

\*\*\*\*\*

## MONDAY, SEPTEMBER 10, 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.

### NO MEETINGS SCHEDULED

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 11, 2007.

\*\*\*\*\*

## TUESDAY, SEPTEMBER 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.

Mark A. Gluth, 1068 McMannamy Draw, questioned who was responsible for taking the initiative on clearing up right-of-way issues on county roads. He then presented documents to the Commission that show that Flathead County took the initiative to clear up a right-of-way issue on Coverdale Road. He then said that Guy Foy was questioned about the right-of-way issue on McMannamy Draw, in which he responded by saying that the residents have not taken it upon themselves to correct the right-of-way issues and that is one of the reasons that nothing is being done there.

Chairman Brenneman responded by saying that the responsibility of clarification on right-of-ways vary. He then said that he felt like what Guy Foy was referring to, is that if we have property owners who aren't willing to cooperate with trying to get the right-of-way straightened out, that it pretty much ends the project with the county not having the money to buy right-of-ways.

Mark A. Gluth then asked how the residents would go about clarifying the right-of-way if they need to have it done.

Chairman Brenneman then said they would need to get the road surveyed. He then added if the county had available resources they would do it, but they currently have issues with state lands where they are under legislative mandate to get right-of-ways straightened out by 2011.

Commissioner Lauman clarified that these are roads that the county has on state lands that are documented right-of-ways.

Mark A. Gluth then asked for clarification on the PILT fund, which is payment in lieu of timber tax dollars. Gluth said that he wants to know who it is allocated to.

Mike Pence then said that the Road Department gets \$500,000.00 a year from PILT and \$900,000.00 a year from Secure Rural Schools with them getting a total of 1.4 million. Pence then added that half of the funding for the Road Department comes from property taxes and state funding.

Mark A. Gluth questioned the 6.2 million in the Road Departments budget that states 6 million is already allocated. He then asked why we were only allocated enough money to pave .3 miles of roads next year, when we are under the state "Clean Air Act".

Chairman Brenneman said that the county is optimistic that the dust issue will be resolved through administrative order. He then clarified that an administrative order is an agreement between two governmental agencies; the administrative part means that they are the people that are the enforcement and are saying that we will agree that this is how we are going to resolve this issue.

Mike Pence said that the agreement is still in the process of negotiations with DEQ.

Mark A. Gluth then said that he read the article and that it appeared to be very empty to him.

Mike Pence said that there is dust all over the state and that DEQ's main expectation is for reasonable precaution. He then added it would be nice if they didn't have to send enforcement to enforce speed limits and that the county is doing what they reasonably can do. He then spoke about continuing to encourage citizens to do their part and by establishing a road committee they hope to find ways to make improvements and do things better.

Mark A. Gluth then questioned what the accurate figure of gravel roads is; if it is 400 or 700. He then said that the total sum of miles for gravel roads that is being complained about that Larry Alheim has is approximately 33 miles, and that only includes those on the list. He then added that it is not necessary to pave all 400 to 700 miles of gravel roads in Flathead County. Gluth said that they have oiled their road 3 times this year and that the oil is not standing up to all the traffic that is on the road.

Chairman Brenneman then said that you have come before the Commission before and have told us that we need to develop a criteria of standards to follows in regards to which roads to pave; in which I agreed with you, and now you are asking that we pave roads based upon who complains the most.

Mark A. Gluth then said that if the list was checked that the roads that are being complained about the most, are the ones that fill the criteria of being the most traveled.

Commissioner Hall then said that to pave 30 miles would be approximately 7 to 8 million dollars if no road base build up is required. He then said if they understood the budget and what they deal with in the county that they would not be asking this question. Hall then added that the Forest Service receipts use to be approximately 4 million dollars, with  $\frac{3}{4}$  of that going to the Road Department.

Noel Gorton, 578 Creston Road, said that she measured Creston Road and that it varies from 22 feet to not finding a place where it measures 24 feet. She then asked if they would consider reducing the speed limit on Creston Road to 25 MPH. She then questioned the amount of money in the enterprise fund that is referred to in the county budget.

Mike Pence then responded that there is not an enterprise fund for the Road Department, and that the enterprise fund she is referring to is for Solid Waste.

Noel Gorton then said that the road count determining what is to get paved or graded is very misleading. She then added that when she looks at what was overlayed and chip sealed this year; with River Bend Drive in West Glacier being overlayed, she questioned what the count on River Bend Drive is vs. McMannamy Draw, Mennonite Church Road or Vonderheide Lane. Gorton also questioned the title of Guy Foy in the Road Department.

Chairman Brenneman advised Noel Gorton to put her requests in writing.

Commissioner Hall stated that not all overlays are done based on road counts, that they are based on saving the road.

Tom Gorton, 589 Creston Road, questioned who determines which roads would be overlayed.

Mike Pence added that the Road Department employee's determine which roads are overlayed, and that they base it on spring break-up and determine from there which ones are in the worse condition. Pence also stated that the Road Advisory Committee will be looking at how this is being done. He then said that when the transportation plan is done this year that part of the process will be to put together a plan where engineers are involved.

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

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

This meeting was not held.

#### **MONTHLY MEETING W/ LAURIE REBUCK, JUVENILE DETENTION CENTER**

[9:38:56 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Rebuck reported her concern in regards to possibly going over budget and with the court system in regards to youth court. She then added that the work on the heating system has started.

#### **2<sup>ND</sup> READING OF SPEED LIMIT ORDINANCE NO. 7/ MISCELLANEOUS ROADS**

[10:00:39 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Jim Mohn, Noel Gorton, Clerk Kile

Jim Mohn reported that he has done speed studies on certain roads in regards to speed limit changes.

Commissioner Lauman made a **motion** to approve the Speed Limit Ordinance #7 and authorized the Chairman to sign. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### **ORDINANCE NO. 7**

##### **Speed Limits**

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

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

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

##### **Section One: Speed Limits on Named Roadways**

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

##### **Fifteen (15) miles per hour:**

Bridge Street from Old Bridge Street to Electric Avenue.

Caroline Point Road for 50 feet on each side of the boat shop.

FFA Drive for its entire length.

North Street for school zone only.

Old River Bridge Road for school zone only.

Sager Lane for its entire length.

**Twenty Five (25) miles per hour:**

10<sup>th</sup> Avenue WN for its entire length.

11<sup>th</sup> Avenue WN for its entire length.

12<sup>th</sup> Street EN for its entire length.

12<sup>th</sup> Avenue WN for its entire length.

13<sup>th</sup> Street W (behind JW Church) for its entire length.

13<sup>th</sup> Street EN for its entire length.

14<sup>th</sup> Street EN for its entire length.

15<sup>th</sup> Street E for its entire length.

15<sup>th</sup> Street EN for its entire length.

16<sup>th</sup> Street E for its entire length.

1<sup>st</sup> Avenue for its entire length.

1<sup>st</sup> Avenue North for its entire length.

1<sup>st</sup> Avenue South for its entire length.

1<sup>st</sup> Avenue W for its entire length.

1<sup>st</sup> Street for its entire length.

1<sup>st</sup> Street E for its entire length.

1<sup>st</sup> Street SE for its entire length.

1<sup>st</sup> Street SW for its entire length.

1<sup>st</sup> Street W for its entire length.

1<sup>st</sup> Street WN for its entire length.

1<sup>st</sup> Street WN (east end) for its entire length.

2<sup>nd</sup> Avenue for its entire length.

2<sup>nd</sup> Avenue North for its entire length.

2<sup>nd</sup> Avenue South for its entire length.

2<sup>nd</sup> Avenue WN for its entire length.

2<sup>nd</sup> Street for its entire length.

2<sup>nd</sup> Street E for its entire length.

2<sup>nd</sup> Street W for its entire length.

2<sup>nd</sup> Street WN for its entire length.

35 Approach (Grand) for its entire length.

3<sup>Rd</sup> Avenue for its entire length.

3<sup>Rd</sup> Avenue South for its entire length.

3<sup>Rd</sup> Street for its entire length.

3<sup>Rd</sup> Street W for its entire length.

