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## MONDAY, OCTOBER 8, 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.

### COUNTY OFFICES CLOSED - COLUMBUS DAY

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 9, 2007.

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## TUESDAY, OCTOBER 9, 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.

### Commissioner Hall PT opened public comment on matters within the Commissions' Jurisdiction.

Mark Gluth, 1068 McMannamy Draw, questioned when the new Road Advisory Committee would be meeting.

Whitey Boughton, 1150 Lupfer Road, spoke about the 26 road signs that were put up in regards to dust abatement and asked if it was a fiscal responsibility of the taxpayer's.

Commissioner Hall replied that the signs were one of many methods that are being used to mitigate dust.

Whitey Boughton then stated that paving roads would mitigate dust and then spoke about the county being in violation of the clean air act. He then said that Guy Foy has written letters to Larry Alheim wherein he states that dust is minimal on Lupfer Road. Also discussed were road counts on Lupfer Road and impact fees that he stated the county needs to start charging.

Commissioner Hall responded by saying that a cost of services study needs to be done before they can charge impact fees.

Commissioner Lauman then added that the county is working on negotiations in getting millings from the state to possibly use for dust abatement on county roads.

**No one else rising to speak, Commissioner Hall PT closed the public comment period.**

### MONTHLY MEETING W/ JAY SCOTT, FAIRGROUNDS

[9:02:50 AM](#)

Members present:

Commissioner Gary D. Hall P.T.

Commissioner Dale W. Lauman

Members absent:

Chairman Joseph D. Brenneman

Others present:

Fairgrounds Director Jay Scott, Clerk Kile

Scott reported that presently they are not renting the Exhibition Building and that the bids for a concrete floor came in higher than expected. He then said that the Expo Building will be shut down for 14 days for new flooring to be put down at a cost of \$14,000. He also spoke about the interviewing process that will be held this next week for the office position that will involve the HR Director and a Fair Board member.

Discussion was also held in regards to the Fair Board hiring a professional marketer and the need for some direction from the commission.

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

[9:33:36 AM](#)

Members present:

Commissioner Gary D. Hall P.T.

Commissioner Dale W. Lauman

Members absent:

Chairman Joseph D. Brenneman

Others present:

Juvenile Detention Center Laurie Rebeck, Clerk Kile

Rebeck reported that currently the population is low at the Juvenile Detention Center.

### CONSIDERATION OF SIA EXTENSION: EAGLE DEVELOPMENT, PHASE III

[10:13:00 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 approve the SIA extension request for Eagle Development, Phase III. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**CONSIDERATION OF PRINTING BIDS: ELECTION DEPT**

[10:13:53 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 approve the print bid from Gateway Printing for 30,000 #9 absentee envelopes for \$1,589.45, 30,000 #10 absentee envelopes for \$1,368.06 and 30,000 #11 absentee envelopes for \$1,025.67. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**DOCUMENT FOR SIGNATURE: ADDITIONAL PUBLIC ACCESS LEASE (PUSICH) WEED & PARKS DEPT.**

[10:02:13 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Weed & Parks Director Jed Fisher, Frank Pusich, Clerk Kile

Fisher reported that Frank Pusich would like to lease to the county lakefront property so that a public access site would be available in Lakeside. This lease would be for 30 years at \$600.00 a year. He then stated that the Weed & Parks Board recommendation is to move forward with the proposal and that the County Attorney's Office has prepared a lease.

Commissioner Lauman said that the access is level and would be a great opportunity for the community.

Fisher added that he would be meeting with the Lakeside Advisory Council on Wednesday, but foresees no issues with them.

Commissioner Lauman made a **motion** to pursue the project and move forward with the contract. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Commissioner Hall then said that he would like the board to do everything they can to protect the neighbors to each side of the property.

**AUTHORIZATION TO PUBLISH REQUEST FOR PROPOSALS: INMATE TELEPHONE SERVICE/ FLATHEAD COUNTY DETENTION CENTER**

[10:18:18 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 authorize the publication of the RFP to provide Flathead County with an inmate telephone service contract and authorized the Chairman to sign. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

REQUEST FOR PROPOSALS  
FLATHEAD COUNTY INMATE TELEPHONE SERVICES

Flathead County requests formal proposals to provide the Flathead County Detention Center with an Inmate Telephone Services Contract. This call for Proposals is open until November 16, 2007 at 5 pm. Selection shall be made by December 3, 2007 with effective service take over date of January 7, 2008. Under the program, generally, the inmates are provided with a collect-call service and the County is given a percentage of gross receipts of the provider of the phone services.

Information for bidders is available from, and questions should be directed to: K. Frame, Detention Commander, 920 South Main, Kalispell, MT, telephone 406-758-5687. Proposals must be submitted no later than 5:00 p.m. local time, November 16, 2007, at the office of the Detention Commander, 920 S. Main St., Kalispell MT 59901.

Please mark envelopes: Flathead County Inmate Telephones Services Proposal on the outside of the sealed envelope.

Flathead County intends to negotiate an agreement based upon provision of services offered and fair and reasonable compensation. Flathead County reserves the right to reject any and all responses deemed unqualified, unsatisfactory or inappropriate.

Dated this 9<sup>th</sup> day of October, 2007.

