AGENDA
TUESDAY, SEPTEMBER 18, 2017
COUNCIL CHAMBERS CITY HALL

FINANCE COMMITTEE – 6:30 P.M.
1. Claims Review (Barnhart, Piper, Lovering)

REGULAR MEETING – 7:00 P.M.

1. CALL TO ORDER
   A. Roll Call
   B. Pledge of Allegiance

2. APPROVAL OF AGENDA **1-3

3. CONSENT AGENDA:
   *A. Approval of Claims - $ 184,122.74 – September 18, 2017 **4-14
   *B. Approval of Payroll Claims - $ 95,336.58 - September 8, 2017 **15-17
   *C. Approval of Regular Meeting Minutes – September 5, 2017 **18-23
   *D. Approval of Change Order #2, Cutting Edge Excavation, LLC, Riverwood
      Estates SID and authorize City Manager to sign. **24-28
   *E. Easement Agreements (2), Grant or Quit Claim Deeds (10) and Termination of
      Easement between Weyerhaeuser NR Company and City of Columbia Falls. **29-86

4. VISITORS/PUBLIC COMMENT (Items not on agenda):

5. NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS: **87-142
   *A. PUBLIC HEARING – Zone Change Request:
      The Columbia Falls City-County Planning Board will hold a public hearing for the following
      items at their regular meeting on Tuesday, September 12th 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 September 18th, 2017 starting at 7:00 p.m. in
      the same location.
Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:

Swan Mountain Real Estate Holdings, LLC, applicant, and Lester Elletson, land owner, request to amend the zoning district map for property in the Columbia Falls Zoning Jurisdiction. The applicants have a contract to purchase 0.42 acres of land that is currently zoned CRA-1 (Residential Apartment). The applicants propose to change the zoning to CB-2 (General Business) or CB-3 (Limited Business) which would allow them to operate their snowmobile guide and rental business and a full time reservation office. The property is located at the corner of Railroad Street and 6th Avenue East North and is described as Lots 1, 2, 3, & 4 of Lot 24 Van’s Acre Tracts in Section 9, T30N, R20W, P.M.M. in Columbia Falls.

Persons may testify at the hearing or submit written comments prior to the meeting. Written comment may be sent to Columbia Falls City Hall, Attention: Susan Nicosia, City Manager, 130 6th Street West, Room A, Columbia Falls, MT 59912. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

a. Adopt Staff Report, CZC-17-02, as revised September 1, 2017, as findings of fact

b. Approve zone change

6. UNFINISHED BUSINESS: None

7. NEW BUSINESS:
   *A. Naming of Kreck Riverside Park

8. ORDINANCES/RESOLUTIONS: None

9. REPORTS/BUSINESS FROM MAYOR & COUNCIL

10. CITY MANAGER REPORT
    *A. Manager’s Update

11. CITY ATTORNEY REPORT
12. **MISCELLANEOUS:**
   *A. INFORMATIONAL CORRESPONDENCE - List available for Review **146
   *B. REPORTS:
      a. Police – August Activity **147

13. **ADJOURN**

Next Scheduled Meetings:

Board of Adjustment – September 19th
Council – October 2nd
Planning Board – October 10th

*Attached
* ... Over spent expenditure*

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| 091217 09/01/17 PARK USE REFUND | 50.00 | 1000 | 346031 | | 101000 |
| **Total for Vendor:** | **50.00** | | | | | | | |

| 36703 | 1140 FLATHEAD PUBLISHING GROUP | 52.86 |        |        |      |               |             |         |
| 100110407 09/06/17 PD-AD PATROL OFFICE | 21.00 | 1000 | 420100 | 390 | 101000 |
| 100110378 09/06/17 WTR-PUBLIC WORKS OPER | 10.62 | 5210 | 430500 | 331 | 101000 |
| 100110378 09/06/17 SWR-PUBLIC WORKS OPER | 10.62 | 5310 | 430600 | 331 | 101000 |
| 100110378 09/06/17 STRS-PUBLIC WORKS OPER | 10.62 | 2500 | 430200 | 390 | 101000 |
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| 36704 | 999999 FOLSOM, JOSH | 35.50 |        |        |      |               |             |         |
| 091217 09/06/17 FD-MEALS | 35.50 | 1000 | 420400 | 380 | 101000 |
| **Total for Vendor:** | **35.50** | | | | | | | |

| 36706 | 999999 FORD, LARRY J. | 41.15 |        |        |      |               |             |         |
| 091217 09/05/17 WTR/SWR REFUND | 41.15 | 5210 | 214010 | | 101000 |
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| 36711 | 2806 HANSON'S HARDWARE | 41.66 |        |        |      |               |             |         |
| 585841 08/03/17 FD-STR ELBOW,ADPT | 13.98 | 1000 | 420400 | 220 | 101000 |
| 585842 08/03/17 FD-CREDIT,RTND ADPTS,ELBOWS | -27.96 | 1000 | 420400 | 220 | 101000 |
| 585879 08/07/17 FD-TALL BASKET | 5.99 | 1000 | 420400 | 220 | 101000 |
| 585940 08/14/17 WTR-MISC SCREWS | 1.30 | 5210 | 430500 | 220 | 101000 |
* ... Over spent expenditure