3<sup>Rd</sup> Street WN for its entire length.

4<sup>th</sup> Avenue South for its entire length.

4<sup>th</sup> Street for its entire length.

4<sup>th</sup> Street EN for its entire length.

4<sup>th</sup> Street WN for its entire length.

5<sup>th</sup> Street for its entire length.

5<sup>th</sup> Street W for its entire length.

6<sup>th</sup> Street for its entire length.

6<sup>th</sup> Street W for its entire length.  
7<sup>th</sup> Street for its entire length.  
7<sup>th</sup> Street W for its entire length.  
8<sup>th</sup> Avenue EN for its entire length.  
8<sup>th</sup> Street W for its entire length.  
9<sup>th</sup> Avenue WN for its entire length.  
9<sup>th</sup> Street W for its entire length.  
Adams Street except the school zone.  
Alpha Road for its entire length.  
Alpine Drive for its entire length.  
Alpine Lane for its entire length.  
Alpine Village Drive for its entire length.  
Alpinglow Avenue for its entire length.  
Antelope Trail for its entire length.  
Appletree Circle for its entire length.  
Arbour Drive East for its entire length.  
Arbour Drive West for its entire length.  
Armory Road from East 2<sup>nd</sup> Street to East end of Armory property.  
Ash Road for its entire length.  
Ashley Drive for its entire length.  
Aspen Lane for its entire length.  
Auction Road from its intersection with US Highway 93 to its intersection with Fir Terrace.  
Bailey Drive for its entire length.  
Bass Avenue for its entire length.  
Bass Lake Court for its entire length.  
Bass Lake Drive for its entire length.  
Battle Hollow for its entire length.  
Bauman Lane for its entire length.  
Bay Drive for its entire length.  
Beach Road for its entire length.  
Bear Street for its entire length.  
Bear Trail for its entire length.  
Beaver Lake Road for its entire length.  
Bernard Road for its entire length.  
Best Way for its entire length  
Bierney Creek Road from Highway 93 West 1.2 miles.  
Big Sky Boulevard for its entire length.  
Bills Road for its entire length.  
Birch Drive, (Evergreen) for its entire length.  
Birch Drive, (Whitefish) for its entire length.  
Birch Glen Drive for its entire length.  
Bison Drive for its entire length.  
Bitterroot Lane, from its beginning point on Bitterroot Drive for one-half (½) mile.  
Blenn Street for its entire length.  
Brass Road for its entire length.

Breezy Point Avenue for its entire length.  
Bridge Street from Old Bridge Street to Montana Highway 35.  
Brook Drive for its entire length.  
Brunner Road for its entire length.  
Burke Lane for its entire length.  
Burnell Avenue for its entire length.  
Burns Street for its entire length.  
Butterfly Lane for its entire length.  
Cahill Court for its entire length.  
Canyon Road for its entire length.  
Capra Court for its entire length.  
Cardiff Avenue for its entire length.  
Caribou Street for its entire length.  
Caroline Point Road for its entire length.  
Caroline Road for its entire length.  
Cascade Avenue for its entire length.  
Cayuse Lane for its entire length.  
Central Avenue (MC) for its entire length.  
Char Court for its entire length.  
Cherry Lynn Lane for its entire length.  
Cheviot Loop for its entire length.  
Circle Drive for its entire length.  
Clothier Lane for its entire length.  
Collier Lane for its entire length.  
Commerce Street for its entire length.  
Concord Lane for its entire length.  
Coram School Lane for its entire length.  
Cougar Drive for its entire length.  
Cougar Trail for its entire length.  
Country Way for its entire length.  
Country Way East for its entire length.  
Country Way North for its entire length.  
Craven Street for its entire length.  
Crestline Court for its entire length.  
Cynthia Drive for its entire length.  
Dairy Drive for its entire length.  
Dale Drive for its entire length.  
Dan Lake Court for its entire length.  
Dawn Drive for its entire length.  
Deer Street for its entire length.  
Deer Trail for its entire length.  
Diller Road for its entire length.  
Dirt Road for its entire length.  
Dodd Avenue for its entire length.  
Dodger Lane for its entire length.  
Dogwood Avenue for its entire length.

Donahoe Lane for its entire length.

Dorothy Street for its entire length.

Double Lake Court for its entire length.

Double Lake Drive for its entire length.

Double Lake Lane for its entire length.

Dover Drive for its entire length.

Duff Lane for its entire length.

East Cottonwood Drive for its entire length.

East Evergreen Drive for its entire length.

Eagle Drive for its entire length.

Echo Cabin Loop for its entire length.

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

Echo View Drive for its entire length.

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

Electric Avenue for its entire length.

Electric Avenue (North) for its entire length.

Elk Street for its entire length.

Elk Trail for its entire length.

Elm Avenue for its entire length.

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

Fawn Trail for its entire length.

Fehlberg Lane for its entire length.

Fir Lane for its entire length.

Flathead Road (North of 1<sup>st</sup> Avenue South) for its entire length.

Flathead Drive from US Highway 2 to Montclair Drive.

Florence Street for its entire length.

Forest Drive for its entire length.

Fox Hill Road for its entire length.

Frontage Road for its entire length.

Gamma Road for its entire length.

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

Gelande Street for its entire length.

Gilbert Lake Drive for its entire length.

Glacier Avenue for its entire length.

Goat Trail for its entire length.

Gordon Avenue for its entire length.

Grand Drive for its entire length.

Grandview Terrace for its entire length.

Granrud Lane for its entire length.

Grayling Road for its entire length.

Greenridge Drive for its entire length.

Hagerman Lane for its entire length.

Happy Hollow for its entire length.

Harbor Heights Boulevard for its entire length.

Harbin Hill Road for its entire length.

Hare Trail for its entire length.

Harmony Road for its entire length.

Hartt Hill Drive for its entire length.

Haskill Drive for its entire length.

Haven Court for its entire length.

Haven Drive for its entire length.

Haywire Gulch from Smith Lake Road for one-half mile.

Helena Flats Road for school zone only.

Helmer Creek for its entire length.

Highland Drive for its entire length.

Highline Boulevard for its entire length.

Hillcrest Drive for its entire length.

Holt Drive from Montana 35 to first Chapman Hill Road intersection.

Holt Stage Road from Old Steel Bridge to Homestead Road.

Homestead Road for its entire length.

Horseshoe Drive for its entire length.

Houston Drive for its entire length.

Howard Drive for its entire length.

Hughes Bay Road for its entire length.

Hungry Horse Boulevard for its entire length.

Hunter Lane for its entire length.

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

Jasper Road for its entire length.

Jellison Road .15 miles north and south of trestle.

Juanita Way for its entire length.

Judith Road for its entire length.

Juniper Drive for its entire length.

Karrow Avenue for its entire length.

Kathy Lake Lane for its entire length.

Kauffman Lane for its entire length.

Kehoe Lane for its entire length.

Kelly Road for its entire length.

Kelsey Road for its entire length.

Kila Hill for its entire length.

Kila Main Street for its entire length.

Kings Loop for its entire length.

Kings Way for its entire length.

Kirby Lane for its entire length.

Kiwanis Lane for its entire length.

Konley Drive for its entire length.

Kraft Avenue for its entire length.

Kristianna Close for its entire length.

Lake Avenue for its entire length.

Lake Blaine Road for school zone only.

Lake Blaine Road from Foothill to end of road.

Lake Drive for its entire length.

