



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

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

**CITY COUNCIL REGULAR MEETING
AGENDA
MONDAY, OCTOBER 16, 2023
COUNCIL CHAMBERS CITY HALL**

FINANCE COMMITTEE – 6:30 P.M

(Barnhart, Fisher, King)

Contact City Clerk Barb Staaland by 6:00 PM the day of the meeting to obtain virtual meeting information by emailing staalandb@cityofcolumbiafalls.com or calling (406) 892-4391

REGULAR MEETING – 7:00 P.M.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

CONSENT AGENDA:

1. Approval of Claims - October 2023
2. Approval of Payroll Claims - October 13, 2023 - \$103,641.29
3. Approval of 3rd Quarterly Report Claim - \$23,808.51
4. Approval of Regular City Council Meeting Minutes - October 2, 2023

VISITORS/PUBLIC COMMENT (Items not on agenda)

APPOINTMENTS:

Brandon Rice - Promotion to Sergeant/Oath of Office

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

5. Public Hearing: Rocky Top Cabins, a Two-Lot Subdivision:

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, September 12, 2023, at 6:30 p.m. in the Council Chambers of

City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on October 16, 2023, starting at 7:00 p.m. in the same location.

Rocky Top Cabins Subdivision – A Two Lot Subdivision: A request by Herbert Enterprises LLC to create a two-lot subdivision. The property is 8.11 acres in size and the property is zoned CR-1 which allows a minimum lot size of one acre. The property is located at 269 Rocky Lane, Columbia Falls, and is described as Assessor's Tract 1 (Parcel A of COS 21669) located in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

A. Adopt Staff Report CPP-23-02 as Findings of Fact

B. Approve Preliminary Plat with Conditions (See Resolutions)

NEW BUSINESS:

- [6.](#) Call for Bids - Sidewalk and Parking Improvements Project
- [7.](#) Approve Wage Opener and Memorandum of Agreement 2024 FY - Teamsters Local Unit No. 2 and Authorize City Manager to Execute
8. Capital Outlay Review - Police Department

ORDINANCES / RESOLUTIONS:

[9.](#) **Resolution # 1911:**

A RESOLUTION OF THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA CONDITIONALLY APPROVING THE PRELIMINARY PLAT OF ROCKY TOP CABINS SUBDIVISION A TWO LOT RESIDENTIAL SUBSEQUENT MINOR SUBDIVISION LOCATED AT 269 ROCKY LANE, FURTHER DESCRIBED AS PARCEL A, COS 21669 IN THE NE1/4 NE1/4 IN SECTION 7, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

CITY MANAGER REPORT

10. Project Updates/MT League of Cities and Towns Conference Recap

CITY ATTORNEY REPORT

MISCELLANEOUS

- [11.](#) September - Fire Department Activity
- [12.](#) Police Department - September Activity Report

ADJOURN

Next Scheduled Meetings:

City Council – Regular Meeting, **Monday, November 6, 2023** – 7:00 PM

Planning Board – TBD

10/13/23
13:18:58

CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 10/23

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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
45017		1700 BRECK LAW OFFICE, PC	7,468.62						
		NOVEMBER 2023							
	090523	10/02/23 LGL-FEES FOR NOV 2023	1,830.17			1000 411100	350		101000
	090523	10/02/23 CITY COURT-FEES FOR NOV 2023	3,730.44			1000 410365	350		101000
	090523	10/02/23 WTR-FEES FOR NOV 2023	601.38			5210 430500	350		101000
	090523	10/02/23 SWR-FEES FOR NOV 2023	601.38			5310 430600	350		101000
	090523	10/02/23 PLG/ZONING-FEES FOR NOV 2023	300.69			1000 411000	350		101000
	090523	10/02/23 PD-FEES FOR NOV 2023	121.55			1000 420100	399		101000
	090523	10/02/23 WTR-FEES FOR NOV 2023	27.01			5210 430500	357		101000
	090523	10/02/23 SWR-FEES FOR NOV 2023	39.94			5310 430600	357		101000
	090523	10/02/23 STRS-FEES FOR NOV 2023	54.02			2500 430200	399		101000
	090523	10/02/23 LGL- ADD'L FEES OCT 2023	162.04			1000 411100	350		101000
		Total for Vendor:	7,468.62						
45012		3211 BUFFUM FENCE	10,834.00						
	1156	10/02/23 BASKETBALL COURT FENCE/MATERIA	10,834.00			4010 460400	930		101000
		Total for Vendor:	10,834.00						
45040		2708 BULLITT COMMUNICATIONS	1,593.00						
	63078	09/25/23 FD-TRUCK RADIO REPAIR	130.00			1000 420400	361		101000
	63134	09/27/23 PRKS-ATTENA MOUNT	477.33*			1000 460400	361		101000
	63134	09/27/23 STRS-ATENNA MOUNT	985.67			2500 430200	361		101000
		Total for Vendor:	1,593.00						
45047	E	997 CENTURYLINK - ELECTRONIC PAY	747.57						
	093023	10/13/23 CRTS-SEPT/OCT	32.09			1000 410360	345		101000
	101323	10/13/23 PD-SEPT/OCT	129.55			1000 420100	345		101000
	101323	10/13/23 FD-SEPT/OCT	65.25			1000 420400	345		101000
	101323	10/13/23 POOL-SEPT/OCT	36.25			1000 460445	345		101000
	101323	10/13/23 STRTS-SEPT/OCT	134.19			2500 430200	345		101000
	101323	10/13/23 WTR-SEPT/OCT	205.18			5210 430500	345		101000
	101323	10/13/23 SWR-SEPT/OCT	145.06			5310 430600	345		101000
		Total for Vendor:	747.57						

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Claim/	Check	Vendor #/Name/	Document \$/	Disc \$						Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
45034	E	2852 CHARTER COMMUNICATIONS	295.93							
	00123	10/01/23 PD-INTERNET 10/01/23-10/31/23	157.97			1000 420100	345		101000	
	00623	10/01/23 SWR-INTERNET08/25/23-09/25/23	137.96			5310 430600	345		101000	
		Total for Vendor:	295.93							
45029		1145 CITY OF WHITEFISH BUILDING	2,000.00							
		SEPTEMBER BUILDING PERMITS								
	101023	10/10/23 MINIMUM PERMITS - FOR SEPT	2,000.00			2394 420500	398		101000	
		Total for Vendor:	2,000.00							
45027	E	2961 FIRST BANKCARD-ELECTRONIC PYMT	4,769.07							
	501698	08/22/23 ICMA MEMBERSHIP DUES	688.00			1000 410400	335		101000	
	060525	08/23/23 PD-FUEL	27.56			1000 420100	231		101000	
	181733	08/23/23 PD-FUEL	37.51			1000 420100	231		101000	
	101023	08/23/23 PRKS-SUPERVISOR TRAINING RILEY	299.00*			1000 460400	380		101000	
	008274	08/24/23 PD-FUEL	33.72			1000 420100	231		101000	
	101023	08/23/23 FD-FIRE SPRINKLER SHUTOFF TOOL	124.75			1000 420100	220		101000	
	9692	08/30/23 WTR-DINNER FOR LATE WORK NIGHT	26.99			5210 430500	220		101000	
	S0272245	09/01/23 FD-CHANNELLOCK	1,439.48			1000 420400	212		101000	
	2023080079	08/31/23 FD-BACKGROUND KEHL/RYAN/VE	511.61			1000 420400	380		101000	
	1431003609	09/02/23 AMAZON WEB SERVICES	123.74			1000 410580	355		101000	
	101023	09/05/23 WTR-H20 MAIN REPAIR 12PK COKE	8.99			5210 430500	220		101000	
	101023	09/05/23 WTR-PIZZA H20 MAIN REPAIR BETH	42.46			5210 430500	220		101000	
	WHVI217F9V	09/11/23 MTLEAGUE CONFERENCE SUSAN	199.00			1000 410400	380		101000	
	717405	09/06/23 PRKS-MT MVD RILEY	12.29*			1000 431200	380		101000	
	30170835	09/07/23 SWR-MT MVD FOLEY	64.81			5310 430600	380		101000	
	717791	09/07/23 SWR-MT MVD FOLEY	43.80			5310 430600	380		101000	
	6663442	09/07/23 SWR- EXTENSION POLE	66.88			5310 430600	212		101000	
	S7DX001L	09/11/23 FLATHEAD JOB SVS COUNCIL	59.36			1000 410400	380		101000	
	101023	09/11/23 CNCL MTLEAGUE CONFERENCE MAYOR	199.00			1000 410400	380		101000	
	101023	09/12/23 PD-TAG RENEWAL	16.68			1000 420100	390		101000	
	101023	09/13/23 CITY WEBSITE DOMAIN RENEWAL	22.17			1000 410580	355		101000	
	101023	09/12/23 FD-SCREEN PRTOECTORS PHONE	12.37			1000 420100	220		101000	
	101023	09/15/23 FAC-US FLAGS	18.48			1000 411200	220		101000	
	101023	09/15/23 ADOBE WWTP SUBSCRIPTION	19.99			5310 430600	355		101000	
	1103446	09/15/23 FD-NFPA COLORING/ACTIVITY BOO	443.95			1000 420400	220		101000	

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	4704207	09/12/23 FD- OTTERBOX FOR PHONE	27.48			1000 420100	220		101000
	WHVYF7NP3W	09/21/23 FIN MTLEAGUE CONF BATES	199.00			1000 410500	380		101000
		Total for Vendor:	4,769.07						
45009		3104 FIRST CALL COMPUTER SOLUTIONS,	2,145.00						
	90938	10/01/23 COMP-SEP IT SERVICES	1,800.00			1000 410580	355		101000
	90901	10/01/23 COMP-SEP COMP PROJECT	345.00			1000 410580	355		101000
45038		3104 FIRST CALL COMPUTER SOLUTIONS,	49.80						
	91259	09/30/23 MONTHLY MICROSOFT NCE SUBSCRIP	49.80			1000 410580	355		101000
		Total for Vendor:	2,194.80						
45013		1892 FLATHEAD COUNTY	75.00						
	6147	09/29/23 OWNER LIST- OWNER AEC3 PROPERT	75.00			1000 411000	390		101000
		Total for Vendor:	75.00						
45031		663 FLATHEAD COUNTY SOLID WASTE	2,187.46						
	SLUDGE HAULING	9/1-9/30-2023							
	11663	09/30/23 SWR-SLUDGE HAUL 9/1-9/30-2023	2,187.46			5310 430600	395		101000
		Total for Vendor:	2,187.46						
45010		24 FLATHEAD COUNTY TREASURER	1,137.50						
	100523	10/02/23 CRT-TECH SUR 9/23	402.50			1000 212201			101000
	100523	10/02/23 CRT-LEA/CRIM CONV SURCHRG 9/23	485.00			1000 212201			101000
	100523	10/02/23 CRT-PUBLIC DEF FEES 9/23	250.00			1000 212205			101000
		Total for Vendor:	1,137.50						
45033		21 FLATHEAD ELECTRIC COOP INC	15,336.16						
	08/25/23-09/25/23								
	10/11/23	FAC-08/25/23-09/25/23	381.29			1000 411200	341		101000
	10/11/23	PD-08/25/23-09/25/23	37.33			1000 420100	341		101000
	10/11/23	FD-08/25/23-09/25/23	345.45			1000 420400	341		101000
	10/11/23	PRKS-08/25/23-09/25/23	588.15			1000 460400	341		101000
	10/11/23	P00L-08/25/23-09/25/23	72.97			1000 460445	341		101000
	10/11/23	LIGHTING-08/25/23-09/25/23	2,569.88			2400 430200	341		101000
	10/11/23	STRS-08/25/23-09/25/23	118.31			2500 430200	341		101000
	10/11/23	WTR-08/25/23-09/25/23	5,004.03			5210 430500	341		101000

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	10/11/23	SWR-08/25/23-09/25/23	6,218.75			5310 430600	341		101000
		Total for Vendor:	15,336.16						
45008		3019 FLATHEAD PUBLISHING GROUP	2,120.50						
	09202023	09/30/23 PD-PATROL SGT POSITION	1,060.25			1000 420100	390		101000
	09202023	09/30/23 WTR-LEAD WTR OP POSITION	1,060.25			5210 430500	390		101000
		Total for Vendor:	2,120.50						
45023		3010 GOLD COMMUNICATION SERVICES, RADIO AND SPEAKER REPAIRS	860.00						
	1464	09/19/23 PD-RADIO& SPEAKER REPAIRS	860.00			1000 420100	399		101000
		Total for Vendor:	860.00						
45044		2806 HANSON'S HARDWARE	139.68						
	607620	09/25/23 STRTS-141'X1/4" PROOF CHAIN	20.94			2500 430200	240		101000
	607711	10/02/23 STRTS-1/2X3/8 SOCK ADAPTER	8.29			2500 430200	240		101000
	607648	09/27/23 PRKS-7" FOLD PRUINING SAW	23.99			1000 460400	220		101000
	607478	09/15/23 WTR-WIRE STRIPPER/HEADLIGHT	77.47			5210 430500	220		101000
	607386	09/08/23 PRKS-2 PACK BROWN DOOR STOPS	8.99			1000 460400	220		101000
		Total for Vendor:	139.68						
45026		1702 IWORQ SYSTEMS	900.00						
	NOV 2023-OCT 2024								
	201555	10/02/23 STRTS - Pavement mngt software	900.00			2500 430200	355		101000
	11/23/10/24								
		Total for Vendor:	900.00						
45046		2849 J2 BUSINESS PRODUCTS	177.65						
	1325386	09/28/23 PD-LABEL 1/2' 2PACK	40.78			1000 420100	210		101000
	1327803	10/09/23 PD-CLASP ENVELOPES QTY2	24.58			1000 420100	210		101000
	1326152	10/03/23 PRKS-NITRILE GLOVES BLUE/BLAC	22.29			1000 460400	224		101000
	1325386	09/29/23 PD-TONER P1102 BK	90.00			1000 420100	210		101000
		Total for Vendor:	177.65						

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45015		1504 KALISPELL COPY CENTER	599.56						
	246751	10/03/23 STRS- SIGNS/SIGN STANDS	599.56			2500 430200	242		101000
		Total for Vendor:	599.56						
45028		735 MASTER TECH REPAIR	8.00						
	0190-46	09/26/23 STRTS-2 BPR6ES	8.00			2500 430200	240		101000
		Total for Vendor:	8.00						
45025		43 MONTANA ENVIRONMENTAL LABORATORY	474.00						
		STATEMENT ENDING 09/30/23							
	2309303	09/11/23 WTR-COLIFORM 5EA	145.00			5210 430500	394		101000
	2309054	09/13/23 SWR-AMMONIA/HEM/TKN	91.00			5310 430600	394		101000
	2308858	09/05/23 SWR-NITRATE+NITRITE, TKN	66.00			5310 430600	394		101000
	2309477	09/13/23 SWR-DISOLVED ALUMINUM	15.00			5310 430600	394		101000
	2309840	09/26/23 SWR-NITRATE+NITRITE, TKN	66.00			5310 430600	394		101000
	2309476	09/27/23 SWR-AMMONIA/HEM/TKN	91.00			5310 430600	394		101000
		Total for Vendor:	474.00						
45019		3119 MONTANA TRUCK WORKS, LLC	2,006.38						
	211305	10/02/23 FD- UNIT 441	2,006.38			1000 420400	361		101000
		Total for Vendor:	2,006.38						
45036		722 MORRISON-MAIERLE, INC.	32,166.42						
		12TH AVE IMPROVEMENTS, BUSINESS DISTRICT SIDE WALKS AND PARKING IMPROVEMENTS. SEVERAL ON CALL SERVICES							
	000231962	10/05/23 12TH AVE W IMPROVEMENTS	429.00			2959 470300	930		101000
	000231960	10/05/23 BIZ DISTRICT PARKNG & SIDEW	12,657.00			2310 470300	931		101000
	000231963	10/05/23 WTR-ON CALL SRVS-RUIS HOTEL	198.75			5210 430500	354		101000
	000231963	10/05/23 SWR-ON CALL SRVS-RUIS HOTEL	198.75			5310 430600	354		101000
	000231958	10/05/23 OVERLAY & RECONSTRUCT PROJE	18,682.92			4040 430200	950		101000
		Total for Vendor:	32,166.42						
45022		52 NAPA AUTO PARTS	26.49						
	060203	10/03/23 FD-LUBRIGUARD	26.49			1000 420400	240		101000

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45041		52 NAPA AUTO PARTS	21.98						
	060325	10/04/23 SWR-ANTIFREEZE	21.98			5310 430600	232		101000
		Total for Vendor:	48.47						
45014		520 NORCO, INC.	12.30						
	38830848	09/30/23 STRS-CYLNR RENT SEPT	12.30			2500 430200	220		101000
		Total for Vendor:	12.30						
45032		1437 NORTHWESTERN ENERGY	229.50						
		NATURAL GAS SERVICE 8/23/23-9/20/23							
	101023	09/27/23 FAC-8/23/23-9/20/23	48.24			1000 411200	344		101000
	101023	09/27/23 PD-8/23/23-9/20/23	16.35			1000 420100	344		101000
	101023	09/27/23 FD-8/23/23-9/20/23	28.31			1000 420400	344		101000
	101023	09/27/23 STRS-8/23/23-9/20/23	26.04			2500 430200	344		101000
	101023	09/27/23 WTR-8/23/23-9/20/23	8.04			5210 430500	344		101000
	101023	09/27/23 SWR-8/23/23-9/20/23	102.52			5310 430600	344		101000
		Total for Vendor:	229.50						
45021		2816 O'REILLY AUTO PARTS	12.98						
	450411	09/28/23 PD-WIPER FLD	12.98			1000 420100	220		101000
		Total for Vendor:	12.98						
45035		2875 PAT MCCARTHY PRODUCTIONS, INC.	450.00						
	44706	11/21/22 PD-SEMINAR BRIDWELL	450.00			1000 420100	380		101000
		Total for Vendor:	450.00						
45020		3217 PEAK ROOFING SOLUTIONS LLC	10,340.00						
		FINAL PAYMENT FOR NEW ROOF ON POOL HOUSE							
	0178	09/11/23 POOL-ROOF REPAIR/FINAL PAYMENT	10,340.00			1000 460445	366		101000
		Total for Vendor:	10,340.00						
45039		1888 PLETCH ELECTRIC INC	1,170.51						
	5643	09/27/23 WTR-TROUBLESHOOT EXHAUST FAN	140.00			5210 430500	366		101000
	5642	09/27/23 SWR-ELECTRICAL LABOR	1,030.51			5310 430600	366		101000
		Total for Vendor:	1,170.51						

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		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
45043		2699 THE MAIL ROOM, INC	127.73							
		INVOICE #D117187								
		D117187 09/25/23 PD-MAIL SRVS 9/12/23-9/22/23	5.65			1000 420100	310		101000	
		D117187 09/25/23 FIN-MAIL SRVS 9/12/23-9/22/23	20.21			1000 410500	310		101000	
		D117187 09/25/23 WTR-MAIL SRVS 9/12/23-9/22/23	11.05			5210 430500	310		101000	
		D117187 09/25/23 SWR-MAIL SRVS 9/12/23-9/22/23	11.05			5310 430600	310		101000	
		D117187 09/25/23 CRT-MAIL SRVS 9/12/23-9/22/23	66.84			1000 410360	310		101000	
		D117187 09/25/23 PLN-MAIL SRVS 9/12/23-9/22/23	12.93			1000 411000	310		101000	
		Total for Vendor:	127.73							
45018		3016 TRANSUNION RISK AND ALTERNATIVE	100.00							
		202309-1 10/01/23 PD-9/1-9/30/23	100.00			1000 420100	335		101000	
		Total for Vendor:	100.00							
45042		3200 USABLUBOOK	271.58							
		00148469 09/28/23 SWR-PROBES/INTELLICAL	187.00			5310 430600	222		101000	
		00148469 09/28/23 SWR-MANHOLE HOOK	84.58			5310 430600	220		101000	
		Total for Vendor:	271.58							
45016		3063 UTILITIES UNDERGROUND LOCATION	75.36							
		MONTH OF SERVICE SEPTEMBER								
48		TOTAL								
		3095070 09/30/23 WTR-SEPT 2023 UDIGS	25.12			5210 430500	318		101000	
		3095070 09/30/23 SWR-SEPT 2023 UDIGS	25.12			5310 430600	318		101000	
		3095070 09/30/23 STRS-SEPT 2023 UDIGS	25.12			2500 430200	318		101000	
		Total for Vendor:	75.36							
45007		1134 VICTIM-WITNESS ADVOCATE PROGRAM	375.39							
		100423 10/02/23 CRTS-SEPT 23	375.39			2917 410360	356		101000	
		Total for Vendor:	375.39							
45045		84 WESTERN BUILDING CENTER	112.76							
		4I497460 10/03/23 FAC-PLASTIC FLUSH LEVER	4.99			1000 411200	240		101000	
		4I482071 09/25/23 PRKS-POOL SHOWERS SCRTY SET	17.99			1000 460445	220		101000	
		4I499750 10/04/23 STRTS-CONDUIT COUPLING ELBOW	37.23			2500 430200	240		101000	
		4I486935 09/27/23 STRTS-SIGN REPLACEMENT	47.85			2500 430200	240		101000	

10/13/23
13:18:58

CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 10/23

Page: 8 of 10
Report ID: AP100V

* ... Over spent expenditure

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$						Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj		Account
		4I490456 09/29/23 STRTS-CONCRETE SIGN BASES	4.70			2500 430200	242			101000
		Total for Vendor:	112.76							
45037	E	2733 WEX Fleet Universal	7,699.77							
		STATEMENT ENDING 09/30/23								
		92342880 10/01/23 PD- SEPT FUEL	3,076.49			1000 420100	231			101000
		92342880 10/01/23 FIRE-SEPT FUEL	1,044.24			1000 420400	231			101000
		92342880 10/01/23 PRKS-SEPT FUEL	1,007.85			1000 460400	231			101000
		92342880 10/01/23 WTR-SEPT FUEL	303.31			5210 430500	231			101000
		92342880 10/01/23 SWR-SEPT FUEL	580.58			5310 430600	231			101000
		92342880 10/01/23 STRS-SEPT FUEL	1,687.30			2500 430200	231			101000
		Total for Vendor:	7,699.77							
		# of Claims	38	Total:	109,117.65	# of Vendors	32			
		Total Electronic Claims			13,512.34					
		Total Non-Electronic Claims			95605.31					

10/13/23
13:18:59

CITY OF COLUMBIA FALLS
Fund Summary for Claims
For the Accounting Period: 10/23

Page: 9 of 10
Report ID: AP110

Fund/Account	Amount
1000 GENERAL FUND	
101000 CASH/CASH EQUIVALENTS	\$36,917.79
2310 TAX INCREMENT DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$12,657.00
2394 BUILDING CODE ENFORCEMENT FUND	
101000 CASH/CASH EQUIVALENTS	\$2,000.00
2400 SPECIAL LIGHTING DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$2,569.88
2500 SPECIAL STREET MAINTENANCE DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$4,669.52
2917 CRIME VICTIMS ASSISTANCE FUND	
101000 CASH/CASH EQUIVALENTS	\$375.39
2959 EDA	
101000 CASH/CASH EQUIVALENTS	\$429.00
4010 CAPITAL PROJECTS FUND - Parks	
101000 CASH/CASH EQUIVALENTS	\$10,834.00
4040 CAPITAL PROJECTS FUND - Street	
101000 CASH/CASH EQUIVALENTS	\$18,682.92
5210 WATER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$7,885.03
5310 SEWER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$12,097.12
Total:	\$109,117.65

10/13/23
13:18:59

CITY OF COLUMBIA FALLS
Claim Approval Signature Page
For the Accounting Period: 10 / 23

Page: 10 of 10
Report ID: AP100A

Council Meeting Date: 10/16/2023

Claims Submitted to Council: \$ 109,117.65

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 are significant:

Buffum Fence - \$10,834.00 Columbus Park basketball court fence. (Fund 4010)
Morrison-Maierle, Inc. - \$32,166.42 12th Ave W, Biz District, Overlay and On Call. (Fund 2959, 2310, 5210, 5310 & 4040)
Peak Roofing Solutions LLC - \$10,340.00 Pool house roof replacement final payment. (Fund 1000)

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

10/12/23
13:20:29

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 10/13/23 to 10/13/23

Page: 1 of 2
Report ID: P130

Total for Payroll Checks

	Employee	Employer	Amount
	-----	-----	-----
COMA HOURS (Comp Time Accumulated)	1.13		
HOL HOURS (Holiday Pay)	8.00		182.08
OTHE HOURS (Other Time Used)	160.00		5,150.40
OVER HOURS (Overtime)	14.75		643.02
PAYC HOURS (Term Comp Time)	2.19		49.84
REG HOURS (Regular Time)	2,536.00		74,500.71
SFTO HOURS (Shift Sup/FTO - \$1.5/hour)	84.00		126.00
SHFN HOURS (Shift B)	420.00		840.00
SHFQ HOURS (OVT B)	1.75		5.25
SICK HOURS (Sick Time)	117.75		3,047.08
TRMS HOURS (Termination Sick Pay)	24.12		548.97
TRMV HOURS (Termination Vacation Pay)	37.55		854.64
VACA HOURS (Vacation Time Used)	100.00		4,148.31
GROSS PAY	90,096.30	0.00	
NET PAY	61,893.32	0.00	
NET PAY (CHECKS)	537.10		
NET PAY (DIRECT DEPOSIT)	61,356.22		
AFLAC-POSTTAX	86.97	0.00	
AFLAC-PRETAX	180.51	0.00	
CHILD SUPPORT P	206.76	0.00	
CITY OF COLUMBI	20.00	0.00	
FIT	7,024.62	0.00	
FLEX ALLEGIANCE	924.22	30.00	
FOP	360.00	0.00	
HEALTHINS/PRE	2,626.39	23,135.08	
MEDICARE	1,286.49	1,286.49	
MT ST FIRE ASSO	99.63	0.00	
NATIONWIDE/CITY	0.00	2,356.65	
NATIONWIDE/EMP	238.33	0.00	
P.E.R.S.	4,039.52	4,637.78	
PERS/FURS	1,065.97	1,430.61	
PERS/POLICE	2,490.14	3,987.00	
SIT	3,972.00	0.00	
SOCIAL SECURITY	3,145.88	3,145.88	
TEAMSTERS DUES	292.50	0.00	
UNEMPL. INSUR.	0.00	405.41	
UNUM LIFE INS.	143.05	0.00	
WORKERS' COMP	0.00	2,581.01	
CHARLES SCHWAB	1,647.80	0.00	
FIRST INTERSTAT	1,097.28	0.00	
FREEDOM BANK	4,451.38	0.00	
GLACIER BANK KA	6,966.80	0.00	
GLACIER BANK/CF	16,325.15	0.00	
GLACIER BANK/WF	1,816.86	0.00	
NAVY FEDERAL CR	1,790.98	0.00	
PARKSIDE CR U	7,279.65	0.00	
STRIDE BANK	1,025.12	0.00	
THREE RIVERS	2,898.05	0.00	

Oct. 13. 2023
Payroll
\$103,641.29
Baud Staaland

10/12/23
13:20:29

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 10/13/23 to 10/13/23

Page: 2 of 2
Report ID: P130

USAA FEDERAL	1,338.27	0.00
USBANK.	2,423.18	0.00
WELLS FARGO	1,778.64	0.00
WELLS FARGO, TX	1,782.74	0.00
WFISH CR UNION	8,734.32	0.00
FIT/SIT BASE	78,531.22	0.00
MEDICARE BASE	88,721.83	0.00
PERS BASE	88,763.76	0.00
SOC SEC BASE	50,740.06	0.00
UN BASE	90,096.30	0.00
WC BASE	89,881.94	0.00

Total 42,995.91
Total Payroll Expense (Gross Pay + Employer Contributions): 133,092.21

Check Summary

Payroll Checks Prev. Out.	\$22,969.86
Payroll Checks Issued	\$3,458.47
Payroll Checks Redeemed	\$1,288.78
Payroll Checks Outstanding	\$25,139.55
Electronic Checks	\$100,182.82

Deductions Accrued	Carried Forward From Previous Month	Deduction Checks Issued	Difference	Liab Account
Social Security	6291.76	6291.76		212260
Medicare	2572.98	2572.98		212260
P.E.R.S.	8677.30	8677.30		212270
Unempl. Insur.	405.41	405.41	810.82	212210
Workers' Comp	2581.01	2581.01	5162.02	212220
FIT	7024.62	7024.62		212260
SIT	3972.00	3972.00		212260
AFLAC-PRETAX	180.51		361.02	212230
NATIONWIDE/EMP	238.33	238.33		212280
Teamsters dues	292.50		585.00	212310
PERS/Police	6477.14	6477.14		212240
TEAMSTERS INIT	0.00			212310
NATIONWIDE/CITY	2356.65	2356.65		212280
AFLAC-POSTTAX	86.97	86.97	173.94	212230
PERS/FURS	2496.58	2496.58		212275
MT ST FIRE ASSO	99.63	99.63		212315
HEALTHINS/PRE	25761.47	25761.47	51522.94	212400
CITY OF COLUMBI	20.00	20.00		212450
UNUM LIFE INS.	143.05		286.10	212400
FLEX ALLEGIANCE	954.22	954.22		212285
CHILD SUPPORT P	206.76	206.76		212330
FOP	360.00	360.00		212335
Total Ded.	71198.89	29450.92	41747.97	58901.84

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

10/05/23
08:23:52

CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 10/05/23 to 10/05/23

Page: 1 of 1
Report ID: P130

Total for Payroll Checks

	Employee	Employer	Amount
Total			0.00
Total Payroll Expense (Gross Pay + Employer Contributions):			0.00
Total Discounts:	-0.01		
Total Payroll Expense (Less Discounts):	0.01		

3rd Qtr
Reporting
\$ 23,808.51
Dawn Stadland

Check Summary

Payroll Checks Prev. Out.	\$2,287.02
Payroll Checks Issued	\$20,682.84
Payroll Checks Redeemed	\$878.37
Payroll Checks Outstanding	\$22,091.49
Electronic Checks	\$3,125.67

	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.

10/04/23

CITY OF COLUMBIA FALLS

Page: 1

09:13:27

Payroll Liabilities

Report ID:

Item No.3.

Pay?	Thru?	Payroll Liability	Check \$	Elect?	Discount	Payee
No	09/29/23	Unempl. Insur.	3125.67	Elect		UNEMPLOYMENT INSURANCE DIVISION
No	09/29/23	Workers' Comp	20682.83			MMIA - WC PROGRAM

84

**CITY OF COLUMBIA FALLS
CITY COUNCIL REGULAR MEETING MINUTES
HELD OCTOBER 02, 2023**

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

ROLL CALL: Councilor Fisher, Councilor King, Councilor Lovering, Councilor Piper, Councilor Robinson, Councilor Shepard and Mayor Barnhart.

Also present: City Manager Nicosia, City Clerk Staalnd, City Attorney Breck, Police Sergeant Rice and Fire Chief Weeks.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: Councilor Robinson motioned to approve the agenda, seconded by Councilor Piper and the motion carried.

CONSENT AGENDA: Councilor King made motion to approve the consent agenda noting all claims appeared to be in order, seconded by Councilor Fisher with council voting as follows. Ayes: Piper, Robinson, Shepard, Fisher, King, Lovering and Barnhart.

Approval of Claims - September 18, 2023

Approval of Payroll Claims - September 29, 2023 - \$105,096.66

Approval of Regular City Council Meeting Minutes - September 18, 2023

Utility Billing Bad Debt Expense Approval

Approve Updated Neighbor works Environmental Review Agreement and Authorize City Manager's Signature

APPOINTMENTS:

Approve Appointment of Frank Vessels as Probationary Volunteer Firefighter and Administer Oath of Office
Fire Chief Weeks said Mr. Vessels has passed a background check and physical exam. Since submitting his application he has attended several trainings as an observer. Chief Weeks believes Mr. Vessels will be a great addition to the Fire Department and he and City Manager Nicosia recommend approval.

Councilor Piper made motion to appoint Frank Vessels as Probationary Volunteer Firefighter, seconded by Councilor Shepard and the motion carried.

City Clerk Staalnd administered Oath of Office to Frank Vessels.

Mayor Barnhart noted the promotion of Sergeant Brandon Rice will be held at the October 16, 2023 council meeting.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Mayor Barnhart read the Notice of Public Hearing:

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, September 12, 2023, at 6:30 p.m. in the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on October 16, 2023, starting at 7:00 p.m. in the same location.

Rocky Top Cabins Subdivision – A Two Lot Subdivision: A request by Herbert Enterprises LLC to create a two-lot subdivision. The property is 8.11 acres in size and the property is zoned CR-1 which allows a minimum lot size of one acre. The property is located at 269 Rocky Lane, Columbia Falls, and is described as Assessor's Tract 1 (Parcel A of COS 21669) located in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

ORDINANCES / RESOLUTIONS:

Resolution # 1910 - A Resolution of the City Council of the City of Columbia Falls, Montana Approving the Final Plat of Urban Wood RV Park Subdivision Located at 201 Highway 2 East, Described as Lot 3 D&G Subdivision in Section 17, T30N, R20W, Flathead County, Montana.

City Manager Nicosia said this is the final plat for the Urban Wood RV Park. The applicant has met all submittals required and is in compliance with city conditions. Staff recommends approval of the resolution.

Councilor Piper motioned to adopt Resolution # 1910, seconded by Councilor Lovering with council voting as follows. Ayes: Robinson, Shepard, Fisher, King, Lovering, Piper and Barnhart.

Mayor Barnhart asked Fire Chief Weeks if he has looked at the fire hydrant on 3rd Ave. E., there is one in the empty lot and they have a wood fence around it. Chief Weeks said they will have look at it to ensure it is accessible.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard said the City has waited for a sidewalk on RR Street for forty years and it looks like we will continue to wait. Nicosia said MDOT has instituted the right of way phase and DOT will purchase the property from the owner. MDOT is now looking at 2025 for construction said Nicosia.

Councilor Shepard asked why MDOT didn't let us know that there was not a District 1 transportation commissioner; he does not understand their process.

Mayor Barnhart asked who cleans our restrooms in city parks. Nicosia said the City's contract cleaner, 406 Cleaning, cleans River's Edge Park bathroom as it is open year around. The city parks and water departments clean the restrooms in Columbus and Marantette parks.

CITY MANAGER REPORT

City Manager's Report - Update on Projects and Operations

Nicosia said city officials had a good meeting with BNSF and MDOT on 12th Ave West. The city will purchase the concrete panels that were estimated at \$72,000. Our local BNSF folks were not opposed to granting an easement to complete the sidewalk before the street crossing was rebuilt.

Mayor Barnhart asked when they will install the concrete for crossing. Nicosia replied it is all part of the discussion. Mayor asked if we can put the sidewalk in before the cement is installed. Nicosia said based on the construction diagram she believes so.

The City parks department is collaborating with Ryan from People and Carnivores as they are completing their bear conflict assessment within the city. The city will put more bear proof garbage canisters in our parks with the People and Carnivores collaboration including bolting them to the concrete pads.

Nicosia said she is working with Jacqueline Demongin and the Columbia Falls Community Foundation on following up on adding lights to the monuments at Nucleus Ave. Demongin was finally able to get a quote of \$2,300 for electrical to the sign not including the light.

Police Chief Peters was out of the office last week so we will discuss the Police Department capital overlay at the October 16, 2023 council meeting.

This morning city staff reviewed the WWTP project and are only at sixty percent engineering. Nicosia said she spoke with the engineering leads at HDR as we are literally nine months behind schedule. They are apologetic they are this far behind said Nicosia. The city will hopefully be on schedule to call for bids in December or January and awarded shortly thereafter. Mayor Barnhart asked if we can ask HDR to give us an explanation on why they are so far behind. Nicosia said our program manager at DNRC will work with us, the city can request an extension. At the next meeting we should have all the information to show all the deadlines and how we will amend the budget.

Nicosia said city officials met with Teamsters Local Unit No. 2 and have tentative agreement on the 2024 FY wage opener; we are waiting on their signed notice of ratification which will be on the October 16, 2023 council agenda. The City also drafted a MOA that would permit the City to place a newly hired employee on the wage scale to include education and experience steps upon hire and not after the first year. We are currently advertising for a Lead Water Operator and this change will allow the City to be competitive in attracting qualified candidates.

City Manager Nicosia reviewed the new Flathead County 2023 property tax bill as it will look significantly different this year due to new software at the county level. The bill will reflect URD/TEDD funds as a separate line item despite the funds not generated as an additional mill levy but the incremental value on the property on applicable mills levied by the city, school, county, state and other districts. Nicosia said she will add information in the budget summary explaining how TIF/TEDD funds are generated and Flathead County and the City will add information on their respective websites.

MISCELLANEOUS

Correspondence

ADJOURN: At 7:43 pm, Councilor Lovering motioned to adjourn, seconded by Councilor Robinson.

Mayor

City Clerk

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARINGS

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, September 12, 2023, at 6:30 p.m. in the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on October 16, 2023, starting at 7:00 p.m. in the same location.