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|       | 3266 09/06/17 FD-SS COUPLERS | 27.50 |
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| 36712 | 2849 J2 BUSINESS PRODUCTS | 255.48 |
|       | 704285-1 08/14/17 FAC-FOAM SOAP | 55.50 |
|       | 707262 08/31/17 PD-INKCART | 64.09 |
|       | 707284-1 08/31/17 FIN-PADDING ADHESIVE | 36.48 |
|       | C707284-1 09/06/17 FIN-CREDIT,RTND PADDING ADH | -36.48 |
|       | 708449 09/06/17 CRT-FILE FSSTNS,COPY PAPER | 133.47 |
|       | 708449-1 09/06/17 CRT-THERM PAPER | 2.42 |
|       | Total for Vendor: | 255.48 |

| 36713 | 97 KNIFE RIVER | 999.25 |
|       | 12000123 09/07/17 3/8" CHIPS-DEICING | 161.25 |
|       | 12000115 09/07/17 3/8" CHIPS-DEICING | 134.25 |
|       | 12000116 09/07/17 3/8" CHIPS-DEICING | 154.25 |
|       | 12000119 09/07/17 3/8" CHIPS-DEICING | 158.50 |
|       | 12000120 09/07/17 3/8" CHIPS-DEICING | 132.75 |
|       | 12000121 09/07/17 3/8" CHIPS-DEICING | 135.00 |
|       | 12000122 09/07/17 3/8" CHIPS-DEICING | 125.25 |
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| 36714 | 1690 LASALLE SAND & GRAVEL, LLC | 632.81 |
|       | 90585 08/24/17 STRS-PIT RUN | 158.42 |
|       | 90586 08/24/17 STRS-PIT RUN | 151.47 |
|       | 90590 08/24/17 STRS-PIT RUN | 152.24 |
|       | 90591 08/24/17 STRS-PIT RUN | 170.68 |
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<td>1000 GENERAL FUND</td>
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<td>2400 SPECIAL LIGHTING DISTRICT FUND</td>
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<td>2820 GAS TAX FUND</td>
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<td><strong>Total:</strong></td>
<td><strong>$184,122.74</strong></td>
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Council Meeting Date: 09/18/2017
Claims Submitted to Council: $184,122.74
Claims Denied/Withheld by Council Finance Committee: $_________ Claim #’s: ____________

Prepared By: Sandy Carlson, Finance Director

Sandy Carlson

Approved by Susan M. Nicosia, City Manager

Susan M. Nicosia

City Council to Approve by motion on consent agenda

The following claims are significant:
Cutting Edge, Riverwood Estates, $108,628.97 - Funds 5210 and 5310
Black Mountain Software annual fees - $14,438 - Funds 1000, 2400, 2500, 5210, 5310

The remaining claims are routine. If you have any questions, please contact me.

Sandy
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<th>Description</th>
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<td>ADDL HOURS (Additional)</td>
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<td>174.07</td>
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<td>CORA HOURS (Comp Time Accumulated)</td>
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<td>PERS HOURS (Personal Time Used)</td>
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<td>REG HOURS (Regular Time)</td>
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<td>SNL HOURS (Step E)</td>
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<td>SHFM HOURS (Shift C)</td>
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<td>VACA HOURS (Vacation Time Used)</td>
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<td>8,456.50</td>
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GROSS PAY                           59,866.30  0.00
NET PAY                              39,081.79  0.00
NET PAY (CHECKS)                    4,228.71   0.00
NET PAY (DIRECT DEPOSIT)            34,853.08  0.00

AFLAC-POSTTAX                        82.77     0.00
AFLAC-PRETAX                         113.29    0.00
CHILD SUPPORT                        88.61     0.00
CHILD SUPPORT P                      413.07    0.00
CITY OF COLUMBUS                     15.00     0.00
FIT                                  5,087.78  0.00
FLEX ALLEGIANCE                      670.66    27.50
HEALTHINS/PRE                        2,251.42  11,766.87
MEDICARE                             836.29    836.29
MPEA DUES                            85.00     0.00
MT ST FIRE ASSO                      24.89     0.00
NATIONWIDE/CITY                      0.00      841.94
NATIONWIDE/EMP                       1,445.79  203.00
P.E.R.S.                             2,885.50  3,093.67
PERS/PFRS                            266.31    357.40
PERS/POLICE                          1,413.73  2,263.55
SIT                                  2,324.00  0.00
SOCIAL SECURITY                      2,357.74  2,357.74
TEAMSTERS DUES                       136.50    0.00
TEAMSTERS INIT                       25.00     0.00
UNEMPL. INSUR.                      0.00      329.24
UNUM LIFE INS.                      106.16    0.00
WHITEFISH CREDI                      25.00     0.00
WORKERS' COMP                        0.00      2,759.62
FIRST CITIZENS                       812.91    0.00
FIRST INTERSTAT                      3,499.41  0.00
FAEDOM BANK                          956.15    0.00
GLACIER BANK KA                      615.02    0.00
GLACIER BANK/CF                      8,812.03  0.00