Lake Hills Court for its entire length.  
Lake Hills Drive, (Bigfork) for its entire length.  
Lake Hills Drive, (South West) for its entire length.  
Lake Loop Drive for its entire length.  
Lake Peters Court for its entire length.  
Lakeside Avenue for its entire length.  
Lakeside Boulevard for its entire length.  
Lakeside Boulevard North for its entire length.  
Lakeshore Drive from Buckboard Lane to end of Road.  
Lakeview Drive for its entire length.  
Lane Street for its entire length.  
Lawrence Lane for its entire length.  
Learn Lane for its entire length.  
Leisure Drive for its entire length.  
Lenwood Lane for its entire length.  
Lesley Avenue for its entire length.  
Lion Mountain Loop Road for its entire length.  
Lion Trail for its entire length.  
Lochness Avenue for its entire length.  
Lodgepole Drive for its entire length.  
Mabel Street for its entire length.  
Main Street for its entire length.  
Many Lakes Drive for its entire length.  
Maple Drive for its entire length.  
Margrethe Road for its entire length.  
Marjorie Street for its entire length.  
Martin Camp Road (Olney) for its entire length.  
Martin Road for its entire length.  
Maxine Drive for its entire length.  
McDermott Lane for its entire length.  
McDowell Drive for its entire length.  
Meadow Hills Drive for its entire length.  
Meadow Lake Drive for its entire length.  
Meadow Lane for its entire length.  
Meadowlark Drive for its entire length.  
Michels Slough Road for its entire length.  
Midale Road, inside Meadow Hills Subdivision. 676  
Missy Lane for its entire length.  
Middle Road for school zone only.  
Midway Drive for its entire length.  
Mill Street for its entire length.  
Mission Trail for its entire length.  
Mission Way for its entire length.  
Mission Way North for its entire length.  
Mission Way South for its entire length.  
Monroe Street for its entire length.

Montclair Drive for its entire length.

Monte Vista Drive for its entire length.

Moose Lane for its entire length.

Moose Street for its entire length.

Moose Trail for its entire length.

Mountain Avenue for its entire length.

Mountain Shadows Drive for its entire length.

Mountain View Drive for its entire length.

North Cedar Drive for its entire length.

Newbury Circle for its entire length.

Nicholson Drive for its entire length.

North Fork Road (frontage) for its entire length.

North Haven Drive for its entire length.

North Hilltop Road for its entire length.

North Juniper Bay Road for its entire length.

North Karrow Avenue for its entire length.

North Many Lakes Drive for its entire length.

North Mission Drive for its entire length.

North Riding Road for its entire length.

Northwoods Drive for its entire length.

Nucleus Avenue (South of 13<sup>th</sup> Street East) for its entire length.

Old Bridge Street for its entire length.

Old Bridge Street (South) for its entire length.

Old River Bridge Road for its entire length.

Olney Loop Road from Railroad Crossing to 93.

Oregon Lane for its entire length.

Osborne Avenue for its entire length.

Oxford Circle for its entire length.

Panoramic Drive for its entire length.

Paradise Loop for its entire length.

Park Avenue (Columbia Falls) for its entire length.

Park Avenue (Evergreen) for its entire length.

Park Drive for its entire length.

Park Street for its entire length.

Parkhill Drive for its entire length.

Parklane Drive for its entire length.

Parkview Drive for its entire length.

Parkview Way for its entire length.

Parkway Avenue for its entire length.

Parliament Drive for its entire length.

Pavilion Hill Avenue for its entire length.

Peaceful Drive for its entire length.

Peaceful Lane for its entire length.

Pheasant Drive for its entire length.

Pickleville Lane for its entire length.

Pickwick Court for its entire length.

Pikes Peak Avenue for its entire length.

Pine Street for its entire length.

Pines Boulevard for its entire length.

Pleasant Hill Drive for its entire length.

Pleasant Valley Road from US 2 to Bitterroot Drive.

Pleasant View Drive for its entire length.

Plentywood Drive for its entire length.

Plummers Lake Drive for its entire length.

Ponderosa Drive for its entire length.

Poplar Drive for its entire length.

Possum Trail for its entire length.

Potter Lane for its entire length.

Preston Drive for its entire length.

Primrose Lane for its entire length.

Ramsgate Drive for its entire length.

Ranch Road for its entire length.

Ranchetts Drive for its entire length.

Ranchetts Lane for its entire length.

Ranchetts Road for its entire length.

Redfield Lane for its entire length.

Reservoir Road for its entire length.

Rest Haven Drive for its entire length.

Ridgewood for its entire length.

River Avenue for its entire length.

River Bend Drive for its entire length.

River Drive for its entire length.

River Road (Evergreen) for its entire length.

River Street for its entire length.

Riverside Drive for its entire length.

Riverside Drive (Evergreen) for its entire length.

Rogers Lane for its entire length.

Sampson Lane for its entire length.

Scarborough Avenue for its entire length.

Scenic Drive for its entire length.

Seven Row for its entire length.

Shadow Lane for its entire length.

Shady Glen Drive for its entire length.

Sharon Road for its entire length.

Shepherd Lane for its entire length.

Siderius Lane for its entire length.

Skookum Road for its entire length.

Sleepy Hollow Road for its entire length.

Sloan Lane for its entire length.

Solberg Drive for its entire length.

Somers Road from 1 mile South of Montana Highway 83 to US Highway 93.

Somerset Drive for its entire length.  
South Cedar Drive for its entire length.  
South Fork Drive for its entire length.  
South Foys Lake Drive for its entire length.  
South Woodland Drive from Kelly Road to city limits.  
Spoon Road for its entire length.  
Spring Creek Road (Hatchery) for its entire length.  
Springdale Drive for its entire length.  
Spruce Road for its entire length.  
Stag Lane for its entire length.  
Stafford Street for its entire length.  
Steeles Drive for its entire length.  
Steven Road for its entire length.  
Stonecrest Drive for its entire length.  
Sulky Lane for its entire length.  
Summit Avenue for its entire length.  
Sunnybrook Lane for its entire length.  
Sunnyside Avenue for its entire length.  
Sunnyside Drive for its entire length.  
Sunrise Lane for its entire length.  
Sunrise Road for its entire length.  
Sunset Circle for its entire length.  
Sunset Drive (Bigfork) for its entire length.  
Sunset Drive (Evergreen) for its entire length.  
Sunset Lane for its entire length.  
Sussex Drive for its entire length.  
Swan Retreat for its entire length.  
Swede Hill Avenue for its entire length.  
Swimming Lake Court for its entire length.  
Tahoe Drive for its entire length.  
Tamarack Avenue for its entire length.  
Tamarack Drive for its entire length.  
Tamarack Terrace for its entire length.  
Tangent Road for its entire length.  
Terrace Drive for its entire length.  
Terrace Hill for its entire length.  
Terry Road for its entire length.  
Timber Lake Drive for its entire length.  
Timber Lane for its entire length.  
Timber Lane Terrace for its entire length.  
Toftum Lane from US Highway 2 615 ft.  
Trail Ridge Road for its entire length.  
Treasure Lane for its entire length.  
Trout Avenue for its entire length.  
Troutbeck Road for its entire length.

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

Twilight Circle for its entire length.

Twin Acres Drive for its entire length.

Twin Pines Drive for its entire length.

Valley Drive for its entire length.

Valley View Drive for its entire length.

Vans Avenue for its entire length.

Village Lane for its entire length.

Vitt Lane for its entire length.

Voerman Road from Monegan to city limits.

Walker Avenue for its entire length.

Watts Lane for its entire length.

Wedgewood Lane for its entire length.

Welf Lane for its entire length.

West 3<sup>Rd</sup> Street for its entire length.

West 4<sup>th</sup> Street for its entire length.

West 7<sup>th</sup> Street from Baker to South Karrow.

West Cottonwood Drive for its entire length.

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

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

West View Drive for its entire length.

Westwood Lane for its entire length.

Whipps Lane for its entire length.

Williams Lane for its entire length.

Willow Drive for its entire length.

Wilson Heights Road for its entire length.

Winchester Street for its entire length.

Winter Lane for its entire length.

Wishert Lane for its entire length.

Wulff Lane for its entire length.

Yodelin Ridge Road for its entire length.

Zimmerman Road for its entire length.

**Thirty Five (35) miles per hour:**

4<sup>th</sup> Avenue WN for its entire length.

Addison Square for entire length, except the school zone.

Aero Lane for its entire length.

Ainley Lane for its entire length.

Alder Lane for its entire length.

Amdahl Lane for its entire length.

Anderson Lane for its entire length.

Angel Point Road for its entire length.

Armory Road from Voerman to Armory property.

Ashley Lake Road (West) for its entire length.

