

Notice: These minutes are paraphrased and reflect the proceedings of the Board of Commissioners. MCA 7-4-2611(2) (b).

MONDAY, MARCH 25, 2013

[Audiofile](#)

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Holmquist, Commissioner Scott and Krueger, and Clerk Robinson were present.

Chairman Holmquist led the Pledge of Allegiance.

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

Robin Street, 1414 Rose Crossing reviewed the following letter with the commission regarding Rosewater Subdivision.

I would ask you to postpone your approval of the preliminary plat and PUD. My main concern is of water quality in Whitefish River and Flathead Lakes ecosystem. I have submitted comment letters to county planning staff, the Flathead County Planning Board, as well as to all of the commissioners.

I have two main areas of concern:

The fact is the Planning Board struck the opportunity for agencies to be able to review the emergency plan to drain the lakes.

- The Flathead County Planning Office in their findings of fact, called for Fish Wildlife & Parks, DEQ and other agencies to review the emergency plan to drain proposed Rosewater lakes into the Whitefish River.
- The developer submitted his plan just before the Flathead County Planning Board meeting and agencies never had time to review or comment on it in a timely fashion.
- Then at the Flathead County Planning Board hearing, a board member said if the developer had to go through all that the project may never move forward. He then proposed to delete this finding of fact and the board approved his motion unanimously. In my opinion, that shows complete disregard for water quality and for public safety.

He presented the following: EPA Temperature/ Water Quality Standards Criteria Summaries and A Compilation of State/Federal Criteria. Street said he spoke to a water quality specialist who told him that probably the only time they could pump water into the river because of water temperature is for a few days in the spring; that does not include the water quality issue.

- The developer suggested he could pump the water from one lake into the other lake for any reason. A condition for dams to stop the water from just re-circulating, so if you are going to put dams in there they should be inspected by NRCS and DNRC. If they are going to pump water from one body to another there has to be a way to stop the water from going from one lake to the other.
- The Two Rivers Neighborhood Plan while not a judicial plan the county asked back in 2005 if some neighborhood plans could be developed. The Two Rivers plan was developed and on it they said that the water on top of the perched water table out there should be sewered because of the perched water table. The city and county were both in on some of the meetings.
- When Rosewater came along, they proposed a disposal septic system on top of the perched water table. It seems like the recommendation of who pays last should not be how the plans are decided on. I would ask that you postpone this for a couple of years until a water quality issue is completely looked at.
- I would also like to see that the county and city planning staff get together and work on a proposal on what should be happening north of Kalispell on Reserve.

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

BI-MONTHLY MEETING W/ JOE RUSSELL, HEALTH DEPT.

9:00:00 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Health Dept. Director Joe Russell, Clerk Kile

Russell reviewed a February 2013 communicable disease health services report, an immunization statistics report and WIC funding report with the commission. He then spoke about environmental health activities that included food and consumer safety, septic system activity and subdivision activity. In other business, Russell spoke about potential expansion of the Animal Shelter and disbanding the Mosquito Control Board.

BI-MONTHLY MEETING W/ MINDY COCHRAN, GIS DEPT.

9:32:07 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, GIS Program Manager Mindy Cochran, I. T. Director Vicki Saxby, Clerk Kile

Cochran reviewed the following bi-monthly report with the commission.

Ongoing Data Maintenance & Projects since our last meeting

- 22 COS's & 12 subdivision plats have been filed / drafted.
- There have been 22 landowner requested addresses assigned, 3 new addresses assigned via COS or subdivision plat, and 8 addresses have been field verified. 12 addresses have been entered via the addressing improvement program, and 40 addresses were entered per city request.
- We have resumed county initiated road naming's via the re-addressing program that were put on hold for the winter. The first project is in the Haywire Gulch area and will include 5 unnamed roads.

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Map Orders & Special Projects since our last meeting

- We have fulfilled requests for 3 digital data orders, 2 map books, 34 maps & 29 ownership lists, as well as 4 GIS service requests since our last meeting. This is double our typical workload.
- Requests for GIS services have come from a variety of entities including several surveying companies, Glacier National Park, School District 5, Swan Hill TV District, Plum Creek, Badrock & West Valley Fire Districts, the City of Kalispell, the Health Department, Plat Room, Weed Department, Mosquito Control, Commissioner's Office, Election Department, Planning and Zoning Office and Road and Bridge Dept.
 - **Road Department** – input the data for the newly adopted Functional Road Classifications and print final set of maps
 - **Plat Room** – Printed 41 updated maps, and changed format of and updated Legal Roads Report
 - **Election Department** - Precinct Redistricting mapping, address list for wards
 - **Clerk and Recorder** – We have begun our annual tax audits for all district boundaries. This year, we will send the results to the Clerk and Recorder to send out and coordinate with the pertinent districts
 - **Weed Department** – providing assistance for the cleanup of their database which tracks locations of weed infestations, making changes to symbology of their data on the IMS website, assisting them with adding new weed types into their database, distributing their data to Lincoln County and Plum Creek per their request.
- Fuel tax calculations are in progress and are due back to the DOT by March 29th.
- The last Addressing Workgroup Committee Meeting was held March 7th. The next meeting is scheduled for June 6th at 2 pm at FECC conference room. This will be our first discussion on getting a contract in place which will state who is responsible for what when it comes to roads/addressing/911.
- We have been upgrading our website and software to the next release of ArcGIS (10.1). We have completed all upgrades to the GIS servers and desktops in GIS, as well as assisted Mosquito Control with their upgrade. We are currently working on upgrading the IMS website and the database and hope to have that done by the end of April.
- West Reserve Bypass re-addressing – funding has been located for the bypass, so the re-addressing that will need to occur when that bypass is completed is ready. You may want to include the re-addressing in any publicity announcements you make about the bypass.

DOCUMENT FOR SIGNATURE: REQUEST FOR DECLARATION OF SURPLUS PROPERTY/ WEED & PARKS

9:30:43 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Weed & Parks Director Jed Fisher, Clerk Kile

Fisher noted Unit 361 has 147,000 miles on it and is using oil. He explained it has a rear main seal leak and would cost approximately \$2,000 to get it up to speed. He stated he reviewed other options and said he was offered a fair trade in price.

Commissioner Krueger made a **motion** to authorize signature of declaration of surplus property. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

MONTHLY MEETING W/ MARK CAMPBELL, FAIRGROUNDS

9:45:35 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Fairground Operations Manager Mark Campbell, Clerk Kile

Campbell met with the commission and reviewed the following monthly report.

Current Projects

- Event activity is taking primary role at this time. Full weekend event coverage is in place and continues into May.
- Received quotes on retro-fitting the Trade Center lighting to fluorescents and LED anticipating CIP plan approval.
- Maintenance has re-painted lobby areas of the Trade Center and Expo Building.

NW Montana Fair & Rodeo

- Fair Book is 95% complete with changes to competitive exhibit programs. Final drafts shared are being shared with the department superintendent's. To printer April 10th, public on May 15th.
- Reviewing steps and the logistic needs for animal arrival inspection plan. Final decision is still a few weeks away.
- Final details of concerts have been set. Publicity begins April 26th with tickets on sale May 2nd.
- Carnival agreement is also in final stage. Trying to coordinate a meeting with both operations for details on promotions, locations, pricing, and to sign the agreement. Plan to have this resolved before the end of March.

Fairgrounds

- Presentation given to Sunrise Rotary club on history of the fairgrounds. Good questions asked about event use, fireworks, and parking improvements.
- Facility planning is still moving forward but slowly due to my schedule.
- FY 2014 Budget, Goals, and CIP projects are prepared and submitted.

Upcoming Events and Activities

- Montana Arms Collectors Show – Mar 29 – 31st
- Flathead Valley Roller Derby – April 6th
- Ultimate Treasures – April 6th
- Stillwater Church Rummage Sale – April 6th
- Kalispell Police Benefit Concert (Wylie and the Wild West) – April 12th
- Paper Drive – April 13th
- Cross Town Smoker Boxing – April 18th
- Alert Banquet – April 27th
- Artist and Craftsmen of the Flathead – April 27-28th
- Gold Prospectors Show – April 27-28th

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PUBLIC HEARING: ROSEWATER SUBDIVISION PUD

10:00:32 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Deputy County Attorney Paul Nicol, Eric Mulcahy, Roger Noble, Tom Sands, Bill Tanner, Angie Olson, Elsa Putzier, Jeff Claridge, Gene Dziza, Zac Andrews, Jim Dewey, Marc Blanden, Bill Yarus, Cody Jensen, David Steely, Cristy Wells, Robin Street, Barbara Alsbury, Greg Alsbury, Lori Alsbury, Ralph Hemp, Bill Ashe, Ron Thiebert, Danny Joe McCullough, Shirley Hendrick, Joseph Neitzling, Joshua Smith, Tom Cowan, Eric Bergman, Paul Trudeau, Jane Burleson, Dave Jolly, Clerk Kile

Commissioner Krueger noted for the record his son farms this property and that he has no economic concern of his own, and offers no management for the activity; therefore, will participate in the public hearing.

Hogle entered into record Staff Report FPPUD 12-03 (Rosewater Subdivision); a request for a Planned Unit Development (PUD) that was approved by the Planning Board on February 13, 2013 at the first public hearing. He noted due to statutory requirements this is the second public hearing. The specific request entails a development proposal on 154 acres of land north of Kalispell; located on the north side of Rose Crossing, ¼ mile east of Whitefish Stage Road. The majority of the property is agricultural open land. There is an old farmstead located in the central portion of the southern area, and access to the location would be Rose Crossing, which is a paved public county road. The proposal includes a subdivision that is a separate review matter; however, PUD requirements per zoning regulations require that when a subdivision is presented with a PUD that the proposal be evaluated and present in the file. The land use plan would basically create an overlay district on the underlying SAG-5 zoning. Following procedures and provisions outlined in the zoning regulations there may be additional density enabled for a proposal when reviewed as a SAG-5 PUD, particularly as a residential PUD. In this case utilizing the provisions existing in the regulations the proposal is to establish 58 residential units on the property; 46 would be single-family residential lots, and 12 would be attached townhome units established with 4 units per building with 3 separate buildings. The overall density will be one unit per 2.65 acres. This is the major divergence of the PUD from the underlying zoning. Associated with the proposed configuration and proposed density the preliminary PUD plan also includes some bulk and dimensional requirements that pertain to uses, both permitted and conditional; for instance setbacks. Associated with the proposal is a lake feature centrally located to the elongated lake that is actually intended and designed for water ski use by the owners within the development; the lake currently does not exist and would be manmade. It is intended to have a liner system that would be 27 acres in size. The source for water would be from Whitefish River at an existing pump within an existing pipeline feature that currently serves the property for irrigation purposes. The plan entails the removal of the pivot line established on the north boundary, and the applicant anticipates going through a change of use permit for the water rights associated with the pump for water from Whitefish River. As proposed there would be one primary access and that runs into the property from Rose Crossing. The internal traffic circulation would be a looped road named Rosewater Drive. There is a small spur road on the south end that would serve to access a 50 unit storage facility for use by owners. During the review there was substantial public comment both from the general public and agencies. Some of the agency comments, particularly from the City of Kalispell were very involved and interesting. A provision in the subdivision regulations state: when a subdivision is proposed within a mile of annexed municipal boundaries that access and fire suppression measures for emergencies should encompass input from that particular fire agency. The City of Kalispell wanted dialogue with the City of Kalispell Fire Department; an agency referral letter was provided to them and they did respond. Their main interest is access related and the proposed hydrants dispersed throughout the development they felt were okay. They did ask for a second access onto the site and recommend utilizing Pine Grove Lane that accesses adjacent properties. They indicated they would at least like to have an emergency only type of access that would likely be chained or gated in a method they could open. The reason for this is that the single entrance is proposed to be gated, and they will have a landscaped island at the entrance that involves a single lane on each side of the island in order to have another means into the development. In terms of public infrastructure of utilities proposed to serve this development, the proposal is to utilize future water services from Evergreen Water & Sewer District. The district provided comment that is in your file; there are a number of hurdles they are undertaking to bring their current users and infrastructure up to required specifications from DEQ. Once that is done they have indicated it is feasible that the site could be connected and annexed into the district in the future, so the water would be public water. In terms of the sewer, what is proposed are five separate on site multi-user drainfield systems that would be established in various areas of the proposal in common areas, of which there are nine. The particular uses proposed are in the report as well. In the review, it was observed language in the proposed PUD plan was vague and not particularly specific in regards to dealing with functional setbacks for the townhome units. You will find in the staff report for the PUD element of this proposal that there have been some staff recommendations regarding amending the PUD plan, where it pertains to bulk and dimensional requirements for the townhome units. At the public hearing, 17 separate public comments were received from the general public, in addition to those that had already been received via the mail. The comments span impacts and criteria associated with both the PUD and the subdivision, so it has been interesting to try to discern and peel back the comments and attribute them to the appropriate sector of this review; in this case for this public hearing it's the PUD criteria. The majority of the public comment that has been voiced is in regards to potential impacts from sound, some visual disturbances because of the change to the site, but the majority of them were expressed around concerns regarding the lake. The concerns that appear to be particularly relevant to the PUD have to do with long term maintenance of the lake. In the PUD regulations it does provide guidance that common features and common areas should have a reliable mechanism for long term maintenance. The applicant has proposed to address long term maintenance through CC&R's. There has been very detailed discussion particularly regarding the subdivision component regarding other concerns on the lake, environmental concerns that may have an impact on the ground water, or potentially surface waters of the Whitefish River. Staff evaluation of the proposal has focused those concerns in conjunction with the subdivision component of this development and not the Planned Unit Development. The primary review criteria for subdivisions specifically detail those types of criteria, whereas, the PUD deals more with the zoning perspective. We have received five additional comments that were provided to you last week subsequent to the Planning Board hearing; pursuant to the procedures for public hearings that is available for your review and consideration. Just bear in mind that again those comments were from the general public who don't necessarily filter between subdivision review and PUD review. So it is appropriate to use discretion in terms of your evaluation of the PUD today.

Chairman Holmquist opened the public hearing to anyone wishing to speak in regards to the proposed PUD.

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Bill Tanner, representing Score Management the owner of the property proposed for the PUD said he is happy to share this exciting project proposed. He said it has been a pleasure working with the Planning Office who has done a good job keeping them headed in the right direction which was appreciated. He thanked the team he has been working with who helped him technically prepare the project; Eric Mulcahy and Tom Sands from Sands Surveying, Tom Cowan from Carver Engineering, Roger Noble from Applied Waters, Josh Smith from CMG Engineering and Joe McCulloch representing Colorado Linings. The proposed subdivision is not a new concept. It is a concept that occurs many times around the United States; the closest one to us being in Helena, which is a successful two-lake subdivision that has been operating for over 10 years. In bringing together these qualified individuals we hope to answer any questions or concerns that may have been brought up. I have been in the development business for over 30 years, and more specifically in developing subdivisions. Recognizing that subdivisions require a unique method you need to be open and candid and aware of what is happening. I made a special effort to talk to as many of the residence around the properties that I could to get their input, and provide them with an understanding of what I am trying to do. From a technical point of view we have done everything we can do; I can't answer the question of not in my back yard. Although, I understand the concerns I am here to tell you this subdivision is technically very viable and will provide a quality of life that is much needed within this valley. There are individuals that are looking for an opportunity to live in an environment that provides them an opportunity to water ski in an environment that is protected where they are not interfering with fisherman or others using the lake; this would be specifically for their use. I think it will be a real asset to the county and look forward to your support of the project.