Rocky Top Cabins Subdivision – A Two Lot Subdivision: A request by Herbert Enterprises LLC to create a two-lot subdivision. The property is 8.11 acres in size and the property is zoned CR-1 which allows a minimum lot size of one acre. The property is located at 269 Rocky Lane, Columbia Falls, and is described as Assessor's Tract 1 (Parcel A of COS 21669) located in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons may testify at the hearings or submit written comments prior to the meetings. 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. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 22nd day of August 2023.

s/Susan Nicosia, CPA, MPA, City Manager/Zoning Administrator

Publish: Daily Interlake: August 27, 2023

**SUBDIVISION REPORT #CPP-23-2
ROCKY TOP CABINS SUBDIVISION
COLUMBIA FALLS PLANNING OFFICE
August 30, 2023**

A report to the Columbia Falls City-County Planning Board regarding a request for a preliminary plat called Rocky Top Cabins, a two-lot subdivision located on 8.11 acres. A public hearing is scheduled before the Columbia Falls City-County Planning Board and Zoning Commission on September 12, 2023, at 6:30 PM in the Council Chambers and a subsequent public hearing is scheduled for the Columbia Falls City Council for October 16, 2023, at 7:00 PM in the City Council Chambers.

I. BACKGROUND INFORMATION

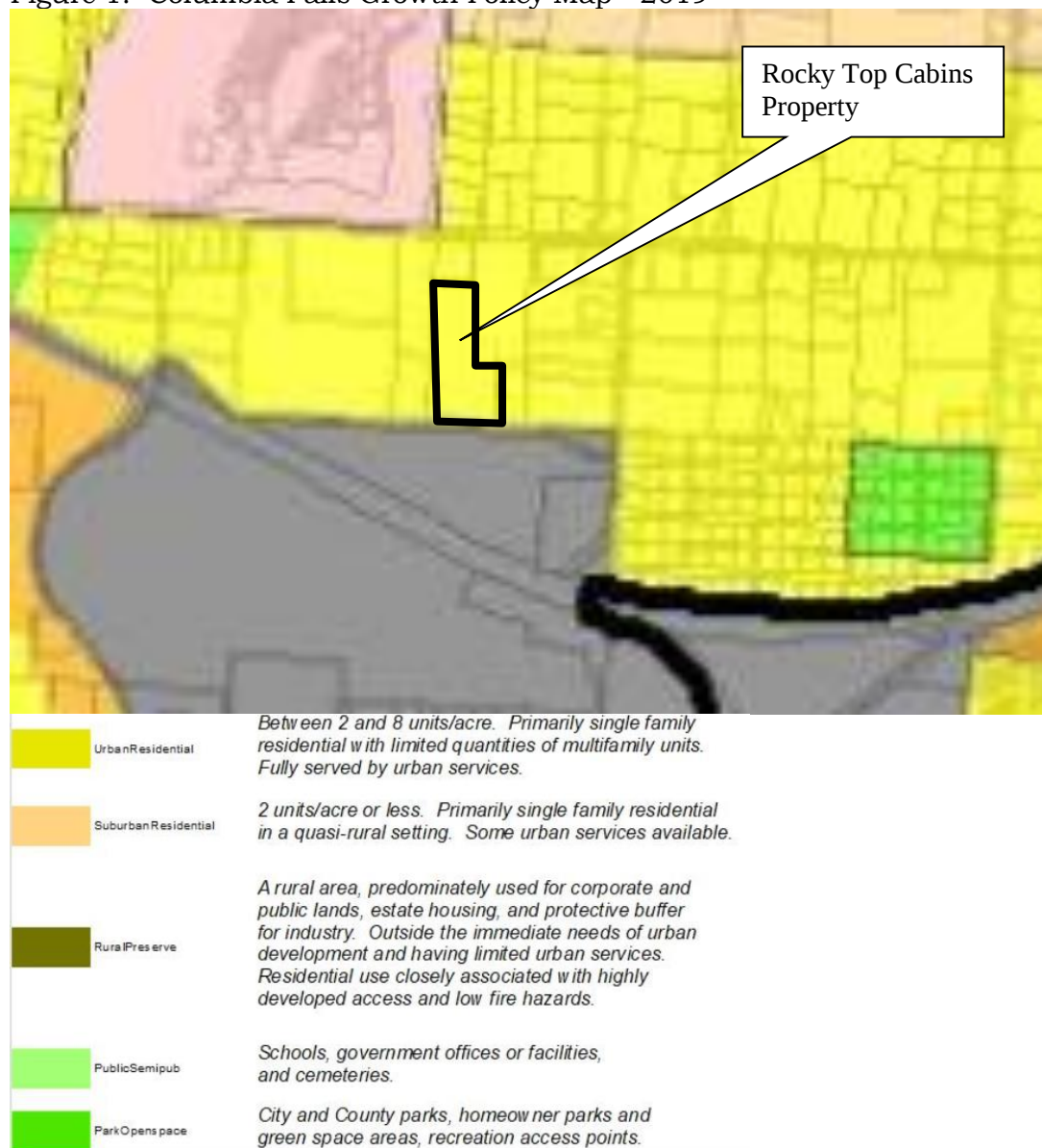
Owner/Applicant: Herbert Enterprises, LLC
P.O. Box 357
Columbia Falls, MT 59912

Technical Assistance: Breckenridge Surveying
2302 Highway 2 East #6
Columbia Falls, MT 59912

WET
102 Corporative Way #100
Kalispell, MT 59901

- a. Location: The property is located at 269 Rocky Lane in the extra territorial planning jurisdiction of Columbia Falls. The property is described as Parcel A of COS 21669 in the NE1/4NE1/4 in Section 7; T30N; R20W.
- b. Size: The proposed subdivision contains 8.11 acres. Lot will be 3.56 acres in size and Lot 2 will be 4.55 acres in size.
- c. Existing Land Use: This 8.11 acre property currently has two cabins located on the northern end of the property.
- d. Adjacent Land Uses:
North: Large Lot/tract residential
South: Weyerhaeuser Mill, Industrial use
East: Large Lot/tract residential.
West: Large Lot/tract residential.
- e. Relation to Growth Policy: The Columbia Falls Growth Policy Map designates the subject property for "Urban Residential" (Figure 1). Urban Residential is defined as: "2 to 8 units/acre Primarily single family residential with limited quantities of multi-family residential." The existing CR-1 does comply with the Urban Residential Growth Policy designation particularly with a lack of Public Sewer and Water.

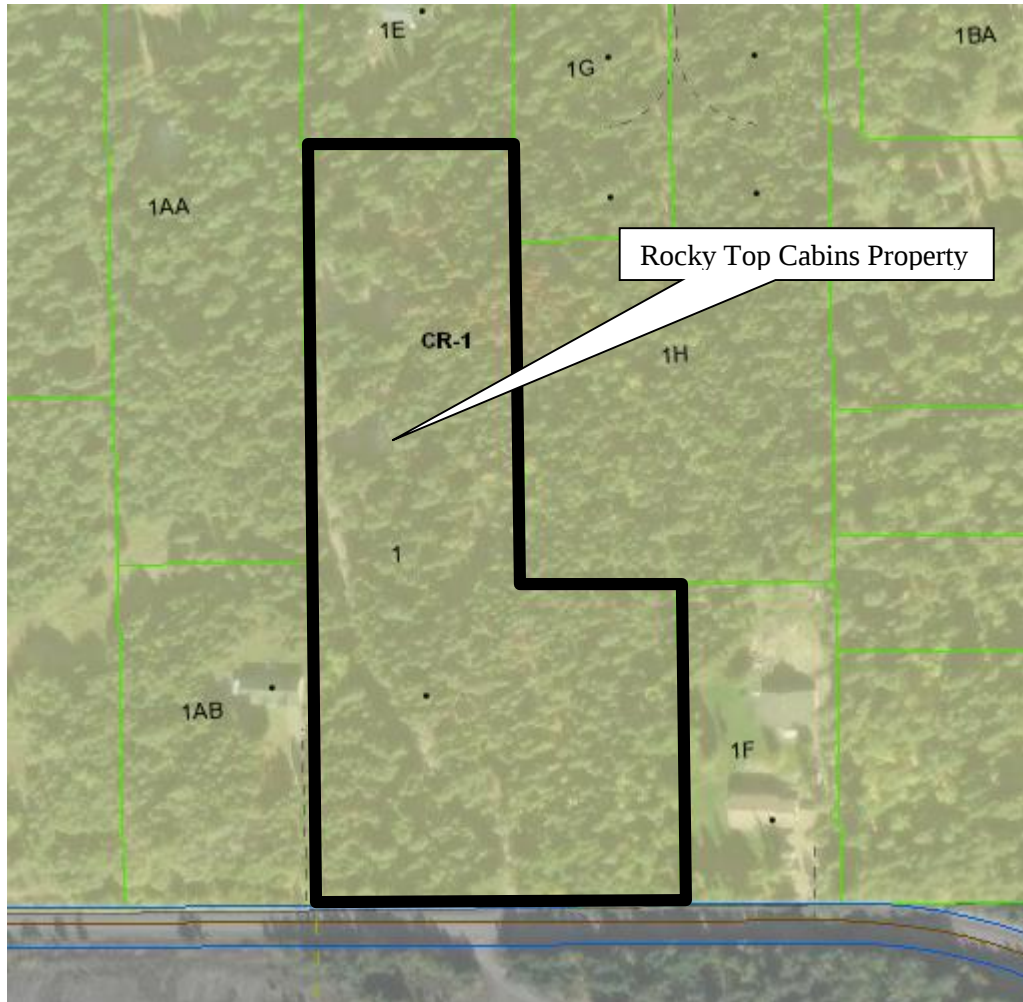
Figure 1. Columbia Falls Growth Policy Map - 2019



- f. Zoning: The subject property is CR-1 Suburban Residential (one-acre minimum lot sizes)
- g. Utilities & Services: The property is not within City limits, and is outside the current municipal water and sewer service areas. Following is a list of services that are available for this site:

Sewer: On-site individual wastewater
 Water: On-site individual water
 Refuse: Private Hauler Home Pick-up
 Police: Flathead County Sheriff Department with support from CFPD
 Fire: Columbia Falls Rural Fire District
 Street Maintenance: Flathead County Road Department
 Electric: Flathead Electric

Figure 2



Source: Flathead County GIS

II. REVIEW AND FINDINGS OF FACT

This subdivision is considered to be a subsequent major subdivision, and therefore goes before the Planning Board and the City Council. The subdivision is reviewed under Chapter 17.18, Design Standards for Areas not Annexed to the City.

A. Effects on Public Health and Safety:

The subdivision is located on Rocky Lane north of the BNSF tracks and Weyerhaeuser. The Columbia Falls Fire Hall is the closest Fire Hall and it is located approximately 1.5 road miles from the subdivision. Access for fire is good. The property is not located within any floodplain.

B. Effects on Wildlife and Wildlife Habitat:

The property is in a suburban area between the city limits of Columbia Falls and Meadow Lake Resort. The property is rolling forest land. Because of bears frequenting the northern parts of Columbia Falls, Refuse should be stored indoors except for the day of pick up.

C. Effects on the Natural Environment:

1. Groundwater: According to test hole data provided in the applications, the groundwater appears to be greater than eight feet in the general area. The property is not within the Columbia Falls groundwater protection zone. Groundwater data appears to be adequate for on-site septic systems. Previous Nitrate and Phosphorous analysis provided in the application for the original lot, shows that the subdivision can meet standards required by the MDEQ. The new lot will be subject to review by DEQ for compliance with their standards.

2. Natural Vegetation: The property is forested with defensible space around the existing cabins. With the proposed additional lot, there should be plenty of vegetation remaining.



3. Surface Water: There are no surface waters associated with the property.
4. Topographical Features: The site is gently rolling with the greatest topographic change at the south end of the property.
5. Soils Types: The test hole data provided in the application indicates the soils are a gravelly silt loam. These soils are typical of the area and support both buildings and on-site septic.

D. Effects on Local Services:

1. Police: The Flathead County Sheriff Department is responsible for patrolling and responding to this area and the proposed subdivision. Generally, the Flathead County Sheriff's Office has had a standard response to subdivision impacts and that is they will address the needs of the County but response time may be slow depending on the location of the officers on duty at the time.
2. Fire: The proposed subdivision is located within the Columbia Falls Rural Fire District and is approximately 1.5 miles from the Columbia Falls Downtown Fire Station. The property is mapped in the Wildland Urban Interface (WUI) per the Flathead County GIS map and according to the application, the property owner will use defensible space standards to reduce fire risk.
3. Water and Sewer: No impacts to municipal services are anticipated, as the two lots will be served by individual, on-site septic and shared well.
4. Schools: Using County wide average of 0.35 school aged children per residence, (There were 17,446 students recorded with the Flathead County Superintendent of Schools Office including public, private, and home-schooled children at the beginning of the 2022 school year. The US Census Bureau 2020 counted 49,531 housing units in Flathead County – 17,446 students / 49,531 housing units = 0.352 students per unit), the one new residential lot would generate maybe one (1) student to the K – 12 school system.
5. Recreation/Parkland: The Montana Statutes and the City subdivision standards exempt subdivisions creating a single new lot from parkland dedication.
6. Transportation and Circulation: The subdivision fronts on Rocky Lane in Columbia Falls. Since the proposed Lot 1 will not abut a standard street, the applicant will be required to construct the driveway to Columbia Falls Rural Road Standards through Lot 2 to touch Lot 1 and end in a turn-around approved by the Columbia Falls Fire Chief. The minimum travel surface for a rural standard road not eligible for annexation is a 20-foot paved surface.

The new subdivision road is splitting Lot 2 and Chapter 17.14.090.B states that no lot shall be divided by a street, road, alley right-of-way or access easement. The applicant is requesting a subdivision variance from this section.

E. Effects on Agriculture:

The property has never been in agricultural use. The property at some point of time had been logged at least once but has not been in corporate or active silviculture for many years. There will be no impacts on agricultural uses and very limited impact on silviculture.

F. Compliance with Subdivision Design Standards and Regulations:

The proposed subdivision complies with the Columbia Falls Subdivision design standards with the exception of the requested variance to the proposed road splitting Lot 2. The applicant is requesting a variance to Chapter 17.14.090.B.

Variance criteria:

What hardship would be created with strict compliance of subdivision regulations?

The applicant located the subdivision road in its current position because that is where the existing County Road approach is located. In addition, the applicant is showing a future drain field site on the west side of the road where this rule would require the road to go.

1. *Will the granting of the variance be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties?*

Granting the variance will not be detrimental to public health and welfare as it only effects Lot 2. The only reason for this rule is to avoid future lot owners wanting to subdivide off the segregated area even if it does not meet minimum lot sizes. However, in this case with the drain field located west of the road it would not make a good lot anyway.

2. *Will the variance cause a substantial increase in public costs?*

The variance will not increase any cost to the public. It is simply a design element meant to head off bad decisions. In this case, the drain field would preclude the west side being split from the east side of Lot 2.

3. *Will the variance affect, in any manner, the provisions of any adopted zoning regulations or Growth Policy?*

The proposed variance has no bearing on the Columbia Falls Zoning Regulations.

4. *Are there special circumstances related to the physical characteristics of the site (topography, shape, etc.) that create the hardship?*

The physical issues related to the requested variance is that the approach exists for the property and the proposed subdivision shows a drain field on the west side of the proposed road.

5. *What other conditions are unique to this property that creates the need for a variance?*

Other than what has been stated no other unique conditions are applicable.

Based on the variance criteria, staff is recommending that the Planning Board and City Council grant the variance for the subdivision road to divide Lot 2.

III. SUMMARY COMMENTS

The application for preliminary plat approval is in conformance with the Growth Policy, subdivision review criteria, and the Columbia Falls Subdivision Standards.

VI. RECOMMENDATION

After reviewing the findings of fact, staff recommends that the Columbia Falls Planning Board and City Council adopt Staff Report #CPP-23-02 as findings-of-fact, grant the variance to the road dividing Lot 2 (Condition #13), and grant conditional approval for the preliminary plat of Rocky Top Cabins Subdivision. Recommended conditions of approval are as follows:

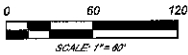
- 1 The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626C. All road names shall appear on the final plat. Street addressing shall be approved by Flathead County:
- 2 The applicant shall comply with all reasonable fire suppression and access requirements of the Columbia Falls Rural Fire District. A letter from the fire chief stating the plat meets the applicable requirements of the District shall be submitted with the application for final plat.
- 3 The internal subdivision road shall be built to a minimum 20-foot paved surface through lot 2 and abutting Lot 1 (CFSR 17.18.090 Table 1). The turn-around shall be approved by the Columbia Falls Fire Chief.
4. The applicant shall provide an updated Flathead County Road Approach permit for the new paved approach.
- 5 All area disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved and implemented shall be submitted with the final plat.
- 6 With the application for final plat, the developer shall provide a compliant Road Users' Agreement per Covenants, Conditions, and Restrictions document which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision.
- 7 The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed, as applicable, by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality.
- 8 The mail delivery site(s) shall be provided with the design and location approved by the local Postmaster of the US Postal Service. A letter from the Postmaster stating that the applicant has met their requirements shall be included with the application for final plat.

9. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All addresses shall be assigned by the Flathead County Address Coordinator and be clearly visible from the road, either at the driveway entrance or on the house. Address numbers shall be at least four inches in height per number.
 - b. All utilities shall be placed underground.
 - c. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - d. Utilize living with wildlife standards provided by Fish Wildlife and Parks
10. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the City Council.
11. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions.
12. Preliminary plat approval is valid for three (3) years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and the following associated timeline(s).
13. The applicants shall provide Columbia Falls Public Works Department an ArcGIS compatible file of the subdivision at final plat.
14. The applicant is not subject to a parkland dedication fee in accordance with 17.14.080.D.d which exempts subdivisions creating only one additional lot.
15. Granting of the requested variance to the Columbia Falls Subdivision Regulations for the subdivision road dividing Lot 2.

BY: BRECKENRIDGE SURVEYING AND MAPPING, PLLC
2302 US HIGHWAY 2 EAST, STE 6
KALISPELL, MT 59901
(406) 752-3539
WM. BRECKENRIDGE, PLS
DARREN R. BRECKENRIDGE, PLS
LUCAS BRECKENRIDGE, PLS

SEC. 7

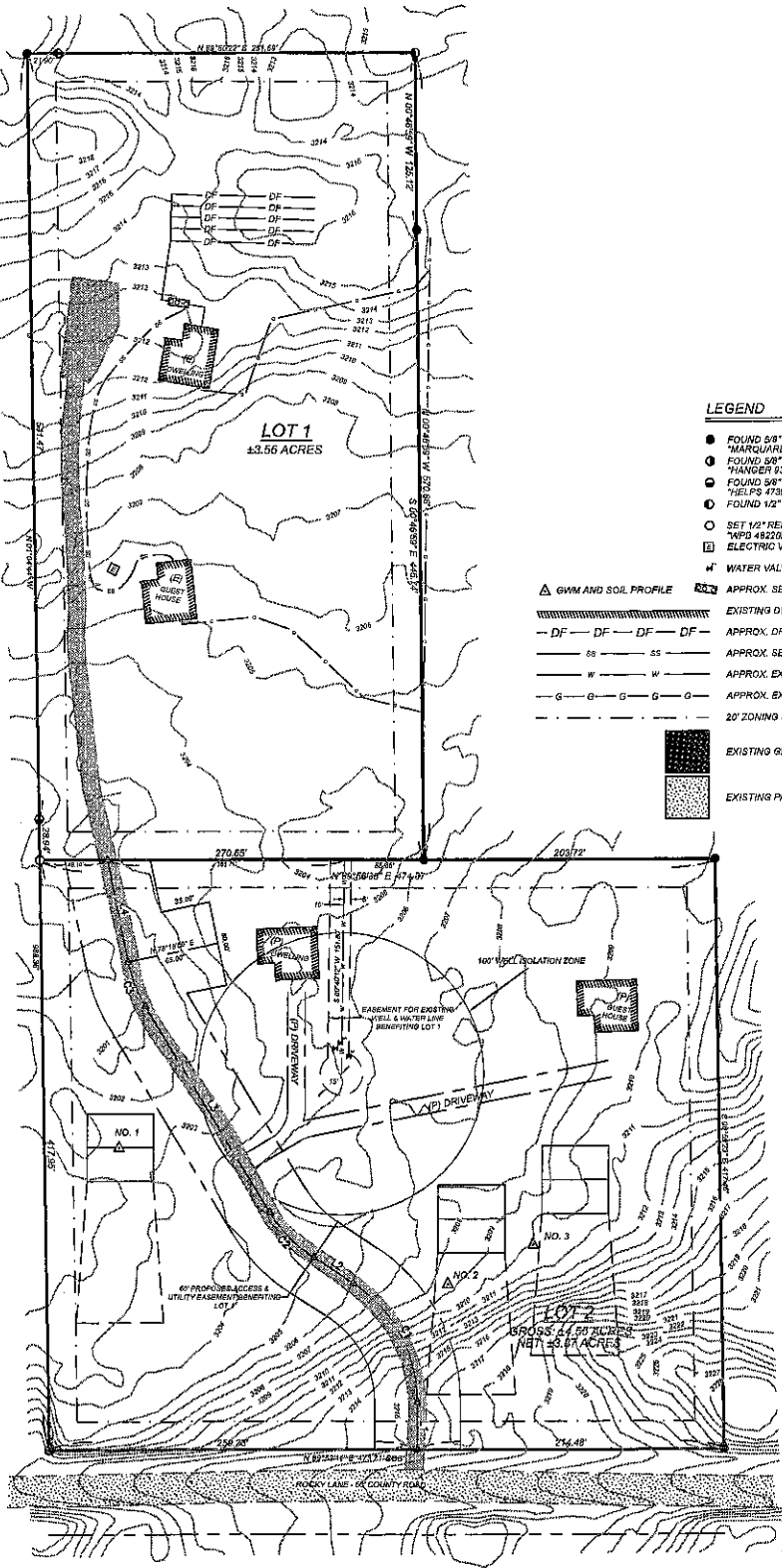
THE PRELIMINARY PLAT OF
ROCKY TOP CABINS SUBDIVISION
IN THE NE 1/4 OF THE NE 1/4 SECTION 7, T. 30 N., R. 20 W.,
PRINCIPAL MERIDIAN, FLATHEAD COUNTY, MONTANA



LEGAL DESCRIPTION

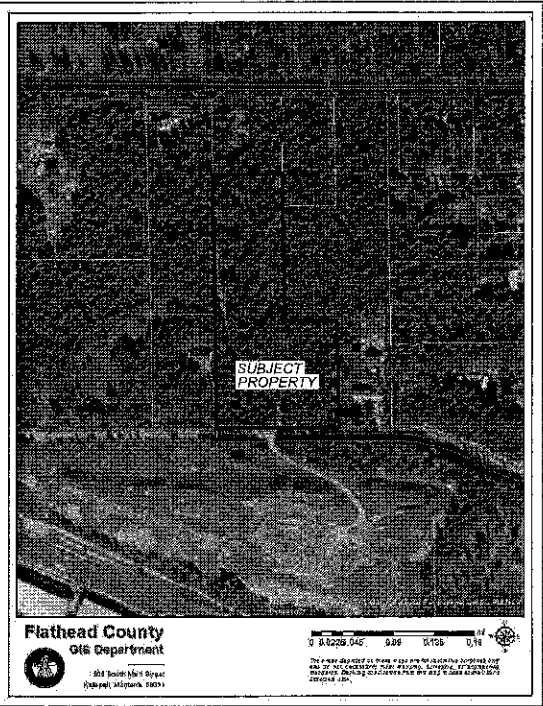
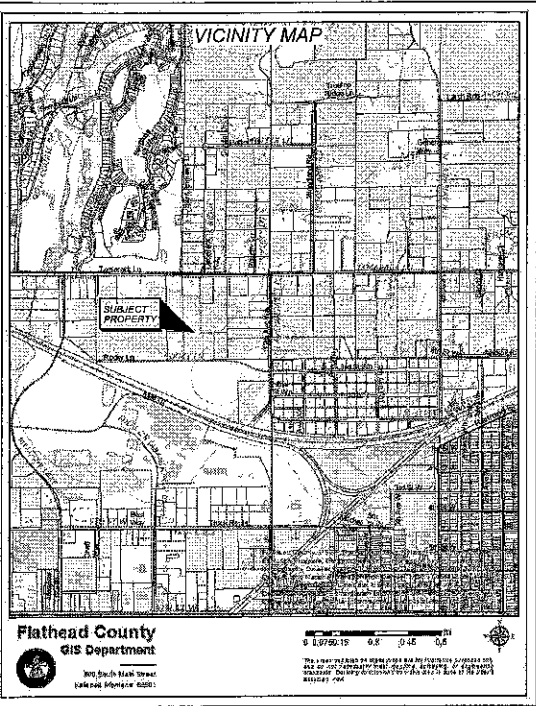
Perimeter:

A tract of land located in the NE 1/4 of the NE 1/4 Sec. 7, T. 30N., R. 20 W., Principal Meridian, Flathead County, Montana; more particularly described as follows:
Parcel A of CDS 21669, records of Flathead County, Montana; containing 8.11 acres, more or less; subject to and together with any existing easements, covenants, conditions, restrictions, or agreements.



LEGEND

- FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "MARGUARDT 73283"
- FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HANGER 13445"
- FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HELPS 47385"
- FOUND 1/2" REBAR (NO CAP)
- SET 1/2" REBAR WITH PLASTIC CAP STAMPED "4879 48220LS"
- ELECTRIC VAULT
- W WATER VALVE
- △ GWM AND SOIL PROFILE
- APPROX. SEPTIC TANK PER PERMIT #21-1083-N
- EXISTING DWELLING
- APPROX. DRAIN FIELD PER PERMIT #21-1083-N
- APPROX. SEWER LINE PER PERMIT #21-1083-N
- APPROX. EXISTING WATERLINE
- APPROX. EXISTING WATERLINE
- 20' ZONING SETBACK
- EXISTING GRAVEL SURFACE
- EXISTING PAVED SURFACE



LINE	BEARING	ANGLE	DISTANCE
1	N 00°05'46" W		14.10
2	S 66°30'54" E	33.44	33.44
3	N 31°08'54" W	170.25	170.25
4	S 11°51'10" E	74.07	74.07

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00	98.70	34.73	N 28°23'52" W	55°33'04"
C2	100.00	44.29	14.23	S 43°53'27" W	25°32'58"
C3	100.00	33.81	11.75	S 21°24'02" E	18°26'45"



CERTIFICATE OF SURVEYOR

LICENSE NUMBER 48220LS

FOR OWNERS: HERBERT ENTERPRISES LLC.
DATE: JANUARY, 2023
DRAFTED BY: TGH
FILE: E:\B\SM\HERBERT\DWG\221116-HERBERT-BLA.DWG



Planning Department

Item No.5.

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

PHONE (406) 892-4391

FAX (406) 892-4413

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

FEE ATTACHED _____

Base Fee: \$1000 First 20 lots: \$80/lot
Each lot over 20: \$40/lot

Letters to Adjoining Property Owners: \$5 per address

SUBDIVISION NAME: Rocky Top Subdivision

OWNER(S) OF RECORD:

Name HERBERT ENTERPRISES LLC Phone 406.261.0874
Mailing Address PO BOX 357
City COLUMBIA FALLS State MT Zip 59912

TECHNICAL/PROFESSIONAL PARTICIPANTS (Surveyor/Designer/Engineer, etc):

Name & Address BRECKENRIDGE SURVEYING, 2302 HWY 2 EAST #6, KALISPELL

Name & Address WET ENVIRONMENTAL, KALISPELL, MT

Name & Address _____

LEGAL DESCRIPTION OF PROPERTY:

Property Address 269 ROCKY LN
Assessor's Tract No(s) 0451456 Lot No(s) 2
1/4 Sec NE4NE4 Section 7 Township 30 N Range 20 W

GENERAL DESCRIPTION OF SUBDIVISION:

Number of Lots or Rental Spaces	<u>2</u>	Total Acreage in Subdivision	<u>8.11 acres</u>
Total Acreage in Lots	<u>8.11</u>	Minimum Size of Lots or Spaces	<u>2.34</u>
Total Acreage in Streets or Roads	<u>0.25</u>	Maximum Size of Lots or Spaces	<u>5.76</u>
Total Acreage in Parks, Open Spaces and/or Common Areas			<u>0.00</u>

PROPOSED USE(S) AND NUMBER OF ASSOCIATED LOTS/SPACES:

Single Family	<u>w/ Guest House</u>	Townhouse		Mobile Home Park	
Duplex		Apartment		Recreational Vehicle Park	
Commercial		Industrial		Planned Unit Development	
Condominium		Multi-Family		Other	

07/01/16

ESTIMATE OF MARKET VALUE BEFORE IMPROVEMENTS \$650,000

IMPROVEMENTS TO BE PROVIDED:

Roads: Gravel ☒ Paved _____ Curb _____ Gutter _____ Sidewalks _____ Alleys _____ Other _____
Water System: Individual _____ Multiple User ☒ Neighborhood _____ Public _____ Other _____
Sewer System: Individual ☒ Multiple User _____ Neighborhood _____ Public _____ Other _____
Other Utilities: Cable TV _____ Telephone ☒ Electric ☒ Gas ☒ Other _____
Solid Waste: Home Pick Up _____ Central Storage _____ Contract Hauler _____ Owner Haul ☒
Mail Delivery: Central _____ Individual ☒ School District: SD 6
Fire Protection: Hydrants _____ Tanker Recharge _____ Fire District: COLUMBIA FALLS RURAL
Drainage System: _____

PROPOSED EROSION/SEDIMENTATION CONTROL: BMPs for all new construction.
 Driveway is built to both lots and accessed off of Rocky Top Drive, a paved county road.

ESTIMATE OF IMPACTS:

Provide an estimate of the type and amount of impact the subdivision will have on the following categories of the natural and operating environment:

A. Impacts on agriculture

Agriculture is defined as all aspects of farming or ranching including the cultivation or tilling of soil; dairying; the production, cultivation, growing, harvesting of agricultural or horticultural commodities; raising of livestock, bees, fur-bearing animals or poultry; and any practices including, forestry or lumbering operations, including preparation for market or delivery to storage, to market, or to carriers for transportation to market.

According to the Montana Dept. of Revenue Property Report Card, there are no agricultural facilities on this property. The soils survey shows grades up to 12% for this property.

B. Impact on agricultural water user facilities

Agricultural water user facilities are defined as those facilities which provide water for irrigation or stock watering to agricultural lands for the production of agricultural products. These facilities include, but are not limited to, ditches, head gates, pipes, and other water conveying facilities.

There are no irrigation facilities that are appurtenant to this property. There are no impacts.

C. Impact on local services

Local services are defined as any and all services that local governments, public or private utilities are authorized to provide for the benefit of their citizens.

The property is partially developed with two cabins on the north western part of the property. The addition of one additional lot with a guest house should not impact the services already servicing the the property. Gas, electric and a paved road are adjacent. The zoning calls for a higher density than is proposed.

APPLICATION CONTENTS:

The subdivider shall submit a complete application addressing items below to the Columbia Falls Planning Department at least thirty five (35) days **prior** to the date of the Planning Board meeting at which it will be heard.

1. Preliminary plat application;
2. All information required in **Appendix A** and **B** of the Columbia Falls Title 17 Subdivision Regulations;
3. Two copies of the preliminary plat not less than 24 in. x 36 in.;
4. One reduced copy of the preliminary plat, each sheet not to exceed 11 in. by 17 in., nor less than 8½ in. by 11 in., in a size appropriate to the detail and scope of the development, and printed on a medium suitable for photocopier use;
5. One reproducible set of supplemental information (See Appendix A of this title);
6. Application fee as established by the City;
7. Adjoining Property Owners List (see example below and attached notice from County Plat Room):

<u>Assessor#</u>	<u>Sec-Twn-Rng</u>	<u>Lot/Tract No</u>	<u>Property Owner & Mailing Address</u>
------------------	--------------------	---------------------	---

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded, and other appropriate action taken. The signing of this application signifies approval for the Columbia Falls Planning staff to be present on the property for routine monitoring and inspection during the approval and development process.

(Applicant)

4-20-23
(Date)

Part 1 – Application Supplements

- a.) A fee simple property deed or other instrument showing title of ownership for property being subdivided. No subdivision application is allowed on a parcel or tract of land which is not recorded or recognized by the county assessor.**



Debbie Pierson, Flathead County MT by AW

202100007030

Page: 1 of 1

Print: \$7.00

3/2/2021 10:17 AM

Item No.5.

Return To and Taxes:
Chaemous Herbert
715 N Hilltop Rd
Columbia Falls, MT 59912

Alliance Title & Escrow, LLC Order No.: 534254

Approved 03/02/2021 sc 0451456 ptn

WARRANTY DEED

For Value Received

Jesse T. Johnston

The grantor(s), do(es) hereby grant, bargain, sell and convey unto

Chaemous Herbert

Whose current address is 715 N Hilltop Rd, Columbia Falls, MT 59912

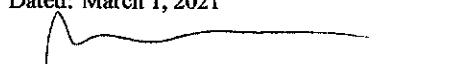
The grantee(s), the following described premises, in Flathead County, Montana, TO WIT:

Parcel A of Certificate of Survey No. 21669, located in the Northeast Quarter of the Northeast Quarter of Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way of record.

And that he/she/they will warrant and defend the same from all lawful claims whatsoever.