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

Auction Road from Fir Terrace to Somers Stage.

Austin Crossroad for its entire length.

Bachelor Grade for its entire length.

Badrock Drive for its entire length.

Bald Rock Road for its entire length.

Barnes Lane for its entire length.

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

Battle Butte Road for its entire length.

Bayou Road for its entire length.

Bear Creek Road for its entire length.

Belton Stage Road for its entire length.

Berne Road for its entire length.

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

Bigfork Stage for its entire length.

Bighorn Drive for its entire length.

Birch Grove Road for its entire length.

Bitterroot Drive (South end) for the gravel portion.

Bitterroot Drive for its entire length.

Blackmer Lane for its entire length.

Blacktail Road for its entire length.

Blaine View Lane for its entire length.

Blanchard Lake Drive for its entire length.

Blanchard Lake Road for its entire length.

Blankenship Road for its entire length.

Bloomer Lane for its entire length.

Boon Road for its entire length.

Boorman Lane for its entire length.

Bowdish Road for its entire length.

Braig Road for its entire length.

Broeder Loop Road for its entire length.

Brosten Lane for its entire length.

Browns Gulch Road for its entire length.

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

Browns Road for its entire length.

Buckboard Lane for its entire length.

Bucks Lane for its entire length.

Capistrano Drive for its entire length.

Cemetery Road for its entire length.

Chapman Hill Road for its entire length.

Chubb Lane for its entire length.

Church Drive for its entire length.

Clark Drive for its entire length.

Cobbler Village for its entire length.

Coclet Lane for its entire length.

Columbia Falls Stage Road from Kelley Road to River Road.

Columbia Mountain Lane for its entire length.

Columbia Mountain Road for its entire length.

Conn Road for its entire length.

Conrad Point Road for its entire length.

Coon Hollow Road for its entire length.

Coram Stage for its entire length.

Cottage Lane for its entire length.

Coverdell Road for its entire length.

Creston Hatchery Road for its entire length.

Creston Road except for school zone only.

Daley Lane for its entire length.

Danford Lane for its entire length.

Danielson Road for its entire length.

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

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

Dehlbom Lane for its entire length.

Delrey Road for its entire length.

Demersville Road for its entire length.

Dern Draw for its entire length.

Dern Road for its entire length.

Desert Lodge Road for its entire length.

Dyer Road for its entire length.

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

East Edgewood Drive for its entire length.

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

East Second Street for its entire length.

Eastman Drive for its entire length.

Echo Lake Road for its entire length.

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

Edgewood Drive for its entire length.

Egan Road for its entire length.

Egan Slough Road for its entire length.

Eid Lane for its entire length.

El Rancho Road for its entire length.

Elk Park Road for its entire length.

Emil's Lane for its entire length.

Ezy Drive for its entire length.

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

Fairview Cemetery Road for its entire length.

Fairview Crossroad for its entire length.

Farm Road for its entire length.

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

Fern Lane for its entire length.

Ferndale Drive for its entire length.

Fir Terrace for its entire length.

Flathead Lodge Road for its entire length.

Foothill Road for its entire length.

Forest Hill Road for its entire length.

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

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

Fox Farm Road for its entire length.

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

Garland Lane for its entire length.

Gladys Glen Road for its entire length.

Good Creek Road for its entire length.

Gopher Lane for its entire length (except school zone).

Gosney Crossroad for its entire length.

Halfmoon Flats Road for its entire length.

Halfmoon Road for its entire length.

Hanging Rock Drive for its entire length.

Haskill Basin Road for its entire length.

Hathaway Lane for its entire length.

Haywire Gulch from one-half mile South of Smith Lake Road to end of the road.

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

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

Hellman Lane for its entire length.

Hoffman Draw for its entire length.

Hog Heaven Road for its entire length.

Holt Drive from Chapman Hill Road West around golf course to end of the road.

Holt Stage Road from Montana Highway 35 to Homestead Road.

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

Hubbart Dam Road for its entire length.

Idaho Hill for its entire length.

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

Jellison Lane for its entire length.

Jellison Road for its entire length except .15 miles North and South of trestle.

Jensen Road for its entire length.

JP Road for its entire length.

Kallner Lane for its entire length.

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

Kickbusch Lane for its entire length.

Kienas Road for its entire length.

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

Kinshella Road for its entire length.

KM Ranch Road for its entire length.

Kuhns Road for its entire length.

Kuzmic Lane for its entire length.

Labrant Road for its entire length.

Lake Blaine Drive for its entire length.

Lake Five Road for its entire length.

Lakeshore Drive from Foys Lake Road to Buckboard Lane.

Lauman Road for its entire length.

Lee Road for its entire length.

Lindsey Lane for its entire length.

Lone Pine Road from top of hill.

Lost Creek Drive for its entire length.

Lost Prairie Road for its entire length.

Lower Valley Road from US Highway 93 for 2.5 miles.

Lower Valley Road for the entire gravel portion.

Lupfer Road for its entire length.

Lutheran Camp Road for its entire length.

Managhan Lane for its entire length.

Manning Road for its entire length.

Marken Loop for its entire length.

Martin Camp Road for its entire length.

McCaffery Road for its entire length.

McMannamy Draw for its entire length.

Meadow Lake Boulevard for its entire length.

Middle Road from Fairview Crossroad to Sullivan Crossroad.

Mooring Road for its entire length.

Morning View Drive for its entire length.

Mountain Creek Road for its entire length.

Mountain Meadow Road for its entire length.

Mud Lake Road for its entire length.

Muddy Lane for its entire length.

Muth Lane for its entire length.

North Ashley Lake Road for its entire length.

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

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

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

North Foys Lake Drive for its entire length.

North Hill Road for its entire length.

North Ramsfield Road for its entire length.

North Somers Road for its entire length.

Obryan Lane for its entire length.

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

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

Oldenberg Road for its entire length.

Olney Loop Road from Good Creek to RR Crossing.

Passmore Lane for its entire length.

Patrick Creek Road for its entire length.

Pederson Road for its entire length.

Phanco Lane for its entire length.

Pierce Lane for its entire length.

Pine Needle Lane for its entire length.

Pioneer Road for its entire length.

Pleasant Hill Drive for its entire length.

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

Political Hill for its entire length.

Prairie View Road for its entire length.

Rabe Road for its entire length.

Ramsfield Road for its entire length.

Reimer Lane for its entire length.

River Bend for its entire length.

River Junction for its entire length.

River Road (Columbia Falls) for its entire length.

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

Robocker Lane for its entire length.

Rocky Cliff Drive for its entire length.

Rocky Lane for its entire length.

Rogers Lake Road for its entire length.

Rogers Road for its entire length.

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

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

Scenic Ridge Road for its entire length.

School Addition Road except in school zone.

Schrade Road for its entire length.

Seville Lane for its entire length.

Siblerud Lane for its entire length.

Sickler Creek Road for its entire length.

Shermann Road for its entire length.

Skyline Drive for its entire length.

Smith Lake Road for its entire length.

Snowline Lane for its entire length.

Somers Road from Montana Highway 83 South for 1 mile.

Somers Stage for its entire length.

Sonsteli Lane for its entire length.

Sonsteli Road for its entire length.

South Ashley Lake Road for its entire length.

South Fork Road for its entire length.

South Hilltop Road for its entire length.

South Many Lakes Drive for its entire length.

Spotted Bear Road for its entire length.

Spring Creek Road for its entire length.

Spring Creek Drive for its entire length.

Spring Hill Road for its entire length.

Spring Prairie Road for its entire length.

Star Meadows Road for its entire length.

State Park Road for its entire length.

Steel Bridge Road for its entire length.

Stillwater Road for its entire length.

Stoner Creek Road for its entire length.

Sullivan Crossroad for its entire length.

