



**ROOM A | 130 6TH STREET WEST
COLUMBIA FALLS, MT 59912**

**PHONE (406) 892-4391
FAX (406) 892-4413**

**CITY COUNCIL REGULAR MEETING
AGENDA
MONDAY, APRIL 05, 2021
COUNCIL CHAMBERS CITY HALL**

FINANCE COMMITTEE – 6:30 P.M

(Barnhart, Karper, Lovering)

NOTE: Regular Council Meeting will be held in the Council Chambers as well as by virtual meeting to provide for social distancing and public health and safety. Council requests attendees wear masks for the health and safety of the public and the City employees and officials. Contact City Clerk Barb Staland no later than 6 pm on the day of the meeting to register for ZOOM meeting access information; phone: (406) 892-4391 or email: staalandb@cityofcolumbiafalls.com

REGULAR MEETING – 7:00 P.M.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

CONSENT AGENDA:

1. Approval of Claims - April 5, 2021 - \$87,852.07
2. Approval of Payroll Claims - March 19, 2021 - \$119,865.52
3. Approval of March 2021 Payroll Quarterlies - \$15,199.64
4. Approval of Payroll Claims - April 2, 2021 - \$73,698.45
5. Approval of March 15, 2021 Regular City Council Meeting Minutes
6. Approval of NW MT Drug Task Force MOU FY 2021 - 2022 and authorize City Manager and Police Chief to execute.
7. Approval of TA Grant Proposal - Morrison Maierle - \$6,400 and authorize City Manager to execute.

VISITORS/PUBLIC COMMENT (Items not on agenda)

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

8. Public Hearing - Zone Change:

Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

The applicant, Wayne Hull, is requesting a zone change for property at 7030 Highway 2 East, Columbia Falls from the current CSAG-10 (Suburban Agricultural) with a 10 acre minimum lot size to a CSAG-5 (Suburban Agricultural) with a five acre minimum lot size. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

A. Adopt Staff Report CZC-21-02 as Findings of Fact

B. Approve Zone Change (See Ordinances)

9. Public Hearing - HB 473 Bridge and Road Safety Accountability Program Funds

10. Public Hearing - CARES Act Funding Budget Amendments

NEW BUSINESS:

11. Authorize Declaration of Surplus Property - 2000 Bauer Compressor

12. Award Bid - Hoerner Park Tennis Courts - Schlegel Enterprises - \$127,999.40

13. Proclamation - June 26, 2021 Lemonade Day

ORDINANCES / RESOLUTIONS:

14. FIRST READING - Ordinance 806 - An Ordinance of the City Council of the City of Columbia Falls, Montana, Amending the Columbia Falls Zoning Map from CSAG-10 Suburban Agriculture to CSAG-5 Suburban Agriculture for the property located at 7030 Highway 2 East, further described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

15. Resolution # 1844 - A Resolution of the City Council of the the City of Columbia Falls, Montana Requesting Distribution of Local Government Road Construction and Maintenance Match Program Funds and Amending the Appropriate 2021 FY Budgets

REPORTS / BUSINESS FROM MAYOR & COUNCIL

CITY MANAGER REPORT

CITY ATTORNEY REPORT

MISCELLANEOUS

16. Correspondence

ADJOURN

Next Scheduled Meetings:

City Council – Regular Meeting, **April 19, 2021** – 7:00 PM

Planning Board – TBD

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CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 3/21

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
41662		3112 406 CLEANING OF COLUMBIA FALLS	3,600.00					
	398	03/23/21 FAC-MAR 21 JANITORIAL SRVCES	3,600.00			1000 411200	399	101000
		Total for Vendor:	3,600.00					
41651		999999 519 NUCLEUS AVE COA	4,827.43					
		REFUND 01/25/21 ADJUSTMENT 62566 BILLING CORRECTION						
		ACCT 00393-00						
		ROUTE-METER #02-2334						
		0039300 03/26/21 WTR-REFUND	542.50			5210 214010		101000
		0039300 03/26/21 SWR-REFUND	4,284.93			5310 214010		101000
		Total for Vendor:	4,827.43					
41659		1774 ADVANCED REFRIGERATION	4,429.20					
		Swap our air dryer, install piping and perform start up.						
		102366A 03/11/21 SWR-NEW AIR DRYER	4,429.20			5310 430600	212	101000
		Total for Vendor:	4,429.20					
41637		877 APPLIED INDUSTRIAL TECHNOLOGIES	73.99					
		7021033620 03/10/21 SWR-CLIPPARD INSTRUMENT PQ	29.99			5310 430600	240	101000
		7021033214 03/10/21 WTR-0 RINGS	44.00			5210 430500	220	101000
		Total for Vendor:	73.99					
41669		999999 BIG BEAR PLUMBING	200.00					
		REIMBURSEMENT FOR PERMIT FEES & CONNECTION FEE						
		1075 04/01/21 WTR-704 6TH AVE WEST- MINSON R	50.00			5210 343025		101000
		1075 04/01/21 WTR-704 6TH AVE WEST- MINSON	150.00			5210 343026		101000
		Total for Vendor:	200.00					
41644		3053 BKP LLC	3,738.58					
		2174 03/22/21 PD-Restock AMMO 9MM, 223 AND 4	3,738.58			1000 420100	220	101000
		Total for Vendor:	3,738.58					
41656		1260 CARQUEST AUTO PARTS	33.07					
		349739 11/23/20 STRS-ENG BLK SPRAYPAINT	7.35		STREET	2500 430200	240	101000
		355077 03/16/21 WTR-3 EA BRAKLEEN SPRAY	16.53		WELL	5210 430500	240	101000
		353291 02/05/21 STRS-DIESEL EXHST FLUID	9.19		STREET	2500 430200	231	101000
		Total for Vendor:	33.07					

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		Invoice #/Inv Date/Description	Line \$		PO #	Fund	Org	Acct	Object	Proj	Account
41618		3028 CENTURYLINK - BUSINESS SERVICES	1,172.83								
	211335592	03/20/21 ADMIN-02/20 TO 03/19/21 VOI	34.17			1000		410400	345		101000
	211335592	03/20/21 FIN-02/20 TO 03/19/21 VOIP	108.20			1000		410500	345		101000
	211335592	03/20/21 COMP-02/20 TO 03/19/21 VOIP	533.64			1000		410580	345		101000
	211335592	03/20/21 PD-02/20 TO 03/19/21 VOIP P	170.85			1000		420100	345		101000
	211335592	03/20/21 FD-02/20 TO 03/19/21 VOIP P	55.46			1000		420400	345		101000
	211335592	03/20/21 BLDG-02/20 TO 03/19/21 VOIP	17.09			2394		420500	345		101000
	211335592	03/20/21 WTR-02/20 TO 03/19/21 VOIP	37.02			5210		430500	345		101000
	211335592	03/20/21 SWR-02/20 TO 03/19/21 VOIP	37.02			5310		430600	345		101000
	211335592	03/20/21 STRS-02/20 TO 03/19/21 VOIP	8.54			2500		430200	345		101000
	211335592	03/20/21 CRTS-02/20 TO 03/19/21 VOIP	170.84			1000		410360	345		101000
		Total for Vendor:	1,172.83								
41638	E	997 CENTURYLINK - ELECTRONIC PAY	833.24								
	031821	03/18/21 CRTS-MAR 18-APR 17, 2021 PHONE	32.93			1000		410360	345		101000
	031821	03/18/21 PD-MAR 18-APR 17, 2021 PHONES	130.59			1000		420100	345		101000
	031821	03/18/21 FD-MAR 18-APR 17, 2021 PHONES	61.67			1000		420400	345		101000
	031821	03/18/21 POOL-MAR 18-APR 17, 2021 PHONE	23.19			1000		460445	345		101000
	031821	03/18/21 STRS-MAR 18-APR 17, 2021 PHONE	136.30			2500		430200	345		101000
	031821	03/18/21 WTR-MAR 18-APR 17, 2021 PHONES	205.45			5210		430500	345		101000
	031821	03/18/21 SWR-MAR 18-APR 17, 2021 PHONES	243.11			5310		430600	345		101000
		Total for Vendor:	833.24								
41643		14 CITY OF COLUMBIA FALLS	397.82								
		02/17/2021 to 03/17/2021									
	032321	03/23/21 FAC-02/17 TO 03/17/21 WTR USE	98.90			1000		411200	342		101000
	032321	03/23/21 FD-02/17 TO 03/17/21 WTR USE	30.99			1000		420400	342		101000
	032321	03/23/21 PRKS-02/17 TO 03/17/21 WTR USE	40.91			1000		460400	342		101000
	032321	03/23/21 STRS-02/17 TO 03/17/21 WTR USE	95.98			2500		430200	342		101000
	032321	03/23/21 WTR-02/17 TO 03/17/21 WTR USE	47.05			5210		430500	342		101000
	032321	03/23/21 SWR-02/17 TO 03/17/21 WTR USE	83.99			5310		430600	342		101000
		Total for Vendor:	397.82								

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41629		115 CITY SERVICE VALCON LLC	5.30					
	WWTP GENERATOR							
		0489370 03/11/21 SWR-2 GAL #2 DYED DIESEL	5.30			5310 430600	231	101000
		Total for Vendor:	5.30					
41653		776 COL.FALLS VOLUNTEER FIRE	14,731.83					
	Fire Relief Collections							
		032821 03/28/21 FEB TX COLL, REC'D MARCH	239.29			7120 212520		101000
		032821 03/28/21 STATE ENTITLEMENT 3RD QRT	2,047.50			7120 212520		101000
		032821 03/28/21 STATE INS PREMIUMS	12,445.00			7120 212520		101000
		032821 03/28/21 INT OF BAL FEB	0.04			7120 212520		101000
		Total for Vendor:	14,731.83					
41664		2818 Community Development Services	997.50					
	Conference Call/Project Kick-off, March 4, 2021.							
		CF.URD.202 03/31/21 Technical Assistance 9.5 h	997.50*			1000 410100	399	101000
		Total for Vendor:	997.50					
41628		2943 CORE & MAIN LP	1,214.41					
		N845465 03/09/21 WTR-1 EA MM 3" HYD MTR W/CPLG	809.52			5210 430500	230	101000
		N639504 03/09/21 WTR-1 EA A-11 STEM O/L 77"-86	201.83			5210 430500	240	101000
		N639504 03/09/21 WTR-1 EA MUELLER HYD REP KIT	203.06			5210 430500	240	101000
		Total for Vendor:	1,214.41					
41625		2945 CRAPO LTD	3,437.34					
	118.00 PER TON							
		25988 03/08/21 STRS-29.13 TONS BLUE ICE MELT	3,437.34*			2820 430200	221	101000
		Total for Vendor:	3,437.34					
41626		3026 DAILY INTER LAKE	725.33					
		I00442888 03/07/21 27588 HINCHEY FLOODPLAIN PE	83.83			1000 411000	331	101000
		I00438956 02/21/21 27556 HULL ZC	164.50			1000 411000	331	101000
		I00441149 02/28/21 27573 ITB-HOERNER PRK 02/28	212.17			1000 410500	331	101000
		I00441149 03/03/21 27573 ITB-HOERNER PRK 03/14	188.33			1000 410500	331	101000
		I00445300 03/21/21 27640 SURPLUS PROPERTY	76.50			1000 410500	331	101000
		Total for Vendor:	725.33					

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41616		2889 DAKOTA SUPPLY GROUP	33.28								
		Compactor Wash Water									
		S100789578 03/01/21 SWR-PIPE NIPPLES, ADPTRS,	33.28			5310		430600	240		101000
		Total for Vendor:	33.28								
41633		1383 FASTENAL COMPANY	80.12								
		MTKAL23287 03/09/21 WTR- ASSRTD CRN ANGLES, SC	80.12			5210		430500	240		101000
		Total for Vendor:	80.12								
41631		2589 FASTSIGNS WHITEFISH	2,441.28								
		W. STUFFLEBEAM & V. SMITH									
		NEW GRAPHICS FOR POLICE RAM PICKUP									
		DESIGN LAYOUT AND SET UP									
		2 EA VINYL 22 X 12									
		489-19403 03/11/21 PD-2 EA- 250 BUSINESS CARD	87.04			1000		420100	210		101000
		489-19330 02/19/21 PD-CAR #21 VEHICLE GRAPHICS	1,299.24*			4020		420100	940		101000
		489-19394 03/08/21 GRAPHICS FOR FISH POND	1,055.00			4010		460400	930		101000
		Total for Vendor:	2,441.28								
41627		438 FERGUSON WATERWORKS	315.43								
		INV# 0774497-1 (304 3RD AVE W)									
		0774497 03/17/21 WTR-3 EA LF 1IP X IPS INSTAT	82.05			5210		430500	230		101000
		0774497 03/17/21 WTR-1 EA LF 1 IPS INST BALL C	125.41			5210		430500	230		101000
		0774497 03/17/21 WTR-1 EA 6-1/2 ARCH PAT CURB	45.74			5210		430500	230		101000
		0774497 03/17/21 WTR-1 EA 60 STNRY ROD	14.43			5210		430500	230		101000
		0774497 03/17/21 WTR- 1 EA LF 3/4 MIP X IPS IN	30.56			5210		430500	230		101000
		0774497-1 03/24/21 WTR-1 EA LF 3/4 TUBE NTFEM	17.24			5210		430500	230		101000
		Total for Vendor:	315.43								
41649	E	2961 FIRST BANKCARD-ELECTRONIC PYMT	1,494.35								
		Statement Closing 03/23/21									
		032321 02/24/21 SWR-20MM TYPE BA WITH G60 SEAT	364.09		SI0521	5310		430600	240		101000
		032321 02/25/21 WTR-LAMPMAN, M. MT PRO LICENSI	35.00		589048	5210		430500	335		101000
		032321 03/31/21 FD-BAXTER, C. SCREENING PACKA	120.37		202102	1000		420400	390		101000
		032321 03/09/21 POOL-LAMPMAN & ROSE TRAINING	698.00			1000		460445	380		101000
		032321 03/09/21 FIN-ELECTRONIC WIPES	19.96			1000		410500	210		101000

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	032321	03/17/21 P/Z-VR COMPLIANCE LTR POSTAGE	11.65			1000		411000	310		101000
	032321	03/18/21 ADMIN-MNGR MEETING	65.40			1000		410400	380		101000
	032321	03/06/21 STRS-PWD ADOBE ACROBAT PRO SUB	59.96			2500		430200	355		101000
	032321	03/06/21 WTR-PWD ADOBE ACROBAT PRO SUB	59.96			5210		430500	355		101000
	032321	03/06/21 SWR-PWD ADOBE ACROBAT PRO SUB	59.96			5310		430600	355		101000
		Total for Vendor:	1,494.35								
41642		3104 FIRST CALL COMPUTER SOLUTIONS,	1,899.99								
		SERVICE TICKET # 699365 NEW LAPTOP SETUP FOR CHIEF PETERS									
		BETTER WAY ESSENTIALS WITH REMOTE & ON-SITE SUPPORT									
	72211	03/15/21 COMP-WINDOWS PRO 10 LICENSE	199.99			1000		420100	355		101000
	72253	04/01/21 COMP- APRIL 2021 MONTHLY BILLI	1,700.00			1000		410580	355		101000
		Total for Vendor:	1,899.99								
41622		1892 FLATHEAD COUNTY	225.00								
	5289	03/11/21 CERT LIST-MOHR, J.& A.	75.00*			1000		411000	390		101000
	5119	04/20/20 CERT LIST-APPLE-SKEAHAN REV TR	75.00*			1000		411000	390		101000
	5296	03/22/21 CERT LIST - HOON, R.	75.00*			1000		411000	390		101000
		Total for Vendor:	225.00								
41640		3019 FLATHEAD PUBLISHING GROUP	2,919.40								
		03/07/21 to 03/17/21 PWD Job Ad									
		03/12/21 to 03/24/21 Seasonal Employees Job Ads									
	I00443127	03/17/21 WTR-PWD JOB AD POSTING	219.03			5210		430500	331		101000
	I00443127	03/17/21 SWR-PWD JOB AD POSTING	219.03			5310		430600	331		101000
	I00443127	03/17/21 FIN-PWD JOB AD POSTING	219.02			1000		410500	331		101000
	I00443127	03/17/21 STRS-PWD JOB AD POSTING	219.02			2500		430200	390		101000
	I00444494	03/24/21 FIN-SEASONAL JOB ADS	2,043.30			1000		410500	331		101000
		Total for Vendor:	2,919.40								
41657		999999 GLASCOE, MAHAILA	166.53								
		REFUND ACCT 08167.05-11									
	08167.05-1	03/29/21 WTR-REFUND	166.53			5210		214010			101000
		Total for Vendor:	166.53								

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41650		3113 GLOBAL ARCHIVES INC	171.10					
	21051	03/25/21 WTR-MNTHLY STORAGE AS BUILTS	85.55*			5210 430500	363	101000
	21051	03/25/21 SWR-MNTHLY STORAGE AS BUILTS	85.55*			5310 430600	363	101000
		Total for Vendor:	171.10					
41666		2806 HANSON'S HARDWARE	95.48					
	597366	03/17/21 STRS-MISC SCREWS	3.96			2500 430200	240	101000
	597318	03/10/21 SWR-DECKSCRUB BRUSH	16.98			5310 430600	212	101000
	597362	03/16/21 PRKS-RIVRS EDGE RR TRASHCANS	56.97			1000 460400	220	101000
	597406	03/23/21 STRS-3/4 PLUG, NIPPLE,BALL VAL	17.57			2500 430200	240	101000
		Total for Vendor:	95.48					
41658		1659 HIGH COUNTRY LINEN SUPPLY	240.05					
	0448717	03/29/21 FAC-CITY HALL, CRTS, PD, FOYE	210.82			1000 411200	224	101000
	0448718	03/29/21 FAC-FIRE DEPT MATS	29.23			1000 411200	224	101000
		Total for Vendor:	240.05					
41624		2849 J2 BUSINESS PRODUCTS	472.96					
	862391-0	03/11/21 FIN-HNGN FOLDERS, COPY PAPER	27.99			1000 410500	210	101000
	862391-0	03/11/21 WTR-HNGN FOLDERS, COPY PAPER	27.99			5210 430500	210	101000
	862391-0	03/11/21 SWR-HNGN FOLDERS, COPY PAPER	27.99			5310 430600	210	101000
	862391-0	03/11/21 PLNG-HNGN FOLDERS, COPY PAPE	27.99*			1000 411000	210	101000
	862393-0	03/11/21 PD-COPY PAPER	34.95			1000 420100	210	101000
	863971-0	03/26/21 FIN-BLK PENS, BLUE PENS	2.78			1000 410500	210	101000
	863971-0	03/26/21 WTR-BLK PENS, BLUE PENS	2.77			5210 430500	210	101000
	863971-0	03/26/21 SWR-BLK PENS, BLUE PENS	2.77			5310 430600	210	101000
	863971-0	03/26/21 PLNG-BLK PENS, BLUE PENS	2.77*			1000 411000	210	101000
	863431-0	03/22/21 PD-SHARPIE, 3X5 CARDS,DVD-R,	107.87			1000 420100	210	101000
	864187-0	03/30/21 FAC-TRASH BAGS, TISSUE,TOWEL	207.09			1000 411200	224	101000
		Total for Vendor:	472.96					
41630		3004 JIFFY LUBE	89.98					
	MILEAGE-115,200							
	29156279	03/18/21 PD-CAR 16 OIL CHANGE	89.98*			1000 420100	361	101000
		Total for Vendor:	89.98					

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41646		2707 KENCO SECURITY AND TECHNOLOGY	82.50						
	2378676	03/24/21 FAC-CITY HALL MAR 2021 ALRM M	38.50			1000		411200	366 101000
	2377407	03/24/21 FAC-FD MAR 2021 ALRM MONITORI	44.00			1000		411200	366 101000
		Total for Vendor:	82.50						
41654		3078 KLJ ENGINEERING LLC	12,168.08						
		CF Urban Transportation Plan							
		CF Quiet Zone Study							
	10150634	03/29/21 URBAN TRANS PRO SRV END 03/2	8,814.08*			1000		410100	399 101000
	10150667	03/30/21 QUIET ZN PRO SRVCES END 03/2	3,354.00*			1000		410100	399 101000
		Total for Vendor:	12,168.08						
41660		1080 LES SCHWAB TIRE CENTER	89.99						
	9050041014	03/29/21 PD-20 DODGE DURANGO ALIGNM	89.99*			1000		420100	361 101000
		Total for Vendor:	89.99						
41661		1493 MAHUGH FIRE & SAFETY	46.00						
	94973	03/29/21 FD-1 EA EXCENTER BATTERY LATCH	46.00			1000		420400	220 101000
		Total for Vendor:	46.00						
41617		2537 MICROCOMM	6,700.00						
		SCADA System Service Contract SC0439							
	SC0439	030 03/06/21 WTR-SERVICE WARRANTY	1,100.00			5210		430500	355 101000
	SC0439	030 03/06/21 SWR-SERVICE WARRANTY	5,600.00			5310		430600	355 101000
		Total for Vendor:	6,700.00						
41636		916 MID-AMERICAN RESEARCH CHEMICAL	528.39						
	0726670-IN	03/12/21 STRS-DEGRSER,CHAIN LUBE,50	528.39			2500		430200	240 101000
		Total for Vendor:	528.39						
41619		2687 MONTANA DEPT. OF TRANSPORTATION	301.80						
		CF TRANSPORTATION PLAN							
		02/23/21 PAYMENT FOR NON-FEDERAL MATCH-IDC							
	031121	03/11/21 MDOT PLAN GRNT INDIRECT COST R	301.80			1000		331052	101000
		Total for Vendor:	301.80						

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CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 3/21