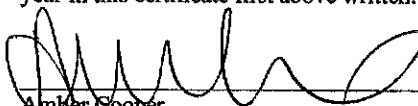
Dated: March 1, 2021

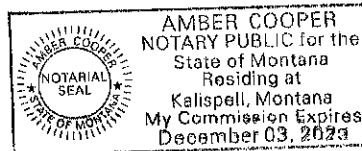

Jesse T. Johnston

State of Montana } ss
County of Flathead }

On this 2nd day of March, 2021, before me, Amber Cooper, a Notary Public in and for said state, personally appeared Jesse T. Johnston, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Amber Cooper
Notary Public for the State of Montana
Residing at: Kalispell
Commission Expires: December 03, 2023



Return To:
~~Chameous Herbert~~

ORDER NO.: 552551

Herbert Enterprises
P.O. Box 357
Columbia Falls, MT 59912

QUITCLAIM DEED

FOR VALUE RECEIVED,
~~Chameous Herbert~~
Chameous Herbert

do(es) hereby convey, release, remise and forever quitclaim unto

Herbert Enterprises LLC

whose current address is: PO Box 357 Columbia Falls, MT 59912

the following described premises:

Parcel A of Certificate of Survey No. 21669, located in the Northeast Quarter of the Northeast Quarter of Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

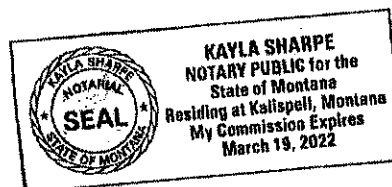
TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

Dated: April 13, 2021

Chameous Herbert
Chameous
State of MT } ss
County of Flathead

On this 20 day of April, 2021, before me, KAYLA SHARPE, a Notary Public in and for said state, personally appeared Chameous Herbert, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kayla Sharpe
Notary Public for the State of MT
Residing at: Kalispell
Commission Expires: 3/19/2022



0451456 SC
Approved 05/03/2021 SC

Property Record Card

Summary

Primary Information

Property Category: RP
Geocode: 07-4186-07-1-03-15-0000
Primary Owner:
 HERBERT ENTERPRISES LLC
 PO BOX 357
 COLUMBIA FALLS, MT 59912-0357
Subcategory: Residential Property
Assessment Code: 0000451456
PropertyAddress: 269 ROCKY LN
 COLUMBIA FALLS, MT 59912
COS Parcel: N/A

NOTE: See the Owner tab for all owner information

Certificate of Survey: 15461-A

Subdivision:

Legal Description:

S07, T30 N, R20 W, ACRES 8.11, CS 21669-A, TR 1 IN NE4NE4

Last Modified: 7/14/2022 4:23:18 AM

General Property Information

Neighborhood: 207.360.0
Living Units: 0
Zoning:
Linked Property:
Property Type: VAC_R - Vacant Land - Rural
Levy District: 07-131217-06 - GX
Ownership %: 100

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0 **Limited:** 0

Property Factors

Topography:
Utilities:
Access:
Location:
Fronting:
Parking Type:
Parking Quantity:
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	8.110	137,724.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
4/20/2021			5/3/2021	202100015412	Quit Claim Deed
3/1/2021			3/2/2021	202100007030	Warranty Deed
2/24/2020			2/27/2020	202000005216	Warranty Deed

7/19/2011		7/19/2011	201100014729	Quit Claim Deed
10/23/2009		10/23/2009	200900029989	Grant

Owners

Party #1

Default Information: HERBERT ENTERPRISES LLC
PO BOX 357

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Conversion

Last Modified: 11/29/2021 2:55:25 PM

Other Names

Other Addresses

Name

Type

Appraisals**Appraisal History**

Tax Year	Land Value	Building Value	Total Value	Method
2022	137724	0	137724	COST
2021	15441	0	15441	COST
2020	11614	0	11614	COST

Market Land

Market Land Item #1

Method: Acre**Type:** Primary Site**Width:****Depth:****Square Feet:** 00**Acres:** 8.11

Valuation

Class Code: 2101**Value:** 137724**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

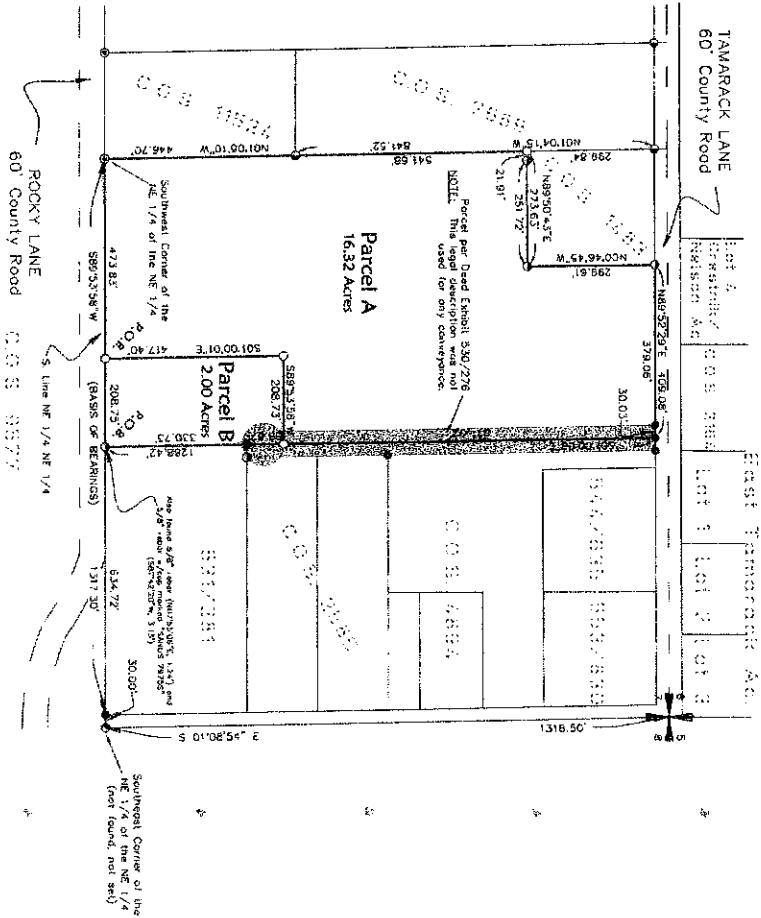
Part 1 – Application Supplements

- b.) A copy of each COS or Subdivision plat(s) pertaining to the subject parcel or recorded since July 1, 1973.**

OWNER:
Philip E. Kiser
PLATPOSE:
County Transfer
DATE
July 26, 2002

Certificate of Survey NE1/4 NE1/4 Section 7, T 30 N R 20 W, P.M., M. Flathead County, Montana

TR1-04514510



- LEGEND
- Found Brass Cap For Section Corner
 - 1/8" Corner
 - Found 5/8" Pipe
 - Found 1/2" Nail
 - Found 5/8" Rebar With Plastic Cap Marked HELPS 473957
 - Found 5/8" Rebar With Plastic Cap Marked HANDLER 531457
 - Set 5/8" x 24" Rebar With Plastic Cap Marked HANDLER 531457



Parcel A
That portion of the Northeast 1/4 of the Northeast 1/4, Section 7, Township 30 North, Range 20 West, P.M., M., Flathead County, Montana described as follows:
Beginning at the Southeast corner of the Northeast 1/4 of the Northeast 1/4;
Thence along the South line of the Northeast 1/4 of the Northeast 1/4;
South 89°53'58" West 873.47 feet to the Point of Beginning;
Thence continuing along the South line of the Northeast 1/4 of the Northeast 1/4;
South 89°53'58" West 208.73 feet to the Point of Beginning;
Thence North 07°04'15" East 446.70 feet;
Thence North 07°04'15" East 541.68 feet;
Thence North 89°50'43" East 273.63 feet;
Thence North 00°46'45" West 299.51 feet to the South line of Tamarack Lane;
Thence along the South line of Tamarack Lane North 89°52'29" East 400.08 feet;
Thence South 07°03'06" East 87.02 feet;
Thence South 07°03'06" East 417.40 feet to the Point of Beginning;
Containing 16.32 acres of land all as shown hereon.
Subject to easements of record.

Parcel B
That portion of the Northeast 1/4 of the Northeast 1/4, Section 7, Township 30 North, Range 20 West, P.M., M., Flathead County, Montana described as follows:
Beginning at the Southeast corner of the Northeast 1/4 of the Northeast 1/4;
Thence along the South line of the Northeast 1/4 of the Northeast 1/4;
South 89°53'58" West 864.72 feet to the Point of Beginning;
Thence continuing along the South line of the Northeast 1/4 of the Northeast 1/4;
South 89°53'58" West 208.73 feet to the Point of Beginning;
Thence North 07°04'15" East 446.70 feet;
Thence North 07°04'15" East 541.68 feet;
Thence North 89°50'43" East 273.63 feet;
Thence North 00°46'45" West 299.51 feet to the Point of Beginning;
Containing 2.00 acres of land all as shown hereon.
Subject to easements of record.

Owner Certification
I hereby certify that the purpose of this division of land is to transfer Parcel B as shown on the map to the Flathead County, Montana. I hereby certify that I am entitled to use this exemption and am in compliance with all conditions imposed by law and regulation on the use of this exemption. Therefore, this division of land is exempt from review as a subdivision pursuant to Section 76-3-207(1)(b), M.C.L.

Philip E. Kiser
STATE OF MONTANA
County of Flathead
This instrument was acknowledged before me on July 16, 2002
by PHILIP E. KISER.
Notary Public for the State of Montana
Residing at Flathead
My Commission Expires 5-22-03

Approved: 11/3 2002
Notary Public for the State of Montana
Residing at Flathead
My Commission Expires 5-22-03
Beginning Land Survey
Registration No. 54285

CERTIFICATE OF SURVEYOR
DAVID W. KODAK
Registration No. 73285
Date 11-16-03
STATE OF MONTANA
County of Flathead
Filed for the 17th day of June, 2003 at 4:33 o'clock P.M.
County Clerk and Recorder
By: Charles H. Kiser
Deputy

CERTIFICATE OF SURVEY NO. 154461
Instrument Record No. 00830141630
Date: April 1, 2002
Project Name: Kiser Plot
Project Number: 02-048
Drawn By: E.K.
Field Crew:
Revised Date: n/a
Project Number: 02-048

KISER

Part 1 – Application Supplements

- c.) Environmental Assessment which meets the requirements of Appendix C.

Part 1 – Application Supplements

- d.) If the subdivision is a first minor subdivision a summary of probable impacts, Appendix D (First Minor Subdivision Impact Criteria), including any mitigation of impacts;

Not Applicable

Part 1 – Application Supplements

- e.) A Fire Prevention Control and Fuels Reduction Plan for subs. In a Wildland Urban Interface.

OFFICE LOCATION & MAILING: 2302 Highway 2 East #6, Kalispell, MT 59901
Phone: (406) 261-7758 Email: rbreck77@yahoo.com

SURVEYING • MAPPING • GEODETIC CONSULTING

**Fire Prevention, Control and Fuels Reduction Plan
Rocky Top Cabin Subdivision
In Section 7, T. 30 N., R. 20 W.
269 Rocky Top Lane**

3. Number of lots and average size (In acres).

2 lots. One existing. One created. 4 acres average.

4. Length of primary access road.

The primary access road is approximately 485 feet. It is currently a driveway that will have to be improved for the subdivision.

5. Name of road the primary access connects with.

Rocky Lane.

6. An analysis of the wildfire hazards on the site and in the vicinity of the property, as influenced by existing vegetation, fuel types, topography, fire history, land uses and other factors.

From Photo 1, the two lots are heavily wooded and will need clearing around the existing structures as part of a fuel reduction program. The topography is a low, flat land with residential development around the perimeter of the property. There is a drainage to the west that bisects the project that shows intermittent flows based on the Stream Stats model. The existing vegetation is fir, spruce and birch. There are no grass fuel accumulating as this and the surrounding parcels are heavily timbered. There will be fuel reduction measures once the roads are widened and improved and two more houses are built and the land utilized to its' fullest capacity. Selective areas of fire reduction necessary for this property but the intermittent water source should be protected with setbacks. According to the National Wetlands Inventory, there are no wetlands on this property.

7. A map showing the areas that are to be cleared and/or thinned of wildland vegetation to reduce fuel loading, provide for safe ingress and egress and/or provide fire breaks, open, maintained parkland and/or areas that may provide on or more safe zones.

This is a subdivision where there is not any parkland dedication. The proposal is to reduce the trees within 20' of the existing houses and clear the area around the proposed cabins within 20' of the foundation. Also, to clear the right of way of trees, 30' each side of the centerline and 16' of the centerline of the driveways. This will create a fire break to the adjoining properties as well as reduce fuels on this project. The house will also need fire resistant roofing and metal roofing would be preferable. The fuels are recent growth so there is no laddering effect from tight fir or spruce growth. In 50 years, this could change and so maintaining the area is important as well.

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Item No.5.

OFFICE LOCATION & MAILING: 2302 Highway 2 East #6, Kalispell, MT 59901
Phone: (406) 261-7758 Email: rbreck77@yahoo.com

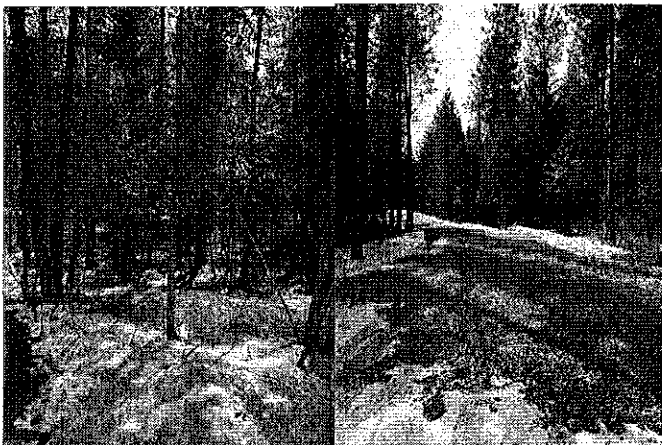
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Cabin on Lot 2



Lot 1 Cabin



Vegetation



Main driveway from cul-de-sac

8. An identification of roads, driveways, secondary access routes and drainage crossings that may be used for fire suppression activities along with proposed specifications (width, grade, construction standards, etc.)

The property is bounded by a county road on the south boundary and by residential development on the entirety of the north, east and west adjoining lands. The photo that shows the driveway from the northerly lot, will make a good firebreak once it is brought up to city standards and the fuel is removed within the right of way. There is no secondary access. StreamStats shows an intermittent stream just to the right of the driveway. I saw no evidence although there was still snow on the ground when I did this analysis.

9. A discussion of the existing and proposed resources available to fight fire within the subdivision including water supply, equipment, facilities, and personnel. This discussion must evaluate the potential impacts of the proposed subdivision on the resources of the local fire protection authority, and discuss measures proposed by the subdivider to mitigate potential impacts.

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*A **wildland fire** is any non-structure fire that occurs in areas of vegetation or natural fuels and can be either prescribed fire or wildfire. Wildland fire occurs when vegetation, or "fuel," such as grass, leaf litter, trees, or shrubs, is exposed to an ignition source and the conditions for combustion are met, resulting in fire growth and spread through adjacent combustible material. This project is in the WUI boundary but it does not fit the wildland fire hazards definition.*

The Smith Valley Volunteer Fire Department fire station is within a mile of this project. The density of the subdivision is one dwelling per 30 acres with only one additional dwelling. The resources of the current station is more than capable of handling any call in this area as there is plenty of accessible water including Ashley Creek at the bridge crosses on Smith Lake Road to recharge fire suppression tankers if needed..

An evaluation of the potential impacts must have a risk assessment before those impacts can be identified and mitigated. Generally, wildfire risk is assessed through combining the following:

- *Ignition probability*
- *Fire behavior potential*
- *Vulnerability of the values at risk to direct fire impingement (convective and radiant heat from the fire front) and indirect ignition (airborne embers transported ahead of the fire perimeter)*

All of these risk assessment factors are minimal in this area of the Smith Lake/Ashley Creek drainage. There are no trees to transport heat from the fire front; grasses create minimal airborne embers and there are no overhead high voltage electrical lines to consider. A fire event could occur during haying operations because there is low humidity and very dry conditions needed to put up good hay. Lot 2 will have approximately 18 acres of hay ground and Lot 1 will be about the same. Long haying hours will most likely not be a part of this agriculture operations.

10. Information sources used in the preparation of the plan and the preparer's qualifications

The Montana Department of Natural Resources has a WUI risk assessment portal. The url for this project is located at:

<https://apps.intterra.com/sa/?group=MtState&#/WildfireRisk/AddLayer/48.1448/-114.4306/16>

All of these parameters have been entered into the portal. The results are attached.

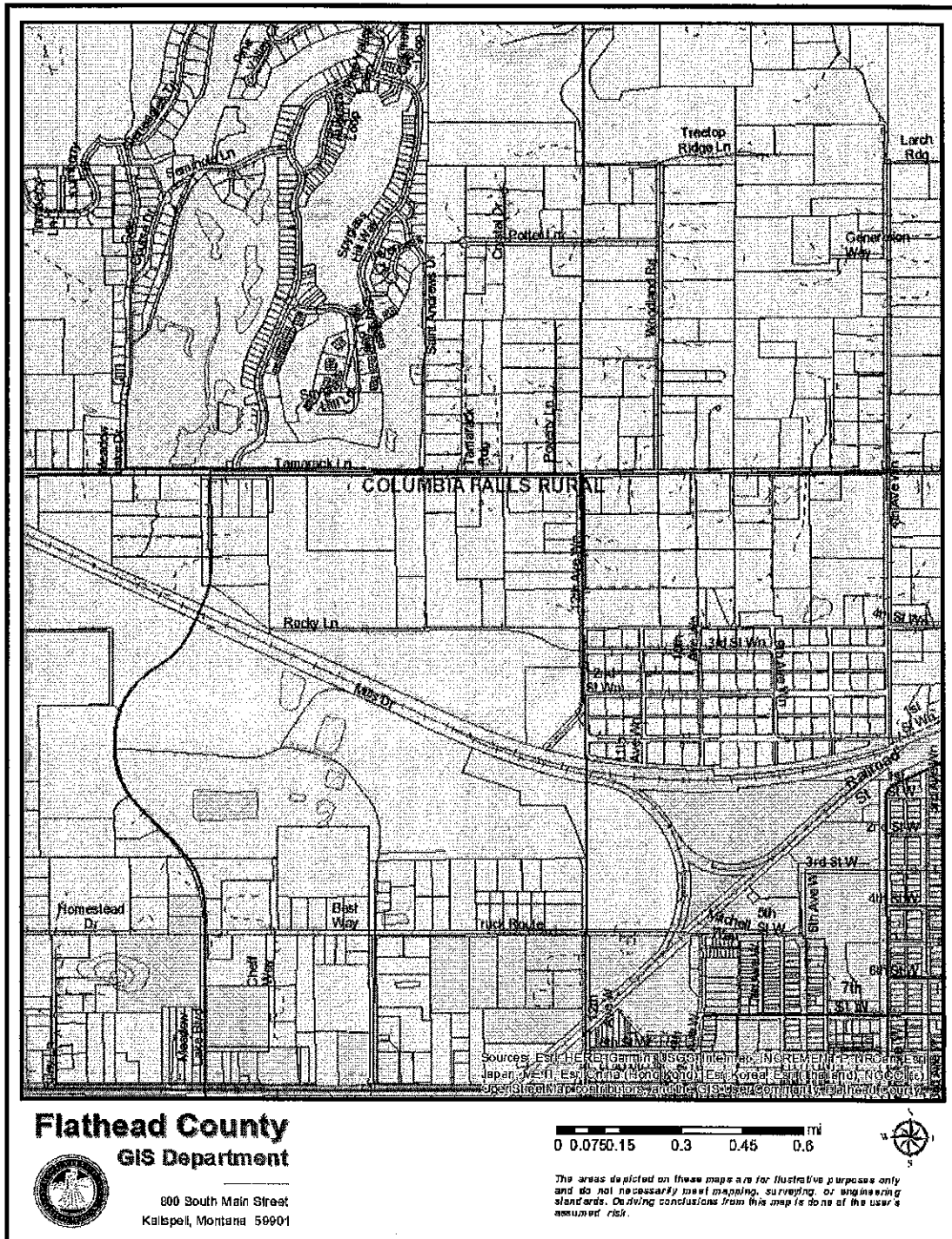
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The property is included in the Columbia Falls Rural Fire Department boundary. (Flathead GIS).

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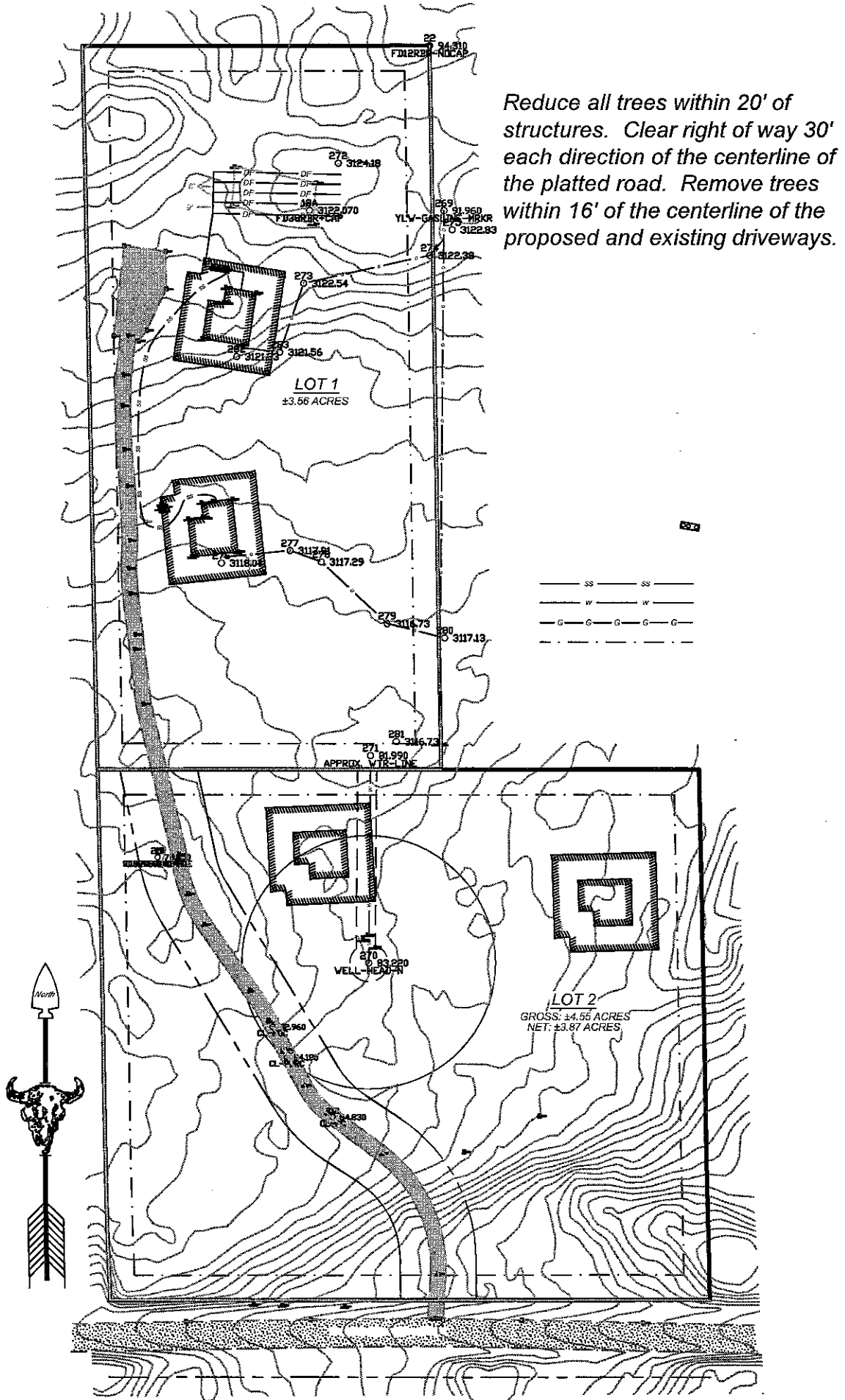
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Phone: (406) 261-7758 Email: rbreck77@yahoo.com

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Evaluation and plan was prepared by Rick Breckenridge, PLS and with the onsite assistance by the Department of Natural Resources fire reduction specialist.

EXHIBIT

Fuel Reduction Plan



BY: BRECKENRIDGE SURVEYING & MAPPING, PLLC
2302 US HIGHWAY 2 EAST, STE 6
KALISPELL, MT 59901
(406) 752-3539

Part 1 – Application Supplements

f.) A Flood Hazard Evaluation

National Flood Hazard Layer FIRMette



122°W 48°23'N

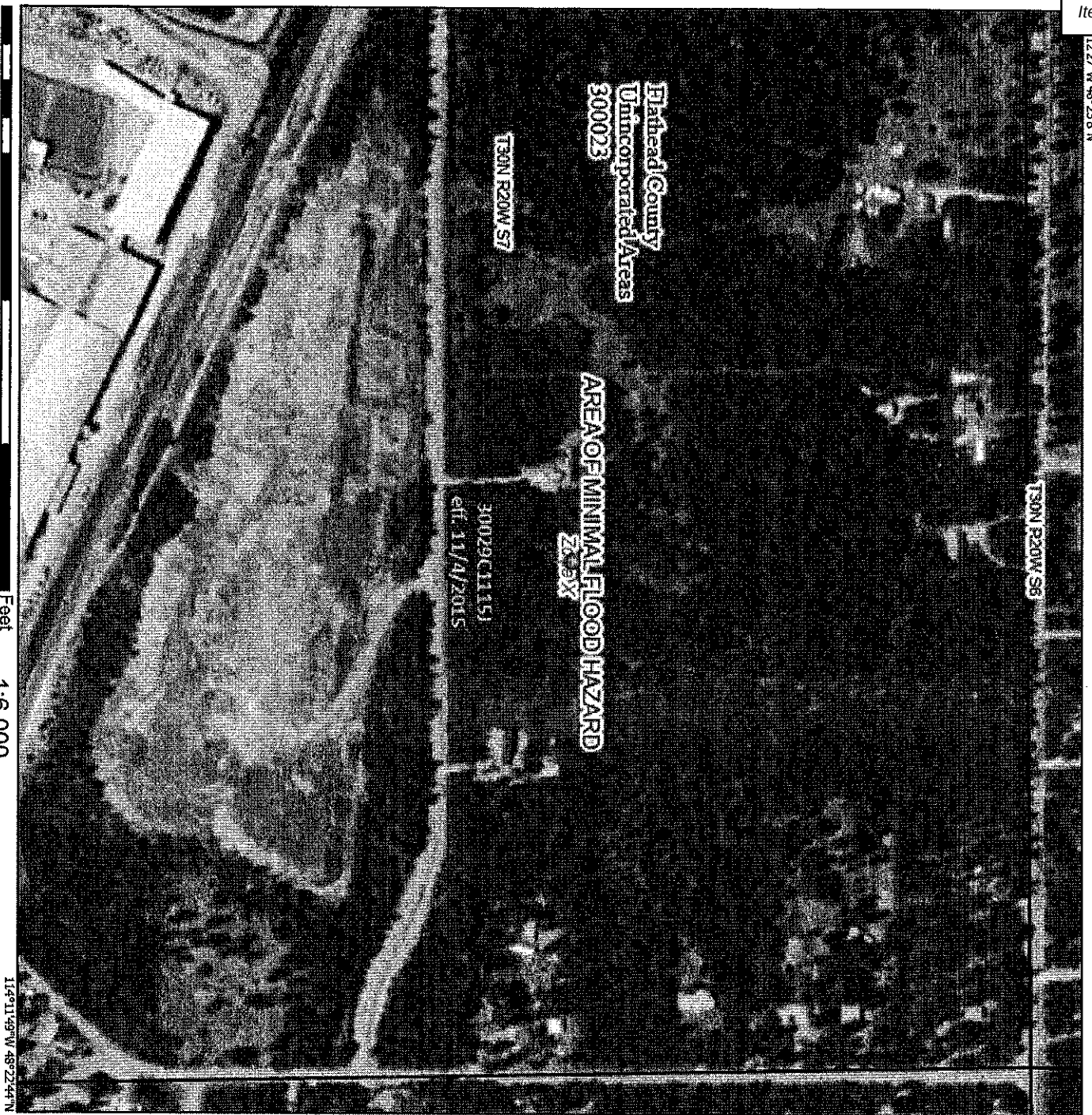
T30N R20W S8

Blathead County
Unincorporated Areas
300023

T30N R20W S7

AREA OF MINIMAL FLOOD HAZARD
Zone X

300029C11115)
etl. 11/4/2015



0 250 500 1,000 1,500 2,000 Feet

Base map: USGS National Map: Orthoimagery: Data refreshed October, 2020

114°11'49" W 48°22'44" N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone X
With BFE or Depth Zone AE, AO, AH, VE, AR
Regulatory Floodway

0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes, Zone X

OTHER AREAS OF FLOOD HAZARD

Area with Flood Risk due to Levee Zone B

OTHER AREAS

NO SCREEN Area of Minimal Flood Hazard Zone X
Effective LOMRs
Area of Undetermined Flood Hazard Zone B

GENERAL STRUCTURES

Channel, Culvert, or Storm Sewer
Levee, Dike, or Floodwall

OTHER FEATURES

20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
17.5 Coastal Transect
Base Flood Elevation Line (BFE)
Limit of Study
Jurisdiction Boundary
Coastal Transect Baseline
Profile Baseline
Hydrographic Feature

MAP PANELS

☐ Digital Data Available
☐ No Digital Data Available
☒ Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 5/4/2023 at 2:10 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRMI panel number, and FIRMI effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Part 1 – Application Supplements

g.) A conceptual storm water drainage plan

STORM DRAIN REPORT PER DEQ 8 **JOHNSTON FAMILY TRANSFER**

General information:

A. Johnston Family Transfer

Owner: Jesse Johnston
7210 Hwy 2 E
Columbia Falls MT 59912

B. NA

C (1-4). The subject building areas are 2-3% slope to the south south west, with steeper slopes up to 8% toward the south half of the property. The geomorphology of the area is typical glacial till with linear moraines forming gentle bench topography. The property is a thinned conifer forest with typical native shrubs and grasses. The general stormwater flow will be by overland sheet flow through the native vegetation. The property surrounding this is primarily large to moderate parcel size residential development.

A. Initial Stormwater Facility:

Parcel A: rooftop/drive = 479 (ISFV), 2YR = 755 (based on pre development)

Parcel B & C: rooftop/drive = 271 (ISFV), 2YR = 393

E. The overland flow will be directed by driveway ditches that will convey stormwater to retention swale(s) to retain the 2YR event. The driveway ditches are noted to terminate driveway ends before County roads directed to the retention swales. Since the development is up gradient of the ditches and will convey stormwater to the retention swales the driveway, building sites or drainfields will not be inundated during the 100YR storm event. The 10 YR is shown to not overtop the driveways.

F. This property is a large near level bench where existing slopes go south south west through the property. There are no pass through stormwater flows as any higher ground is part of Meadowlake Golf course and is bordered by Tamarack Lane of which is a County road (with road side ditches to retain stormwater on the north side of the road).

G. Enclosed

STORM WATER DESIGN**DEQ 8**

PROJECT NAME: Johnston ET

TRACT/LOT/PARCEL# A, B, and C

2YR 24HR**PARCEL A:****VOLUME: ROOFTOP/DRIVE**755 = cu ft of water generated by buildings**AREA: ROOFTOP/DRIVE**64ft long X 12ft wide X 2ft deep = Retention swale size, as shown.SPLIT IN 2 SWALES EITHER SIDE OF DRIVE; 2-32ft long X 12ft wide X 2ft deep = Retention swale size, as shown**AREA: DRIVE**

Full length of 3ft wide X 1.0 ft deep with 3:1 slopes ditch along both sides of driveway/parking area as shown.

PARCELS B AND C:**VOLUME: ROOFTOP/DRIVE**393 = cu ft of water generated by buildings**AREA: ROOFTOP/DRIVE**33ft long X 12ft wide X 2ft deep = Retention swale size, as shown**AREA: DRIVE**

Full length of 3ft wide X 1.0 ft deep with 3:1 slopes ditch along both sides of driveway/parking area as shown.

SEE CONSTRUCTION DETAIL

Appendix G: Standard Storm Drainage Plan

Subdivision Name: Johnston
 SDC: 1
 County: Flathead
 Location: A
 Lot/Area No.: A

Rational Method Co-Efficients (C)	
0.9	Paved/hard surfaces
0.8	Gravel surfaces
0.5	Lawn/landscaping
0.2	Unimproved areas

Intensity Values	
2-year, T _c	Inches/hour
2-year, 24-hour	1.45
10-year, T _c	Inches/hour
10-year, 24-hour	2.1
100-year, T _c	Inches/hour
100-year, 24-hour	3.14

10-year = 479.4
 24-hr = 755.4

Total Area/Lot Size: 352836 ft²
 Initial Stormwater Facility Volume (0.5" x Impervious Area) = 479.47 ft³

Pre-Development Characteristics		2-year, T _c (flow rate)	2-year, 24-hour (volume)	10-year, T _c (flow rate)	10-year, 24-hour (volume)	100-year, T _c (flow rate)	100-year, 24-hour (volume)
Paved/House Area	0 acres	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³
Gravel Area	0 acres	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³
Lawn/Landscaping	0 acres	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³
Unimproved Area	8.1 acres	Q = 0.000 ft ³ /sec	V = 352836 ft ³	Q = 0.000 ft ³ /sec	V = 352836 ft ³	Q = 0.000 ft ³ /sec	V = 352836 ft ³
Total	8.1 acres	Q_{total} = 0.000 ft³/sec	V_{total} = 352836 ft³	Q_{total} = 0.000 ft³/sec	V_{total} = 352836 ft³	Q_{total} = 0.000 ft³/sec	V_{total} = 352836 ft³

Post-Development Characteristics		2-year, T _c (flow rate)	2-year, 24-hour (volume)	10-year, T _c (flow rate)	10-year, 24-hour (volume)	100-year, T _c (flow rate)	100-year, 24-hour (volume)
Paved/House Area	0.080348944 acres	Q = 0.000 ft ³ /sec	V = 380.625 ft ³	Q = 0.000 ft ³ /sec	V = 551.250 ft ³	Q = 0.000 ft ³ /sec	V = 824.250 ft ³
Gravel Area	0.183654729 acres	Q = 0.000 ft ³ /sec	V = 778.393 ft ³	Q = 0.000 ft ³ /sec	V = 175.000 ft ³	Q = 0.000 ft ³ /sec	V = 261.667 ft ³
Lawn/Landscaping	0.229508411 acres	Q = 0.000 ft ³ /sec	V = 120.833 ft ³	Q = 0.000 ft ³ /sec	V = 175.000 ft ³	Q = 0.000 ft ³ /sec	V = 261.667 ft ³
Unimproved Area	7.606477916 acres	Q = 0.000 ft ³ /sec	V = 8007.287 ft ³	Q = 0.000 ft ³ /sec	V = 8007.287 ft ³	Q = 0.000 ft ³ /sec	V = 8007.287 ft ³
Total	8.1 acres	Q_{total} = 0.000 ft³/sec	V_{total} = 9287.078 ft³	Q_{total} = 0.000 ft³/sec	V_{total} = 8007.287 ft³	Q_{total} = 0.000 ft³/sec	V_{total} = 8007.287 ft³

Required Minimum Facility Volume: 755.21 ft³

= Input Field

24-hr = 755.4 / 12 ft/s = 63 ft x 12 ft x 2 ft
 2 - snakes split on drive: 32 ft x 12 ft x 2 ft (see layout)

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 & SUBDIVISIONS

Flow Data for DEQ 8

Parcel A

1. Total Drainage Area Size

Drainage Area Size (sq. ft.)	352,836.00
------------------------------	------------

2. Pre-development Drainage Area Characteristics:

Surface Type	Square Footage	Acres
Paved Areas	0.00	0.00
Structures		0.00
Graveled Area		0.00
Landscape		0.00
Unimproved	352,836.00	8.10
Total lot size	352,836.00	8.10

3. Post-development Drainage Area Characteristics:

Surface Type	Square Footage	Acres
Paved Areas	0.00	0.00
Structures	3,500.00	0.08
Graveled Area	8,000.00	0.18
Landscape	10,000.00	0.23
Unimproved	331,336.00	7.61
Total lot size	352,836.00	8.10

4. Required Initial Stormwater Facility Volume (Retained on Site)

	Cubic Feet	Acre-Feet
Retained First 0.5 Inch runoff volume	479.17	0.01

5. Weighted Coefficient

Surface Type	Pre-Development	Post-Development
Paved Areas	0.00	0.00
Structures	0.00	0.07
Graveled Area	0.00	0.15
Landscape	0.00	0.02
Unimproved	1.62	1.52
Total Weighted Coef.	1.62	1.76
Cw	0.20	0.218

6. Flow Calculation (cfs)

Frequency of Storm Event	Pre-Development	Post-Development	Change (Post-Pre)
2-year	0.69	0.71	0.01
10-year	1.23	1.24	
100-year	1.99	2.02	

7. Volume Calculation (cf)

Frequency of Storm Event	Pre-Development	Post-Development	Change (Post-Pre)
2-year	2,500.23	2,540.29	40.06
10-year	4,419.87	4,480.30	60.43
100-year	7,166.26	7,255.84	89.58

8. Final Required Volume

DEQ 8 Final Minimum Pond Size (cf)	479.17
Simplified Storm Water Plan Minimum Pond Size (cf)	1,743.29

A

attorney	487.36
longitudinal	.1102
distance to closest station (mi)	0.71
closest meteorological station	COLUMBIA FALLS, IDAHO
1-hour, 24-hour precipitation (in)	1.44

73 Foxglove Bay, 19th Avenue Park

21; Harris at Long Hightstown) and listed it from 1917 (24-26 for station records).