Ron Thiebert stated he has lived in the valley for 75 years and has seen many subdivisions, but this has to be the ultimate debacle that has come into this area and will be a detriment to the area; this is farmland and is totally unacceptable, and should be left SAG-5. Whitefish River is close to it and it is not if the liner will leak, it is when it will leak. We will have contaminated water, and there will be no way to police it so that it won't affect Flathead Lake. Our ultimate goal should be to protect Flathead Lake. You will have a subdivision that is densely populated with one access to it; that isn't responsible as far as the fire department goes. This would be like taking a 200-pound hog and throwing him in his bathtub.

Eric Mulcahy, Sands Surveying said essentially at looking at their design on the property that they looked at the existing zoning, and then essentially started looking at their options. He said Mr. Tanner had the idea of wanting to do the water ski feature, and they looked at the configuration of the property and the river and starting working with the idea of clustering; essentially that is what brought us to the PUD. They were able to use the PUD to work with the underlying zoning as opposed to trying to change the zoning. Rather than change the underlying zoning there is a Two Rivers Neighborhood Plan that would allow zoning with up to two to eight units per acre; they decided to stick with SAG-5 and cluster, and use the density bonus provided within the SAG-5 zoning. They essentially established a water feature and clustered their units around that feature, which enabled them to create 41 percent of the site in open space out of the water, and if they count the lakes they are at 59 percent of the property in open space or common area. They also understand that Whitefish River is an area of concern, and so they brought in geo-technical engineer Josh Smith to look at the soils, and Roger Noble a hydrologist. Several tests holes have been bored into the site and they have set the pond/water feature 950 feet from the bank, which is essentially their eastern property boundary. So 950 feet to the pond is almost 1,000 feet between the bank and the closest portion of pond; if they look at the river they are over 1,400 feet from the river. They were able through the PUD and clustering to create a large open space and a large setback; almost 29 acres of open space between their lots and the eastern boundary line. As far as the conditions that were recommended by staff and the Planning Board for the PUD they are completely fine with, and are fine with working with Kalispell Fire Department up to the point that they will provide them access, they want hydrants in with fire flows; however, they don't want to try to gain approval from West Valley whose district this is in, and Kalispell who may not have the same standards of approval. They would just rather deal with West Valley as far as gaining approval for the hydrant location. As far as the mini storage that is another component that would be exclusively for the owners of the subdivision, and would not be leased to the public; it is not a commercial element, purely a feature for the future homeowners of the subdivision where they can store boats, snowmobiles or that sort of thing. They can certainly address any long term maintenance as part of the PUD. They essentially see these water features no different than all the golf courses that have been developed in the valley, such as Eagle Bend, Iron Horse, Meadow Lake and Glacier Village Greens that have nice amenities with water features essentially maintained by either a commercial element or an element of the HOA. If we look to Riverside of Whitefish, there are 15 acres in lakes developed within that subdivision, which is much closer to the Whitefish River than what is being proposed here. Those lakes are only lined with clay and not a PVC liner that essentially lasts a lifetime. Also, if you look to Eagle Bend you have the whole marina that has been developed that is part of the Eagle Bend facility with its bladders to maintain the high water during the winter when the lake is down. At that facility, they lease the boat slips commercially and to folks that live within Eagle Bend. There are lots of examples within Flathead Valley where you have recreational amenities that are designed for the subdivision, and function well and don't create a problem or liability for the county, and we feel this is in the same vein. We are providing an amenity for the future owners of these lots. They will be responsible for maintaining that lake into the future. If they decide 50 years from now they don't want a lake, it can dry out and they can plant it with seed and there will be a big giant meadow there; the homeowners association will essentially inherit this, and maintain it in the future through their homeowners dues.

Ralph Hemp said he is a 20 year resident of the county and is currently building a home at 1935 Pine Grove Lane. He said he is retired and in his past position, he was the President of Global Insurance and Reinsurance. For the past 26 years he has been a legal consultant to the insurance and re-insurance industry and is a certified arbitrator. He attended the Planning Board hearing he noted, and said he provided to them a copy of his concerns. He asked if they had received it and if so if they had any questions.

Chairman Holmquist asked Planning & Zoning Director B. J. Grieve is they were allowed to answer questions.

Grieve noted this would not be the time to have an interactive session.

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Ralph Hemp said within the documents he presented he outlined his concerns. He said before he attended the Planning Board hearing that he did not have a chance to review all the material, which he sequentially has reviewed. He said he feels there are several major issues that have been brought out. It should be noted the lake is referred to in all the developers' materials and engineers report as a pond, not a lake. It's going to hold at least 40 and possibly as much as 54 million gallons of water, and will per the developer's testimony and the Planning Board meeting going to have an algacide and will obviously contain oil and water from the motor crafts used. The developers own engineers have said the perched aquifer is estimated to be 15-40 feet below the soil surface. They are proposing a 30-mil liner placed over compacted soil. One of the CD's submitted to the Planning Board identified as Exhibit "A" regarding geotechnical information, says at one point it should be realized that fine grain soils can be difficult to compact. We are dealing with fine-grained soils. It indicates further that regardless of the liner system selected CNG recommends a minimum of six monitoring wells to be installed that will evaluate the perched ground water table that exists in the upper 15-40 feet below the ground. Monitoring of these piezometers will provide ground water tables that may affect the slope and stability east and south of the site. In the event that it is determined that the perched ground water level is rising as a result of a leaking liner appropriate measures can be taken to repair the liner. The developer when asked about this at the Planning Board made the statement as to the reliability of the liner that it has a 20 year warranty. When asked about an emergency plan the developer said it was on file. Unfortunately, the Planning & Zoning Department indicated to him they didn't receive that in time to comment, nor was it available to comment on by FWP, and others that commented on the subdivision. Exhibit "B" that he put forward is from the developer's submission where they point out having a stable sub-grade is critical for any liner project. It also says settlement of soft lakebed soils result in deformations that stretch the liner, which can lead to failure from what is called environmental stress cracking in a liner that cannot handle deformations. He pointed out that this was from a submission of the developer file. In the same file, it shows a picture of the same lake "Grassmere Lake" where not only is there a liner, but there is a geotextile material that is applied over the liner. Many of the examples that were found in the developers own file show that just a liner is insufficient. Exhibit "C" that he put forth is also from the developers own file regarding a geotech material both below the liner, the liner and then geotech material above it so that it protects the liner. I don't believe I heard anything about that; all I heard is that we are going to use a 30 mil liner. In many of the applications again submitted by the developer there is not a 30 mil liner, there is a 45-60 mil; especially when you are trying to contain hazardous material, which this is not going to be pure water. There was some comment about the area we live in about the stress put on the land by freezing and thawing conditions. A naked liner although they say it will have dirt over it; this is really sand we are talking about. There is also the consideration of attractive nuisance.

Chairman Holmquist asked Mr. Hemp to stick with comments addressed to the PUD as what he is reviewing is public record.

Grieve said it is reasonable for the commission to limit individual comments and guide the public to speak to the PUD.

Ralph Hemp explained he is reading right from the PUD. He then spoke about adequate provisions of maintenance. In the PUD, it says that you have a legal – that there must be: adequate provisions shall be made for a private organization with direct responsibility, and controlled by the property owners involved. Then it goes on to say legal assurances shall be provided and show that private organizations if self-perpetuating and adequately funded to accomplish its purpose. I think that is a big issue because you have heard just now that the homeowners will be responsible. The proposed CC&R's submitted to the Planning Office show on Page 2 where they talk about common areas, there is no mention whatsoever about a lake or even a pond. If you look at the map that they had brought in they outline common areas A-I; I should point out B & C are missing. There is no indication whatsoever that would alert any perspective homeowner that those lakes/ponds are in the common area. The CC&R's go on to state in Section 2.1 the period of declaring control: A – Being 20 years which is coincidental. B - When 90 percent of the lots are sold. In either case the developer is going to be gone in 20 years. On Page 5, it indicates under Article 4 common area: It just says the homeowners association has jurisdiction and control over the common areas. They don't mention anything about a lake. This is 27 acres; over 1/6 of their property and the main feature of the development, they don't talk about it. They spend six pages on assessments to the homeowners where they indicate on Page 7 homeowners dues will be \$400 per year. On page 10 where they talk about declared or the developer's responsibility; basically it says notwithstanding the forgoing, meaning the six pages of assessments. The declarant by the developer: Although a member of the homeowners association shall not be responsible at any time for payment of any of the assessments for lots owned by the declarant, unless or until the declarant constructs a home on such lot. The declarant however, shall pay proportionate shares of all current expenses and administration actually accrued by the homeowner's for snowplowing and routine maintenance. No mention there about a lake. The liner will have to be replaced. There are exhibits I put forth where a Colorado Lake even this month is under the process of repairing a lined lake. Many of the lakes the engineers spoke about up in Whitefish are not lined lakes; they are natural lakes that were dug out and ground water perks up. The lake in Helena --- the man who came all the way from Helena to tell us what a great deal this is, that's a clay lined lake; there is no liner. I submit to you the cost of replacing the liner when it happens if there is no resulting damage to other homeowners, the banks or surrounding property owners will be at least \$6 - \$7 million dollars. There is only one way to guarantee their performance; a letter of credit or a bond. I point out in my submission that a liability policy will not cover this.

Commissioner Krueger said for the record he has taken everything submitted by Mr. Hemp under consideration. The commission unanimously said they all had read the material submitted.

Shirley Hendrick a resident off Rose Crossing said she hates to see this as there are already all kinds of subdivisions in the valley that haven't even been built out yet; they are just sitting there. I am wondering about schools too, as those coming to water ski will not be older people, but families that will bring more kids into our schools. The worst thing is the traffic. People don't drive down West Reserve Drive, they go up Rose Crossing and to Whitefish Stage, which is full of potholes and is rough.

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Eric Bergman, 180 Stillwood Drive said he appreciates the fact that the focus of this is only on the PUD. He said I hope the commission will allow us a little leeway, because you're the professionals and we like to dice this up in nice little pieces and address it one piece at a time, while the rest of you are kind of recognizing it as one great big package. When it finally comes together, it is going to affect us as a package. I do have concerns about some of the environmental issues and have great concerns over the noise issue. I am privileged to live approximately 1 ½ miles as the crow flies from the racetrack and every Saturday night all summer long, I get to listen to the un-muffled internal combustion engines until 10 or later. Every time I call, I am told there is nothing that can be done about it, because so far this county has advocated no responsibility to restrict such uses. What I am seeing right now is a proposal that would put a racetrack ½ mile away from my home where any hour, day or night they can be out there running their internal combustion engines. If this were strictly a zip-line that would be one issue. He asked are there specific restrictions; if so, he would feel much better about this, although he isn't particularly in favor of it. He said I just heard a gentleman from Sands Surveying just mention one of the uses for the open spaces being snowmobiling. Now we have approximately 50 homes that might want to be running their snowmobiles out there. Again, as part of this package for those who live in the area and already enjoy the quality of life, and haven't seen a need for this as was indicated by a previous speaker they would like to protect their quality of life. As this moves forward, I would like to see some very severe restrictions on what can and cannot be done, and how it might affect surrounding residence.

Bill Ashe a resident on Pine Grove Lane for 23 years said he has raised his family at this location and would be 3/10th of a mile as the crow flies from this proposed lake. He said most of the residence there purchased or built their homestead with assurances and expectations that they would be living in a peaceful and quiet neighborhood due to the zoning. Rosewater PUD will have an adverse effect on the nearby residence and the environment. From literature received at the Flathead County Planning Office, it is recommended that a PUD project should be looked at from your neighbor's point of view. In addition, to examine potential environmental impacts that includes traffic, noise, dust and degradation of water quality. The Rosewater project includes a 27 acre manmade lake with 40 million gallons of water. The lake is contained by a rubber liner that has a useful lifetime of about 20 years; at some point this will need to be replaced or repaired. If it makes it to the 20 year mark, surely it will have been contaminated somewhat by the exhaust oils and fuels used by these motor boats year after year. They also get more concentrated through evaporation and the water not being changed out. Also herbicide is going to be used to control algae and moss; most assuredly, this will have to be pumped into the Whitefish River, which goes into Flathead Lake when maintenance or replacement becomes necessary. My son is an engineer at Yellowstone Club, which is a high-end development at Big Sky where they have four lined ponds. Over time all four ponds have leaked and they are in the process now of pumping out a 30 million gallon pond to repair it; they do leak. I went by the neighbors living on my road and neighbors on Whitefish Stage Road adjacent to the property to the west and out of 40 people he talked to, two of them choose not to express any opinion and two were for it, they were contractors. The vast majority of 36 people were opposed to it with concerns about boat noise. He looked up what constitutes a public nuisance and it states: something that is obnoxious or injurious to the community at large or an individual especially in relationship to his ownership or occupation of property. Boats running at near full throttle make noise and it won't be confined to the Rosewater premises; it will be offensive to the rest of the long term nearby residence who have the right to quiet and peaceful enjoyment of their property. The developers testified the boats are quiet – quiet compared to what; birds singing, the wind rustling the leaves in the trees. This Rosewater development is not conducive to rural country residential living; therefore, my wife and I and signees of the petition are not in favor of this water ski development moving forward.

Zac Andrews, 2150 Riverside Road said he has ownership interest in the property in the immediate area of the proposed subdivision. He said he is in favor of the subdivision that he feels is an excellent plan. His comments regarding the subdivision are available for them to read. I think it is congruent with the valley; it's where the valley is going, and is congruent with the image we portray for this being a fun place to come and enjoy. It also offers something that is much needed in the fact that it is legitimate recreation on the water for a price that is far less than if you were going to buy something on the river or the lake. It is appealing I think to people who are from here, which I have been here for 34 years now. I think it is valuable to people who are from here for sure, because it is an opportunity to own property on water in a valley that is so popular that it is difficult to do so. Definitely, if it meets all the requirements of the PUD that I think it is something that should absolutely be approved. Additionally, I am not concerned about the noise, because I do own a ski boat myself and I know, because I looked it up the other day, that new ski boats are federally regulated on how loud they can be; just for an example they have to be quieter than a motorcycle, so they are not going to be any louder than anyone driving a motorcycle up and down the roads in the area. I think the engineering sitting in the front row has done their homework and got information on the liner. We should really look at what the facts are rather than what the hypotheticals are.

Jane Burleson, 1350 Rose Crossing said she is not in favor the proposed Rosewater development, because of the impact to their neighborhood in regard to noise not just from boats, but activities from those in the development. She is also opposed because of traffic and water pollution. At some point, the water will have to be discharged from the lake to either repair or replace the liner, and I don't feel our questions about that have been adequately answered in a way that is feasible. I talked to the EPA and DEQ and they are concerned about water discharge into Whitefish River with algacide, oil and gas. Also, I would request that the amendment to condition 29 in the proposal that was struck by the Planning Board be reinstated.