Sullivan Gulch Road for its entire length.  
Sunday Lane for its entire length.  
Swan Hill Drive for its entire length.  
Swan River Road for its entire length.  
Sylvan Drive for its entire length.  
Tamarack Creek Road for its entire length.  
Tamarack Lane for its entire length.  
Tavern Lane for its entire length.  
Tetrault Road for its entire length.  
Therriault Lane (West of river) for its entire length.  
Thompson River Road for its entire length.  
Three Eagle Lane for its entire length.  
Three Mile Drive west of West Springcreek Drive for its entire length.  
Trap Road for its entire length.  
Tronstad Road for its entire length.  
Truman Creek Road for its entire length.  
Trumble Creek Road for its entire length.  
Twin Bridges Road (Lodgepole-Farm-to-Market) for its entire length.  
Two Mile Drive (West of Greenbriar Court) for its entire length.  
Van Sant Road for its entire length.  
Veterans Drive, from its intersection with US Highway 2 to its intersection with Talbot Road.  
Voerman Road from Monegan east 900 ft.  
Vonderheide Lane for its entire length.  
Wagner Road for its entire length.  
Weaver Lane for its entire length.  
West Evergreen Drive for its entire length, except the school zone.  
West Springcreek Drive for its entire length.  
West Valley Drive for its entire length.  
Wagner Lane for its entire length.  
Whalebone Drive for its entire length.  
Whitefish Stage from the City Limits to Fairway Blvd.  
White Birch Lane for its entire length.  
Wiley Dike Road for its entire length.  
Winfield Lane for its entire length.  
Wishart Road for its entire length.  
Witty Lane for its entire length.  
Wolf Creek Drive for its entire length.  
Woodland Road for its entire length.  
Yoeman Hall Road for its entire length.

**Forty (40) miles per hour:**

Hodgson Road from US Highway 93 to Whitefish Stage.

**Forty Five (45) miles per hour:**

Aluminum Drive for its entire length.

Columbia Falls Stage Road from Kelley Road to Montana 35.

Dillon Road from Voerman to Montana Highway 40.

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

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

Helena Flats Road on other segments not on 35 miles per hour list or school zone.

Hodgson Road from Whitefish Stage to US Highway 2.

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

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

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

Middle Road from Sullivan Cross Road to Kelly Road except school zone.

Middle Road from Montana Highway 35 to Fairview Crossroad.

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

Rhodes Draw from Farm-to-Market to Bald Rock Road.

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

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

Voerman Road from 900 feet East of Monegan to Dillon.

Walsh Road for its entire length.

Whitefish Stage from Reserve Drive South to Fairway Blvd.

**Fifty Five (55) miles per hour:**

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

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

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

1. Deer Park School located on Middle Road.
2. Cayuse Prairie School on Lake Blaine Road.
3. Helena Flats School located on Helena Flats Road and Rose Crossing Road.
4. Pleasant Valley School located on Pleasant Valley Road.
5. Somers School located School Addition Road.
6. Marion School located on Gopher Lane.
7. Smith Valley Primary School located on Batavia Lane.
8. Smith Valley Intermediate located on Batavia Lane and Boorman Road.
9. Bissell School located on Farm-to-Market Road.
10. Montana Highway 83, for one-quarter of a mile on each side of its intersection with the Echo Lake Road. 855
11. Thirty Five miles per hour on Whitefish Stage Road from 400 feet South of the intersection of Whitefish Stage Road with Winchester Street and continuing North to a point 400 feet North of the intersection of Whitefish Stage Road with Mission Way Road, an approximate distance of 6,500 feet to be in effect during the hours of 7:30 to 8:30 a.m. and 2:00 to 4:00 p.m. on school days. During the remainder of the day, and on non-school days, the speed limit will continue to be 45 mph.
12. Twenty Five Miles per hour for 400 feet on either side of the Hawthorne Street school crosswalk on Three Mile Drive, on school days during the morning and afternoon crossing periods.
13. A speed limit of 15 mph is imposed on Adams Street West of US 93 adjacent to Lakeside Elementary School where posted and on School Addition Road adjacent to Somers Middle School where posted.

Section Three. Other County Roads.

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

Thirty Five miles per hour on all County gravel roads.

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

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

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

Section Five. Signage.

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

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

Section Six. Severability.

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

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

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

ATTEST:  
Paula Robinson, Clerk

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

By: /s/Diana Kile  
Diana Kile, Deputy

- 1. Adopted July 5, 1995
- 2. Amended September 25, 1995
- 3. Amended November 22, 1995
- 4. Amended December 20, 1995
- 5. Amended July 15, 1996
- 6. Amended September 16, 1997
- 7. Amended November 25, 1997
- 8. Amended November 19, 1998
- 9. Amended May 10, 1999
- 10. Amended December 5, 2000
- 11. Amended October 15, 2001
- 12. Amended August 12, 2003
- 13. Amended March 29, 2004
- 14. Amended November 10, 2004
- 15. Amended May 10, 2005
- 16. Amended May 24, 2005
- 17. Amended July 11, 2005
- 18. Amended April 3, 2006
- 19. Amended November 9, 2006
- 20. Amended September 11, 2007

**DOCUMENT FOR SIGNATURE: COMPREHENSIVE TRANSPORTATION STUDY/ PLANNING & ZONING OFFICE**

10:15:03 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, Clerk Kile

Commissioner Hall made a **motion** to approve the document for signature for a comprehensive Transportation Study and authorized the Chairman to sign. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

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

10:40:43 AM

Members present:

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

Others present:

Assistant Michael Pence, OES Director Mark Peck, Clerk Kile

Peck reported on the status of fires and spoke about thank you letters that had been sent to rural Fire Chief's. Further discussion was held relative to a letter that will be written to the Northern Rockies Group in regards to giving them feedback on the Arizona team. Peck also reported that a Fire Chief's meeting was recently held that was extremely positive.

Commissioner Hall stated that the comments he has gotten back from DNRC and the Forest Service have been extremely complimentary toward the Fire Chief's and OES.

Peck then reported that the annual operating budget for a consolidated 911 center is approximately 2.2 million per year. It was further added that the consolidation is not being done to cut costs; that it is being done to improve efficiencies. Discussion also included where the 911 center would be located and the equipment that will be needed for start up. He then added that the Forest Service and Fire Chief's have recommended going to Stage I Fire Restrictions.

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: DIGITAL FLOOD INSURANCE RATE MAPS TEXT AMENDMENT/ FLOODWAY & FLOODPLAIN REGULATIONS**

[11:10:00 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, Clerk Kile

Commissioner Lauman made a **motion** to authorize the publication of the Notice of Public Hearing and authorized the Chairman to sign. Commissioner Hall **seconded** the motion. Aye – Brenneman, Hall and Lauman. Motion carried unanimously.

NOTICE OF PUBLIC HEARING  
FLATHEAD COUNTY FLOODPLAIN REGULATIONS

The Board of Commissioners of Flathead County, Montana, hereby gives notice, in accordance with Section 7-1-2121, M.C.A., that the Board of Commissioners will hold a public hearing to consider a proposed revision to the Flathead County Floodplain and Floodway Management Regulations, adopted pursuant to Section 76-5-101, et seq., M.C.A.

The proposed revision to be considered would amend the Flathead County Floodplain Regulations revising the Flathead County Floodplain Regulations to incorporate the new Digital Flood Insurance Rate Maps.

Further information is available at the Office of the Clerk and Recorder, Courthouse, 800 South Main, Kalispell, Montana, telephone (406) 758-5526, or at the Flathead County Planning and Zoning Office, 1035 First Avenue West, Kalispell, Montana, telephone 751-8200.

The public hearing will be held on the 27<sup>th</sup> day of September, 2007, at 11:00 o'clock, a.m., in the Office of the Board of Commissioners of Flathead County, Courthouse, West Annex, 800 South Main, Kalispell, Montana. At the hearing the Board of Commissioners will give members of the public an opportunity to be heard regarding the proposed revision to the Flathead County Floodplain Regulations.

Dated this 11<sup>th</sup> day of September, 2007.

BOARD OF COUNTY COMMISSIONERS  
Flathead County, Montana

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

ATTEST:

Paula Robinson, Clerk and Recorder

By: /s/Diana Kile

Diana Kile, Deputy

Publish on September 15 and September 22, 2007.

**AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC HEARING: SALISH MOUNTAIN WAY, MOONDANCE TRAIL, MOOSE RIDGE LANE, EAGLE MOUNTAIN MEADOW TRAIL AND LOGGING TRAIL ROAD NAMINGS**

[11:13:00 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Hall made a **motion** to authorize the publication of the Notice of Public Hearings for road namings and authorized the Chairman to sign. 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 **SALISH MOUNTAIN WAY**.

**Road generally running easterly off Brown's Meadow Road and located in the N½ NE¼ Section 36, Township 27 N, Range 23 W, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **27<sup>th</sup> day of September, 2007, at 11:15 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 **SALISH MOUNTAIN WAY**.

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

Dated this 11<sup>th</sup> day of September, 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 September 15 and September 22, 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 **MOONDANCE TRAIL**.

**Road generally running northerly off Parkwood Lane and located in the W½SW¼ Section 36, Township 28 North, Range 20 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **27<sup>th</sup> day of September, 2007, at 11:15 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 **MOONDANCE TRAIL**.

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

Dated this 11<sup>th</sup> day of September, 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 September 15 and September 22, 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 **MOOSE RIDGE LANE**.

**Road generally running westerly off Parkwood Lane and located in the SE1/4 of Section 35, Township 28 North, Range 20 West, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **27<sup>th</sup> day of September, 2007, at 11:15 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 **MOOSE RIDGE LANE**.

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

Dated this 11<sup>th</sup> day of September, 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 September 15 and September 22, 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 **EAGLE MOUNTAIN MEADOW TRAIL**.

**Road generally running westerly and northerly off Truman Creek Rd and located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$  & the SE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 3, Township 26 N, Range 22 W, P.M.M., Flathead County, Montana.**

The public hearing will be held on the **27<sup>th</sup> day of September, 2007, at 11:15 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 **EAGLE MOUNTAIN MEADOW TRAIL**.

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

Dated this 11<sup>th</sup> day of September, 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 September 15 and September 22, 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 **LOGGING TRAIL**.

**Road generally running southeasterly off Parkwood Lane and located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35, Township 28 North, Range 20 West, and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, Township 28 North, Range 20 P.M.M., Flathead County, Montana.**

The public hearing will be held on the **27<sup>th</sup> day of September, 2007, at 11:15 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 **LOGGING TRAIL**.

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

Dated this 11<sup>th</sup> day of September, 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 September 15 and September 22, 2007.

**CONSIDERATION OF PRINTING BIDS: ELECTION DEPT**

[11:14:14 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Hall made a **motion** to award the print bid to Insty Prints for 8,000 ballot secrecy envelopes for \$540.25, 8,000 return affirmation envelopes for \$1,165.40 and 8,000 mail out envelopes for \$701.25. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**PRELIMINARY PLAT: ANGEL POINT MEADOWS SUBDIVISION**

[11:16:49 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, Rick Breckenridge, Clerk Kile

Giles reviewed the application submitted by Calvin L. and Donna L. Murphy with technical assistance from Montana Mapping for preliminary plat approval of Angel Point Meadows; a subsequent minor residential subdivision that would create three residential lots and a remainder in an unzoned portion of Lakeside on 5.21 acres. The site is located at 115 Angel Point Road and proposes the primary access to be from Angel Point Road. The application for preliminary plat approval was considered by the Lakeside Community Council on July 31, 2007, in which the council voted 4-0 in favor of recommending approval.

Discussion was held relative to the Planning Boards finding of fact #7.

Commissioner Lauman made a **motion** to adopt findings of fact for Angel Point Meadows Subdivision as amended. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Giles spoke in regard to unique condition #13 that will be corrected to Angel Point Meadows from Angel Point Road.

Commissioner Hall made a **motion** to approve Angel Point Meadows Subdivision with amended conditions. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**STANDARD CONDITIONS**

1. 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]
2. 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]
3. All storm water drainage, water and sewage treatment systems shall receive final approval from the Flathead City-County Health Department and the Montana Department of Environmental Quality. [Section 3.14(A, B &C) and 3.15(A), FCSR]
4. 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 [Section 3.12, FCSR].
5. The subdivider will obtain and show proof of completed approach permits from the Flathead County Road Department for access onto Angel Point Road.[Section 3.8(A), FCSR]
6. The applicant shall comply with reasonable fire suppression and access requirements of the Somers/Lakeside Volunteer Fire District. A letter from the fire chief stating that an agreement has been made shall be submitted with the application for Final Plat. [Section 3.20, FCSR]
7. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. The property shall be sprayed as often as needed during construction and prior to sale of lots to control noxious weeds. Weeds covering a significant portion of disturbed terrain shall be grounds for not approving final plat. [7-22-2116 MCA and Section 3.12(J), FCSR]
8. The applicant will obtain a letter from the local postmaster, indicating the applicant has met the postal service's requirements for mail delivery in accordance with the Flathead County Subdivision Regulations. [Section 3.22, FCSR]
9. The following statements shall be placed on the face of the final plat applicable to all lots:
  - a. Lots shall not be further subdivided.
  - b. All addresses will be visible from the road, and at the driveway entrance or on the house.
  - c. All utilities will be extended underground.
  - d. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
  - e. Defensible space standards and *Firewise* principles shall be incorporated around all structures.
  - f. Class A or B roofing materials are required on all structures.
  - 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.

- 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.

10. 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]
11. 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]
12. Preliminary plat approval is valid for three (3) years. [Section 2.5(D)(6), FCSR]

#### **UNIQUE CONDITIONS**

13. The applicant shall show on the face of the final plat 15-foot pedestrian/bicycle easements on all lots fronting Angel Point Road.
14. The applicant shall submit a copy of the Storm Water Pollution Prevention Plan and subsequent permit from MT DEQ that was obtained prior to construction of infrastructure. [Section 3.13 and 3.12 FCSR]
15. The subdivider shall provide a current appraisal from a Montana licensed certified general appraiser no sooner than six months prior to the final plat application to set the baseline value of the parkland cash donation. [Section 3.19(C)(2)(a); Section 3.19 (D)(1), FCSR]
16. The subdivider shall place all existing overhead powerlines on the property underground. [Section 3.3 FCSR]
17. The applicant shall show the powerline easement and the drainfield easement located on Lot #3 on the final plat.

#### **CONSIDERATION OF ADOPTION OF RESOLUTION: RATIFICATION OF RESOLUTION BNSF ROAD CLOSURE**

[11:34:34 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Hall made a **motion** to adopt Resolution #2095 to ratify the BNSF road closure. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### RESOLUTION NO. 2095

WHEREAS, the Burlington Northern Railroad has requested permission to close County Roads for the purpose of rebuilding railroad crossings;

WHEREAS, the Board of Commissioners has determined that the plans to improve those crossings should be carried out as soon as possible; and

WHEREAS, the closings would involve the replacement of one crossing on West Evergreen Drive on Saturday and Sunday, September 8 & 9, 2007 and the replacement of two crossings on Columbia Falls Truck Route on Saturday and Sunday, September 15 & 16, 2007.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Board of Commissioners of Flathead County, that the Flathead County Road Department will provide appropriate signage for the use of the Burlington Northern Railroad to temporarily close West Evergreen Drive on Saturday and Sunday, September 8 & 9, 2007, for the purpose of replacement of a railroad crossing, and to temporarily close Columbia Falls Truck Route on Saturday and Sunday, September 15 & 16, 2007, for the purpose of replacement of two railroad crossings.

Dated this 7th day of September, 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

[11:33:49 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the ratification of the DUI Task Force Plan. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**MEETING W/ PEG ALLISON, CLERK OF DISTRICT COURT RE: SELF-HELP LAW CENTER**

[11:45:42 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk of District Court Peg Allison, Bonnie Olson, Clerk Kile

Discussion was held relative to the creation of a staffed Self-Help Law Center that the legislature approved money for this year for funding that would be used to develop, maintain and coordinate resources to support self-represented litigants. The Supreme Court has chosen Yellowstone and Flathead County as the ones where this service would be the most beneficial to the State of Montana. Allison stated that the money needed would almost exclusively come from the State with Flathead County having to supply nominal supplies. It was added that this is for a two year period and it would be up to the Supreme Court to prove to the legislature that funding for it should continue.