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
41621		194 MONTANA RURAL WATER SYSTEMS, MEMBERSHIP DUES FOR CALENDAR YEAR 2021	530.00					
	816	03/01/21 WTR-2021 MEMBERSHIP DUES	175.00			5210 430500	335	101000
	816	03/01/21 SWR-2021 MEMBERSHIP DUES	175.00			5310 430600	335	101000
	675	03/09/21 WTR-ROSE, D. DEQ CERTIFICATION	180.00			5210 430500	380	101000
		Total for Vendor:	530.00					
41639		3119 MONTANA TRUCK WORKS, LLC 2002 HME/Centra; States 1871 Cab Miles 32501 Engine hours 2792.7	3,028.84					
	210060	03/22/21 FD-REPLCE AIR DRYER, PRK BRAKE	3,028.84			1000 420400	361	101000
		Total for Vendor:	3,028.84					
41632		2583 MUNICODE	3,400.00					
	00355606	03/19/21 MEETNG MOD RENEW 03/01-02/28	3,400.00			1000 410580	355	101000
		Total for Vendor:	3,400.00					
41655		2477 NEW CASTLE ELECTRIC, INC 3/8 12 BP AERATION AGITATOR REPLACEMENT LABOR AND MATERIALS	1,075.00					
	5475	03/29/21 SWR-3/8, 12BP DISCONNECT,WIRE,	1,075.00			5310 430600	360	101000
		Total for Vendor:	1,075.00					
41667		520 NORCO, INC.	11.47					
	31738239	03/31/21 STRS-03/01 TO 03/31/21 CYLDR	11.47			2500 430200	220	101000
		Total for Vendor:	11.47					
41665		2002 NORTHWEST PARTS & EQUIPMENT & C718749-01 03/11/21 STRS-CUTTING BOLT, SKIDSTE	286.57					
			286.57			2500 430200	232	101000
		Total for Vendor:	286.57					
41647		56 NORTHWEST PIPE FITTINGS INC	37.84					
	4490065	03/22/21 SWR-2" PVC COUPLING, ADAPTER	37.84			5310 430600	240	101000
		Total for Vendor:	37.84					

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CITY OF COLUMBIA FALLS
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
41668		1437 NORTHWESTERN ENERGY	3,568.71					
	032621	03/26/21 FAC-02/19 TO 03/22/21 NAT GAS	1,328.43			1000 411200	344	101000
	032621	03/26/21 PD-02/19 TO 03/22/21 NAT GAS	104.92			1000 420100	344	101000
	032621	03/26/21 FD-02/19 TO 03/22/21 NAT GAS	422.68			1000 420400	344	101000
	032621	03/26/21 STRS-02/19 TO 03/22/21 NAT GAS	346.38			2500 430200	344	101000
	032621	03/26/21 WTR-02/19 TO 03/22/21 NAT GAS	221.41			5210 430500	344	101000
	032621	03/26/21 SWR-02/19 TO 03/22/21 NAT GAS	1,144.89			5310 430600	344	101000
		Total for Vendor:	3,568.71					
41620		2816 O'REILLY AUTO PARTS	12.97					
	4774-34489	03/14/21 PD-240Z WHEEL CLEANER	6.99			1000 420100	232	101000
	4774-34471	03/12/21 SWR-2 GAL WIPER FLUID	5.98			5310 430600	232	101000
		Total for Vendor:	12.97					
41652		1042 SANDS SURVEYING, INC.	2,388.25					
	34012	03/23/21 RETRACE PROPTY-CP SUBD	450.00*			1000 410500	399	101000
	34011	03/23/21 ROW EASEMENT-1123 9TH ST W	117.50*			1000 410500	399	101000
	34010	03/23/21 P/Z- ROUTINE SRVS 02/22-03/18/	1,820.75			1000 411000	399	101000
		Total for Vendor:	2,388.25					
41648		2890 SPOKANE HOUSE OF HOSE, INC	140.15					
	865077	03/24/21 SWR-1 EA MALE 2" CAMLOCK- BARB	27.32			5310 430600	240	101000
	864994	03/24/21 SWR-1 EA CAMLOCK 2" FCAM MPT	19.66			5310 430600	240	101000
	864994	03/24/21 SWR-2 EA CAMLOCK 2" FCAM BARB	37.96			5310 430600	240	101000
	864994	03/24/21 SWR-1 EA CAMLOCK 2" MCAM MPT	10.88			5310 430600	240	101000
	864994	03/24/21 SWR- 10 EA PAC ECHO #115 SUCTI	20.60			5310 430600	240	101000
	864994	03/24/21 SWR-SHIPPING	23.73			5310 430600	240	101000
		Total for Vendor:	140.15					
41641		74 THATCHER COMPANY OF MONTANA	250.00					
WWTP DEWATERING								
	352304	03/11/21 SWR-1 EA TOTE, 275 GAL WIRE CA	250.00			5310 430600	221	101000
		Total for Vendor:	250.00					

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CITY OF COLUMBIA FALLS
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
41663		1623 THE UPS STORE #4515	56.48					
		TRACKING #1ZWA36710310952699						
	033121	03/31/21 WTR-LOCATOR MACHINE SHIPPING	28.24			5210 430500	310	101000
	033121	03/31/21 SWR-LOCATOR MACHINE SHIPPING	28.24			5310 430600	310	101000
		Total for Vendor:	56.48					
41623		523 USA BLUE BOOK	197.63					
	519028	03/02/21 WTR-WELL DEPTH GAUGE H20	137.99			5210 430500	212	101000
	517218	03/01/21 SWR-1 EA-50 PK HACH BOD NUTRIE	59.64			5310 430600	222	101000
		Total for Vendor:	197.63					
41634		919 VALLEY GLASS INC.	416.00					
		Fish Pond Sign						
	K0198510	03/17/21 POLY CARD CVRS FOR FISH POND	416.00			4010 460400	930	101000
		Total for Vendor:	416.00					
41635	E	1218 VERIZON WIRELESS	1,198.25					
	9875432304	03/12/21 ADMIN-02/13-03/12/21 CELLP	22.47			1000 410400	345	101000
	9875432304	03/12/21 FIN-02/13-03/12/21 CELLPHO	22.47			1000 410500	345	101000
	9875432304	03/12/21 FD-02/13-03/12/21 CELLPHON	60.52			1000 420400	345	101000
	9875432304	03/12/21 FAC-02/13-03/12/21 CELLPHO	12.47			1000 411200	345	101000
	9875432304	03/12/21 STRS-02/13-03/12/21 CELLPH	78.95			2500 430200	345	101000
	9875432304	03/12/21 PD-02/13-03/12/21 CELLPHON	748.69			1000 420100	345	101000
	9875432304	03/12/21 WTR-02/13-03/12/21 CELLPHO	151.27			5210 430500	345	101000
	9875432304	03/12/21 SWR-02/13-03/12/21 CELLPHO	101.41			5310 430600	345	101000
		Total for Vendor:	1,198.25					
41645		84 WESTERN BUILDING CENTER	274.33					
	4644761	03/15/21 WTR-WIRE 4" BRUSH, 4" CHIP BR	25.76			5210 430500	220	101000
	4643656	03/04/21 WTR-1/4 X 1 1/2" NIPPLE 2 EA	5.98			5210 430500	240	101000
	4645081	03/18/21 WTR-PVC COUPLING 3 EA	17.47			5210 430500	240	101000
	4645723	03/24/21 WTR-DROP CLOTH, BRUSHES, TRAY, R	26.82			5210 430500	220	101000
	4644607	03/13/21 SWR-PH25W LABFRIDGE LIGHT	4.19			5310 430600	240	101000
	4644240	03/10/21 SWR-1 EA #8X2 1/2" SLFDRL TRU	23.15			5310 430600	240	101000
	4644156	03/09/21 SWR-1 EA 2X10 8' #2 TREATED B	28.49		AIRDRY	5310 430600	240	101000
	4644788	03/16/21 STRS- PVC CEMENT, 2" CONDUIT	10.68			2500 430200	240	101000

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CITY OF COLUMBIA FALLS
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$						Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund	Org	Acct	Object	Proj Account
	4644027	03/08/21 STRS-2 EA U BOLTS #132ZINC	3.38			2500		430200	240	101000
	4645889	03/26/21 STRS-5 PK BITS, BUSHING, BRAS	19.46			2500		430200	240	101000
	4645405	03/22/21 SWR- TORX SCRES, IMPCT DRVR,B	88.50			5310		430600	220	101000
	4644993	03/17/21 SWR-GALV NIPPLE,COUPL,BUSHING	12.66		JETTRK	5310		430600	232	101000
	4645305	03/20/21 SWR-GARDEN HOSE FEM END	7.79		SRYWTR	5310		430600	240	101000
		Total for Vendor:	274.33							
		# of Claims	54	Total:		87,852.07				
		Total Electronic Claims				3,525.84				
		Total Non-Electronic Claims				84326.23				

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CITY OF COLUMBIA FALLS
Fund Summary for Claims
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Fund/Account	Amount
1000 GENERAL FUND	
101000 CASH/CASH EQUIVALENTS	\$40,977.02
2394 BUILDING CODE ENFORCEMENT FUND	
101000 CASH/CASH EQUIVALENTS	\$17.09
2500 SPECIAL STREET MAINTENANCE DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$1,843.15
2820 GAS TAX FUND	
101000 CASH/CASH EQUIVALENTS	\$3,437.34
4010 CAPITAL PROJECTS FUND - Parks	
101000 CASH/CASH EQUIVALENTS	\$1,471.00
4020 CAPITAL PROJECTS FUND - General	
101000 CASH/CASH EQUIVALENTS	\$1,299.24
5210 WATER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$5,369.28
5310 SEWER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$18,706.12
7120 FIRE RELIEF DISABILITY/PENSION FUND	
101000 CASH/CASH EQUIVALENTS	\$14,731.83
Total:	\$87,852.07

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CITY OF COLUMBIA FALLS
Claim Approval Signature Page
For the Accounting Period: 3 / 21

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Council Meeting Date: 04/05/2021

Claims Submitted to Council: \$ 87,852.07

Claims Denied/Withheld by Council Finance Committee: \$ _____ Claim #'s: _____

Prepared By: Shawn Bates, Finance Director

Shawn Bates

Approved by Susan M. Nicosia, City Manager

Susan Nicosia

City Council to Approve by motion on consent agenda

The following claim is significant:

KLJ Engineering LLC - \$8,814.08 Urban transportation plan. \$3,354 Quiet zone study. (Fund 1000)

The remaining claims are routine. Please let me know if you have any questions.
Shawn

03/22/21
07:21:16

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 03/19/21 to 03/19/21

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Total for Payroll Checks

	Employee	Employer	Amount
	-----	-----	-----
ADDL HOURS (Additional)	0.00		580.82
COMA HOURS (Comp Time Accumulated)	12.01		
COMP HOURS (Comp Time Used)	7.00		151.26
OTHE HOURS (Other Time Used)	24.00		751.92
OVER HOURS (Overtime)	50.25		1,924.56
REG HOURS (Regular Time)	2,361.75		63,836.55
SHFN HOURS (Shift B)	332.25		332.25
SHFQ HOURS (OVT B)	1.75		2.63
SICK HOURS (Sick Time)	48.27		969.02
VACA HOURS (Vacation Time Used)	46.75		1,472.23
VOLN HOURS (Not in use)	25.00		1,250.00
GROSS PAY	70,021.24	0.00	
NET PAY	46,657.65	0.00	
NET PAY (CHECKS)	330.80		
NET PAY (DIRECT DEPOSIT)	46,326.85		
AFLAC-POSTTAX	64.48	0.00	
AFLAC-PRETAX	111.99	0.00	
CHILD SUPPORT	88.61	0.00	
CHILD SUPPORT P	413.07	0.00	
CITY OF COLUMBI	25.00	0.00	
FIT	5,475.79	0.00	
FLEX ALLEGIANCE	1,039.63	35.00	
FLEX DEP CARE	208.33	2.50	
FOP	360.00	0.00	
HEALTHINS/PRE	2,671.00	16,146.37	
MEDICARE	979.50	979.50	
MT ST FIRE ASSO	29.13	0.00	
NATIONWIDE/CITY	0.00	1,561.83	
NATIONWIDE/EMP	360.62	0.00	
P.E.R.S.	3,188.10	3,539.21	
PERS/FURS	311.70	418.32	
PERS/POLICE	2,137.06	3,421.64	
SIT	2,918.00	0.00	
SOCIAL SECURITY	2,462.76	2,462.76	
TEAMSTERS DUES	266.50	0.00	
UNEMPL. INSUR.	0.00	307.89	
UNUM LIFE INS.	113.86	0.00	
WA CHILD SUPPOR	138.46	0.00	
WORKERS' COMP	0.00	2,217.06	
WELLS FARGO	1,015.88	0.00	
CHARLES SCHWAB	1,407.91	0.00	
FIRST INTERSTAT	3,886.29	0.00	
FREEDOM BANK	1,344.88	0.00	
GLACIER BANK KA	4,806.40	0.00	
GLACIER BANK/CF	13,401.14	0.00	
GLACIER BANK/WF	1,547.02	0.00	
PARKSIDE CR U	7,977.79	0.00	
THREE RIVERS	998.49	0.00	

Payroll
3/19/21
\$119,865.52
Barb Stadland

03/22/21
07:21:16

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 03/19/21 to 03/19/21

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USAA FEDERAL	1,082.28	0.00
USBANK.	1,991.93	0.00
VALLEY BANK KAL	100.00	0.00
VERIDIAN CREDIT	325.00	0.00
WELLS FARGO	1,421.60	0.00
WELLS FARGO GA	1,251.18	0.00
WFISH CR UNION	3,769.06	0.00
FIT/SIT BASE	60,201.14	0.00
MEDICARE BASE	67,552.12	0.00
PERS BASE	67,013.89	0.00
SOC SEC BASE	39,721.87	0.00
UN BASE	68,421.24	0.00
WC BASE	70,629.70	0.00

Total 31,092.08
Total Payroll Expense (Gross Pay + Employer Contributions): 101,113.32
*** PAYROLL REGISTER + VOLUNTEER PAYROLL REGISTER = PAYROLL SUMMARY ***

Check Summary

Payroll Checks Prev. Out.	\$7,347.72
Payroll Checks Issued	\$43,598.87
Payroll Checks Redeemed	\$7,347.72
Payroll Checks Outstanding	\$43,598.87
Electronic Checks	\$76,266.65

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	4925.52	4925.52		212260
Medicare	1959.00	1959.00		212260
P.E.R.S.	6727.31	6727.31		212270
Unempl. Insur.	307.89	1923.67	2231.56	212210
Workers' Comp	2217.06	14828.24	17045.30	212220
FIT	5475.79	5475.79		212260
SIT	2918.00	2918.00		212260
AFLAC-PRETAX	111.99	223.98		212230
NATIONWIDE/EMP	360.62	360.62		212280
Teamsters dues	266.50	532.84	0.16	212310
PERS/Police	5558.70	5558.70		212240
NATIONWIDE/CITY	1561.83	1561.83		212280
AFLAC-POSTTAX	64.48	128.96		212230
PERS/FURS	730.02	730.02		212275
MT ST FIRE ASSO	29.13	29.13		212315
HEALTHINS/PRE	18817.37	39537.85	-859.54	212400
CITY OF COLUMBI	25.00	25.00		212450
UNUM LIFE INS.	113.86	227.72	6.88	212400
FLEX ALLEGIANCE	1074.63	1074.63		212285
CHILD SUPPORT	88.61	88.61		212330
CHILD SUPPORT P	413.07	413.07		212330
WA CHILD SUPPOR	138.46	138.46		212330
FOP	360.00	360.00		212335
FLEX DEP CARE	210.83	210.83		212285

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CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 03/19/21 to 03/19/21

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. Total Ded.	54455.67	37176.56	73207.87	18424.36
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*** Carried Forward column only correct if report run for current period.

03/26/21
07:04:15

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 03/25/21 to 03/25/21

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Total for Payroll Checks

	Employee -----	Employer -----	Amount -----
Total			0.00
Total Payroll Expense (Gross Pay + Employer Contributions):			0.00
Total Discounts:	1,552.25		
Total Payroll Expense (Less Discounts):	-1,552.25		

Quarterly Report
3/25/21

\$15,199.64

Bau Staaland

Check Summary

Payroll Checks Prev. Out.	\$50,946.59
Payroll Checks Issued	\$13,275.99
Payroll Checks Redeemed	\$7,347.72
Payroll Checks Outstanding	\$56,874.86
Electronic Checks	\$1,923.65

	Carried Forward From Previous Month -----	Deduction Checks Issued -----	Difference -----	Liab Account -----
Deductions Accrued				
Total Ded.	0.00	0.00	0.00	0.00

*** Carried Forward column only correct if report run for current period.

04/01/21
11:02:12

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 04/02/21 to 04/02/21

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Total for Payroll Checks

	Employee	Employer	Amount
	-----	-----	-----
ADDL HOURS (Additional)	0.00		546.60
COMA HOURS (Comp Time Accumulated)	21.00		
COMP HOURS (Comp Time Used)	41.50		954.80
OVER HOURS (Overtime)	65.00		2,650.62
REG HOURS (Regular Time)	2,105.25		54,879.39
SHFN HOURS (Shift B)	302.00		302.00
SHFQ HOURS (OVT B)	36.00		54.00
SICK HOURS (Sick Time)	53.25		1,095.39
VACA HOURS (Vacation Time Used)	160.00		4,808.01
GROSS PAY	65,290.81	0.00	
NET PAY	42,975.98	0.00	
AFLAC-POSTTAX	64.48	0.00	
AFLAC-PRETAX	111.99	0.00	
CHILD SUPPORT	88.61	0.00	
CHILD SUPPORT P	413.07	0.00	
CITY OF COLUMBI	25.00	0.00	
FIT	5,322.40	0.00	
FLEX ALLEGIANCE	1,039.63	35.00	
FLEX DEP CARE	208.33	2.50	
FOP	320.00	0.00	
HEALTHINS/PRE	2,644.93	15,553.08	
MEDICARE	911.27	911.27	
MT ST FIRE ASSO	29.13	0.00	
NATIONWIDE/CITY	0.00	1,561.83	
NATIONWIDE/EMP	360.62	0.00	
P.E.R.S.	3,004.07	3,334.92	
PERS/FURS	311.70	418.32	
PERS/POLICE	1,929.45	3,089.23	
SIT	2,755.00	0.00	
SOCIAL SECURITY	2,256.33	2,256.33	
TEAMSTERS DUES	266.50	0.00	
UNEMPL. INSUR.	0.00	293.80	
UNUM LIFE INS.	113.86	0.00	
WA CHILD SUPPOR	138.46	0.00	
WORKERS' COMP	0.00	2,043.15	
CHARLES SCHWAB	1,407.91	0.00	
FIRST INTERSTAT	3,886.29	0.00	
FREEDOM BANK	1,137.62	0.00	
GLACIER BANK KA	4,280.15	0.00	
GLACIER BANK/CF	12,253.70	0.00	
GLACIER BANK/WF	1,920.29	0.00	
PARKSIDE CR U	7,392.95	0.00	
THREE RIVERS	998.49	0.00	
USAA FEDERAL	1,082.28	0.00	
USBANK.	2,019.89	0.00	
VALLEY BANK KAL	100.00	0.00	
VERIDIAN CREDIT	325.00	0.00	
WELLS FARGO	1,052.44	0.00	

Payroll 4-2-21
\$173,698.45
Bub Stadeland

04/01/21
11:02:12

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 04/02/21 to 04/02/21

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WELLS FARGO GA	1,251.18	0.00
WFISH CR UNION	3,867.79	0.00
FIT/SIT BASE	55,888.42	0.00
MEDICARE BASE	62,847.76	0.00
PERS BASE	62,377.61	0.00
SOC SEC BASE	36,392.41	0.00
UN BASE	65,290.81	0.00
WC BASE	64,407.26	0.00

Total 29,499.43
Total Payroll Expense (Gross Pay + Employer Contributions): 94,790.24

Check Summary

Payroll Checks Prev. Out. \$330.80
Payroll Checks Issued \$2,616.72
Payroll Checks Redeemed \$0.00
Payroll Checks Outstanding \$2,947.52
Electronic Checks \$71,081.73

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	4512.66	4512.66		212260
Medicare	1822.54	1822.54		212260
P.E.R.S.	6338.99	6338.99		212270
Unempl. Insur.	293.80	293.80	587.60	212210
Workers' Comp	2043.15	2043.15	4086.30	212220
FIT	5322.40	5322.40		212260
SIT	2755.00	2755.00		212260
AFLAC-PRETAX	111.99	111.99	223.98	212230
NATIONWIDE/EMP	360.62	360.62		212280
Teamsters dues	266.50	266.50	533.00	212310
PERS/Police	5018.68	5018.68		212240
NATIONWIDE/CITY	1561.83	1561.83		212280
AFLAC-POSTTAX	64.48	64.48	128.96	212230
PERS/FURS	730.02	730.02		212275
MT ST FIRE ASSO	29.13	29.13		212315
HEALTHINS/PRE	18198.01	18198.01	36396.02	212400
CITY OF COLUMBI	25.00	25.00		212450
UNUM LIFE INS.	113.86	113.86	227.72	212400
FLEX ALLEGIANCE	1074.63	1074.63		212285
CHILD SUPPORT	88.61	88.61		212330
CHILD SUPPORT P	413.07	413.07		212330
WA CHILD SUPPOR	138.46	138.46		212330
FOP	320.00	320.00		212335
FLEX DEP CARE	210.83	210.83		212285
Total Ded.	51814.26	21091.79	30722.47	42183.58

**** Carried Forward column only correct if report run for current period.

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD MARCH 15, 2021**

CALL TO ORDER

Mayor Barnhart called the meeting to order at 7:00 p.m.

ROLL CALL

Councilor Fisher, Councilor Karper, Councilor Lovering, Councilor Robinson, Councilor Shepard (via ZOOM) and Mayor Barnhart. Absent: Councilor Piper.

Also present was City Manager Nicosia, City Clerk Staaland, City Attorney Breck and Police Chief Peters.

PLEDGE OF ALLEGIANCE**APPROVAL OF AGENDA**

Councilor Lovering motioned to approve the agenda, seconded by Robinson and the motion carried.