Condition 29 reads: Prior to final plat approval of Phase 1, the applicant shall provide an emergency contingency plan for the proposed artificial lake ~~which has been reviewed and approved in writing by the Montana Department of Natural Resources and Conservation, Montana Department of FWP and the US Army Corp of Engineers.~~ The plan shall address long term monitoring of the lake's liner system and emergency response in the event of a failure of the lake's liner system.

Jane Burleson continued I believe it should not just say in the event of failure of the lake liner, but when the liner has to be replaced. Something was mentioned about letting the lake go back into a meadow. There is a lake in Colorado now that is under litigation because the liner has to be replaced, and they need to just let it drain out and now the stench on the river is just horrible and the neighbors are complaining about the smell as they are waiting for it to drain.

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Paul Trudeau a resident in Buffalo Stage Subdivision said he is happy to see growth potential and perhaps creating some jobs that would come from a new subdivision. I understand how much risk is placed on a developer and am hopeful once all the requirements are met that the local people living around here will develop a trust; I realize that growth is the way of the future.

Gene Dziza, 4400 Foothills Road said he obtained a copy of the PUD from the Planning Office, with the exception of the title documents and has reviewed it very carefully. I am happy we are seeing this in the form of a PUD, as all of you know what could be done to that property. I think that we need to consider the environmental impact of the PUD, and we have to consider the environmental attributes of the PUD. We all know the property could be carved up into a bunch of those weed lots that we hate in this valley and individual septic's that do not provide near the filtration that this proposal will. I think when you look at that this is a much more environmental friendly proposal than what could be done without them having any say in the matter. Every time I have seen a PUD come forward it has always resulted in better land use; we don't need any more of those ranchette things. Of course, the heart of the PUD is the pond/lake whatever you want to call it, and I do wholeheartedly agree with everyone that commented that the developer needs to take every precaution in the installation of the liner. He pointed out we use liners in landfills, sewage lagoons, for hazardous materials and toxins; we are not dealing with hazardous materials and toxins here. I also agree with the position that FWP has taken in the PUD where they said the applicant did a good job in addressing the water and fishery concerns, and the applicant does a good job addressing concerns with a non-permeable PVC liner. I have looked at a lot of these letters from FWP and this is probably the friendliest letter I have seen from them, especially with a proposal such as this. It is obvious to me that the developer is taking the necessary precautions with the liner. Perhaps some of the comments by FWP are due to the fact that more and more we hear more talk about creating no wake zones and as we all know these skiers tend to seek out quiet water where other boat traffic does not exist. In McWenneger Slough, which water skiers used for years, as soon as FWP created a public access the water skiers got the boot out of there. Last time I was at Lake Blaine in the northwest corner there was a slalom course set up there, and now they are talking about creating a public fishing access there and water skiers will get the boot from there. Quite frankly, I think that in some areas there needs to be no wake zones, so I think by relocating some of this water skiing traffic to a manmade structure will provide an environmental benefit. Noise, my understanding is a water ski boat operates about 65 decibels at 150 meters, and a refrigerator operates at 50 decibels. The noise duct you hear now is close to 50 decibels, I would suspect. I would propose to you that the residence that live around there have lawn mowers that create as much noise as the boats will. In the PUD packet, there was a map of water ski lakes around the county, and I was shocked at how many there are; you don't hear much about them. One thing I wanted to point out is that people talk about liner failure and having to pump out all the water; I can't imagine a scenario where you would have to pump out all the water, because my understanding is that you create baffles out of an area that needs repaired, and then pump it back. I noticed in the PUD packet there were two letters of support from neighboring properties, and those people are realtors. I think if there was a concern by them that this PUD would cause some kind of degradation to their property value or quality of life, that Commissioner Scott would probably attest those would be the loudest voices of opposition that you would hear. I think the storage areas are a good idea; usually you see two car garages as we all drive two cars, and it will be nice to have storage for the boat. Lastly, I think this board of commissioners is very sensitive to the need for us to create jobs in this valley and it would be nice to see our builders, electricians, plumbers and sheetrock guys go back to work in this valley. I think Mr. Tanner is proposing to invest a huge amount of money in our community, and this project when you weigh it out provides more environmental benefit to the valley.

Elsa Putzier asked that her time be yielded to Ralph Hemp who represents her interests and is better informed.

Ralph Hemp further said it is comforting to him that the boat noise will not exceed the volume of a motorcycle; it doesn't give me any comfort. The prior speaker spoke about boats, and if you look in the homeowners documents there are no regulations whatsoever as to the type of boat, decibel level or hours of operation; nothing whatsoever. The gentlemen said this will add to the surrounding area; it will add a lot of noise to the surrounding area. We currently are zoned, as you know SAG-5, this is a peaceful area although we do occasionally hear airplanes coming in if they are landing to the north. When they land to the south and take off to the south we don't hear a thing. As far as the noise, I point out again there is absolutely nothing in the CC&R's. There is a section in them where they talk about nuisance; you heard a comment about nuisance. The developer has put in his proposed regulations that within their community, they do not want any nuisances, any loud noises or bad smells, but there is nothing in there that protects the surrounding people from the nuisance. You should note the Planning Office did a good job in outlining the fact that there is going to be noise outside the PUD. One member of the Planning Board basically commented, I live by the airport and I don't like noise, but you get use to it; that's a pretty cavalier attitude. The people who are speaking in favor of this don't live around here; they either live in Bigfork or some other place and are saying this is great for you surrounding landowners. You commissioners were elected and divinely appointed to carry out zoning laws of our county. You have a duty to decide if this is going to enhance the surrounding area; would you like to have a motorcycle running night and day in your backyard. I submit that the average person would not want that. We are not opposed to development; there are plenty of lakes east of Highway 2 that are being developed.

Jeff Claridge, 131 Taylor Road said he hears many people saying they are skeptical of liners going into ponds. He said I work at LHC, and I can tell you today that almost every county in this state and almost on a daily basis there is a liner going in somewhere. These liners are everywhere; you just don't realize it. We just installed one near Riverside Church on West Reserve Drive.

Dave Jolly said he and his wife recently purchased property off Pine Grove. He said he is speaking as a homeowner that he will be once he builds his home. The developer has hired a great number of people to do due diligence on this project. All the same people he would use if he was doing the same project. I am not even going to speak to a catastrophic loss, because he has addressed all that. What I am going to speak to as a homeowner is I have heard lawnmowers and motorcycles, and what I would ask the commissioners to do is just pay heed to the noise. Environmental impact is what you see, hear and smell; not catastrophic, but day to day environmental impacts. What I see here is the density; I don't think it is offensive but normal. The smell and noise I think would be interesting, and if there was something that could be implemented regarding a curfew to safeguard him as a homeowner for their future, their kids and their grandkids, I would appreciate that.

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

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Deputy County Attorney Paul Nicol noted a resolution has been prepared for the hearing if appropriate, and then they would move to the next item on the agenda.

Commissioner Krueger asked Planning & Zoning Director Grieve for direction in regards to preparing for a motion.

Grieve said typically when a motion is on the floor you can have discussion; during discussion if it is found the motion is no longer desirable you can vacate the motion afterwards. Typically, after the close of the public hearing, there is an opportunity for staff to follow up on details, or if you want to ask staff questions you can do that.

Commissioner Krueger asked Planner Hogle if currently under SAG-5 if the water ski lake would fit under high impact recreational facility.

Hogle said it would depend upon the intent of the use. For instance if somebody owns the property and are not dividing it; maybe they would just like a pond themselves, there is no provision under county ordinances or our applicable regulations that would have any say on the matter. A person could just build a pond and water ski on it; that's their own business. Now, if that use would entail drawing water from some other public state waters they would have to deal with their permitting as appropriate for water rights. That's not the counties particular place of input. As far as underlying SAG-5 zoning, if someone just wanted to build a lake, whether it is a stock lake or a landscaping feature or recreational use for themselves, there are no regulations that regard it. Now, if they want to do a commercial operation in a SAG-5 where they would have it open to the public, and the public would come and utilize it that gets into a different area of discussion. Right now under SAG-5 as written, you would not find a provision that clearly is aimed towards a commercial use of a lake. If somebody wanted to explore that avenue they would likely be directed to the provisions of recreational facilities or temporary use. If it was someone who had a really nice lake and they have a lot of friends who like to share in activities, and they have a gathering once a year to come to, they could have a temporary use.

Commissioner Krueger said currently there are two recreational facilities listed under SAG-5; both high and low impact, and I believe that is all we have in our zoning regulations. Is that correct?

Hogle replied, yes.

Commissioner Krueger said basically with a conditional use permit they could get a conditional use permit to operate this pond by going through the process.

Hogle said they could potentially and that would specifically be for use by the general public, again, if they just wanted to have their own pond as an amenity for themselves they would not need it.

Commissioner Krueger said he was aiming it towards public use. There was testimony in the Planning Boards public hearing they watched regarding certain things that may or may not happen, and that sounded like possible use by public. There was testimony about possible events there.

Hogle said I recognize what you are saying, and if you look at the written submitted materials, however, that is really not part of the proposal; that came up through discussion.

Commissioner Krueger said under the current proposal for the PUD, it says it is a permitted use water ski pond, and that would not preclude them from doing whatever since it is a permitted use under the current proposed PUD. A commercial facility could happen there without a conditional use permit. Is that correct?

Grieve said if he was interpreting this two or three years from now, and it said a permitted use was listed as a water ski lake, it would be difficult to interpret water ski lake. That means only private use. What this comes down to is the PUD plan, which you are referring and considering right now is the preliminary version of it if it goes final what will be the zoning overlay on that piece of property. If that zoning has listed as a permitted use a water ski lake, you could probably make an argument that water ski uses would be permissible. It is still a SAG-5 zone; therefore, it would be a gray area in the future. It would be difficult to interpret that, as being you cannot have any races on it for example. The way it is written right now would be a bridge to cross later.

Hogle added he fully agreed with his perception of the PUD section of the regulations; we need to recall this is a residential PUD and on Page 95 of the regulations, it says commercial uses may be allowed in residential PUD districts provided. There are five different criteria. I would think, based on the nature of the proposed PUD plan that there is a potential they could have a commercial element. There is equally a potential that they would come in and amend their PUD plan to specify it.

Commissioner Krueger asked if under consideration of a PUD if the Board of Commissioners is allowed to modify the proposed PUD. At what time would I do that?

Grieve said after you have a motion on the table to consider the resolution and to adopt, then it is a sub-motion to that you would make based on your findings per criteria from the PUD; a motion subsidiary to the main motion to add conditions as you see fit.

Commissioner Krueger said the resolution sets out our approval of the PUD. Grieve said I believe it is a resolution of intent to adopt.

*Commissioner Krueger made a **motion** to adopt Resolution #2352 approval of the PUD with discussion. Commissioner Scott **seconded** the motion for discussion.*

Commissioner Krueger said he tried to lay out a little bit of discussion ahead of time since commissioners are allowed to modify the proposed PUD. It would be my concerns that water ski lake #12 in the proposed PUD be moved into the conditional use permit part of that, which allows for the operation of the pond with a conditional use permit. What they would have to do is go before the Board of Adjustments, and the Board of Adjustments could set hours of operation and so on. We have heard a lot of talk about noise and they would be there then to go through the process. He asked if that was feasible.

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Grieve said you are proposing it in the proper manner.

Commissioner Krueger said next is #14 where it says water and sewage treatment plants. Is what will come in the future the treatment plants for the subdivision; are they considered accessory to a subdivision. Is that correct?

Grieve said typically the manner in which wastewater is dealt with in a subdivision is just integral to the subdivision. Sometimes that is individual onsite and sometimes it is level two shared systems, and sometimes it is a treatment plant for a larger system; they are not considered accessory to a subdivision.

Commissioner Krueger said I guess I don't know why we see the water and sewer treatment there; you don't see it on any other zoning. It does not fall in any of our other zoning.

Hogle said his recollection is that Eric Mulcahy with Sands Surveying was looking at the proposed PUD plan, and they brought the details up in what is referred to as the sufficiency stage of the subdivision review. The water and sewer of the proposal is really an element of the subdivision component. During sufficiency review, there were some items on the PUD plan that were not included in the original submittal, and so he had already addressed that in the letter of insufficiency. Eric and I spoke about this via a phone call where he wanted to clarify and make things right up front. You will notice in SAG-5 water and sewage treatment plants are already just an element of conditional uses; because this proposal has five separate multi user systems he just wanted it to be put up front as a permitted use.

*Commissioner Krueger made a **motion** to amend Rosewater PUD plan as submitted to them by placing the water ski lake board paddling lake into the conditional use permit section of that.*

Grieve asked for clarification that the motion is to add say for example condition #10 --- right now there are 9 conditions of the PUD final plan. Condition of approval for the PUD preliminary plan would be to add a 10th condition that it be changed.

*Commissioner Scott **seconded** the motion to a vote. **Aye** - Holmquist and Krueger. **Opposed** – Scott. Motion carried by quorum.*

Chairman Holmquist asked Commissioner Krueger to restate his original motion.

*Commissioner Krueger made a **motion** to adopt Resolution #2352 approval of the PUD with an amendment to add condition #10 that will require that the water ski and wakeboard/paddling lake be moved into the CUP portion.*

*Commissioner Krueger said this gives Flathead County greater control over the activities at the lake and allows the Board of Adjustments to look at hours of operation, and allows the applicant to bring forward a few more things to make the project a little bit more betting. I think it's a good deal for both the applicant and the homeowners around the area. Commissioner Scott **seconded** the motion.*

Hogle said before you go any further in recollection of the nature of a PUD recall that this is the preliminary PUD. There is another stage in the process, and that would be called final PUD. What happens is if there are any conditions from the preliminary PUD that are anticipated, and expected they would be implemented as part of the submitted final PUD plan. The reason I am mentioning this, is this project/ development is also a phased development. Integral into the very first phase is the lake. I am just pointing out ramifications and complexities involved. You may want to include the concept of amending the PUD to include the condition as part of the final PUD plan.

Commissioner Krueger said I believe that is what it is doing.

Grieve clarified condition #10 is added regarding the preliminary plan to be amended at the final plan, so the final plan states that the use will be moved from permitted to conditional.

Commissioner Scott asked if the comment was to include other discussion for amendments at that time on the final.

Hogle replied it does not.

Grieve said if you have any subsidiary motions to the primary, which is to approve the resolution of intent to adopt any other subsidiary motions, would then open discussion on other amendments to the preliminary plan that will be reflected in the final plan. The condition today of the preliminary plan is then reflected when they bring in the final plan. Just like a condition of preliminary plat; it has to be shown when they come in for final.

