated, Section 15-18-2 14.

---

<sup>1</sup> \$714,528 minus \$55 of proceeds of the Bonds payable to the Principal Subaccount for RSID No. 139.

<sup>2</sup> \$152,777 minus \$48 of proceeds of the Bonds payable to the Principal Subaccount for RSID No. 140.

<sup>3</sup> \$180,695 minus \$56 of proceeds of the Bonds payable to the Principal Subaccount for RSID No. 141.

4.04. Reassessment. If at any time and for whatever reason any special assessment or tax herein agreed to be levied is held invalid, the County and this Board, its officers and employees, will take all steps necessary to correct the same and to reassess and re-levy the same, including the ordering of work, with the same force and effect as if made at the time provided by law, ordinance or resolution relating thereto, and will reassess and re-levy the same with the same force and effect as an original levy thereof, as authorized in Montana Code Annotated, Section 7-12-2 165. Any special assessment, or reassessment or re-levy shall, so far as is practicable, be levied and collected as it would have been if the first levy had been enforced including the levy and collection of any interest accrued on the first levy.

If proceeds of the Bonds, including investment income thereon, are applied to the redemption of such Bonds, as provided in Montana Code Annotated, Sections 7-12-2173 and 7-12-2 174, or if refunding bonds are issued and the principal amount of the outstanding Bonds of the Districts is decreased or increased, the County will reduce or increase, respectively, the assessments levied in the respective Districts and then outstanding pro rata by the principal amount of such prepayment or the increment above or below the outstanding principal amount of bonds represented by the refunding bonds. The County and this Board, its officers and employees will reassess and re-levy such assessments, with the same effect as an original levy, in such reduced or increased amounts in accordance with the provisions of Montana Code Annotated, Sections 7-12-2158 through 7-12-2159.

4.05. Absence of Litigation. There is now no litigation pending or, to the best knowledge of the County, threatened questioning the validity or regularity of the creation of the Districts, the contracts for construction of the Improvements or the undertaking and agreement of the County to levy special assessments therefor and to make good any deficiency in the collection thereof through the levy of taxes for and the making of advances from the Revolving Fund, or the right and power of the County to issue the Bonds or in any manner questioning the existence of any condition precedent to the exercise of the County's powers in these matters. If any such litigation should be initiated or threatened, the County will forthwith notify in writing the Purchaser, and will furnish the Purchaser a copy of all documents, including pleadings, in connection with such litigation.

4.06. Waiver of Penalty and Interest. The County covenants not to waive the payment of penalty or interest on delinquent assessments levied on property in the Districts for costs of the Improvements, unless the County determines, by resolution of the Board of County Commissioners, that such waiver is in the best interest of the owners of the outstanding Bonds.

#### Section 5. Tax Matters.

5.01. Use of Improvements. The Improvements will be owned and operated by the County and available for use by members of the general public on a substantially equal basis. The County shall not enter into any lease, use or other agreement with any non-governmental person relating to the use of the Improvements or security for the payment of the Bonds which might cause the Bonds to be considered "private activity bonds" or "private loan bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code").

5.02. General Covenant. The County covenants and agrees with the owners from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the

Bonds to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the Bonds will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

5.03. Arbitrage Certification. The Chair of the Board, the County Clerk and Recorder and the County Treasurer, being the officers of the County charged with the responsibility for issuing the Bonds pursuant to this resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds, it is reasonably expected that the proceeds of the Bonds will be used in a manner that would not cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

5.04. Arbitrage Rebate Exemption.

(a) The County hereby represents that the Bonds qualify for the exception for small governmental units to the arbitrage rebate provisions contained in Section 148(f) of the Code. Specifically, the County represents:

(1) Substantially all (not less than 95%) of the proceeds of the Bonds (except for amounts to be applied to the payment of costs of issuance or representing accrued interest) will be used for local governmental activities of the County.