Bonnie Olson added that Yellowstone and Flathead County have been identified as having the highest pro-se litigants across the state in terms of representation.

Commissioner Lauman made a **motion** to establish in Flathead County a Self-Help Law Center. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**1:15 p.m. 911 meeting @ Justice Center**  
**2:30 p.m. Long Range Planning Task Force Affordable Housing Committee meeting**  
**@ Earl Bennett Bldg., Side B**  
**4:00 p.m. Commissioner Hall to RAC meeting @ Commissioners Meeting Room**

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

\*\*\*\*\*

**WEDNESDAY, SEPTEMBER 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.

**11:00 a.m. County Attorney meeting @ Co. Atty's Office**  
**4:00 p.m. Commissioner Lauman to GPAC meeting @ 1<sup>st</sup> Interstate Bank**  
**6:00 p.m. Fair Board meeting @ Fairgrounds Office**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 13, 2007.

\*\*\*\*\*

**THURSDAY, SEPTEMBER 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.

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

Gary Krueger, 805 Church Drive, thanked the Commission for taking an active role in working through dust issues with the Road Department and DEQ. He spoke about the role that he and other gravel pits owners in the area are taking in doing what they can to keep dust mitigated on Stillwater Road in order to keep it open. He then added that they are willing to work with the Commission in regards to the road and questions what the fair share of the gravel industry is. Krueger also thanked the Commission for not including Stillwater Road in the closure.

Discussion was also held in regards to West Valley School reserve funds.

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

**MONTHLY MEETING W/ JEFF HARRIS, PLANNING & ZONING OFFICE**

[9:04:49 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, Clerk Kile

Harris presented the Commission with a draft copy of the Riverdale Neighborhood Plan that will go before the Planning Board on September 26, 2007. He then reported that the Planning Board has finished going through the Floodplain Regulations in their workshop meetings and are still working on the Subdivision Regulations in which they are re-evaluating the Transportation Study. Discussion also included the meeting of the Land Use Task Force Committee, increase in applications for the month of August, Eagle Crest Subdivision and Bear Mountain Estates.

#### **AUTHORIZATION TO SIGN STIPULATION TO SETTLE: PLUM CREEK LAWSUIT**

[9:32:42 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, County Attorney Peter Steele, Rich DeJana, Clerk Kile

County Attorney Peter Steele stated that when they begin construction on Ashley Lake South Subdivision and start paving interior roads that they will then dust coat Ashley Lake Road from the highway to the subdivision and for two years after final plat they will do one coat of black oil.

Rich DeJana stated that the road oiling will be contracted out.

Commissioner Hall made a **motion** to authorize County Attorney Peter Steele to sign the stipulation for Plum Creek. Commissioner Lauman **seconded** the motion.

Commissioner Hall then stated that they are the ones that hear from the residents living in the area and that this is not what they like or wanted, yet feels it is a good compromise.

Chairman Brenneman said that Plum Creek Investment Trust that does not pay local taxes, because of the corporate exclusion with the trust has once again chosen to pay attorney's rather than do the neighborly thing and that they are signed the document because they have no better option.

**Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### **CONSIDERATION OF ADOPTION OF RESOLUTION: SUICIDE PREVENTION WEEK**

[9:37:04 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Joan Schmidt, Clerk Kile

Joan Schmidt, Youth Services Network Coordinator reported that suicide is the second leading cause of death in teens in Montana; with the first cause being automobile accidents with youth being under the influence of alcohol or drugs. She then added that training has been done with over 200 people in the county with the technique of QPR (question, persuade and refer) with their next step being to go into the Middle Schools and High Schools to raise awareness and educate.

Commissioner Lauman made a **motion** to adopt Resolution #2096. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### RESOLUTION NO. 2096

WHEREAS, suicide is the 11<sup>th</sup> leading cause of all deaths in the United States and the 3<sup>rd</sup> leading cause of death among individuals between the ages of 15 to 24;

WHEREAS, suicide is the 3<sup>rd</sup> leading cause of all deaths in Montana, and the 2<sup>nd</sup> leading cause of death among youth, age 15-24 in Montana;

WHEREAS, in the United States, one person completes suicide every 16 minutes;

WHEREAS, it is estimated that 5 million people in the United States are survivors of suicide (those who have lost a loved one to suicide);

WHEREAS, 52% of people who die by suicide use a firearm, and guns stored in the house are used for suicide 40 times more often than for self-protection;

WHEREAS, the overall suicide rate in our country has only slightly declined from record highs in recent years, the suicide rate for those 15-24 year olds has more than doubled since the mid-1950s; and the suicide rate remains highest for adults 75 years of age and older;

WHEREAS, the stigma associated with mental illness and suicidality works against suicide prevention by discouraging persons at risk for suicide from seeking life-saving help and further traumatizes survivors of suicide;

WHEREAS, statewide suicide prevention efforts should be developed and encouraged to the maximum extent possible;

WHEREAS, organizations such as the American Association of Suicidology and Flathead Suicide Prevention Coalition which are dedicated to reducing the frequency of suicide attempts and deaths, and the pain of survivors affected by suicides of loved ones, through educational programs, research projects, intervention services, and bereavement services urge that we:

1. Recognize suicide as a national and state public health problem and declare suicide prevention to be a county priority;
2. Acknowledge that no single suicide prevention program or effort will be appropriate for all populations or communities;
3. Encourage initiatives based on the goals contained in the Flathead County Suicide Prevention Strategic Plan:
  - A. Promote awareness that suicide is a public health problem that is preventable;
  - B. Develop broad-based support for suicide prevention;
  - C. Support strategies to reduce the stigma associated with being a consumer of Mental and/or substance abuse services;
  - D. Support community-based suicide prevention programs;
  - E. Support community-based suicide bereavement support services;
  - F. Support school-based suicide prevention programs;
  - G. Promote efforts to reduce access to lethal means and methods of self-harm;
  - H. Support and promote effective clinical and professional practices;
  - I. Increase access to, and community linkages with mental health and substance abuse services;
  - J. Improve reporting and portrayals of suicidal behavior, mental illness, and substance abuse in the entertainment and news media;
  - K. Promote and support research on suicide and suicide prevention; and
  - L. Improve and expand surveillance systems for suicide behavior; and

WHEREAS, a great many suicides are preventable;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of Flathead County, of the state of Montana, that it does hereby designate September 9<sup>th</sup> through September 15<sup>th</sup>, 2007 as "National Suicide Prevention Week" in Flathead County, Montana.

Dated this 13<sup>th</sup> day of September, 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

#### **CONSIDERATION OF RELEASE OF COLLATERAL: LUPFER ROAD MEADOWS SUBDIVISION**

[9:43:56 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 Kile

Commissioner Hall made a **motion** to release collateral for Lupfer Road Meadows Subdivision. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### **CONSIDERATION OF HR TRANSMITTAL: STAFF ACCOUNTANT/ FINANCE & OA III JUSTICE CENTER**

[9:45:00 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the HR Transmittals to revise the job classification in Finance and approve the new position at Justice Court. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### **CONSIDERATION OF EXTENSION REQUEST: BIG HORN MEADOWS, LOT 2**

[9:49:24 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Hall made a **motion** to approve the extension request from November 1, 2007 to November 1, 2008. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### **CONSIDERATION OF PRINTING BIDS: GIS**

[9:50:33 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the print bid from The Towne Printer for 1,000 business cards for \$72.50. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Commissioner Hall made a **motion** to approve the print bid from American Printing for 1,000 window envelopes with black print for \$51.90. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried by quorum.

#### **MEETING W/ MARCIA SHEFFELS, SUPT OF SCHOOLS**

[10:03:49 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Superintendent of Schools Marcia Sheffels, Susanne O'Connor, Larry Johnson, Clerk Kile

Susanne O'Connor reported on the School District Levies for 2007-2008.