***Aye** - Holmquist and Krueger. **Opposed** – Scott. Motion carried by quorum.*

RESOLUTION NO. 2352

WHEREAS, the Board of Commissioners of Flathead County, Montana, held a public hearing, following the publication of legal notice, on the 25th day of March, 2013, to consider a proposal for a Planned Unit Development (PUD) in the Highway 93 North SAG-5 (Suburban Agricultural) Zoning District;

WHEREAS, the Board of Commissioners did hear public comment on the proposed Planned Unit Development at that hearing;

WHEREAS, the Board of Commissioners has reviewed the recommendation of the Flathead County Planning Board regarding the proposed Planned Unit Development;

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of Flathead County, Montana, in accordance with Section 3.31.020.4, Flathead County Zoning Regulations, hereby conditionally approves the proposed Planned Unit Development (PUD) in the Highway 93 North Zoning District to overlay approximately 154.023 acres and zoned SAG-5 (Suburban Agricultural). The PUD is a 58-lot residential (46 single-family lots and 12 townhouse lots) Major Subdivision. The PUD/Subdivision would include a 27 acre man-made lake and the lots would use five proposed onsite wastewater treatment systems, and a proposed extension of the Evergreen Water & Sewer District's public water supply system. All permitted uses, conditional uses, bulk requirements, and dimensional requirements would comply with the underlying zoning classifications.

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BE IT FURTHER RESOLVED that the property to be overlaid is located at 1535 Rose Crossing, in Section 20, Township 29 North, Range 21 West, P.M.M., Flathead County Montana and more particularly described as:

(Tract 1) Tract 1 of Certificate of Survey No. 17722, located and being in the East Half of the Southwest Quarter (E1/2 SW 1/4) of Section 20, Township 29 North, Range 21 West;

(Tract 1A) Tract 1 of Certificate of Survey No. 18421, located in the South Half of Section 20, Township 29 North, Range 21 West; and

(Tract 9A) Tract 2 of Certificate of Survey No. 18421, located in the South Half of Section 20, Township 29 North, Range 21 West.

BE IT FURTHER RESOLVED that the applicant shall submit a final plan showing compliance with the proposed overlay prior to redesignation of the property as a Planned Unit Development.

DATED this 25th day of March, 2013.

BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana

By/s/Pamela J. Holmquist
Pamela J. Holmquist, Chairman

By/s/Opposed
Calvin L. Scott, Member

ATTEST:
Paula Robinson, Clerk

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

By/s/Diana Kile
Diana Kile, Deputy

PRELIMINARY PLAT: ROSEWATER SUBDIVISION

11:38:23 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Planning & Zoning Director B. J. Grieve, Planner Alex Hogle, Deputy County Attorney Paul Nicol, Eric Mulcahy, Roger Noble, Tom Sands, Bill Tanner, Elsa Putzier, Gene Dziza, Zac Andrews, Jim Dewey, Marc Blanden, Bill Yarus, Cristy Wells, Robin Street, Barbara Alsbury, Greg Alsbury, Lori Alsbury, Ralph Hemp, Bill Ashe, Ron Thiebert, Danny Joe McCullough, Shirley Hendrick, Joseph Neitzling, Joshua Smith, Tom Cowan, Eric Bergman, Paul Trudeau, Clerk Kile

Hogle entered into record Staff Report FPP 12-02; a request for preliminary plat approval of Rosewater Subdivision, a 58 lot major subdivision that would create 46 single residential lots and 12 residential townhouse lots located on the north side of Rose Crossing, ¼ mile east of Whitefish Stage Road. The subdivision is a component of a PUD, which has just received preliminary PUD approval with conditions. A public hearing was held by the Planning Board on February 13, 2013 and the staff report outlined 34 findings of fact, and based on those there were 31 drafted conditions that address the impacts that have been identified in the review; specifically pertinent to the primary review criteria, 18 of those are standard conditions, conditions 19-31 as drafted were unique conditions to the proposal. He pointed out comments received at the public hearing as well as comments submitted after the public hearing all have pertinence in a very specific manner to some of the actions of the Planning Board who did recommend approval of the subdivision. They did make modifications to the findings of fact and to drafted conditions of approval. The public comment received focused on a wide range of items; mostly geared toward concerns regarding impacts of the proposed lake in the event it should have a leak or some kind of failure that would necessitate repair. The reason for the many concerns is the proximity of the proposal to Whitefish River, the nature of the soils on site, the elevation of the proposed lake above the river, and the fact that below the site is apparently a documented perch aquifer approximately 30 feet below the surface with a confining clay layer, and a history of seepage from natural events along the base of the aquifer; water migrating into the river channel or canyon of the river on the slopes of the river. The changes recommended by the Planning Board on findings of fact were on #27 where they added the term – long term maintenance. That was considering the nature of the geology of the site, concerns regarding impacts in the event there is substantial leakage, and also the fact there has been a full geotech report that supports the development of this project. On finding #26 there was also a recommended change that has to do with recommendations by the fire department of Kalispell that there be a second access. The applicant indicated their proposal generally complies with the requirements of the district, and so there was language stricken - the words is also subject to reasonable compliance with as shown on the addendum. They then added language, so it now reads: subject property is located in the West Valley Fire District, and the applicant is proposing the subdivision to comply with fire protection standards of the Kalispell Fire Department, etc. In terms of the related conditions and changes by the Planning Board on condition #29 that aims towards some sort of a plan to address monitoring of the lake to address any repair leaks, and just basically to have a plan of action in case there is an issue. The language stricken on condition #29 had to do with concurrence of approval from various agencies. These agencies do have bearing on water quality of Whitefish River. That was stricken and simplified by adding a sentence behind the word artificial lake. There was added language at the end that states the plan shall include a method for continuous monitoring of water levels in two monitoring wells located southeast of the lake. Also condition #3 regarding providing a letter from the fire chief from West Valley Fire District was amended by the Planning Board to be stricken, because of the change made on the finding of fact they felt condition #3 was not necessary. As it was finally amended by the Planning Board there are 30 conditions and 34 findings of fact. Subsequent to the Planning Board hearing letters have been received that were provided to the commission along with a memo that provided guidance out of the regulations on how to deal with your determination whether or not it is new information; no other comments were received. It did appear that some of the dialogue on the comments received may potentially be determined by you to constitute new information the Planning Board did not consider at the public hearing. If you determine new information has been submitted, which the Planning Board did not consider that information if determined new, it should be taken back to the Planning Board.

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Grieve said at the point you determine it is new information; your option is to then approve, conditionally approve or deny without basing your decision on the new information. If you find the new information is either not credible or not relevant, or if you find the new information is credible and relevant then the option is to send it back. Just because it is new doesn't mean you have to base your decision on it. If it's new you then have to decide credible or relevant. If yes, and then yes, just that information alone needs to go back to another public hearing in front of the Planning Board. However, if you determine it is new, and not credible or relevant then it does not need to go back to the Planning Board, and a decision can be made today based on the record, because the new information is not credible or relevant.

Chairman Holmquist asked if this would be the time to bring up something she felt may be new information they received out of reading the material.

Grieve said if new and additional information is presented following the Planning Board public hearing regarding proposed Rosewater Subdivision the commission shall determine if the new information constitutes the need for a subsequent public hearing.

Chairman Holmquist said as she was reading through everything she didn't see a written lake plan or one mentioned anywhere. To me it seems like there should be some sort of a homeowner or CC&R plan on how this lake will be used. I think that goes back to the PUD amendment; should there be something in the findings of fact saying they have to have a lake use plan, something defined. That would be my only reason to possibly send it back to the Planning Board.

Grieve said there would be two ways to address that. What you are saying is not so much that you have received and evaluated new information, as much as what you are saying is you still feel there is information lacking in the application to satisfy concerns you have. If you are concerned about that because of information you received then you would want to send it back. If you are concerned about that because of reviewing the record and just seeing that it doesn't seem adequate information was in the record, then the next step is you could adopt the findings of facts related to a criteria that certain issues are not dealt with adequately, then you could condition the subdivision that, that information be provided at final plat. Subdivision preliminary plat is a concept of what they are going to do. All those 31 conditions are things they have to show they have done prior to final plat. If you feel information is so lacking so that you can't make a decision on it then that is possible as well. If it is something you can't get your head wrapped around, because you don't know what is going on at this point because you don't have enough information; then there are two options. If you don't have enough information at this time you could request that the timeline be suspended pending submittal of the new information, or another option would be to deny it because you feel the record is not adequate for a decision. It can be conditioned that you provide prior to final plat if you are comfortable with approving as long as that is submitted.

Hogle said getting back to your specific question about inclusion of details regarding the lake. In the documents proposed for the homeowners association, the only document they have in the file is the CC&R's that are drafted. If you feel that you would like to see something that clarifies, is the lake a common area as addressed, you could make a finding that it does not presently address the lake in detail, and you could potentially make a condition to add language for that.

Grieve said the applicant is not required to submit detailed CC&R's as part of their subdivision application. Appendix "B" letter N says it is up to them if they want to submit copies of their CC&R's. The reason being is the county is not party to CC&R's. There are a limited number of subjects in the subdivision regulations that the developer deals with CC&R's. Internal amenities like a water ski lake are obviously not in there. I say that because I do not want you to think the developer did anything wrong by not submitting CC&R's that dealt with a water ski lake in detail; he or she does not have to.

Eric Mulcahy said their CC&R's are in draft form and there is a lot missing out of them that they realize is missing; maintenance of the lake, and how it will operate, and how its filled will be elements of their CC&R's. But generally, just like their roads they don't go into final engineering and get to the nuts and bolts of infrastructure until they get preliminary approval. If there is a concern you have that you would like to see in the CC&R's we are comfortable placing a condition on it, and when it comes in for final plat it will be there and you will be able to review it and determine whether they have met the condition.

Commissioner Krueger said there has been considerable testimony of possible off site injury. Even from your own material presented by CMG talking about the slopes on Whitefish River and off site ground water, CMG recommended a minimum of six monitoring wells. The fact if that was all contained on your property CC&R's would be okay for me. As it is not contained on your property, and it does affect adjacent properties or could possibly affect adjacent properties, I can't see that CC&R's are going to work for us because the county is not a party to the CC&R's, and neither is a neighboring party. Somehow, the applicant is going to need to address that situation, and I do not know exactly how that is done. I do know that with the chance of issues with neighboring properties the CC&R's are not adequate in my mind.

Chairman Holmquist said her concerns could not truly be met with CC&R's, since the county has no jurisdiction over them.

Grieve said the county is not party to CC&R's; they are really for after final plat is granted. The PUD zoning overlay becomes a PUD zoning overlay. If someone walks in the Planning & Zoning Office 10 years from now and they are going to build a home here, and question what their zoning is, they pull out a copy of the PUD zoning overlay to show to them; that lasts. When it comes to subdivision CC&R's are really a private agreement between the developer and buyer of a lot. The county does not enforce them and is not allowed to be a party to them. There are a handful of things like a road user's agreement that we do require that they submit to make sure that issue is dealt with.

Chairman Holmquist said the only way to get my concern in there is to send it back to the Planning Board.

Grieve said you could put a condition in there regardless of CC&R's if you want to. The only way you send it back to the Planning Board in this case, is if you determine there is new information in front of you that was not considered by the Planning Board, and that the public or developer has not had an opportunity to examine or comment on, and that it is relevant/ credible to what your trying to decide right now.

Commissioner Krueger said just the fact regarding the CC&R's we spoke about right now; wouldn't that be something we would call new information. We were talking about how they were used and that was not talked about in the other public hearing.

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Grieve said the discussion of CC&R's in the original record --- there is for example, in the staff report they deal with what they talked about regarding the CC&R's. The Planning Board did speak to the subject of CC&R's and long term maintenance.

Hogle said the staff report acknowledges CC&R's in general; not in particular.

Grieve said so what you guys are talking about today is just the discussion of that which is in the record that is not new information. But if what you are discussing today is a result of something you got that was added to the record after the Planning Board public hearing and therefore, you looked at here is the record, and here is new information. If this discussion is based on that, yes that information needs to go back. If this discussion is based on the record and the Planning Board DVD you watched then.....

Commissioner Krueger said I believe that clarification of the CC&R's by our legal discussion here of the fact that the county is not a party to them was never a testimony at the time. I think that is very important, the fact that we are not a party to them means we have no control; we can't offer a degree of safety to the public beyond the final plat.

Grieve said you don't have to necessarily condition things from CC&R's; remember your conditions are being verified at final plat and that's it. You can't verify that a house is built a certain way, because that is not a final plat. If you want some other information submitted regarding the lake or the subdivision, or anything else where you want the information submitted and reviewed a certain way at final plat you can do that. It doesn't necessarily have to be CC&R's. For example, you might have some concerns about the storage, so you want the location of the mini-storage facility to be shown on the face of the final plat; that is something that can be verified. Are there other issues related to that, which could be dealt with through a condition.

Hogle pointed out this topic was very much considered during staff evaluation of the proposal. What they did was look at the documentation in the record. The geotech report particularly and comments from FWP that said the offset of the lake is a good idea. We still had some questions that were raised, mostly around what is the plan if there is a problem with the lake and a leak has to be repaired. Simply that just wasn't in the file. We didn't feel that it was a deal breaker, but we felt it is worth knowing what the plan is. How do you fix one of these things; that was discussed in very close detail during the Planning Board public hearing. Condition #29 as drafted was specifically aiming at this issue. It's not CC&R's, but what that is saying is if you want to go final with this, there should be a very reasonable thoughtful contingency plan. We are doing the best we could with this concept as well; with that in mind it appeared reasonable, that if that plan entailed discharge of water from the lake into the river if they had to empty the lake for full replacement. There may be other ways to do that, which don't require emptying the lake; so we want to see that plan before final plat, and it should be determined before approval that it is reasonable.

Mulcahy said they did present a draft to the Planning Board of the maintenance plan, so that is not new information. The Planning Board discussed it and we are fine with the conditions from the Planning Board. The only reason they don't want to take agent plans to Fish, Wildlife & Parks and the Army Corp of Engineers is they are really good at issuing approvals or denials on permits that they administer, but if they don't administer something then they will never give you a letter. I have tried to get letters from them on topics, both when I worked for the county and as a private consultant. If this doesn't fit with what they issue, they won't review it or give you a written comment. So yes, we are fine with giving you guys prior to final plat, and final PUD a completely written document that addresses how the ponds are maintained, and if there is a leak how it will be fixed. We have a plan to coffer them, and they can fix them with water in them. They can drain a small portion and fix it. We have a liner guy here that can address any of those concerns in detail, and we provided liner information in the packets that I don't believe is new information.

Commissioner Krueger said in my mind it is going to have to be pretty detailed. He read from CMG material submitted that says: CMG recommends six monitoring wells. Who is looking at the monitoring? We are going to need to know a lot of issues.

Mulcahy said we have Roger Noble here that can answer you.

Commissioner Krueger said I understand that, but that system that you are going to put together is going to have to talk about how he is paid and everything like that, because Flathead County once this goes to final plat really isn't a party to it anymore. It has to happen outside of Flathead County and the commission, outside of the Road Department, and it has to be there and protect the health and safety of the rest of the people that have expressed concerns.

Mulcahy said they completely understand.

*Commissioner Krueger made a **motion** to approve FPP 12-02 with an additional condition with the condition regarding two monitoring wells changed to six and that it states in there clearly that we need to have a maintenance plan that clearly cares for the pond for the life of the pond.*

Hogle said I think that dealing with six monitoring wells instead of two would be something that could be an amendment to the Planning Board. Condition #29 keep the language except replace the word two with six.