(2) The aggregate face amount of all "tax-exempt bonds" (including warrants, contracts, leases and other indebtedness, but excluding private activity bonds and current refunding bonds) issued by or on behalf of the County and all subordinate entities thereof during 2007 is not reasonably expected to exceed \$5,000,000. To date in 2007, the County has issued no such tax-exempt bonds, and in the calendar years 2002 through 2006, the County issued no such tax-exempt bonds, except its \$523,000 Rural Special Improvement District No. 138 Bonds.

(b) If notwithstanding the provisions of paragraph (a) of this Section 5.04, the arbitrage rebate provisions of Section 148(f) of the Code apply to the Bonds, the County hereby covenants and agrees to make the determinations, retain records and rebate to the United States the amounts at the times and in the manner required by said Section 148(f).

5.05. Information Reporting. The County shall file with the Secretary of the Treasury, not later than November 15, 2007, a statement concerning the Bonds containing the information required by Section 149(e) of the Code.

5.06. "Qualified Tax-Exempt Obligations." Pursuant to Section 265(b)(3)(B)(ii) of the Code, the County hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The County has not designated any obligations in 2007 other than the Bonds under Section 265(b)(3). The County hereby represents that it does

not anticipate that obligations bearing interest not includable in gross income for purposes of federal income taxation under Section 103 of the Code (including refunding obligations as provided in Section 265(b)(3) of the Code and including "qualified 501(c)(3) bonds" but excluding other "private activity bonds," as defined in Sections 141(a) and 145(a) of the Code) will be issued by or on behalf of the County and all "subordinate entities" of the County in 2007 in an amount greater than \$10,000,000.

Section 6. Authentication of Transcript. The officers of the County are hereby authorized and directed to furnish to the Purchaser and to bond counsel certified copies of all proceedings relating to the issuance of the Bonds and such other certificates and affidavits as may be required to show the right, power and authority of the County to issue the Bonds, and all statements contained in and shown by such instruments, including any heretofore furnished, shall constitute representations of the County as to the truth of the statements purported to be shown thereby.

Section 7. Discharge.

7.01. General. When the liability of the County on all Bonds issued under and secured by this resolution has been discharged as provided in this Section 7, all pledges, covenants and other rights granted by this resolution to the owners of such obligations shall cease.

7.02. Payment. The County may discharge its liability with reference to any Bond or installment of interest thereon which is due on any date by on or before that date depositing with the Registrar funds sufficient, or, if a County officer is the Registrar, mailing to the registered owner of such Bond a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full; or if any Bond or installment of interest thereon shall not be paid when due, the County may nevertheless discharge its liability with reference thereto by depositing with the Registrar funds sufficient, or, if a County officer is the Registrar, by mailing to the registered owner thereof a check or draft in a sum sufficient and providing proceeds available, for the payment thereof in full with interest accrued to the date of such deposit or mailing.

7.03. Prepayment. The County may also discharge its obligations with respect to any Bonds called for redemption on any date when they are prepayable according to their terms, by on or before that date depositing with the Registrar funds sufficient, or, if a County officer is the Registrar, mailing to the registered owner of such Bond a check or a draft in a sum sufficient and providing proceeds available, for the payment of the principal, interest and redemption premium, if any, which are then due; provided that notice of such redemption has been duly given as provided herein or irrevocably provided for.

7.04. Escrow. The County may also at any time discharge its liability in its entirety with reference to the Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without reinvestment, to provide funds sufficient to pay all principal and interest to become due on all Bonds on or before maturity or, if any Bond has been duly called for

redemption or notice of such redemption has been irrevocably provided for, on or before the designated redemption date.

Section 8. Continuing Disclosure.