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Total Time of Concentration (min)	65.46
Relatd Intensity (ft/yr), 2 Year	0.41
Relatd Intensity (ft/yr), 10 Year	0.71
Relatd Intensity (ft/yr), 100 Year	1.14



Appendix G: Standard Storm Drainage Plan

Subdivision Name	Jointstown
EQ#	
County	Flathead
Location	
Lot/Area No.	B

Intensity Values	
2-year, T _e	Inches/hour
2-year, 24-hour	Inches
10-year, T _e	Inches/hour
10-year, 24-hour	Inches
100-year, T _e	Inches/hour
100-year, 24-hour	Inches

Total Area/Lot Size = 2 acres = 87,120 ft²

Initial Stormwater Facility Volume (0.5" x Impervious Area) = 270,831 ft³

Rational Method Co-efficients (C)	
0.9	Paved/hard surfaces
0.8	Gravel surfaces
0.1	Lawn/landscaping
0.2	Unimproved areas

Q=CFA

13.5 ft = 271.5 ft
24.2 = 393.6 ft

Pre-Development Characteristics		2-year, T _e (flow rate)	2-year, 24-hour (volume)	10-year, T _e (flow rate)	10-year, 24-hour (volume)	100-year, T _e (flow rate)	100-year, 24-hour (volume)
Paved/House Area	0 acres	Q= 0.000 ft ³ /sec	V= 0.000 ft ³	Q= 0.000 ft ³ /sec	V= 0.000 ft ³	Q= 0.000 ft ³ /sec	V= 0.000 ft ³
Gravel Area	0 acres	Q= 0.000 ft ³ /sec	V= 0.000 ft ³	Q= 0.000 ft ³ /sec	V= 0.000 ft ³	Q= 0.000 ft ³ /sec	V= 0.000 ft ³
Lawn/Landscaping	0 acres	Q= 0.000 ft ³ /sec	V= 0.000 ft ³	Q= 0.000 ft ³ /sec	V= 0.000 ft ³	Q= 0.000 ft ³ /sec	V= 0.000 ft ³
Unimproved Area	2 acres	Q= 0.000 ft ³ /sec	V= 2105.400 ft ³	Q= 0.000 ft ³ /sec	V= 8888.888 ft ³	Q= 0.000 ft ³ /sec	V= 4559.280 ft ³
Total	2 acres	Q _{total} = 0.000 ft ³ /sec	V _{total} = 2105.400 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 8888.888 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 4559.280 ft ³

Post-Development Characteristics		2-year, T _e (flow rate)	2-year, 24-hour (volume)	10-year, T _e (flow rate)	10-year, 24-hour (volume)	100-year, T _e (flow rate)	100-year, 24-hour (volume)
Paved/House Area	0.060348944 acres	Q= 0.000 ft ³ /sec	V= 380.625 ft ³	Q= 0.000 ft ³ /sec	V= 551.250 ft ³	Q= 0.000 ft ³ /sec	V= 824.250 ft ³
Gravel Area	0.068870523 acres	Q= 0.000 ft ³ /sec	V= 290.000 ft ³	Q= 0.000 ft ³ /sec	V= 420.000 ft ³	Q= 0.000 ft ³ /sec	V= 628.000 ft ³
Lawn/Landscaping	0.229584411 acres	Q= 0.000 ft ³ /sec	V= 120.833 ft ³	Q= 0.000 ft ³ /sec	V= 175.000 ft ³	Q= 0.000 ft ³ /sec	V= 261.667 ft ³
Unimproved Area	1.621212121 acres	Q= 0.000 ft ³ /sec	V= 2706.660 ft ³	Q= 0.000 ft ³ /sec	V= 8888.888 ft ³	Q= 0.000 ft ³ /sec	V= 4559.280 ft ³
Total	2 acres	Q _{total} = 0.000 ft ³ /sec	V _{total} = 2498.108 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 8888.888 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 4559.280 ft ³

Runoff Flow/Volume Change

Required Minimum Facility Volume: 392.31 ft³

= input field

$$24.2 = 393.6 / 12.56 / 46 = 33.66 \times 12.56 \times 24.2 = 97.66$$

Flow Data for DEQ 8

Parcel 8

1. Total Drainage Area Size

Drainage Area Size (sq. ft.)	87,120.00
------------------------------	-----------

2. Pre-development Drainage Area Characteristics:

Surface Type	Square Footage	Acres
Paved Areas	0.00	0.00
Structures		0.00
Graveled Area		0.00
Landscape		0.00
Unimproved	87,120.00	2.00
Total lot size	87,120.00	2.00

3. Post-development Drainage Area Characteristics:

Surface Type	Square Footage	Acres
Paved Areas	0.00	0.00
Structures	3,500.00	0.08
Graveled Area	3,000.00	0.07
Landscape	10,000.00	0.23
Unimproved	70,620.00	1.62
Total lot size	87,120.00	2.00

4. Required Initial Stormwater Facility Volume (Retained on Site)

	Cubic Feet	Acre-Feet
Retained First 0.5 inch runoff volume	270.83	0.01

5. Weighted Coefficient

Surface Type	Pre-Development	Post-Development
Paved Areas	0.00	0.00
Structures	0.00	0.07
Graveled Area	0.00	0.06
Landscape	0.00	0.02
Unimproved	0.40	0.32
Total Weighted Coef.	0.40	0.47
CW	0.20	0.237

6. Flow Calculation (cfs)

Frequency of Storm Event	Pre-Development	Post-Development	Change (Post-Pre)
2-year	0.17	0.19	0.02
10-year	0.29	0.33	
100-year	0.47	0.54	

7. Volume Calculation (cf)

Frequency of Storm Event	Pre-Development	Post-Development	Change (Post-Pre)
2-year	596.82	676.84	80.02
10-year	1,052.29	1,190.93	138.64
100-year	1,703.92	1,926.42	222.50

8. Final Required Volume

DEQ 8 Final Minimum Pond Size (cf)	270.83
Simplified Storm Water Plan Minimum Pond Size (cf)	845.31

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sample:	4818
conflict:	-3143
price is cheapest season item	0.75
visiting meteorological station	COLEMAN FALLS 8 MONY
2 show, 24 hour prediction in	1.41

THE U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

1. *Introduction*

Total Time of Concentration (min)	50.37
Scale of Intensity for 1st Year	0.90
Scale of Intensity for 1st to 2nd Year	0.79
Scale of Intensity for 1st to 160 Year	1.11

Distance from Base of Column (ft)

Distance from Top of Column (ft)

100 ft. Column

Latitude:	28.33
Longitude:	-174.3
Distance to nearest station (km)	0.75
Coast meteorological station	HAAGA STATION
2-hour, 24-hour precipitation (mm)	2.44

Latitude:	38.33
Longitude:	-174.3
Distance to nearest station (km)	0.75
Coast meteorological station	HAAGA STATION
2-hour, 24-hour precipitation (mm)	2.44

[illegible][illegible]

Flow Type	Appliance Description	Flow Length (ft)	Grid Slope (ft/ft)	Drivert Diameter (in)	Length of Flow in Curves (ft) or Drivert (ft)	Channel - Bottom Width (ft.)	Cross Sectional Flow Area (ft ²)	Wetted Perimeter (ft)	n	Average Velocity (ft/s)	T (min)	T (sec)
Peak	Storm Infiltration	362	0.5						0.01	16	2.45	5.235
Baseflow	Storm Infiltration	409	0.81						0.071	0.93	2.17	7.0
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
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	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
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	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5									
	Storm Infiltration	409	0.81									
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	Storm Infiltration	409	0.81									
	Storm Infiltration	362	0.5</									

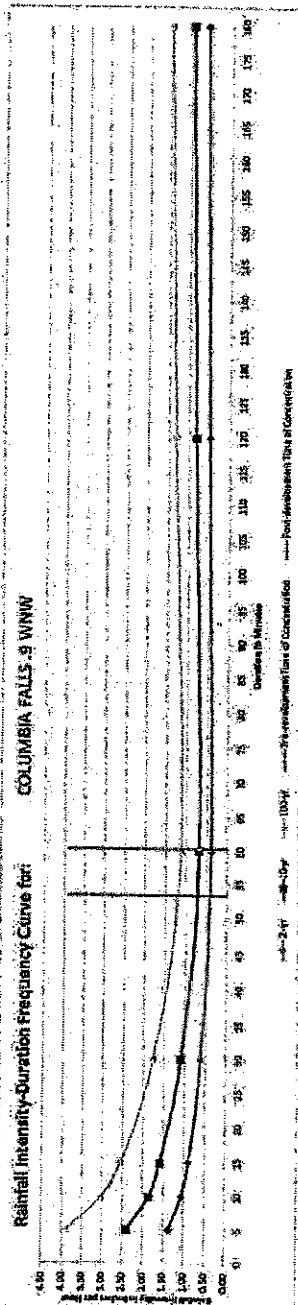
Flow Type	Spillway Description	Flow Length (ft)	Grid Slope (ft/ft)	Spillway Diameter (ft)	Length of Flow in Channel (ft)	Channel - Bottom Width (ft.)	Cross Sectional Flow Area (ft ²)	Worst Penetration (ft)	R	Average Velocity (ft/s)	T (min)	T (sec)
Gate Below	Gate Indefinite	362	0.5						0.1	16	2.8	5.25
	Spillway spillway	409	0.8						0.071	0.5	2.17	2.0

Time of Concentration (min)	Initial Intensity (a.u.)	Intensity (a.u.)	Intensity (a.u.)	Intensity (a.u.)
0	1.00	1.00	1.00	1.00
10	0.95	0.95	0.95	0.95
20	0.90	0.90	0.90	0.90
30	0.85	0.85	0.85	0.85
40	0.80	0.80	0.80	0.80
50	0.75	0.75	0.75	0.75
60	0.70	0.70	0.70	0.70
70	0.65	0.65	0.65	0.65
80	0.60	0.60	0.60	0.60
90	0.55	0.55	0.55	0.55
100	0.50	0.50	0.50	0.50

total Time of Concentration (min)	53.35
initial intensity (in/hr)	0.43
average intensity (in/hr), 30 Year	0.73
average intensity (in/hr), 100 Year	1.10

Initial Time of Concentration (min)	00:37
Initial Intensity (a.u.)	0.40
Initial Intensity (a.u.)	0.70
Initial Intensity (a.u.)	1.28

Initial Time of Concentration (min)	00:37
Initial Intensity (a.u.)	0.40
Initial Intensity (a.u.)	0.70
Initial Intensity (a.u.)	1.28



Appendix G: Standard Storm Drainage Plan

Subdivision Name	Johnston
EQ#	
County	Flathead
Location	Columbia Falls
Lot/Area No.	C

Rational Method Co-efficients (C)	
0.9	Paved/hard surfaces
0.8	Gravel surfaces
0.1	Lawn/landscaping
0.2	Unimproved areas

Intensity Values	
2-year, T _r	inches/hour
2-year, 24-hour	1.45 inches
10-year, T _r	
10-year, 24-hour	2.3 inches
100-year, T _r	
100-year, 24-hour	3.14 inches

15FV = 2710P
24K = 3930A

Total Area/Lot Size = 270072 ft²

Initial Stormwater Facility Volume (0.5" x (Impervious Area)) = 270033 ft³

Pre-Development Characteristics		2-year, T _r (flow rate)	2-year, 24-hour (volume)	10-year, T _r (flow rate)	10-year, 24-hour (volume)	100-year, T _r (flow rate)	100-year, 24-hour (volume)
Paved/House Area	0 acres	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³
Gravel Area	0 acres	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³
Lawn/Landscaping	0 acres	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³	Q = 0.000 ft ³ /sec	V = 0.000 ft ³
Unimproved Area	6.2 acres	Q = 0.000 ft ³ /sec	V = 6526.740 ft ³	Q = 0.000 ft ³ /sec	V = 6526.740 ft ³	Q = 0.000 ft ³ /sec	V = 6526.740 ft ³
Total	6.2 acres	Q _{total} = 0.000 ft ³ /sec	V _{total} = 6526.740 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 6526.740 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 6526.740 ft ³

Post-Development Characteristics		2-year, T _r (flow rate)	2-year, 24-hour (volume)	10-year, T _r (flow rate)	10-year, 24-hour (volume)	100-year, T _r (flow rate)	100-year, 24-hour (volume)
Paved/House Area	0.080345944 acres	Q = 0.000 ft ³ /sec	V = 380.625 ft ³	Q = 0.000 ft ³ /sec	V = 551.250 ft ³	Q = 0.000 ft ³ /sec	V = 824.250 ft ³
Gravel Area	0.068870523 acres	Q = 0.000 ft ³ /sec	V = 290.000 ft ³	Q = 0.000 ft ³ /sec	V = 420.000 ft ³	Q = 0.000 ft ³ /sec	V = 528.000 ft ³
Lawn/Landscaping	0.228568411 acres	Q = 0.000 ft ³ /sec	V = 120.833 ft ³	Q = 0.000 ft ³ /sec	V = 375.000 ft ³	Q = 0.000 ft ³ /sec	V = 263.857 ft ³
Unimproved Area	5.821271721 acres	Q = 0.000 ft ³ /sec	V = 6127.990 ft ³	Q = 0.000 ft ³ /sec	V = 6127.990 ft ³	Q = 0.000 ft ³ /sec	V = 6127.990 ft ³
Total	6.2 acres	Q _{total} = 0.000 ft ³ /sec	V _{total} = 6919.448 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 6919.448 ft ³	Q _{total} = 0.000 ft ³ /sec	V _{total} = 6919.448 ft ³

Runoff Flow/Volume Change	ΔQ = 0.000 ft ³ /sec	ΔV = 392.708 ft ³
---------------------------	---------------------------------	------------------------------

Required Minimum Facility Volume: 392.71 ft³

= Input field

24K 3930A 1244 ft = 334 ft x 1244 ft (vertical in 0.01%)

Flow Data for DEQ 8

Parcel C

1. Total Drainage Area Size

Drainage Area Size (sq. ft.)	270,072.00
------------------------------	------------

2. Pre-development Drainage Area Characteristics:

Surface Type	Square Footage	Acres
Paved Areas	0.00	0.00
Structures		0.00
Graveled Area		0.00
Landscape		0.00
Unimproved	270,072.00	6.20
Total lot size	270,072.00	6.20

3. Post-development Drainage Area Characteristics:

Surface Type	Square Footage	Acres
Paved Areas	0.00	0.00
Structures	3,500.00	0.08
Graveled Area	3,000.00	0.07
Landscape	10,000.00	0.23
Unimproved	253,572.00	5.82
Total lot size	270,072.00	6.20

4. Required Initial Stormwater Facility Volume (Retained on Site)

	Cubic Feet	Acres-Feet
Retained First 0.5 inch runoff volume	270.83	0.01

5. Weighted Coefficient

Surface Type	Pre-Development	Post-Development
Paved Areas	0.00	0.00
Structures	0.00	0.07
Graveled Area	0.00	0.06
Landscape	0.00	0.02
Unimproved	1.24	1.16
Total Weighted Coef.	1.24	1.31
Cw	6.20	0.212

6. Flow Calculation (cfs)

Frequency of Storm Event	Pre-Development	Post-Development	Change (Post-Pre)
2-year	0.51	0.52	0.01
10-year	0.91	0.92	
100-year	1.47	1.48	

7. Volume Calculation (cf)

Frequency of Storm Event	Pre-Development	Post-Development	Change (Post-Pre)
2-year	1,850.14	1,874.77	24.63
10-year	3,262.10	3,298.72	36.62
100-year	5,282.17	5,335.94	53.78

8. Final Required Volume

DEQ 8 Final Minimum Pond Size (cf)	270.83
Simplified Storm Water Plan Minimum Pond Size (cf)	845.91

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OCT 15 2020
 MT DEQ PUBLIC WATER
 & SUBDIVISION

3

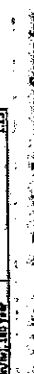
7. *Ca. wrightii* (Lam.)

2. The above is a summary of the information received from the various sources mentioned above. It is not intended to be a complete and exhaustive statement of the facts, but rather a summary of the information received from the various sources mentioned above.

Y. P. K. de Vries, H. J. de Vries, H. J. de Vries

THESE BOOKS BELONG TO THE UNIVERSITY OF MICHIGAN LIBRARY

2011-12-15 15:00:00



Latitude:	48.385
Longitude:	-120.2
Distance to closest station (km)	0.73
Closest meteorological station	CDLUMPIA-44.15 S 109 W
a hour, 24-hour precipitation (in)	1.64

St. Paul Development Engineering Park

d. Time of Concentration and Unit Hydrograph Intensity (24-hour storm event)

Pond Sediment Path	
Total Time at Concentration (hr)	61.37
Rainfall Intensity (in/hr), 2 Year	0.40
Rainfall Intensity (in/hr), 10 Year	0.70
Rainfall Intensity (in/hr), 100 Year	1.13



DITCH CAPACITY FOR 10YR STORM EVENT-Johnston FTParcel A-

IDF GENERATED 66 MIN. DURATION = .71 IN/HR (10YR)

$$Q = .21 * .71 \text{ IN/HR} * 1 \text{ HR/3600SEC} * 8.1 * 43560 \text{ SF/1 AC} * 1 \text{ FT/12 INCHES} = 1.22 \text{ CFS}$$

CHEZY-MANNING EQUATION

$$\frac{3094' - 3084'}{200'} = .05$$

$$S = .05$$

$$A = .75 \text{ FT}$$

$$R = 3.04 \text{ FT}$$

$$Q = 1.486/n * A * R^{2/3} * S^{1/2} =$$

$$Q = 1.486/.05 * .75 \text{ SF} * .49 \text{ FT}^{2/3} * 0.06^{.5}$$

$$= 29.72 * .75 * .62 * .25 = 3.4 \text{ CFS}$$

CAPACITY OF THE DRIVEWAY DITCH IS 3.4 CFS > 1.2 CFS

THEREFORE THE DRIVEWAY DITCH IS SIZED SUFFICIENTLY TO NOT OVERTOP DURING 10HR STORM EVENT

Parcel B

IDF GENERATED 60 MIN. DURATION = .70 IN/HR (10YR)

$$Q = .21 * .70 \text{ IN/HR} * 1 \text{ HR/3600SEC} * 2.0 * 43560 \text{ SF/1 AC} * 1 \text{ FT/12 INCHES} = .30 \text{ CFS}$$

CHEZY-MANNING EQUATION

$$\frac{3121' - 3117'}{200'} = .02$$

$$S = .05$$

$$A = .75 \text{ FT}$$

$$R = 3.04 \text{ FT}$$

$$Q = 1.486/n * A * R^{2/3} * S^{1/2} =$$

$$Q = 1.486/.05 * .75 \text{ SF} * .49 \text{ FT}^{2/3} * 0.02^{.5}$$

$$= 29.72 * .75 * .62 * .14 = 1.95 \text{ CFS}$$

35

CAPACITY OF THE DRIVEWAY DITCH IS 1.95 CFS > .3 CFS

THEREFORE THE DRIVEWAY DITCH IS SIZED SUFFICIENTLY TO NOT OVERTOP DURING 10HR STORM EVENT

Parcel C

IDF GENERATED 60 MIN. DURATION = .70 IN/HR (10YR)

$$Q = .21 * .70 \text{ IN/HR} * 1 \text{ HR/3600SEC} * 6.2 * 43560 \text{ SF/1 AC} * 1 \text{ FT/12 INCHES} = .93 \text{ CFS}$$

CHEZY-MANNING EQUATION

$$\frac{3121' - 3117'}{200'} = .02$$

$$S = .05$$

$$A = .75 \text{ FT}$$

$$R = 3.04 \text{ FT}$$

$$Q = 1.486/n * A * R^{2/3} * S^{1/2} =$$

$$Q = 1.486/.05 * .75 \text{ SF} * .49 \text{ FT}^{2/3} * 0.02^{1/2} =$$

$$= 29.72 * .75 * .62 * .14 = 1.95 \text{ CFS}$$

CAPACITY OF THE DRIVEWAY DITCH IS 1.95 CFS > .93 CFS

THEREFORE THE DRIVEWAY DITCH IS SIZED SUFFICIENTLY TO NOT OVERTOP DURING 10HR STORM EVENT

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& SUBDIVISIONS

STORM DRAIN MAINTENANCE PLAN

(JOHNSTON FT)

- 1) A storm drain plan has been prepared as part of the plan for the above referenced project by Jere Johnson, R.S. The storm drain plan consists of on site swales and driveway/roadside ditches. No internal subdivision road will exist.
- 2) It shall be required each lot owners responsibility to maintain the drainage retention facilities in the condition as planned and shown on the DEQ site plan for the above noted project. All costs to maintain the drainage structures shall be paid for at the expense of each lot owner.
- 3) Maintenance shall be ongoing at a minimum shall include : a) Inspect the facilities each year on the fall of the year, b) re grade if required to remove any sloughing of back slopes to maintain the swales in the condition shown on the plans, c) clearing of road culverts of any debris d) 10000 sf of landscaping.
- 4) The Parcel owner shall inspect the drainage facilities on an ongoing basis and are responsible for any problems or corrections required to keep the drainage facilities functioning as planned. Maintenance includes, but is not limited to regrading of said facilities.

Part 1 – Application Supplements

- h.) A Dust Control Plan identifying reasonable precautions intended to mitigate dust.

Dust Control Plan

Introduction

Air quality in Flathead County is an important consideration when contemplating subdivision and/or development. Human caused dust, particulate matter and other sources of air pollution will degrade the visibility and possibly create public health concerns for residents and visitors. The Dust Control Plan is intended to identify possible sources of dust and means to mitigate potential dust related to subdivision activities. The focus of the plan is unpaved roads, but may also apply to other soil disturbing construction related activities. Please provide the information requested below and identify the measures taken to mitigate potential sources of dust.

Subdivision:

Rocky Top Cabin Subdivision

Location:

269 Rocky Lane, Columbia Falls, MT

Primary Road Access and Length (from nearest County paved road):

The current driveway will be upgraded to city standards. It is approximately 385 feet long and is accessed off Rocky Lane.

Identify Long Term Dust Control on Unpaved Roadways*:

*Note: Pavement of roadways, soil binding or dust control palliatives on roadways, watering, grass plantings, etc. represents reasonable precautions and should be considered for effective dust control measures and mitigation.

List Measures Intended During Construction Activities:

For roadways (both internal and external to the subdivision):

The main access will be upgraded. Driveways to the additional cabins will be constructed. Power is to each lot. Standard BMPs will be used to mitigate dust during construction.

For utilities: All utilities are installed underground in trench using Flathead Electric minimum requirements;

For other construction:

Silt fencing as needed.

Signature of subdivider: _____

Part 1 – Application Supplements

- i.) Copies of easements or proposed easements to provide legal primary, and secondary if required, access to the subdivision.

Access of Public Road,

N/A

Part 1 – Application Supplements

j.) Copies of any existing Road Approach Permits

Application Supplements

- k.) When the subdivider owns adjacent property, the subdivider may be required to provide a plan of development indicating intent for the development of the other property;

N/A

Part 1 – Application Supplements

- 1.) A copy of any existing covenants or restrictions on any lands to be subdivided.



Debbie Pierson, Flathead County MT by AW

202100007029

Page: 1 of 3

Fee: \$21.00

3/2/2021 10:27 AM

0451456 ptn sc



**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
PARCELS A, B & C OF COS # 21669.**

SECTION ONE – Property

- A. COS # 21669, plat on file and of record in the office of the Clerk and Recorder of Flathead County; Montana. Specifically Parcels A, B, & C, located in NE ¼ of NE ¼ of Section 7, T30N R20W.

SECTION TWO – Purpose

- A. The Purpose of this Declaration is to insure the best use of the property and the most appropriate development and improvement of each Lot within the property; to protect the Owners against such improper use of surrounding Lots that would depreciate the value of their Lot; to preserve so far as is practical the natural rural beauty of the property; to prevent the construction of inappropriate structures; to insure the highest and best development of the property; to secure and maintain adequate setbacks and free space between structures; and in general to provide adequately for a high quality of improvements on the property and thereby to enhance the values of improvements made by Owners.

SECTION THREE – Use and activities

- A. No business or commercial activity may be conducted on the premises except home occupations as defined by CR-1 zoning. This shall not preclude the operation of short term rentals permitted in conjunction with CR-1 zoning.
- B. No house trailer or mobile home shall be placed on property. A maintained outhouse is allowed during construction. All construction, including driveways, shall be completed within one year from date construction begins.
- C. No building and their attachments shall be located closer than 30 feet from any boundary line. Parcel owners to keep and maintain all trees within 20 feet of property boundaries except in cases of dead or dying trees which may be removed or when erecting a fence along a property boundary.
- D. All structures shall be sided in natural wood or muted earth tones. No vinyl siding is allowed. Galvanized or bright colored roofing is prohibited.



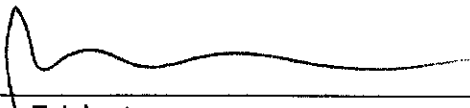
- E. All owners are responsible to maintain their properties including eradicating noxious weeds as needed.
- F. All pets are to be leashed or confined to the property with a fence not to exceed 6 feet in height and not permitted to run at large. Horses and chickens are permitted, no roosters or pigs. No white vinyl fences are permitted.
- G. Rubbish and trash are not to be stored on property except in concealed indoor garage containers.

SECTION FOUR – General Provisions

- A. These covenants are to run with the land, and shall be binding on all parties, and all persons claiming them, in perpetuity unless and an instrument signed by all three parcel owners has been recorded agreeing to changes.
- B. The grantor and every person hereinafter receiving any right, title or interest in any parcel shall have the right to prevent or stop the violation of any of the restrictions by injunction or other lawful procedure, in law or in equity, against the person or persons violating or threatening to violate these restrictive covenants. Any person who shall prosecute an action successfully may recover any damages resulting from such violation.

IN WITNESS WHEREOF, before me, the undersigned Notary Public, the undersigned owners personally appeared to execute this instrument.

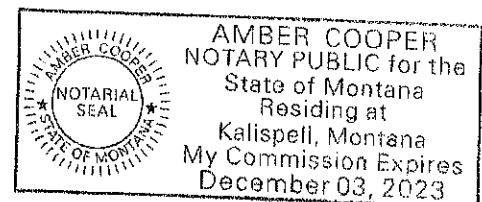
Dated this 2 day of March 2021



Jesse T. Johnston

Notarized by Amber Cooper Notary public for State of MT, Flathead
County. My commission expires 12/03/2023
~~acknowledged~~







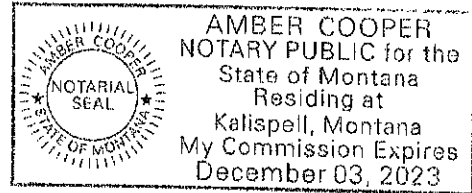
Dated this 2nd ~~1st~~ day of March ~~2nd~~ 2021



Jessica L. Johnston

Notarized by Amber Cooper Notary public for State of MT, Flathead
County. My commission expires 12/03/2023





STATE OF MONTANA
County of Flathead

RECORDED AT THE REQUEST OF _____

THIS _____ DAY OF _____, 20 _____ AT _____

O'CLOCK AND RECORDED IN THE RECORDS OF FLATHEAD COUNTY, STATE OF MONTANA.

FEE \$ _____ PD.

(Flathead County Clerk and Recorder)

RECEPTION NO. _____

(Deputy Clerk)

RETURN TO _____

Part 1 – Application Supplements

- m.) If common property is to be deeded to a property owners assc., a draft of the covenants and restrictions or Home Owners Agreement which will govern the common property.

N/A

Part 1 – Application Supplements

n.) Drafts of proposed covenants and restrictions.

N/A

Part 1 – Application Supplements

- o.) A draft Road User's Agreement or CC&R's addressing road maintenance.

ROAD MAINTENANCE AGREEMENT

AND FORMATION OF

Rocky Top Cabins Subdivision

ROAD USERS' ASSOCIATION

1. The Declarant(s) are (is) the owner(s) of property known as Rocky Top Cabins Subdivision, Flathead County Records lying, situate and being in the Section 34, Township 27N, Range 19W, Principal Meridian, Flathead County, Montana.

2. The above-described declarant(s) are desirous of forming a road users association to own, control, and effectively maintain and improve the roadway for Rocky Top Cabins Subdivision. The subject roads and utility right-of-way is shown on the recorded plat of Rocky Top Cabins Subdivision and is named "Rocky Top Lane".

NOW THEREFORE, the Declarant(s) having established a general plan for the improvement and development of said property, do hereby establish the conditions, principles and restrictions upon which this association shall be formed and operated.

ARTICLE I - PROPERTY SUBJECT TO THIS AGREEMENT & ROAD USERS ASSOCIATION

The real property which is and shall be subject to the conditions, principles and restrictions hereinafter set forth, is located in Flathead County, Montana, and is more particularly described as follows to wit:

Rocky Top Cabins Subdivision, a map or plat on file in the office of the Flathead County Clerk and Recorder. Situate, lying and being in the NE¼ of Section 7, Township 30N, Range 20W, Principal Meridian, Flathead County, Montana.

ARTICLE II - DEFINITIONS

Section 1: "Association" shall mean and refer to the Rocky Top Cabins Subdivision Road Users Association, which shall consist of all the property owners and lot owners as described above under Article I.

Section 2: "Lot" shall mean any one of the Lots in Rocky Top Cabins Subdivision.

Section 3: "Member" shall mean and refer to every person or entity who is a record owner of a fee, or undivided fee, interest in any Lot. Record owners who have sold any Lot under contract for deed shall not be considered owners but the purchasers of any Lot who are purchasing any Lot under a contract for deed shall be considered the owner for all purposes herein.

Section 3. Voting: Association members shall have the following voting rights:

Class A: Class A members shall be entitled to one (1) vote for each lot in which they hold interest required for membership. When more than one person holds such interest in any Lot the vote for such lot shall be exercised as such persons among themselves determine but in no event shall more than one (1) class A vote be cast with respect to any Lot. All lots subject to this agreement shall be Class A.

Section 4. Declarant Easement/Future Users: Declarant specifically reserves unto itself and its successors an irrevocable easement over said road and easement, as shown on said Rocky Top Cabins Subdivision for vehicle and utility access. Future division of the lots of said Rocky Top Cabins Subdivision is allowed Provided it is approved by a 2/3 vote of the lot owners of Rocky Top Cabins Subdivision. If and when a lot is further divided, the newly created lot(s) and their owner(s) shall automatically become part of this agreement and have an irrevocable easement over said road and easement as shown on said Rocky Top Cabins Subdivision Plat for vehicle and utility access.

At such a time as a lot is further divided, the total number of lots in the Association shall increase accordingly with each new lot paying an equal assessment as all the other lots already included in the Association. The assessment shall be prorated for the portion of the year that the new lot existed in the year it is created.

ARTICLE IV - ROADWAY ASSESSMENTS

Section 1. Roadway: An easement 60 feet in width for ingress, egress and for utilities over, under and across "Rocky Top Lane" as shown on said Rocky Top Cabins Subdivision plat is hereby reserved and retained by the Declarant for locating, installing, erecting, and constructing, maintaining a roadway and electric lines and other utilities. The Declarant hereby declares that the roadway described on said documents is private in all respects and the easement here reserved and retained shall be conveyed by the Declarant to the Association and is intended to be dedicated for the use of the owners of the lots. The Association shall thereafter have control over the roadway described and depicted on said Rocky Top Cabins Subdivision plat after the completed filing of all phases.

Section 2. Duty and Powers: The Association is authorized and directed to determine annually at its regular meeting the amount necessary to maintain and improve the roadway, to provide services (for example, snow plowing and/or garbage collection) and facilities to the owners that it may determine appropriate, and to assess each lot owner accordingly. The Association shall equitably apportion the cost of providing such services among those that are residing on the properties as compared to those that have not yet built on their lots. The intention here is to fairly weigh the cost of maintenance, services and improvement to owners who are actually using the roadway and services. The regular meeting shall be held once a year in January.

Section 3. Uniform Rate of Annual Assessment: Annual assessments shall be fixed at a uniform rate for all Lots, incorporating the distinction in Section 2 above, and may be collected on a monthly, quarterly, annual or other basis as determined by the members. However, where one owner is utilizing more than one lot as a single home site and has commenced or completed construction of a dwelling thereon, the directors may in their discretion elect to treat such owner the same as a single lot owner for assessment purposes.

Section 4. Special Assessments: In addition to the annual assessment authorized above, the Association, through its members at the regular annual meeting or at any special meeting called for that purpose, may levy in any year, a special assessment applicable to that year only, which shall be in addition to the annual assessment. Such special assessment shall be exercised and levied only for the purpose of defraying in whole or in part the cost of any installation, construction, improvement or reconstruction repair or replacement of a portion or all of the roadway or of enforcing this Agreement through legal proceedings, provided that before any such special assessment may be levied, it shall have the assent of two-thirds (2/3) of the total votes of members who are voting in person or by proxy at a meeting duly called for that purpose. In the event of a special meeting, written notice to each of the Lot owners included in this agreement must be given not less than 20 nor more than 30 days prior to said meeting. Presence of two or more lot owners in person or by proxy at any meeting called for the purpose of establishing any regular or special assessment shall constitute a quorum at said meeting. A majority of said quorum shall control except for a special assessment which shall require the assent of two-thirds of those voting on the special assessment.

Section 5. Commencement of Assessments: The first year for which regular annual assessments shall be established and collected shall be the calendar year 2024. The members shall fix the amount of each annual and special assessment against each lot at least (30) days in advance of each annual assessment period. Written notice of the assessments shall be sent to every owner of record at that time. The due dates shall be established by the members. If the assessment (special) is such as requires a vote of the members, this shall be done before the assessment becomes effective. The Association shall upon demand at any time furnish a certificate in writing signed by the president of the Association setting forth whether the assessment on a specific Lot have been paid and if not paid the amount owing thereof.

Upon an owner purchasing a lot, his liability for regular and special assessments shall be prorated on a monthly basis to the extent of the number of months remaining from the date of purchase in any assessment period.

Section 6. Nonpayment Assessments: Any assessments or installment payments on assessments which are not paid when due shall be delinquent. If the amount is not paid within thirty (30) days after the due date, the amount shall bear interest from the date of delinquency at the rate of 10% per annum. The Association may bring an action at law on the basis of an account due to collect the amount of the assessment together with interest, court costs and reasonable attorneys' fees for such action. No owner subject to assessment may waive or otherwise escape liability for the assessment herein provided by non use of the roadway. In addition to the provisions for suit and collection as herein above set forth,

the Association may suspend a delinquent owner's voting rights at Association meetings, and/or the right to use, enjoy and have the benefit of the roadway.

Section 7. Subordination of Assessment Lien: The lien of any assessment provided herein shall be subordinate to any purchase money security interest for a lot acquired herein or construction lien for the construction of a residence herein when said lien secures the owners obligation to pay for said acquisition or construction. In the event, however, of foreclosure of said lien, the Association shall not be required or under any obligation to provide any of the benefits of the roadway to any subsequent purchaser until all past obligations owed are paid in full. The provisions of the paragraph may be modified or waived in their entirety at the discretion of the members of the Association.

ARTICLE V - UTILITIES

Reservation of Utility Easements: Rights of ingress and egress over, under, across, to, and from the Lots for purposes of locating, installing, constructing, maintaining or using electric lines, telephone lines and other utilities are retained by the Declarant and hereby transferred to the Association. All costs for extension of utilities and telephone lines from individual service boxes will be borne by the lot owners, and all such utilities shall be underground. Any lot owner who shall place any building, improvement, shrub, hedge or tree on any easement shall be required without notice at the request of any other affected lot owner or utility company to remove such structure, improvements or vegetation if such removal shall facilitate, repair or maintenance of utilities within said easement.

ARTICLE VI - ENFORCEMENT AND TERM

Section 1. Attorneys Fees and Cost: If the Association or a member of the Association commences legal proceedings in court to enforce any provisions of this Agreement, the prevailing party in such action shall be entitled to recover from the other party reasonable attorney's fees and costs of said action.

Section 2. Severability: Invalidation of or restriction by judgement or court order of any part of the Agreement shall in no way affect the remaining provisions Which shall remain in force and effect.

Section 3. Construction and Binding Effect: This Agreement shall be construed pursuant to the laws of the State of Montana and shall be binding upon the heirs, successors and assigns of the parties hereto. Time is of the essence in complying with this agreement.

IN WITNESS THEREOF to this Agreement, the undersigned hereunto set their hands this date first above written.

Rocky Top Cabins Subdivision
Chaemous Herbert

STATE OF Montana, County of Flathead. On this _____ day of _____,
_____, before me a Notary Public for the above named state personally
appeared _____, known to me to be the persons
whose names are subscribed to the within instrument, and acknowledged to
me that they executed the same.

NOTARY PUBLIC for the state of Montana

Residing at: _____

My Commission Expires: _____

Part 1 – Application Supplements

p.) A “Will Serve Letter” from sewer and water provider.

N/A

Part 1 – Application Supplements

q.) A description and map of the proposed subdivision's water supply systems, solid waste disposal systems, and wastewater treatment systems, including whether the water supply and wastewater treatment systems are individual, shared, multiple user, or public as those systems are defined in rules published by the Montana Department of Environmental Quality. The map must show the location, within 100 feet outside of the exterior property line of the subdivision and on the proposed lots the following:

i. 100-Year flood plains;

ii.	Surface water features, including lakes, streams and rivers, springs and irrigation ditches;
-----	--

iii.	Existing, previously approved, and, for parcels less than 20 acres, proposed water wells and wastewater systems;
------	--

iv.	Location, within 500 feet outside the of the exterior property line of subdivision,	th e
of public water and sewer facilities.		

s,t,u.) DEQ Approval

CERTIFICATE OF SURVEY

RECEPTION # 200301716330 DATE 1/17/03COS # 15461 COS DATE 1/13/03FEES \$ 600 SURVEYOR DAWN MARQUARDTPURPOSE FAMILY TRANS.ACRES 16.32 2.00OWNER (S) Phillip E. Kiser.FOR RUBIANNA M MASA.DESCRIPTION NENE 7-30-20.ASSESSOR # 0451456

2003017 16330

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION APPROVAL
(Section 76-4-101 through 76-4-131, MCA, 1995)

To: Clerk and Recorder
Flathead County
Kalispell, MT

E.Q.#03-1824

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as KISER COS located in the NE1/4, Section 7, T30N, R20W, Flathead County, Montana,

See Exhibit A for metes and bounds description (Parcel A only)

consisting of two parcels have been reviewed by personnel of the Permitting and Compliance Division, and,

THAT the documents and data required by ARM Chapter 17, Section 36, have been submitted and found to be in compliance therewith, and,

THAT approval of the COS is made with the understanding that the following conditions shall be met:

THAT the parcel size as indicated on the COS to be filed with the County Clerk and Recorder will not be further altered without approval, and,

THAT each parcel shall be used for one single family dwelling, and,

THAT the individual water system for Parcel A will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-chapters 1, 3 & 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT data provided indicates an acceptable water source at a depth of approximately feet, and,

THAT the individual sewage treatment system for Parcel A will consist of a septic tank and subsurface drainfield of such size and description as will comply with Flathead City-County Regulations for Sewage Treatment Systems and Title 17, Chapter 36, Sub-chapters 1, 3 & 6 ARM before construction is started, and,

THAT the subsurface drainfield shall have an absorption area of sufficient size to provide 220 square feet per bedroom, and,

THAT when the existing water supply on Parcel B is in need of extensive repairs or replacement, it shall be replaced by a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-chapters 1, 3 & 6 ARM and the most current standards of the Department of Environmental Quality, and,

Page 2 of 2
Kiser FT
Flathead County
E.Q.#03-1824

200301716330

THAT when the existing sewage treatment system on Parcel B is in need of extensive repairs or replacement, it shall be replaced by a septic tank and subsurface drainfield of such size and description as will comply with Flathead City-County Regulations for Sewage Treatment Systems and Title 17, Chapter 36, Sub-chapters 1, 3 & 6 ARM before construction is started, and,

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

THAT no sewage treatment system shall be constructed within 100 feet of the maximum high water level of a 100 year flood of any stream, lake, watercourse or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT the water supply and sewage treatment systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide any purchaser of the property with a copy of the COS, approved location of water supply and sewage treatment system and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3 & 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval is grounds for injunction by the Department of Environmental Quality.