Board of County Commissioners  
Flathead, County

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

ATTEST:  
Paula Robinson, Clerk

By: /s/ Diana Kile  
Diana Kile, Deputy

Publish October 13 and October 20, 2007.

**DOCUMENT FOR SIGNATURE: SNOW DOG WEB DEVELOPMENT CONTRACT & CONSIDERATION OF BUDGET AMENDMENT**

[10:14:22 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Gil Parson, Clerk Kile

Commissioner Hall made a **motion** to approve the addendum and document for signature for Snow Dog Web Development and authorized the Chairman to sign. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Commissioner Lauman made a **motion** to approve Budget Amendment Resolution #2107. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

BUDGET AMENDMENT RESOLUTION NO. 2107

**WHEREAS**, the Board of Commissioners has determined, and various department heads have requested and verified, that budget revisions between line items for Fiscal Year 2007-2008, are required, and;

**WHEREAS**, Section 7-6-4031, M.C.A. and Budget Resolution No. 1689, allow budget transfers to be made between items in the same fund.

**NOW, THEREFORE, BE IT RESOLVED**, that the attached list of transfers and revisions shall be made in the budget for Flathead County for Fiscal Year 2007-2008; and

**BE IT FURTHER RESOLVED**, that this Resolution and the attached list of transfers and revisions shall be entered into the minutes of the Board of Commissioners.

DATED this 9<sup>th</sup> day of October 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

| DATE OF ISSUE:   |      | BUDGET ENTRY |        |                      | VOUCHER NO.: |           |
|--|------|--------------|--------|----------------------|--------------|-----------|
| DATE OF RECORD:  |      | RESOLUTION # | 2107   | Entered by:          |              |           |
| Fund   | Dept | ACTIVITY     | OBJECT | ACCOUNT DESCRIPTION  | DEBIT        | CREDIT    |
| 1000   | 0244 | 398          |        | Contracted Services  |              | 58,477.00 |
| 1000   |      | 242000       |        | Expenditure Clearing | 65,677.00    |           |
| 1000   | 0244 | 398          |        | Contracted Services  |              | 7,200.00  |
| <b>Explanation</b>   |      |              |        |                      | 65,677.00    | 65,677.00 |
| Increase spending authority for Website Enhancement for \$58,477 and the associated maintenance agreement for \$7,200. Total increase in Budget spending authority is \$65,677. Expenditure is covered by existing General Fund revenues per the FY 2008 budget adopted September 6th, 2007. |      |              |        |                      |              |           |

## MONTHLY MEETING W/ MARK PECK, OES

[10:40:09 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 that he briefed the Kalispell City Council on the 911 Call Center and also discussed with them the issue of a county wide levy. He then summarized the estimated annual operating cost of a consolidated brand new 911 Call Center.

Commissioner Hall stated that he could not in good conscience put this before the taxpayers for full funding.

Discussion was then held relative to a gap type levy and the location of a new facility.

## PRELIMINARY PLAT: ASHLEY TRAIL, LOTS 1-4 OF AMENDED PLAT OF LOT 5

[11:02:25 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, Dianne Sande, Jay Billmayer, Clerk Kile

Giles reviewed the application submitted by Jay and Vicki Billmayer with technical assistance from Narda Wilson for preliminary plat approval of Ashley Trail Subdivision, Lot 1-4 of Amended Plat of Lot 5; a major subdivision that would create four single family residential lots in the vicinity of Hwy 2 West. The subdivision would include a local road and well lot that would accommodate two shared community wells.

Discussion was held relative to the Planning Boards recommendation of adding Finding of Fact #10 that states:

- The local road is constructed in accordance with the Flathead County Minimum Standards for Design and Construction, and is certified by a licensed professional engineer as required by Section 3.9.J, 3.12.D, FCSR.
  - Per commission this will be added.

Discussion was held relative to the Planning Boards recommendation of adding Finding of Fact #11 that states:

- The well lot is a utility lot and ownership will be transferred to a Flathead Utility Company.
  - Per commission this will be added.

Commissioner Lauman made a **motion** to adopt Findings of Fact as amended for Ashley Trail, Lots 1-4 of Amended Plat of Lot 5. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

Discussion was held relative to amending condition #19 in regards to the well lot, in which Giles stated that the Planning Board had already amended the condition to state: That the well lot may not be further divided.

Discussion was held relative to amending condition #18 (f) that states:

- No lot may be further subdivided.
  - Per commission this will be added.

Discussion was held relative to condition #23 that states:

- The landscaping within the cul-de-sac shall be removed.

Jay Billmayer stated that his plan was to plant vegetation/trees in the cul-de-sac and to pipe irrigation to it.

- Per commission condition #23 will not be added.

Commissioner Hall made a **motion** to approve preliminary plat of Ashley Trail, Lot 1-4 of Amended Plat of Lot 5 with amended condition #18 & #19. Commissioner Lauman **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

### **CONDITIONS**

1. Evidence of an existing Road User's Agreement for the maintenance of South View Drive and South View Lane shall be provided prior to final plat, and the document shall be amended to include the pro-rata share of the owners of all lots within Ashley Trail Subdivision Amd Lot 5 and all previously existing lots in regard to long term maintenance of South View Drive and South View Lane. In the event that a Road User's Agreement for maintenance of South View Drive and South View Lane does not exist, the applicant is required to create an approved Road User's Agreement for maintenance of South View Drive and South View Lane, whereby an agreement for long term maintenance responsibilities for the road is established and entered into. The approved Road User's Agreement shall be filed as a separate document with the Flathead County Clerk and Recorder's office prior to or at the time of Final Plat. [Findings of Fact D.IV, Section 3.9.J.3, FCSR]
2. The applicant shall receive physical addresses and road names in accordance with Flathead County Resolution #1626.