Total for Payroll Checks

Sept. 9, 2017
$95,336.58

Sant

\[\text{Report ID: P130}\]
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<td>WC BASE</td>
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**** Carried Forward column only correct if report run for current period.
Regular Meeting - Transact Routine Business

Mayor Barnhart called the meeting to order at 7:00 p.m. with roll call as follows:

PRESENT: Mayor Barnhart
COUNCIL: Petersen, Shepard, Fisher, Lovering and Piper
ABSENT: None. (Karper on 90 separation)

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

Pledge of Allegiance

APPROVAL OF AGENDA:
Mayor Barnhart requested a motion to approve the agenda. Councilman Lovering moved to approve the agenda, second by Councilman Piper, and the motion carried unanimously.

CONSENT AGENDA:
Councilman Piper moved to approve the consent agenda noting that all claims appeared to be in order, second by Councilman Petersen. Motion carried with Council voting as follows: YES: Piper, Shepard, Fisher, Lovering, Petersen and Barnhart NOES: None. ABSENT: None.

A. Approval of Claims - $57,800.62 – September 5, 2017
B. Approval of Payroll Claims - $71,730.25 -August 25, 2017
   Approval of Payroll Claims - $13,345.21 – August 30, 2017 Clothing Allowance
C. Approval of Regular Meeting Minutes – August 21, 2017
D. Approval of Public Works Clerk Job Description
E. Park Lot Lease Agreement Renewal, 2017-2019

VISITOR/PUBLIC COMMENT: (Items not on agenda)
Nucleus Avenue Intersection Project Presentation:
Mark Johnson, representing the Columbia Falls Community Foundation, reported on the committee that has been working on the Nucleus District entrance for the last 3 or 4 months. Councilman Petersen and Councilman Lovering along with other members are also involved with the project. Mr. Johnson said as you know the triangle piece of property located at the intersection of Nucleus Avenue and Hwy 2 is owned by MDOT and maintained by Glacier Bank. Johnson noted on the east side of Nucleus they would like to make it more presentable and visually appealing, this would
also include the concrete retaining wall by the Hungry Horse News. The committee is recommending two large monuments, one on each side of Nucleus, constructed of cement to have the look of natural rock; one side will read “Nucleus District Gateway to Glacier,” the other monument will read “Nucleus District Adventure Lives Here.” The plan includes an overlay on the wall by the Hungry Horse News to match. The Community Foundation intends to start fundraising within the next month.

Councilman Shepard asked if they had the estimated cost of the project. Mr. Johnson said they have not gotten formal estimates or bids but we estimate around $30,000 for the monuments and light landscaping; Glacier Bank has recently installed a new sprinkler system. Nicosia said if Council concurs with the plans, she and Bruce Lutz will meet with MDOT to submit an encroachment and maintenance permits. Mr. Johnson added the committee has discussed adding pedestrian lighting at the intersection with future expansion continuing up Nucleus Avenue.

Councilman Petersen said another element for improvement is dressing up the wall on the south side to match the Nucleus side. O’Brien Byrd presented drawings of the monuments and one with the wall with a steel overlay that will be low maintenance, along with shrubs and trees. Councilman Lovering asked if there was concern with snow plowing. Byrd said this is sturdy material and there should not be a problem with snow plowing. Mr. Byrd said Nucleus Avenue is a very marketable part of Columbia Falls. There will be back lighting of the monuments for better visibility of the entrance. Mr. Johnson said it is the committee’s intention to fundraise this entire project without asking the city for any funding. Councilman Shepard said he liked the idea of the new Nucleus entrance. Mayor Barnhart added the “get it done” sentiment and don’t let MDOT bog this project down.

Councilman Shepard asked how much each pedestrian light would cost. Nicosia said typically they are a couple thousand per light pending on the model.

**EMPLOYEE RECOGNITION:**

A. Brian Hader – WWTP Operator – 10 years

Mayor Barnhart recognized Brian Hader’s 10 years of service with the City. Mr. Hader was not in attendance.
NOTICE OF PUBLIC HEARING:
Mayor Barnhart read the notice of hearings: The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, September 12th 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 September 18th, 2017 starting at 7:00 p.m. in the same location.

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:
Swan Mountain Real Estate Holdings, LLC, applicant, and Lester Elletson, land owner, request to amend the zoning district map for property in the Columbia Falls Zoning Jurisdiction. The applicants have a contract to purchase 0.42 acres of land that is currently zoned CRA-1 (Residential Apartment). The applicants propose to change the zoning to CB-2 (General Business) or CB-3 (Limited Business) which would allow them to operate their snowmobile guide and rental business and a full time reservation office. The property is located at the corner of Railroad Street and 6th Avenue East North and is described as Lots 1, 2, 3, & 4 of Lot 24 Van’s Acre Tracts in Section 9, T30N, R20W, P.M.M. in Columbia Falls.