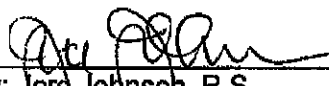
Pursuant to Section 76-4-122(2)(a), MCA, a person must obtain the approval of both the reviewing authority under Title 76, Chapter 4, MCA, and local Health Officer having jurisdiction, before filing a subdivision plat with the County Clerk and Recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the COS filed in your office as required by law.

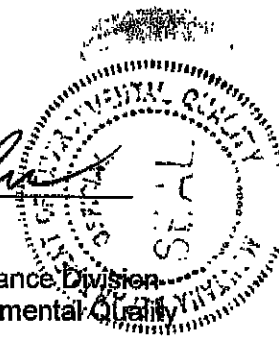
DATED this 23rd day of December, 2002

Flathead City-County Health Officer

Jan P. Sensibaugh, Director


By: Jere Johnson, R.S.
Environmental Health Specialist


By: Bonnie Lovelace, Chief
Water Protection Bureau
Permitting and Compliance Division
Department of Environmental Quality



Co. No. 02/240
Owner's Name: Phillip Kiser

RECEIVED

DEC 24 2002

MT DEPT. OF ENV QUALITY
PERMITTING & COMPLIANCE DIV.

200301716330

EXHIBIT A

KISER FT

E.Q.#03-1824

Parcel A

That portion of the Northeast 1/4 of the Northeast 1/4, Section 7, Township 30 North, Range 20 West, P.M., M., Flathead County, Montana described as follows:

Commencing at the Southeast corner of the Northeast 1/4 of the Northeast 1/4;

Thence along the South line of the Northeast 1/4 of the Northeast 1/4 South 89°53'58" West 873.47 feet to the Point of Beginning;

Thence continuing along the South line of the Northeast 1/4 of the Northeast 1/4 South 89°53'58" West 473.83 feet;

Thence North 01°05'10" West 446.70 feet;

Thence North 01°04'05" West 541.68 feet;

Thence North 89°50'43" East 273.61 feet;

Thence North 00°46'45" West 299.61 feet to the South line of Tamarack Lane;

Thence along the South line of Tamarack Lane North 89°52'29" East 439.15 feet;

Thence South 00°59'40" East 881.93 feet;

Thence South 89°56'06" West 238.69 feet;

Thence South 01°00'01" West 406.65 feet to the Point of Beginning containing 16.98 acres of land all as shown hereon.

Subject to easements of record.

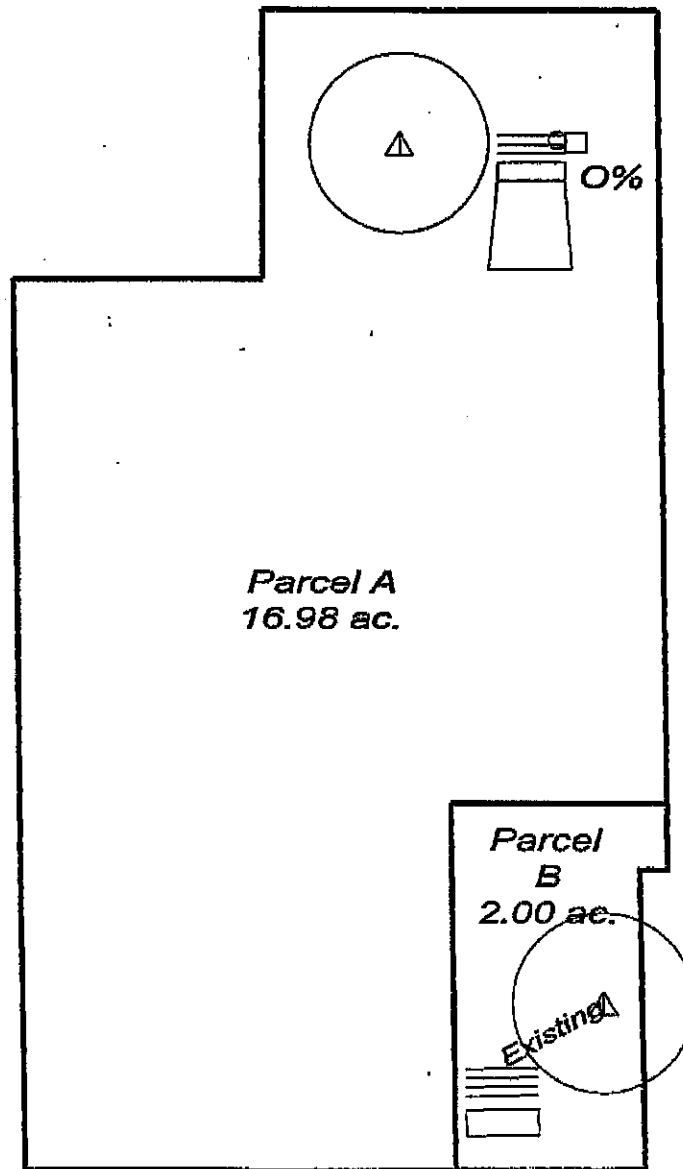
**Marquardt &
Marquardt
Surveying**
Kalispell, Mt

2003017 16330

name-Kiser Family Transfer
county-Flathead
location- NE1sec.7-T30N-R20W
drawn by-Brian S. Launius
E.Q.# 03-1824

RECEIVED**DEC 24 2002**

MT DEPT. OF ENV QUALITY
PERMITTING & COMPLIANCE DIV.

**Legend**

- perc test
- test hole
- ⊙ well site w/100' isolation zone
- ▨ drainfield site
- ▧ replacement area
- ▽ mixing zone

Reviewed by the Local Reviewing Authority
Under contract with the
Department of Environmental Quality/ PCD

Local Reviewer

Date

12/23/02

Accepted under contract

MAS
DEQ Representative

Date

1-8-03

SCALE- 1"= 200'

200301716330

Plat Room
 Flathead County, Montana
 800 S. Main St.
 Kalispell, MT 59901
 (406) 758-5510

This Form Is for Certificate of Surveys Only

*Updated
1-15-03*

TAX SEARCH FOR CERTIFICATE OF SURVEYS:

BY: *Marquardt*PR # *5520*FOR: *Kiser*DATE *8-23-02*DESCP: *1 in 7-30-20*PURPOSE *FT*

YEARS

ASSESSOR #

1993 THRU *2001*
*2002**0451456*
0451456

_____ & TO DATE

I hereby certify that there are no outstanding taxes on the property assigned the assessor numbers listed above, for the years indicated for each assessor number.

Ganon JAN 7 2003
 Deputy Treasurer
 (seal)



200301716330

Health Department Checklist for Survey AttachmentsOwner Kiser Surveyor MargiLegal description NE4 NE4 7-30-20

The following document must accompany this survey as required by the Montana Sanitation in Subdivisions Act.

☒ Parcels/Lots A-B subject to review. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Approval is required.

☐ Municipal Facilities Exclusion Certification from MDEQ indicating that this subdivision is in compliance with the requirements of the Sanitation in Subdivision Act is required.

☐ Boundary Line Adjustment Parcel(s) _____ subject to review. MDEQ Certificate of Subdivision Approval is required.

☐ County Health Department memorandum only required.

☐ Agricultural Use Covenant Documentation from the owner and the County Commissioners indicating the covenant has been removed.

☐ No Health Department documents are required.

Signed Shen Gray Date 12/6/02

200301716330

RESOLUTION 509D
LANDOWNER STATEMENT

1. EXEMPTION CLAIMED: ET

2. The original tract is the tract existing twenty (20) calendar years ago, from which the proposed tract would be divided or of which the proposed tract was a part twenty (20) calendar years ago. The number of exemptions previously used or claimed on the original tract regardless of ownership 0. Please list each COS and Exemption claimed.

COS	_____	Exemption Claimed	_____
COS	_____	Exemption Claimed	_____
COS	_____	Exemption Claimed	_____
COS	_____	Exemption Claimed	_____
COS	_____	Exemption Claimed	_____

Has this parcel been subject to or part of an application for subdivision plat approval within the last five years: no.

3. I certify as follows:

a) if gift or sale to member of immediate family: that the proposed transfer is to a member of my immediate family, for the benefit of the grantee and not for the purpose of speculation or resale by me, is the first such transfer to this family member, and that the grantee is not one of the grantors;

b) if security for construction financing: that the property division upon foreclosure will not create more than one new parcel, that I will retain possession of the remainder and the mortgagee will obtain possession of the exempted parcel, and there exists no prior agreement to default or to purchase only a portion of the original tract;

c) that the use of the claimed exemption is not for the purpose to evade subdivision review of the Montana Subdivision and Platting Act and meets the Flathead County criteria for determination of evasion of the Act.

DATE: 12-02-02

hiser
Landowner

[Signature]
Landowner's Agent
State Relationship: L.S.

3/1/92
Revised 8/19/93
Revised 11/05/93
Revised 5/3/94



202100001263

Page: 1 of 9

Fees: \$24.50

1/11/2021 3:49 PM

Debbie Pierson, Flathead County MT by DD

CERTIFICATE OF SURVEY DATA SHEET

Reception Number	<u>202100001263</u>	Date	<u>01/11/21</u>
COS #	<u>21669</u>	Survey Date	<u>12/18/20</u> No of Pages <u>9</u>
Fees	<u>\$ 34.50</u>	Surveyor	<u>MARQUARDT DAWN</u>
Purpose	<u>FAMILY TRANS</u>		
Acres	<u>8.11AC</u>	<u>2.00AC</u>	<u>6.20AC</u>
Owner(s)	<u>JESSE T JOHNSTON</u>		
	<u>MARIE JOHNSTON</u>		
	<u>JESSICA JOHNSTON</u>		
For	<u></u>		
	<u></u>		
	<u></u>		
Legal Description	<u>NE4NE4 7-30-20</u>		
Assessor	<u>0451456</u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>
	<u></u>	<u></u>	<u></u>

OK 6/10/20 by City

Item No.5.



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

May 18, 2020

Re: Advisement of Completion of Exemption Review

Dear Flathead County Clerk:

Please be advised, that as the City Manager, acting in accordance with Columbia Falls Municipal Ordinance 17.04.080 - Review of Exemption Claim, I have reviewed an application for an exemption from the Montana Subdivision and Platting Act described as:

Exemption As A Gift Or Sale To A Member Of The Immediate Family [76-3-207(1)(b), MCA]
Exemption To Provide Security For Construction Mortgages, Liens, Or Trust Indentures [76-3-201(1)(b), MCA]
Exemption For Agricultural Purposes [76-3-207(1)(c), MCA]
Relocation Of Common Boundary (Aggregation)[76-3-207(1)(a), MCA]

For the below referenced property:

OWNER (S) OF RECORD:

Name: Jesse T. Johnston

Mailing Address: 7210 Hwy 2 East

Columbia Falls, MT 59912

LEGAL DESCRIPTION OF PROPERTY:

City/County: Flathead:

Street Address(es): N/A not assigned

Assessor # 0451456, COS 15461-A in NE1/4 NE 1/4 Sec 7, T30 N, R 20 W, P.M.M., Flathead County, Montana

I have found that the requested exemption does comply with the required statute and laws governing the City of Columbia Falls Planning Jurisdiction. All parcels are subject to the Columbia Falls Chapter 18.322 CR-1 Suburban Residential Zoning Regulations.

Sincerely,

Susan M. Nicosia

City Manager/Planning & Zoning Administrator



202100001263
Page: 2 of 9
Fees: \$34.50
1/11/2021 3:49 PM

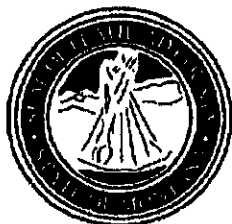
F.T. / Johnston

PR# 10432



202100001263
Page: 3 of 9
Fees: \$34.50
1/11/2021 3:49 PM

Item No.5.



Plat Room
Flathead County, Montana
800 S. Main St.
Kalispell, MT 59901
(406)758-5510

This Form is for Certificate of Surveys Only

TAX SEARCH FOR CERTIFICATE OF SURVEYS:

BY : MARQUARDT

PR # 10432

FOR : JOHNSTON

DATE 01/08/2021

DESCP : TR 1 IN 7-30-20

PURPOSE F.T.

YEARS

ASSESSOR #

2018 THUR 2020

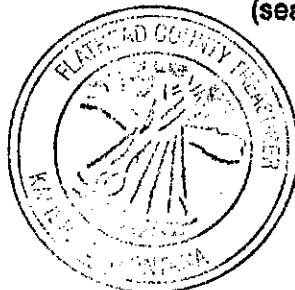
0451456

I hereby certify that there are no outstanding taxes on the property assigned the assessor numbers listed above, for the years indicated for each assessor number.

JAN 08 2021

Workman

Deputy Treasurer
(seal)





December 10, 2020

Jere Johnson
Environmental Health Consulting
4572 Whitefish Stage Road
Whitefish MT 59937

RE: Johnston Family Transfer
Flathead County
E.Q. #20-1377

Dear Mr Johnson:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

In addition, your project may be subject to Federal regulations relating to Class V injection wells. Please contact the United States Environmental Protection Agency regarding specific rules that may apply.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you have any questions, please contact this office.

Sincerely,


Ashley Kroon, Supervisor
Subdivision Review Section

AK/le

cc: County Sanitarian
County Planning Board (e-mail)
Owner



Page 2
Johnston Family Transfer
Flathead County
E.Q. #21-1377

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

That the approved proposed locations of the shared drinking water supply wells, shared wastewater treatment system primary disposal and shared replacement areas shall be staked by the engineer or site evaluator prior to any construction on the lots, and,

THAT the stormwater design for each parcel requires the installation of a minimum of 10,000 square feet of lawn and landscaped area, site grading, ditches along both sides of the driveways and access roads, a retention pond or swales with the following minimum volume be constructed and located on each parcel in accordance with the approved plans:

Parcel A	755 cubic feet,
Parcel B	393 cubic feet,
Parcel C,	393 cubic feet, and,

THAT the operation and maintenance of water supply, sewage treatment system, and stormwater facilities shall be the responsibility of each lot owner, and,

THAT no sewage treatment system shall be constructed within 100 feet of the maximum highwater level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the COS, approved location of water supply and sewage treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.



Page 3
Johnston Family Transfer
Flathead County
E.Q. #21-1377

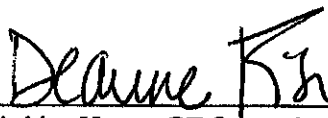
THAT pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the reviewing authority under Title 76, Chapter 4, MCA, and local board of health officer having jurisdiction, before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the COS filed in your office as required by law.

DATED this 9th day of December, 2020.

SHAUN MCGRATH
DIRECTOR

By:


Ashley Kroon, PE Supervisor
Engineering Bureau
Water Quality Division
Department of Environmental Quality



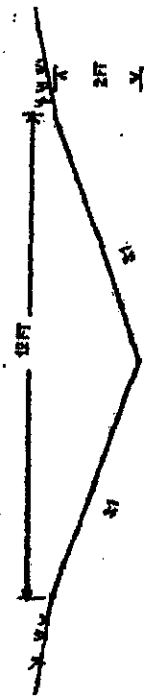
Owner's Name: Jesse Johnston

EQ# 21-1377

JOHNSTON FAMILY TRANSFER WATER SEWER, STORMWATER

LOT LAYOUT
SECTION 7-T30N-R20W
FLATHEAD COUNTY

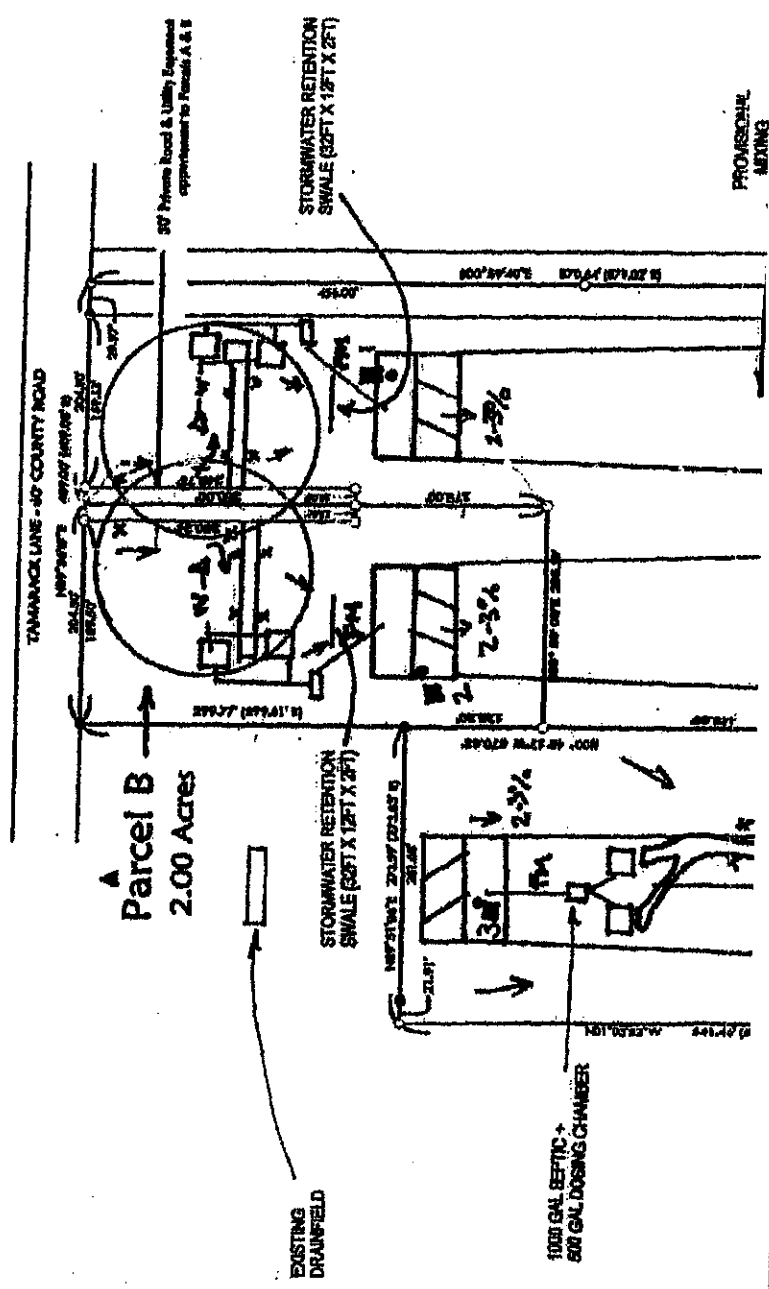
GROUNDWATER FLOW
DIRECTION
↓



STORMWATER RETENTION SWALE
GRASS/GRAVEL TRIANGULAR CHANNEL
CROSS SECTION TRIANGULAR CHANNEL
1:1 SLOPE

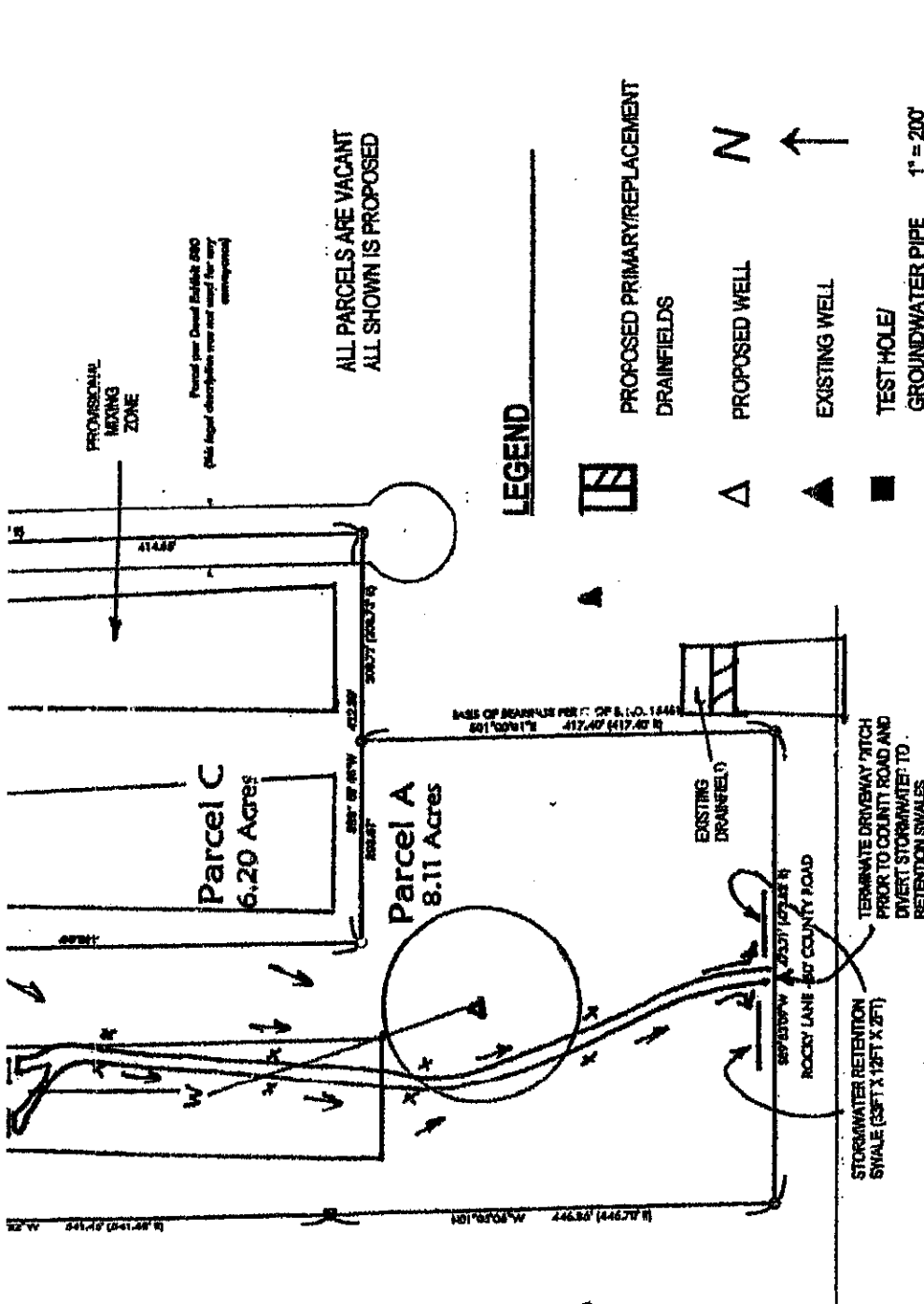


DRIVEWAY/ACCESS ROAD STORMWATER DITCH
GRASS/GRAVEL ROADSIDE DITCH
CROSS SECTION TRIANGULAR CHANNEL



202100001263
Page: 7 of 9
Fees: \$34.50
1/11/2021 3:49 PM

Item No.5.



NOTES:

THE WELL SHALL BE CONSTRUCTED IN ACCORDANCE WITH ARM TITLE 36, CHAPTER 21

10,000% OF LANDSCAPE TO BE PROVIDED FOR STORMWATER INFILTRATION

ALL STORM WATER SHALL BE RETAINED ON THE PROPERTY DRIVEWAY AND BUILDING CONSTRUCTION MUST BE COMPLETED SUCH THAT RUNOFF SHALL NOT FLOW OFF PROPERTY

STORM WATER MAINTENANCE AND REPAIRS SHALL BE CONDUCTED BY PROPERTY OWNERS

NO DRAINFIELD SWELLS APPROVALS (100FT) OTHER THAN SHOWN

NO SOURCES OF CONTAMINANTS 500FT GROUNDWATER

PRESSURE DISTRIBUTION SYSTEMS MUST BE FIELD TESTED TO VERIFY THAT THE PRESSURE ACROSS THE ENTIRE ABSORPTION FIELD DOES NOT VARY BY GREATER THAN 10% PERCENT

APPROVED
Montana Department of
Environmental Quality
[Signature] 12.9.20
Reviewer Date

Jane Johnson, RLS
4572 Whitefish Stage Road
Whitefish MT 59937

RECEIVED
NOV 30 2020
MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

46



Environmental Health Checklist for New COS/Plat

Owner JOHNSTON

Surveyor MARQUARDT

Legal Description NE₄NE₄ SEC 7, T30N, R30N

The following document must accompany this survey as required by the Montana Sanitation in Subdivisions Act.

☒ Parcels/Lots A, B, C subject to review. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Approval is required.

☐ Municipal Facilities Exclusion Certification from MDEQ indicating that this subdivision is in compliance with the requirements of the Sanitation in Subdivision Act is required.

☐ Agricultural Use Covenant Documentation from the owner and the County Commissioners indicating that the covenant has been removed.

☐ No Health Department documents are required.

☐ Environmental Health review unable to be completed due to complexity of research or more information required.

Signed Wendy Jacobs RS Date 9/23/20



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413



May 18, 2020

Re: Advisement of Completion of Exemption Review

Dear Flathead County Clerk:

Please be advised, that as the City Manager, acting in accordance with Columbia Falls Municipal Ordinance 17.04.080 - Review of Exemption Claim, I have reviewed an application for an exemption from the Montana Subdivision and Platting Act described as:

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Exemption To Provide Security For Construction Mortgages, Liens, Or Trust Indentures [76-3-201(1)(b), MCA]
Exemption For Agricultural Purposes [76-3-207(1)(c), MCA]
Relocation Of Common Boundary (Aggregation)[76-3-207(1)(a), MCA]

For the below referenced property:

OWNER (S) OF RECORD:

Name: Jesse T. Johnston

Mailing Address: 7210 Hwy 2 East

Columbia Falls, MT 59912

LEGAL DESCRIPTION OF PROPERTY:

City/County: Flathead:

Street Address(es): N/A not assigned

Assessor # 0451456, COS 15461-A in NE1/4 NE 1/4 Sec 7, T30 N, R 20 W, P.M.M., Flathead County, Montana

I have found that the requested exemption does comply with the required statute and laws governing the City of Columbia Falls Planning Jurisdiction. All parcels are subject to the Columbia Falls Chapter 18.322 CR-1 Suburban Residential Zoning Regulations.

Sincerely,

Susan M. Nicosia

City Manager/Planning & Zoning Administrator



Item No.5.

OS# 21667

F.T. Johnston

P. R. # 10432



202100007767
Page: 2 of 9
Fees: \$5.00
3/8/2021 10:20 AM

202100001263
Page: 3 of 9
Fees: \$34.50
1/11/2021 3:49 PM



Plat Room
Flathead County, Montana
800 S. Main St.
Kalispell, MT 59901
(406)758-5510

This Form is for Certificate of Surveys Only

TAX SEARCH FOR CERTIFICATE OF SURVEYS:

BY : MARQUARDT

PR # 10432

FOR : JOHNSTON

DATE 01/08/2021

DESCP : TR 1 IN 7-30-20

PURPOSE F.T.

YEARS

ASSESSOR #

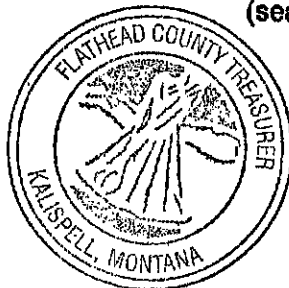
2018 THUR 2020

0451456

I hereby certify that there are no outstanding taxes on the property assigned the assessor numbers listed above, for the years indicated for each assessor number.

JAN 08 2021

J. Workman
Deputy Treasurer
(seal)





202100001283
Page: 4 of 9
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202100007767
Page: 3 of 9
Fees: \$5.00
3/8/2021 10:20 AM

December 10, 2020

Jere Johnson
Environmental Health Consulting
4572 Whitefish Stage Road
Whitefish MT 59937

RE: Johnston Family Transfer
Flathead County
E.Q. #20-1377

Dear Mr Johnson:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

In addition, your project may be subject to Federal regulations relating to Class V injection wells. Please contact the United States Environmental Protection Agency regarding specific rules that may apply.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you have any questions, please contact this office.

Sincerely,

Ashley Kroon

Ashley Kroon/Supervisor
Subdivision Review Section

AK/le

cc: County Sanitarian
County Planning Board (e-mail)
Owner



202100007767
Page: 4 of 9
Fees: \$5.00
3/8/2021 10:20 AM

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION APPROVAL
(Section 76-4-101 et seq., MCA)

TO: County Clerk and Recorder
Flathead County
Kalispell, Montana

E.Q. #21-1377

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Johnston Family Transfer**

Located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, T.30N., R.20W., P.M.,M., Flathead County, Montana,

consisting of three parcels have been reviewed by personnel of the Water Quality Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the COS is made with the understanding that the following conditions shall be met:

THAT the parcel sizes as indicated on the COS to be filed with the county clerk and recorder will not be further altered without approval, and,

THAT Parcels A, B, and C shall each be used for an individual living unit and one 1 bedroom guest house, and,

THAT the proposed shared water systems serving the two living units on each lot will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT data provided indicates an acceptable water source at a depth of approximately 160-200 feet, and,

THAT each proposed shared sewage treatment system will consist of a septic tank, effluent filter, dose tank/chamber, effluent pump and pressure dosed subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and the most current Flathead County Regulations for Sewage Treatment Systems, and,

THAT each shared subsurface drainfield shall have an absorption area of sufficient size to provide for an application rate of 0.4 gpd/sf, and,

THAT the replacement drainfield area shall be sized without reduction, and,

202100001263
Page: 5 of 9
Fees: \$34.50
1/11/2021 3:49 PM

Page 2
Johnston Family Transfer
Flathead County
E.Q. #21-1377



202100007767
Page: 5 of 9
Fees: \$5.00
3/8/2021 10:20 AM

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

That the approved proposed locations of the shared drinking water supply wells, shared wastewater treatment system primary disposal and shared replacement areas shall be staked by the engineer or site evaluator prior to any construction on the lots, and,

THAT the stormwater design for each parcel requires the installation of a minimum of 10,000 square feet of lawn and landscaped area, site grading, ditches along both sides of the driveways and access roads, a retention pond or swales with the following minimum volume be constructed and located on each parcel in accordance with the approved plans:

Parcel A	755 cubic feet,
Parcel B	393 cubic feet,
Parcel C,	393 cubic feet, and,

THAT the operation and maintenance of water supply, sewage treatment system, and stormwater facilities shall be the responsibility of each lot owner, and,

THAT no sewage treatment system shall be constructed within 100 feet of the maximum highwater level of a 100 year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the COS, approved location of water supply and sewage treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

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Page: 6 of 9
Fees: \$34.50
1/11/2021 3:49 PM

Page 3

Johnston Family Transfer

Flathead County

E.Q. #21-1377

202100007767
Page: 6 of 9
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3/8/2021 10:20 AM

THAT pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the reviewing authority under Title 76, Chapter 4, MCA, and local board of health officer having jurisdiction, before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the COS filed in your office as required by law.

DATED this 9th day of December, 2020.

SHAUN MCGRATH
DIRECTOR

By:

Deanne Kroon
Ashley Kroon, PE Supervisor

Engineering Bureau

Water Quality Division

Department of Environmental Quality



Owner's Name: Jesse Johnston



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Page: 9 of 9
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Page: 9 of 9
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Item No.5.

Environmental Health Checklist for New COS/Plat

Owner JOHNSTON

Surveyor MARQUARDT

Legal Description NE_{1/4} NE_{1/4} SEC 7, T30N, R30N

The following document must accompany this survey as required by the Montana Sanitation in Subdivisions Act.

☒ Parcels/Lots A, B, C subject to review. Montana Department of Environmental Quality (MDEQ) Certificate of Subdivision Approval is required.

☐ Municipal Facilities Exclusion Certification from MDEQ indicating that this subdivision is in compliance with the requirements of the Sanitation in Subdivision Act is required.

☐ Agricultural Use Covenant Documentation from the owner and the County Commissioners indicating that the covenant has been removed.

☐ No Health Department documents are required.

☐ Environmental Health review unable to be completed due to complexity of research or more information required.

Signed Wanda Juarez RS Date 9/23/20



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

- Lake
- Other
- Riverine

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

May 1, 2023

Wetlands

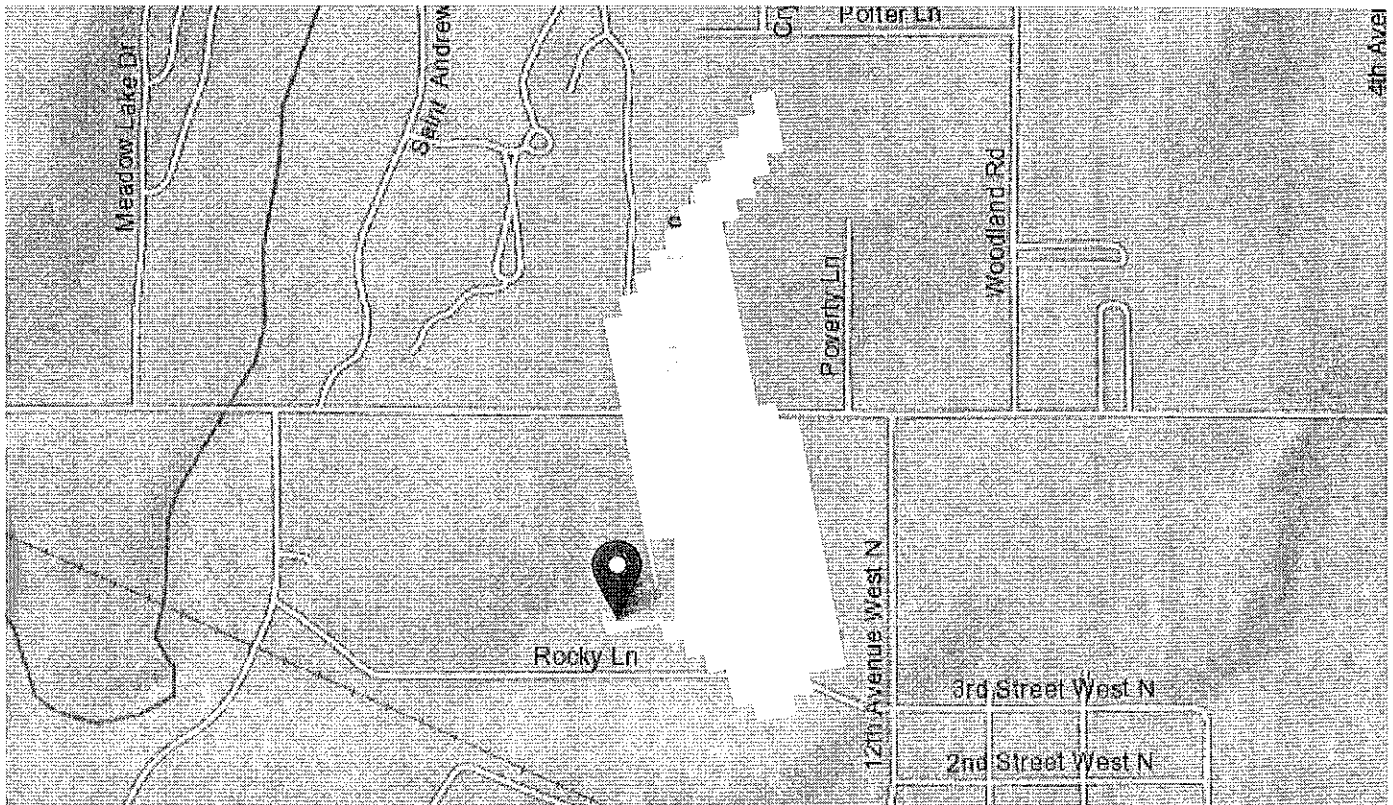
StreamStats Report Rocky Top Cabins

Region ID: MT

Workspace ID: MT20230501172628550000

Clicked Point (Latitude, Longitude): 48.38228, -114.20344

Time: 2023-05-01 11:26:52 -0600



+ Collapse All

➤ Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
CONTDA	Area that contributes flow to a point on a stream	0.1	square miles
SLOP50_30M	Percent area with slopes greater than 50 percent from 30-meter DEM.	0	percent

➤ Seasonal Flow Statistics

Seasonal Flow Statistics Parameters [W Region LowFlow GLS 2015 5019G]

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
CONTD	Contributing Drainage Area	0.1	square miles	6.4	2520
SLOP50_30M	Slopes_gt_50pct_from_30m_DEM	0	percent	1.87	67.5

Seasonal Flow Statistics Disclaimers [W Region LowFlow GLS 2015 5019G]

One or more of the parameters is outside the suggested range. Estimates were extrapolated with unknown errors.