All road names shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]

3. The local road shall be constructed in accordance with the Flathead County Minimum Standards for Design and Construction and be certified by a licensed engineer. [Section 3.9.J, 3.12.D, FCSR]
4. A road identification sign and stop sign shall be installed at the intersection of South View Drive and South View Lane. All road signs will be metal with reflective letters. [Section 3.9(I)(8) & Section 3.8 Table 1, FCSR]
5. The applicant shall show proof of a completed approach permit from the Montana Department of Transportation, indicating the existing approach of South View Drive at U.S. Highway 2 is adequate to accommodate the additional traffic associated with the lots of Ashley Trail Subdivision Amd Lot 5. [Section 3.8.A, FCSR]
6. Utility easements shall be at least 15 feet wide unless otherwise specified by the utility company. These easements shall be shown on the face of the final plat. [Section 3.18.C, FCSR]
7. Except for sewer and water lines, underground utilities (if placed in the road right-of-way or easement) shall be located between the roadway and the right of way or easement line to simplify location and repair of lines. These underground facilities shall be installed after the road has been brought to grade and before it is surfaced. Utility lines shall be designed by utility firms in cooperation with the subdivider, subject to all applicable laws and all rules and regulations of any appropriate regulatory authority having jurisdiction over such facilities. At the time of final plat, letters shall be provided from the appropriate utilities stating that the lines constructed meet these requirements and any of their additional requirements. [Section 3.15, 3.17, FCSR]
8. The proposed water and sewage treatment systems and storm drainage systems for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Sections 3.12, 3.14, 3.15, FCSR]
9. The applicant shall submit to the Flathead County Planning and Zoning Office an approved Storm Water Pollution Protection Plan from the MT DEQ – Water Protection Bureau prior to any construction activity. [Section 3.12, FCSR; 75-5-101, MCA]
10. The applicant shall provide proof of water rights with the application for final plat. [Section 3.14, FCSR]
11. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [7-22-2116 MCA and Section 3.12(J), FCSR]
12. The applicant shall comply with reasonable fire suppression and access requirements of the applicable fire district. A letter from the fire chief stating that an agreement has been made shall be submitted with the application for Final Plat. [Section 3.20, 3.21, FCSR]
13. The applicant shall provide a Weed Control Plan approved by the County Weed Supervisor. The Weed Control Plan shall be implemented prior to final plat application. The County Weed Supervisor may inspect the subdivision and approve the implementation. [Section 3.12.J, FCSR]
14. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for final plat. [Section 3.22, FCSR]
15. The developer shall contact the Superintendent of Schools and provide written clarification as to the location of the existing bus stop for students, and if requested, improve a location for the safe loading and unloading of students. [Findings of Fact D.IV, FCSR]
16. The applicant shall either provide a letter from the solid waste district waiving them from the requirement to have contract haul or, if solid waste district will not waive the requirement, place the following statement on the face of the final plat: "All solid waste removal shall be by contract haul." [Section 3.16, FCSR]
17. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
18. The following statements shall be placed on the face of the final plat applicable to all lots:
  - a. Address numbers shall be posted at the commencement of construction and be clearly visible at all times thereafter. Numbers shall be placed in the driveway entrance and at any subsequent divergent points of access for shared driveways. All address numbers shall be displayed on a contrasting background using a minimum four-inch numeral height. [Section 3.9.I.7, FCSR]
  - b. All utilities shall be placed underground. [Section 3.15, 3.17, FCSR]
  - c. Lot owners are notified they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
  - d. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed.
  - e. 

Waiver of Protest  
Participation in Special Improvement District  
[per County Resolution 503-M]

\_\_\_\_\_ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes \_\_\_\_\_ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that \_\_\_\_\_ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. \_\_\_\_\_ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for \_\_\_\_\_ Subdivision.
  - f. No lot may be further subdivided.
19. The following statements shall appear on the face of the final plat:
  - a. The well lot harbors the shared water system source and associated infrastructure for Ashley Trails Subdivision Amd Lot 5. The well lot may not be further subdivided. [Section 3.19, FCSR]
  - b. All new subdivision roads are public access easements. All roads in the Road Users' Agreement shall be maintained by the property owners within the subdivision. The County Commission accepts no responsibility for development or maintenance of roads unless accepted by the Commission for maintenance. [Section 3.9.J.3, FCSR]
  - c. "The undersigned hereby grants unto each and every person, firm or corporation, whether public or private,

providing or offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair, and removal of their lines and other facilities, in, over, under, and across each area designated on this plat as "Utility Easement to have and to hold forever." [Section 3.18.F, FCSR]

- 20. 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]
- 21. Preliminary plat approval is valid for three years. [Section 2.5(D)(6), FCSR]

**SITE SPECIFIC CONDITIONS**

- 22. 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]

**CONSIDERATION OF REVISED PROJECT AGREEMENT: SAM BIBLER MEMORIAL TRAIL**

[11:21:10 AM](#)

Members present:

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

Others present:

Planning & Zoning Director Jeff Harris, Planner Alex Hogle, Alan Seiler, Clerk Kile

Hogle summarized the basis history of the CTEP revised project agreement for the Sam Bibler Memorial Trail, in which MDOT requested that the prior agreement be returned; that it was null and void and that a revised agreement would be sent.