Grieve read Condition #29 as it currently stands: Prior to final plat approval of Phase 1, the applicant shall provide an emergency contingency plan for the proposed artificial lake. The plan shall address long term monitoring of the lake's liner system and emergency response in the event of a failure of the lake's liner system. At a minimum, the plan should include minimum qualifications of a person or firm contracted to perform the monitoring; method(s) of lake liner repair for various forms of potential damage; method of emptying the lake which will not degrade area soils, impact area roads or adjacent properties, or cause pollution of the Whitefish River; and; establish a mechanism for financial responsibility regarding the cost of long term monitoring and necessary response/repair of the lake liner. The plan shall include a method for continuous monitoring of water level and *(they said two, you are proposing to change it to six)* monitoring wells located southeast of the lake.

Commissioner Krueger asked if CMG said something about wanting them fairly close to the lake.

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Roger Noble said they are proposing seven monitoring wells. At the Planning Board public hearing the developer committed to installing seven monitoring wells; two of them at the request of Mr. Larsen that are to have continuous water level monitoring instrumentation, so that it can be checked remotely from a laptop, computer or cellphone. Those two wells as far in the southeast corner and one further down. On the map presented it shows where the seven proposed locations are. Originally, they planned to have seven monitoring wells; the clarification is that two would have continuous water level monitoring devices.

Grieve said for clarification what was just said is in the public record. He furthermore said I would be reluctant to call on members of the development team, unless you have a specific question to them.

Roger Noble noted condition #29 is a comprehensive condition that addresses pretty much Chairman Holmquist's concerns about having a detailed lake maintenance and monitoring plan, and who was going to pay for it. That was pretty well flushed out at the public hearing.

Commissioner Krueger said he would want all six monitoring wells to be continuously monitored. I think it was stated that it could be used as an attempt to determine if the lake was in fact leaking.

Grieve asked for clarification to the amendment to condition #29. One was to change the number of monitoring wells from two to six – the six calls for continuous monitoring. You mention the second issue, and the reason I then read condition #29, was I was wondering what part of that first part you said about the long term plan that you want to see submitted with the final plat. What about condition #29 would you like to see changed.

Commissioner Krueger asked that condition #29 be read again pertaining to financial obligations. *The plan shall address long term monitoring of the lake's liner system and emergency response in the event of a failure of the lake's liner system. At a minimum, the plan should include minimum qualifications of a person or firm contracted to perform the monitoring; method(s) of lake liner repair for various forms of potential damage; method of emptying the lake which will not degrade area soils, impact area roads or adjacent properties, or cause pollution of the Whitefish River; and; establish a mechanism for financial responsibility regarding the cost of long term monitoring and necessary response/repair of the lake liner.*

Hogle said the motion made used the wording maintenance plan, and this condition says the applicant shall provide an emergency contingency plan. Do we want that wording changed? It could be maintenance/contingency plan.

Commissioner Krueger said they both should probably be in there.

Hogle asked if the word emergency should remain or be taken off.

Commissioner Krueger said the plan has to be for more than an emergency; it has to be everyday, everyday maintenance of it.

Hogle suggested maintenance/contingency.

Commissioner Krueger said that would work. He asked for clarification in the process. This will go back to the Board of Adjustments correct.

Grieve said your subsidiary motion right now is actually regarding a condition. The primary motion is regarding approval of the subdivision.

Commissioner Krueger said that is correct.

Grieve said procedurally we need to back up. He said we have a subsidiary motion to amend a condition. The primary motion is too general; it basically says the subdivision. First thing we need to do is adopt findings of fact.

Chairman Holmquist noted the primary motion was not seconded.

Grieve said the subsidiary motion died and you can let the primary motion die, and we can go back to whether or not we want to adopt findings of fact. Those are the findings of fact, upon which you are basing approval to be conditioned or not conditioned. We do not want to get to the conditions until we have found the facts. What has been forwarded to you in draft form is 34 findings of fact, upon which the Planning Boards recommendation is approval. He asked if the Planning Board made any changes.

Hogle said minor changes were made to finding of fact #26 and #27.

Grieve asked who made the subsidiary motion.

Hogle said it was embedded in Commissioner Krueger's original motion.

Grieve suggested Commissioner Krueger move to strike the motion and get them back to a finding of fact situation.

*Commissioner Krueger made a **motion** to strike his motion. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.*

Grieve said your concerns regarding the subdivision you want to make sure are reflected in the findings of fact that you as a commission are finding. If the majority of the commission then finds those facts that will be the basis.... right now, we have draft findings that provide a foundation and basis for condition #29. So the findings as they are provide that basis. Again, you would want to be familiar with those findings such as anything else that you want to condition.

*Commissioner Krueger made a **motion** to take a 30-minute recess. Chairman Holmquist **seconded** the motion. **Aye** – Holmquist and Krueger. **Opposed** – Scott. Motion carried by quorum.*

Chairman Holmquist stated for the record that all discussions held with staff were purely on the process.

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*Commissioner Krueger made a **motion** to adopt findings of fact. Chairman Holmquist **seconded** the motion for discussion.*

Commissioner Krueger said he had a concern with finding of fact #27, and asked if the applicant would be interested in waiving their timeline, and taking it back to the Planning Board to allow them time to address the concerns brought up.

Eric Mulcahy asked if he was talking about putting together a report referred to in condition #29.

Commissioner Krueger said it is not in condition #29 yet.

Eric Mulcahy said condition #27 then.

Commissioner Krueger said condition #27 that talks about the leakage and so on.

Eric Mulcahy said they did provide a lot of that information. He asked if he had questions on what was provided.

Commissioner Krueger replied no.

*Commissioner Krueger made an amendment that we don't have enough information submitted at this time and we have got new information that was submitted, and I believe that new information should be sent back to the Planning Board for consideration. Commissioner Scott **seconded** the motion to discussion.*

Commissioner Scott said he would agree that it is not within the scope of the commission or their purview to responsibly set any conditions as to the subdivision findings of fact or approval that would satisfactorily address public safety and the health of the county with regard to this project.

Grieve asked for clarification. He said what your motion currently is to send back to the Planning Board the information that was received.

Commissioner Krueger said the current one is to add an additional finding of fact that they believe we have new information that has been delivered to us here that needs to be addressed.

Grieve said that would be the material received after the public hearing.

Commissioner Krueger said that is correct....we heard it even today in the PUD. He said I can't disseminate that.

Grieve said for the sake of clarity. What you are saying is everything that was submitted after the Planning Board meeting and the public record from the PUD that is the new information that will go back to the Planning Board.

Eric Mulcahy asked if he could be more specific.

Commissioner Krueger said all information that was received between the last hearing, including the stuff presented in the hearing earlier.

Eric Mulcahy explained when he goes back to the Planning Board he needs to know what new information to give to them.

Grieve said what I am seeing in fairness to the developer the information that was submitted after the Public Hearing, apparently, the commission is determining that to be new information. You would want to address that information.

Hogle said based on verbal comments in today's public hearing that there were a number of testimonies that he took note of as probably constituting new information; one from Bill Ashe who provided information about a Big Sky Montana pond leaking; one from Ralph Hemp that had to do with liner system costs with ongoing situations in other states, and another regarding the aquifer.

Grieve said for the sake of the development team this cannot be a moving target in terms of what they can deal with. It needs to be very clear from the commissioners going back what the new information is. In other words, the public, the applicant, Planning Board and everyone will have the opportunity to deliberate on new information. That which has been received as written comment between the Planning Board meeting and today is number one. Number two would be....what is the other stuff you are claiming as new. I want to provide them a very clear list so they can know what to address when they get to the Planning Board meeting in fairness to them.

Commissioner Krueger said it is the concern over the talk about the liner leaking. We have a lot of information coming and I have tried not to bring that in, but it keeps coming in.

Grieve said so we would provide the Planning Board the written comments as well as maybe a copy of discussion from the PUD. He asked if the commission would be willing to provide more detail on what they felt was prevalent in addition to being new; more specific in order to be fair to all parties.

Commissioner Krueger said we have had information that liners have leaked elsewhere. We need to know how those are going to be dealt with; a liner leak. We heard testimony in the past about possible, and heard testimony today of specific liners. We need to know how that is going to be dealt with.

Commissioner Scott said in addition to that, it has been brought out by one of the testimonies for the subdivision with regard to decibel levels and noise. Prior to that, I had not considered that aspect, but feel it is relevant at this point that we need to understand that more. There was a statement made as to whether boats make a certain amount of noise and federal regulations restricting that. That was a concern.

Grieve said the information related to those two concerns is what you felt to be relevant is new and relevant to the review and consideration of the subdivision.

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Commissioner Scott said again it is not within the purview of the commission to be specific; that's not our profession per say. However, relevant to the comments I think the noise most definitely as Commissioner Krueger mentioned the liner, which may incorporate the design and so forth of the liner to address the issues with regard to offsite safety and continued long term maintenance. It was addressed in the comments also that there were other liners used in Solid Waste, etc. that is incumbent upon a county to guarantee in perpetuity that those liners will work and do the job. By testimony for the project alone, a lot was brought into question that I feel needs to be brought up. I take the comments seriously, go back, and address all those so we can feel comfortable that it has been taken care of.

Chairman Holmquist asked to hear the motion; the motions on the floor are:

*Commissioner Krueger made a **motion** to adopt findings of fact. Chairman Holmquist **seconded** the motion for discussion.*

*Commissioner Krueger made an amendment that we don't have enough information submitted at this time and we have got new information that was submitted, and I believe that new information should be sent back to the Planning Board for consideration. Commissioner Scott **seconded** the motion to discussion.*

Hogle said you are adding a new finding that basically addresses what you have been discussing. That would be finding of fact #35.

Commissioner Krueger clarified his motion was to adopt findings of fact. There was an amendment to that regarding additional information presented here and from the past hearing, and about leaking liners and offsite damages that need to be addressed better in the application.

Grieve said at this point per the subdivision regulations that say: *If the commission determines that public comments or documents presented constitute new information the commission shall either, direct the Planning Board to schedule a subsequent public hearing pursuant to 4.4.7 for consideration.* Only on the new information upon finding. I would say stop short of adopting findings, because it will go back to the Planning Board and then back to the commission. When it comes back, you would have already adopted findings, so at this point basically all you are doing is directing them to schedule. If you adopt the 35th finding then you are approving the other 34 findings of fact. So the best thing to do right now is to do what it says in the subdivision regulations, which it to send it back based on what you have told us is new and credible information.

Commissioner Krueger clarified that the motion would be left on the table of adopting the findings of fact and would be tabled.

Grieve said as a sub motion, you want to table this and send it back because of new credible and relevant information.

*Commissioner Krueger made a **motion** to table the motion and send it back to the Planning Board because of new information.*

Grieve said the meeting would be most likely scheduled in May because it has to be held within 45 days. *Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.*

OPEN BIDS: CONSTRUCTION/ RSID #154 (LITTLE MOUNTAIN PROPERTIES)

10:46:02 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Brandon Odegard, Lewis Heil, Marc Blanden, Cody Jensen, David Steely, Cristy Wells, Angie Olson, Clerk Kile

Bids received with bid bonds enclosed from:

	<u>Bid</u>	<u>Alternate Bid</u>
LHC	\$199,325.08	\$107,832.70
Knife River	\$183,884.00	\$ 94,735.50
Schellinger Construction	\$232,535.50	\$111,997.50
HK Contractors, Inc.	\$208,596.75	\$114,395.00
Paveco	\$199,048.24	\$107,408.00
Les Schlegel Enterprises Inc.	\$205,949.40	\$112,340.00

Commissioner Krueger made a **motion** to take the bids under consideration. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

PRELIMINARY PLAT: KALBFLEISCH-PARKER SUBDIVISION

1:04:21 PM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Planner Alex Hogle, Eric Mulcahy, Clerk Kile

Hogle entered into record Staff Report FSR 13-01; a request for a first minor subdivision creating three family residential lots on 21.56 acres located at 629 River Bend Drive. The applicant is proposing individual wells and septic systems for each lot and access would be from River Bend Drive via two proposed driveway approaches. The subject property is currently zoned Middle Canyon Region within the Canyon Area Land Use Regulatory Systems (CALURS) Zoning District.

Commissioner Scott made a **motion** to adopt findings of fact. Commissioner Krueger **seconded** the motion.

Mulcahy noted there are no concerns with conditions.

Aye - Holmquist, Scott and Krueger. Motion carried unanimously.

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Commissioner Krueger made a **motion** to approve preliminary plat of Kalbfleisch-Parker Subdivision FSR 13-01 with approved conditions. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Standard Conditions

1. The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626B. All road names shall appear on the final plat. Street addressing shall be approved by Flathead County. [Section 4.7.16(g)(iv), 4.7.26(c) Flathead County Subdivision Regulations (FCSR)]
2. The applicant shall comply with all reasonable fire suppression and access requirements of the West Glacier Fire District. A letter from the fire chief stating the plat meets the applicable requirements of the district shall be submitted with the application for final plat. [Section 4.7.26(b), FCSR]
3. All areas disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved and implemented shall be submitted with the final plat. [Section 4.7.13(g) and 4.7.25, FCSR]
4. All utilities shall be extended underground to abut and be available to each lot, in accordance with a plan approved by the applicable utility providers. [Section 4.7.23, FCSR]
5. The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed as applicable by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality. [Section 4.7.13, 4.7.20, 4.7.22 FCSR]
6. The mail delivery site(s) 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 4.7.28, FCSR]
7. In order to assure the provisions for collection and disposal of solid waste, the developer shall submit a letter from the applicable solid waste contract hauler stating that the hauler is able to provide service to the proposed subdivision. [Section 4.7.22, FCSR]
8. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
9. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All road names shall be assigned by the Flathead County Address Coordinator and clearly identified and house numbers will be clearly visible from the road, either at the driveway entrance or on the house. House numbers shall be at least four inches in length per number. [Section 4.7.26(c), FCSR]
 - b. All utilities shall be placed underground. [Section 4.7.23, FCSR]
 - c. The owners shall abide by the guidelines set forth in the approved Dust and Air Pollution Control and Mitigation Plan during and after site construction and development activities. [Section 4.7.14, FCSR]
 - d. Solid Waste removal for all lots shall be provided by a contracted solid waste hauler. [Section 4.7.22, FCSR]
 - e. Lot owners are bound by the Weed Control Plan to which the developer and the Flathead County Weed Department agreed. [4.7.25, FCSR]
10. The final plat shall comply with state surveying requirements. [Section 76-3-608(b)(i), M.C.A.]
11. 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. [Section 4.0.16 FCSR]
12. The final plat shall be in substantial compliance with the plat and plans submitted for preliminary plat review, except as modified by these conditions. [Section 4.1.13 FCSR]
13. Preliminary plat approval is valid for three years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and following associated timeline(s). [Section 4.1.11 FCSR]

Project-Specific Conditions

14. An approach permit for the two driveways (Lot 1 and Lots 2 & 3) shall be obtained from the Flathead County Road and Bridge Department prior to final plat and the driveway approaches shall be constructed and paved to applicable county standards. [Sections 4.7.16 FCSR]
15. The delineated SFHA 100-year floodplain and Base Flood Elevation shall be shown and labeled as a 'No Build Zone' on the face of the final plat. [Sections 4.7.5(a & d) and 4.7.9 FCSR]
16. The *Riparian Resource Management Plan* shall comply with 4.7.11 FCSR and be approved by the Commission. The 75-foot vegetative buffer identified in the plan shall be shown and labeled as a 'No Build Zone' on the face of the final plat. [Section 4.7.11, FCSR]
17. The following statements shall be placed on the face of the final plat:
 - f. This subdivision is located in the Wildland Urban Interface area where wildfires can and do occur. [Section 4.7.27(a)(ii)(A), FCSR]
 - g. Only Class A and Class B fire-rated roofing materials are allowed. [Section 4.7.27(a)(ii)(B), FCSR]
 - h. Firewise defensible space standards shall be incorporated around all primary structures and improvements. [Section 4.7.27(a)(ii)(C), FCSR]
 - i. All road names are assigned by the Flathead County Address Coordinator. House numbers shall be clearly visible from the internal road. House space numbers shall be at least four inches in height per number. [Section 4.7.27(a)(ii)(D), FCSR]
18. Actions called for in the 'Fire Prevention Control and Fuels Reduction Plan' shall be implemented prior to the approval of the Final Plat. The local fire protection authority shall inspect the subdivision and provide written documentation that all thinning, clearing and other mitigation measures described in the plan have been implemented. [Section 4.7.27(b)(iii) FCSR]

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 26, 2013.