CONSENT AGENDA:

Approval of Claims - March 15, 2021 - \$94,032.25

Approval of Payroll Claims - March 5, 2021 - \$80,278.43

Approval of March 1, 2021 Regular City Council Meeting Minutes

Approval of Contract for Professional Services, PND Engineers, Inc, effective April 1, 2021 and authorize City Manager to execute

Councilor Robinson motioned to approve the Consent Agenda noting all claims appeared to be in order, seconded by Councilor Fisher with Council voting as follows. Ayes: Fisher, Karper, Lovering, Robinson, Shepard and Barnhart. Absent: Piper.

VISITORS/PUBLIC COMMENT (Items not on agenda)

Gibson Lockhart, CFHS student, 1125 East Blackmer Lane, said he would like to request lights and a water fountain for the basketball court at Columbus Park.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Mayor Barnhart read the Notice of Public Hearings - April 5, 2021:

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, March 9, 2021 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on Monday April 5, 2021 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website will contain updated information if there is any change to the planned hearings.

Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

The applicant, Wayne Hull, is requesting a zone change for property at 7030 Highway 2 East, Columbia Falls from the current CSAG-10 (Suburban Agricultural) with a 10 acre minimum lot size to a CSAG-5 (Suburban Agricultural) with a five acre minimum lot size. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Mayor Barnhart read the Notice of Public Hearings - April 5, 2021:

The Columbia Falls City Council will hold public hearings for the purpose of allocating HB 473 Bridge and Road Safety and Accountability Program Funds and amending the 2021 FY Budget to account for the CARES Act Funding on Monday, April 5, 2021 at 7:00 p.m. The hearings will be held in the Council Chambers, City Hall, 130 6th ST. West, Columbia Falls, MT.

The City Council is proposing to request distribution of the 2021 HB 473 funds, in the amount of \$111,893.96, to overlay/repair 6th Avenue West from 9th St West to 13th St West.

The City Council will also hold a hearing to amend the 2020-21 Fiscal Year Budget to account for the CARES Act funds received during the 2021 FY.

Citizens are encouraged to attend the hearing or to provide written comments to the City Clerk at 130 6th Street West, Columbia Falls, MT 59912.

UNFINISHED BUSINESS:

CFAC Feasibility Cleanup Plan Letter(s) of Support

Mayor Barnhart asked Council if anyone would like to make any modifications to the letter as presented. Mayor Barnhart said his main concern is our community's drinking water and wonders if the letter should carry more weight with our concerns of river contamination and wells in Aluminum City. After discussion Council agreed with Mayor Barnhart to modify the letter to expand on their concerns. Nicosia said she will amend the letter to accommodate Council's request to include the ecological concerns of Flathead River and the wells outside of the city limits. Councilor Shepard reported that he talked Senator Tester's Kalispell Office and they encouraged sending the letter sooner than later.

NEW BUSINESS:

Earth Day Proclamation

Mayor Barnhart read aloud the Earth Day Proclamation and proclaimed April 22, 2021 Earth Day in Columbia Falls.

Approval of Declaration of Surplus Equipment

City Manager Nicosia said the Public Works Department is looking to surplus the 1962 loader, 1984 paver, and the 1972 grader as the equipment has not been in use for years. Staff recommends approval to surplus the said equipment. Nicosia said the first step is to give notice of council's approval to surplus; then the City will ask for sealed bids.

Councilor Fisher motioned to approve to surplus unused equipment, second by Lovering and the motion carried.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Lovering said at the Parks Committee meeting last Monday they focused on Hoerner Park and the tennis courts. Lovering said they also discussed what Mr. Lockhart spoke of earlier, water and lights for the tennis and basketball courts. Lovering said it was mentioned by the Public Works Director that there is a light pole in place that we may be able to use. Nicosia said we will be discussing Cares Act Funding budget amendments to finish up the Hoerner park project.

Councilor Fisher reported on the Crystal Cedar Project north of town; the Gateway to Glacier trail group recently received a grant to put in a vault toilet at the trail head. Fisher said this is a great first step and hopefully they will get more grant money to work on the parking area.

Councilor Karper said the Tree Board was concerned about the Arbor Day celebration. The Board decided to plant the trees in Hoerner Park and hopefully have a celebration at the same time.

Mayor Barnhart inquired about the progress of the letters being sent out to non-compliant vacation rental owners. Nicosia said we are getting non-compliant letters and applications sent out. We are also working on updating the city website with a banner and instructions on conducting a legal vacation rental. Councilor Fisher asked if the vacation rentals will be subject to the Resort Tax. Nicosia said that is correct.

Mayor Barnhart asked if we can get the Fire Department to burn Pit to Park before it gets too late in the season. Nicosia said she will get with the Fire Chief to get it scheduled.

CITY MANAGER REPORT

City Manager Nicosia said the City is contracting with PND Engineers, Inc. for Tyler Bradshaw's hours working for the City up until June while we continue to recruit to fill the Public Works Director position.

The punch list items for the well project and Rivers Edge Park are winding down.

The bid opening on the tennis court project will be Tuesday 23, 2021, so we should have a recommendation to bring forward at the April 5th council meeting. Nicosia said Councilman Lovering provided information on a program through Lowe's, called 100 Hometowns, that we may be able to submit a request for parks projects.

Nicosia reported that last Thursday the American Rescue Plan was signed by the President and based on the 2019 estimated population our projected allocation is \$1,422,687. Nicosia noted that there are some very strict bullet points on what you can and cannot do with these funds, for example the City can't reduce taxes or fund pension plans. Nicosia stated that staff is looking into funding the bioreactor addition for approximately \$1m which would mean the City would not have to borrow money for the project. This would be a direct benefit to our residents as the City would not have to raise sewer rates in order to cover the debt capacity.

Pursuant to the federal announcement, the City should see 50% of this funding within sixty days.

Nicosia reported that we are gearing up for summer and advertising for a seasonal full time Parks position and seasonal pool positions. The City does not have an approved operation plan for this summer.

Nicosia reported that she and Tyler met via ZOOM with DOT and they will be chip sealing Nucleus Avenue before June 30th. They will also mill and fill on Railroad and pave from the viaduct up North Fork Rd.

CITY ATTORNEY REPORT

City Attorney Breck there is an appeal with the BOA decision in front of the District Court. On Friday, the attorney's office filed an answer as requested by the court to petition that the District Court review the decision. Additionally, the Deputy City Attorney will file a response by the following Friday. Breck said we will wait to hear if the court wants a hearing after receiving the response.

MISCELLANEOUS

February 2021 - Finance Report

February - Police Activity
Mayor and Council Correspondence

ADJOURN

Councilor Lovering motioned to adjourn, seconded by Councilor Karper. The meeting was adjourned at 7:36 p.m.

Mayor

City Clerk

NORTHWEST MONTANA DRUG TASK FORCE LOCAL DRUG TASK FORCE MEMORANDUM OF UNDERSTANDING (MOU) FOR FY 2021-2022

Purpose

The purpose of this MOU is to establish general guidelines for a multi-agency task force to address drug-related crime. Through the spirit of cooperative efforts and a strong commitment to combat drug-related trafficking, manufacturing and violence, the NORTHWEST MONTANA DRUG TASK FORCE is formed. Agencies participating in this project recognize that combating drugs is of paramount importance to our communities. Through our united efforts, our resources will be better utilized and our investigative efforts will be more fruitful on behalf of the communities we serve. The participating agencies are committed to cooperative efforts and full information sharing through their participation in the NORTHWEST MONTANA DRUG TASK FORCE.

Mission Statement

The mission of the NORTHWEST MONTANA DRUG TASK FORCE is to provide a collaborative federal, state and local law enforcement effort to identify, target and address those involved in drug trafficking, manufacture and/or violence. The NORTHWEST MONTANA DRUG TASK FORCE will utilize sophisticated long-term investigative approaches, including undercover surveillance operations, the purchase of evidence and information, and electronic surveillance to disrupt and dismantle targeted drug organizations.

**NORTHWEST MONTANA DRUG TASK FORCE
LOCAL DRUG TASK FORCE MEMORANDUM OF
UNDERSTANDING (MOU) FOR FY 2021-2022**

This agreement is entered into this day of July 1, 2021 among the following local government jurisdictions: City of Kalispell, City of Whitefish, City of Columbia Falls, City of Polson, Lincoln County, Flathead County, Lake County, Mineral County, Sanders County, Glacier County and The United States Border Patrol.

Whereas, there is evidence of drug trafficking, manufacturing, and drug-related violence in the above-described jurisdictions, and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people residing in these jurisdictions, the parties hereto agree to the following:

1. The NORTHWEST MONTANA DRUG TASK FORCE (NWMDTF) will perform the activities and duties described below:
 - A. Disrupt the illicit drug traffic in above jurisdictions by immobilizing targeted violators and trafficking organizations, by;
 - B. Gathering and reporting intelligence data relating to trafficking in narcotics and dangerous drugs;
 - C. Conduct undercover operations where appropriate and engage in other traditional methods of investigation, developing probable cause for issuance of warrants for search and seizure, and arrests, in order that the task force's activities will result in effective and successful prosecution before the courts of Montana.
2. To accomplish the objectives as the NWMDTF, the Flathead County Sheriff's Office agrees to provide one (1) supervisor, two (2) deputies and a secretary, the Kalispell Police Department agrees to provide one (1) police officer, the Lincoln County Sheriff's Office agrees to provide two (2) deputies, the Whitefish Police department agrees to provide one (1) police officer, and the United States Border Patrol agrees to provide one (1) agent. The County Attorney Offices of the participating counties agree to assist the NWMDTF by providing legal advice, drafting search warrants and investigative subpoenas, prosecuting drug offenders, and prosecuting drug forfeiture.
3. The officers assigned to the NWMDTF shall adhere to the NWMDTF policies and procedures as approved by the Board while performing activities as part of the NWMDTF. NWMDTF officers shall remain subject to the policies, procedures and regulations of their parent agencies when not performing activities for NWMDTF and when NWMDTF does not have a policy, procedure for a particular activity. Failure to adhere to policies and procedures shall be grounds for dismissal from the NWMDTF. The Executive Board will resolve any operational conflict between NWMDTF policies and procedures and those of a

parent agency. NWMDTF policies and procedures will be adopted and used by all NWMDTF members relative to drug operations and informant handling. For grant purposes only, the NWMDTF Executive Board will take administrative financial conflicts under consideration; however, any conflicts must be resolved to the satisfaction of Flathead County.

4. Law enforcement officers assigned to the NWMDTF by participating agencies (except state agents) shall be deputized in each participating jurisdiction in a manner allowed by law.
5. To accomplish its objectives, the NWMDTF will fall under the management of the Flathead County Investigations Commander. Additionally, Flathead County will assign a unit supervisor, three deputies and one clerical support personnel to the NWMDTF.
6. During the period of assignment to the NWMDTF, each participating agency will remain responsible for establishing the salary and benefits, including overtime, of their respective officer(s) assigned to the NWMDTF, and for making all payments due to them. Billing will be done by the respective agencies to the NWMDTF supervisor on a monthly basis. All billing associated with the monthly report must be received by the tenth (10th) of the month following the end of each month. Any billing submitted and found to be in error will be returned to said agency for correction and must be resubmitted.
7. Flathead County agrees to maintain all records of the NWMDTF, which consists of quarterly reports to the Board of Crime Control, and intelligence files for submission to the State.
8. Each law enforcement agency that signs this agreement, agrees to report any Northwest Montana Drug Task Force criminal activity that occurs within said agencies jurisdiction to MTIBRS on a monthly basis. The Flathead County Sheriff's Office/NWMDTF agrees to submit the necessary reports and information to each agency for reporting drug task force related criminal activity that occurs in their jurisdiction. If records pertaining to the crime data submissions are requested, each agency agrees to provide the information to the requesting agency.
9. The NWMDTF shall maintain, on a current basis, completed and accurate records and accounts of all obligations and expenditures of funds under this Agreement in accordance with specific accounting principles and instructions provided by the Department of Justice to facilitate inspection and auditing of such records and accounts.
10. The NWMDTF shall permit and have readily available for examination and auditing by the State, the Department of Justice and their duly authorized agents an representative, any and all records, documents, accounts, invoices, and receipts

of expenditures relating to this Agreement. Therefore, records must be maintained by the NWMDTF, which will continue to exist until all audits and examinations are completed and resolved, or for a period of three (3) years after termination of this Agreement.

11. In no event will any participating agency charge any indirect cost to the Flathead County Sheriff's Office for the administration or implementation of this Agreement.
12. An Executive Board shall be established. Its voting members shall be as follows: The Sheriff and County Attorney of Flathead County, the Chief of Kalispell Police Department, the Chief of Whitefish Police Department, the Chief of Polson Police Department, the Sheriff of Lake County and the Sheriff of Lincoln County. The members of the Executive Board may designate persons from their agencies to represent the members during Executive Board meetings.

The Executive Board shall have the following authority: to select a Chair and Vice-Chair; to regulate and manage the NWMDTF; to appoint the Task Force supervisor and to designate a supervisor in any absence of the Task Force supervisor; to establish subcommittees of the Board to conduct business; and to resolve disputes arising from NWMDTF operations.

The Chairperson will be the Task Force supervisor's primary contact with the Board on day-to-day issues and will bring to the Board's attention any matters, which would require a consensus of the Board prior to a regularly scheduled annual meeting. The Chairperson shall also preside over the Board meetings and is responsible for the formulation of minutes for the meetings and notification of Board members of upcoming meetings. The Chairperson shall be a local law enforcement member associated with the local drug task force. The tenure of the Chairperson and Vice-Chairperson shall be reviewed at the end of each calendar year. The vice-chairperson shall conduct the same business in the absence of the chairperson.

- A. The Executive board shall meet at least quarterly or as convened by the Chair or Vice Chair to receive reports relative to the progress, functions, and special duties accomplished by the task force.
- B. A quorum of the Executive Board is needed to conduct business. Five Executive Board members, or their designees, shall constitute a quorum. In meetings where a quorum is established, matters coming before the Executive Board may be approved by a majority vote of the members in attendance at a meeting.

13. Assets seized during task force investigations shall be shared as follows:

Assets, for the purposes of this agreement, shall include all items of value seized relative to a case and all court ordered fines or contributions to the drug fund.

Each county within the NWMDTF jurisdiction has their own drug fund. Any drug forfeiture assets seized within that county or tribal grounds will remain in that jurisdiction. If a particular case involved participants from outside that jurisdiction, assets will be shared accordingly.

In Flathead County, the Sheriff's Office and the Kalispell Police Department have a shared drug forfeiture fund. This fund is administered by the Flathead County Sheriff and the Kalispell Chief of Police.

14. NORTHWEST MONTANA DRUG TASK FORCE Forfeiture Fund (Flathead County). The NWMDTF Drug Fund shall be maintained by Flathead County and maintained as part of the Flathead County Finance System. This fund, as defined by generally accepted accounting procedures, is "Special Revenue Funds." Participants in the NORTHWEST MONTANA DRUG TASK FORCE agree that assets forfeited and received by NORTHWEST MONTANA DRUG TASK FORCE will be utilized primarily for the continued funding of the NORTHWEST MONTANA DRUG TASK FORCE. This money may be utilized to acquire equipment and resources necessary for the activities and continued production of NWMDTF.

The NWMDTF will comply with the U.S. Department of Justice's requirements for the equitable sharing of federally forfeited property for state and local law enforcement agencies.

15. All personnel assigned to the NWMDTF shall be responsibility of the Flathead County Investigations Commander. The Task Force supervisor will conduct preliminary investigations concerning allegations of misconduct against any member assigned to the task force. The preliminary investigation will be reduced to a written report and submitted to the member's parent agency via the Task Force Supervisor or Flathead County Investigations Commander.
16. Damage to private property and request for assistance: Agencies participating in this MOU are issuing a standing request for mutual assistance as it relates to NWMDTF and participating agencies for NWMDTF activities in their jurisdiction. No agreement made under this MOU relieves any law enforcement agency of this state of any duty imposed upon it by law. The NWMDTF follows § 44-11-101 and § 44-11-102, MCA guidelines. § 44-11-101. Mutual assistance authorized -- powers and duties of assisting officers. A peace officer or any law enforcement entity of any county or municipality or a state government law enforcement entity may request the assistance of a peace officer from another law enforcement entity within the state of Montana. A peace officer, while in the jurisdiction of the requesting officer or entity and while on such request for

assistance, has the same powers, duties, rights, privileges, and immunities as a peace officer of the requesting entity and is under the authority of the requesting officer or entity. § 44-11-102. Liability of assisted entity for obligation resulting from assistance. A law enforcement entity requesting assistance under § 44-11-101 shall indemnify the assisting peace officer, the officer's legal representative in case of death, or the furnishing law enforcement entity for any liability or obligation to indemnify created by § 2-9-305 that may result from the assistance furnished.

17. The participating agencies agree to supply their assigned officer(s) with equipment necessary in carrying out NWMDTF objectives, including a radio-equipped automobile (Flathead County currently supplies a radio equipped automobile for Whitefish P.D. and Kalispell P.D. officers assigned to the task force). Upon termination of the NWMDTF, equipment that was initially supplied to the NWMDTF by participating agencies shall be returned to said agency. Equipment shared jointly by all participating NWMDTF agencies shall be split equally upon termination of the NWMDTF. Conflicts regarding a split of equipment will require a sale of the equipment with the offering being made to the member agencies only. The proceeds of any sale will be divided equally between the remaining agencies. Once an agency receives a piece of equipment, it shall be the responsibility of said agency to maintain the equipment. In the event said equipment becomes lost and/or stolen or damaged, it shall be the agency's responsibility to replace said equipment.
18. Each officer assigned to the NWMDTF will carry only those firearms, while on official duty, that are approved by their respective agencies. Further, the officer shall be qualified with those firearms.
19. No new entity is created by reason of this Agreement.
20. Each local government jurisdiction participating in any way in this agreement must have a valid professional liability insurance policy in effect throughout the term of this agreement. Such professional liability insurance must have policy limits of not less than the limitations of liability for tort damage prescribed in § 2-9-108 (1), MCA. Each local government jurisdiction participating in any way in this agreement must defend and indemnify its own officers and agents from any claim for damages brought against an officer or agent for NWMDTF activities. This paragraph does not apply to P.16 on property damage.
21. This agreement is in effect for one year from July 1, 2021 to June 30, 2022.

March 22, 2021

Susan Nicosia, City Manager
City of Columbia Falls
160 6th Street West
Columbia Falls, MT 59912

RE: City of Columbia Falls MDT TA Grant Application
Scope and Fee Proposal

Dear Susan,

We are pleased to provide you with this scope and fee proposal to prepare the MDT Transportation Alternative (TA) Grant for the City of Columbia Falls.

Background and Project Understanding

In 2018, Morrison-Maierle (M-M) began compiling data, exhibits, and cost estimates in preparation to complete the TA Grant for the City. However, at the time TA Grant funds were unavailable, so MDT postponed the acceptance of grant applications. MDT is now accepting applications through June 4, 2021.

Our understanding is that the City would like to submit a TA Grant Application for a project of similar scope as defined in the 2018 effort. This project includes constructing a new asphalt multi-use roadside path or sidewalk along 4th Ave W and Railroad Street from Glacier Gateway Elementary on 4th Ave W to 8th Ave E on Railroad Street. Attached to this letter is the latest project layout and vicinity map exhibit.

Scope of Services and Fee Assumptions

We plan to provide the City assistance in completing the MDT TA Grant application. The following items are included in our scope:

1. Review the current proposed project layout and cost estimate with the City and update exhibits and cost estimates to reflect City comments.
2. Hold a public meeting as required by the TA Grant. This will include preparation of a short presentation and an open discussion to solicit public feedback on the proposed project.
3. Complete the TA Grant application which shall generally include:
 - a. General application information
 - b. Project cost estimate with supporting documentation
 - c. Project description/narrative
 - d. Project eligibility
 - e. Project benefits
 - f. Risk analysis
 - g. Appendix

City's Roles and Responsibilities

1. Public Involvement: M-M will rely on the City to take a more prominent role in public involvement requirements for the TA Grant. This will include the following:
 - a. Reach out to project supporters to obtain letters of support for the project that can be attached to the TA Grant
 - b. Participate and assist M-M with the Public Meeting
 - c. Contact adjacent and/or affected landowners, as applicable
2. MDT Coordination: The TA Grant requires that the applicant coordinate closely with local MDT personnel concerning the potential project to determine how the project fits with or impacts MDT facilities and how maintenance of the paths will be handled. M-M will rely on the City to assist with this effort and to provide documentation of the correspondence to attach to the TA Grant Application.
3. Project Scope and Application Feedback: M-M will rely on the City for valuable feedback concerning the project scope and the final contents of the TA Grant Application.

Fee Estimate

Our proposed fee to complete the TA Grant Application for the City as described herein is **\$6,400**. A Summary of Proposed costs is attached.

Provided that this scope of services and fee are acceptable we are available to start on this task order. Please feel free to contact us with any questions or concerns with this proposal. We look forward to continuing to work with you on this project.

Sincerely,
Morrison-Maierle, Inc.



C.R. Leisinger, PE
Project Manager

Encl: Summary of Proposed Costs – 3/22/2021
Exhibit C1.0 – Proposed Site Plan – 3/20/2019

**TASK ORDER NO. 4 TO STANDARD AGREEMENT
BETWEEN MORRISON-MAIERLE, INC. AND CLIENT**
Project Number **0541.027.04**

1. Background Information:

- a. Effective date of MORRISON-MAIERLE, INC. AND CLIENT AGREEMENT: October 5, 2018
- b. CLIENT: City of Columbia Falls
- c. CONSULTANT: Morrison-Maierle, Inc.
- d. Project: TA Grant Application - 2021

2. Task Order Information

2.1 CONSULTANT shall perform the following Services:

See attached Task Order 4 Scope and Fee Proposal "City of Columbia Falls MDT TA Grant Application" dated March 22, 2021.

2.2 The Budget for the Task Order services shall be:

See attached Summary of Proposal Costs, TA Grant Application dated March 22, 2021.

The method of payment for this task order shall be:

☒ **HOURLY RATE** - Hourly rates as specified in the Special Provisions or attachments hereto, plus an amount equal to CONSULTANT's actual reimbursable expenses related to the project times a factor of 1.1. The total compensation for services identified herein is estimated to be \$6,400.