Persons may testify at the hearing or submit written comments prior to the meeting. Written comment may be sent to Columbia Falls City Hall, Attention: Susan Nicosia, City Manager, 130 6th Street West, Room A, Columbia Falls, MT 59912. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

UNFINISHED BUSINESS
None.

NEW BUSINESS:
None.

ORDINANCE/RESOLUTIONS:
A. RESOLUTION # 1760 - A Resolution of the City Council of the City of Columbia Falls, Montana, Designating the Glacier Glow Run as an Official Activity of the City of Columbia Falls.

Councilman Lovering motioned to approve Resolution 1760, second by Councilman Fisher with Council voting as follows. AYES: Shepard, Fisher, Lovering, Petersen, Piper and Barnhart. NOES: None. ABSENT: None.
B. SECOND AND FINAL READING – Ordinance 769 – An Ordinance of the City Council of the City of Columbia Falls, Montana, Changing the Zoning Classification From CR-5 Two-Family Residential To CI-1 Light Industrial for Certain Property in the Columbia Falls Zoning District, Described as Tract 11 in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana

Councilman Fisher made motion to approve the second and final reading of Ordinance 769, second by Councilman Shepard with Council voting as follows. AYES: Fisher, Lovering, Petersen, Piper, Shepard and Barnhart. NOES: None. ABSENT: None.

REPORTS/BUSINESS FROM MAYOR & COUNCIL:
Councilman Piper likes the idea of the Nucleus project, and would still like to see the Chamber of Commerce Visitor Center at the end of Nucleus.

Councilman Petersen informed Council the Bandit Bar has been sold and the new owner has experience with restaurants/bars.

Councilman Shepard said folks are asking him what they are hauling out of the Aluminum Plant. Shepard said he noticed a truck with plastic bags going across the viaduct and there was white powder blowing out the back. Shepard believes they are not watering the roads as there appears to be a lot of dust in the area. Shepard asked Nicosia if she can request dust abatement.

Councilman Shepard reported the murals on the Masonic Lodge were repainted by the CF Community Foundation and it has made a significant change in appearance.

Mayor Barnhart read an article on how Columbia Falls got its name and found it very interesting.

Mayor suggested talking about the announcement of Flathead County purchasing Cedar Palace. Councilman Shepard reported a neighbor said they liked the idea of additional officers in town, with the question of what could happen to the other 24 acres. Nicosia said the county will host public meetings for discussion perhaps here in the Council Chambers. Nicosia said the City will have to discuss the pros and cons of annexation; particularly with respect to road maintenance. Police Chief Peters said he thinks it’s a fantastic idea and could bring jobs to our area plus existing employees will be spending money in the community. Chief Peters said CFPD works well with the County Sheriff Department and the rumors that the City police department will be dissolved are not true.
CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD SEPTEMBER 5, 2017

REPORTS/BUSINESS FROM CITY ATTORNEY:
None.

CITY MANAGER:
The City received a letter from DNRC about a model airplane airport runway near the WWTP on DNRC property adjacent to the Vet’s Home. The City’s planner sent a letter to DNRC noting that that use does not comply with the SAG 10 zoning. Council also discussed concerns with noise, parking and the proximity to the powerlines.

Nicosia provided the Hwy 2 work update: Knife River is working on the sidewalks Tues-Sat and starting demo work on the west side of Veterans Drive.

There was another water main break on 7th Street at the same location as the recent break. We have replaced 16 feet of the 20 foot section. The engineer and manufacturer of the pipe are coming in to look at it. The break did cause some dampness at Mr. Hutchison’s residence but no visible standing water per a preliminary report from the Public Works Director. The City may request that the 20 foot pipe replaced and the contractor repave the road. Lovering asked if the damage to Mr. Hutchison’s driveway was due to the first break. Nicosia replied yes.

Riverwood Estates water/sewer project is about 77% complete. Nicosia said so far things are going pretty good, there were some dust concerns.

Mayor Barnhart commented about Knife River putting a 35 MPH sign down by the Blue Moon, and then 35 MPH sign at the base of the hill. Chief Peters said the traffic is backed up to the Blue Moon and it is getting them to slow down. Mayor Barnhart asked Chief Peters if the City has traffic control enforcement on Truck Route to Meadow Lake. Chief said yes, the City has a 3 mile jurisdiction outside the city limits.

A. INFORMATIONAL CORRESPONDENCE - List available for Review
B. REPORTS:
   a. Fire Department Activity
   b. Finance – YTD August 2017

ADJOURN: Upon motion duly made by Councilman Lovering and seconded by Councilman Shepard and the meeting adjourned at 8:09 p.m.
CHANGE ORDER

PROJECT TITLE: Riverwood Estates SID

RPA PROJECT NO.: 14104.010 CHANGE ORDER NUMBER: Two

CONTRACTOR PROJECT NO.: DATE OF CHANGE ORDER: September 11, 2017

CONTRACT DATE: April 17, 2017

OWNER: City of Columbia Falls

CONTRACTOR: Cutting Edge Excavation, LLC.