(a) Purpose and Beneficiaries. Although the original purchaser and other participating underwriters in the primary offering of the Bonds need not comply with amendments to Rule 15c2-12 promulgated by the Securities and Exchange Commission (the "SEC") under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12), relating to continuing disclosure (as in effect and interpreted from time to time, the "Rule"), in respect of the primary offering of the

Bonds, because the aggregate principal amount of the Bonds and any other securities required to be integrated with the Bonds is less than \$1,000,000, to enhance the marketability of the Bonds, the County nevertheless hereby makes the following covenants and agreements for the benefit of the Owners (as hereinafter defined) from time to time of the Outstanding Bonds. The County is the only "obligated person" in respect of the Bonds within the meaning of the Rule for purposes of identifying the entities in respect of which continuing disclosure must be made.

If the County fails to comply with any provisions of this Section 8, any person aggrieved thereby, including the Owners of any Outstanding Bonds, may take whatever action at law or in equity may appear necessary or appropriate to enforce performance and observance of any agreement or covenant contained in this Section 8, including an action for a writ of mandamus or specific performance. Direct, indirect, consequential and punitive damages shall not be recoverable for any default hereunder. Notwithstanding anything to the contrary contained herein, in no event shall a default under this Section 8 constitute a default under the Bonds or under any other provision of this resolution.

As used in this Section 8, "Owner" or "Bondowner" means, in respect of a Bond, the registered owner or owners thereof appearing in the bond register maintained by the Registrar or any "Beneficial Owner" (as hereinafter defined) thereof, if such Beneficial Owner provides to the Registrar evidence of such beneficial ownership in form and substance reasonably satisfactory to the Registrar. As used herein, "Beneficial Owner" means, in respect of a Bond, any person or entity which (i) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, such Bond (including persons or entities holding Bonds through nominees, depositories or other intermediaries), or (ii) is treated as the owner of the Bond for federal income tax purposes.

**(b) Information to be Disclosed.** The County will provide, either directly or indirectly through an agent designated by the District, the following information at the following times in an appropriate manner:

(1) At least annually to the state information depository then designated or operated by the State of Montana (the "State Depository"), if any, or, if no State Depository then exists, to any person or entity upon request, the information (the "Disclosure Information") of the type described below, which information may be unaudited and which, for financial statement information, shall be for the most recent fiscal year of the County (if in response to a request, the most recent fiscal year ending not less than 270 days before the date of the request), and, for

other such information, the information most recently compiled by the County on a customary basis and publicly available under applicable data privacy or other laws:

(A) the audited financial statements of the County for such fiscal year, containing balance sheets as of the end of such fiscal year and a statement of operations, changes in fund balances and cash flows for the fiscal year then ended, showing in comparative form such figures for the preceding fiscal year of the County, prepared in accordance with generally accepted accounting principles promulgated by the Financial Accounting Standards Board as modified in accordance with the governmental accounting standards promulgated by the Governmental Accounting Standards Board or as otherwise provided under Montana law, as in effect from time to time, or, if and to the extent such financial statements have not been prepared in accordance with such generally accepted accounting principles for reasons beyond the reasonable control of the County, noting the discrepancies therefrom and the effect thereof, and certified as to accuracy and completeness in all material respects by the fiscal officer of the County; and

(B) To the extent not included in the financial statements referred to in paragraph (A) hereof, the information for such fiscal year or for the period most recently available of the type set forth below, which information may be unaudited, but is to be certified as to accuracy and completeness in all material respects by the County's financial officer to the best of his or her knowledge, which certification may be based on the reliability of information obtained from governmental or other third party sources:

(1) updated information for the then most recent completed fiscal year concerning the Revolving Fund Cash Balance and outstanding Bonds secured thereby similar to the format shown in the Official Statement, dated June 5, 2007;

(2) a description of any special improvement district bonds issued during the fiscal year;

(3) updated information for the then most recent completed fiscal year concerning special improvement district assessment billings and collections;

(4) updated information for the then most recent completed fiscal year concerning a Statement of Changes in Fund Balance of the Revolving Fund; and

(5) the market and taxable valuations of the County for the then current fiscal year; and

(6) tax collection information for the then most recent completed fiscal year in format similar to the table in the section captioned "Tax Collections" in the Official Statement.