Discussion was held relative to concerns with costs.

Commissioner Lauman made a **motion** to authorize the Chairman to sign the agreement once it has been reviewed by Jonathan Smith the County Attorney. Commissioner Hall **seconded** the motion. **Aye** - Brenneman, Hall and Lauman. Motion carried unanimously.

**COS REVIEW: SCHERPING**

[11:30:14 AM](#)

Members present:

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

Others present:

Planning & Zoning Director Jeff Harris, Planner Kirsten Holland, Joe Kauffman, David Scherping, Clerk Kile

Holland reviewed the chain of title for the property in which David Scherping wishes to transfer parcels to his 3 minor children.

Commissioner Hall made a **motion** to approve the Scherping family transfer. Chairman Brenneman **seconded** the motion. **Aye** – Brenneman and Hall. Motion carried unanimously.

- 9:00 a.m. Commissioner Brenneman to meeting w/ Darlene Schottle & Todd Watkins @ Superintendent of District Schools Office**
- 12:00 p.m. Commissioners to Dedication of Arts & Technology Building @ FVCC Campus**
- 1:15 p.m. 911 meeting @ Justice Center**
- 4:00 p.m. Long Range Planning Task Force Affordable Housing Committee meeting @ Earl Bennett Bldg.**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on October 10, 2007.

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**WEDNESDAY, OCTOBER 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.

- 11:00 a.m. County Attorney meeting @ Co. Atty's Office**
- 1:30 p.m. TAC meeting @ Kalispell MDOT Office**

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

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**THURSDAY, OCTOBER 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.**

Whitey Boughton, 1150 Lupfer Road, said that he has spoken to Joe Russell from the Health Department in regards to trucks needing to tarp their loads to reduce the cloud of dust in the valley. Also stated was that the money spent on the 20 MPH when dusty road signs would have been better spent in forcing truck drivers to tarp their loads.

Steve Rosso, 1889 Medicine Rock Lane, a professional engineer with the Flathead Lake Protection Association read a prepared letter in regards to Eagle's Crest Subdivision Phases 5 – 9, in which he stated approval of the subdivision must be based on the best estimate of the real impacts it will have on the community. He further reviewed his concerns with the impacts of the subdivision in regards to water supply demands, post development storm water runoff and traffic impacts Rosso then said that the application contains errors, inconsistencies, poor assumptions and misrepresentations; in which it was stated there are many reasons to deny the application.

Noel Gorton, 578 Creston Road, questioned RSID's and standards for determining when a road needs an overlay. Also questioned were members on advisory committees and where their expertise lies.

Mike Pence said that advisory committee's are advisory to department heads and commissioners; that they don't have authority to direct. He then explained in detail what the boards are doing.

Gorton also questioned dust abatement after September 1 within the county when roads need graded.

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

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

[9:09:34 AM](#)

Members present:

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

Others present:

Assistant Michael Pence, Whitey Boughton, Noel Gorton, Steve Rosso, Clerk Kile

Discussion was held relative to a Planning Board meeting that was cancelled at the last minute with them not having a quorum.

Commissioner Lauman suggested that alternate board members be appointed for back up members.

Harris presented a quarterly activity report from the Planning & Zoning Office in which he reported that they are down from 2006. He then added that Flathead County has the largest amount of growth and development in the state and will be seeing additional pressure. Also discussed was the need to hire an additional Planner and wildland fires.

#### **BOARD APPOINTMENT: LAKESIDE COMMUNITY COUNCIL**

[9:34:37 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Lauman made a **motion** to appoint John Ulrich to the Lakeside Community Council. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **DOCUMENT FOR SIGNATURE: NW MONTANA HUMAN RESOURCES CONTRACT ADDENDUM/ AOA**

[9:34:47 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the NW Montana Human Resources contract addendum for AOA and authorized the Chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **AUTHORIZATION TO PUBLISH REQUEST FOR QUALIFICATIONS: PARKS & RECREATION & FACILITY MASTER PLAN**

[9:38:34 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Weed & Parks Director Jed Fisher, Clerk Kile

Commissioner Lauman made a **motion** to authorize the publication of the RFQ for the Parks & Recreation Facility Master Plan and authorized the Chairman to sign. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### REQUEST FOR QUALIFICATIONS

The Flathead County Board of Commissioners and the Flathead County Parks & Recreation Department is requesting interested professional planners and/or consulting firms to submit their qualifications for providing services to Flathead County. Qualification statements are to be submitted, in writing, to the Flathead County Parks & Recreation Board (c/o Flathead County Parks & Recreation Department, 309 FFA Drive, Kalispell MT 59901) and must be received no later than 5 P.M. on November 16, 2007. All responses will be reviewed by the Board of Commissioners and the Flathead County Parks & Recreation Board. Individuals/firms chosen for more detailed submittals will be notified in writing by the Flathead County Board of Commissioners.