Commissioner Hall made a **motion** to approve the School District Levies for 2007-2008 and authorized the Chairman to sign. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

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

[10:18:12 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Fairgrounds Director Jay Scott, Clerk Kile

Scott reported that this year's attendance at the Fair was up and that Carnival profits were \$94,000.00. He then said that the gun, bead and cooking shows that were held recently went well. Discussion was also held in regards to personnel issues, rebuilding of the floor in the Pavilion Building and possible implementation of electronic sales this next year at the Fairgrounds.

#### **CONSIDERATION OF ADOPTION OF RESOLUTION: EMERGENCY ROAD CLOSURES**

[10:33:37 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, County Attorney Peter Steele, Gary Krueger, Jim Patrick, Clerk Kile

Commissioner Hall read Resolution #2097 that will close Prairie View Road to resident use only.

County Attorney Jonathan Smith reported that this was an emergency situation that required a emergency resolution with the serious condition of dust being created with the diversion of traffic.

Commissioner Lauman stated that he has been receiving phone calls for the last 10 days in regards to the dust. He then said that he drove up to the area the day before and that the dust was horrendous.

Commissioner Hall questioned the unintended consequences of closing this road in regards to vehicles using a different road.

Chairman Brenneman said that the road would only be closed if the dust was not mitigated. If the dust is taken care of; then the road would be open. He then spoke about the City of Kalispell closing Church Drive for one month.

Mike Pence added that they have been receiving calls from DEQ also.

Jim Patrick, City Manager of Kalispell, stated that what they do with Prairie View Road is up to them, with it being a county road. He then said his concern is that he was not notified that the situation was that bad and stated that he would have appreciated a phone call and more notice that there was a problem, so they could have addressed it. He then added that the resolution seems to indicate that Kalispell is the primary culprit in closing Church Drive and reminded the Commission that MDOT is re-building the road and that MDOT closed Church Drive. Patrick then said that a developer is re-building Church Drive and making it larger to be able to handle more capacity in the area. He then spoke about open mining contributing to the dust in which he said that the city is issuing citation and working with the developer. It was then stated that the developer has increased his efforts in hydro-seeding the area and assured the city that the road will be opened by mid October. He then said that the implementation that Kalispell is the main culprit in this seems to be pushing them towards being a scapegoat instead of adequately addressing all the different issues and projects going on. Patrick then added that the City of Kalispell has applied calcium chloride to Prairie View Road and is willing to help in anyway possible.

Chairman Brenneman said that he disagreed with some of the observations from the City of Kalispell.

Commissioner Lauman made a **motion** to adopt Resolution #2097 for the emergency road closure. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

#### RESOLUTION NO. 2097

WHEREAS, the Board of Commissioners of Flathead County, Montana, has general supervision over the county roads within Flathead County.

WHEREAS, the recent closure of Church Drive by the City of Kalispell for the purpose of allowing development work at Silverbrook subdivision, has resulted in the diversion of traffic from Church Drive onto Prairie View Road, a County road under the general supervision of the Board of Commissioners;

WHEREAS, the increased traffic on Prairie View Road has resulted in increased dust that has created a significant risk to public health, safety and welfare and an emergency situation that the Board of Commissioners must deal with immediately; and

WHEREAS, if the lack of dust abatement by the City of Kalispell and the developer of Silverbrook continues the emergency conditions will continue, risking the health, safety and welfare of the public using and residing on Prairie View Road.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Commissioners of Flathead County, that the ongoing increased traffic on Prairie View Road, combined with the lack of sufficient dust abatement measures being taken by the City of Kalispell and the developer of Silverbrook, has created an emergency situation.

IT IS FURTHER RESOLVED that effective immediately Prairie View Road is subject to closure to through traffic when the Flathead County Road Superintendent deems dust resulting from traffic diverted because of a road closure creates a health or safety risk.

IT IS FURTHER RESOLVED that effective immediately all county roads are subject to closure to through traffic when the Flathead County Road Superintendent deems dust resulting from traffic diverted because of a road closure creates a health or safety risk.

IT IS FURTHER RESOLVED that the Flathead County Sheriff's office shall staff road blocks at both ends of Prairie View Road, and on any other road closed by the Flathead County Road Superintendent under the authority set forth herein, to insure that only local traffic uses any such road, at such times as the Flathead County Road Superintendent deems said measure to be necessary to enforce any road closures ordered hereunder.

Dated this 13<sup>th</sup> day of September, 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

#### **FINAL PLAT: JEWEL BASIN HILLS**

[11:05:07 AM](#)

Members present:

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

Others present:

Planner Eric Giles, Dawn Marquardt, Debbie Shoemaker, Greg Goode, Clerk Kile

Giles reviewed the application submitted by Roxanne Goode with technical assistance from Marquardt & Marquardt Surveying for final plat approval of Jewel Basin Hills; a four lot minor subdivision located off Foothills Road. Preliminary plat approval was

granted on April 24, 2007, subject to 18 conditions. All conditions have been met by the applicant and staff recommends approval.

Commissioner Hall made a **motion** to approve final plat of Jewel Basins Hills Subdivision. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**FINAL PLAT: COLE RANCH ESTATES, AMD. LOT 5**

[11:15:02 AM](#)

Members present:

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

Others present:

Planner Eric Giles, Joe Kauffman, Clerk Kile

Giles reviewed the application submitted by Kenneth E. Klundt with technical assistance from Big Sky Surveying for final plat approval of Cole Ranch Estates, Amd. Lot 5; a two lot major subdivision located off Hodgson Road, west of Hwy 2. Preliminary plat approval was granted on July 6, 2006, subject to 12 conditions. All conditions have been met by the applicant and staff recommends approval.

Commissioner Lauman made a **motion** to approve final plat of Cole Ranch Estates, Amd. Lot 5. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**FINAL PLAT: EAGLE VIEW RANCH:**

[11:30:24 AM](#)

Members present:

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

Others present:

Planner Alex Hogle, Joe Kauffman, Alan Avery, Clerk Kile

Hogle reviewed the application submitted by Alan Avery with technical assistance from Big Sky Surveying for final plat approval of Eagle View Ranch (formerly "Montana Subdivision"); a subdivision creating five residential lots and one remainder. This subdivision is located off of Hwy 93 approximately five miles northwest of Whitefish. Preliminary plat approval was granted on August 2, 2005, subject to 22 conditions. All conditions have been met by the applicant and staff recommends approval.

Commissioner Hall made a **motion** to approve final plat of Eagle View Ranch (formerly "Montana Subdivision"). Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**FINAL PLAT: HODGE CREEK SOUTH, AMENDED PLAT OF LOTS 1 & 2**

[11:45:26 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Planner Annie Thompson, Joe Kauffman, Clerk Kile

Thompson reviewed the application submitted by Tom Brake with technical assistance from Big Sky Surveying for final plat approval of Hodge Creek South, Amd. Plat of Lots 1 & 2; a four lot major subdivision located at 6380 Ashley Lake Road at the intersection with Hodge Creek Drive. Preliminary plat approval was granted on November 14, 2006, subject to 16 conditions. All conditions have been met by the applicant and staff recommends approval.

Commissioner Lauman made a **motion** to approve final plat of Hodge Creek South, Amd. Plat of Lots 1 & 2. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

- 12:00 p.m. Commissioner Brenneman to Bigfork Steering Committee Public Forum @ Bethany Lutheran Church**
- 1:30 p.m. Kalispell Technical Advisory Committee meeting @ MDOT Office**
- 2:00 p.m. Commissioner Lauman to AOA Board meeting @ Kalispell Sr. Center**
- 4:00 p.m. Long Range Planning Task Force meeting @ Earl Bennett Bldg.**
- 4:00 p.m. Montana West Economic Development Board meeting @ 490 W. Reserve**

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

\*\*\*\*\*

**FRIDAY, SEPTEMBER 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.

- 9:00 a.m. Commissioner Brenneman meeting w/ Forest Service @ Forest Service Office re: Big Mountain Electronic Site**
- 10:00 a.m. Commissioner Brenneman to Flyover of Chippy Creek Fire**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on September 17, 2007.

\*\*\*\*\*