The County Commissioners are hereby designated as the proper recipient of requests for Disclosure Information.

Any or all of the Disclosure Information may be incorporated by reference, if it is updated as required hereby, from other documents, including official statements, which

have been submitted to each of the repositories hereinafter referred to under subsection (b) or the SEC. If the document incorporated by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The County shall clearly identify in the Disclosure Information each document so incorporated by reference.

If any part of the Disclosure Information can no longer be generated because the operations of the County have materially changed or been discontinued, such Disclosure Information need no longer be provided if the County includes in the Disclosure Information a statement to such effect; provided, however, if such operations have been replaced by other County operations in respect of which data is not included in the Disclosure Information and the County determines that certain specified data regarding such replacement operations would be a Material Fact (as defined in paragraph (2) hereof), then, from and after such determination, the Disclosure Information shall include such additional specified data regarding the replacement operations.

If the Disclosure Information is changed or this Section 8 is amended as permitted by paragraph (b)(1), then the County shall include in the next Disclosure Information to be delivered hereunder, to the extent necessary, an explanation of the reasons for the amendment and the effect of any change in the type of financial information or operating data provided.

Such explanation shall include any change in the accounting principles pursuant to which the financial statements constituting a portion of the Disclosure Information or the audited financial statements, if any, furnished pursuant to subsection (b)(2) or (3) are prepared.

(2) In a timely manner, to the Municipal Securities Rulemaking Board and to the State Depository, if any, notice of the occurrence of any of the following events which is a Material Fact (as hereinafter defined):

- A. Principal and interest payment delinquencies;
- B. Non-payment related defaults;
- C. Unscheduled draws on debt service reserves reflecting financial difficulties;
- D. Unscheduled draws on credit enhancements reflecting financial difficulties;
- E. Substitution of credit or liquidity providers, or their failure to perform;
- F. Adverse tax opinions or events affecting the tax-exempt status of the security;
- G. Modifications to rights of security holders;
- H. Bond calls;
- I. Defeasances;
- J. Release, substitution, or sale of property securing repayment of the securities; and
- K. Rating changes.

As used herein, a "Material Fact" is a fact as to which a substantial likelihood exists that a reasonably prudent investor would attach importance thereto in deciding to buy, hold or sell a Bond or, if not disclosed, would significantly alter the total information otherwise available to an investor from the Official Statement, information disclosed hereunder or information generally available to the public. Notwithstanding the foregoing sentence, a "Material Fact" is also an event that would be deemed "material" for purposes of the purchase, holding or sale of a Bond within the meaning of applicable federal securities laws, as interpreted at the time of discovery of the occurrence of the event.

(3) In a timely manner, to the Municipal Securities Rulemaking Board and to the State Depository, if any, notice of the occurrence of any of the following events or conditions:

- A. the failure of the County to provide the Disclosure Information required under paragraph (b)(1) at the time specified thereunder;
- B. the amendment or supplementing of this Section 8 pursuant to subsection (d), together with a copy of such amendment or supplement and any explanation provided by the County under subsection (d)(2);
- C. the termination of the obligations of the County under this Section 8 pursuant to subsection (d); and
- D. any change in the fiscal year of the County.

(c) Term; Amendments; Interpretation.

(1) The covenants of the County in this Section 8 shall remain in effect so long as any Bonds are Outstanding.

(2) This Section 8 (and the form and requirements of the Disclosure Information) may be amended or supplemented by the County from time to time, without notice to (except as provided in paragraph (c)(3) hereof) or the consent of the Owners of any Bonds, by a resolution of this Council filed in the office of the recording officer of the County accompanied by an opinion of Bond Counsel, who may rely on certificates of the County and others and the opinion may be subject to customary qualifications, to the effect that such amendment or supplement (A) is made in connection with a change in circumstances that arises from a change in law or regulation or a change in the identity, nature or status of the County or the type of operations conducted by the County, or (B) is required by, or better complies with, the provisions of paragraph (b)(5) of the Rule, assuming that such provisions apply to the Bonds.