#### SCOPE OF WORK:

The individual/firm selected will provide direct assistance to the Flathead County Parks & Recreation Board with the preparation of a county-wide Parks & Recreation & Facility Master Plan. The document will provide a framework for future growth in a historically rural county experiencing rapid development. The deadline for completion of the Master document will be June 1<sup>st</sup>, 2008.

#### CRITERIA OF SELECTION:

Selection of an individual or firm for the provision of these services will be based on the following criteria and each must be addressed within the qualifications response in order to be eligible for consideration.

1. Location of the office of the individual/firm where the work will be conducted.
2. Experience of the individual/firm on similar projects.
3. Experience with recreation programming and facility planning.
4. Qualifications of the proposed professional personnel who will be assigned to the project.
5. Ability of the individual/firm to promote community cooperation in the interest of project completion.
6. Capabilities to meet time and project budget requirements.
  - a. Provide evidence of ability to complete large scale projects in a timely manner.
  - b. Provide evidence of cost-conscious and efficient project management.
7. Present and projected workloads of the individual/firm.
8. References including name, address and telephone number of similar projects completed.
9. Sample of a Master Plan completed for a similar community.

Please provide six Statements of Qualifications. Questions may be referred to Jed Fisher, Director, Flathead County Parks & Recreation (406) 758-5800.

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

Board of County Commissioners  
Flathead County, Montana

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

ATTEST:  
Paula Robinson, Clerk

By: /s/ Diana Kile  
Diana Kile, Deputy

Publish October 16 and October 23, 2007.

#### **DOCUMENT FOR SIGNATURE: DEQ CONTRACT #508005/ HEALTH DEPT**

[9:36:48 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, Clerk Kile

Commissioner Lauman made a **motion** to approve the DEQ contract #508005 for the Health Department. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **MEETING W/ ERIC MULCAHY/ SANDS SURVEYING RE: GLACIER PINES SUBDIVISION, CONDITION #15 (F) (III)**

[9:45:09 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Eric Mulcahy, Tom Hoover, Clerk Kile



Eric Mulcahy asked that language for Glacier Pines Subdivision condition #15 (f) (iii) be changed to:

- Discourage wildlife attractants such as fruit trees or fruit shrubs, domesticated animals or livestock, beehives, compost piles, salt or mineral licks, bait or feed.

Commissioner Lauman made a **motion** to change condition #15 (f) (iii) to discourage. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **PRELIMINARY PLAT: BABY BUCK ESTATES**

[10:00:10 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Planner Eric Giles, Sarah Arrigoni, Rick Breckenridge, Clerk Kile

Giles reviewed the application submitted by Terry and Marie Johnson with technical assistance from Montana Mapping for preliminary plat approval of Baby Buck Estates; a major residential subdivision that would create two lots in an unzoned portion of Marion. This site is located off of Lost Prairie Road in the Hidden Meadows Subdivision approximately 28 miles west of Kalispell. On September 19, 2007, the Flathead County Planning Board recommended approval of the proposed subdivision.

Commissioner Lauman made a **motion** to adopt Findings of Fact. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

Discussion was held relative to condition #11 that will be changed from Cayuse to Pleasant Valley.

Condition #14 (h) will be added:

- The lots shall not be further subdivided.

Condition #20 will be added:

- The gravel shoulders on each side of Hidden Prairie Road shall be raised to the level of the pavement and compacted.

Commissioner Lauman made a **motion** to approve preliminary plat of Baby Buck Estates as amended. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

#### **CONDITIONS**

1. Evidence of an existing Road User's Agreement for the maintenance of Hidden Prairie Road, the local cul-de-sac road, shall be provided prior to final plat, and the document shall include the pro-rata share of the owners of all lots within Baby Buck Meadows in regard to long term maintenance and snow removal responsibilities of the local cul-de-sac road. The approved Road User's Agreement shall be filed as a separate document with the Flathead County Clerk and Recorder's office prior to or at the time of Final Plat. [Findings of Fact D.IV, Section 3.9.J.3, FCSR]
2. The applicant shall receive physical addresses and road names in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
3. Utility easements shall be at least 15 feet wide unless otherwise specified by the utility company. These easements shall be shown on the face of the final plat. [Section 3.18.C, FCSR]
4. Underground utilities (if placed in the road right-of-way or easement) shall be located between the roadway and the right of way or easement line to simplify location and repair of lines. These underground facilities shall be installed after the road has been brought to grade and before it is surfaced. Utility lines shall be designed by utility firms in cooperation with the subdivider, subject to all applicable laws and all rules and regulations of any appropriate regulatory authority having jurisdiction over such facilities. At the time of final plat, letters shall be provided from the appropriate utilities stating that the lines constructed meet these requirements and any of their additional requirements. [Section 3.15, 3.17, FCSR]
5. The proposed water and sewage treatment systems and storm drainage systems for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Sections 3.12, 3.14, 3.15, FCSR]
6. The applicant shall submit to the Flathead County Planning and Zoning Office an approved Storm Water Pollution Protection Plan from the MT DEQ – Water Protection Bureau prior to any construction activity. [Section 3.12, FCSR; 75-5-101, MCA]
7. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [7-22-2116 MCA and Section 3.12(J), FCSR]
8. The applicant shall comply with reasonable fire suppression and access requirements of the Marion 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, 3.21, FCSR]
9. The applicant shall provide a Weed Control Plan approved by the County Weed Supervisor. The Weed Control Plan shall be implemented prior to final plat application. The County Weed Supervisor may inspect the subdivision and approve the implementation. [Section 3.12.J, FCSR]
10. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for final plat. [Section 3.22, FCSR]
11. The developer shall contact the Superintendent of Schools or the Pleasant Valley School District and provide written clarification as to the location of the existing bus stop for students, and if requested, improve a location for the safe loading and unloading of students. [Findings of Fact D.IV, FCSR]
12. The applicant shall either provide a letter from the solid waste district waiving them from the requirement to have contract haul or, if solid waste district will not waive the requirement, place the following statement on the face of the final plat: "All