TUESDAY, MARCH 26, 2013

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Holmquist, Commissioner Scott and Krueger, and Clerk Robinson were present.

12:00 p.m. Commissioner Scott: CDC Board meeting @ Three Rivers Bank

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 27, 2013.

WEDNESDAY, MARCH 27, 2013

[Audiofile](#)

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Holmquist, Commissioner Scott and Krueger, and Clerk Robinson were present.

Chairman Holmquist led the Pledge of Allegiance.

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

CONSIDERATION OF PRECINCT BOUNDARIES/ ELECTION DEPT.

10:30:24 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Clerk & Recorder Paula Robinson, Recording & Election Manager Monica Eisenzimer, Clerk Kile

Eisenzimer reviewed proposed changes to precinct boundaries, which were required due to legislative changes in redrawing house and senate district lines in accordance to population. The following spreadsheet depicts proposed population in each precinct.

DISTRICT NAME	New Precinct #	House District	POPULATION
Precinct 16	16	3	2034
Precinct 17	17	3	267
Precinct 21*	18	3	2706
Precinct New	23	3	1948
Precinct 35	35	3	2896
Precinct 17*	88	3	130
	3 Total		9981
Precinct 07	7	4	1896
Precinct 08	8	4	1395
Precinct 11	11	4	1733
Precinct 14	14	4	1234
Precinct 19	19	4	1959
Precinct 21	21	4	1698
	4 Total		9915
Precinct 20	20	5	2831
Precinct 45	45	5	1936
Precinct 47	47	5	2170
Precinct 48	48	5	1364
Precinct 49	49	5	1568
	5 Total		9869
Precinct 06	6	6	3539
Precinct 36	36	6	2821
Precinct 39	39	6	1196
Precinct 44	44	6	2397
	6 Total		9953
Precinct 1	1	7	1315
Precinct 2	2	7	2220
Precinct 3	3	7	1821
Precinct 4	4	7	2295
Precinct 32	32	7	2304
	7 Total		9955
new-2	5	8	2595
Precinct 30*	31	8	3559
Precinct 34*	37	8	3835
	8 Total		9989
Precinct 25	25	9	2946
Precinct 33	33	9	1237
Precinct 41	41	9	2970
Precinct 50	50	9	2846
	9 Total		9999
Precinct 38	38	10	2690
Precinct 42	42	10	2383
Precinct 43	43	10	2666
	10 Total		7739
Precinct 13	13	11	2735
new	15	11	2053
Precinct 29	29	11	2679
Precinct 34	34	11	2521
	11 Total		9988
Precinct 24	24	13	1315
Precinct 26 (no 26*)	26	13	1283
Precinct 89	89	13	937
	13 Total		3535
	Grand Total		90923

Eisenzimer explained in redrawing the lines particular attention was paid to landmarks, rivers, school districts and existing lines in order to keep communities together, and not have voters have to travel too far to cast a ballot. With new lines, they also took the opportunity to remove asterisks from existing precinct numbers.

Discussion was held relative to consolidating new Precinct 88 with Precinct 17.

Eisenzimer reported that at least 40 percent of Flathead County registered voters now vote an absentee ballot.

Robinson explained staffing Precinct 26 (Pleasant Valley) for 14 hours with three election judges is costly to the county, and will no longer be a polling place.

**WEDNESDAY, MARCH 27, 2013
(Continued)**

Commissioner Krueger made a **motion** to adopt the precinct boundaries as presented with the change that Precinct 88 be consolidated with Precinct 17. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

Eisenzimer then explained legal descriptions now need to be written for the new boundaries, and asked for authorization from the commission for County Surveyor, Jim Burton to proceed with the work.

Commissioner Krueger made a **motion** to authorize Jim Burton to write legal descriptions for the precinct boundaries. Commissioner Scott **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

DOCUMENT FOR SIGNATURE: MDOT LETTER RE PHASE 1 SPEED LIMIT STUDY/ HIGHWAY 2

10:40:12 AM

Present: Chairman Pamela J. Holmquist, Commissioner Calvin L. Scott, Commissioner Gary D. Krueger, Assistant Mike Pence, Clerk Kile

Pence noted he and Public Works Director Dave Prunty spoke with MDOT regarding a speed study done on Highway 2. The proposal is to change the speed limit from 60 to 65, similar to what Highway 93 currently is.

Commissioner Scott made a **motion** to sign the document for signature to change the speed limit to 65 MPH on Highway 2. Commissioner Krueger **seconded** the motion. **Aye** - Holmquist, Scott and Krueger. Motion carried unanimously.

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

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 28, 2013.

THURSDAY, MARCH 28, 2013

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Holmquist, Commissioner Scott and Krueger, and Clerk Robinson were present.

- 1:00 p.m. Commissioner Krueger: RSVP Board meeting @ Heritage Place**
- 4:00 p.m. Commissioner Holmquist: BLUAC meeting @ Bethany Lutheran**

At 5:00 o'clock P.M., the Board continued the session until 8:00 o'clock A.M. on March 29, 2013.

FRIDAY, MARCH 29, 2013

The Board of County Commissioners met in continued session at 8:00 o'clock A.M. Chairman Holmquist, Commissioner Scott and Krueger, 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 April 1, 2013.

Following are claims for the month of March, 2013.

Vendor Name	Amount
168TICKETS LLC	\$1,600.00
24-7 EMS	\$323.73
ABELL, CHARLES R	\$8.70
ABLE BODY SHOP INC	\$110.00
ACME CHEMICAL TOILET RENTALS	\$120.00
ADVANCED REFRIGERATION & APPLIANCE INC	\$2,943.00
ADVANCED RESTAURANT SUPPLY INC	\$1,824.95
AG-WEST DISTRIBUTING CO, INC	\$46.88
AGAPE' HOME CARE INC	\$22,391.92
AHLES, JOEL	\$40.00
ALAN'S PUMP SALES & SERVICE INC	\$194.00
ALL BRIGHT WINDOW CLEANING	\$230.00
ALLEGIANCE BENEFIT PLAN MANAGEMENT	\$909.75
ALLEN, HELEN	\$500.00
ALLEN, TOM	\$18.00
ALPINE BUSINESS CENTER	\$4,360.00
ALTEC DIRECT	\$391.44
AMERICAN JAIL ASSOCIATION	\$300.00

MARCH, 2013
(Continued)

AMSAN CUSTODIAL SUPPLY	\$880.76
ANDERSON, MICHELLE S	\$461.45
ANDERSON, RICK	\$89.00
ANIMAL CLINIC OF KALISPELL	\$134.75
ANTUNA, BUD	\$78.30
APPEL, CYRIL	\$7.20
ARCSEARCH	\$2,487.00
ARCHITECTS DESIGN GROUP PC	\$275.00
ARMY - NAVY	\$2,274.97
ARNOLD, JENNIFER	\$180.00
ARSENAULT ASSOCIATES	\$3,306.62
ASCENT STRATEGIC DEVELOPMENT	\$500.00
AT&T MOBILITY	\$489.60
ATCFII MONTANA LLC	\$7,075.64
AUTO ELECTRIC REBUILDERS INC	\$65.00
BACK ROOM RESTAURANT INC	\$32.75
BANK OF AMERICA -	\$54,711.71
BARTEN, ALICE	\$461.45
BARTON, NIKI	\$51.00
BEAN, CURTIS	\$100.00
BEE BROADCASTING INC	\$600.00
BELL, LAURIE	\$20.00
BELL, RON	\$85.00
BENNETT, CLIFFORD	\$532.20
BERRETH, ROBERT H & MEEGAN R	\$23.30
BETSON, JAMES F	\$15.96
BIBB, DOUGLAS K	\$45.34
BIG JOHN'S	\$219.05
BIG SKY COMMUNICATIONS INC	\$1,104.00
BIG SKY INSTITUTE FOR THE ADVANCEMENT	\$1,650.00
BIG SKY PUBLISHING LLC	\$240.47
BIGELOW, SHANE	\$180.00
BIGFORK SENIOR CITIZENS	\$300.00
BIGFORK WATER/SEWER DISTRICT	\$126.35
BINETTE, ANDREW	\$17.43
BITTERROOT SCREEN PRINTERS INC	\$150.00
BLACKTAIL REFRIGERATION INC	\$217.75
BLUE COW ENTERPRISES INC	\$70.00
BLY, SHEILA	\$40.80
BOB BARKER CO INC	\$301.20
BOILER SAFETY SECTION	\$175.00
BOKOR, ALEXANDER	\$69.20
BOLSTAD, PHIL	\$21.99
BOLSTER'S TOWING INC	\$587.50
BOUMA POST YARDS	\$4,985.25
BOUNCEBACK INC	\$1,811.00
BOWEN, MELISSA L	\$116.10
BRACKEL, ERVIN W	\$18.78
BRADSTREET, SCOTT ALAN	\$31.78
BRESNAN COMMUNICATIONS LLC	\$2,031.81
BRIDGER FINANCIAL SERVICES	\$4,658.56
BRILES, RICHARD W MD	\$3,000.00
BRODY CHEMICAL	\$1,124.79
BROWER, JAMES D	\$230.00
BRUYER, TRAVIS	\$36.00
BUCK, STEVEN LEE	\$23.30
BUCKNER, DREW	\$93.50
BUECHLE, JAMES	\$33.90
BUFFALO HILL FUNERAL HOME	\$6,000.00
BULLITT COMMUNICATIONS	\$16,004.25
BULS, JOSH	\$43.50
BUMPER TO BUMPER DETAILING	\$110.00
BURKE, ALAN D	\$32.34
BURKHART DENTAL SUPPLY	\$521.30
BURTON, JAMES H	\$840.00
BUTLER SCHEIN ANIMAL HEALTH	\$550.18
BUTTEL, STEVE	\$51.00
BUXTON, TONYA MARIE	\$35.00
BUY101.COM LP	\$345.55
BVAC INC	\$4,656.68
CALACINO, WILLOW A	\$25.00
CAMPBELL PET COMPANY	\$560.62
CAPITAL ONE COMMERCIAL	\$1,345.71
CARDINAL DISCOUNT SUPPLY INC	\$78.41
CARDINAL HEALTH	\$1,855.92

MARCH, 2013
(Continued)

CARQUEST AUTO PARTS STORES	\$1,420.89
CASAZZA, AMY	\$38.56
CASSIDY, KATE	\$115.00
CBM FOOD SERVICE	\$34,508.98
CCCS INC	\$1,768.13
CDW GOVERNMENT INC	\$323.15
CENTURYLINK	\$38,534.49
CHARLESWORTH, GLEN W	\$32.34
CHIEF SUPPLY CORPORATION INC	\$82.98
CHIN, ROBERT WESLEY	\$65.26
CHRISTENSEN, STEPHANIE D	\$34.60
CHS INC - KALISPELL	\$386.60
CHURMAGE, SHARLEY	\$17.50
CHUTE, LINCOLN	\$189.50
CITYSERVICEVALCON LLC	\$107,130.51
CIVIC RESEARCH INSTITUTE, INC	\$216.45
CLAUSEN, STEN	\$28.95
CLINICAL PHARMACY, THE	\$4,105.23
COCHRAN, MINDY	\$4.99
COLLISION CRAFT	\$6,697.12
COLUMBIA FALLS, CITY OF	\$55.46
COLUMBIA PAINT & COATINGS	\$157.18
COMMERCIAL MACHINE SERVICES, INC	\$287.00
COMPUNET, INC	\$1,914.88
COMSTOR INFORMATION MANAGEMENT, INC	\$549.68
CONRAD MAIN STREET LLC	\$6,777.32
CONRAD, CHARLES	\$17.10
CONSOLIDATED ELECTRICAL DIST, INC	\$83.46
COSNER COMTECH INC	\$19.20
COSSITT, JAMES	\$7.25
COTTENGIM, TOM	\$500.00
COX, JIMMY D	\$498.74
COX, PAULA	\$33.47
CRANS, NANCY	\$90.00
CRESCENT ELECTRIC SUPPLY CO	\$435.17
CRIMINAL RECORDS	\$218.00
CRITELLI COURIERS	\$908.00
CRUCCELL VACCINES INC	\$850.00
CULLIGAN WATER	\$1,594.00
CURRIER'S WELDING INC	\$9,570.00
DAHLEM, MICHAEL ATTORNEY AT LAW	\$100.00
DAILY INTERLAKE	\$5,903.22
DALEN'S DIESEL SERVICE INC	\$4,507.87
DANFORD, ROBERT	\$100.00
DAPHNE SOFTWARE INC	\$1,341.67
DATA IMAGING SYSTEMS INC	\$645.33
DAVEY, AMANDA	\$110.00
DAVIS PIPE & MACHINERY, INC	\$57.67
DELTA DENTAL OF MINNESOTA	\$44.00
DEMCO, INC	\$207.86
DEPRATU FORD SALES	\$391.43
DEPT OF ADMINISTRATION 2	\$2,528.79
DEPT OF ENVIRONMENTAL QUALITY 1	\$1,125.00
DEPT OF JUSTICE 5	\$5,067.68
DEPT OF JUSTICE/STATE OF MONTANA	\$750.00
DEPT OF LIVESTOCK	\$50.00
DEPT OF PUBLIC HEALTH & HUMAN SRVS 1	\$431.50
DEPT OF REVENUE 6	\$820.14
DEPT OF TRANSPORTATION 3	\$4,000.00
DESJARLAIS, ALEXANDRA	\$12.57
DIGITAL COMMUNICATIONS SYSTEM, INC	\$6,464.49
DIVERSIFIED ELECTRIC CO	\$253.00
DOCUSOURCE	\$292.67
DON K CHEVROLET, INC	\$25,525.41
DORTCH, DENNIS	\$500.00
DPHHS/LAB	\$1,863.00
DRYDEN, JANICE JO	\$34.60
DUSING, DR JAMES A	\$12,000.00
DYON, MICHAEL R	\$27.81
EAGLE BEND GOLF CLUB LLC	\$7,641.81
EAGLE COMMUN INC/KECI-KCFW-KTVM TV	\$1,079.00
EAGLESON, GLENDA	\$23.30
ECLINICAL WORKS	\$27.75
ECOM FOLDERS	\$447.84
EISINGER HONDA	\$270.10