☐ **LUMP SUM** - A lump sum fee of .

2.3 The schedule for the Task Order services is as follows:

Completed by June 4, 2021

2.4 The responsibilities of CLIENT for this Task Order are as follows:

See Master Agreement and scope letter.

2.5 The limitation of liability for this Task Order per Section 4.3 in the AGREEMENT shall be \$6,400.

CLIENT and CONSULTANT hereby agree to modify the above-referenced Agreement as set forth in this Task Order. All provisions of the Agreement not modified by this or previous Task Orders remain in effect.

The Effective Date of this Task Order is _____.

CLIENT:

City of Columbia Falls

Signed: _____

By: Susan M. Nicosia

Title: City Manager

Contact Information and Address for giving notices:

City of Columbia Falls

130 6th Street West

Columbia Falls, MT 59912

Email: nicosias@cityofcolumbiafalls.com

Phone: 406-892-4391

Address for Invoices (if different)

CONSULTANT:

Morrison-Maierle, Inc.

Signed: 

By: Ryan Jones, PE

Title: Vice President

Contact Information and Address for giving notices:

Morrison-Maierle, Inc.

172 Timberwolf Parkway

Kalispell, MT 59901

Email: rjones@m-m.net

Phone: 406-752-2216

MORRISON - MAIERLE
SUMMARY OF PROPOSED COSTS

City of Columbia Falls
TA Grant Application - 3/22/2021



Item No.7.

MAJOR WORK ITEM	Supervising Engineer III	Senior Engineer I	Design Engineer I	Engineer Intern II	Engineer Intern I	Project Coordinator II	Total Hours	Total Labor
GRANT APPLICATION								
Project Management			2			1	3	\$377.00
Gather and Prepare Background Information			2				2	\$286.00
Application - General Info			2				2	\$286.00
Project Cost with supporting data			3				3	\$429.00
Project Description			2				2	\$286.00
Project Eligibility			5				5	\$715.00
Project Benefits			6				6	\$858.00
Risk Analysis			6				6	\$858.00
Public Meeting, Preparation, and Minutes			6				6	\$858.00
Exhibits			2				2	\$286.00
Appendix			2				2	\$286.00
Finalize Application			2				2	\$286.00
QA		3					3	\$489.00
Sub-Totals	0	3	40	0	0	1	44	\$6,300.00
TOTAL	0	3	40	0	0	1	44	\$6,300.00

SUMMARY OF ESTIMATED LABOR COSTS	HOURS	RATE	TOTAL LABOR
Supervising Engineer III	0	\$211.00	\$0.00
Senior Engineer I	3	\$163.00	\$489.00
Design Engineer I	40	\$143.00	\$5,720.00
Engineer Intern II	0	\$124.00	\$0.00
Engineer Intern I	0	\$109.00	\$0.00
Project Coordinator II	1	\$91.00	\$91.00
TOTAL LABOR	44		\$6,300.00

PREPARER ASSUMPTIONS

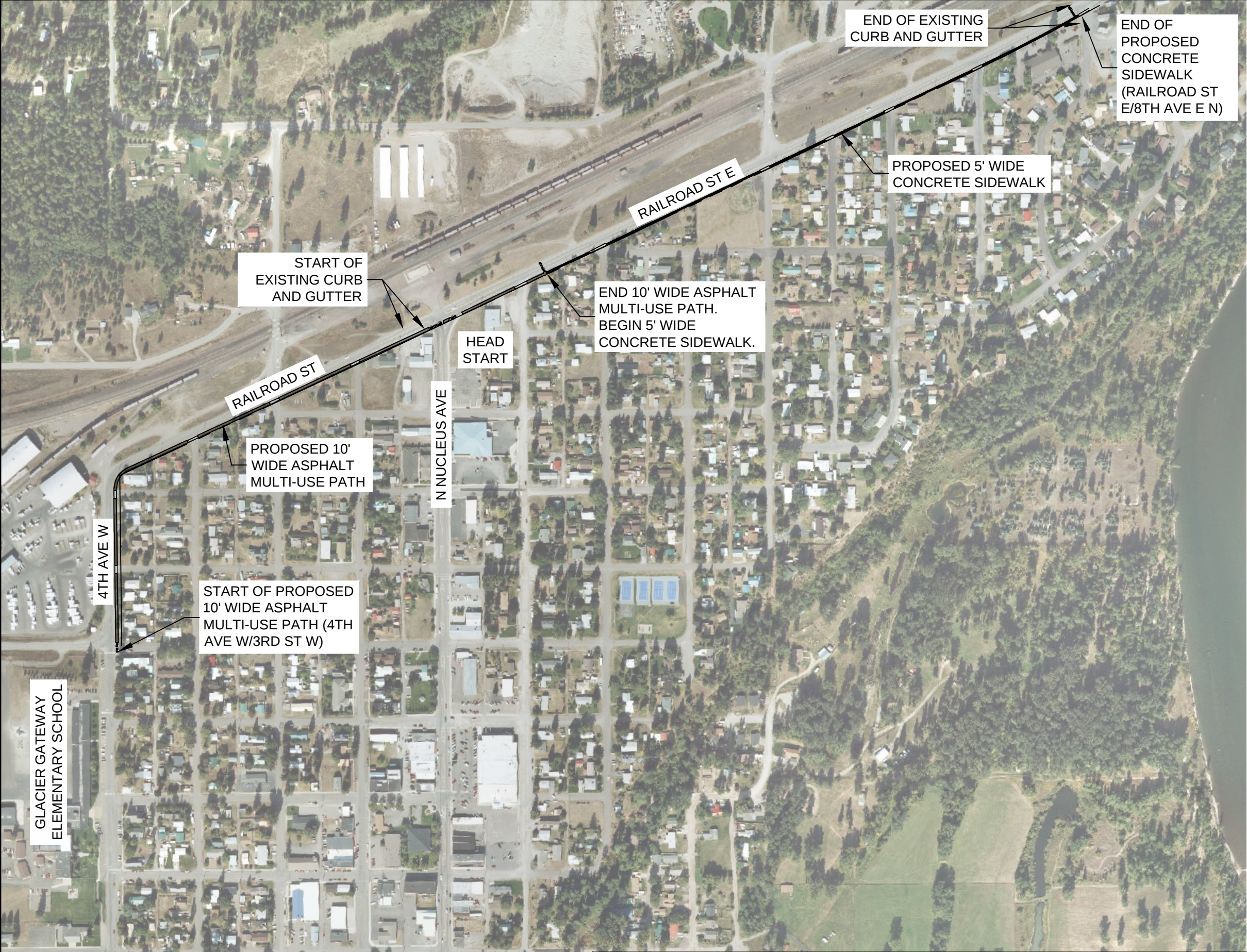
3 trips to Cfalls at 40 miles per round trip

DIRECT EXPENSE DESCRIPTION	UNITS	NUMBER UNITS	UNIT COST	TOTAL COST
Automobile Mileage	miles	120	\$0.75	\$90.48
Automobile Mileage (On-site with Hourly Charge)	miles	0	\$0.58	\$0.00
Automobile Hourly Charge	hour	0	\$5.00	\$0.00
GPS/Robot Equipment	day	0	\$240.00	\$0.00
Miscellaneous Survey Supplies	ls	0	\$100.00	\$0.00
Lodging	nights	0	\$200.00	\$0.00
Per Diem	day	0	\$50.00	\$0.00
TOTAL DIRECT EXPENSES				\$90.48

COST SUMMARY	COST CEILING
Direct Labor	\$6,300.00
Direct Expenses	\$90.48
TOTAL	\$6,390.48

3/22/2021

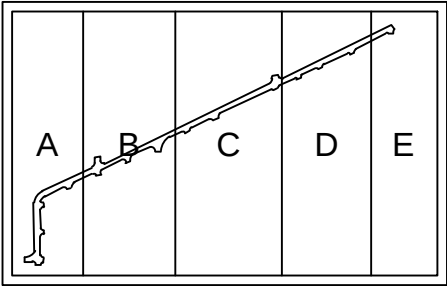
1 of



LEGEND

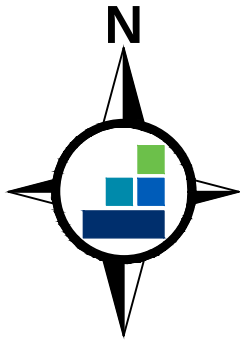
- PROPOSED 10' MULTI-USE ASPHALT PATH
- PROPOSED 5' CONCRETE SIDEWALK
- PROPOSED CROSSWALK
- ESTIMATED RIGHT-OF-WAY BOUNDARY (SEE NOTE 1)

VICINITY MAP



NOTES

- THE LOCATION OF RIGHT-OF-WAY BOUNDARY LINE IS AN ESTIMATE BASED ON THE RECORDED RIGHT-OF-WAY WIDTHS FROM FLATHEAD COUNTY COS DOCUMENTS ON RECORD. THE CENTER OF THE RECORDED RIGHT-OF-WAY WIDTHS WERE ASSUMED TO BE APPROXIMATELY AT THE CENTERLINE OF THE EXISTING ROADS FOR PLANNING PURPOSES.



REVIEW SET
3/20/2019



125 Schoolhouse Loop
Kalispell, MT 59901
406.752.2216
www.m-m.net

DRAWN BY: JRN/CRL
DSGN. BY: CRL
APPR. BY: RCJ
DATE: 2/2019

RAILROAD STREET CORRIDOR PEDESTRIAN IMPROVEMENT PROJECT
TRANSPORTATION ALTERNATIVE GRANT APPLICATION
COLUMBIA FALLS CITY OF COLUMBIA FALLS MONTANA

PROPOSED SITE PLAN

PROJECT NO.
0541.026

FIGURE
C - 38 -

NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, March 9, 2021 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on Monday April 5, 2021 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

The applicant, Wayne Hull, is requesting a zone change for property at 7030 Highway 2 East, Columbia Falls from the current CSAG-10 (Suburban Agricultural) with a 10 acre minimum lot size to a CSAG-5 (Suburban Agricultural) with a five acre minimum lot size. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Zone Change, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 16th day of February, 2021

Susan Nicosia

Susan Nicosia, City Manager/Planning & Zoning Administrator
COLUMBIA FALLS CITY-COUNTY PLANNING BOARD

Publish: Daily Interlake Sunday February 21th, 2021

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 09, 2021**

CALL TO ORDER AND ROLL CALL

Present: Robert Smith, Claudette Byrd-Rinck, Sam Kavanagh, Mike Shepard, Clay Lundgren, Steve Duffy and Kurt Nelson (via Zoom). Absent: Patti Singer and Russ Vukonich.

Also present: City Manager Nicosia, City Planner Mulcahy, Public Works Clerk Vissotzky, and City Attorney Breck.

APPROVAL OF MINUTES:

Approval of February 9, 2021 Regular Meeting Minutes

Motion made by Duffy, Seconded by Kavanagh. Voting AYE: Smith, Byrd-Rinck, Sam Kavanagh, Shepard, Lundgren, Duffy and Nelson. No: None. Absent: Singer and Russ Vukonich.

VISITOR OR PUBLIC COMMENT:

Shirley Folkwein, 285 Shooting Star Dr. Reported that she is the President of the newly created Upper Flathead Neighborhood Association (UFNA). Folkwein said this group is concerned about water quality and conservation in the Flathead Valley. She discussed the organization's goals of preserving the water quality of the area's shallow aquifer and the conservation of the area's wildlife. They want to be more involved in planning in order to protect water quality, wildlife, and maintain the areas rural heritage.

PUBLIC HEARINGS AND ACTION:

Vice Chairman Shepard read the notice of hearing and asked for the staff report presentation: The applicant, Wayne Hull, is requesting a zone change for property at 7030 Highway 2 East, Columbia Falls from the current CSAG-10 (Suburban Agricultural) with a 10 acre minimum lot size to a CSAG-5 (Suburban Agricultural) with a five acre minimum lot size. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

City Planner Mulcahy delivered Staff Report CZC-21-02, reviewing each of the Findings of Fact. The property is currently zoned SAG-10 Suburban Agricultural and the applicant would like to change it to SAG-5 Suburban Agricultural. The largest difference in this requested zone is that it would allow the lot to be split into two five acre lots, increasing the density by one. This would allow potentially a single-family home and a guest house on each property, as well as accessory structures. The Growth Policy allows for higher density in the area, but there are no city services available. Mulcahy noted that the property is not in the Wildland Urban Interface or the 100 Year Floodplain. Flathead County will review the septic and ground water monitoring regardless of a zone change. Mulcahy reported that SAG-5 has similar building setbacks and lot coverage criteria to SAG-10. This residential use is a predicted in the Growth Policy, Mulcahy noted.

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Vice Chairman Shepard asked the Board if there were any questions for staff. Nelson asked for clarification on the map's hash marks. Mulcahy stated these delimited riparian or wetland areas. Byrd-Rinck asked if the project had been approved by Flathead County Department of Environmental Health (FC DEQ). Mulcahy responded that this zone change was the first step in the applicant's process. Duffy asked if the City has plans to extend services to the area this decade. Mulcahy said the City does not have the money to extend services to there, so it has no plans currently. Duffy asked if services were extended, would the applicant have to connect. Mulcahy stated that the regulation states that if a property is within 50 feet of a sewer line and the septic was failing or if it was cheaper to connect than replace the septic, then the property would be required to connect. Duffy asked what the density of the lot could be if they wanted to do multi-family. Mulcahy responded that SAG-5 allows for one unit per five acres as well as a guest house. If the applicant wanted apartments then it would be a larger review process. Shepard asked when the last soil survey was completed. Mulcahy stated it was part of the 1960 USGS soil survey. Mulcahy noted that site surveys are done for any septic permit application.

Vice-Chairman Shepard asked the applicant if they wish to address the Board.

Wayne Hull addressed the Board, noting that he currently lives in Arkansas and wants to retire here and his son Trevor already lives in Columbia Falls. Mr. Hull would like to build a house and have his son build one next to his on the adjacent lot.

Vice-Chairman Shepard asked the Board if they had any questions for the applicant. Nelson asked Hull where the structures were to be built. Hull stated on the northwestern part of the lots. Hull said he will keep the same access on HWY 2 and also reforest the lot. Duffy questioned if there were any studies on over lot grading and flow analysis that have been performed. Hull said one had not been done. Hull noted that water seems to pool where soil has been removed to make a berm between the property and the highway.

Vice-Chairman Shepard opened the Public Hearing at 6:53 P.M.

Shirley Folkwein, President of the UFNA read from the submitted letter. Folkwein stated that the Association approve of the zone change but oppose the reason for the zone change, to build two homes. The Association is very concerned about the shallow aquifer and maintaining water quality. Folkwein noted that her family used to own the property and hay it and it had high ground water. The Association would like conditions regarding building placed on the rezone.

Vice-Chairman Shepard closed the Public Hearing at 6:56 P.M.

Motion made by Kavanagh, Seconded by Nelson to approve Staff Report CZC-21-02 as Findings of Fact.
Voting AYE: Smith, Byrd-Rinck, Sam Kavanagh, Shepard, Lundgren, Duffy and Nelson. No: None. Absent: Singer and Russ Vukonich.

Nelson questioned if the area to the east was on the same contour plane as the subject property. Hull stated it appears so, noting there is a berm on the property with a house and stables. Byrd-Rinck asked the Folkwein why the family did not place the property in a conservation easement when it was sold. Folkwein stated it was not an option at the time. Kavanagh stated that the Board needed to trust FC Environmental Health and DEQ to do their jobs on the site evaluation. Kavanagh also stated he stands by the Growth Policy designating higher density with the proper infrastructure installed. Duffy said two homes will not change the area drastically. He

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HELD MARCH 09, 2021

noted that the area is growing and changing wildlife use regardless and there will be less agriculture but less agricultural pollution too. Lundgren agreed it is up the FC Environmental Health and DEQ to do a proper site analysis of the proposed development. He noted that Highway 2 access will need to be studied in the future.

Motion made by Nelson, seconded by Lundgren to recommend approval of the zone change to City Council. Voting Yea: Smith, Byrd-Rinck, Sam Kavanagh, Shepard, Lundgren, Duffy and Nelson. No: None. Absent: Singer and Russ Vukonich.

ADJOURNMENT - Duly adjourned at 7:05 p.m.

Chairman,

Alex Vissotzky | Public Works Clerk

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
TWIN PEAKS FARMS, LLC
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#21-02
FEBRUARY 26, 2021**

A report to the Columbia Falls City-County Planning Board and Zoning Commission and the Columbia Falls City Council regarding a request to amend the zoning classification from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) within the Columbia Falls Zoning Jurisdiction. The zone change request is scheduled for a public hearing before the Planning Board on Tuesday, March 9, 2021, at 6:30 P.M. A subsequent hearing will be held by the Columbia Falls City Council April 5, 2021 at 7:00 P.M.

BACKGROUND INFORMATION

A. PETITIONERS

Owner:

Twin Peaks Farms, LLC
197 S. Silverwood Way
Eagle, ID 83616

Applicant:

Wayne Hull
12384 Herbaugh Rd.
Bentonville AR 72712

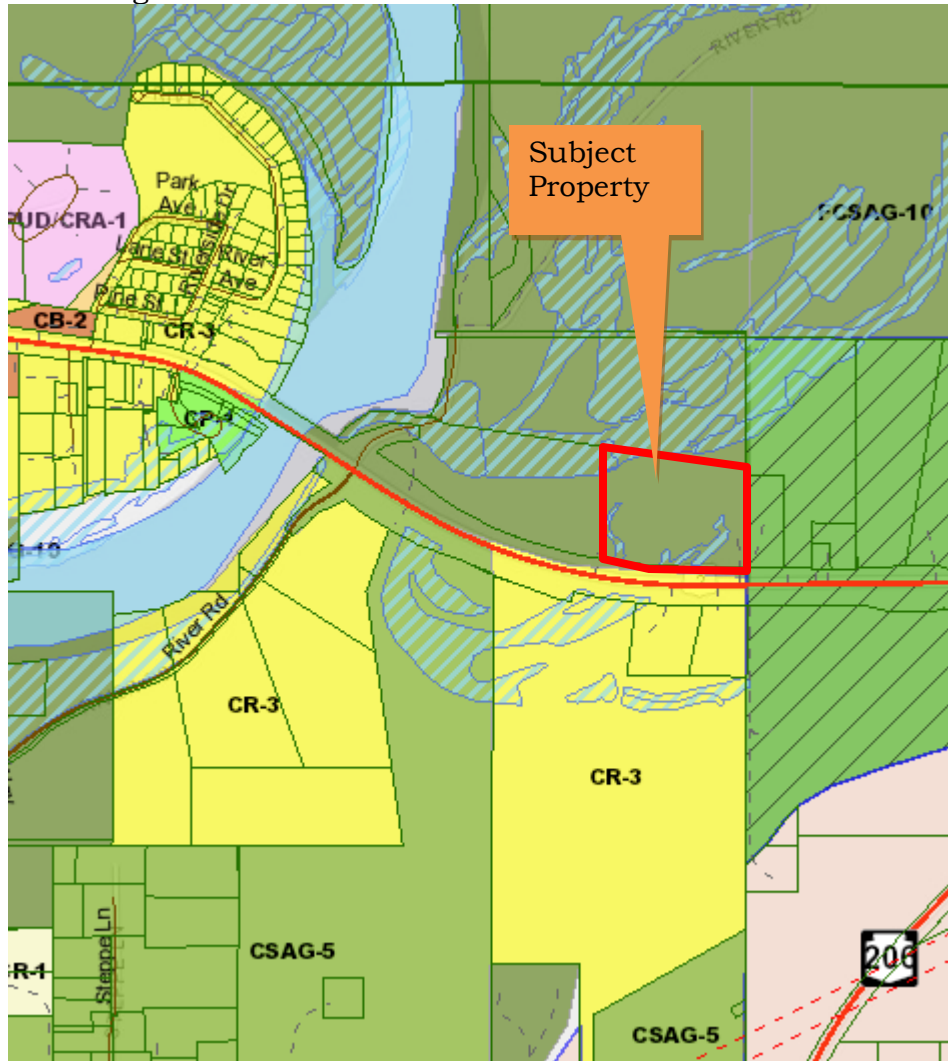
B. LOCATION/DESCRIPTION

The property is located at 7030 Highway 2 E. Columbia Falls. The 10 acre property is described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) in Section 16, T30N, R20W, P.M.M., Flathead County.

C. REQUEST

The request would amend the zoning on this site from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural). See figure 1. The property is approximately 10 acres in size and is currently vacant.

Figure 1



Flathead County GIS

D. REASON FOR REQUEST

The applicant is requesting the zone change as he would like to split the property so that he can build a house for himself and his son can build a house and live next door.

E. EXISTING LAND USE

The parcel is a vacant parcel with a hay crop. (See Figure 2).