Seasonal Flow Statistics Flow Report [W Region LowFlow GLS 2015 5019G]

Statistic	Value	Unit
Jul_to_Oct_14_Day_5_Yr_Low_Flow	0.00484	ft ³ /s

Seasonal Flow Statistics Citations

McCarthy, P.M., Sando, Roy, Sando, S.K., and Dutton, D.M., 2016, Methods for estimating streamflow characteristics at ungaged sites in western Montana based on data through water year 2009: U.S. Geological Survey Scientific Investigations Report 2015-5019-G, 19 p. (<https://doi.org/10.3133/sir20155019>)

➤ Channel-width Methods Weighting

No method weighting results returned.

USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

USGS Software Disclaimer: This software has been approved for release by the U.S. Geological Survey (USGS). Although the software has been subjected to rigorous review, the USGS reserves the right to update the software as needed pursuant to further analysis and review. No warranty, expressed or implied, is made by the USGS or the U.S. Government as to the

functionality of the software and related material nor shall the fact of release constitute any such warranty. Furthermore, the software is released on condition that neither the USGS nor the U.S. Government shall be held liable for any damages resulting from its authorized or unauthorized use.

USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.14.0

StreamStats Services Version: 1.2.22

NSS Services Version: 2.2.1

Part 1 – Application Supplements

r.) Evidence of suitability for new onsite wastewater treatment systems which include:

i. Soil profile description(s) from a representative drain field site or sites identified on the vicinity map that complies with standards published by the Montana Department of Environmental Quality;

ii. Demonstration that each soil profile contains a minimum of four feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment system and a limiting layer;

iii. In cases in which the soil profile or other information indicates that ground water is within five feet of the natural ground surface, evidence that the ground water will not exceed the minimum vertical separation distance.

GROUNDWATER MONITORING MEASUREMENT INSTRUCTIONS AND LOG

Item No.5.

Year 2020

JOHNSTON PROPERTY

Zone 3
Pre Subdivision X
Previously monitored
Yes No X

Septic Application

Date Registered		Date Returned											
Initial	Date	Site # 1			Site # 2			Site # 3			Site #		
	MM/DD/YY	A	B	A-B	A	B	A-B	A	B	A-B	A	B	A-B
JJ	4-3-20	120	22	98"	120	24	96"	120	24	96"			
JJ	4-10-20	120	22	98"	120	24	96"	120	24	96"			
JJ	4-17-20												
JJ	4-24-20												
JJ	5-3-20												
JJ	5-10-20												
JJ	5-17-20												
JJ	5-24-20												
JJ	6-1-20												
JJ	6-7-20												
JJ	6-14-20												
JJ	6-21-20												
JJ	6-28-20												
		DRY	98"		DRY	96"		DRY	96"				

SEE REVERSE SIDE FOR MONITORING PIPE INSTALLATION AND MONITORING GUIDELINES

A measurement must be taken weekly (at least one measurement every 7 days). Less frequent monitoring may void monitoring for the current period and result in monitoring the site through the next groundwater monitoring season. I hereby certify that the above monitoring measurements and information are true, complete and correct to the best of my knowledge.

GWM February 2020

RECEIVED
OCT 15 2020
MT DEPT. OF WATER
& SUBDIVISION

GROUNDWATER MONITORING RESULTS

Kiser, Phillip

LEGAL DESCRIPTION Tr 1 Sec. 1 Twn. 50 Rng. 40

[illegible]

SEE REVERSE FOR MONITORING PIPE INSTALLATION AND MONITORING GUIDELINES

Monitoring for this parcel shall be conducted from Mar 27 through June 30.
The following monitoring schedule will be required: Preferably once each week but no less often than once every 10 days. Less frequent monitoring may void monitoring conducted and result in monitoring the site through the next groundwater monitoring season.

I hereby certify that the above monitoring measurements and information are true, complete and correct to the best of my knowledge.

Owner Signature (sign upon completion of monitoring)

Date _____

TEST HOLE-SOILS LOG

PROJECT/OWNERS NAME JohnstonLEGAL DESCRIPTION 7-30-20PERFORMED BY Jere Johnson, R.S.TRACT/PARCEL/LOT# 1

DEPTH (FT)	TEST PIT	DESCRIPTION	COMMENTS
0	0- 6" Topsoil/ silt loam		
1			
2	Gravelly silt loam 0.4	Subangular, med brown with gray interbeds, few stones	No sign of groundwater or bedrock ✓
3			
4			
5			
6			
7			
8	96"		Bottom of test hole
9			
10			
11			
12			

16

TEST HOLE-SOILS LOG

PROJECT/ OWNERS NAME JohnstonLEGAL DESCRIPTION 7-30-20PERFORMED BY Jere Johnson, R.STRACT/PARCEL/LOT# B

DEPTH (FT)	TEST PIT	DESCRIPTION	COMMENTS
0	0- 4" Topsoil/ silt loam		
1			
2	Gravelly silt loam 0.4	Subangular, med brown, few stones	No sign of groundwater or bedrock ✓
3			
4			
5			
6			
7			
8	96"		Bottom of test hole
9			
10			
11			
12			

17

TEST HOLE-SOILS LOG

PROJECT/ OWNERS NAME JohnstonLEGAL DESCRIPTION 7-30-20PERFORMED BY Jere Johnson, R.STRACT/PARCEL/LOT# 3

DEPTH (FT)	TEST PIT	DESCRIPTION	COMMENTS
0	0- 8" Topsoil/ silt loam		
1			
2	Gravelly silt loam	Subangular, med brown	No sign of groundwater or bedrock
3			
4	OK		
5			
6			
7			
8	96"		Bottom of test hole
9			
10			
11			
12			

18

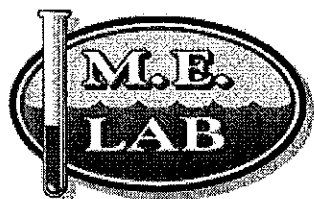
Part 1 – Application Supplements

s.) For new water supply systems, unless storage tanks are proposed, evidence of adequate water availability which includes information from:

Montana

- i. Well logs or testing of onsite or nearby wells;
- ii. Published hydro-geological reports;

iii.	As otherwise specified by rules adopted by the Montana Department of Environmental Quality.
------	---



ANALYTICAL REPORT

Item No.5.

Montana Environmental Laboratory LLC

1170 N. Meridian Rd., P.O. Box 8900, Kalispell, MT 59904-1900

Phone: 406-755-2131 Fax: 406-257-5359 www.melab.us

Buck Breckenridge
Breckenridge Surveying & Mapping, PLLC
2302 Hwy 2 East, Ste #6
Kalispell, MT 59901

PWS ID:

Project: 269 Rocky Cliff Ln, Columbia Falls

Client Sample ID: Sink

Matrix: DRINKING WATER

Collected: 04/03/2023 11:38

Lab ID: 2302737-01

Received: 04/03/2023 13:30

Analyses

	<u>Result</u>	<u>Units</u>	<u>RL</u>	<u>MCL</u>	<u>Method</u>	<u>Prepared</u>	<u>Analyzed</u>	<u>Analyst</u>
Nitrate + Nitrite, Total	1.59	mg/L	0.01	10	E353.2		04/04/2023 13:14	NB

Coliform

	<u>Result</u>	<u>Units</u>	<u>RL</u>	<u>MCL</u>	<u>Method</u>	<u>Prepared</u>	<u>Analyzed</u>	<u>Analyst</u>
Coliform Bacteria	Absent	P/A	1	1	SM9223B	04/03/2023 14:00	04/04/2023 9:00	BSB
Coliform, Escherichia - P/A	Absent	P/A	1	1	SM9223B	04/03/2023 14:00	04/04/2023 9:00	BSB

MONTANA WELL LOG REPORT

Other Options

This well log reports the activities of a licensed Montana well driller, serves as the official record of work done within the borehole and casing, and describes the amount of water encountered. This report is compiled electronically from the contents of the Ground Water Information Center (GWIC) database for this site. Acquiring water rights is the well owner's responsibility and is NOT accomplished by the filing of this report.

[Return to menu](#)

[Plot this site in State Library Digital Atlas](#)

Plot this site in Google Maps

View scanned well log (8/7/2009 1:07:49 PM)

Site Name: WYMAN FRANK
GWIC Id: 85298

Section 1: Well Owner(s)

1) WYMAN, FRANK (MAIL)
BOX 903

COLUMBIA FALLS MT 59912 109/15/1971

Section 2: Location

Township	Range	Section	Quarter Sections
30N	20W	7	SE¼ NE¼ NE¼
	County		Geocode

FLATHEAD

Latitude	Longitude	Geomethod	Datum
48.382672	-114.199201	TRS-SEC	NAD83

Ground Surface Elevation	Ground Surface Method	Datum	Date
3119	LIDAR	NAVD88	8/12/20

Addition

Block

Lot

Section 7: Well Test Data

Total Depth: 157
Static Water Level: 133
Water Temperature:

Baller Test *

20 gpm with feet of drawdown after 2 hours.
Time of recovery hours.
Recovery water level feet.
Pumping water level 134 feet.

* During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.

Section 8: Remarks

Section 9: Well Log

Geologic Source

112ALVM - ALLUVIUM (PLEISTOCENE)

[illegible]

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name:

Company: OLSEN & JUSTIN

License No: WWC-55

Date 01/01/07

Completed: 9/16/1971

RECEIVED

OCT 15 2020

MT DEQ PUBLIC WATER
& SUBDIVISIONS

Part 1 – Application Supplements

t.) Evidence of sufficient water quality in accordance with rules adopted by the Montana Department of Environmental Quality;



ANALYTICAL REPORT

Montana Environmental Laboratory LLC
 1170 N. Meridian Rd., P.O. Box 8900, Kalispell, MT 59904-1900
 Phone: 406-755-2131 Fax: 406-257-5359 www.melab.us

Jere Johnson
 Environmental Health Consulting
 jdj@bresnan.net

PWS ID:
 Project Rocky Ln.

Client Sample ID: Well	Lab ID: 2008272-01
Matrix: DRINKING WATER	Received: 09/10/2020 12:00
Collected: 09/10/2020 9:00	

Analyte	Result	Units	MDL	MCL	Method	Prepared	Analyzed	Analyst
Conductivity	494	umho/cm	0.1		SM2610B		09/17/2020 18:45	BLW
Nitrate + Nitrite, Total	0.34	mg/L	0.01	10	E353.2		09/17/2020 9:14	GDM

MCL = Maximum Contaminant Limit ND = Not Detected
 RL = Reporting Limit

MEL REVIEW:

Page 1 of 3

MONTANA WELL LOG REPORT

Other Options

This well log reports the activities of a licensed Montana well-driller, serves as the official record of work done within the borehole and casing, and describes the amount of water encountered. This report is compiled electronically from the contents of the Ground Water Information Center (GWIC) database for this site. Acquiring water rights is the well owner's responsibility and is NOT accomplished by the filing of this report.

[Return to menu](#)
[Plot this site in State Library Digital Atlas](#)
[Plot this site in Google Maps](#)
[View hydrograph for this site](#)
[View field visits for this site](#)
[View scanned well log \(8/7/2009 1:07:28 PM\)](#)

Site Name: BAILEY CHARLES A.
 GWIC Id: 85297
 DNRC Water Right: 13638

Section 7: Well Test Data

Total Depth: 157
 Static Water Level: 110
 Water Temperature:

Section 1: Well Owner(s)

1) BAILEY, CHARLES A. (MAIL)
 674 12TH AVE WN
 COLUMBIA FALLS MT 59912 [04/12/1977]

Bailer Test *

18 gpm with feet of drawdown after 2 hours.
 Time of recovery hours.
 Recovery water level feet.
 Pumping water level 133 feet.

Section 2: Location

Township	Range	Section	Quarter Sections	Geocode
30N	20W	7	NE¼ NE¼ NE¼ NE¼	
County				

FLATHEAD

Latitude	Longitude	Geomethod	Datum
48.3844	-114.1975	MAP	NAD27

Ground Surface Altitude	Ground Surface Method	Datum	Date
3119	DEM	NAVD88	8/12/2015

Measuring Point Altitude	MP Method	Datum	Date Applies
3111			5/30/1998 5:21:00 PM

Addition	Block	Lot

* During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.

Section 8: Remarks

PUMP CYCLING. GOT PWL AT END OF CYCLE SAMPLING PT. FAUCET ON BACK OF HOUSE

Section 9: Well Log

Geologic Source

112DRFT - GLACIAL DRIFT

From	To	Description
0	20	BOULDERS & CLAY
20	60	BROWN HARD PAN & ROCKS
60	62	BOULDERS - BLASTED
62	120	BROWN HARD PAN
120	136	DRY CLAY & GRAVEL
136	147	CLAY GRAVEL SEEPAGE
147	152	GRAVEL & SOME CLAY SOME WATER - APPROX. 8 GPM
152	157	CEMENTED GRAVEL WATER STRATA

Section 3: Proposed Use of Water

DOMESTIC (1)

Section 4: Type of Work

Drilling Method: CABLE
 Status: NEW WELL

Section 5: Well Completion Date

Date well completed: Tuesday, April 12, 1977

Section 6: Well Construction Details

There are no borehole dimensions assigned to this well.

Casing

From	To	Diameter	Wall Thickness	Pressure Rating	Joint	Type
0	157	6				STEEL

Completion (Perf/Screen)

From	To	Diameter	# of Openings	Size of Openings	Description
157	157	6			OPEN BOTTOM *

Annular Space (Seal/Grout/Packer)

There are no annular space records assigned to this well.

Driller Certification

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name:
 Company: WEBER
 License No: WWC-181
 Date: 4/12/1977
 Completed:

Part 1 – Application Supplements

u.) A preliminary analysis of potential impacts to ground water quality from new wastewater treatment systems, using as guidance rules adopted by the Board of Environmental Review pursuant to 75-5-301 and 75-5-303, MCA related to standard mixing zones for ground water, source specific mixing zones, and non-significant changes in water quality. The preliminary analysis may be based on currently available information and must consider the effects of overlapping mixing zones from proposed and existing wastewater treatment systems within and directly adjacent to the subdivision. The subdivider may perform a complete nondegradation analysis in the same manner as is required for an application that is reviewed by the Department of Environmental Quality;

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

NITRATE SENSITIVITY ANALYSIS

Model Updated 01/24/96

SITE NAME: Kiser
COUNTY: Flathead
LOT #: Parcel A
NOTES:

<u>VARIABLES</u>	<u>DESCRIPTION</u>	<u>VALUE</u>	<u>UNITS</u>
K	Hydraulic Conductivity	434.0	ft/day
I	Hydraulic Gradient	0.003	ft/ft
D	Depth of Aquifer (usually constant)	16.4	ft
L	Mixing Zone Length (see ARM 17.30.517(1)(d)(viii))	100	ft
Y	Width of Drainfield Perpendicular to Ground Water Flow	75	ft
Ng	Background Nitrate (as Nitrogen)	1.10	mg/L
Nr	Nitrate (as Nitrogen) in Precipitation (usually constant)	1.0	mg/L
Ne	Nitrates in Effluent (50 for conventional; 24 for level II)	50	mg/L
#I	Number of Single Family Homes on the Drainfield	1.0	
QI	Quantity of Effluent per Single Family Home (constant)	26.70	ft ³ /day
P	Precipitation	16.6	in/year
V	Percent of Precipitation Recharging Ground Water (usually constant)	0.20	

EQUATIONS

W	Width of Mixing Zone Perpendicular to Ground Water Flow = (0.175)(L)+(Y)	92.50	ft
Am	Cross Sectional Area of Aquifer Mixing Zone = (D)(W)	1517.00	ft ²
As	Surface Area of Mixing Zone = (L)(W)	9250.00	ft ²
Qg	Ground Water Flow Rate = (K)(I)(Am)	1975.13	ft ³ /day
Qr	Recharge Flow Rate = (As)(P/12/365)(V)	7.00	ft ³ /day
Qe	Effluent Flow Rate = (#I)(QI)	26.70	ft ³ /day

SOLUTION

Nt	Nitrate (as Nitrogen) Concentration at End of Mixing Zone = ((Ng)(Qg)+(Nr)(Qr)+(Ne)(Qe)) / ((Qg)+(Qr)+(Qe))	1.75	mg/L
----	--	------	------

BY: Rebecca Weaver
 DATE: September 5, 2002

G:\WPB\SUBDIV\WORKSPAC\WDEGWSA.XLS

REV. 12/98

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

PHOSPHOROUS BREAKTHROUGH ANALYSIS

SITE NAME: Kiser
COUNTY: Flathead
LOT #: Parcel B
NOTES: no nearby surface water

<u>VARIABLES</u>	<u>DESCRIPTION</u>	<u>VALUE</u>	<u>UNITS</u>
Lg	Length of Primary Drainfield as Measured Perpendicular to Ground Water Flow	75.0	ft
L	Length of Primary Drainfield's Long Axis	75.0	ft
W	Width of Primary Drainfield's Short Axis	20.0	ft
B	Depth to Limiting Layer from Bottom of Drainfield Laterals*	5.0	ft
D	Distance from Drainfield to Surface Water	2000.0	ft
T	Phosphorous Mixing Depth in Ground Water (0.5 ft for coarse soils, 1.0 ft for fine soils)**	0.5	ft
Ne			
Sw	Soil Weight (usually constant)	100.0	lb/ft3
Pa	Phosphorous Adsorption Capacity of Soil (usually constant)	200.0	ppm
#l	Number of Single Family Homes on the Drainfield	1.0	
<u>CONSTANTS</u>			
Pl	Phosphorous Load per Single Family Home (constant)	6.44	lbs/yr
X	Conversion Factor for ppm to percentage (constant)	1.0E+06	
<u>EQUATIONS</u>			
Pt	Total Phosphorous Load = (Pl)(#l)	6.44	lbs/yr
W1	Soil Weight under Drainfield = (L)(W)(B)(Sw)	750000.0	lbs
W2	Soil Weight from Drainfield to Surface Water = [(Lg)(D) + (0.0875)(D)(D)] (T)(Sw)	25000000.0	lbs
P	Total Phosphorous Adsorption by Soils = (W1 + W2)[(Pa)/(X)]	5150.0	lbs
<u>SOLUTION</u>			
BT	Breakthrough Time to Surface Water = P / Pt	799.7	years

BY:
DATE: September 5, 2002

NOTES: * Depth to limiting layer is typically based on depth to water in a test pit or bottom of a dry test pit minus two feet to account for burial depth of standard drainfield laterals.
** Material type is usually based on test pit. A soil that contains more than 35% silt and clay sized particles is considered fine grained.

REV. 04/2000

Part 1 – Application Supplements

v.) A drawing of the conceptual lot layout at a scale no smaller than 1" to 200'.



(P) Primary Drainfield, Pressure-Dosed
42'x24' with 100% Replacement

XXXXXXXXXX

PUMP DE

Item No.5.

Owner: Johnston
Address: Tamarack
Legal: A, B and C

Designer: Jere Johnson
Tel: 270-3635
Installer: _____
Tel: _____

3 bed main 350
2 bed guest 275

Design Data Required

0.12 inch (minimum 1/8th inch)
5 ft on centers (maximum 5 feet)
6 ft (> 2.3 ft for 3/16 in. or larger orifices, > 5 ft for orifices < 3/16 in.)
0.47 gal/min (from orifice flow chart)

Orifice Dia
Orifice Spa
Pressure h
Orifice Disc
Length of F
Diameter of
Pump Char
Elevation o
Daily Sewa
Allowable S

LFM 70 ft.
DFM 2 inches
E1 0 ft.
E2 10 ft.
QS/ 625 gal / day
QL 0.4 gpd/sq.ft.

Level Two treatment

x for yes ☐

Trench type:
Trench width

ROCK (x for yes)
select 2

x
3

CHAMBER
Effec

*Infiltrator = 2.20 ft.

*ADS = 2.20 ft.

Design calculations

Required inf
Total length

(sq.ft.) Rock 1563 Chamber 1172
521

Number of
Total Disch
Forcemain Friction Factor
Forcemain
Elevation H
Total Dynar

NO = LL/OS 108 18 each lateral
Qt = QO x NO 50 gal/min
F 5.45 ft/100 ft
(F x LFM/1) 3.81 ft.
HG = E2-E1 10 ft.
19.81

Required Pump

Capable of p

50 gal/min against a h
Pump n Myers Model ME 50 20 feet

Actual Drainfield Design:

Numt

	L1	L2	L3	L4	L5
<u>6</u> Length e	<u>87</u>	<u>87</u>	<u>87</u>	<u>87</u>	<u>87</u>
Lateral elevation					
	L7	L8	L9	L10	L11
Length					
Elevation					

Control Flr

Dose Volu

Laterals-

Pipe type/class SCH 40 Int. Dia. 1.38 in. Pipe Vol. 0.0776994 gal/ ft 1.25
Total length of l: 522 ft. 1.5
Total vol in laterals (VL) 40.56 2

Forcemain

Pipe type/class SCH 40 Int. Dia. 2.067 in. Pipe Vol. 0.1743174 gal/ ft
70 ft
Total length forc 12.20 gal, (VFM)

Total vol. in l

(5x VL) + v 203 + 12 = 215 gal

Pump Cham

264 gal / ft

Minimum Do

215 gal

Upper (pum)

0.81 ft (D/V)

Control & Al

Rhombus

= 10 in. above "pump off" float

PLEASE PROVIDE A SKETCH OF SYSTEM LAYOUT AND PROFILE ON BACK OF THIS SHEET

file: Pump hyd design wksht 5-5-08-computer.xls

DESIGN WORKSHEET - 5/5/08

XXXXXXXXXX

Owner: Johnston
 Address: Tamarack
 Legal: A. B and C

Designer Jere Johnson
 Tel: 270-3635
 Installer
 Tel:

Design Data Required

Orifice Diameter (OD) 5/32 inch (minimum 1/8th inch)
 Orifice Spacing (OS) 5 ft on centers (maximum 5 feet)
 Pressure head, first orifice (HO) 6 ft (> 2.3 ft for 3/16 in. or larger orifices, > 5 ft for orifices < 3/16 in.)
 Orifice Discharge Rate (QO) 0.73 gal/min (from orifice flow chart)
 Length of Force Main (LFM) 70 ft.
 Diameter of Force Main 2 inches
 Pump Chamber Low-Level (pump "off") elevation E1 0 ft.
 Elevation of Upper Lateral E2 10 ft.
 Daily Sewage Volume QS/ 550 gal / day Level Two treatment
 Allowable Soil Loading Rate QL 0.4 gpd/sq.ft. x for yes ☐
 Trench type: ROCK (x for yes) x CHAMBER
 Trench width: select 2 or 3 ft 3 Effective width* *Infiltrator = 2.20 ft.
 *ADS = 2.20 ft.

Design calculations

Required Infiltration Area (sq.ft.) Rock 1375 Chamber 1031
 Total length of laterals 458 #DIV/0!
 =
 Number of Orifices NO = LL/OS 90 18 each lateral
 Total Discharge Rate Qt = QO x NO 66 gal/min
 Forcemain Friction Factor F 8.87 ft/100 ft
 Forcemain Headloss (F x LFM/100) 6.21 ft.
 Elevation Head (gravity) HG = E2-E1 10 ft.
 Total Dynamic Head (HG + HFM + HO), 22.21

Required Pump

Capable of pumping at least 66 gal/min against a head of 22 feet
 Pump make Myers Model ME 50

Actual Drainfield Design:

	L1	L2	L3	L4	L5	L6
Number of Laterals <u>5</u> Length each Lateral	<u>92</u>	<u>92</u>	<u>92</u>	<u>92</u>	<u>92</u>	
Lateral elevation						
	L7	L8	L9	L10	L11	L12
Length						
Elevation						

Control Float Settings

Dose Volume

Laterals-

Pipe type/clas SCH 40 Int. Dia. 1.38 in. Pipe Vol. 0.0777 gal/ ft 1.25 1.38
 Total length of laterals (L) 460 ft. 1.5 1.61
 Total vol in laterals (VL) 35.74 2 2.067

Forcemain

Pipe type/clas SCH 40 Int. Dia. 2.067 in. Pipe Vol. 0.17432 gal/ ft
 Total length forcemain 70 ft

Total vol. in forcemain 12.20 gal, (VFM)

$$(5 \times VL) + VFM = \underline{179} + \underline{12} = \underline{191} \text{ gal}$$

Pump Chamber Volume (V) 132 gal / ftMinimum Dose Volume (D) 191 galUpper (pump on) float should be 1.45 ft (D/V) = 17 in. above "pump off" floatControl & Alarm (make & model) Rhombus

PLEASE PROVIDE A SKETCH OF SYSTEM LAYOUT AND PROFILE ON BACK OF THIS SHEET

file: Pump hyd design wksht 5-5-08-computer.xls

38

JOHNSTON FTPUMP CYCLEDuration

$$191 \text{ gal} / 66 \text{ gpm} = 2.9 \text{ min} < 15 \text{ min, OK}$$

VARIATION ACROSS LATERALS

$$66 \text{ gpm} / 10 \text{ lat} = 6.6 \text{ gpm (center manifold)}$$

Hazen-Williams

$$H_f = 10.44 (L) \frac{(\text{gpm})^{1.85}}{(C)^{1.85} (d \text{ in})^{4.865}}$$

$$H_f = 10.44 (46) \frac{(6.6 \text{ gpm})^{1.85}}{(130)^{1.85} (1.25)^{4.865}}$$

$$H_f = 480 \frac{33}{24103} = .653 \text{ ft}$$

VARIATION ORIFICE FLOW

$$V = C_v \sqrt{2(g)(h)} = 0.6 \sqrt{2(32.2)(6)} = 11.79 \text{ f/s}$$

$$Q = VA \quad A = (1/8/2/12)^2 \quad A = 0.000027 \text{ sf}$$

$$Q = 11.79 \text{ f/s} (0.000027 \text{ sf}) = .00032 \text{ cf/s}$$

$$.00032 \text{ cf/s} \times 448.83 = 0.142 \text{ gpm}$$

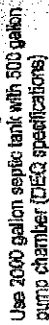
$$V = 0.6 \sqrt{2(32.2)(6-.653)} = 11.13 \text{ f/s}$$

$$Q = 11.13 \text{ f/s} (0.000027 \text{ sf}) = .0003 \text{ cf/s}$$

$$.0003 \text{ cf/s} \times 448.83 = 0.134 \text{ gpm}$$

$$\% \text{ loss} = (0.142 - 0.134) / 0.134 = .059 (5.9\%) < 10\%, \text{ OK}$$

3 BEDROOM SFR + 1 BEDROOM GUESTHOUSE



132. **အမျိုးအနွယ်နှင့် နိုင်ငံတော်** ပူးပေါင်း တိုးတက်ရေး

26% of 550 gallons = 133 gallons/234 gallons¹¹ = 52% or 7"
The high water alarm is set at 35'. 35' + 7' = 42" in a 500 gallon
casing tank provides a 25% reserve capacity (MAX CAPACITY)

References

CONTROLS:

ALARM:

ORFENCO 9-VDC LIQUID LEVEL ALARM. OR EQUAL

[illegible]

— **Researcher** says, "I'm not sure if I can do this." — **Researcher** says, "I'm not sure if I can do this."

[illegible]

1. 凡在本行开立存款账户的客户，均可申请开立本行定期存款账户。

STAFFING **PROBLEMS** **IN** **THE** **U.S.** **ARMY** **AND** **NAVY** **IN** **1964** **AND** **1965** **AND** **1966** **AND** **1967** **AND** **1968** **AND** **1969** **AND** **1970** **AND** **1971** **AND** **1972** **AND** **1973** **AND** **1974** **AND** **1975** **AND** **1976** **AND** **1977** **AND** **1978** **AND** **1979** **AND** **1980** **AND** **1981** **AND** **1982** **AND** **1983** **AND** **1984** **AND** **1985** **AND** **1986** **AND** **1987** **AND** **1988** **AND** **1989** **AND** **1990** **AND** **1991** **AND** **1992** **AND** **1993** **AND** **1994** **AND** **1995** **AND** **1996** **AND** **1997** **AND** **1998** **AND** **1999** **AND** **2000** **AND** **2001** **AND** **2002** **AND** **2003** **AND** **2004** **AND** **2005** **AND** **2006** **AND** **2007** **AND** **2008** **AND** **2009** **AND** **2010** **AND** **2011** **AND** **2012** **AND** **2013** **AND** **2014** **AND** **2015** **AND** **2016** **AND** **2017** **AND** **2018** **AND** **2019** **AND** **2020** **AND** **2021** **AND** **2022** **AND** **2023** **AND** **2024** **AND** **2025** **AND** **2026** **AND** **2027** **AND** **2028** **AND** **2029** **AND** **2030** **AND** **2031** **AND** **2032** **AND** **2033** **AND** **2034** **AND** **2035** **AND** **2036** **AND** **2037** **AND** **2038** **AND** **2039** **AND** **2040** **AND** **2041** **AND** **2042** **AND** **2043** **AND** **2044** **AND** **2045** **AND** **2046** **AND** **2047** **AND** **2048** **AND** **2049** **AND** **2050** **AND** **2051** **AND** **2052** **AND** **2053** **AND** **2054** **AND** **2055** **AND** **2056** **AND** **2057** **AND** **2058** **AND** **2059** **AND** **2060** **AND** **2061** **AND** **2062** **AND** **2063** **AND** **2064** **AND** **2065** **AND** **2066** **AND** **2067** **AND** **2068** **AND** **2069** **AND** **2070** **AND** **2071** **AND** **2072** **AND** **2073** **AND** **2074** **AND** **2075** **AND** **2076** **AND** **2077** **AND** **2078** **AND** **2079** **AND** **2080** **AND** **2081** **AND** **2082** **AND** **2083** **AND** **2084** **AND** **2085** **AND** **2086** **AND** **2087** **AND** **2088** **AND** **2089** **AND** **2090** **AND** **2091** **AND** **2092** **AND** **2093** **AND** **2094** **AND** **2095** **AND** **2096** **AND** **2097** **AND** **2098** **AND** **2099** **AND** **2100** **AND** **2101** **AND** **2102** **AND** **2103** **AND** **2104** **AND** **2105** **AND** **2106** **AND** **2107** **AND** **2108** **AND** **2109** **AND** **2110** **AND** **2111** **AND** **2112** **AND** **2113** **AND** **2114** **AND** **2115** **AND** **2116** **AND** **2117** **AND** **2118** **AND** **2119** **AND** **2120** **AND** **2121** **AND** **2122** **AND** **2123** **AND** **2124** **AND** **2125** **AND** **2126** **AND** **2127** **AND** **2128** **AND** **2129** **AND** **2130** **AND** **2131** **AND** **2132** **AND** **2133** **AND** **2134** **AND** **2135** **AND** **2136** **AND** **2137** **AND** **2138** **AND** **2139** **AND** **2140** **AND** **2141** **AND** **2142** **AND** **2143** **AND** **2144** **AND** **2145** **AND** **2146** **AND** **2147** **AND** **2148** **AND** **2149** **AND** **2150** **AND** **2151** **AND** **2152** **AND** **2153** **AND** **2154** **AND** **2155** **AND** **2156** **AND** **2157** **AND** **2158** **AND** **2159** **AND** **2160** **AND** **2161** **AND** **2162** **AND** **2163** **AND** **2164** **AND** **2165** **AND** **2166** **AND** **2167** **AND** **2168** **AND** **2169** **AND** **2170** **AND** **2171** **AND** **2172** **AND** **2173** **AND** **2174** **AND** **2175** **AND** **2176** **AND** **2177** **AND** **2178** **AND** **2179** **AND** **2180** **AND** **2181** **AND** **2182** **AND** **2183** **AND** **2184** **AND** **2185** **AND** **2186** **AND** **2187** **AND** **2188** **AND** **2189** **AND** **2190** **AND** **2191** **AND** **2192** **AND** **2193** **AND** **2194** **AND** **2195** **AND** **2196** **AND** **2197** **AND** **2198** **AND** **2199** **AND** **2200**

[illegible]

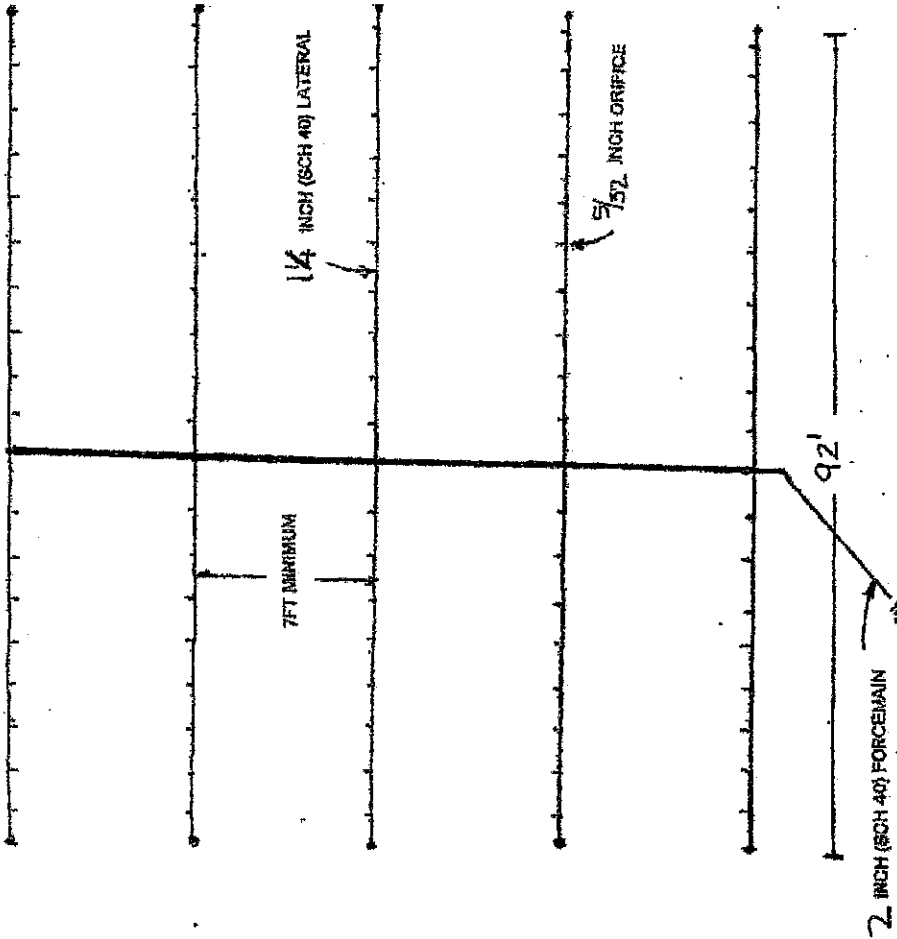
THE ACT OF 1906

[illegible]

THE

DRAINFIELD LATERAL DETAIL

no scale



TO DOSING CHAMBER

+ 90° 5/32 ORIFICES (18 EACH LATERAL)

+ TWO END ORIFICES TO BE DRILLED ON TOP OF PIPE WITH SHIELD

+ SEE DETAIL FOR LATERAL END TERMINATION

Jere Johnson, R.S.
Environmental Health Consulting
4572 Whitefish Stage Road
Whitefish MT 59957

JOHNSON

TANK/DOSING CHAMBER SIZE: 1000 gal + 500 gal
PUMP: 1/2 HP 50
CONTROL SETTINGS: 17'
ORIFICE SPACING: 5 FT. CENTERS
NUMBER OF ORIFICES EACH (FULL) LATERAL LENGTH: 18

Part 1 – Application Supplements

w.) Info regarding the disposition of water rights.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

Water Resources Division - Kalispell Regional Office

STEVE BULLOCK, GOVERNOR



STATE OF MONTANA

PHONE: (406) 752-1775
FAX: (406) 752-2043

655 TIMBERWOLF PARKWAY, SUITE 1
KALISPELL, MT 59901

September 30, 2020

Jere Johnson
Environmental Health Consulting
4572 Whitefish Stage Road
Whitefish, MT 59937

Re: KRO 20-194 DNRC Water Right Review of Johnston Family Transfer on Parcel A COS 15461 (2003)

Dear Jere:

The purpose of this letter is to respond to your request for DNRC review of water right permit exceptions under MCA 85-2-306 3 (iii) for the referenced project in accordance with ARM 17.36.103(1)(s). Individual wells are proposed on three parcels. DNRC has no record of a water right on the property being divided.

The Applicant estimates 1.185 AF/year will be needed at a pumping rate not to exceed 35 GPM for 2 households and ¼ acre of lawn and garden on each parcel. Unallocated volumes available for additional future appropriations under the water right permit exceptions of MCA 85-2-306 3 (iii) are shown below.