Change orders must be accompanied by an itemized cost breakdown, i.e.: unit prices, negotiated lump sum prices, negotiated cost plus basis. Note all cost plus pricing to be supported by documentation which supports the cost of that item.

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<th>Item Number</th>
<th>Description</th>
<th>Quantity Change</th>
<th>Units</th>
<th>Unit Price</th>
<th>Amount Change</th>
<th>Basis of Unit Price</th>
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<td>4</td>
<td>Sub Excavation &amp; Stabilization</td>
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<td>8</td>
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Subtotal = ($11,025.00)

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<th>Amount</th>
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Subtotal = $9,387.50

Total Change Ordered Amount = ($1,637.50)

JUSTIFICATION OF CHANGE ORDER:

Quantity Increase/Decrease (Base Bid):
4: See attached WDC #6.
5: See attached WDC #6.
6: See attached WDC #6.
8: See attached WDC #6.

Change Order Two:
CO2-1: See Attached WDC #6.
CO2-2: See Attached WDC #6.
SUMMARY OF COST AND TIME:

COST BREAKDOWN:
ORIGINAL CONTRACT PRICE: $838,392.00
TOTAL PREVIOUS CHANGE ORDERS: $17,716.00
CURRENT CONTRACT PRICE: $856,108.00
AMOUNT OF THIS CHANGE ORDER: ($1,637.50)
NEW CONTRACT PRICE: $854,470.50

TIME BREAKDOWN:
START OF CONSTRUCTION: May 8, 2017
CALENDAR DAYS BY CONTRACT: 143
CONTRACT COMPLETION DATE: September 28, 2017
NUMBER OF DAYS GRANTED THIS CHANGE ORDER: 0
NEW CONTRACT COMPLETION DATE: September 28, 2017

The completion date as set forth in the contract documents shall be **unchanged**, increased, decreased) by _0_ calendar days.

APPROVALS:
Surety consent is required if the net increase exceeds 20% of the original contract amount.

SURETY CONSENT
The surety hereby consents to the aforementioned contract change order and agrees that its bond or bonds shall apply and the extend to the contract as thereby modified or amended per this change order. The principal and the surety further agree that on or after execution of this consent, the penalty of the applicable performance bonds or bonds is hereby increased by $____________ (100% of the change order amount) and the penalty of the applicable labor and material bond or bonds is hereby increased by $____________ (100% of the change order amount).

COUNTERSIGNED BY MONTANA RESIDENT AGENT

__________________________

__________________________

By: _________________________

Seal

(Engineer) Recommended by: ____________________________ 9/11/17 Date

(Contractor) Accepted by: ____________________________ 9/11/17 Date

(Owner) Approved by: ____________________________ Date
WORK DIRECTIVE CHANGE #6

PROJECT TITLE: Riverwood Estates SID
PROJECT NO.: 14104.010
OWNER: City of Columbia Falls
CONTRACTOR: Cutting Edge Excavation LLC
390 Prairie View Road
Kalispell, MT 59901

CONTRACT DATE: April 17, 2017
ENGINEER: Robert Peccia & Associates

You are directed to proceed promptly with the following change(s):

DESCRIPTION:
Delete Base Bid Items #4, #5 & #6. Add 350 CY of roadway base course. Modify roadway Typical Sections A & B on Sheet G-4 to have a uniform roadway base course section of 5.75-inches. Delete the "7-inch Crushed Base Course Along Trench Lines" note on Typical Section A. Utilize a dozer to perform additional roadway subgrade condition, 2-feet in depth, full width of roadway, from Station 36+50 to 42+50 to provide a homogeneous subgrade matrix. Provide additional project haul off of 350 CY to balance the placement of additional roadway base course gravel.

PURPOSE OF WORK DIRECTIVE CHANGE:
To provide additional gravel roadway base by utilizing current project resources

ATTACHMENTS: (List documents supporting change)
See attached Worksheet.

If a claim is made that the above change(s) have affected Contract Price or Contract Time, any claim for a Change Order based thereon will involve one of the following methods of determining the effect of the change(s).

Method of determining change in Contract Price:
☐ Time and Materials
☐ Unit Prices
☐ Cost Plus Fixed Fee
☐ Other ($1,637.50) - Project Credit

Estimated increase (decrease) in Contract Price: $ (1,637.50) amount. If the change involves an increase, the estimated amount is not to be exceeded without further authorization.

Method of determining change in Contract Time:
☐ Contractor's Records
☐ Engineer's Records
☐ Other
☐ None

Estimated increase (decrease) in Contract Time: 0 days. If the change involves an increase, the estimated time is not to be exceeded without further authorization.