MARCH, 2013
(Continued)

EISINGER MOTORS	\$843.57
EKLUND, DUSTIN JAMES	\$35.30
ELECTRICAL SYSTEMS INC	\$1,579.74
ELITE FIRE PROTECTION	\$3,761.00
ELLIOT, RANDI	\$61.02
ELLIOTT, ROGER	\$145.00
ELLIS, FREDRICK CLINTON	\$750.00
EMERGENCY MANAGEMENT CONSULTANTS	\$2,831.00
ENVIRO-TIRE INC	\$727.00
EPPERLY, KYRA C	\$15.39
ESCROW SERVICES TRUST	\$10.00
EVANS, RANDY J	\$23.30
EVERGREEN DISPOSAL INC	\$32,803.34
EVERGREEN FIRE DISTRICT - AMBULANCE FUND	\$234.57
EXHAUST WORX, INC	\$320.00
EXPRESS SERVICES INC	\$11,784.89
FAIRFAX, JEANNIE	\$15.30
FARMER BROTHERS CO	\$84.60
FASTENAL COMPANY	\$62.06
FASTENERS INC	\$342.51
FAULKNER, CARLOS V	\$80.50
FBI-LEEDA INC	\$1,300.00
FCM LEASING	\$344.00
FEDEX EXPRESS	\$138.21
FERDA, COURTNEY ANN	\$51.12
FERGUSON ENTERPRISES, INC	\$147.80
FERRON'S TOWING, INC	\$158.50
FFF ENTERPRISES INC	\$466.80
FICKLER OIL COMPANY INC	\$1,398.90
FIRE SYSTEMS WEST INC	\$3,487.24
FIRST INTERSTATE BANK 1	\$7.00
FIRST INTERSTATE BANK WHITEFISH	\$13.00
FISH, CANDACE	\$9.60
FISHER, CLYDE	\$118.65
FLANIGAN, TAMMI	\$15.00
FLAT MUNICIPAL AIRPORT AUTHORITY	\$30.00
FLATHEAD BEACON	\$528.00
FLATHEAD CO SEARCH & RESCUE	\$1,491.60
FLATHEAD ELECTRIC COOPERATIVE INC	\$36,601.19
FLATHEAD LAKE LODGE	\$100.00
FLATHEAD PET EMERGENCY	\$64.73
FLATHEAD SALVAGE	\$25.00
FLATHEAD SPAY & NEUTER TASK FORCE	\$760.00
FLATHEAD TRAVEL SERVICE INC	\$2,693.80
FLATHEAD VALLEY CHEMICAL DEP CLINIC	\$27,826.00
FLETCHER, DAWN MARIE	\$28.96
FLO-RITE PLUMBING INC	\$2,200.00
FLORIDA DEPT OF HWY SAFETY & MV	\$10.00
FOOD SERVICES OF AMERICA	\$11,731.66
FORCE AMERICA INC	\$212.09
FORT HARRISON B.O.Q.	\$1,204.00
FOSTER, LUCIE E	\$33.98
FRANCK, DEBRA S	\$48.30
FUSION COMMUNICATIONS & CONSULTING	\$825.00
GALLOWAY, SHANNON M	\$97.00
GALLS INC	\$582.60
GARCIA, OSCAR	\$320.00
GARDING, JERRY	\$85.00
GARLINGTON, LOHN & ROBINSON, PLLP	\$15,810.00
GASH, THOMAS EDWARD	\$74.86
GCR TIRE CENTER	\$1,353.60
GE CAPITAL HEALTHCARE FINANCIAL SERVICES	\$75,727.76
GEMBOLIS, MICHAEL T	\$20.48
GLACIER BANK	\$14.00
GLACIER DENTAL GROUP, PC	\$167.00
GLACIER GLASS INC	\$269.00
GLACIER PRE-CAST CONCRETE	\$240.00
GLACIER WHOLESALERS INC	\$577.02
GLIDDEN, TIMOTHY WESTON	\$17.65
GLOBALSTAR USA LLC	\$68.83
GLOSCHAT, SHEILA S	\$23.30
GO-4-U FREIGHT SERVICE	\$26.00
GOCKENBACH, VICTORIA M	\$26.83
GOOD, WILLIAM GENE	\$15.39
GOVERNMENT FINANCE OFFICERS ASSN	\$640.00

MARCH, 2013
(Continued)

GRACE, NEIL M	\$23.30
GRACHEK CONSULTING	\$2,182.50
GRADE 8 EARTHWORKS	\$2,025.00
GRAINGER	\$708.64
GREASE MONKEY	\$334.56
GREAT BEAR BUILDERS INC	\$3,185.00
GREAT NORTHERN LOCK & SAFE	\$598.20
GREAT NORTHERN PBE	\$283.38
GREEN, CHRISTINA	\$51.00
GRESS, ROCKY	\$300.00
GRIME FIGHTERS OF FLATHEAD VALLEY	\$495.00
GRIZZLY MOON MASH, LLC	\$90.20
GROVER, KEVIN	\$148.01
H&H EXPRESS INC	\$20.40
HADLEY, DEBRA A	\$31.78
HAI YAN NI	\$15.00
HALL, TRAVIS	\$42.00
HAMMER, HEWITT, JACOBS & QUINN PLLC	\$184.50
HARDAN, DEBORAH FRANCES	\$41.95
HARDING, ERIN	\$20.48
HARKINS, KYLER J	\$45.00
HARREL, ANDREW S	\$120.00
HARTSOCH, DOROTHY	\$750.00
HARTSOCH, FAYE	\$10.80
HEALTH E-WEB	\$207.00
HEALTHCARE FINANCIAL SERVICES, INC.	\$1,200.00
HEDIN, P	\$23.30
HEGLAND, DOUGLAS B	\$30.08
HEIM, JAMES ROBERT JR.	\$30.52
HEINO, BRIAN	\$36.00
HENRY SCHEIN	\$5,221.38
HENSON, JO ANN	\$32.34
HERSET, JOANNE	\$15.39
HIGH COUNTRY LINEN SUPPLY	\$1,677.03
HIGH PLAINS PIZZA INC	\$47.50
HILL BROTHERS INC	\$430.00
HILL'S PET NUTRITION SALES INC	\$339.14
HILL, CORY L	\$35.00
HILTON GARDEN INN KALISPELL	\$190.18
HOERNER, CARISA	\$437.50
HOHF, RANDY	\$93.50
HOLAND, SALLY	\$48.60
HOLM, K C	\$30.00
HOLMES, BRYAN D	\$15.96
HOLMQUIST, PAM	\$183.76
HOLST, SUE L	\$54.00
HOLTER, ROSS	\$16.52
HOME DEPOT CREDIT SERVICES	\$775.98
HOUSE OF CLEAN	\$831.43
HOUSER, VICTOR C. MD PC	\$128.75
HOYT, LORENE	\$22.17
HUDSON, JERREL	\$6.30
HUFFMAN-LABRIE, JAMIE ANNE	\$36.30
HUNGRY HORSE WATER & SEWER DIST	\$52.76
HUNT, JODY LEE	\$45.47
HUTCHENS, DONNA M	\$47.60
HYDROMETRICS INC	\$7,689.07
IBS INCORPORATED	\$509.10
INGRAM LIBRARY SERVICES	\$8,963.63
INSTAMED	\$450.00
INSTY PRINTS	\$571.30
INTEGRATED SECURITY SOLUTIONS INC	\$1,644.70
INTL ASSN FOR PROPERTY/EVIDENCE INC	\$100.00
J&M TRANSPORTATION SERVICE INC	\$34.00
J2 OFFICE PRODUCTS	\$18,153.74
JACK'S TRUCK & EQUIPMENT	\$80,000.00
JACOBSON-EVERHEART, PENNY	\$500.00
JAKO AUTO GLASS, LLC	\$179.00
JAMES, BECKY J	\$61.87
JANITORS WORLD SUPPLIES	\$2,110.49
JENKINS, ELIZABETH	\$17.00
JENSEN, SHAWNA M	\$15.39
JKG ENTERPRISES	\$299.00
JOHNSON CONTROLS INC	\$9,045.99
JOHNSON'S UPHOLSTERY	\$4,750.00

**MARCH, 2013
(Continued)**

JOHNSON, CASH ANDERS	\$320.00
JOHNSON, ROBERTS & ASSOCIATES	\$16.50
JOHNSON-GLOCHAT FUNERAL HOME	\$4,800.00
JOHNSTONE SUPPLY	\$492.64
JOM PHARMACEUTICAL SERVICES	\$2,727.84
K&J AUTO PARTS INC	\$58.75
K&J INVESTMENTS LLC	\$51,962.58
KALISPELL ALIGNMENT & AUTO REPAIR INC	\$497.74
KALISPELL AUTO PARTS	\$4,028.62
KALISPELL CHAMBER OF COMMERCE	\$150.00
KALISPELL CITY	\$53.87
KALISPELL CITY WATER DEPT	\$1,046.59
KALISPELL COMMUNICATIONS	\$97.50
KALISPELL ELECTRIC INC	\$1,925.00
KALISPELL POLICE DEPARTMENT	\$12,645.95
KALISPELL REGIONAL MEDICAL CENTER	\$9,575.24
KALISPELL SENIOR CENTER	\$730.00
KALISPELL TOYOTA	\$187.59
KAMAN INDUSTRIAL TECHNOLOGIES CORP	\$340.18
KEEFE COMMISSARY NETWORK SALES	\$437.50
KEELER, RYAN P	\$26.69
KELLY, BRIAN	\$210.00
KENT, GARY	\$835.75
KENWORTH SALES MISSOULA	\$119.07
KIVELA, TOMMY	\$23.30
KLIMOWICZ, DEANNA	\$500.00
KMART 7030	\$196.32
KONE INC	\$462.03
KOSKELA, KYLE	\$500.00
KRAEMER, WILLIAM R	\$16.52
KRUCKENBERG, LISA M	\$326.00
KRUEGER, GARY & JESSICA	\$62.00
KUNDA, SUSAN	\$66.00
LA LECHE LEAGUE INTERNATIONAL	\$206.50
LAERDAL MEDICAL CORPORATION	\$219.81
LAFERRIERE, ROGER	\$189.50
LAISY, WAYNE	\$72.00
LAKE COUNTY SHERIFF'S OFFICE	\$900.00
LAKESIDE COMMUNITY CHAPEL	\$300.00
LAKESIDE COUNTY WATER & SEWER	\$46.75
LAMAR COMPANIES THE	\$1,200.00
LANDIS, HEATHER M	\$182.91
LARRY'S APPLIANCE SERVICE	\$245.00
LARSEN, JEFF	\$32.78
LAWSON PRODUCTS	\$5,161.51
LAXTON, JANICE K	\$368.23
LBMT LLC	\$33,891.72
LC STAFFING SERVICE	\$2,438.26
LEA DATA TECHNOLOGIES	\$1,315.00
LEAF	\$93.00
LEE, ROBERT M	\$60.00
LEGATE, R JOE	\$19.91
LEIGHTY, MARK DAVID	\$57.34
LENOIR, RODNEY	\$22.80
LES SCHWAB TIRE CENTER #904	\$3,172.19
LES SCHWAB TIRE CENTER 1	\$1,681.58
LEWIS & CLARK COUNTY SHERIFF'S OFFICE	\$1,900.00
LIBERTY NORTHWEST	\$537.03
LIFE-ASSIST INC	\$93.25
LILIENTHAL INSULATION COMPANY LLC	\$6,304.79
LINCOLN CO SHERIFF	\$68,989.05
LIST, KATHERINE A	\$2,700.00
LN CURTIS & SONS	\$49.54
LOCKEY INC	\$1,163.45
LOREN'S CARPET CARE	\$400.00
LOUISKA, JOAN	\$500.00
LOVETT, PAUL F	\$120.00
LVS PRODUCTIONS LLC	\$665.00
LYCOX ENTERPRISES INC	\$5,355.00
MACK, PAMELA J	\$318.51
MACO/JPIA	\$2,175.50
MAGIP	\$30.00
MAHAN, JEANNIE RENEE	\$32.91
MAHONEY, DAVID J PHD	\$350.00
MAHUGH FIRE & SAFETY, LLC	\$175.45

**MARCH, 2013
(Continued)**

MAIL ROOM, THE	\$4,241.05
MAIURI, RENO	\$76.00
MAKELA, ERIK	\$500.00
MAKULEC, JENNIFER	\$2,775.00
MARTEN, CAROL ROTH	\$25.56
MATHISON, JOHN	\$17.65
MCCRORIE, JOHN	\$30.65
MCENTIRE, PATRICIA NOREEN	\$28.39
MCGLYNN, PATRICIA	\$108.00
MCGRATH, PAUL S	\$23.30
MCGRAW, JON B	\$337.15
MCLEAN, PATRICIA	\$500.00
MCMANUS, NORMA	\$500.00
MDM SUPPLY	\$388.51
MEDICAL ARTS PHARMACY	\$28.00
MEDICAL ARTS PRESS	\$85.33
MEREDITH CONSTRUCTION CO	\$73,122.84
MERIAL LIMITED	\$571.20
METAL WORKS & MUFFLER	\$45.00
MIDWEST CANCER SCREENING	\$1,382.19
MIDWEST TAPE LLC	\$4,727.57
MIELKE, JEFF	\$44.20
MIKE GRACHEK AGENCY INC	\$6,069.00
MIKE'S CONOCO CORPORATE OFFICE	\$38.25
MIKKELSEN, DOUGLAS	\$30.08
MILLER, BRYAN	\$424.16
MILLER, SHERRY	\$34.60
MINNPAR, LLC	\$303.61
MISSOULIAN	\$395.00
MONTANA ACE - KALISPELL	\$83.96
MONTANA ASSN OF CO CLERK & RECORDER	\$500.00
MONTANA ASSOCIATION OF COUNTIES	\$2,460.00
MONTANA DEPT OF AGRICULTURE	\$170.00
MONTANA ENVIRONMENTAL LAB LLC	\$31.50
MONTANA HIGHWAY PATROL	\$3,121.52
MONTANA INTERACTIVE	\$100.00
MONTANA LAND PROJECT, LLC	\$57,201.20
MONTANA LAW ENFORCEMENT ACADEMY	\$875.00
MONTANA LIBRARY ASSOCIATION INC	\$75.00
MONTANA ONE CALL CENTER	\$432.48
MONTANA OPERATING ENGINEERS	\$4,250.00
MONTANA PETERBILT	\$855.20
MONTANA SKY NETWORKS, INC	\$267.28
MONTANA STATE EXTENSION	\$21,333.36
MONTANO, FELICIA	\$90.00
MOORE MEDICAL LLC	\$257.64
MORRELL, JIM	\$9.00
MOTOROLA	\$2,568.15
MSU EXTENSION PUBLICATIONS	\$98.90
MT ASSN OF SCHOOL BUSINESS OFFICIALS	\$70.00
MTS-MONTANA TECHNICAL SOLUTIONS INC	\$76.49
MUELLER, JORDAN A	\$180.00
MUELLER, SHAWNTELLE	\$536.03
MULCAHY, DEBBIE	\$1,129.05
MULLANEY, CINDY	\$205.50
MULLEE, RICHARD F	\$399.30
MURDOCH'S RANCH & HOME SUPPLY, INC	\$2,181.73
MWI VETERINARY SUPPLY	\$474.20
NATIONAL ANIMAL CONTROL ASSOCIATION	\$125.00
NATIONAL TACTICAL OFFICERS ASSN	\$150.00
NEU, CHRISTINE	\$28.95
NEW CASTLE ELECTRIC INC	\$1,105.00
NICHOLS-PAGEL, JENNA PATRICE	\$14.83
NICOL, PAUL	\$24.00
NOLAND, AMY	\$44.00
NOMAD TECHNOLOGIES INC	\$572.00
NORCO, INC	\$2,570.38
NORMONT EQUIPMENT CO	\$5,744.08
NORTH AMERICAN SALT COMPANY	\$4,053.38
NORTH VALLEY HOSPITAL INC	\$1,481.74
NORTH VALLEY REFUSE	\$60.00
NORTH VALLEY SENIOR CENTER	\$730.00
NORTHERN ENERGY INC	\$18.63
NORTHERN PINES LLC	\$2,672.93
NORTHERN TOOL & EQUIPMENT CATALOG	\$24.90