Figure 2



Source: Flathead County GIS – Photo Layer

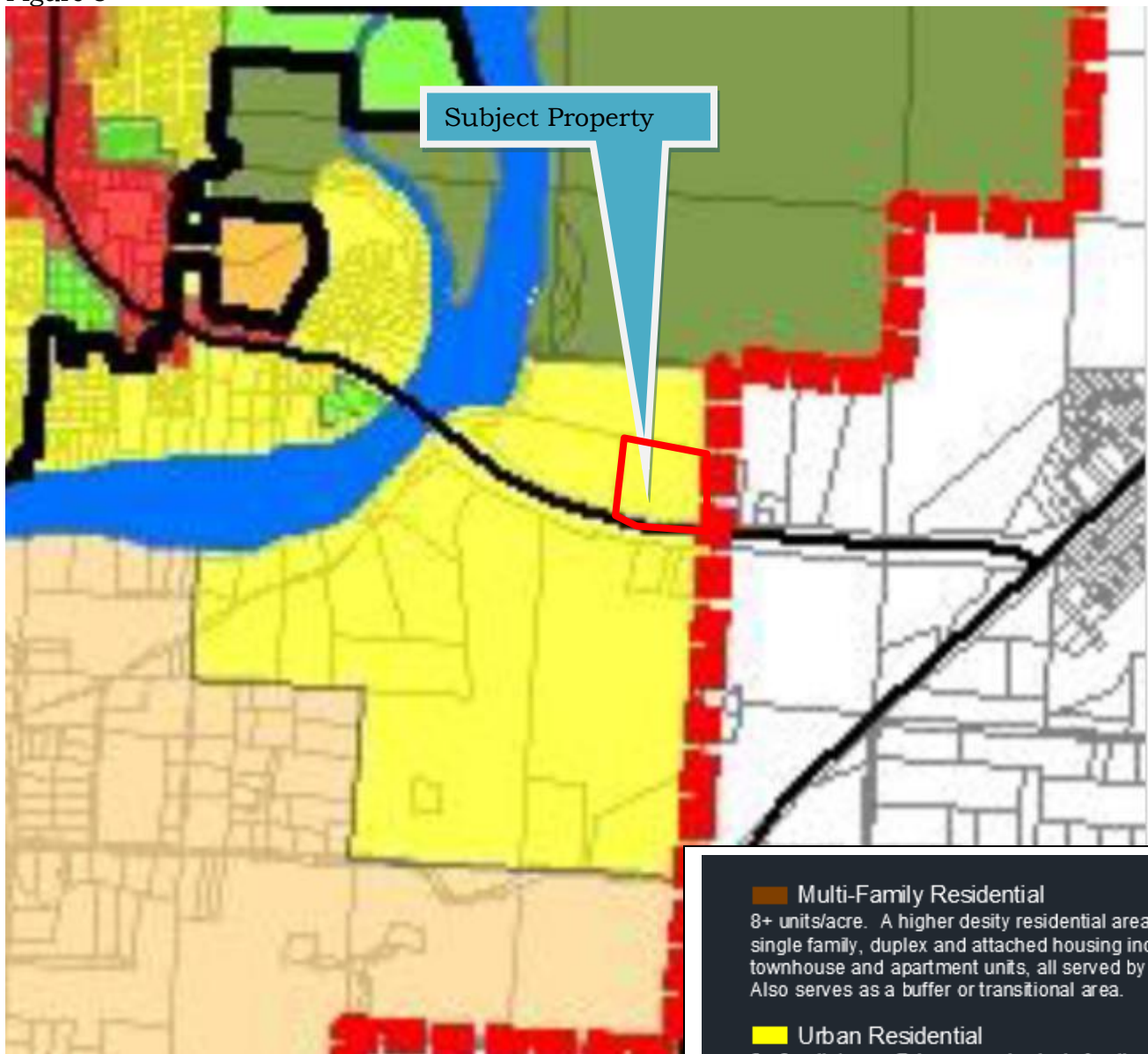
F. ADJACENT ZONING AND LAND USE:

Direction from Site	Current Zoning	Current Use
North	CSAG-10 and FCSAG-10	Grazing and open lands
South	CR-3 (The Benches Preliminary Plat) and CSAG-5	Residential and Kennels
West	CSAG-10	Residential and agricultural uses
East	SAG-10, unzoned, FC Scenic Corridor	Residential and agricultural uses, commercial

G. GROWTH POLICY DESIGNATION

The Columbia Falls Growth Policy Map designates the subject property for “Urban Residential” (Figure 3). The proposed CSAG-5 zoning is not an urban zoning designation but it is a transitional zoning classification that “provides a buffer between urban and unlimited agricultural uses, encouraging separation of such uses in areas where potential conflicts of uses will be minimized, and to provide areas of estate-type residential development.” The Growth Policy document is a guide and not a regulatory document and therefore zoning map amendments can loosely follow the growth policy as is the case here. The subject property is near and adjacent to other Suburban Agricultural zoning designations and at present there are no public sewer or water facilities that would support the urban density proposed in the Growth Policy.

Figure 3



Excerpt from the 2019 Columbia Falls
Growth Policy Map

Multi-Family Residential

8+ units/acre. A higher density residential area with single family, duplex and attached housing including townhouse and apartment units, all served by urban services. Also serves as a buffer or transitional area.

Urban Residential

2 - 8 units/acre. Primary use is single family residential with limited duplex, and multi-family housing anticipated, and fully served by urban services.

Suburban Residential

1 - 2 units/acre. Primary use is limited agriculture and single family residential in a quasi-rural setting, with with some but not all urban services available

Agriculture/Timber/Estate/Rural Preserve

A rural area with limited urban services outside of the immediate development needs of the city, including corporate and public lands, estate housing and protective buffers for industry, such as CF Aluminum Company

H. UTILITIES/SERVICES

<u>Water</u>	The property is served by an individual well
<u>Sewer</u>	The property is served by on-site septic system
<u>Fire Protection</u>	Badrock Rural Fire District
<u>Police Protection</u>	Flathead County Sheriff's Office
<u>Electricity</u>	Flathead Electric Co-op.

EVALUATION BASED ON STATUTORY CRITERIA

This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A., and as stated by the Montana Supreme Court. The following findings are made:

1. **Does the requested zone comply with the Growth Policy?**
The Columbia Falls Growth Policy Map designates the subject property Urban Residential (Figure 3). The proposed CSAG-5 zoning is not an urban zoning classification but the Columbia Falls Zoning Code defines this zoning as a transition land use category buffering more intensive agricultural uses from higher density residential uses. Given the location and transitional nature of this area, Staff determines that the proposed zoning is consistent with the Growth Policy.
2. **Is the requested zone designed to lessen congestion in the streets?**
The subject property consists of approximately 10 acres. The proposed CSAG-5 designation is much less intense than the CR-3 zoning that is located south of the highway. At most, the applicant would be able to split the property one time under the proposed zoning.
3. **Will the requested zone secure safety from fire, panic, and other dangers?**
The property is located in the Badrock Fire District. According to the Flathead GIS Website, the property is not mapped within the Wildland Urban Interface. The property is not located or mapped within the 100-year floodplain of the Flathead River (FIRM Panel 1435J).
4. **Will the requested change promote the health and general welfare?**
The proposed zone change establishes a density of one dwelling unit per five acres. Development of any structure will require approval of on-site water and sewer systems by the Flathead City-County Health Department. The zoning will also buffer urban uses from the potential conservation easement under consideration for the former CFAC lands.
5. **Will the requested zone provide for adequate light and air?**
The proposed CSAG-5 allows one dwelling per five acres. The setbacks for the CSAG-5 zone are 20-feet on all sides while the CSAG-10 has 30-feet front and 20-feet on sides and rear. Lot coverage is also similar with 25% on CSAG-5 and 20% on CSAG-10. The proposed zoning will provide adequate light and air.
6. **Will the requested zone prevent the overcrowding of land?**
The proposed zone change would only increase the density of the property by one parcel. The proposed zoning will not overcrowd the land.

7. Will the requested zone avoid undue concentration of people?

The proposed CSAG-5 allows one dwelling per five acres while the existing CSAG-10 allows one dwelling per ten acres. With a total of ten acres in the subject property the permitted dwellings will not create an undue concentration of people.

8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

The proposed zone change does not by itself provide for or require the adequate provisions of infrastructure. However, when the applicant builds on the property, water and sewer will be provided by on-site systems compliant with MDEQ rules. The applicant will need to secure an approach permit from the MDOT for the increased use. Schools are provided by the Columbia Falls School District. Parks are provided by the County and State. Systems are in place to ensure compliance with and facilitate public requirements.

9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?

The property is currently vacant land with the occasional hay crop. Adjacent uses include agricultural and residential. The proposed zoning will not change the permitted uses of the property only the density.

10. Does the requested zone give reasonable consideration to the character of the district?

Properties north of the Highway are zoned CSAG-10 while properties south of the Highway are zoned CR-3, CSAG-5 and SAG-10. The proposed CSAG-5 is almost identical in the permitted and conditionally permitted uses found in the CSAG-10. The Suburban Agricultural zoning designation complies with the character of the District.

11. Will the new zoning affect property values?

The proposed zoning of CSAG-5 is consistent with use and density with much of the zoning surrounding the property and therefore should have no negative affect on property values.

12. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

The subject property is on the edge of the Columbia Falls Zoning and Planning jurisdiction. Many of the uses on the edge of the zoning district are suburban agricultural in nature. The Columbia Falls Zoning Regulations define the CSAG-5 designation as a buffer or transitional zone between more intensive agricultural uses and urban uses. The proposed zoning designation is an appropriate use given that the property across the Highway is zoned CR-3 and being developed to suburban residential densities.

RECOMMENDATION

Staff finds that the subject sufficiently meets the adopted review criteria to be rezoned from CSAG-10 to CSAG-5. Staff recommends that the Columbia Falls Planning Board adopt staff report CZC-21-02 as findings of fact as the first motion. As a second motion staff proposes that the Planning Board send a recommendation of approval for the zone change to the Columbia Falls City Council.



Planning Department

130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.8.

PETITION FOR ZONING MAP AMENDMENT

FILING FEE ATTACHED \$ 1500.00

Zone Change Base Fee SEE FEE SHEET

NAME OF APPLICANT: Wayne Hull

MAIL ADDRESS: 12384 Herbaugh Rd

CITY/STATE/ZIP: Bentonville, AR 72712 PHONE: 479.586.0174

INTEREST IN PROPERTY: Offer in to purchase pursuant to zoning change to SAG 5

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 7030 Hwy 2 E, Columbia Falls, MT 59912
- B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number
(Section, Township, Range)
S16, T30 N, R20 W, 16981, PARCEL N/A, TR 3FB IN SW4NE4 & SE4NW4

(Attach sheet for metes and bounds)

- C. Land in zone change (ac)
10 acres

D. The present zoning of the above property is: SAG 10

E. The proposed zoning of the above property is: SAG 5

- F. State the changed or changing conditions that make the proposed amendment necessary:

We are wanting to purchase the property and then split it into 2, 5 acre
Parcels. One parcel for our son, Trevor, and the other parcel for ourselves.

HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

- A. Promoting the Growth Policy

There is very little difference between SAG 10 and SAG 5 as far as use goes.

B. Lessening congestion in the streets and providing safe access

Property as it exists, already has two entrances. Two residential homes would add almost no additional traffic.

C. Promoting safety from fire, panic and other dangers

Rezoning would allow for more "eyeballs" to report and contend with potential fires, panic, flooding, or unforeseen dangers to the community.

D. Promoting the public interest, health, comfort, convenience, safety and general welfare

Rezoning to SAG 5 would allow for more adults to assist in the general safety of the community.

E. Preventing the overcrowding of land

There is very little difference between SAG 10 and SAG 5 as far as use goes.

F. Avoiding undue concentration of population

Two, five acre properties would not be considered high, or even medium, density housing.

G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities

The rezoning would not provide any additional burden to the existing public water or sewer system. (A well and septic would be used). Taxes would be provided for schools and parks. without adding any more children to the system.

H. Giving reasonable consideration to the character of the district

The rezoning would not change the character of the district.

- I. Giving consideration to the peculiar suitability of the property for particular uses
The property is naturally suited to two homesites. It currently has two gates for separate entrances. There is a natural swell in the land that would be the dividing line.
- J. Protecting and conserving the value of buildings
No existing buildings are on the existing property.
- K. Encouraging the most appropriate use of land by assuring orderly growth
Property lies between existing built out areas along the highway and would not disturb the character as such.

The signing of this application signifies approval for Columbia Falls Planning staff to be present on the property for routine monitoring and inspection during approval process.

(Applicant Signature)

(Date)

Wayne Hull

1/25/21

APPLICABLE TO ALL ZONING APPLICATIONS:

A. Pre-Application Meeting:

A discussion with the planning director or designated member of staff must precede filing of this application. Among topics to be discussed are: Growth Policy compatibility with the application, compatibility of the proposed zone change with surrounding zoning classifications, and the application procedure.

B. Completed application form.

C. The application must be accepted as complete by the Columbia Falls Planning staff **thirty-five (35) days prior** to the date of the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be fulfilled.

E. Application Contents:

1. Petition for zone change signed by the real property owners representing at least 65% of the land area for which the change in zoning classification is sought.
2. A map showing the location and boundaries of the property.
3. A title report of the subject property.

BUY-SELL AGREEMENT (Land) (Including Earnest Money Receipt)



This Agreement stipulates the terms of sale of this property. Read carefully before signing. This is a legally binding contract. If not understood, seek competent advice.

Date: 01/20/2021
Iron Gate Montana, LLC
 as ☐ joint tenants with rights of survivorship, ☐ tenants in common, ☐ single in his/her own right, ☒ other
Limited Liability Co (hereafter the "Buyer") agrees to purchase, and the Seller agrees to sell the
 following described real property (hereafter the "Property") commonly known as
7030 Hwy 2 East 59912
 in the City of Columbia Falls, County of Flathead, Montana, legally described
 as:
S16, T30 N, R20 W, 16981, PARCEL N/A, TR 3FB IN SW4NE4 & SE4NW4

TOGETHER with all interest of Seller in vacated streets and alleys adjacent thereto, all easements and other appurtenances thereto, uncut timber and non-harvested crops and all improvements thereon except:

PERSONAL PROPERTY: The following items of personal property, free of liens and without warranty of condition, are included and shall be transferred by the bill of sale:

PURCHASE PRICE AND TERMS:

\$ 350,000.00 Purchase Price: Three Hundred Fifty Thousand (U.S. Dollars)

\$ 3,500.00 Earnest Money (credited to Buyer at closing)

\$ 346,500.00 Balance Due (not including closing costs, prepaids and prorations) payable as follows (check one):

☒ All cash at closing (no financing contingency); **OR**

☐ Additional cash down payment at closing in the minimum amount of:

☐ \$ _____ **OR** ☐ _____ % of the Purchase Price.

Balance to be financed as indicated below:

☐ Conventional ☐ Other Financing ☐ Seller Financing ☐ Assumption ☐ Home Equity

☐ Other _____

Buyer reserves the right to finance the purchase.

CLOSING DATE: The date of closing shall be (date) 04/09/2021 (the "Closing Date"). The parties may, by mutual agreement, close the transaction anticipated by this Agreement at any time prior to the date specified. The Buyer and Seller will deposit with the closing agent all instruments and funds necessary to complete the purchase in accordance with this Agreement. If third-party financing is required by the terms of this Agreement (including assumptions, contracts for deed, and lender financing), the Closing Date may be extended without amendment by not more than a/a days to accommodate delays attributable solely to such third-party financing.

POSSESSION: Seller shall deliver to Buyer possession of the Property and allow occupancy:

☐ when the closing agent is in receipt of all required, signed documents and all funds necessary for the purchase; **OR**

☒ upon recording of the deed or notice of purchaser's interest, **OR**

☐ _____

Seller shall provide keys and/or means to operate locks, mailboxes, security systems, alarms, garage door opener(s), and Homeowner's Association facilities, if applicable.

[Signature]
 Buyer's Initials

[Signature]
 Seller's Initials

EARNEST MONEY: (check one)

☐ Broker/Salesperson acknowledges actual receipt of earnest money in the amount as set forth herein as evidenced by:

☐ Cash or ☐ Check.

Broker/Salesperson: Austin Elm

(name printed)

(signature acknowledging receipt of earnest money)

☒ Buyer agrees to provide earnest money in the amount as set forth herein within 5 days of the date all parties have signed this Agreement. Earnest money may be made by check, cash or wire transfer and shall be held in trust by Alliance Title and Escrow Corp.. If Buyer fails to provide earnest money as set forth herein, buyer will be in default and Seller may declare this Agreement terminated and any earnest money already paid forfeited.

FINANCING CONDITIONS AND OBLIGATIONS:

BUYER'S REPRESENTATION OF FUNDS: Buyer represents that they have sufficient funds for the down payment and closing costs to close this sale in accordance with this Agreement and are not relying upon any contingent source of such funds unless otherwise expressly set forth herein.

LOAN APPLICATION: If Buyer fails to make written application for financing and pay to the lender any required fees, apply for assumption of an existing loan or contract, or initiate any action required for completion of a contract for deed by 5:00 pm (Mountain Time) (date) n/a. Buyer will be in breach of this Agreement and Seller can exercise Seller's remedies under this Agreement.

CONTINGENCIES: The contingencies set forth in this Agreement or on attached addenda shall be deemed to have been released, waived, or satisfied, and the transaction shall continue to closing, unless by 5:00 pm (Mountain Time) on the date specified for each contingency, the party requesting that contingency has notified the other party or the other party's Broker/Salesperson in writing that the contingency is not released, waived, or satisfied. If a party has notified the other party on or before the release date that a contingency is not released, waived or satisfied, this transaction is terminated, and the earnest money will be returned to the Buyer, unless the parties negotiate other terms or provisions.

FINANCING CONTINGENCY:

☐ This Agreement is contingent upon Buyer obtaining the financing specified in the section of this Agreement entitled "PURCHASE PRICE AND TERMS". If financing cannot be obtained by the Closing Date this Agreement is terminated and the earnest money will be refunded to the Buyer.

APPRAISAL CONTINGENCY:

☐ Property must appraise for at least ☐ the Purchase Price **OR** at least ☐ \$ _____. If the Property does not appraise for at least the specified amount, this Agreement is terminated and earnest money refunded to the Buyer unless the Buyer elects to proceed with closing this Agreement without regard to appraised value. Written notice of Buyer's election to proceed shall be given to Seller or Seller's Broker/Salesperson within _____ days of Buyer or Buyer's Broker/Salesperson receiving notice of appraised value; **OR**

☐ This Agreement is contingent upon the Property appraising for at least ☐ the Purchase Price **OR** at least ☐ \$ _____. Release Date: _____.

[WF]

REM 111

TITLE CONTINGENCY: This Agreement is contingent upon Buyer's receipt and approval (to satisfaction) of the preliminary title commitment (the "Commitment") issued for the Property. Release Date: 5 days from Buyer's or Buyer Broker's/Salesperson's receipt of the Commitment.

Buyer may approve the Commitment subject to the removal of specified exceptions. However, Buyer may not object to the standard pre-printed exceptions (general exceptions not unique to the Property). If Buyer provides Seller written objections to the Commitment prior to the release date above, Seller shall have ten (10) days from receipt of those objections to satisfy said objections or propose to Buyer a plan by which the objections would be satisfied within a time frame satisfactory to Buyer. If within said ten (10) day period Seller has not either satisfied Buyer's objection to the Commitment or proposed to Buyer a plan by which the objections would be satisfied, Buyer shall have three (3) days after expiration of said ten (10) day period to notify Seller whether Buyer desires to (i) terminate this Agreement in which case the earnest money shall be returned to the Buyer or (ii) waive said objections in which case this Agreement shall remain in full force and effect. The two remedies stated above shall be Buyer's sole remedies if Seller and Buyer are unable to resolve Buyer's objections to the Commitment.

PROPERTY INVESTIGATION: This offer is contingent upon Buyer's independent investigation of the following conditions relating to the Property, including but not limited to; covenants, zoning, access, easements, well depths, septic and sanitation restrictions, surveys or other means of establishing the corners and boundaries, special improvement districts, restrictions affecting use, special building requirements, future assessments, utility hook up and installation costs, environmental hazards, airport affected area, road maintenance obligations or anything else Buyer deems appropriate. Buyer agrees that any investigations or inspections undertaken by Buyer or on his/her behalf shall not damage or destroy the Property, without the prior written consent of Seller. Further, Buyer agrees to return the Property to its original condition and to indemnify Seller from any damage or destruction to the Property caused by the Buyer's investigations or inspections, if Buyer does not purchase the Property. Release Date: 04/07/2021.

This offer is contingent upon The City of Columbia Falls approving zoning change to SAG-5. Buyer to pay all fees associated with the zoning change, seller to cooperate.

Release Date: 04/07/2021

This offer is contingent upon _____

 Release Date: _____

ADDITIONAL PROVISIONS:

Seller to allow buyer to perform percolation test at the expense of the buyer.

[Signature]

[Signature] [Signature]

CONVEYANCE: The Seller shall convey the real property by deed, free of all liens and encumbrances except those described in the title insurance commitment, as approved by Buyer. The Seller shall convey the personal property by Bill of Sale.

WATER: All water, including surface water or ground water, any legal entitlement to water, including statements of claim, certificates of water rights, permits to appropriate water, exempt existing rights, decreed basins or any ditches, ditch rights, or ditch easements appurtenant to and/or used in connection with the Property are included with the Property, except:

Filing or transfer fees will be paid by ☐ Seller, ☐ Buyer, OR ☐ split equally between Buyer and Seller.
Documents for transfer will be prepared by

WATER RIGHT OWNERSHIP UPDATE DISCLOSURE: By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to the Montana Department of Natural Resources and Conservation for updating water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in the case of water rights being exempted, severed, or divided, the failure of the parties to comply with section 85-2-424, MCA, could result in a penalty against the transferee and rejection of the deed for recording.

NATURAL WATER BODIES AND LAND PRESERVATION DISCLOSURE: Buyers of property in the State of Montana should be aware that some properties contain or are adjacent to streams, rivers, wetlands, floodplains and other water bodies. It is the general policy of the State of Montana that natural water bodies and the lands immediately adjacent to them are to be protected and preserved to be available in their natural or existing state, and to prohibit unauthorized projects related thereto. Property owners should consult their local soil conservation board, a land use professional, or other qualified advisor, regarding any applicable local, state or federal regulations, including permitting or other approvals, before working in or around any streams, rivers, wetlands, floodplains or other water bodies, including vegetation removal.

MINERAL RIGHTS: "Mineral rights" as defined in this Agreement (which may be different than the definition under Montana law) is a term used to describe the rights the owner of those rights has to use, mine, and/or produce any or all of the minerals and hydrocarbons including oil, gas, coal, sand, gravel, etc. lying below the surface of property. These mineral rights may be separate from the rights a property owner has for the surface of a property. In some cases, these mineral rights have been transferred to a party other than the property owner and as a result the subsurface mineral rights have been severed from the property owner's surface rights. If the mineral rights have been severed from the surface rights, the owner of the mineral rights has the right to enter the land and occupy it in order to mine the minerals even though they don't own the property. The undersigned Buyer acknowledges and agrees that neither the Seller nor the brokerage firms, brokers and salespersons involved in the transaction anticipated by this Agreement warrant or make any representations concerning the mineral rights, if any, for this Property and that neither the Seller nor the brokerage firms, brokers and salespersons involved in the Buyer's purchase of the Property have conducted an inspection or analysis of the mineral rights to and for the Property.