solid waste removal shall be by contract haul." [Section 3.16, FCSR]

13. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]

14. The following statements shall be placed on the face of the final plat applicable to all lots:

- a. Address numbers shall be posted at the commencement of construction and be clearly visible at all times thereafter. Numbers shall be placed in the driveway entrance and at any subsequent divergent points of access for shared driveways. All address numbers shall be displayed on a contrasting background using a minimum four-inch numeral height. [Section 3.9.I.7, FCSR]
- b. Only Class A and B roofing standards are permitted
- c. Future lot owners shall adhere to "Firewise" principles.
- d. All utilities shall be placed underground. [Section 3.15, 3.17, FCSR]
- e. Lot owners are notified they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
- f. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed.
- g. Waiver of Protest

Participation in Special Improvement District  
[per County Resolution 503-M]

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

h. The lots shall not be further subdivided.

15. The following statements shall appear on the face of the final plat:

- a. All new subdivision roads are public access easements. All roads in the Road Users' Agreement shall be maintained by the property owners within the subdivision. The County Commission accepts no responsibility for development or maintenance of roads unless accepted by the Commission for maintenance. [Section 3.9.J.3, FCSR]
- b. "The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair, and removal of their lines and other facilities, in, over, under, and across each area designated on this plat as "Utility Easement to have and to hold forever." [Section 3.18.F, FCSR]

16. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions. [Section 2.7(E), FCSR]

17. Preliminary plat approval is valid for three years. [Section 2.5(D)(6), FCSR]

**Site Specific Conditions**

18. The developer shall obtain and submit proof of legal access for all two lots of Baby Buck Meadows onto Hidden Prairie Road. [Section 3.8(A) and 3.9(J)(2), FCSR]

19. The gravel shoulders on each side of Hidden Prairie Road shall be raised to the level of the pavement and compacted.

**PRELIMINARY PLAT: RED THORR ESTATES**

[10:09:18 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Planner Eric Giles, Rick Breckenridge, Clerk Kile

Giles reviewed the application submitted by Gary Condit with technical assistance from Montana Mapping for preliminary plat approval of Red Thorrr Estates; a major residential subdivision that would create six lots in an unzoned portion of Creston. This site is located off of Norse Drive in the Mountain Brook and Deerfoot Road area near Foothills Road southeast of Kalispell. On September 19, 2007, the Flathead County Planning Board recommended approval of the proposed subdivision with 21 conditions attached.

Discussion was held relative to proposed finding of fact #9 that states:

- A 15' driveway accessing Lot #2 is also a designated emergency access and is not in compliance with Section 3.8 (E) of the Flathead County Subdivision Regulations.

Giles stated that on the preliminary plat they have their secondary emergency access extending along west of the road, along lot 2 and within that secondary emergency access they show a driveway accessing the building pad. He then stated that the emergency access may change to go along a different lot line instead.

- This will be addressed later.

Discussion was held relative to proposed finding of fact #10 that states:

- There is now an approved minor subdivision to the west of Red Thorr Estates. Both subdivisions must provide an acceptable emergency access. The applicant has agreed to connect to the roads through the minor subdivision and secure the necessary easements to gain access to Five Deer Lane. The applicant will also alleviate the problem with the proposed driveway for lot #2.
  - This will be added

Discussion was held relative to proposed finding of fact #11 that states:

- This project does not comply with Flathead County Growth Policy 32.5, because only one point of ingress/egress is shown and the development is located in an area designated as an extreme priority for fuels reduction. Site specific conditions #20 and #21 attempt to address this finding.
  - This will be added. The last sentence will be changed to: Unless site specific conditions #20 and #21 are adopted.

Discussion was held relative to proposed finding of fact #12 that states:

- According to the US Natural Resource Conservation Service Soil Survey, the soils in the area are somewhat to very limited for septic tank absorption fields. The limitations generally cannot be overcome without major soil reclamation, special design or expensive installation procedures. The applicant has said that they have found adequate areas on each lot for each septic drainfield.

Rick Breckenridge stated that they have found adequate spots for each drainfield and that their findings did not reflect the soil survey for what was to be expected.