MARCH, 2013
(Continued)

NORTHLAND HOBBIES	\$68.00
NORTHLAND MANUFACTURING, INC	\$915.00
NORTHWEST AUTOMOTIVE	\$210.86
NORTHWEST DRUG TASK FORCE PEPI FUND	\$19,694.22
NORTHWEST IMAGING PC	\$23.51
NORTHWEST MONTANA FAIR	\$704.00
NORTHWEST PARTS & EQUIPMENT	\$7,035.04
NORTHWEST PIPE FITTINGS INC	\$3.00
NORTHWEST PORTABLES LLC	\$900.00
NORTHWEST TRUCK REPAIR INC	\$27,079.99
NORTHWESTERN ENERGY 1	\$19,819.52
NOVARTIS VACCINE	\$2,695.10
NOVKO KALISPELL	\$253.88
NOVOSEL, JACK	\$184.05
NURTURING CENTER INC	\$1,870.51
NW MOSQUITO & VECTOR CONTROL ASSN	\$40.00
O'NEIL PRINTERS, INC	\$176.00
OELRICH, CONNIE	\$76.00
OHS BODY SHOP INC	\$1,244.42
OPTIMUM	\$812.60
ORASURE TECHNOLOGIES INC	\$1,200.00
OSBORNE, DALE D	\$355.00
OSHWALLA LLC	\$5,468.64
OVERSHON, SANDRA MACK	\$27.82
PACIFIC STEEL & RECYCLING	\$1,044.88
PARADIGM MANAGEMENT PC	\$151,623.52
PARAGARD DIRECT	\$900.00
PARAGON BERMUDA (CANADA) LTD	\$651.00
PARKER, DIANE	\$56.50
PATHOLOGY ASSOCIATES MEDICAL LABS	\$61.80
PATHWAYS HEALTHCARE	\$2,394.75
PATYK, BETTINA	\$81.64
PAYNEWEST INSURANCE INC	\$65.00
PB ELECTRONICS INC	\$427.00
PEASLEY, DEAN R	\$225.90
PEDERSEN, GERALD	\$34.60
PENWORTHY COMPANY, THE	\$1,065.65
PEPSI-COLA BOTTLING COMPANY	\$57.00
PERFECT CUTS	\$326.26
PERFORMANCE MAINTENANCE LLC	\$218.19
PETERS, JANE	\$13.13
PETERSEN, THERESA	\$69.25
PETTY CASH - FCHC	\$37.00
PETTY CASH - REFUSE DISPOSAL DIST.	\$40.51
PETTYJOHN'S THE WATER STORE INC	\$41.50
PFIZER ANIMAL HEALTH	\$6,323.45
PHIL'S PLUMBING, INC	\$1,397.00
PHOTO VIDEO PLUS	\$77.95
PICKERT, COLEEN H	\$28.95
PILSCH, COREY	\$125.50
PINNACLE INVESTIGATION CORP	\$641.00
PIPKORN, LAUREN J	\$572.37
PLACER, WANDA ANN	\$500.00
PLUNKETT, JAMES	\$19.91
POLENSKY, LUANN GARTNER	\$486.31
POMEROY, RUTH	\$90.00
POTTER, LESLIE	\$54.00
POUND, TERRY	\$15.00
POWELL, JOAN	\$500.00
PRCA	\$1,300.00
PREMIER VEHICLE INSTALLATION INC	\$1,038.08
PROFORCE MARKETING INC	\$61.50
R&S NORTHEAST, LLC	\$1,841.70
RANDALL, BYRON	\$14.26
RANGER STORAGE	\$2,650.00
RANKOSKY, JENNIFER	\$115.00
RASMUSSEN, GRANT	\$57.04
RATHBUN, DEBBIE	\$36.86
RBM LUMBER	\$124.80
REHBEIN, ANNETTE	\$21.60
REICH, RYON JAMES	\$50.99
REID, SHERRY	\$74.00
RELIABLE DISTRIBUTING INC	\$174.21
RENO, ANNE DEE	\$35.73
RICHMOND, SHAWN	\$637.50

MARCH, 2013
(Continued)

RICOCHET IDEAS	\$11,600.00
RICOH USA INC	\$819.43
RIDGELINE COMMUNICATIONS	\$18,137.98
RIEBE'S MACHINE WORKS INC	\$436.00
RIMROCK STAGES INC	\$77.20
RIVERSIDE GARAGE DOORS INC	\$959.00
RN & DB LLC	\$6,012.61
ROBERT PECCIA & ASSOCIATES INC	\$9,809.73
ROBERTSON, AMY H	\$13.70
ROCKMOUNT RESEARCH & ALLOYS, INC	\$749.13
ROCKY MOUNTAIN IMAGES INC	\$397.71
ROLL, ARLEN	\$22.23
RON'S ALIGNMENT INC	\$70.00
ROSAUERS 1	\$121.70
ROSE COMMUNICATION	\$100.00
ROSE, LESLIE L	\$28.95
ROSS, LLOYD	\$83.90
ROUTEMATCH SOFTWARE INC	\$34,514.28
RUTLEDGE, STEVEN	\$16.52
S&S CANOPIES	\$22.50
SAFELITE AUTOGLASS	\$293.74
SAM'S HOSPITALITY & CATERING CONSULTING	\$280.00
SANCHEZ, ERIN	\$97.00
SANDERS COUNTY LEDGER	\$172.30
SANDERS, JANICE W	\$500.00
SANDERS, RAY	\$63.28
SANOFI PASTEUR, INC	\$3,192.41
SARVIS BERRY WAPITI INVESTMENTS LLC	\$6,840.32
SCARFF, GREGORY A	\$337.15
SCHAEFER PSYCHIATRIC SERVICES	\$5,400.00
SCHAFF, CECILIA	\$46.47
SCHETTLER, CHAD	\$74.00
SCHIFF, GINA	\$32.34
SCHLEGEL & SONS CONTRACTOR INC	\$1,450.00
SCHROEDER, SKIP JOSEPH	\$25.00
SCHUMACHER, RANDY	\$13.13
SCHWALK, JANET	\$28.95
SCIFERS, LELAND F	\$36.30
SCS FIELD SERVICES	\$5,800.00
SELBYS	\$320.00
SEVERSON, RON	\$500.00
SEVESIND, JON	\$437.50
SHAFFER, CLAIRE	\$23.30
SHAFFNER'S BINDERY	\$53.98
SHAW, GARRETH W	\$400.00
SHELLERUD, GENE	\$16.16
SHEPHERD, DEE L	\$14.26
SHERWIN WILLIAMS	\$189.95
SHOWELL, JEFFREY	\$6,906.25
SILVERTIP ENGRAVING	\$154.49
SIMPSON, MARGIE	\$500.00
SIRSIDYNIX #774271	\$9,438.00
SIX ROBBLEES' INC	\$231.32
SKRAMOVSKY, TAMMY	\$699.60
SLITERS ACE	\$2.48
SMILE MAKERS	\$49.89
SMITH MEDICAL PARTNERS LLC	\$888.40
SMITH, CRAIG S	\$150.00
SMITH, LINDA KAY	\$28.95
SMITH, MONTE	\$97.00
SMITH, SARAH C	\$100.00
SMITH, TRACY	\$13.13
SOHL, EDWARD	\$31.91
SOUL OF THE VALLEY LLC	\$1,268.84
SPICHER, KIM	\$500.00
SPILLMAN, JACK	\$622.64
SPIRIT DOCUMENT SERVICES	\$230.00
ST JAMES, JONATHAN	\$50.19
ST JOHNS LUTHERAN HOSPITAL INC	\$10.00
ST MARIE GRAPHICS	\$882.91
ST ONGE, EDWARD J	\$85.45
STANFORD POLICE & EMERGENCY SUPPLY	\$3,459.82
STANLEY SECURITY SOLUTIONS	\$105.41
STAPLES	\$129.44
STAPLES CREDIT PLAN	\$479.34

MARCH, 2013
(Continued)

STATE BAR OF MONTANA	\$4,235.00
STATE OF MONTANA	\$12.00
STATE OF NH-DMV	\$15.00
STEFANATZ, JOHN	\$37.80
STELLMACHER, ERIC M	\$13.13
STEPHENS JR, WALTER F.	\$95.60
STERICYCLE INC	\$272.45
STERNAD, ALYSSA K	\$15.39
STUART, BREANNA	\$500.00
SULLIVAN, WILLIAM J	\$53.96
SUN ELECTRICAL CONTRACTORS INC	\$6,006.55
SUPER 1 FOODS	\$621.51
SUTTON, DONNA	\$772.67
SUTTON, MICHAEL D	\$18.78
SWINDALL, R C	\$3.39
SWISS CHALET EXCAVATING	\$750.00
SWT ENGINEERING, INC	\$26,618.58
SYKES PHARMACY INC	\$60.00
SYSCO FOOD SERVICES OF MONTANA INC	\$7,522.70
TAPCO LLC	\$1,477.50
TEPAS, TIM	\$74.00
TESSCO INCORPORATED	\$2,532.46
TEST INC	\$4,049.00
THOMSEN, SYLVIA	\$100.00
THREE RIVERS BANK	\$10,156.36
TIRE GUIDES INC	\$42.60
TIRE RAMA SOUTH	\$554.33
TIRE-RAMA WEST	\$9,918.37
TONERPORT INCORPORATED	\$2,808.90
TOTAL SCREEN DESIGN & EMBROIDERY	\$108.40
TOWNE MAILER INC	\$287.67
TRIMBLE NAVIGATION LTD	\$3,641.90
TRIPLE W EQUIPMENT INC	\$1,218.98
TRIPPET'S PRINTING	\$179.00
TRUENORTH STEEL	\$5,344.55
TRUST, KENNETH R	\$28.95
TYLER TECHNOLOGIES INC	\$192.24
UNIQUE MANAGEMENT SERVICES INC	\$358.00
UNITED WAY OF FLATHEAD COUNTY	\$55.79
UNIVERSAL ATHLETIC SERVICE INC	\$42.99
UNIVERSITY OF MONTANA	\$750.00
URBAN, PAT	\$124.04
VALENT BIOSCIENCES CORP	\$44,427.60
VALLEY FORD	\$4,518.31
VALLEY LINEN	\$85.88
VAN DORT HEATING INC	\$8,070.68
VAUDT, KAILEA	\$70.00
VERIZON WIRELESS 4	\$7,257.03
VISA	\$40.98
VONDAL, DAYLE R	\$21.00
VOTENTSOV, VICTOR	\$20.00
WALKER, JEFFREY SCOTT	\$58.90
WALKER, TAMMY	\$29.00
WARNE CHEMICAL & EQUIPMENT CO	\$626.80
WATKINS, RANDY	\$161.46
WATKINS, TODD	\$25.00
WEATHERS, THOMAS C & LEANN	\$1,504.11
WEBER, ZACHARY JAY	\$3,750.00
WELCH, SHEILA L	\$40.25
WENDSCHLAG, DWIGHT DALE	\$21.04
WERK, KAITLYN	\$165.00
WEST PAYMENT CENTER	\$387.62
WESTERN BUILDING CENTER 3	\$729.28
WESTERN ELECTRONICS, INC	\$1,392.59
WESTERN NEON INC	\$285.00
WESTERN STATE FIRE PROTECTION	\$283.00
WESTERN STATES EQUIPMENT COMPANY	\$374,732.41
WHITEFISH AUTO PARTS INC	\$2,625.46
WHITEFISH GOLDEN AGERS INC	\$500.00
WHITEFISH POLICE DEPT	\$18,969.76
WHITEMAN, ANDY	\$380.00
WHITNEY, SANDRA	\$20.00
WILLIAMS, JAMES SCOTT	\$15.39
WINGERT, PETE	\$85.00
WINGO, DIANA	\$8.93

**MARCH, 2013
(Continued)**

WOLFE, DAVID B	\$15.00
WOLL, PETE	\$79.10
WOOD, DINA G	\$34.60
WOOD, MORGAN A	\$23.30
WOODLAND FLORAL & GREENHOUSES	\$44.50
WORLD BOOK INC	\$353.00
WRIGHT EXPRESS	\$2,841.98
XEROX CORPORATION 1	\$455.03
XEROX CORPORATION 2	\$34.19
XL DENT	\$80.00
YARDLEY, JOE	\$461.45
ZEBRO, RAYMOND A & LOIS A	\$500.00

Grand Total: \$2,309,336.05

Claims for the month of March, 2013 approved this 10th day of April, 2013.

**BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana**

**By/s/Pamela J. Holmquist
Pamela J. Holmquist, Chairman**

**By/s/Paula Robinson
Paula Robinson, Clerk**

PUBLIC NOTICE

The Board of County Commissioners of Flathead County did this 10th day of April, 2013, approve payroll and claims for payment in the amount of \$5,785,400.85 for the period beginning March 1, 2013, and ending on March 31, 2013.

The full and complete claim list is available for public view in the Office of the Clerk & Recorder, Flathead County Courthouse, Kalispell, Montana. Individual requests for personal copies will be accepted by the Clerk and Recorder.

Dated this 10th day of April, 2013.

**BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana**

**By /s/Pamela J. Holmquist
Pamela J. Holmquist, Chairman**

**By /s/Paula Robinson
Paula Robinson, Clerk**

Publish April 15, 2013.

PUBLIC NOTICE

The Board of County Commissioners' proceedings for Flathead County for the period of March 1, 2013 thru March 31, 2013, are now available for public review in the Office of the Clerk and Recorder, Flathead County Courthouse, Kalispell, Montana.

Individual requests for personal copies will be accepted by the Flathead County Clerk and Recorder, Flathead County, Courthouse, Kalispell, Montana.

Dated this 10th day of April, 2013.

**BOARD OF COUNTY COMMISSIONERS
Flathead County, Montana**

**By /s/Pamela J. Holmquist
Pamela J. Holmquist, Chairman**

**By /s/Paula Robinson
Paula Robinson, Clerk**

Publish April 15, 2013.