CLOSING FEE: The fee charged by the individual or company closing the transaction will be paid by ☐ Seller ☐ Buyer ☒ Equally Shared.

TITLE INSURANCE: Seller, at Seller's expense and from a title insurance company chosen by Seller, shall furnish Buyer with an ALTA Standard Coverage Owners Title Insurance Policy (as evidenced by a standard form American Land Title Association title insurance commitment) in an amount equal to the purchase price. Buyer may purchase additional owner's title insurance coverage in the form of "Extended Coverage" or "Enhanced Coverage" for an additional cost to the Buyer. It is recommended that Buyer obtain details from a title company.

CONDITION OF TITLE: All mortgages, judgements and liens shall be paid or satisfied by the Seller at or prior to closing unless otherwise provided herein. Seller agrees that no additional encumbrances, restrictions, easements or other adverse title conditions will be placed against the title to the Property subsequent to the effective date of the preliminary title commitment approved by the Buyer.

[W]

DEPOSIT OF FUNDS BY BROKER/SALESPERSON: All parties agree, unless otherwise expressly stated, that the earnest money and any other real estate funds in Broker's/Salesperson's possession shall be delivered within 5 days of receipt, or the date all parties have signed this Agreement, whichever occurs later. The parties agree that accrued interest, if any, shall be payable to the holder of the funds and that sums so paid are consideration for services rendered.

SECTION 1031 LIKE-KIND EXCHANGE: If either Buyer or Seller intends for this transaction to be part of a Section 1031 like-kind exchange, then the other party shall cooperate in the completion of the like-kind exchange provided the cooperating party does not incur any additional liability or cost in doing so. Any party who intends for this transaction to be part of a Section 1031 like-kind exchange may assign their rights under this Agreement to a qualified intermediary or any entity expressly created for the purposes of completing a Section 1031 like-kind exchange, notwithstanding the prohibition against the Buyer's assignment of this Agreement set forth in the "Binding Effect and Non-Assignability" section below.

SPECIAL IMPROVEMENT DISTRICTS AND ASSOCIATION SPECIAL ASSESSMENTS: All Special Improvement Districts (including rural SIDs), and all special or non-recurring assessments of any non-governmental association, including those that have been noticed to Seller by City/County but not yet spread or currently assessed or that have been approved but not yet billed or assessed, will be assumed by Buyer at closing unless otherwise agreed.

PRORATION OF TAXES AND ASSESSMENTS: Seller and Buyer agree to prorate taxes, Special Improvement District and association special assessments for the current tax year, as well as prepaid rents, water and sewer system charges, heating fuel and tank rental, irrigation assessments, Homeowner's Association dues and/or common maintenance fees, as of the date of closing unless otherwise agreed.

CONDITION OF PROPERTY: Seller agrees that the Property shall be in the same condition, normal wear and tear excepted, from the date of the execution of this Agreement up to the time Buyer takes possession of the Property. Seller will remove all personal property not included in this sale prior to closing.

NOXIOUS WEEDS DISCLOSURE: Buyers of property in the state of Montana should be aware that some properties contain noxious weeds. The laws of the State of Montana require owners of property within this state to control, and to the extent possible, eradicate noxious weeds. For information concerning noxious weeds and your obligations as an owner of property, contact either your local County extension agent or Weed Control Board.

MEGAN'S LAW DISCLOSURE: Pursuant to the provisions of Title 46, Chapter 23, Part 5 of the Montana Code Annotated, certain individuals are required to register their address with the local law enforcement agencies as part of Montana's Sexual and Violent Offender Registration Act. In some communities, law enforcement offices will make the information concerning registered offenders available to the public. If you desire further information please contact the local County Sheriff's office, the Montana Department of Justice, in Helena, Montana, and the probation officers assigned to the area.

BUYER'S REMEDIES: (A) If a Seller fails to accept the offer contained in this Agreement within the time period provided in the BUYER'S COMMITMENT section, all earnest money shall be returned to the Buyer.

(B) If the Seller accepts the offer contained in this Agreement, but refuses or neglects to consummate the transaction anticipated by this Agreement within the time period provided in this Agreement, the Buyer may:

- (1) Demand immediate repayment of any earnest money paid by the Buyer, and upon the return of such money, the rights and duties of Buyer and Seller under this Agreement shall be terminated; **OR**
- (2) Demand that Seller specifically perform Seller's obligation under this Agreement; **OR**
- (3) Demand monetary damages from Seller for Seller's failure to perform the terms of this Agreement.

SELLER'S REMEDIES:

If the Seller accepts the offer contained in this Agreement and Buyer refuses or neglects to consummate the transaction within the time period provided in this Agreement, the Seller may:

- (1) Declare the earnest money paid by Buyer be forfeited whereupon the rights and duties of the Buyer and Seller under this Agreement shall be terminated; **OR**
- (2) Demand that Buyer specifically perform Buyer's duties and obligations under this Agreement; **OR**
- (3) Demand that Buyer pay monetary damages for Buyer's failure to perform the terms of this Agreement.

[Signature]

Buyer's Initials

[Signature]
Seller's Initials

BUYER'S AND SELLER'S CERTIFICATION: By entering into this Agreement, each person or persons executing this Agreement, as Buyer or Seller, represents that he/she is eighteen (18) years of age or older, of sound mind, and legally competent to own or transfer real property in the State of Montana; and, if acting on behalf of a corporation, partnership, or other non-human entity, that he/she is duly authorized to enter into this Agreement on behalf of such entity.

FOREIGN PERSON OR ENTITY: Section 1445 of the Internal Revenue Code provides for the withholding of tax upon the sale of U.S. real property owned by a foreign entity or foreign person unless the amount realized (usually the sales price) does not exceed \$300,000 and the Buyer intends to use the property as a residence. If the Seller is a foreign entity or foreign person, Seller acknowledges and agrees that the Buyer or closing agent is required to deduct and withhold the applicable tax from the proceeds of sale at closing and submit the tax to the Internal Revenue Service unless the transfer of the property satisfies an exception provided for in Section 1445 of the Internal Revenue Code.

AGRICULTURAL FOREIGN INVESTMENT DISCLOSURE ACT: The Agricultural Foreign Investment Disclosure Act of 1978 (AFIDA) requires any foreign person who acquires or transfers any interest, other than a security interest, in agricultural land to submit a report to the Secretary of Agriculture not later than 90 days after the date of the acquisition or transfer. If Buyer or Seller is or may be considered a foreign person under the AFIDA they are advised to consult with an appropriate professional concerning any reporting that may be required by the AFIDA.

CONSENT TO DISCLOSE INFORMATION: Buyer and Seller hereby consent to the procurement and disclosure by Buyer, Seller, and Brokers/Salespersons and their attorneys, agent, and other parties having interests essential to this Agreement, of any and all information reasonably necessary to consummate the transaction described in this Agreement, specifically including access to escrows for review of contracts, deeds, trust indentures, or similar documents concerning this Property or underlying obligations pertaining thereto.

WIRE FRAUD ALERT: Criminals are hacking email accounts of title companies, real estate agents, settlement attorneys and others, resulting in fraudulent wire instructions being used to divert funds to the account of the criminal. The emails may look legitimate but they are not. Buyer and Seller are advised **NOT** to wire any funds without personally speaking with the intended recipient of the wire to confirm the routing number and the account number. Buyer and Seller should **NOT** send personal information such as social security numbers, bank account numbers and credit card numbers through email.

RISK OF LOSS: All loss or damage to any of the above-described real property or personal property to any cause is assumed by Seller through the time of closing unless otherwise specified.

TIME IS OF THE ESSENCE: Time is of the essence as to the terms and provisions of this Agreement.

BINDING EFFECT AND NON-ASSIGNABILITY: This Agreement is binding upon the heirs, successors and assigns of each of the parties hereto; however, Buyer's rights under this Agreement are not assignable without the Seller's express written consent.

ATTORNEY FEES: In any action brought by the Buyer or the Seller to enforce any of the terms of this Agreement, the prevailing party in such action shall be entitled to such reasonable attorney fees as the court or arbitrator shall determine just.

COMMISSION: The Seller's and/or Buyer's commitment to pay a commission in connection with this transaction is an integral part of this Agreement.

FAX/COUNTERPARTS/ELECTRONIC SIGNATURES: This Agreement may be executed in counterparts and, when all counterpart documents are executed, the counterparts shall constitute a single binding instrument. Moreover, a signature transmitted by fax or other electronic means will be enforceable against any party who executes the Agreement and transmits the signature by fax or other electronic means. The parties hereto, all agree that the transaction contemplated by this document may be conducted by electronic means in accordance with the Montana Uniform Electronic Transaction Act.

[Signature]

Rgm, 11/1/20

ENTIRE AGREEMENT: This Agreement, together with any attached exhibits and any addenda or amendments signed by the parties, shall constitute the entire agreement between Seller and Buyer, and supersedes all written or oral agreements between Seller and Buyer. This Agreement can be modified only in writing, signed by the Seller and Buyer.

EARNEST MONEY DISPUTES: Buyer and Seller agree that, in the event of any controversy regarding the earnest money and things of value held by the Broker, closing agent, or any person or entity holding such money or property, unless mutual written instructions are received by the holder of the earnest money and things of value, Broker or closing agent shall not be required to take any action, but may await any proceedings, or, at Broker's or closing agent's option and sole discretion, may interplead all parties and deposit any monies or things of value in a Court of competent jurisdiction and may utilize as much of the earnest money deposit as may be necessary to advance the cost and fees required for filing such action.

ADDENDA AND/OR DISCLOSURES ATTACHED: (check all that apply):

- ☐ Contingency for Sale of Buyer's Property ☐ Back-up Offer
☐ Addendum for Additional Provisions
☐ Water Rights Acknowledgement
☐ _____
☐ _____

RELATIONSHIP CONFIRMATION: The parties to this Agreement confirm that the real estate licensees identified hereafter have been involved in the capacities indicated below and the parties have previously received the required statutory disclosures setting forth the licensees' duties and the limits of their obligations to each party:

Elizabeth James of Keller Williams Realty Northwest Montana
 (name of licensee) (name of brokerage company)

RBS 71557 1830 3rd Ave East, Suite 102 Kalispell MT 59901
 (licensee's Montana license number) (brokerage company address)

ejames1978@kw.com (406) 752-4700
 (licensee email address) (brokerage company phone number)

(406) 752-4700 (406) 270-1592
 (licensee phone number)

is acting as ☒ Seller's Agent ☐ Dual Agent ☐ Statutory Broker

Austin Elm of PureWest Real Estate (2920) -
 (name of licensee) (name of brokerage company)

RBS 71916 492 E 2nd St Whitefish MT 59937
 (licensee's Montana license number) (brokerage company address)

austin@purewestmt.com 406-862-4900
 (licensee email address) (brokerage company phone number)

406-200-8498
 (licensee phone number)

is acting as ☒ Buyer's Agent ☐ Dual Agent ☐ Statutory Broker

☐ Seller's Agent (includes Seller's Sub-Agent)

[Signature]
 Buyer's Initials

[Signature]
 Seller's Initials

BUYER'S ACKNOWLEDGMENT: Buyer acknowledges that prior verbal representations by the Seller's representatives do not modify or affect this Agreement. Buyer acknowledges that by signing this Agreement he/she has examined the subject real and personal property and represents that Buyer ☐ has OR ☐ has not physically visited the Property in person prior to the execution of this Agreement; has entered into this Agreement in full reliance upon his/her independent investigation and judgments and has read and understood this entire Agreement.

BUYER'S COMMITMENT: I/We agree to purchase the above-described Property on the terms and conditions set forth in the above offer and grant to said Broker/Salesperson until (date) 01/24/2021, at 6:00 ☐ am ☒ pm (Mountain Time) to secure Seller's written acceptance, whether or not that deadline falls on a Saturday, Sunday or holiday. Buyer may withdraw this offer at any time prior to Buyer being notified of Seller's written acceptance. If Seller has not accepted by the time specified, this offer is automatically withdrawn. I/We hereby acknowledge receipt of a copy of this Agreement bearing my/our signature(s).

[Signature] Date: 01/20/2021, at ☐ am ☐ pm (Mountain Time)
Buyer's Signature

Name Printed: Wayne Hull, Manager, Iron Gate Montana, LLC

Address: 12384 Herbaugh Road Bentonville State: AR Zip: 72712

 Date: , at ☐ am ☐ pm (Mountain Time)
Buyer's Signature

Name Printed:

Address (if different): State: Zip:

SELLER'S COMMITMENT:

I/We agree to sell to Buyer the above-described Property on the terms and conditions herein above stated. I/We hereby acknowledge receipt of a copy of this Agreement bearing my/our signature(s) and that of the Buyer(s) named above.

[Signature] Date: 1-21-2021 at 1 ☐ am ☒ pm (Mountain Time)
Seller's Signature

Name Printed: Ron Mayhew, Twin Peaks Farm, LLC, My.

Address: 2088 W. Champagne Ct., Eagle State: ID Zip: 83616

[Signature] Date: 1-21-2021 at 1 ☐ am ☒ pm (Mountain Time)
Seller's Signature

Name Printed: William Jeff Smith, Twin Peaks Farms LLC, My.

Address (if different): 4000 Eagle Rd, Eagle State: ID Zip: 83616

☐ Modified per the attached Counter Offer:

 / /
Seller's Initials Date Seller's Initials Date

☐ Rejection of this offer by Seller (no counter offer is being made):

 / /
Seller's Initials Date Seller's Initials Date

NOTE: Unless otherwise expressly stated the term "Days" means calendar days and not business days. Business days are defined as all days except Sundays and holidays. Any performance which is required to be completed on a Saturday, Sunday or holiday can be performed on the next business day.

Property Record Card

Summary

Primary Information

Property Category: RP **Subcategory:** Residential Property
Geocode: 07-4186-16-1-01-67-0000 **Assessment Code:** 0000000424
Primary Owner: **PropertyAddress:** 7030 US HIGHWAY 2 E
 TWIN PEAK FARMS LLC COLUMBIA FALLS, MT 59912
 197 S SILVERWOOD WAY **COS Parcel:** N/A
 EAGLE, ID 83616-6165

NOTE: See the Owner tab for all owner information

Certificate of Survey: 16981

Subdivision:

Legal Description:

S16, T30 N, R20 W, 16981, PARCEL N/A, TR 3FB IN SW4NE4 & SE4NW4

Last Modified: 5/8/2019 6:20:55 PM

General Property Information

Neighborhood: 207.360.0 **Property Type:** VAC_R - Vacant Land - Rural
Living Units: 0 **Levy District:** 07-131202-06 - F
Zoning: **Ownership %:** 100
Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0 **Limited:** 0

Property Factors

Topography: 1 **Fronting:** 1 - Major Strip or Central Business District
Utilities: 0 **Parking Type:**
Access: 1 **Parking Quantity:**
Location: 0 - Rural Land **Parking Proximity:**

Land Summary

<u>Land Type</u>	<u>Acres</u>	<u>Value</u>
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	10.000	00.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
-----------	------	------	---------------	-----------------	---------------

Owners

Party #1

Default Information: TWIN PEAK FARMS LLC
197 S SILVERWOOD WAY

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Conversion

Last Modified: 5/6/2019 7:22:07 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2018	153400	0	153400	COST
2017	153400	0	153400	COST

Market Land

Market Land Item #1

Method: Acre

Type: Primary Site

Width:

Depth:

Square Feet: 00

Acres: 10

Valuation

Class Code: 2101

Value:

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

3FB 0000424

By: MONTANA MAPPING ASSOCIATES, Inc.
Surveying, Mapping & Geodetic Consulting
1405 Hwy 2 West
Kalispell, Mont. 59901
Phone: (406) 752-3539

Darren R. Breckenridge, P.L.S.

NOTE:
Surveyor has made no investigative or independent search for easements or record encumbrances, or any other facts that may accurately and current title search may disclose.

CERTIFICATE OF SURVEY

SW 1/4 NE 1/4, SECTION 16, T. 30 N., R. 20 W.
PRINCIPAL MERIDIAN, FLATHEAD COUNTY, MONTANA

PURPOSE: Retacement!



Scale 1" = 60'

LEGAL DESCRIPTION

Parcel 1
A tract of land, situated, lying, and being in the Southwest 1/4 of the Northeast 1/4 of Section 16, Township 30 North, Range 20 West, Principal Meridian, Flathead County, Montana, and more particularly described as follows:

Commencing at the NE 1/4 corner of Section 16; thence S 00°00'33" E a distance of 666.19' to the TRUE POINT OF BEGINNING of the tract of land being described; thence rebar; thence S 09°26'08" W a distance of 539.35' to a 5/8" aluminum cap; thence along a 2774.79' radius nontangent curve to the right whose radius bears N 00°33'05" W a distance of 1005.29' to the center of the curve; thence S 82°26'46" E a distance of 594.86' to a 5/8" rebar; thence S 82°26'46" E a distance of 747.08' to the Point of Beginning containing 10.00 acres more or less. Together with and subject to all easements as shown and of record.

This map is provided solely for the purpose of assisting in locating the Land, and the Company assumes no liability for variations, if any, with actual survey.

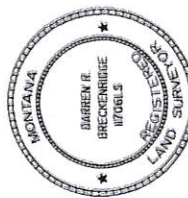
LEGEND

- SECTION CORNER (AS NOTED)
- 1/4 SECTION CORNER (AS NOTED)
- CENTER SECTION CORNER (AS NOTED)
- 1/16 SECTION CORNER 5/8" REBAR BY 7320-S
- FOUND 5/8" REBAR BY 7320-S (EXCEPT AS NOTED)
- SET 5/8" X 24" REBAR WITH CAP
- STAMPED BRECKENRIDGE IT06LS



SUBJECT

Parcel 1
10.00± Acres



CERTIFICATE OF SURVEYOR

Darren R. Breckenridge, P.L.S.
REGISTRATION NUMBER IT06LS

APPROVED 10/19/2005

EXAMINING LAND SURVEYOR REG. NO. 50086

STATE OF MONTANA

COUNTY OF Flathead

FILED THIS 24 DAY OF OCT 2005 A.D.

AT 2:00 PM

CLERK AND RECORDER

BY: [Signature]

INSTRUMENT RECORD NUMBER 2005-07148

Item No. 8.

CERTIFICATE OF SURVEY NO. 1081

US Highway 2

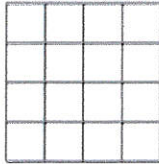
in Mayhew
Twin Peak Farms LLC
September, 2005
FILED SURVEYS\WATHE\WUOAC\RETRACE.mxd



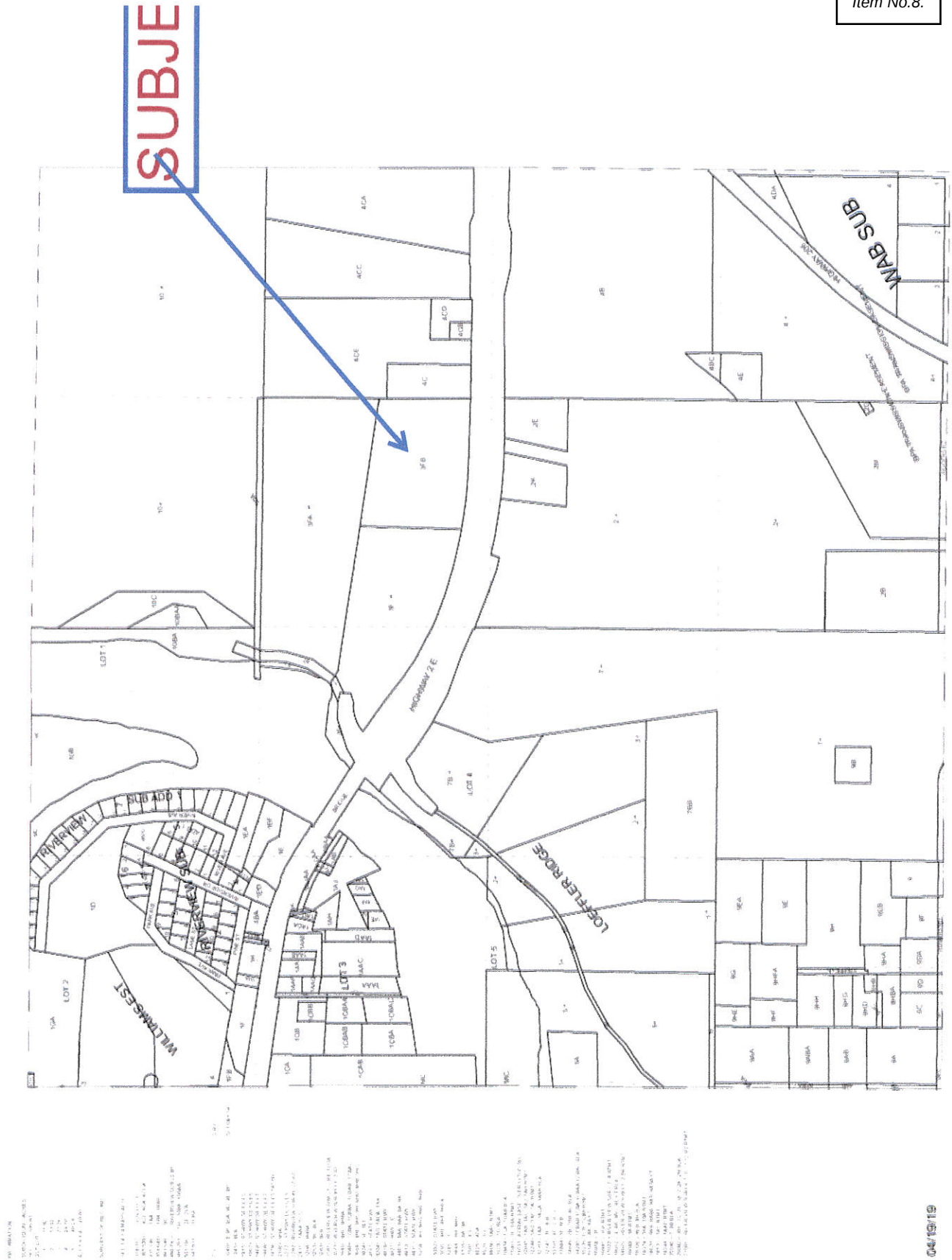
This map is provided solely for the purpose of assisting in locating the Land, and the Company assumes no liability for variations, if any, with actual survey.