If the Disclosure Information is so amended, the County agrees to provide, contemporaneously with the effectiveness of such amendment, an explanation of the reasons for the amendment and the effect, if any, of the change in the type of financial information or operating data being provided hereunder.

(3) This Section 8 is entered into as a continuing disclosure undertaking to provide continuing disclosure identical to that required by the continuing disclosure provisions of the Rule and should be construed so the undertaking would satisfy the requirements of paragraph (b)(5) of the Rule, assuming it was otherwise applicable to the Bonds.

#### Section 9. Repeals and Effective Date.

9.01. Repeal. All provisions of other resolutions and other actions and proceedings of the County and this Board that are in any way inconsistent with the terms and provisions of this resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this resolution.

9.02. Effective Date. This resolution shall take effect immediately upon its passage and adoption by this Board.

PASSED by the Board of County Commissioners of Flathead County, Montana, this 12th day of June, 2007.

By/s/Joseph D. Brenneman

Joseph D. Brenneman, Chairman

ATTEST: Paula Robinson, Clerk

By/s/Diana Kile

Diana Kile, Deputy

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

AND NO/1 00 DOLLARS

FOR VALUE RECEIVED, Flathead County, Montana, will pay to the registered owner identified above, or registered assigns, on the maturity date specified above the principal amount specified above, solely from the revenues hereinafter specified, as authorized by Resolution No. 2048B adopted June 12, 2007 (the "Resolution"), all subject to the provisions hereinafter described relating to the redemption of this Bond before maturity. This Bond bears interest at the rate per annum specified above from the date of registration of this Bond, as expressed herein, or from such later date to which interest hereon has been paid or duly provided for, until the maturity date specified above or an earlier date on which this Bond shall have been duly called for redemption by the County Clerk and Recorder. Interest on this Bond is payable semiannually, commencing January 1, 2008, on the first day of January and the first day of July in each year, to the owner of record of this Bond appearing as such in the bond register as of the close of business on the 15th day (whether or not such is a business day) of the immediately preceding month. Interest on and, upon presentation and surrender hereof at the principal office of the bond registrar and paying agent hereinafter named, the principal of this Bond are payable by check or draft of U.S. Bank National Association, of Seattle, Washington, as bond registrar and paying agent, at its operations center in St. Paul, Minnesota, or its successor designated under the Resolution (the "Registrar"). The principal of and interest on this Bond are payable in lawful money of the United States of America.

This Bond is one of an issue in the aggregate principal amount of \$508,000 (the "Bonds"), all of like date of original issue and tenor, except as to serial number, denomination, date, interest rate, maturity date and redemption privilege. The Bonds are issued pursuant to and in full conformity with the Constitution and laws of the State of Montana thereunto enabling, including Montana Code Annotated, Title 7, Chapter 12, Part 21, as amended, and ordinances and resolutions duly adopted by the governing body of the City, including the Resolution, to finance the costs of certain local improvements (the "Improvements") for the special benefit of property located in the following Rural Special Improvement Districts of the County: Rural Special Improvement District Nos. 139, 140, and 141 (collectively, the "Districts"). The Bonds are issuable only as fully registered bonds of single maturities in denominations of \$5,000 or any integral multiple thereof.