RECOMMENDED BY (Engineer): Brandon Theis 8-30-17

AUTHORIZED BY (Owner): Susan Nicosia 8-30-17

ACCEPTED BY (Contractor): Marc Blanden 8-30-17

Work Directive Change 1 of 2
ROBERT PECCHIA & ASSOCIATES copyright © 2011
WORK DIRECTIVE CHANGE
INSTRUCTIONS

A. GENERAL INFORMATION

This document was developed for use in situations involving changes in the Work which, if not processed expeditiously, might delay the Project. These changes are often initiated in the field and may affect the Contract Price or the Contract Time. This is not a Change Order, but only a directive to proceed with Work that may be included in a subsequent Change Order.

For supplemental instructions and minor changes not involving a change in the Contract Price or the Contract Time, a Field Order may be issued.

B. COMPLETING THE WORK DIRECTIVE CHANGE

Engineer initiates the form, including a description of the items involved and attachments.

Based on conversations between Engineer and Contractor, Engineer completes the following:

METHOD OF DETERMINING CHANGE, IF ANY, IN CONTRACT PRICE: Mark the method to be used in determining the final cost of Work involved and the net effect on the Contract Price. If the change involves an increase in the Contract Price and the estimated amount is approached before the additional or changed work is completed, another Work Directive Change must be issued to change the time or Contractor may stop the changed Work when the estimated time is reached. If the Work Directive Change is not likely to change the Contract Price, the space for estimated increase (decrease) should be marked "Not Applicable".

METHOD OF DETERMINING CHANGE, IF ANY, IN CONTRACT TIME: Mark the method to be used in determining the change in Contract Time and the estimated increase or decrease in Contract Time. If the change involves an increase in the Contract Time and the estimated time is approached before additional or changed Work is completed, another Work Directive Change must be issued to change the time or Contractor may stop the changed Work when the estimated time is reached. If the Work Directive Change is not likely to change the Contract Time, the space for estimated increase (decrease) should be marked "Not Applicable".

Once Engineer has completed and signed the form, all copies should be sent to Owner for authorization because Engineer alone does not have authority to authorize changes in price or time. Once authorized by Owner, a copy should be sent by Engineer to Contractor.

Once the Work covered by this directive is completed for final cost and time determined, Contractor should submit documentation for inclusion in a Change Order.

THIS IS A DIRECTIVE TO PROCEED WITH A CHANGE THAT MAY AFFECT THE CONTRACT PRICE OR THE CONTRACT TIME. A CHANGE ORDER, IF ANY, SHOULD BE CONSIDERED PROMPTLY.
Worksheet for Work Directive Change No. 6  
Riverwood Estates SID  
By BMT on 8/30/2017

**Roadway Section Modification**

| Unit Price Decrease |  
|---------------------|---------------------------------|------------------|
| 4. Sub-Excavation & Stabilization | (500) TON @ $28.00/TON | ($14,000.00) |
| 5. 3” Sub-Excavation and Replacement | (1,500) SY @ $4.25/SY | ($6,375.00) |
| 6. Stabilization Fabric | (1,000) SY @ $1.50/SY | ($1,500.00) |

**SUBTOTAL (DECREASES)**

**($21,875.00)**

| Unit Price Increase |  
|---------------------|---------------------------------|
| 8. Crushed Base Course – 3/4” Minus | 350 CY @ $31.00/CY | $10,850.00 |

| New Unit Pricing (Increase) |  
|----------------------------|---------------------------------|------------------|
| WDC6-1 Roadway Subgrade Conditioning | 8800 SF @ $0.50/CY | $4,400.00 |
| WDC6-2 Additional Excavation & Haul Off | 350 CY @ $14.25/CY | $4,987.50 |

**SUBTOTAL (INCREASES)**

**$20,237.50**

**TOTAL CONTRACT PRICE DECREASE**

**($1,637.50)**
Filed for record at the request of and after recording, return to: Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

Taxes to: Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

GRANT DEED

The CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called "Grantor", for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called "Grantee", and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the "Property"), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee's successors and assigns forever.
Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.

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

[Signatures and acknowledgements appear on following pages]
IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this 26 day of September, 2017.

GRANTOR:
CITY OF COLUMBIA FALLS

By:  
Name: Susan Nicosia  
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
) ss.
County of Flathead )

On this 26th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE R. OTT  
Notary Public for the State of Montana  
County: Flathead  
My Commission Expires October 14, 2019
GRANTEE:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: __________________________
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON
COUNTY OF KING

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

[Signature]
Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the northeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the north boundary of said aliquot part, South 89°46'05" West 88.00 feet to the westerly right of way line of 4th Avenue West; thence along said westerly right of way line, South 00°28'41" East 152.80 feet to the POINT OF BEGINNING of the area being described; thence continuing along said westerly right of way line, South 00°28'41" East 116.04 feet to the northerly boundary of that parcel of land shown on Deed Exhibit Book 330 Page 86; thence along said northerly boundary of said Deed Exhibit the following three courses: South 87°56'00" West 123.00 feet, South 82°06'00" West 157.20 feet, and South 60°00'00" West 125.80 feet; thence South 89°31'19" West 99.85 feet to the southeasterly boundary of that parcel of land described in Book 35 Page 538, said parcel now owned by the BNSF Railway Co.; thence along said southeasterly parcel, North 48°28'03" East 232.27 feet to the southerly boundary of that parcel of land described in Book 306 Page 576 and to the beginning of a 133.25 foot radius curve concave northerly having a radial bearing of North 31°08'30" East; thence along said southerly boundary of said parcel the following two courses: easterly along said curve through a central angle of 48°48'30" an arc length of 113.51 feet and North 72°20'00" East 213.30 feet to the Point of Beginning containing 0.875 acres of land, more or less, as shown as Area 1A on Certificate of Survey No. __________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 1 of Certificate of Survey No. __________.
Filed for record at the request of
and after recording, return to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