16 30 20

SCALE 1" = 400'



THIS MAP IS PREPARED ONLY FOR THE ADMINISTRATIVE USE OF FLATHEAD COUNTY AND IS NOT NECESSARILY AN ACCURATE REPRESENTATION OF THE LOCATION OR EXISTENCE OF TRACTS OF RECORD, THEIR BOUNDARIES OR EASEMENTS AND ROADWAYS.



04/19/19



FLATHEAD COUNTY 2018 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 788-8880
http://flathead.mt.gov/property_tax



Item No.8.

TWIN PEAKS FARMS LLC
6732 N MISTY LOVE AVE
BOISE ID 83714

ASSESSOR NUMBER: 0000424
TAX BILL NUMBER: 201809175
SCHOOL DISTRICT: 06
GEO CODE: 07418616101670000

Property Location:

7030 HIGHWAY 2 E
COLUMBIA FALLS MT 59912

Property Description

16 30 20 TR 3FB IN SW4NE4 & SE4NW4

Parties with ownership interest as of January 1, 2018
Owner of Record.....TWIN PEAKS FARMS LLC

Type of Property	Market Value	Taxable Value
Real Estate	153,400	2,071.00
No Buildings Assessed	0	0
Totals	153,400	2,071.00

Description	Percentage	Amount
County Functions	26.64%	344.85
Education	70.17%	908.08
Other	3.17%	41.13

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.067880	140.57	COUNTY LIBRARY	.006810	14.10
SHERIFF	.042600	88.22	CO PERM MED LEVY	.012530	25.95
NOXIOUS WEEDS	.002130	4.41	COUNTYWIDE MOSQUITO	.000950	1.97
911 GENER OBLIG BOND	.001880	3.89	PERM SRS LEVY	.000700	1.45
ROAD	.024480	50.70	COUNTY PLANNING	.001660	3.44
BOARD OF HEALTH	.004900	10.15			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...				.166520	344.85
STATE - UNIVERSITY	.006000	12.43	GENERAL SCHOOLS	.106400	220.35
STATE - SCHOOL AID	.040000	82.84	FLAT VAL COM COLLEGE	.016170	33.49
COLUMBIA FALLS H.S.	.068390	141.64	CF RURAL ELEM 06	.197350	408.71
FVCC PERMIS MED LEVY	.004160	8.62			
SUBTOTAL - TAXES FOR EDUCATION.....				.438470	908.08
SOIL & WATER CONSERV	.001690	3.50	BADROCK FIRE	.018170	37.63
SUBTOTAL - OTHER TAXES AND FEES.....				.019860	41.13
Total Mills Levied	0.624850				
Total Taxes and Fees . . . 1294.06					

47779 1st Installment due 11/30/2018 = 647.04
2nd Installment due 05/31/2019 = 647.02

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
Payments made after 5:00 pm or postmarked after the due date must include 2% penalty & monthly interest of 5/6 of 1% (0.008333).
Flathead County no longer accepts checks drawn on Canadian Banks

Keep upper portion for your records.

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

MAY 31, 2019

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

TWIN PEAKS FARMS LLC
6732 N MISTY LOVE AVE
BOISE ID 83714

ASSESSOR NUMBER: 0000424
TAX BILL NUMBER: 201809175
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 647.02

2ND 2018 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2018

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

TWIN PEAKS FARMS LLC
6732 N MISTY LOVE AVE
BOISE ID 83714

Tax Amount Due: 647.04

ASSESSOR NUMBER: 0000424
TAX BILL NUMBER: 201809175
SCHOOL DISTRICT: 06

1294.06





130 6TH STREET WEST
ROOM A
COLUMBIA FALLS, MT 59912

Planning Department

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.8.

February 16, 2021

Re: Public hearing notice for a Zone Change to SAG-5 (Suburban Agricultural)

Dear Adjacent Property Owner:

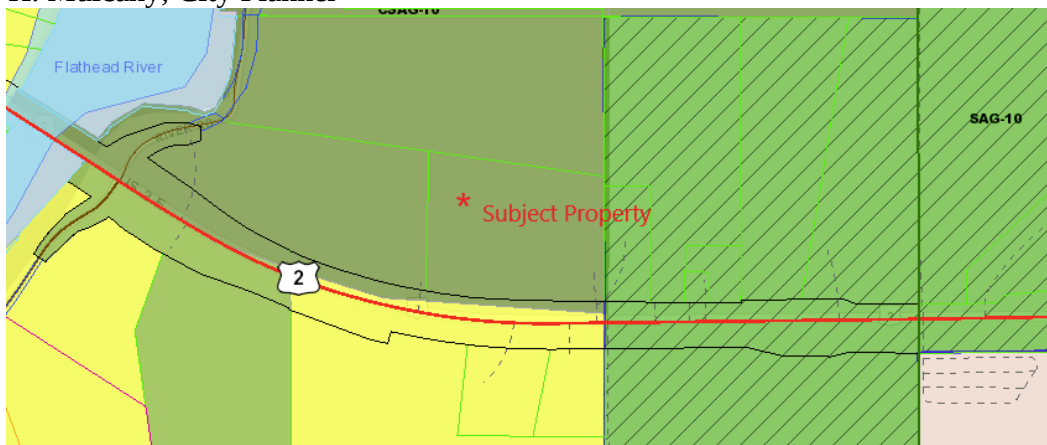
Our records indicate that you are the owner of property within 150-feet of the proposed project.

As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with a notice of a public hearing for a Zone Change. The Zone Change would convert the existing CSAG-10 (Suburban Agricultural) designation to a CSAG-5 (Suburban Agricultural) designation. The primary difference between the two zoning designations is that the proposed zoning would allow the property to be split into two five acre tracts. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County

If you have question or comments concerning this matter, please call, visit or write me at City Hall. For written comment to be included in the Planning Board packet, it needs to be submitted to the City Clerk, 130 6th Street West, Columbia Falls, MT 59912 no later than Thursday March 4, 2021 or by email: staalandb@cityofcolumbiafalls.com. Written or emailed comment may be provided up to 5:00 pm on the day of the hearing; it will just be emailed and/or passed out at the hearing.

Sincerely,

Eric H. Mulcahy, City Planner



CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, March 9, 2021 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on Monday April 5, 2021 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

The applicant, Wayne Hull, is requesting a zone change for property at 7030 Highway 2 East, Columbia Falls from the current CSAG-10 (Suburban Agricultural) with a 10 acre minimum lot size to a CSAG-5 (Suburban Agricultural) with a five acre minimum lot size. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Zone Change, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 16th day of February, 2021

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING
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Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

The applicant, Wayne Hull, is requesting a zone change for property at 7030 Highway 2 East, Columbia Falls from the current CSAG-10 (Suburban Agricultural) with a 10 acre minimum lot size to a CSAG-5 (Suburban Agricultural) with a five acre minimum lot size. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately 1/4 mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Zone Change, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 16th day of February, 2021

Susan Nicosia
Susan Nicosia,
City Manager/Planning & Zoning
Administrator
COLUMBIA FALLS CITY-
COUNTY PLANNING BOARD

February 21, 2021
MNAXLP

STATE OF MONTANA

FLATHEAD COUNTY

AFFIDAVIT OF PUBLICATION

MARY BOOTH BEING DULY

SWORN, DEPOSES AND SAYS: THAT SHE IS THE LEGAL CLERK OF THE **DAILY INTER LAKE** A DAILY NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED IN THE CITY OF KALISPELL, IN THE COUNTY OF FLATHEAD, STATE OF MONTANA, AND THAT NO. 27556

LEGAL ADVERTISEMENT WAS PRINTED AND PUBLISHED IN THE REGULAR AND ENTIRE ISSUE OF SAID PAPER, AND IN EACH AND EVERY COPY THEREOF ON THE DATES OF FEBRUARY 21, 2021

AND THE RATE CHARGED FOR THE ABOVE PRINTING DOES NOT EXCEED THE MINIMUM GOING RATE CHARGED TO ANY OTHER ADVERTISER FOR THE SAME PUBLICATION, SET IN THE SAME SIZE TYPE AND PUBLISHED FOR THE SAME NUMBER OF INSERTIONS.

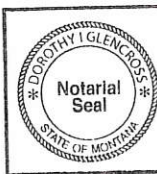
Mary Booth

Subscribed and sworn to
Before me this, February 21, 2021

Dorothy I. Glencross

Dorothy I. Glencross

Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/12/2021



DOROTHY I GLENCROSS
Notary Public for the
State of Montana
Residing at KALISPELL, MT
My Commission Expires
September 12, 2021

Hull zone
Orange file

Item No.8.

March 2, 2021

To: City of Columbia Falls Planning Department

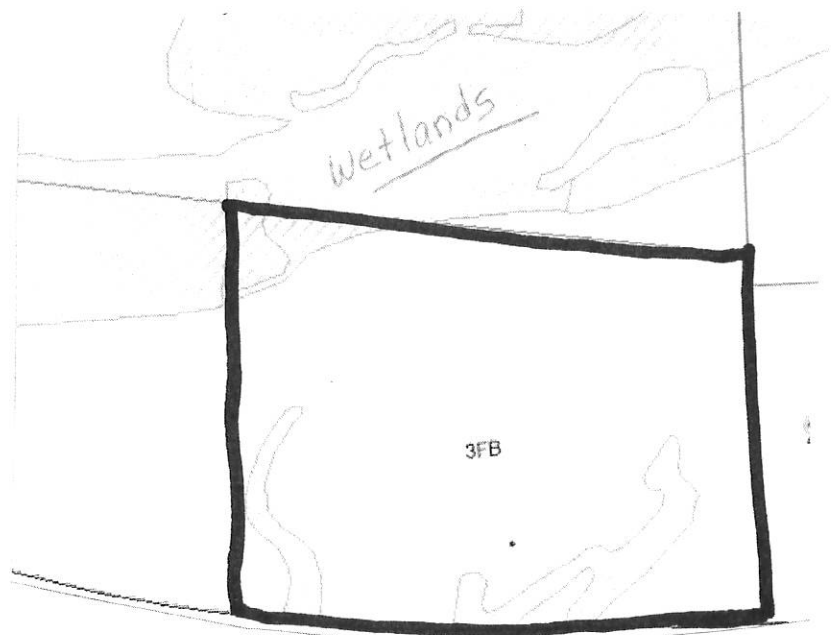
Re: Public Hearing for a Zone Change at 7030 Hwy 2 East, Columbia Falls

1. Please consider this parcel when split – where will the wetlands be located?
2. Please be pro-active in regards to there being 2 septic systems as opposed to 1 septic system as it stands now. The property to the north is all wetlands and drains into the river.
3. Also 2 SepticSystems in the spring could be a large problem as this property is very wet. The DEQ perk test would of course detect this.
4. Also take into account the added traffic of 2 families as opposed to 1 entering the highway on this busy curve with the proposed entrance of Benches subdivision (potentially 40+ families) on the south side of the road.

In summary – I am not totally opposed to this rezone. I just want the Planning Board to use their expertise to hopefully avert any future problems or repercussions. To me it is sad that our local farmland is slowly being developed. Land that is marginally suited to housing is being used like it was any other field.

Thank you for your time.

Rudy & Kathie Arvidson
7123 Hwy 2 East, Columbia Falls



March 9, 2021

TO: Columbia Falls Planning Board and Zoning Commission
RE: Wayne Hull Zone Change Request

The Upper Flathead Neighborhood Association is not opposed to a request in zoning of the Twin Peaks Farms property from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction.



UPPER FLATHEAD
NEIGHBORHOOD ASSOCIATION

However, we are opposed to the reason for the request "so that he (Mr. Hull) can build a house for himself and his son can build a house and live next door." This property is of particular interest due to the shallow aquifer underlying the area, as noted in a document produced by the Flathead Lakers organization. (Attachment 1) The property which is subject to this public hearing sits on top of this shallow aquifer. This ancient riverbed still has water moving underground, often referred to as the Evergreen Aquifer. As stated in the Flathead Lakers document, "the depth to groundwater in this area is generally less than 50 feet and for much of the area less than five feet."

On a personal note, my family farmed that field for many years and my sisters and I know very well how shallow the groundwater is and where the tractor could get stuck when we were raking hay! Most years the ground water rises to the top and becomes surface water in the lower areas, as shown in family photos taken in the spring of 2006 (Attachment 2).

The Upper Flathead Neighborhood Association has reason to believe this seasonal surface water, the groundwater, and the permanent wetlands all drain directly into the Flathead River which will be impacted by septic leachate, road salts, herbicides, storm water drainage, etc. Finally, this area, while not designated flood plain, is in the historical flood plain of the River and was under many feet of water in the 1964 flood (Attachment 3).

Based on the above reasons, the Upper Flathead Neighborhood Association can support this rezone only when a myriad of conditions are placed on the rezone to mitigate the above matters.

Thank you for your time and this opportunity to be heard.

Shirley Folkwein, President, Board of Directors
285 Shooting Star Drive
Columbia Falls, MT 59912
upperflatheadna@gmail.com

"Do unto those downstream as you would have those upstream do unto you." -Wendell Berry, farmer and author

Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County
Columbia Falls Planning Board & Zoning Commission Rezone Hearing, March 9, 2021
Surface Water on property, Spring 2006



Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County
Surface Water on property, Spring 2006





make a clear difference for Flathead Lake

Shallow Aquifer – A Shared Resource

WHY SHOULD WE CARE?

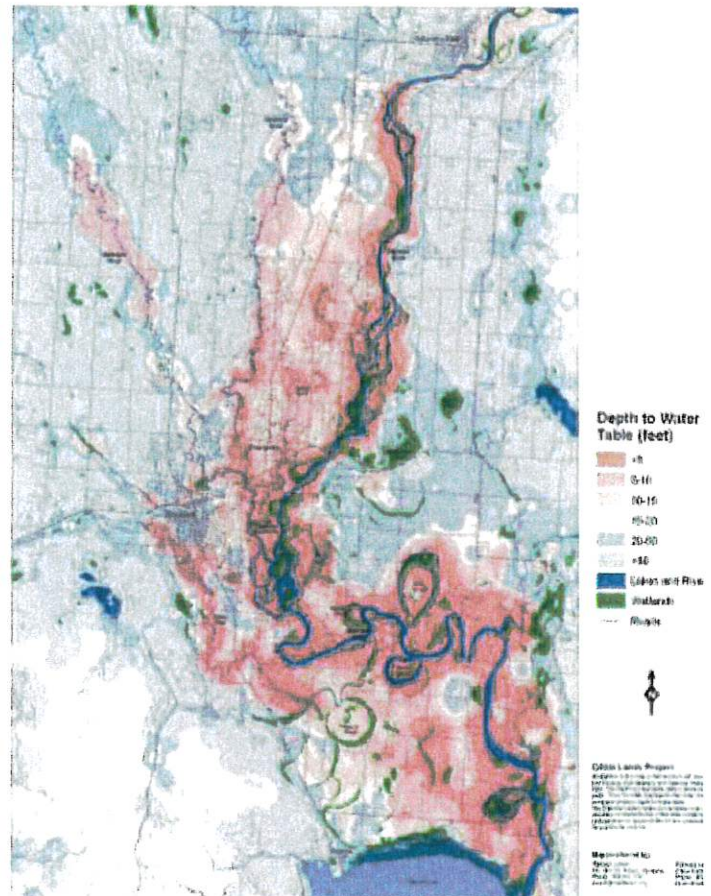
As glaciers receded ten thousand years ago, the meltwater became a river many times larger than the Flathead River of today. The glaciers and ancient river left behind a huge area of gravels permeated by water that forms a shallow alluvial aquifer, often referred to as the Evergreen Aquifer.

We may not see it today, but water still moves underground between the Flathead River and the aquifer.

This aquifer is located between the Flathead River to the east and Whitefish River to the west, and between Badrock Canyon to the north and the confluence of the Flathead and Whitefish rivers to the south.

The depth to groundwater in this area is generally less than 50 feet and for much of the area less than five feet.

Depth to Water Table



WHY IS THIS AQUIFER IMPORTANT?

Water quality and the economy go hand in hand

In a natural state, the shallow aquifer provides a buffer that filters out pollutants before they reach the water. The aquifer contains a complex network of organisms that naturally cleanse the waters.

The shallow aquifer can help reduce flooding. During floods, water from the river can saturate the aquifer and absorb some of the floodwaters reducing flooding.

CLEAN WATER TOOL KIT: Shallow Aquifer

WHAT CAN WE DO?

The problem

- Pollution entering the alluvial aquifer, such as oil and gas, heavy metals, or nutrients from faulty septic systems or excessive fertilizer application, can contaminate the aquifer and damage or destroy its natural cleansing system, jeopardizing groundwater supplies.
- Polluted groundwater can also move into the Flathead River and flow down to Flathead Lake, one of the cleanest, large freshwater lakes in populated areas in the world.

The solution

We can protect clean water by encouraging responsible development away from vulnerable areas, such as the shallow alluvial aquifer.

- **Build in upland areas** where the groundwater is not so shallow and limit the density of any development, including paved areas, over the aquifer.
- **Maintain your septic system** with annual checks, and pump your tank as needed.
- **Protect wetlands** and riparian habitat.
- **Apply fertilizers and pesticides sparingly.** When use is necessary, do not exceed recommended amounts.
- **Dispose of household hazardous products**, such as paints, pesticides, insecticides, motor oil, and pharmaceuticals at a collection facility. Don't pour them onto the ground or into storm drains, sinks or toilets. For small spills, sprinkle with sawdust or kitty litter, seal in a trash bag, and put in the trash. For large spills call your County Emergency Services or 911.
- **Share information** about the shallow aquifer with your friends, neighbors, Flathead County Commissioners, and newcomers to help them be good stewards and help keep Flathead waters clean and beautiful.

WHERE TO LEARN MORE?

Find out more about caring for the Shallow Aquifer and clean water at the Flathead Lakers website:

<http://www.flatheadlakers.org/index.php?page=Shallow-Groundwater>

For more information and maps contact:

Flathead County Planning and Zoning office in Kalispell (406) 751-8200.

Flathead County Health Department (406) 751-8100

Flathead Lakers (406) 883-1346, www.flatheadlakers.org

Together, we can keep Flathead Lake blue! Visit the Flathead Lake Clean Water Toolkit:

www.flatheadlakers.org/toolkit or call 883-1341.

FLATHEAD LAKERS | P.O. Box 70 | Polson, MT 59860

406-883-1341 | flatheadlakers.org



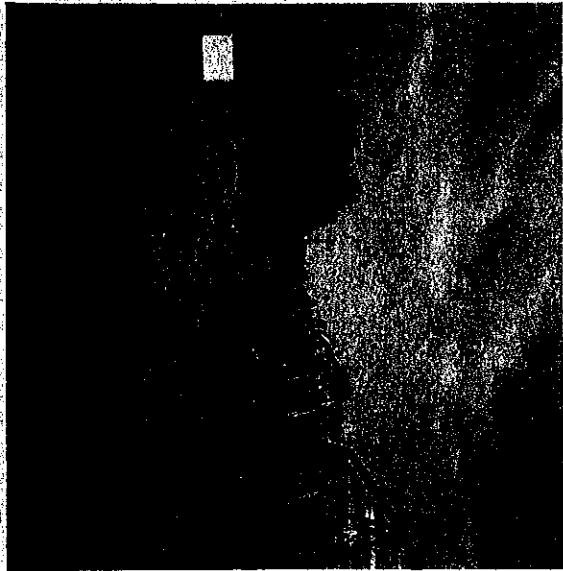
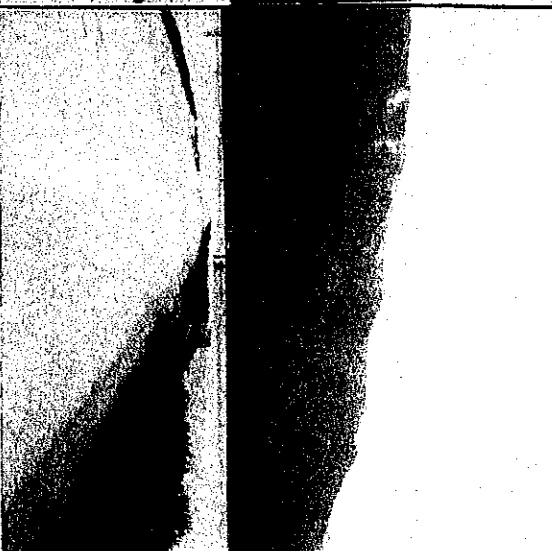
1922-1923



GRANDMA'S MEADOW



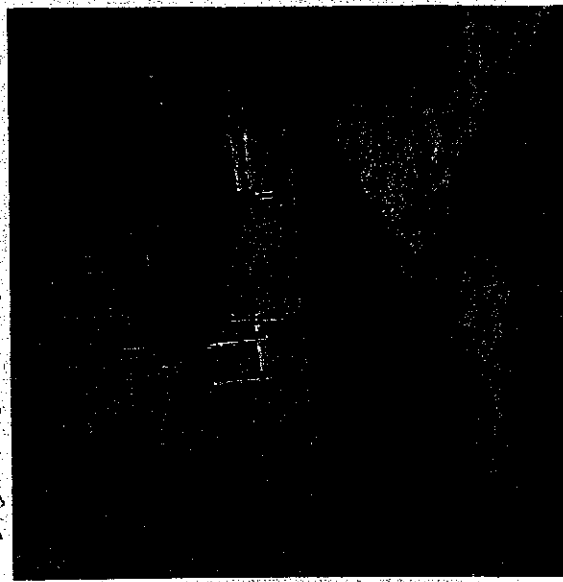
FLOOD ST SUMMER '24



RIVER AT SILVER BRIDGE, '24



BENSEN'S HOUSE FLOOD - '24



STOCK PENS AT GRANDMA'S

**CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARINGS**

**HB 473 Bridge and Road Safety and Accountability Program Funds and
CARES Act Fund Budget Amendment**

The Columbia Falls City Council will hold public hearings for the purpose of allocating HB 473 Bridge and Road Safety and Accountability Program Funds and amending the 2021 FY Budget to account for the CARES Act Funding on Monday, April 5, 2021 at 7:00 p.m. The hearings will be held in the Council Chambers, City Hall, 130 6th ST. West, Columbia Falls, MT.