- This will be added

Discussion was held relative to proposed finding of fact #13 that states:

- A total primary access of 5,586 feet terminating at the local cul-de-sac road of 480 feet with no secondary access in a high fire hazard area is unacceptable, by the standards of both Sections 3.3 and 3.21 of the Flathead County Subdivision Regulations. The applicant has stated that they have addressed this problem and it will be mitigated.
  - This will not be added

Discussion was held relative to proposed finding of fact #14 that states:

- Given existing staffing levels, the size of the county and the dispersed nature of the population, police protection for this subdivision is anticipated to be consistent with other unincorporated rural areas of Flathead County and delayed response times may be expected.
  - This will be added

Commissioner Lauman made a **motion** to adopt findings of facts as amended. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

Discussion was held relative to condition #20 that states:

- The developer shall obtain and submit proof of legal and physical secondary or emergency access for all six lots of Red Thorr Estates onto Vikings Mountain Road and Five Deer Lane.

Giles stated that when Viking Mountain Ranch was reviewed that it did not adequately address the high fire hazard area in providing an adequate secondary access.

Chairman Brenneman stated that the only thing on condition #20 that he would be willing to change would be to add the wording, "or a letter from the Creston Fire Chief saying that emergency access is adequate".

Discussion was then held relative to amending condition #3 that states:

- The local road shall be constructed and paved in accordance with Flathead County Minimum Standards for Design and Construction and be certified by a licensed engineer.
  - Will be amended to state: The local road within the subdivision shall be constructed and paved in accordance with Flathead County Minimum Standards for Design and Construction and be certified by a licensed engineer.

Discussion was then held relative to adding condition #24 that states:

- The applicant shall pave 300' of Vikings Mountain Road in conjunction with the 250' of paving done by Viking Mountain Ranch.
  - Will be added

Discussion was then held relative to adding condition #15 (h) that states:

No lot shall be further subdivided.

- Will be added

Commissioner Lauman made a **motion** to approve preliminary plat of Red Thorr Estates as amended. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

## CONDITIONS

1. Evidence of an existing Road User's Agreement for the maintenance of local cul-de-sac road shall be provided prior to final plat, and the document shall include the pro-rata share of the owners of all lots within Red Thorr Estates in regard to long term maintenance and snow removal responsibilities of the local cul-de-sac road. The approved Road User's Agreement shall be filed as a separate document with the Flathead County Clerk and Recorder's office prior to or at the time of Final Plat. [Findings of Fact D.IV, Section 3.9.J.3, FCSR]
2. The applicant shall receive physical addresses and road names in accordance with Flathead County Resolution #1626. All road names shall appear on the final plat. Street addressing shall be assigned by the Address Coordinator. [Section 3.9(I)(7), FCSR]
3. The local road within Red Thorr Estates shall be constructed in accordance with the Flathead County Minimum Standards for Design and Construction and be certified by a licensed engineer. [Section 3.9.J, 3.12.D, FCSR]
4. Utility easements shall be at least 15 feet wide unless otherwise specified by the utility company. These easements shall be shown on the face of the final plat. [Section 3.18.C, FCSR]
5. Underground utilities (if placed in the road right-of-way or easement) shall be located between the roadway and the right of way or easement line to simplify location and repair of lines. These underground facilities shall be installed after the road has been brought to grade and before it is surfaced. Utility lines shall be designed by utility firms in cooperation with the subdivider, subject to all applicable laws and all rules and regulations of any appropriate regulatory authority having jurisdiction over such facilities. At the time of final plat, letters shall be provided from the appropriate utilities stating that the lines constructed meet these requirements and any of their additional requirements. [Section 3.15, 3.17, FCSR]
6. The proposed water and sewage treatment systems and storm drainage systems for the subdivision shall be reviewed by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Sections 3.12, 3.14, 3.15, FCSR]
7. The applicant shall submit to the Flathead County Planning and Zoning Office an approved Storm Water Pollution Protection Plan from the MT DEQ – Water Protection Bureau prior to any construction activity. [Section 3.12, FCSR; 75-5-101, MCA]
8. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with a plan approved by the Flathead County Weed Department. [7-22-2116 MCA and Section 3.12(J), FCSR]
9. The applicant shall comply with reasonable fire suppression and access requirements of the Creston Rural 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, 3.21, FCSR]
10. The applicant shall provide a Weed Control Plan approved by the County Weed Supervisor. The Weed Control Plan shall be implemented prior to final plat application. The County Weed Supervisor may inspect the subdivision and approve the implementation. [Section 3.12.J, FCSR]
11. The mail delivery site shall be provided with the design and location approved by the local postmaster of USPS. A letter from the postmaster stating that the applicant has met their requirements shall be included with the application for final plat. [Section 3.22, FCSR]
12. The developer shall contact the Superintendent of Schools or the Cayuse School District and provide written clarification as to the location of the existing bus stop for students, and if requested, improve a location for the safe loading and unloading of students. [Findings of Fact D.IV, FCSR]
13. The applicant shall either provide a letter from the solid waste district waiving them from the requirement to have contract haul or, if solid waste district will not waive the requirement, place the following statement on the face of the final plat: "All solid waste removal shall be by contract haul." [Section 3.16, FCSR]
14. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the County Commissioners. [Chapter 8, FCSR]
15. The following statements shall be placed on the face of the final plat applicable to all lots:
  - a. Address numbers shall be posted at the commencement of construction and be clearly visible at all times thereafter. Numbers shall be placed in the driveway entrance and at any subsequent divergent points of access for shared driveways. All address numbers shall be displayed on a contrasting background using a minimum four-inch numeral height. [Section 3.9.I.7, FCSR]
  - b. Only Class A and B roofing standards are permitted
  - c. Future lot owners shall adhere to "Firewise" principles.
  - d. All utilities shall be placed underground. [Section 3.15, 3.17, FCSR]
  - e. Lot owners are notified they are living in a rural area of Flathead County and delayed response times may be experienced from emergency service providers.
  - f. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed.
  - g.