This Bond is payable from the collection of a special tax or assessment levied upon all assessable real property within the boundaries of the Districts, in an aggregate principal amount of not less than \$[174,473] for Rural Special Improvement District No. 139, \$[152,729] for Rural Special Improvement District No. 140, and \$[180,639] for Rural Special Improvement District No. 141, except as such amounts may be reduced or increased in accordance with provisions of Montana law. Such assessments constitute a lien against the assessable real estate within the Districts, and the Bonds are not general obligations of the County. The County has established in the District Account for RSID No. 141, and funded with certain proceeds of the Bonds, a District Reserve Subaccount (the "RSID No. 141 Reserve Subaccount"), from which moneys are to be applied to pay principal of and interest on the Bonds in the event collections of special assessments from RSID No. 141 are insufficient therefor. There is no obligation for the County to replenish the RSID No. 141 Reserve Subaccount if funds are withdrawn therefrom.

The County has also validly established a Rural Special Improvement District Revolving Fund (the "Revolving Fund") to secure the payment of certain of its rural special improvement district bonds, including the Bonds. The County has also agreed, to the extent permitted by the Act, to issue orders annually authorizing loans or advances from the Revolving Fund to the Pooled Rural Special Improvement District Sinking Fund of the County established for RSID Nos. 139, 140, and 141 (in which the district account for each of the rural special improvement districts described in the title hereof constitutes an account) (the "Sinking Fund"), in amounts sufficient to make good any deficiency in the Sinking Fund to pay principal of or interest on the Bonds after depletion in respect of RSID No. 141 of the RSID No. 141 Reserve Subaccount, to the extent that funds are available in the Revolving Fund, and to provide funds for the Revolving Fund by annually making a tax levy or loan from its general fund in an amount sufficient for that purpose, subject to the limitation that no such tax levy or loan may in any year cause the balance in the Revolving Fund to exceed five percent of the principal amount of the County's then outstanding rural special improvement district bonds secured thereby and the durational limitations specified in the Act. Thus, while any property tax levy to be made by the County to provide funds for the Revolving Fund is subject to levy limits under current law, the County has agreed in the Resolution to levy property taxes to provide funds for the Revolving Fund to the extent described in this paragraph and, if necessary, to reduce other property tax levies correspondingly to meet applicable levy limits.

The Bonds are subject to mandatory redemption in order of stated maturities and within a stated maturity in \$5,000 principal amounts selected by lot or other manner deemed fair by the Registrar on any interest payment date if, after paying all principal and interest then due on the Bonds, there are funds to the credit of the Sinking Fund, from the prepayment of assessments levied in the District or from surplus proceeds of the Bonds not required to pay costs of the Improvements, for the redemption thereof, and in the manner provided for the redemption of the same. The Bonds maturing on and after July 1, 2013 are subject to redemption at the option of the County from sources of funds available therefor other than those noted in the previous sentence, including, without limitation, from the proceeds of refunding rural special improvement district bonds or warrants, on July 1, 2012 and any date thereafter. The redemption price is equal to the principal amount of the Bonds or portions thereof to be redeemed plus interest accrued thereon to the date of redemption, without premium. The date of redemption shall be fixed by the County Clerk and Recorder, who shall give notice thereof to the Registrar in sufficient time for the Registrar to give notice, by first class mail, postage prepaid, or by other means required by the securities depository, to the owner or owners of such Bonds at their addresses shown on the bond register, of the Bonds or portions thereof to be redeemed and the date on which payment will be made, which date shall not be less than thirty (30) days after the date of mailing of notice, on which date so fixed interest shall cease. On the date so fixed interest on the Bonds or portions thereof so redeemed shall cease to accrue. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

The Bonds have been designated by the County as "qualified tax-exempt obligations" pursuant to Section 265 of the Internal Revenue Code of 1986, as amended.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the County at the principal office of the Registrar, by the registered owner hereof in person or by his attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or his attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange, the County will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The County and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the County nor the Registrar shall be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all things required to be done precedent to the issuance of this Bond have been properly done, happened and been performed in the manner prescribed by the laws of the State of Montana and the resolutions and ordinances of Flathead County, Montana, relating to the issuance thereof; and that the opinion attached hereto is a true copy of the legal opinion given by Bond Counsel with reference to the Bonds, dated the date of original issuance and delivery of the Bonds.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication herein shall have been executed by the Registrar by the manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, Flathead County, Montana, by its Board of County Commissioners, has caused this Bond and the certificate on the reverse hereof to be executed by the facsimile signatures of the Chair of the Board of County Commissioners, the County Clerk and Recorder and the County Treasurer, and by a facsimile of the official seal of the County.