Taxes to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

GRANT DEED

The CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called “Grantor”, for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called “Grantee”, and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the “Property”), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee’s successors and assigns forever.
Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.

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

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this 34th day of September, 2017.

GRANTOR:
CITY OF COLUMBIA FALLS

By:  
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
) ss.
County of Flathead )

On this 34th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE R OTT
NOTARY PUBLIC for the State of Montana
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019

[Signature]
Notary Public for the State of Montana
County: Flathead
GRANTEE:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: ____________________________

Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON )
COUNTY OF KING )

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and
for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan,
to me known to be the person who signed as Senior Vice President and General Counsel of
Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be
the free and voluntary act and deed of such party for the uses and purposes therein mentioned,
and on oath stated that she was authorized to execute said instrument on behalf of the
corporation.

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

______________________________
Paul A. Hill II
Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the northeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the north boundary of said aliquot part, South 89°46'05" West 88.00 feet to the westerly right of way line of 4th Avenue West; thence along said westerly right of way line, South 00°28'41" East 678.79 feet; thence South 89°49'30" West 40.00 feet; thence South 44°32'36" West 65.94 feet; thence South 89°49'30" West 610.06 feet to the POINT OF BEGINNING of the area being described; thence South 00°28'41" East 20.36 feet to the north boundary of the Truck Route, said Truck Route being the westerly extension of 3rd Street; thence along the north boundary of the westerly extension of 3rd Street, South 89°44'43" West 235.64 feet to the southeasterly boundary of that parcel of land described in Book 35 Page 538, said parcel now owned by the BNSF Railway Co.; thence along said southeasterly boundary, North 48°28'03" East 190.46 feet; thence South 41°31'57" East 140.10 feet to the Point of Beginning containing 0.361 acres of land, more or less, as shown as Area 3A on Certificate of Survey No. ____________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 3 of Certificate of Survey No. ____________.
Filed for record at the request of and after recording, return to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

Taxes to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

GRANT DEED

The CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called “Grantor”, for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called “Grantee”, and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the “Property”), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee’s successors and assigns forever.
Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.

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

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this 8th day of September, 2017.

GRANTOR:
CITY OF COLUMBIA FALLS

By: 
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
) ss.
County of Flathead )

On this 8th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE ROTT
NOTARY PUBLIC for the State of Montana
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019

Notary Public for the State of Montana
COUNTY: Flathead
GRANTEE:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: ____________________________
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON )
COUNTY OF KING ) ss.

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

[Seal]

Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II

[Signature]
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the northeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the north boundary of said aliquot part, South 89°46'05" West 88.00 feet to the westerly right of way line of 4th Avenue West; thence along said westerly right of way line, South 00°28'41" East 354.55 feet; thence South 89°31'19" West 388.31 feet to the westerly boundary of that parcel of land shown on Deed Exhibit Book 330 Page 86 and to the POINT OF BEGINNING of the area being described; thence along said westerly boundary of said Deed Exhibit the following three courses: South 60°00'00" West 16.80 feet, South 29°14'00" West 143.90 feet, and South 00°00'00" West 235.33 feet; thence South 89°49'30" West 220.49 feet; thence North 41°31'57" West 140.10 feet to the southeasterly boundary of that parcel of land described in Book 35 Page 538, said parcel now owned by the BNSF Railway Co.; thence along said southeasterly boundary, North 48°28'03" East 398.56 feet; thence North 89°31'19" East 99.85 feet to the Point of Beginning containing 1.753 acres of land, more or less, as shown as Area 2A on Certificate of Survey No. ____________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 2 of Certificate of Survey No. ____________.
Filed for record at the request of
and after recording, return to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

Taxes to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

GRANT DEED

The CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called "Grantor", for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called "Grantee", and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the "Property"), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee's successors and assigns forever.
Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.

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

[Signatures and acknowledgements appear on following pages]
IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this 8th day of September, 2017.