	Description - Parcel, Lot or Tract	Filed Existing Groundwater Certificate	MCA 85-2-306 3 (iii) 10 AF/yr Allocation	Annual Volume Acre-Feet/year				Total Volume
				Domestic	Lawn & Garden	Total	Remaining Available	
Proposed Use	Parcel A		2	0.560	0.625	1.185	0.815	10.00
Proposed Use	Parcel B		2	0.560	0.625	1.185	0.815	
Proposed Use	Parcel C		6	0.560	0.625	1.185	4.815	
Total				1.680	1.875	3.555	6.445	

Based on the information provided in your letter requesting DNRC review of water rights received on 9/23/2020, the parcels and proposed well locations shown on the provided map do fit the current rules and laws pertaining to the filing of a water right using a DNRC Form 602, Notice of Completion of Groundwater Development. As noted on form 602, the pump rate must not exceed 35 gpm and the annual volume of water pumped must not exceed 10 acre-feet per well. If either a well's flow rate exceeds 35 gpm or the annual volume pumped exceeds 10 acre-feet then a water right permit must be applied for on DNRC form 600, prior to placing the water to a beneficial use. DNRC form 602, Notice of Completion of Groundwater Development, are to be filed within 60 days of the water being put to beneficial use.

RECEIVED

OCT 15 2020

MT DEQ DIVISION WATER
DIVISION 44003

In Clark Fork Coalition, et. al. v. DNRC, et. al., 2016 MT 229, 384 Mont. 503, 380 P.3d 771, the Montana Supreme Court concluded that the definition of "combined appropriation" in Admin. R. Mont. 36.12.101(13) was invalid. The Court reinstated the Department's 1987 Rule defining "combined appropriation" as: "An appropriation of water from the same source aquifer by means of two or more groundwater developments, the purpose of which, in the department's judgment, could have been accomplished by a single appropriation. Groundwater developments need not be physically connected nor have a common distribution system to be considered a "combined appropriation." They can be separate developed springs or wells to separate parts of a project or development. Such wells and springs need not be developed simultaneously. They can be developed gradually or in increments. The amount of water appropriated from the entire project or development from these groundwater developments in the same source aquifer is the "combined appropriation."

Under this Rule, the Department interprets subdivisions that are pending before the Department of Environmental Quality for approval on October 17, 2014 or filed after that date to be a single project that can be accomplished by a single appropriation. Consequently, all wells in such a subdivision will be considered a "combined appropriation" for the purposes of Mont. Code Ann. 85-2-306. The only exception to this interpretation is that a subdivision which has received preliminary plat approval prior to October 17, 2014 will not be considered a project under the "combined appropriation" 1987 Rule; individual lots will still be evaluated under the 1987 Rule at the time of an application to the Department. 2015 Mont. Laws § 1, Ch. 221.

This letter does not serve as a pre-approval for a water right. The information above is based upon the information provided in your request. Prior to issuance of any water right, the owner must first make an application or notice to the DNRC for a water right. Applications are processed on a first-come, first-served basis. To ensure timely processing of your water right, please contact DNRC at your earliest convenience to discuss filing requirements.

A copy of this letter and your request for DNRC review will be provided to DEQ and Flathead County.

Sincerely,

Marc Pitman, P.E., CFM
Regional Engineer

cc: DEQ, Leata English – via email only
Flathead County, Wendee Jacobs – via email only
Flathead County, Kate Cassidy – via email only

Part 1 – Application Supplements

x.) An adjoiners list of all tracts, lots, or land parcels adjoining the proposed subdivision.

Part 1 – Application Supplements

y.) A draft Late Comers Agreement

Part 1 – Application Supplements

z.) Driving Directions.

**130 6th St W
to 269 Rocky Ln**

5 min
1.5 miles

IRS reimbursement: **\$0.85**



Head toward 2nd Ave W on 6th St W. Go for 157 ft.

Then 0.03 miles



Turn right onto 2nd Ave W. Go for 0.4 mi.

Then 0.44 miles



Turn left onto 1st Street West N. Go for 0.3 mi.

Then 0.32 miles



Turn slightly right onto 9th Avenue West N. Go for 0.1 mi.

Then 0.14 miles



Turn slightly left onto 3rd Street West N. Go for 0.3 mi.

Then 0.31 miles

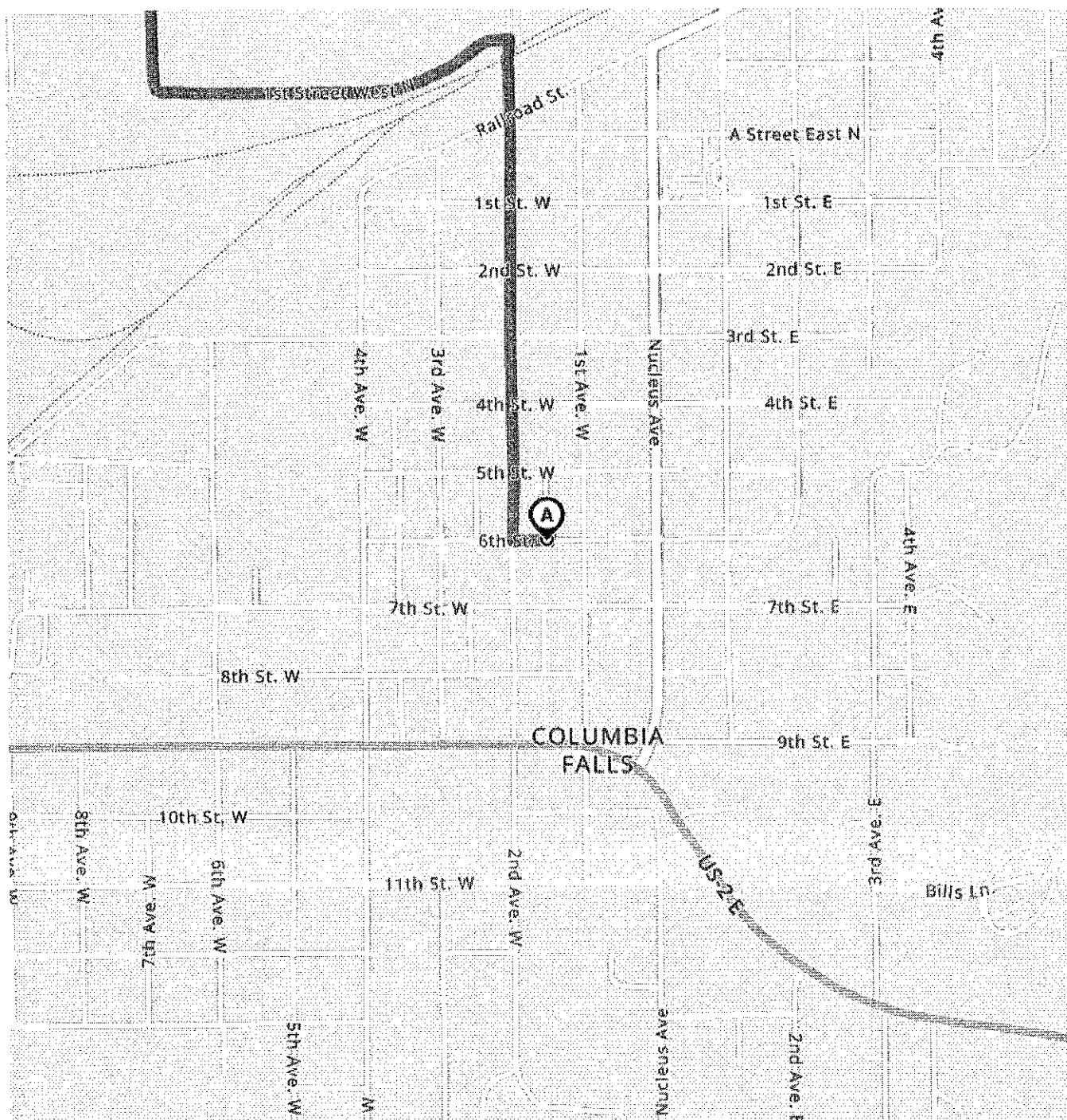


Continue on Rocky Ln. Go for 0.2 mi.

Then 0.23 miles



269 Rocky Ln
Columbia Falls, MT 59912-8820



Part 1 – Application Supplements

aa.) One or more site location maps on 11X17 paper.

Part 1 – Application Supplements

bb.) Description of any existing or proposed stream bank or shore line alterations

Part 1 – Application Supplements

cc.) Description of easements or R/W's for utilities, or other purposes on or adjacent to proposed sub.

Part 1 – Application Supplements

dd.) A request for any/all variance(s) to these Regs.

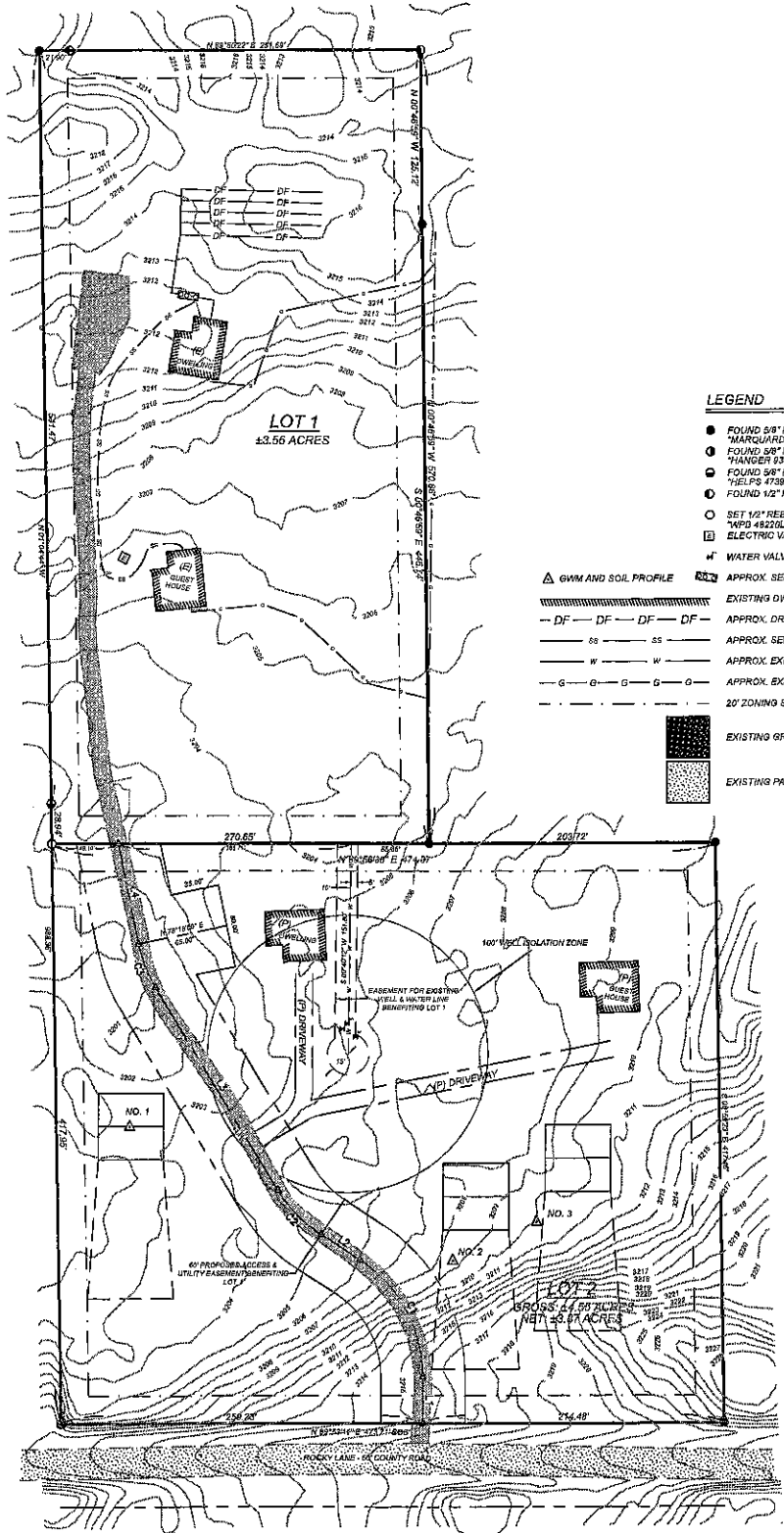
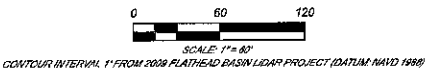
Part 1 – Application Supplements

Part 1 – Application Supplements

BY: BRECKENRIDGE SURVEYING AND MAPPING, PLLC
2302 US HIGHWAY 2 EAST, STE 6
KALISPELL, MT 59901
(406) 752-3539
WM. BRECKENRIDGE, PLS
DARREN R. BRECKENRIDGE, PLS
LUCAS BRECKENRIDGE, PLS

SEC. 7

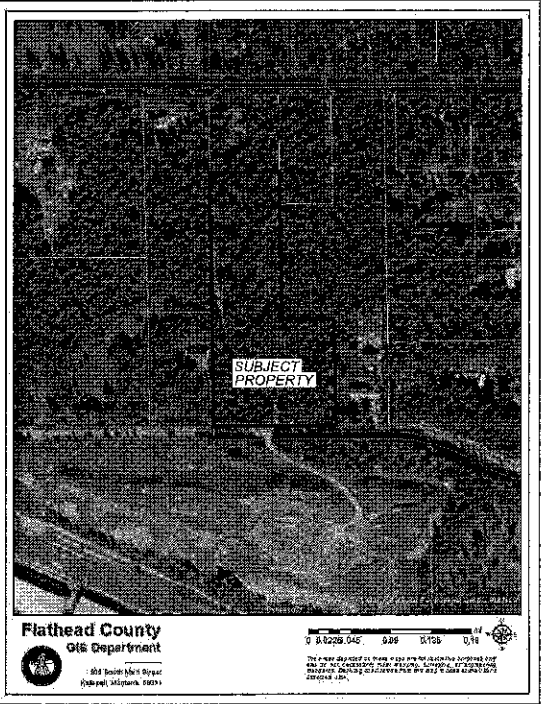
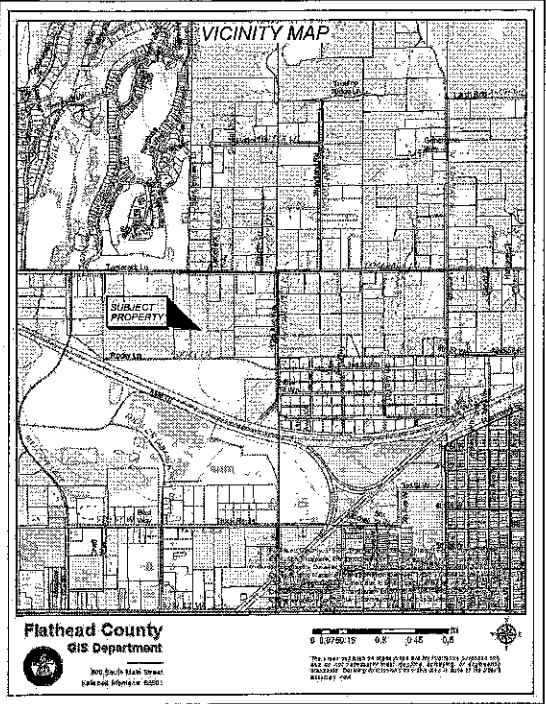
THE PRELIMINARY PLAT OF
ROCKY TOP CABINS SUBDIVISION
IN THE NE 1/4 OF THE NE 1/4 SECTION 7, T. 30 N., R. 20 W.,
PRINCIPAL MERIDIAN, FLATHEAD COUNTY, MONTANA



- LEGEND**
- FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "MARGUARDT 73283"
 - FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HANGER 13445"
 - FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "HELPS 47385"
 - FOUND 1/2" REBAR (NO CAP)
 - SET 1/2" REBAR WITH PLASTIC CAP STAMPED "4879 48220LS"
 - ELECTRIC VAULT
 - W WATER VALVE
 - △ GWM AND SOIL PROFILE
 - APPROX. SEPTIC TANK PER PERMIT #21-1083-N
 - EXISTING DWELLING
 - APPROX. DRAIN FIELD PER PERMIT #21-1083-N
 - APPROX. SEWER LINE PER PERMIT #21-1083-N
 - APPROX. EXISTING WATERLINE
 - APPROX. EXISTING WATERLINE
 - 20' ZONING SETBACK
 - EXISTING GRAVEL SURFACE
 - EXISTING PAVED SURFACE

LEGAL DESCRIPTION

Perimeter:
A tract of land located in the NE 1/4 of the NE 1/4 Sec. 7, T. 30N., R. 20 W., Principal Meridian, Flathead County, Montana; more particularly described as follows:
Parcel A of CDS 21669, records of Flathead County, Montana; containing 8.11 acres, more or less; subject to and together with any existing easements, covenants, conditions, restrictions, or agreements.



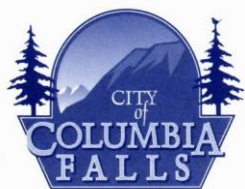
LINE	BEARING	DISTANCE
1	N 00°05'46" W	14.10
2	S 66°30'54" E	33.44
3	N 31°08'54" W	170.28
4	S 11°51'10" E	74.07

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	100.00	98.70	34.73	N 28°23'52" W	58°33'04"
C2	100.00	44.49	14.42	S 43°53'27" W	25°32'58"
C3	100.00	33.81	11.75	S 21°24'02" E	18°26'45"



CERTIFICATE OF SURVEYOR
LICENSE NUMBER 48220LS

FOR OWNERS: HERBERT ENTERPRISES LLC.
DATE: JANUARY, 2023
DRAFTED BY: TGH
FILE: E:\BSM\HERBERT\DWG\221116-HERBERT-BLA.DWG



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

Planning Department

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.5.

August 22, 2023

Re: Public hearing notice for a two-lot subdivision called Rocky Top Cabins.

Dear Adjacent Property Owner:

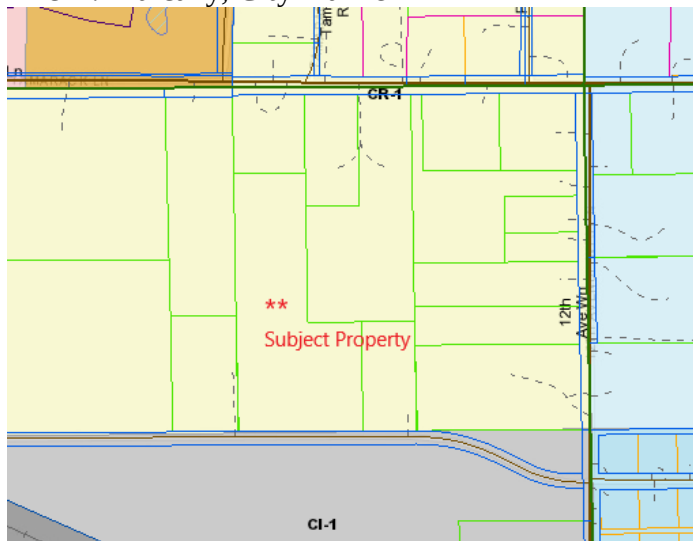
Our records indicate that you are the owner of property within 150 feet of the proposed project.

As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with notice of a public hearing that involves a request by Herbert Enterprises LLC to subdivide their property into two lots. A description of the property is included in the hearing notice attached to this letter.

If you have questions or comments concerning this matter, please call, visit, or write to 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 September 7th, 2023 or by email: staalandb@cityofcolumbiafalls.com. Written or emailed comments may be provided up to 5:00 pm on the day of the hearing, it will just be passed out at the hearing. You are also invited to present verbal or written testimony during the public hearing on September 12, 2023.

Sincerely,

Eric H. Mulcahy, City Planner



CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARINGS

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, September 12, 2023, 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 October 16, 2023, starting at 7:00 p.m. in the same location.

Rocky Top Cabins Subdivision – A Two Lot Subdivision: A request by Herbert Enterprises LLC to create a two-lot subdivision. The property is 8.11 acres in size and the property is zoned CR-1 which allows a minimum lot size of one acre. The property is located at 269 Rocky Lane, Columbia Falls, and is described as Assessor's Tract 1 (Parcel A of COS 21669) located in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons may testify at the hearings or submit written comments prior to the meetings. 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. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

CITY OF COLUMBIA FALLS

Item No.5.

NOTICE OF PUBLIC HEARINGS

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Persons may testify at the hearings or submit written comments prior to the meetings. 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. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 22 nd day of August 2023.

s/Susan Nicosia, CPA, MPA, City Manager/Zoning Administrator

August 27, 2023
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. 29696**

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 AUGUST 27, 2023

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.

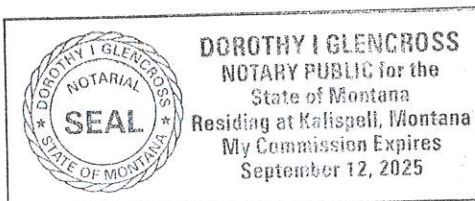
Mary Booth

Subscribed and sworn to
Before me this, August 27, 2023

Dorothy I. Glencross

Dorothy I. Glencross

Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/12/2025



**NO PUBLIC COMMENT RECEIVED PRIOR TO PACKET PREPARATION ON
SEPTEMBER 7, 2023**

REGULAR MEETING – 6:30 PM.

Chairman Vukonich called Meeting to order at 6:32 PM

PRESENT: Vukonich, Nelson, Smith, Shepard, Kavanagh.

ABSENT: Byrd-Rinck, Lundgren, Duffy, Singer

Also present: City Manager Susan Nicosia, Contract Planner Eric Mulcahy, Public Works Clerk Caleb Sobczak

APPROVAL OF MINUTES:

Approval of April 11, 2023 Regular Meeting Minutes

Motion made by Shepard to approve the April 11, 2023 minutes as presented, Seconded by Kavanagh. Motion carried with all present voting AYE.

VISITOR OR PUBLIC COMMENT: (An opportunity for the Public to comment on any items not on tonight's agenda)

No public comment was presented

PUBLIC HEARINGS AND ACTION:

Rocky Top Cabins Subdivision – A Two Lot Subdivision: A request by Herbert Enterprises LLC to create a two-lot subdivision. The property is 8.11 acres in size and the property is zoned CR-1 which allows a minimum lot size of one acre. The property is located at 269 Rocky Lane, Columbia Falls, and is described as Assessor's Tract 1 (Parcel A of COS 21669) located in Section 7, Township 30 North, Range 20 West, P.M.M., Flathead County.

Chairman Vukonich read the notice of hearing and asked Planner Mulcahy to present the staff report. Contract Planner Eric Mulcahy presented Staff Report CPP-23-02. He began by saying that because of prior development of the original tract this is viewed as a subsequent minor subdivision, which acts as a major subdivision. Presently, on the property, there are two cabins on the northern proposed lot and when the property is split two more cabins are planned to be built on the south lot. The cabins present were previously approved as a dwelling and an ADU and are currently being rented out as a short-term vacation rental per a conditional use permit obtained by the owners. The property is designated in the Growth Policy as Urban Residential, which anticipates more density than is proposed. Staff is recommending approval of the subdivision subject to the Findings of Fact and the 15 conditions in CPP-23-02. The applicants are requesting one minor variance to the positioning of the driveway going back to the northern lot. There is a small portion of their property to the west that is split by the driveway. Normally regulations recommend against lots being split by a road but in this instance, Mulcahy noted there will be a drain field located on this west portion of the lot and it would not be feasible to split that portion off further, so Staff is supporting this variance. The driveway will end in a hammerhead turnaround that is approved by the Fire Chief.

Chairman Vukonich asked the Board if they had any questions for staff.

Kavanagh asked for confirmation that there are 3 drain fields on the plat. Mulcahy answered in the affirmative.

Vukonich sought clarification on the variance. Mulcahy answered that it is lot 2 that the variance is referencing. Since subdivision regulations say that each lot needs to front on a subdivision standard road, the applicants will be

**CITY OF COLUMBIA FALLS PLANNING BOARD & ZONING COMMISSION REGULAR MEETING MINUTES
HELD ON SEPTEMBER 12TH, 2023**

Item No.5.

constructing the road up to the lot 1 boundary, ending it in a hammerhead turnaround. So, it is only lot 2 that is bisected by the road. With the drain field on the west side of the road it is not creating a situation where staff would anticipate that the lot would be further split in the future. Also, that location is where the existing driveway is so they would not have to relocate their driveway. Vukonich also wondered if they would need County approval for a new access point. Mulcahy answered that the applicant would need to update their approach permit not obtain a new one.

Shepard then asked if this was like a family transfer. Mulcahy said that is another option for them but this is more of a subdivision and not a family transfer, which is why they went this route.

Chairman Vukonich asked for the applicant's representative to address the Board.

Rick Breckenridge, 2302 Highway 2 E, #6, Kalispell, consultant/applicant's representative said that a family transfer was an option for his client, but he suggested going the subdivision route since there is a short-term rental use already at the site. The variance was requested because groundwater is prevalent at the site so DEQ approvals were hard to get but they found several sites one of them being on the west side of the existing driveway. Since this is a heavily wooded area, he is going to rely rather heavily on the Fire Chief for support for creating fire lines. With the short-term rental aspect to this property, they want to comply with fire safety and not put anyone in harm's way unnecessarily. Because they plan on paving the road, they have to go back through the approach permit process with the County Road Department.

Vukonich wondered how long the driveway is. Breckenridge answered that it is roughly slightly under 1000 feet, about 960 feet. Vukonich then asked if they would be paving the entire length. Breckenridge answered yes.

Vukonich opened comments from the public in regards to this project. No public comment was presented and there were no written comments in the packet or received prior to the meeting.

A motion was made by Kavanagh to approve Staff Report CPP-23-02 as Findings of Fact. Seconded by Nelson. Vukonich commented that this seems to be a rather straightforward project. A roll call vote was performed. Motion passed with all present voting AYE.

A motion to recommend approval of Rocky Top Subdivision to City Council with conditions was made by Nelson. Seconded by Shepard. A roll call vote was performed. Motion passed with all present voting AYE. Vukonich confirmed that the City Council hearing is on October 16th, 2023.

Vukonich inquired if there was any new business from City Manager Susan Nicosia. She answered that there was no new business at this time and that there will not be a Planning Board Meeting on October 10th, 2023, since there have been no new projects that have come forward. Mulcahy further commented that they are expecting one application for a Conditional Use Permit from the Boys and Girls Club but it has not been submitted and it is past the deadline for the October meeting.

Shepard commented on Meadowlake residents saying their lack of water is because of the watering of the greens on the golf course and the shallow aquifer. Mulcahy answered that the wells in Meadowlake are about 800 feet deep and the wells that are going dry are about 120 feet deep.

Vukonich said that he was told by his dentist that members of the public that are adjacent to Mr. Barnett's project on River Road have been contacted by him and that he says that he is planning on coming back to the Board with a new submission. Mulcahy answered that he encouraged Mr. Barnett to talk to the neighbors but the city has not received anything on a new project.

Kavanagh asked Staff if they anticipate extensive work because of the new legislation coming out and going into effect this winter. Mulcahy answered that there will be updates to zoning and subdivision rights based on statutes but State Law trumps our regulations so the City of Columbia Falls will be following the State Laws even before the Columbia Falls Municipal Code is updated. Staff will probably be bringing their updates to the Board this winter and when the Growth Policy is updated these new standards will require a complete shift in our regulation paradigm. City Manager Nicosia

**CITY OF COLUMBIA FALLS PLANNING BOARD & ZONING COMMISSION REGULAR MEETING MINUTES
HELD ON SEPTEMBER 12TH, 2023**

Item No.5.

said with the adoption of Senate Bill 382, the Department of Commerce created a staff that is working with the League of Cities and Towns and the Association of Planners to create a template and looking at the different pieces to implement the overhaul of planning/zoning. For example, for the housing study component of SB 382, there is some grant funding available, and the League might go after a big grant. There are 10 cities that must comply with the new requirements, including Columbia Falls; one major component is a comprehensive housing study. Nicosia reported that Mulcahy got an estimate on having a comprehensive housing study completed and it is \$45,000 to \$75,000. The task force with DOC, MLCT and the Planners are working on building a template so we are not rushing to adopt something that will have to be changed or is not adequate. With the new regulations, if a subdivision meets all the requirements, it does not need to go in front of the Board for a public hearing. Nicosia noted that the new statute gives us 3-5 years to come into compliance. Kavanagh sought clarification that we are still months away from really getting into Growth Policy updates. Mulcahy answered yes, we might kick off our process next summer and then take about two years or however long it takes for these updates. We will need the template otherwise we will be chasing our tail around trying to get all the aspects of compliance met, noted Mulcahy.

Vukonich wondered what is needed for members of the Board that are needing to renew in the upcoming year. Mulcahy answered that staff will review dates and give the members that are needing to renew a heads up. Nicosia said that Flathead County will send letters to their appointed members and the City will send letters to the city appointees.

ADJOURNMENT – Meeting duly adjourned at 7:03 PM - A motion was made to adjourn by Kavanagh. Seconded by Nelson with all present voting AYE.

Chairman

Attest:

Public Works Clerk

**SECTION 00100
INVITATION TO BID**

Separate sealed bids for construction of the **Sidewalk and Parking Improvements Project** will be received by the **City of Columbia Falls** at **Columbia Falls City Hall, 130 6th Street West, Columbia Falls, MT, 59912** until **3:00 PM** local time on **Thursday, November 16, 2023**, and then publicly opened and read aloud.

Pre-bid inquiries should be directed to C.R. Leisinger of Morrison-Maierle, Inc. by telephone at 406-751-5864 or email at cleisinger@m-m.net.

The project consists of completing sidewalk and parking improvements along several streets in Columbia Falls including 1st St W, 2nd St W, 2nd St E, 3rd St E, 1st Ave W, and 5th St W. The project includes clearing and grubbing; topsoil removal; demolition of existing asphalt, sidewalk, and curb and gutter; stormwater dry wells with castings; concrete curb, gutter, and sidewalk; asphalt paving; topsoil placement; street signs; seeding; traffic control; and other miscellaneous work.

Complete electronic Project Plans, Project Specifications, and Bid Proposal Packet are available at the Morrison-Maierle, Inc. website "www.m-m.net" by clicking on the "About" tab, scroll down to "Projects Bidding", then click "View our current projects bidding page". Select this project from the project list which will direct you to the QuestCDN website. Documents can *only* be viewed and cannot be downloaded or printed without purchasing. To purchase and download the project documents in pdf format, click "Download Project PDF" and sign on to QuestCDN.com. Plan documents and the Bid Proposal Packet can be downloaded for a fee of \$40. Please contact QuestCDN at 952-233-1632 or email "info@questcdn.com" for assistance in the free membership registration, downloading documents, and working with this digital project information. Only firms obtaining documents by this method will be placed on the Planholders List.

In addition, the Drawings and Project Manual may also be examined at the following locations:

The offices of the consulting engineer, Morrison-Maierle, Inc., at 172 Timberwolf Parkway Kalispell, Montana, and on the Montana Plans Exchange at Montanabid.com.

There will be a Pre-Bid Meeting held at **Columbia Falls City Hall, 130 6th Street West, Columbia Falls, MT, 59912** at **10:00 AM** on **Wednesday, October 25, 2023**. A tour of the project site will be conducted after the meeting.

CONTRACTOR(s) and any of the CONTRACTOR's subcontractors bidding on this project will be required to obtain registration with the Montana Department of Labor and Industry (DLI). CONTRACTOR's are required to have registered with the DLI prior to bidding on this project.

All laborers and mechanics employed by CONTRACTOR(s) or subcontractors in performance of the construction work shall be paid wages at rates as may be required by the laws of the State of Montana in accordance with the schedule of Montana Prevailing

Wage Rates established by the Montana Department of Labor and Industry included in the Project Manual.

Each bid or proposal must be accompanied by a Certified Check, Cashier's Check, or Bid Bond payable to **City of Columbia Falls**, in an amount not less than ten percent (10%) of the total amount of the bid. Successful BIDDERS shall furnish an approved Construction Performance Bond and a Construction (Labor and Materials) Payment Bond, each in the amount of one hundred percent (100%) of the contract amount. Insurance as required shall be provided by the successful BIDDER(s) and a certificate(s) of that insurance shall be provided.

No bid may be withdrawn after the scheduled time for the public opening of the Bids specified above.

The right is reserved to reject any or all Proposals received, to waive informalities, to postpone the award of the contract for a period of not to exceed sixty (60), and to accept the lowest responsive and responsible bid which is in the best interest of the City of Columbia Falls.

The CONTRACTOR(s) is required to be an Equal Opportunity Employer.

Published at Columbia Falls, Montana this 16th day of October 2023.

/s/ Susan Nicosia

City Manager

(Title)

Address: 130 6th Street West
Columbia Falls, Montana 59912

Publication Dates: October 18, 2023 – Daily Inter Lake
November 8, 2023 – Daily Inter Lake

COLLECTIVE BARGAINING AGREEMENT

between

THE CITY OF COLUMBIA FALLS

and

TEAMSTERS UNION LOCAL No. 2



JULY 1, 2022 -JUNE 30, 2025

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LABOR AGREEMENT

TEAMSTERS UNION LOCAL NO. 2 and CITY OF COLUMBIA FALLS, MONTANA

This Agreement is made and entered into between Teamsters, Chauffeurs, Warehousemen and Helpers Union, Local No. 2, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers Union of America, hereinafter referred to as the "Union"; and the City of Columbia Falls, Montana, hereinafter referred to as the "City".

ARTICLE 1: MANAGEMENT RIGHTS AND BARGAINING UNIT

- A. Management Rights: All rights to manage the City's operations and to direct the work of the employees of the City are vested exclusively in the City, subject only to the limitations of this Agreement and Law.
- B. Work Protection: The City agrees that it will not employ part-time or casual employees to deprive regular employees of overtime on holidays, regular work days and for special events. This provision does not intend to obviate management rights to determine the number of or need for additional employees whenever they deem it necessary or expedient to supplement the regular work force.
- C. Recognition: The City recognizes the Union as the exclusive representative for all employees of the City's water, street, and sewer departments; excluding supervisors, guards, confidential employees, short-term, probationary and all other employees. Short-term employees shall not be used to reduce the schedule of permanent employees.

ARTICLE 2: UNION SECURITY

- A. The Union shall abide by all applicable laws with respect to membership. The amount of initiation fees or monthly dues shall be determined solely by the Union. The Union shall provide the City with a monthly invoice.

The Union shall indemnify, defend, and hold the Employer (City) harmless against any claim made and against any suit instituted against the Employer (City), including attorney's fees and costs of defense thereof, on account of any action taken in accordance with this Article.

- B. Information: At the request of the Union, the City shall advise the Union of the names and dates of employment of new employees on the City's payroll.

- C. **Physical Examination:** Prior to commencing work, the prospective employee shall be required to pass a physical examination approved by the City by a medical doctor designated by the City. The cost of such examination, if required, shall be paid by the City.
- D. **Commercial Driver's License:** Employees who are required to obtain special driver's licenses (commercial driver's licenses) as a condition of their employment will be compensated by the City for the cost of such licenses.

ARTICLE 3: MAINTENANCE OF STANDARDS

All matters relating to wages, hours, fringe benefits, and other conditions of employment shall be maintained at not less than the highest standards in effect at the signing of this Agreement. The City agrees not to enter into any agreement or contract with the members of this bargaining unit, individually or collectively, which in any way conflicts with the terms and provisions of this Agreement.

ARTICLE 4: UNION ACTIVITY

The City reserves the right to discharge any employee for just cause, provided however that no employee will be discharged or disciplined because of the employee's membership in a protected class or participation in lawfully protected union activities.

ARTICLE 5: HOURS OF WORK AND OVERTIME

- A. **Overtime:** All work performed in excess of eight hours in any day or forty hours in any work week shall be at the rate of time and one-half the employee's regular rate.
- B. **Schedule:** Normally, employees will be scheduled to work from 8:00 AM to 5:00 PM Monday through Friday, except for Sewer Plant employees and in cases of an emergency or extenuating circumstance. An earlier starting time may be allowed between the hours of 6:00 a.m. to 8:00 a.m. For as long as the City determines it to be productive, one or more employees may be assigned to a work week consisting of four ten-hour days. During such work weeks, overtime shall be paid only after 10 hours of work in any day or 40 hours in the work week. As much advance notice as is reasonably possible will be given on a change of a regular scheduled shift. This in no way restricts the City from changing shifts on a temporary basis to cover emergencies and extenuating circumstances.
- C. **Call Back:** Those called back to work or called out for work, will be paid time and one half (1 ½) hourly wage, for a minimum of three hours.
- D. **Preferential Assignment:** The City will make its best effort to employ bargaining unit members prior to nonmembers for snow removal and sanding operations or other conditions that may arise during the term of this Agreement.

- E. Higher Classification Pay: Employees working in a higher paid classification for more than four consecutive hours shall be compensated at the higher rate for all hours worked at the higher classification.
- F. Compensatory Time: The City may credit up to but not more than 160 hours of work over 40 in standard work weeks to compensatory time. Compensatory time is credited at time and one-half the hours worked over 40 in standard work weeks, and is available to use as time off with pay by the employee. The employee may use accumulated compensatory time credits with at least two weeks prior notice except in the case of an emergency or when such use would create an undue burden on the City. All requests shall be on the standard leave request form, and shall be submitted to the employee's immediate supervisor. The employee has the right to preserve compensatory time credits. Should the employee have credits remaining upon termination, he/she shall be paid in cash for all such time at his/her regular rate of pay at the time of termination. The City may cash out any or all compensatory time credits on or about January 1 and/or July 1 of each year.