(Facsimile  
Chair, Board of County Commissioners

Signature)

(Facsimile  
County Clerk and Recorder

Signature)

(Facsimile Seal)  
County Treasurer

Commissioner Lauman made a **motion** to approve the agreement with Dorsey & Whitney and authorized the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### **BUDGET MEETING: TREASURER**

[11:25:12 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Director Treasurer Adele Krantz, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Treasurer's Office.

#### **BUDGET MEETING: OES**

This meeting was postponed.

#### **BUDGET MEETING: SUPT OF SCHOOLS**

[11:35:55 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Supt of Schools Marcia Sheffels, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Supt. of Schools.

**4:00 p.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 June 13, 2007.

\*\*\*\*\*

### WEDNESDAY, JUNE 13, 2007

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

**7:30 a.m. Commissioners to FVCC Economic Development Roundtable in Rm. 111 @ Occupational Trades Bldg, FVCC Campus**  
**9:15 a.m. Commissioner Lauman to RSVP Board meeting @ Heritage Way**  
**11:00 a.m. County Attorney meeting @ Co. Atty's Office**  
**4:00 p.m. Commissioner Lauman to Glacier Performing Arts Center meeting @ First Interstate Bank**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 14, 2007.

\*\*\*\*\*

### THURSDAY, JUNE 14, 2007

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

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

#### **DOCUMENT FOR SIGNATURE: DEQ CONTRACT #50625/ HEALTH DEPT**

[9:29:42 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

Commissioner Hall made a **motion** to approve DEQ contract #50625 and authorized the Chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried by quorum.

#### **CONSIDERATION OF TUITION REIMBURSEMENT: VAN LUVEN**

[9:31:33 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, H R Director Raeann Campbell, Clerk Diana Kile

Commissioner Hall made a **motion** to approve tuition reimbursement for VanLuven. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried by quorum.

#### **TAKE ACTION: BOON ROAD SUBDIVISION**

[9:33:12 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

Commissioner Hall read into the record that Boon Road Subdivision is a dead file with preliminary plat deadline expired.

**DOCUMENT FOR SIGNATURE: MT NOXIOUS WEED TRUST FUND GRANT APPLICATION/ WEED & PARKS**

[9:33:50 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

Commissioner Hall made a **motion** to approve the document for signature and authorized the Chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried by quorum.

**CONSIDERATION OF RELEASE OF COLLATERAL: CRYSTAL CREEK SUBDIVISION**

[9:35:56 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Clerk Diana Kile

Discussion was held relative to the release of collateral for Crystal Creek Subdivision.

Commissioner Hall made a **motion** to table the consideration of release of collateral for Crystal Creek Subdivision until a clearly worded letter is provided from APEX that states all the work has been finished. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried by quorum.

**TAX REFUND: ROSEND AHL**

[9:40:47 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Clerk Diana Kile

Discussion was held relative to a tax refund for Rosendahl due to being overcharged.

Commissioner Hall made a **motion** to approve the tax refund for Rosendahl. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried by quorum.

**TAX REFUND: GROSS**

[9:41:53 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall

Members absent:

Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Clerk Diana Kile

Commissioner Hall made a **motion** to deny the tax refund request for Gross and refer it back to Solid Waste. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried by quorum.

**BUDGET MEETING: 4-H OFFICE**

[9:50:21 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, 4-H Director Karole Sommerfield, Wesley Gwaltney, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the 4-H Office.

**BUDGET MEETING: RSVP**

[10:01:54 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, AOA Director Jim Atkinson, RSVP Bobbie Kelly, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for RSVP.