The City Council is proposing to request distribution of the 2021 HB 473 funds, in the amount of \$111,893.96, to overlay/repair 6th Avenue West from 9th St West to 13th St West.

The City Council will also hold a hearing to amend the 2020-21 Fiscal Year Budget to account for the CARES Act funds received during the 2021 FY.

Citizens are encouraged to attend the hearing or to provide written comments to the City Clerk at 130 6th Street West, Columbia Falls, MT 59912.

Dated this 1st of March, 2021

Barb Staland
City Clerk

Publish: Daily Interlake Sunday March 21st and March 28th

HB 473 Fuel Tax Allocation/Bridge and Road Safety and Accountability Program (BaRSAA)

2021 BaRSAA Allocation	\$	111,893.96
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Required Matching Funds	\$	5,594.70
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Total 2021 Funds for Appropriation	\$	117,488.66
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2821 Special Gas Tax Budget 20/21	\$	113,991.00
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Total Available	\$	231,479.66
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6th Ave West project award	\$	191,433.00
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Balance available for Chip Sealing	\$	40,046.66
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2021 BaRSAA for 6th Ave West	\$	77,442.00
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2021 BaRSAA for Chip Sealing	\$	40,046.66
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Total 2021 BaRSAA Funding	\$	117,488.66
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CAREs Budget Amendment 2021

Claim	Description	Total Covid \$	Fund 1000	Amount \$	Fund 5210	Amount \$	Fund 5310	Amount \$	Fund 2500
40739	First Aid Supplies	\$ 162.92	-	-	430500-220	\$ 106.64	430600-220	\$ 36.76	430200-220
40791	Nitrile Gloves	\$ 83.30	460400-224	\$ 83.30	-	-	-	-	-
40835	Reusable Masks	\$ 318.71	420100-220	\$ 318.71	-	-	-	-	-
40860	Clorox Bleach	\$ 27.47	460400-224	\$ 27.47	-	-	-	-	-
40842	Disinfecting Wipes	\$ 49.95	410500-220	\$ 49.95	-	-	-	-	-
40755	Glass Windows-City Hall	\$ 1,440.00	411200-360	\$ 1,440.00	-	-	-	-	-
41152	3 Laptops	\$ 4,929.87	410580-212	\$ 4,929.87	-	-	-	-	-
	3 PC Setups	\$ 845.01	410500-355	\$ 845.01	-	-	-	-	-
41103	Laptop	\$ 1,309.97	410580-212	\$ 1,309.97	-	-	-	-	-
	PC Setup	\$ 455.00	410580-355	\$ 455.00	-	-	-	-	-
41111	Covid Cleaning	\$ 331.09	411200-399	\$ 331.09	-	-	-	-	-
41290	Flatbed Scanners	\$ 565.92	410500-212	\$ 94.32	430500-212	\$ 235.80	430600-212	\$ 235.80	-
41290	SCBA Nameplates	\$ 373.63	420400-220	\$ 373.63	-	-	-	-	-
41290	Webcam/Microphone	\$ 289.98	410500-212	\$ 289.98	-	-	-	-	-
41290	Surge Protect/USB Cable	\$ 30.96	410500-210	\$ 10.32	430500-210	\$ 10.32	430600-210	\$ 10.32	-
41324	HP Scanner/Printer	\$ 16,304.83	410580-942	\$ 16,304.83	-	-	-	-	-
41203	28 SCBA Masks	\$ 8,337.28	420400-226	\$ 8,337.28	-	-	-	-	-
41239	Hand Sanitizer	\$ 15.56	411200-224	\$ 15.56	-	-	-	-	-
41237	Covid Test/Bradshaw	\$ 225.00	410500-390	\$ 225.00	-	-	-	-	-
41213	Black Mountain Cloud	\$ 3,345.00	410500-363	\$ 1,115.00	430500-363	\$ 1,115.00	430600-363	\$ 1,115.00	-
41246	Disinfecting Wipes	\$ 49.95	411200-224	\$ 49.95	-	-	-	-	-
41371	Scanning Services	\$ 25,682.10	410100-399	\$ 25,682.10	-	-	-	-	-
40963	Nitrile Gloves	\$ 58.21	-	-	-	-	-	-	430200-220
41303	Nitrile Gloves	\$ 230.00	-	-	-	-	430600-220	\$ 230.00	-
Total Direct Expenditures		\$ 65,462		\$ 62,288		\$ 1,468		\$ 1,628	

Amount \$

\$ 19.52

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\$ 58.21

-

\$ 78

**City of Columbia Falls
Public Notice
Disposition of Surplus Property**

The Columbia Falls City Council has declared the following equipment surplus, obsolete, and no longer suitable for City purposes at a regular meeting held April 5, 2021:

2000 Bauer Compressor in Cabinet, 7CFM, 45 psi and
Four (4) 4,500 psi air cylinders

The City Council also declared their intent to sell or dispose of the surplus asset in the most efficient, cost effective manner, including public auction or sealed bids or to any political subdivision of the State of Montana.

Any taxpayer wishing to comment on this action may do so by contacting Susan Nicosia, City Manager, City Hall, 130 6th Street West, Room A, Columbia Falls, MT 59912 or by calling 406-892-4391 within 15 days of the publication of this notice, April 26, 2021.

Barb Staaland, City Clerk

Publication Date: Sunday, April 11, 2021



PUBLIC WORKS DEPARTMENT

Item No.12.

130 6TH STREET WEST
COLUMBIA FALLS MT. 59912

PHONE: (406) 892-4430
FAX: (406) 892-4413

March 25, 2021

Susan Nicosia, CPA, MPA
City Manager
City of Columbia Falls
130 6th St West

Re: Hoerner Park Tennis Courts Project, Recommendation to Award

Dear Susan,

I have completed my review of the bids received for the Hoerner Park Tennis Courts Project. We received 7 very competitive bids. Bid tabs are enclosed. Bids are summarized as follows:

<i>Summary</i>	
Bidder	Bid
Engineer's Estimate	\$164,529.00
Triton Construction	\$148,288.20
Copperforge Underground	\$166,391.10
Sapphire Construction	\$156,999.20
J. Gelormino Inc.	\$159,026.37
Nelcon Inc.	\$156,930.00
Schlegel Enterprises	\$127,999.40
Bjorn Johnson Construction	\$142,975.00

Schlegel Enterprises is the apparent low bidder. I have found no irregularities with the bid and all appropriate documentation was submitted. I also spoke with previous clients who spoke highly of Schlegel's past performance. I recommend award of this project to Schlegel Enterprises in the amount of **\$127,999.40**. Please let me know if you have any questions.

Sincerely,

Tyler Bradshaw, P.E.
Public Works Director
City of Columbia Falls

Enclosures: Bid Tabs, 3 Pages



PUBLIC WORKS DEPARTMENT

130 6TH STREET WEST
COLUMBIA FALLS MT. 59912

PHONE: (406) 892-4430
FAX: (406) 892-4413

City of Columbia Falls
Hoerner Park Tennis Courts
Bid Tabs
Prepared on March 24, 2021

Item	Item Description	Units	Quantity	<i>Engineer's Estimate</i>		<i>Triton Const.</i>		<i>Copperforge Undgrd</i>	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1010.1	Mobilization and General Requirements	LS	All Req'd	\$11,479.00	\$11,479.00	\$10,850.00	\$10,850.00	\$24,543.00	\$24,543.00
1050.1	Construction Survey	LS	All Req'd	\$3,000.00	\$3,000.00	\$5,700.00	\$5,700.00	\$2,700.00	\$2,700.00
1560.1	Temporary Environmental Controls	LS	All Req'd	\$1,000.00	\$1,000.00	\$3,800.00	\$3,800.00	\$5,700.00	\$5,700.00
2112.1	Remove and Dispose Fence Materials	LS	All Req'd	\$4,000.00	\$4,000.00	\$4,800.00	\$4,800.00	\$3,826.00	\$3,826.00
2230.1	Excavation and Disposal	CY	900	\$19.00	\$17,100.00	\$24.32	\$21,888.00	\$20.10	\$18,090.00
2230.2	Excavation and Reuse	CY	150	\$5.00	\$750.00	\$32.00	\$4,800.00	\$36.87	\$5,530.50
2234.1	4-Inch Minus Crushed Subbase Course	CY	1150	\$40.00	\$46,000.00	\$21.48	\$24,702.00	\$29.42	\$33,833.00
2235.1	1 1/2" Crushed Base Course, 4-Inch Thick	CY	460	\$50.00	\$23,000.00	\$22.99	\$10,575.40	\$48.64	\$22,374.40
2235.2	Crushed Aggregate Drain Rock	CY	100	\$70.00	\$7,000.00	\$48.00	\$4,800.00	\$121.23	\$12,123.00
2510.1	Asphalt Concrete Pavement 2.25-Inch Thick	SY	2720	\$15.00	\$40,800.00	\$17.49	\$47,572.80	\$11.16	\$30,355.20
2910.1	Seeding	LS	All Req'd	\$4,000.00	\$4,000.00	\$4,300.00	\$4,300.00	\$3,708.00	\$3,708.00
3310.1	Install Owner Provided Net Post	EA	8	\$800.00	\$6,400.00	\$562.50	\$4,500.00	\$451.00	\$3,608.00
Construction Price					\$164,529.00		\$148,288.20		\$166,391.10

<i>Summary</i>	
Engineer's Estimate	\$164,529.00
Triton Const.	\$148,288.20
Copperforge Undgrd	\$166,391.10
Sapphire Const.	\$156,999.20
J. Gelormino Inc.	\$159,026.37
Nelcon Inc.	\$156,930.00
Schlegel Enterprises	\$127,999.40
Bjorn Johnson Const.	\$142,975.00

Apparent Low Bidder



PUBLIC WORKS DEPARTMENT

130 6TH STREET WEST
COLUMBIA FALLS MT. 59912

PHONE: (406) 892-4430
FAX: (406) 892-4413

City of Columbia Falls

Hoerner Park Tennis Courts

Bid Tabs

Prepared on March 24, 2021

Item	Item Description	Units	Quantity	<i>Sapphire Const.</i>		<i>J. Gelormino Inc.</i>		<i>Nelcon Inc.</i>	
				Unit Cost	Total	Unit Cost	Total	Unit Cost	Total
1010.1	Mobilization and General Requirements	LS	All Req'd	\$13,000.00	\$13,000.00	\$29,021.34	\$29,021.34	\$19,000.00	\$19,000.00
1050.1	Construction Survey	LS	All Req'd	\$2,300.00	\$2,300.00	\$4,498.10	\$4,498.10	\$2,000.00	\$2,000.00
1560.1	Temporary Environmental Controls	LS	All Req'd	\$1,698.80	\$1,698.80	\$3,498.15	\$3,498.15	\$3,500.00	\$3,500.00
2112.1	Remove and Dispose Fence Materials	LS	All Req'd	\$2,548.20	\$2,548.20	\$2,498.50	\$2,498.50	\$7,000.00	\$7,000.00
2230.1	Excavation and Disposal	CY	900	\$21.35	\$19,215.00	\$19.85	\$17,865.00	\$15.00	\$13,500.00
2230.2	Excavation and Reuse	CY	150	\$27.57	\$4,135.50	\$19.00	\$2,850.00	\$40.00	\$6,000.00
2234.1	4-Inch Minus Crushed Subbase Course	CY	1150	\$38.21	\$43,941.50	\$15.00	\$17,250.00	\$29.00	\$33,350.00
2235.1	1 1/2" Crushed Base Course, 4-Inch Thick	CY	460	\$46.20	\$21,252.00	\$18.00	\$8,280.00	\$40.00	\$18,400.00
2235.2	Crushed Aggregate Drain Rock	CY	100	\$45.35	\$4,535.00	\$29.97	\$2,997.00	\$55.00	\$5,500.00
2510.1	Asphalt Concrete Pavement 2.25-Inch Thick	SY	2720	\$14.31	\$38,923.20	\$21.75	\$59,160.00	\$16.00	\$43,520.00
2910.1	Seeding	LS	All Req'd	\$1,000.00	\$1,000.00	\$8,610.20	\$8,610.20	\$2,000.00	\$2,000.00
3310.1	Install Owner Provided Net Post	EA	8	\$556.25	\$4,450.00	\$312.26	\$2,498.08	\$395.00	\$3,160.00
Construction Price					\$156,999.20		\$159,026.37		\$156,930.00

<i>Summary</i>	
Engineer's Estimate	\$164,529.00
Triton Const.	\$148,288.20
Copperforge Undgrd	\$166,391.10
Sapphire Const.	\$156,999.20
J. Gelormino Inc.	\$159,026.37
Nelcon Inc.	\$156,930.00
Schlegel Enterprises	\$127,999.40
Bjorn Johnson Const.	\$142,975.00

Apparent Low Bidder



PUBLIC WORKS DEPARTMENT

130 6TH STREET WEST
COLUMBIA FALLS MT. 59912

PHONE: (406) 892-4430
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City of Columbia Falls
Hoerner Park Tennis Courts
Bid Tabs

Prepared on March 24, 2021

Item	Item Description	Units	Quantity	<i>Schlegel Enterprises</i>		<i>Bjorn Johnson Const.</i>	
				Unit Cost	Total	Unit Cost	Total
1010.1	Mobilization and General Requirements	LS	All Req'd	\$8,300.00	\$8,300.00	\$14,000.00	\$14,000.00
1050.1	Construction Survey	LS	All Req'd	\$6,000.00	\$6,000.00	\$3,525.00	\$3,525.00
1560.1	Temporary Environmental Controls	LS	All Req'd	\$1,000.00	\$1,000.00	\$1,700.00	\$1,700.00
2112.1	Remove and Dispose Fence Materials	LS	All Req'd	\$2,000.00	\$2,000.00	\$5,000.00	\$5,000.00
2230.1	Excavation and Disposal	CY	900	\$11.00	\$9,900.00	\$10.00	\$9,000.00
2230.2	Excavation and Reuse	CY	150	\$8.67	\$1,300.50	\$8.00	\$1,200.00
2234.1	4-Inch Minus Crushed Subbase Course	CY	1150	\$21.73	\$24,989.50	\$23.00	\$26,450.00
2235.1	1 1/2" Crushed Base Course, 4-Inch Thick	CY	460	\$27.17	\$12,498.20	\$47.00	\$21,620.00
2235.2	Crushed Aggregate Drain Rock	CY	100	\$48.00	\$4,800.00	\$45.00	\$4,500.00
2510.1	Asphalt Concrete Pavement 2.25-Inch Thick	SY	2720	\$18.46	\$50,211.20	\$19.00	\$51,680.00
2910.1	Seeding	LS	All Req'd	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00
3310.1	Install Owner Provided Net Post	EA	8	\$500.00	\$4,000.00	\$350.00	\$2,800.00
Construction Price					\$127,999.40		\$142,975.00

<i>Summary</i>	
Engineer's Estimate	\$164,529.00
Triton Const.	\$148,288.20
Copperforge Undgrd	\$166,391.10
Sapphire Const.	\$156,999.20
J. Gelormino Inc.	\$159,026.37
Nelcon Inc.	\$156,930.00
Schlegel Enterprises	\$127,999.40
Bjorn Johnson Const.	\$142,975.00

Apparent Low Bidder

1010.1	Mobilization and General Requirements	LS	All Req'd	LUMP
1050.1	Construction Survey	LS	All Req'd	LUMP
1560.1	Temporary Environmental Controls	LS	All Req'd	LUMP
2112.1	Remove and Dispose Fence Materials	LS	All Req'd	LUMP
2230.1	Excavation and Disposal	CY	900	
2230.2	Excavation and Reuse	CY	150	
2234.1	4-Inch Minus Crushed Subbase Course	CY	1150	
2235.1	1 1/2" Crushed Base Course, 4-Inch Thick	CY	460	
2235.2	Crushed Aggregate Drain Rock	CY	100	
2510.1	Asphalt Concrete Pavement 2.25-Inch Thick	SY	2720	
2910.1	Seeding	LS	All Req'd	LUMP
3310.1	Install Owner Provided Net Post	EA	8	
0	Construction Price	0	0	
0	0	0	0	
Summary	0	0	0	
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Whereas, Lemonade Day is a free, community-wide educational event providing children with the opportunity to learn and apply entrepreneurial thinking and create a foundation for success in the global economy; and

Whereas, Lemonade Day exists to infuse today's youth with the spirit of enterprise, teaching the basic business and entrepreneurial skills necessary to become successful, contributing members of their communities; and

Whereas, Lemonade Day has a core philosophy of Spend, Save, and Share that is implemented by teaching children how to start, own and operate a business, learn goal-setting, develop a business plan, establish a budget, seek investors, provide customer service, and give back to the community; and

Whereas, Lemonade Day offers opportunities for families, businesses, schools, youth organizations, faith-based communities, neighborhoods, institutes of higher learning, and government agencies to unite for a common purpose - to train the next generation of entrepreneurs; and

Whereas, Lemonade Day is an event that demonstrates to young people of Columbia Falls that they are important, and citizens care about their future; and

Whereas, the City of Columbia Falls salutes and commends organizers, volunteers, and participants of Lemonade Day, a program that advances life skills, character, and entrepreneurship, and extends best wishes for a successful and rewarding observance.

Now, therefore, be it proclaimed by the Columbia Falls City Council and Mayor that June 26, 2021 is Lemonade Day in Columbia Falls and all residents are encouraged to participate and have a role in either selling or buying lemonade as planned by the Boys and Girls Club of Glacier Country.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Seal of the City of Columbia Falls, this 5th day of April, 2021.

Don Barnhart, Mayor

FIRST READING

ORDINANCE NO.806

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE COLUMBIA FALLS ZONING MAP FROM CSAG-10 SUBURBAN AGRICULTURE TO CSAG-5 SUBURBAN AGRICULTURE FOR THE PROPERTY LOCATED AT 7030 HIGHWAY 2 EAST, FURTHER DESCRIBED AS PARCEL 1 OF COS 16981 OF SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA.

WHEREAS, Wayne Hull, owner of the real property, has requested an amendment to the Columbia Falls zoning map to change the zoning from the current CSAG-10 Suburban Agricultural with a 10 acre minimum lot size to CSAG-5 Suburban Agricultural with a minimum 5 acre minimum lot size on property located at 7030 Highway 2 East, further described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana;

WHEREAS, the Columbia Falls Planning Department, on February 26, 2021, in Staff Report CZC-21-02, recommended approval of the requested zoning amendment; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on March 9, 2021 , at which the Board adopted Staff Report CZC-21-02 and recommended approval of the requested zoning map amendment; and

WHEREAS, a hearing on the Zoning Map Amendment was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, April 5, 2021, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the zoning map amendment request is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-21-02, dated February 26, 2021 is hereby adopted by the Council as findings of fact with respect to said zoning map amendment request.

Section Two. Change in Zoning Classification: That the requested zoning map amendment on property presently zoned CSAG-10 Suburban Agriculture be changed to

CSAG-5 Suburban Agriculture at 7030 Highway 2 East, further described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Section Three. The Council finds that the proposal complies with the Columbia Falls City Growth Policy.

Section Four. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Five. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Six. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF APRIL, 2021, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF APRIL, 2021.

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 1844

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA REQUESTING DISTRIBUTION OF LOCAL GOVERNMENT ROAD CONSTRUCTION AND MAINTENANCE MATCH PROGRAM FUNDS AND AMENDING THE APPROPRIATE 2021 FY BUDGETS

WHEREAS, the Bridge and Road Safety and Accountability Restricted Account created by HB 473 requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, and bridges; and,

Whereas, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

Whereas, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

Whereas, a description of the projects to be funded are detailed as follows:

Columbia Falls Rebuild/Repair Projects – The repair of 6th Avenue West from 9th Street West (Hwy 2) to 13th Street West in the amount of \$77,442 provided by BARSAA Funds and required matching funds; and

Columbia Falls Rebuild/Repair Projects – The chip sealing of priority streets up to the remaining available funds of \$40,047 provided by BARSAA Funds and required matching funds.

Whereas, the local match, in the required amount of \$5,594.70 for the allocated funds is available in Fund 2500 Street Maintenance Budget and the Fund 2500 Street Maintenance Budget will be amended to account for the Transfer Out to Fund 2821 Special Gas Tax.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA:

Section One. The City of Columbia Falls hereby requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds, \$111,893.96 to be used for the projects identified above.

Section Two. That the City Manager and Finance Director of the City of Columbia Falls are hereby empowered and authorized to execute such further documents as may be necessary to facilitate the distribution of said funds.

Section Three. That the Fund 2821 Budget for the FY ending June 30, 2021 is hereby amended to account for the program funds, \$111,893.96 and match, \$5,594.70 and the planned expenditures totaling \$117,488.66. Additionally, Fund 2500 Street Maintenance is hereby amended to account for the \$5,594.70 Transfer Out to Fund 2821.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA, THIS 5th DAY OF APRIL, 2021, THE COUNCIL VOTING AS FOLLOWS:

AYES:
NOES:
ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA, THIS 5TH DAY OF APRIL 2021.

MAYOR

ATTEST:

City Clerk

Correspondence

Letter to US Senator Steve Daines, from City Council. RE: Columbia Falls Aluminum Company Site Feasibility Study.

Letter to Mayor Donald W. Barnhart, from Steve Wright, CFAC Environmental Engineer. RE: Anaconda Aluminum Co. Columbia Falls Montana Site.

Letter to the Flathead Board of County Commissioners, from Mayor Don Barnhart, Montana FWP Region 1 Supervisor Jim Williams, Flathead land Trust Executive Director Paul Travis, and Columbia Falls Aluminum Company Cheryl Driscoll.