Waiver of Protest  
Participation in Special Improvement District  
[per County Resolution 503-M]

\_\_\_\_\_ (Owner) hereby waives any and all right to protest which it may have in regards to any attempt to be made by a local governmental entity, to initiate a Special Improvement District which includes \_\_\_\_\_ Subdivision, shown on the plat therefore, for any of the purposes related to roads, water facilities and systems, and sewer facilities and systems, set forth in Sections 7-12-2102 and 7-12-4102, M.C.A.; provided however that \_\_\_\_\_ understands that (he/she/it/they) retains the ability to object to the amount of assessment imposed as a result of the formation of a Special Improvement District, including the right to object on the basis that the property is not benefited by the Special Improvement District. \_\_\_\_\_ agrees that this covenant shall run to, with and be binding on the title of the real property described above and shall be binding on the heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the real property shown on the subdivision plat for \_\_\_\_\_ Subdivision.
  - h. No lot shall be further subdivided.
16. The following statements shall appear on the face of the final plat:
  - a. All new subdivision roads are public access easements. All roads in the Road Users' Agreement shall be maintained by the property owners within the subdivision. The County Commission accepts no responsibility for development or maintenance of roads unless accepted by the Commission for maintenance. [Section 3.9.J.3, FCSR]

- b. "The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair, and removal of their lines and other facilities, in, over, under, and across each area designated on this plat as "Utility Easement to have and to hold forever." [Section 3.18.F, FCSR]
- 17. 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]
- 18. Preliminary plat approval is valid for three years. [Section 2.5(D)(6), FCSR]

**Site Specific Conditions**

- 19. The developer shall obtain and submit proof of legal access for all six lots of Red Thorr Estates onto Mountain Brook Drive, Vikings Mountain Road, and Norse Drive. [Section 3.8(A) and 3.9(J)(2), FCSR]
- 20. The developer shall obtain and submit proof of legal and physical secondary or emergency access for all six lots of Red Thorr Estates onto Vikings Mountain Road and Five Deer Lane. In lieu of obtaining legal and physical secondary or emergency access through Five Deer Lane, the developer may obtain a letter from the Creston Fire Department approving an alternative secondary or emergency access. The letter from the Creston Fire Department shall expressly state why an alternative secondary or emergency access to Five Deer Lane is more appropriate. [Section 3.8(E) and 3.9(J)(2), FCSR]
- 21. The secondary or emergency access shall consist of a 40' Right of Way and 20' gravel improved surface and the Flathead County Road and Bridge Department Minimum Standards for Design and Construction. [Section 3.8(E), FCSR]
- 22. The applicant shall pave 300' of Vikings Mountain Road in conjunction with the 250' of paving done by Vikings Mountain Ranch.

**MEETING W/ FAIR BOARD**

[10:36:39 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Assistant Michael Pence, County Attorney Jonathan Smith, Finance Director Laurel Raymond, Fairgrounds Director Jay Scott, Ted Dykstra Jr., Lynn Tripp, Terry Fosberry, Butch Woolard, Clerk Kile

Discussion was held relative to the Fair Board Members questioning the hiring of a professional marketer.

Mike Pence and Commissioner Lauman spoke in support of hiring a marketer.

Discussion was then held relative to a concrete floor in the Pavilion Bldg.

Scott questioned the engineering fees and the money that is to be spent on the floor in the Expo building.

Laurel Raymond stated that a loan could be made from the capital project fund that they have been paying into for additional funding for the concrete floor.

Commissioner Lauman made a **motion** to loan \$50,000 to the Fair Board and award the bid to Davidson Construction for \$218,500.00 for the concrete floor in the Pavilion Bldg. Commissioner Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

**FINAL PLAT: ASPEN HOLLOW**

[10:54:42 AM](#)

Members present:

Chairman Joseph D. Brenneman  
Commissioner Dale W. Lauman

Members absent:

Commissioner Gary D. Hall

Others present:

Planner Eric Giles, Ardis Larsen, Clerk Kile

Giles reviewed the application submitted by Larsen Engineering and surveying for final plat approval of Aspen Hollow, a thirteen lot major subdivision located on Sleepy Horse Lane, off of West Cottonwood Drive. The Board of County Commissioners granted preliminary plat approval on May 24, 2006, subject to 16 conditions. All conditions have been met and staff recommends approval.

Commissioner Lauman made a **motion** to approve final plat of Aspen Hollow. Chairman Brenneman **seconded** the motion. **Aye** - Brenneman and Lauman. Motion carried by quorum.

- 10:00 a.m. Commissioner Hall to RC & D meeting @ Earl Bennett Bldg.
- 12:00 p.m. Commissioner Brenneman to Bigfork Steering Committee Public Forum @ Bethany Lutheran Church
- 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
- 7:00 p.m. Fair Board meeting @ Fair Office

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

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**FRIDAY, OCTOBER 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.

**NO MEETINGS SCHEDULED**

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

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