ARTICLE 6: LEAVE OF ABSENCE

Leaves of absence shall be regulated and determined by state and federal law. Maternity leave shall be granted in accordance with Sections 49-2-310 and 311, MCA. When on leave of absence, an employee may maintain existing medical and life insurance at his/her own expense subject to any City contribution that may be required by law.

ARTICLE 7: SICK LEAVE

- A. Sick leave shall be granted in accordance with state law, Section 2-18-618, MCA which shall be controlling in the event of a conflict with any provision in this Agreement.
- B. Use: Subject to approval of the Department Head, the employee may take sick leave, aside from personal illness, for the following reasons.
1. Serious affliction of one of the employee's immediate family requiring the employee's presence (not to exceed five days per occurrence);
 2. Death in the employee's immediate family (not to exceed five days per occurrence);
 3. Attendance at the funeral of a fellow City of Columbia Falls employee or attendance at the funeral of a close personal friend. However, the use of sick leave for funerals in this paragraph shall not exceed four hours per funeral or eight hours per month.
 4. The immediate family consists of the employee's spouse, child, father, mother, brother, sister, grandparents, or guardian, or relative of employee's wife or husband in like degree.
- C. Donation: An employee of the City may, at his or her discretion, donate not more than 40 hours of his or her available sick leave credits to another City employee in any calendar year who is in need and has exhausted his or her own sick and annual leave due to the employee's personal illness. The sick leave donor must retain at least 40 hours sick leave in his or her personal bank after the donation. The aggregate total

of such sick leave that may be donated shall not exceed 90 days annually. Any donor shall notify the City Clerk/Payroll Officer on forms provided by the City of his or her intention to make such donation. The donor and recipient will need to notify the City Clerk/Payroll Officer of the requested sick leave transfer five working days before the pay day in order to have such credits applied for that pay period. Any unused sick leave shall be returned to the donor (or donors) on a prorated basis

- D. Family and Medical Leave: If Family and Medical Leave Act benefits are applicable, when an employee is absent for reasons that qualify under the FMLA, the City shall notify the employee in writing of the starting date of such leave and advise the employee of the rights under the Act and any additional requirements or responsibilities of the employee while on such leave. Employees shall use available sick leave concurrently and may use any other paid leave available after paid sick leave has been exhausted.

ARTICLE 8: HOLIDAYS

- A. Holidays: Employees shall have the following paid holidays per state law:

- | | |
|----------------------------------|--------------------------------|
| 1. New Year's Day | 7. Veterans Day |
| 2. President's Day | 8. Thanksgiving Day |
| 3. Martin Luther King's Birthday | 9. Friday after Thanksgiving |
| 4. Memorial Day | 10. Christmas Day |
| 5. Fourth of July | 11. Columbus Day |
| 6. Labor Day | 12. State General Election Day |

The actual calendar day on which a holiday occurs will be deemed that holiday for an employee who is scheduled or called in and works on such day. For all others a holiday which occurs on a Saturday shall be observed the preceding Friday, and a holiday which occurs on a Sunday shall be observed the following Monday.

- B. Compensation: To qualify for any holiday compensation, an employee must be in pay status on his or her last regularly scheduled working day immediately before the holiday or on his or her first regularly scheduled working day immediately after the holiday.

1. Holiday Pay: An employee will be paid for eight hours at his or her regular rate for each holiday, which shall be prorated for part-time employees based on the time worked during the work week in which the holiday occurs.
2. Work a Holiday: An employee who is scheduled and works on a holiday will be paid time and one-half for all hours worked. When such work is not scheduled in advance, the employee will receive such pay for a minimum of three hours.
3. Scheduled Day Off: An employee who is scheduled for a day off on a holiday is entitled to receive a day off with pay either on the day preceding the holiday or on another day following the holiday in the same pay period or as scheduled by the employee and the employee's supervisor, whichever allows a day off in addition to

the employee's regularly scheduled days off.

Item No.7.

- C. Leave During A Holiday: Should an employee be on authorized leave when a holiday occurs, that holiday shall not be charged against his/her leave.
- D. Employees working a four (4) ten (10) hour schedule shall be paid for ten (10) hours on any recognized Holiday that occurs during that schedule.

ARTICLE 9: VACATIONS

Vacation leave shall be granted in accordance with state law, Section 2-18-611 – 617, MCA, which shall be controlling in the event of a conflict with any provision of this Agreement.

ARTICLE 10: SENIORITY

- A. Seniority: The seniority of employees shall be on a Department basis of employees covered by this Agreement. An employee shall not acquire seniority until he/she has been retained in the service of the City for at least sixty days, but after such time his/her seniority shall be computed from the first day of hire. In the event of layoffs due to a reduction in the work force, the employees with the least seniority shall be the first laid off, and the employees within their department shall be the first offered re-employment.
- B. Application of Seniority: All relative factors being equal such as ability, experience and competency, the principle of seniority shall prevail in layoffs, schedule of vacations, holidays and job openings or vacancies by the Public Works Department. Each department shall post a seniority list, and the City agrees to recognize the order of employment. When a vacancy occurs, the City agrees to post a list in all departments for five days (exclusive of Saturday and Sunday). During this time, the City may fill such job openings or vacancies by seniority.
- C. Layoff Rights: Current employees or employees on layoff may apply for new openings or vacancies in the Unit and the City shall have the final decision based on ability, education, training experience and seniority.
- D. Termination of Seniority: Seniority shall terminate if the employee is discharged for just cause, if the employee quits voluntarily, or if the employee fails to accept and report for work within ten work days after written notification.

ARTICLE 11: SAFETY

The City will continue to make every reasonable effort to provide safe and healthful conditions of work for all such employees and will continue to provide protective equipment in accordance with state and federal laws and regulations. Protective equipment required by law shall be provided without cost to the employee.

ARTICLE 12: PROBATION, DISCIPLINE AND DISCHARGE

- A. Probation: An employee will be deemed probationary during the first 2,080 hours actually worked since the last day of hire with the City, but not longer than one year.
- B. Discipline and Discharge:
 - 1. Just Cause: The City will not discipline or discharge a nonprobationary employee without just cause.
 - 2. Warnings: A warning letter will be removed from an employee's official personnel file six months from the date of the warning unless there is an ongoing problem. Documents so removed will be stored in a separate file in the personnel office and used only in support of future punitive action.

ARTICLE 13: GRIEVANCE PROCEDURE

- A. Definitions: An employee or the Union may file a grievance alleging the City's incorrect interpretation and/or application of any provision contained in this Agreement. However, an allegation of the violation of a statute or regulation shall be processed through the complaint procedure provided by such statute or regulation and not this procedure.
- B. Informal Discussion: Before proceeding to Step 1 of the grievance procedure, employees shall discuss any issues, acts, or incidents with their immediate supervisor and attempt to resolve such issues before they rise to the level of a formal grievance. Should such issues remain unresolved, based upon this discussion, the employee may then proceed to Step 1 of the formal grievance procedure.
- C. Procedure: In the settlement of a grievance under the terms of this Agreement, the following procedure shall be observed:

Step 1 - The employee shall present his/her grievance, in writing, on the form provided as Addendum A, to his/her immediate supervisor or department head not later than fourteen calendar days after the act or incident giving rise to the grievance occurred. The written grievance shall be signed by the grievant and Union shop steward or Business Representative.

Step 2 - If not later than fourteen calendar days from the date on which the grievance was presented to the supervisor or department head, the employee has not received what he/she considers to be a fair and satisfactory resolution to the grievance, he/she may, not later than seven calendar days thereafter, notify the City Manager of his/her grievance. In case of prolonged absence of the City Manager, as during vacation, the employee must notify the City Manager not later than seven calendar days from the City Manager's return.

Step 3- The City Manager will make an appointment with the employee (and his Union representative if the employee so requests) for a mutually convenient appointment and hear the grievance not later than fourteen calendar days from the date on which notification from the employee was received. Not later than seven calendar days after hearing the grievance, the City Manager will render a final decision in the case and inform the aggrieved employee of his decision.

- D. Default: If the grievance is not appealed to the next step within the specified time limits, it shall be considered settled on the basis of the City's answer, but such settlement shall not constitute a precedent in any other case. If a grievance is not answered by the City within the specified time limits, the Union may advance the grievance to the next step of the procedure in accordance with the applicable time limits.
- E. Time Limits: No grievance shall be considered unless each step has been taken within the time provided in this Article, unless mutually agreed to by both parties in writing.
- F. Written Form: All answers, appeals, extensions, referrals, and request for meetings pertaining to written grievances shall be in writing.
- G. Arbitration: Subject to the other provisions of this Agreement, a grievance as defined in Article 14 which has not been satisfactorily settled at Step 3 of the grievance procedure may be submitted by the Union, but not by an individual employee, to arbitration as set forth in this Article.
 - 1. Not later than seventeen calendar days of the receipt of the answer of the City Manager or his/her designee, the Union, if it desires to arbitrate the matter, shall give written notice to the City.
 - 2. Should the Union properly announce its decision to arbitrate the matter, the Union shall request the Montana Board of Personnel Appeals to furnish a list of seven names of arbitrators qualified to hear the dispute. The selection of a neutral arbitrator shall be determined by the alternate striking of names, the party to strike first shall be determined by lot.
 - 3. Unless otherwise agreed to by the City and the Union, the Arbitrator shall render his/her decision in writing. If such decision is in conformity with the powers granted the Arbitrator herein, it shall be final and binding upon the parties. The sole function of the Arbitrator shall be to interpret the express terms of this Agreement and apply them to the specific facts presented at the hearing. The arbitrator shall have no power or authority to change, amend, modify, ignore, add to, delete from, or otherwise alter this Agreement; nor to go beyond the issue raised by the original grievance, nor to determine a grievance the cause of which arose prior to the date of the execution of this Agreement.
 - 4. The expense of arbitration shall be equally borne by the parties to arbitration.
 - 5. It is the intention of the parties that this Article shall provide a peaceful method of adjusting grievances so that there shall be no suspension or interruption of normal operations as a result of such grievances. The parties shall act in good faith in proceeding to adjust grievances in accordance with the provisions of this Article. It is agreed that there shall be no work stoppage or lockouts pending the completion of the grievance procedure

ARTICLE 14: JURY AND WITNESS DUTY

Each City employee who is under proper summons as a juror or witness shall collect a fee and allowances payable as a result of the service and forward the fees to the appropriate accounting office. Fees shall be applied against the amount due the employee from his/her employer. However, if an employee elects to charge his/her time off against his/her annual leave, he/she shall not be required to remit his/her fee to his/her employer. In no instance is an employee required to remit to his/her employer any expense or mileage paid by the court. Employers may request the court to excuse their employees from jury or witness duty if they are needed for the proper operation of a unit of the City.

ARTICLE 15: REPRESENTATIVES

The Union will designate to the City the names of those who are designated as stewards. An employee's right to representation shall be governed by Weingarten and its progeny. A copy of this Agreement may be posted in a conspicuous place at the City shop by the Union.

ARTICLE 16: WAGE SCHEDULES AND REGULATIONS

- A. Wage: Section B to this Agreement outlines the wage schedule for all employees of the City Public Works Department for the 2022-23 Fiscal Year. The City is proposing wage openers for the 2023-24 and 2024-25 Fiscal Years due to the current economic volatility.

B. Wage Schedule: July 1, 2023 through June 30, 2024:

23-24																
Grade	Entry	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	
10 - Operator 1	21.25	21.67	22.11	22.55	23.00	23.46	23.93	24.41	24.89	25.39	25.90	26.42	26.95	27.49	28.03	
11- Operator 2	22.85	23.30	23.77	24.24	24.73	25.22	25.73	26.24	26.77	27.30	27.85	28.41	28.97	29.55	30.14	
12 -Operator 3	24.56	25.05	25.55	26.06	26.58	27.11	27.65	28.21	28.77	29.35	29.93	30.53	31.14	31.77	32.40	
13 - Lead	27.00	27.54	28.09	28.66	29.23	29.81	30.41	31.02	31.64	32.27	32.92	33.57	34.25	34.93	35.63	
Grade	Step 15	Step 16	Step 17	Step 18	Step 19	Step 20	Step 21	Step 22	Step 23	Step 24	Step 25	Step 26	Step 27	Step 28	Step 29	Step 30
10 - Operator 1	28.60	29.17	29.75	30.35	30.95	31.57	32.20	32.85	33.50	34.17	34.86	35.55	36.27	36.99	37.73	38.49
11- Operator 2	30.75	31.36	31.99	32.63	33.28	33.95	34.63	35.32	36.03	36.75	37.48	38.23	38.99	39.77	40.57	41.38
12 - Operator 3	33.05	33.71	34.38	35.07	35.77	36.49	37.22	37.96	38.72	39.50	40.29	41.09	41.91	42.75	43.61	44.48
13 - Lead	36.34	37.07	37.81	38.57	39.34	40.12	40.93	41.74	42.58	43.43	44.30	45.19	46.09	47.01	47.95	48.91

Grade 10 - Operator 1

Grade 11 - Operator 2 – 5+ years of service

Grade 12 - Operator 3 – 10+ years of service

Grade 13 – Lead Operator

C. Step Increases:

1. An annual increase shall be granted the year following a successful step increase, only with the written authorization of the City Manager, after a recommendation by the individual employee's department head to the City Manager. Such a recommendation shall be based solely upon the employee's meritorious performance of duties as documented by the employee's annual performance evaluation, and the length of satisfactory service shall not alone constitute the basis for an annual increase. Should the employee's evaluation not support a step increase, the department head and employee will prepare a plan of improvement and provide the plan to the City Manager. The employee will then be re-evaluated based on the plan of improvement, but not later than 3 months after the initial evaluation. If the employee's performance improves pursuant to the plan of improvement, the employee will receive the Step increase retroactively to the anniversary date.

2. When an employee is promoted to a higher graded position, or if an employee's job description is regraded to a higher grade, the newly graded employee will be placed on the new grade level at the same step as currently held. The effective date of such promotion or regrading shall establish a new anniversary date.

3. New Employee:

- a. A step increase to Step 1 shall be granted a new employee after one year of employment, only with the written authorization of the City Manager, after a recommendation by the individual employee's department head to the City manager. Such a recommendation shall be based solely upon the employee's successful completion of probation and required training as documented by the employee's annual performance evaluation, and the length of satisfactory service shall not alone constitute the basis for this increase.

- b. Upon hire, the City may grant additional steps based upon experience or education attained prior to the current employment with this employer. Such additional steps may be granted by the City Manager pursuant to the following:

- (1) Two additional steps may be granted for prior experience that totals at least five years earned with, not more than two employers, within a period of six continuous years, or two additional steps may be granted for a maximum of one associate's degree earned by the employee from an accredited institution.

- (2) Four additional steps may be granted for prior experience that totals at least ten years earned with, not more than three employers, within a period of twelve continuous years, or two additional steps may be granted for a maximum of one

bachelor's degree earned by the employee from an accredited institution.

- D. Special Shift: When the City requires a special shift or perform outside the regular shift due to safety conditions, traffic, or other requirements, a temporary shift may be established between the Department Head and the employees. Employees on this temporary shift shall receive eight hours pay for eight consecutive hours worked (exclusive of meal period) and, in addition to their regular rate of pay, receive one dollar per hour premium pay. It is understood that the one dollar per hour premium pay will apply only to those hours worked outside the employee's regularly assigned shift.

ARTICLE 17: OTHER BENEFITS

A. Insurance:

- For the period of this agreement, the City shall determine the insurance carrier and shall contribute up to the following amounts per month for each employee enrolled in the City's Medical Insurance Plan:

Single Coverage	\$ 764
Employee/Spouse	\$1,525
Employee/Children	\$1,341
Family Coverage	\$2,110

An employee that provides proof of insurance will receive \$470, less applicable state or federal withholding, in the City's deferred compensation plan.

- Proration: Each contribution shall be prorated based on the number of hours budgeted for that position for the next fiscal year.
- Changes: An employee may make changes to his or her enrollment status during the open enrollment period or special enrollment periods established by the insurance carrier.
- During the term of this agreement, the City shall determine the insurance carrier and the City's Contribution toward Medical Insurance Coverage. All City employees shall enjoy equal medical insurance coverage and contributions as recommended by a City-wide Insurance Committee to the City Council for final approval.

- B. Meals and Lodging: Meals and lodging will be paid in accordance with City policy. If City policy amounts are changed, these amounts will be changed for members of this bargaining unit.

C. Clothing Allowance:

- Allowance: On or about each September 1, the City will provide each employee a uniform allowance, minus all deductibles. The City will recoup through a reduction of any payment due the employee a prorated amount of such allowance should an employee separate from the City within 12 months of the payment of an allowance.

September 1, 2022: \$ 925

September 1, 2023: \$ 975

2. Requirement: The City may specify what type of shirt, jacket and cap will be worn, and an employee's clothing will be kept clean and presentable. The City will provide all required patches and logos.
 3. Each probationary employee will receive a prorated uniform allowance based on 1/12 of the allowance for each whole month of employment between the start month and September 1st. The City will recoup through a reduction of any payment due to the employee a prorated amount of such allowance should a probationary employee separate from the City within 12 months of the payment of an allowance.
- D. Retirement: The City offers a VEBA program, per the provisions of City policy which may be modified from time to time by the City Council.
- E. Additional pay for certifications: Employees obtaining and maintaining certifications, licenses or endorsements, at the request of the City, above the required certifications in the adopted job description, shall receive a stipend of \$1,000. The stipends will be paid on or about September 1 with the clothing allowance. The City will recoup through a reduction of any payment due the employee a prorated amount of each stipend should an employee separate from the City within 12 months of the payment of a stipend.

ARTICLE 18: SAVINGS CLAUSE

The provisions of this Agreement are separable to the extent that if and when a court of last resort adjudges any provision of this Agreement in its applications between the City and the Union to be in conflict with any law, such decision shall not affect the validity of the remaining provisions of this Agreement. All remaining provisions shall continue in force and effect, provided further that in the event any provisions are so declared to be in conflict with a law, both parties shall meet within thirty calendar days for the purpose of renegotiating an agreement on the provision or provisions so invalidated.

ARTICLE 19: TERM OF AGREEMENT

- A. Term: This Agreement shall be in full force and effect from the date of ratification of this Agreement by the parties or July 1, 2022 through June 30, 2025 except for wage openers for the 2023-24 FY and the 2024-25 FY and any mutually agreed upon items. Should either party wish to renegotiate this Agreement, it shall give written notice of such intent to the other party not later than three (3) months prior to the date last written. The parties shall agree to a mutually acceptable meeting schedule upon receipt of the written notice.
- B. Notices: Notices as required by this Agreement shall be given by registered mail, postage prepaid, deposited in a United States post office in the State of Montana. Such notice of service thereof shall be complete for all purposes upon mailing as herein stipulated.
- C. Whole Agreement: It is mutually agreed that this contract sets forth the entire agreement between the parties and during the course of collective bargaining, each party had the unlimited right to offer, discuss, accept or reject proposals, and

therefore, for the term of this contract, no further collective bargaining shall be had upon any provisions of this Agreement, nor upon any other subject of collective bargaining, unless by mutual consent of the parties hereto. This in no way restricts or prohibits the negotiation period during the term of the contract for renewal of the contract.

In Witness Whereof, the parties have executed this Agreement as follows:

Date of Ratification: September 19, 2022

FOR THE CITY OF COLUMBIA FALLS:

City Manager

Attest:

City Clerk

FOR THE UNION:

Business Representative
Teamsters Union Local No. 2

ADDENDUM A - GRIEVANCE REPORT FORM

Item No.7.

Date: _____

Location: _____

Employer : _____

My Employer has violated the Agreement between Teamsters Union Local No. 2 and the above named

Employer in the following manner: _____

This violation applies to the following Articles and/or Sections of the Agreement _____

Relief Requested: _____

Date of violation: _____ Date Discussed with supervisor (Art. 13 B): _____

I affirm the above to be true and correct. Signature: _____

PRINTED Name: _____ Phone #: _____

Address/City/State/Zip _____

Note: Remember to include all facts including dates, times witnesses. Use reverse if additional space is needed.

MEMORANDUM OF AGREEMENT
BETWEEN
THE CITY OF COLUMBIA FALLS
AND
TEAMSTERS UNION LOCAL NO. 2

The two parties met on Wednesday, September 27, 2023, to negotiate the 23-24 Fiscal Year Wage Opener pursuant to the July 1, 2022 – June 30, 2025, Collective Bargaining Agreement.

During the course of the negotiations, the two parties discussed the need to amend language in Article 16: Wage Schedule and Regulations in order to be competitive in hiring open positions in order to meet the collective goals of attracting good candidates and retaining employees.

Specifically, the two parties agree, by memorandum, to apply the following language amendments to the current Collective Bargaining Agreement:

Article 16 C. Step Increases

Existing Language:

2. When an employee is promoted to a higher graded position, or if an employee's job description is regraded to a higher grade, the following rules shall apply. The effective date of such promotion or regrading shall establish a new anniversary date for step increases in 1 and 2, above.

A. The newly graded employee will be granted a step wage amount that is three steps higher than the step wage amount paid at the former grade. The procedure for implementing the policy is as follows:

Rule 1: With the exception covered in Rule 2 and 3 the following procedure shall be used to determine the new pay amount for all positions:

- a. Within the current grade, find the nearest higher step amount to the current pay amount- this is Step 1.
- b. Step 3 is equal to the amount two steps above Step 1.
- c. Within the new grade, find the amount equal to the Step 3 amount or, if an equal amount is not present, then the nearest higher step amount above Step 3 amount, this is the new pay amount.

Rule 2: When the employee is still at entry level, no step has been earned and the pay amount is the entry pay amount in the new grade.

Rule 3: When the employee is closer than three steps from the end of the pay matrix the following procedure shall be used to determine the new pay amount:

- a. Within the new grade, find the nearest higher step amount to the current pay amount - this is Step 1.
- b. Step 3 is equal to the amount two steps above Step 1; this is the new pay amount.

Memorandum of Agreement Language:

2. When an employee is promoted to a higher graded position, or if an employee's job description is regraded to a higher grade, the newly graded employee will be placed on the new grade level at the same step as currently held. The effective date of such promotion or regrading shall establish a new anniversary date.

Existing Language:

3. b. At step one, the employee may request a grant of additional steps based upon experience or education attained prior to the current employment with this employer. Such additional steps may be granted only with the written authorization of the City Manager, after a recommendation by the individual employee's department head to the City manager.

- (1) Such additional steps may be granted only if the following conditions are met in their entirety:
 - (a) The prior experience and/or education is shown on, or accompanying the job application submitted for the current employment;
 - (b) The prior experience and/or education is documented by the employee and verified in writing by the individual employee's department head;

- (c) The prior experience and/or education is specifically related to the work described for the individual employee's current job description.
- (2) The employee may be granted additional steps within one of the following limits:
 - (a) Two additional steps may be granted for prior experience that totals at least five years earned with, not more than two employers, within a period of six continuous years, or two additional steps may be granted for a maximum of one associate's degree earned by the employee from an accredited institution.
 - (b) Four additional steps may be granted for prior experience that totals at least ten years earned with, not more than three employers, within a period of twelve continuous years, or two additional steps may be granted for a maximum of one bachelor's degree earned by the employee from an accredited institution.

Memorandum of Agreement Language:

- b. Upon hire, the City may grant additional steps based upon experience or education attained prior to the current employment with this employer. Such additional steps may be granted by the City Manager pursuant to the following:**
 - (1) Two additional steps may be granted for prior experience that totals at least five years earned with, not more than two employers, within a period of six continuous years, or two additional steps may be granted for a maximum of one associate's degree earned by the employee from an accredited institution.
 - (2) Four additional steps may be granted for prior experience that totals at least ten years earned with, not more than three employers, within a period of twelve continuous years, or two additional steps may be granted for a maximum of one bachelor's degree earned by the employee from an accredited institution.

In Witness Whereof, the parties have executed this Memorandum of Agreement on September 27, 2023

For the City of Columbia Falls:

City Manager

Attest:

City Clerk

For the Union:

Business Representative

Teamsters Union Local No. 2

RESOLUTION NO. 1911

A RESOLUTION OF THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA CONDITIONALLY APPROVING THE PRELIMINARY PLAT OF ROCKY TOP CABINS SUBDIVISION A TWO LOT RESIDENTIAL SUBSEQUENT MINOR SUBDIVISION LOCATED AT 269 ROCKY LANE, FURTHER DESCRIBED AS PARCEL A, COS 21669 IN THE NE1/4 NE1/4 IN SECTION 7, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA.

WHEREAS, Herbert Enterprises, LLC, owner/applicant of the subject property, has applied for preliminary plat approval of the Rocky Top Cabins Subdivision;

WHEREAS, the proposed subdivision plat is subject to the provisions of Title 17 of the Columbia Falls Municipal Code and Title 76 of the Montana Code Annotated;

WHEREAS, the Columbia Falls Planning Department, in Subdivision Report #CPP-23-02, recommended approval of said subdivision plat with certain conditions; and

WHEREAS, the Planning Department also recommends approval of granting a variance to the road requirements permitting the road to divide Lot 2; and

WHEREAS, the request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on September 12, 2023, at which the Board adopted Staff Report #CPP-23-02 as findings of fact and recommended approval of the preliminary plat subject to certain conditions as shown on Attachment "A;" and

WHEREAS, the preliminary approval of said subdivision plat was considered by the City Council of the City of Columbia Falls at the regular council meeting on Monday, October 16, 2023 and after said hearing was advertised according to law and at which time the 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, and determined that the development of the subdivision meets the requirements of Title 76, Chapter 3 of the Montana Code Annotated and should be approved with certain conditions.

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

Section One. Findings of Fact. That Subdivision Report #CPP-23-02 of the Columbia Falls Planning Department is adopted by the Council as findings of fact with respect to said Subdivision Plat approval and subject to the conditions set forth on Attachment "A" as amended by the City Council.

Section Two. Variance. That the Council grants the variance to the road requirements permitting the road to divide Lot 2 as recommended in Staff Report CPP-23-02.

Section Three. Zoning. That the zoning classification of said premises shall not be affected by this action.

Section Four. Final Plat. That upon proper review and filing of the final plat of said subdivision in the office of the Flathead County Clerk and Recorder; said premises shall be a subdivision of the City of Columbia Falls.

Section Five. Effective Date. This Resolution shall be effective immediately upon its passage and approval by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS,
MONTANA THIS 16th DAY OF OCTOBER 2023, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 16TH DAY
OF OCTOBER 2023.

Mayor

ATTEST:

City Clerk

ATTACHMENT "A"

- 1 The applicant shall receive physical addresses in accordance with Flathead County Resolution #1626C. All road names shall appear on the final plat. Street addressing shall be approved by Flathead County:
- 2 The applicant shall comply with all reasonable fire suppression and access requirements of the Columbia Falls Rural Fire District. A letter from the fire chief stating the plat meets the applicable requirements of the District shall be submitted with the application for final plat.
- 3 The internal subdivision road shall be built to a minimum 20-foot paved surface through lot 2 and abutting Lot 1 (CFSR 17.18.090 Table 1). The turn-around shall be approved by the Columbia Falls Fire Chief.
4. The applicant shall provide an updated Flathead County Road Approach permit for the new paved approach.
- 5 All area disturbed during development of the subdivision shall be re-vegetated in accordance with an approved Weed Control Plan and a letter from the County Weed Supervisor stating that the Weed Control Plan has been approved and implemented shall be submitted with the final plat.
- 6 With the application for final plat, the developer shall provide a compliant Road Users' Agreement per Covenants, Conditions, and Restrictions document which requires each property owner to bear his or her pro-rata share for maintenance of the roads within the subdivision and for any integral access roads lying outside the subdivision.
- 7 The proposed water, wastewater treatment, and stormwater drainage systems for the subdivision shall be reviewed, as applicable, by the Flathead City-County Health Department and approved by the Montana Department of Environmental Quality.
- 8 The mail delivery site(s) shall be provided with the design and location approved by the local Postmaster of the US Postal Service. A letter from the Postmaster stating that the applicant has met their requirements shall be included with the application for final plat.
9. The following statements shall be placed on the face of the final plat applicable to all lots:
 - a. All addresses shall be assigned by the Flathead County Address Coordinator and be clearly visible from the road, either at the driveway entrance or on the house. Address numbers shall be at least four inches in height per number.
 - b. All utilities shall be placed underground.
 - c. Lot owners are bound by the soil disturbance and weed management plan to which the developer and the Flathead County Weed Department agreed.
 - d. Utilize living with wildlife standards provided by Fish Wildlife and Parks
10. All required improvements shall be completed in place or a Subdivision Improvement Agreement shall be provided by the subdivider prior to final approval by the City Council.
11. The final plat shall be in substantial compliance with the plat and plans submitted for review, except as modified by these conditions.
12. Preliminary plat approval is valid for three (3) years. The final plat shall be filed prior to the expiration of the three years. Extension requests to the preliminary plat approval shall be made in accordance with the applicable regulations and the following associated timeline(s).

13. The applicants shall provide Columbia Falls Public Works Department an ArcGIS compatible file of the subdivision at final plat.
14. The applicant is not subject to a parkland dedication fee in accordance with 17.14.080.D.d which exempts subdivisions creating only one additional lot.
15. Granting of the requested variance to the Columbia Falls Subdivision Regulations for the subdivision road dividing Lot 2.

Columbia Falls Fire Department
2023 Runs

Item No.11.

	Jan	Feb	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Calls YTD 2023		
calls	31	30	32	39	22	27	47	38	36				302		
Weeks	18	9	22	14	12	12	32	16	21				156	51.66%	
Peterson	16	7	14	23	9	14	22	10	16				131	43.38%	
Smith, R.	8	6	11	23	9	14	24	11	13				119	39.40%	
Thomas	16	7	9	22	3	9	18	10	14				108	35.76%	
Ross	7	0	2	1	0	1	1	6	7				25	8.28%	
Kemppainen	0	1	4	1	2	4	0	1	2				15	4.97%	
Loughery	3	6	3	3	1	6	13	9	4				48	15.89%	
Shanks	3	2	4	3	1	4	2	8	4				31	10.26%	
Perkins	7	2	4	3	3	2	3	1	2				27	8.94%	
Smith, K.	10	2	6	6	1	3	18	10	4				60	19.87%	
Arnold	5	3	1	2	2	7	2	5	4				31	10.26%	
Vanhaverbeke	6	1	4	5	8	4	8	12	7				55	18.21%	
Bates	1	2	2	4	2	1	6	4	2				24	7.95%	
Stuhler	2	4	9	12	1	3	18	15	4				68	22.52%	
Schrader	3	2	6	6	2	0	3	6	3				31	10.26%	
Willcut	4	11	10	5	1	4	14	10	9				68	22.52%	
Grogan	28	21	19	25	12	21	40	29	28				223	73.84%	
O'Brien	22	18	12	13	2	0	0	0	0				67	22.19%	
Woodruff	1	4	0	13	2	7	15	7	3				52	17.22%	
Dickerson	0	1	4	4	0	3	7	1	4				24	7.95%	
Butts	0	1	2	3	1	6	5	3	6				27	8.94%	
Hogan	8	17	11	20	9	15	31	23	22				156	51.66%	
Dolph	14	8	16	8	2	1	3	1	3				56	18.54%	
Ledbeter	10	13	10	13	4	4	4	11	6				75	24.83%	
Kehl, S	0	0	0	2	3	5	10	5	6				31	10.26%	
Kehl, M	0	0	0	0	0	0	0	0	8				8		
Ryan	0	0	0	0	0	0	0	0	12				12		
Davis	2	0	0												
Hanley	0	1	3												
Best	0	0	1	0	0	0									
Pinneke	8	16	9	5	2	6	14	17							
			#1 month	#2 month		2023 #1		Department Average:						72.50	24.01%

	Jan	Feb	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Calls YTD 2023	
Total calls	31	30	32	39	22	27	47	38	36				302	
Rural	13	16	19	24	5	11	38	23	24				173	57.28%
City	18	14	13	15	17	16	9	15	12				129	42.72%
Mutual Aid Received	1	0	2	0	1	1	1	1	0				7	2.32%
Mutual Aid Given	0	2	0	4	3	2	3	2	2				18	5.96%
Medical & MVA	13	7	14	9	9	10	11	12	13				98	32.45%

Columbia Falls Fire Department Incident Breakdown

Item No.11.

2023	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD	2023
Dispatches	31	30	32	39	22	27	47	38	36				302	Dispatches
ALS Medical Total	2	0	1	0	2	0	0	2	0				7	ALS Medical Total
BLS Medical Total	10	7	8	1	7	3	1	2	13				52	BLS Medical Total
Medical CPR	1	0	0	1	2	0	0	1	0				5	Medical CPR
Medical ALS	2	0	1	0	0	0	0	1	0				4	Medical ALS
Medical BLS	1	0	2	1	1	3	0	2	3				13	Medical BLS
Medical Lift Assist	4	3	6	3	4	1	1	4	4				30	Medical Lift Assist
MVA with injury	1	1	4	2	0	4	4	3	4				23	MVA with injury
Extrication	0	1	0	1	0	0	2	0	0				4	Extrication
Ambulance Driver	0	0	0	0	0	0	0	0	0				0	Ambulance Driver
MVA non injury	4	2	1	1	2	2	4	1	2				19	MVA non injury
Airport Emergency	0	0	0	1	0	0	0	0	0				1	Airport Emergency
Traffic Control	0	0	0	0	0	0	0	0	0				0	Traffic Control
HazMat	5	7	0	8	1	2	0	0	6				29	HazMat
Hazardous Conditions	5	7	0	8	2	2	0	0	6				30	Hazardous Conditions
CO	2	0	0	2	0	0	0	0	1				5	CO
Gas Leak/Odor inside	2	3	0	5	0	1	0	0	3				14	Gas Leak/Odor inside
Gas Leak/Odor outside	1	4	0	2	1	1	0	0	1				10	Gas Leak/Odor outside
Powerline	0	0	0	0	2	0	0	0	0				2	Powerline
Other	0	0	0	0	0	0	0	0	0				0	Other
Service	0	1	3	2	0	0	1	2	0				9	Service
Good Intent	0	0	2	1	1	2	5	5	1				17	Good Intent
Fire Alarm	1	2	1	1	0	2	0	2	1				10	Fire Alarm
False Alarm	1	1	1	1	0	0	0	2	2				8	False Alarm
Illegal burn	0	0	0	0	0	0	2	4	2				8	Illegal burn
Smoke Investigation, outside	0	1	1	0	2	0	0	0	0				4	Smoke Investigation, outside
Smoke Investigation, inside	1	0	0	1	0	0	0	0	1				3	Smoke Investigation, inside
Cancelled enroute	7	5	7	10	5	6	16	6	4				66	Cancelled enroute
Fire, residential	2	3	2	2	2	1	2	1	1				16	Fire, residential
Fire, chimney	0	1	0	0	0	0	0	0	0				1	Fire, chimney
Fire, commercial	0	1	0	0	0	2	0	0	2				5	Fire, commercial
Fire, vehicle	1	1	0	0	0	2	1	1	1				7	Fire, vehicle
Fire, vegetation, grass	0	0	0	2	0	0	7	2	0				11	Fire, vegetation, grass
Fire, vegetation, wildland	0	0	0	1	0	0	1	1	2				5	Fire, vegetation, wildland
Dispatch Totals	31	30	32	39	22	27	47	38	36				302	Dispatch Totals
Structure fires (In District)	2	3	2	0	1	2	1	0	1				12	Structure fires
Structure fires (Mutual aid)	0	1	1	2	1	1	1	1	2				10	
Acres burned	0	0	0	1.3	0	0	0.14	0.02	0				1.46	Acres burned

**Columbia Falls Police Department
Monthly Activity Report
September 2023**

Police	September					5 Year Average
	2023	2022	2021	2020	2019	
Arrests (Total)	40	24	25	13	44	29
Adult	35	18	17	13	26	22
Juvenile	5	6	8	0	18	7
Accidents Investigated	12	16	17	23	9	15
Stolen Property (Value)	60880	11372	1855	3749	5485	16668
Stolen Property (Recovered)	60080	5376	0	168	200	13165
Criminal Mischief (Incidents)	8	7	7	6	27	11
Damage Amount	1160	815	3936	2610	12065	4117
Misdemeanor Citations Issued	262	109	166	101	96	147
Traffic Offenses	250	96	149	95	80	134
Cell phone Viol.	6	3	4	8	5	5
DUI Offenses	15	2	6	1	1	5
Drug Offenses	5	3	3	3	8	4
Traffic Stops	395	188	218	189	185	235
Court Fines and Forfeitures	22189	15031	21328	12912	11547	16601
Miles Patrolled	7623	5720	6736	6489	6802	6674
911 Phone Calls	271	142	196	148	156	183
Incident Reports	1203	989	982	872	920	993
Domestic Abuse/Assault	38	36	46	34	37	38
Felony Investigations	10	13	6	6	16	10
Business Checks	100	59	74	50	45	66
Welfare Checks	21	18	10	17	14	16
Citizen Assist	69	77	53	39	45	57
Agency Assist	48	47	34	33	47	42