**BUDGET MEETING: HUMAN RESOURCE OFFICE**

[10:13:02 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, H R Director Raeann Campbell, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for Human Resource's.

**BUDGET MEETING: ROAD DEPT**

[10:33:42 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Interim Road Department Superintendent Guy Foy, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Road Department.

**BUDGET MEETING: AOA**

[11:05:35 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, AOA Director Jim Atkinson, Wes Hulla, Eagle Transit Cheryl Talley, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for AOA.

**BUDGET MEETING: DISTRICT COURT**

[11:20:39 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, District Court Bonnie Olson, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for District Court.

**BUDGET MEETING: LIBRARY**

[11:37:45 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Finance Director Laurel Raymond, Library Director Kim Crowley, Karen Marr, Clerk Diana Kile

Discussion was held relative to the 2007-2008 budget for the Flathead County Library.

**DOCUMENT FOR SIGNATURE: USDA HOUSING PRESERVATION GRANT/ N.W. MT HUMAN RESOURCES**

11:51:12 AM

Members present:

Chairman Joseph D. Brenneman  
Commissioner Gary D. Hall  
Commissioner Dale W. Lauman

Others present:

Assistant Michael Pence, Lil Dupree, Clerk Diana Kile

Lil Dupree reported that the likelihood of them getting the USDA Housing Preservation Grant for N.W. Montana Human Resources is slim; although they did receive it this last year.

Commissioner Hall made a **motion** to approve Resolution #2059 for a USDA housing grant for N. W. Montana Human Resources. Commissioner Lauman **seconded** the motion. **Aye** – Brenneman, Hall and Lauman. Motion carried unanimously.

RESOLUTION NO. 2059

A RESOLUTION TO AUTHORIZE SUBMISSION OF APPLICATION  
for  
A USDA RURAL DEVELOPMENT GRANT FOR USE IN FLATHEAD COUNTY

WHEREAS, the Northwest Montana Human Resources certifies that it has disclosed all forms of governmental assistance requested for this project in the Sources of Funds Statement, and, if additional governmental assistance is sought in the future, that USDA Rural Development shall be notified promptly;

WHEREAS, if selected for funding, Northwest Montana Human Resources agrees to comply with the USDA Rural Development requirements, regulations, statutes, terms and conditions described in the USDA instructions in PART 1944 subpart N "Housing Preservations Grants;"

WHEREAS, the Flathead County Commissioners are authorized to welcome Northwest Montana Human Resources with the USDA Rural Development Housing Preservation Grant into Flathead County; and

WHEREAS, the Flathead County Commissioners certify that the Housing Preservation Grant program will be beneficial and will not duplicate any programs currently in existence in Flathead County.

NOW, THEREFORE, the Board of Commissioners hereby resolves to authorize and welcome Northwest Montana Human Resources and USDA Rural Development Housing Preservation Grant into Flathead County for the purpose of rehabilitating existing housing that is owned by lower income residents in Flathead County.

DATED this 14<sup>th</sup> day of June, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

By: /s/Joseph D. Brenneman  
Joseph D. Brenneman, Chairman

By: /s/Gary D. Hall  
Gary D. Hall, Member

By: /s/Dale W. Lauman  
Dale W. Lauman, Member

ATTEST:  
Paula Robinson, Clerk

By: /s/Diana Kile  
Diana Kile, Deputy

**12:00 p.m. Commissioner Brenneman to Bigfork Steering Committee Public Forum @ Bethany Lutheran Church**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 15, 2007.

\*\*\*\*\*

**FRIDAY, JUNE 15, 2007**

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

**8:30 a.m. Commissioner Lauman to Audit Committee meeting @ Commissioners' Meeting Room**  
**9:30 a.m. Commissioner Lauman to Mental Health Council & CDC meeting @ CDC Office, Kalispell**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on June 16, 2007.

\*\*\*\*\*