GRANTOR:
CITY OF COLUMBIA FALLS

By:  
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA } )
) ss.
County of Flathead )

On this 8th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

[Signature]
VICKIE R O'TT
NOTARY PUBLIC for the State of Montana
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019

- 3 -
GRANTEE:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By:  
Name: Kristy Harlan  
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON  
COUNTY OF KING  

On this 1st day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

Paul A. Hill II  
Notary Public in and for the State of Washington  
Residing in Seattle  
My Commission Expires: 10/29/2018  
Printed Name: Paul A. Hill II
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the northeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the north boundary of said aliquot part, South 89°46'05" West 88.00 feet to the westerly right of way line of 4th Avenue West; thence along said westerly right of way line, South 00°28'41" East 678.79 feet; thence South 89°49'30" West 40.00 feet; thence South 44°32'36" West 65.94 feet; thence South 89°49'30" West 610.06 feet; thence South 00°28'41" East 20.36 feet to the north boundary of the Truck Route, said Truck Route being the westerly extension of 3rd Street, and to the POINT OF BEGINNING of the area being described; thence South 00°28'41" East 60.00 feet to the south boundary of the Truck Route; thence along the south boundary of the westerly extension of 3rd Street, South 89°44'43" West 304.22 feet to the southeasterly boundary of that parcel of land described in Book 35 Page 538, said parcel now owned by the BNSF Railway Co.; thence along said southeasterly boundary, North 48°28'03" East 90.95 feet to the north boundary of the westerly extension of 3rd Street; thence along said north boundary, North 89°44'43" East 235.64 feet to the Point of Beginning containing 0.372 acres of land, more or less, as shown as Area 3B on Certificate of Survey No. ____________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 3 of Certificate of Survey No. ____________.
Filed for record at the request of
and after recording, return to:
City of Columbia Falls
130 6th Street West, Room A
Columbia Falls, MT 59912

Taxes to:
City of Columbia Falls
130 6th Street West, Room A
Columbia Falls, MT 59912

GRANT DEED

The WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called "Grantor", for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called "Grantee", and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the "Property"), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee’s successors and assigns forever.

Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.
WATER RIGHT OWNERSHIP UPDATE DISCLOSURE: By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to the Montana Department of Natural Resources and Conservation for updating water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in the case of water rights being exempted, severed, or divided, the failure of the parties to comply with Sections 85-2-424, MCA, could result in a penalty against the transferee and rejection of the deed for recording.

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this ___ day of September, 2017.

GRANTOR:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: ________________________
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON       )
                           ) ss.
COUNTY OF KING           )

On this ___ day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

[Seal]

Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II
GRANTEE:
CITY OF COLUMBIA FALLS

By: [Signature]
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
) ss.
County of Flathead )

On this 30th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE R OTT
NOTARY PUBLIC for the State of Montana
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019

[Notary Seal]

- 4 -
EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

That portion of the North 1/2 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the southeast corner of the North 1/2 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the south boundary of said aliquot part, South 89°39'28" West 781.40 feet to the POINT OF BEGINNING of the area being described; thence continuing along said south boundary of said aliquot part, South 89°39'28" West 837.37 feet to the southeasterly boundary of that parcel of land described in Book 397 Page 108; thence along said southeasterly boundary, North 48°28'03" East 79.49 feet; thence South 88°00'05" East 699.12 feet; thence North 54°10'16" East 96.82 feet to the westerly boundary of that parcel of land described in Book 423 Page 240; thence along said westerly boundary, South 00°28'41" East 80.00 feet to the Point of Beginning containing 0.741 acres of land, more or less, as shown as Area 5A on Certificate of Survey No. ____________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 5 of Certificate of Survey No. ____________.
Filed for record at the request of and after recording, return to:
City of Columbia Falls
130 6th Street West, Room A
Columbia Falls, MT 59912

Taxes to:
City of Columbia Falls
130 6th Street West, Room A
Columbia Falls, MT 59912

GRANT DEED

The WYEYERHAUSER NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called “Grantor”, for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called “Grantee”, and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the “Property”), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee’s successors and assigns forever.

Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.
WATER RIGHT OWNERSHIP UPDATE DISCLOSURE: By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to the Montana Department of Natural Resources and Conservation for updating water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in the case of water rights being exempted, severed, or divided, the failure of the parties to comply with Sections 85-2-424, MCA, could result in a penalty against the transferee and rejection of the deed for recording.

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this 7th day of September, 2017.

GRANTOR:
WEYERHAUSENR COMPANY,
a Washington corporation

By: ________________________________
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON   )
COUNTY OF KING    ) ss.

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II
GRANTEE:
CITY OF COLUMBIA FALLS

By: [Signature]
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
    ) ss.
County of Flathead )

On this 8th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

[Notary Public Seal]

VICKIE R. OTT
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019

Notary Public for the State of Montana
County: Flathead

- 4 -
EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the northeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the north boundary of said aliquot part, South 89°46'05" West 88.00 feet to the westerly right of way line of 4th Avenue West; thence along said westerly right of way line, South 00°28'41" East 678.79 feet to the POINT OF BEGINNING of the area being described; thence continuing along said westerly right of way line, South 00°28'41" East 66.25 feet to the north boundary of the Truck Route, said Truck route being the westerly extension of 3rd Street; thence along said north boundary, South 89°44'43" West 476.38 feet to the westerly boundary of that parcel of land shown on Deed Exhibit Book 330 Page 86; thence along said westerly boundary, North 00°00'00" East 20.06 feet; thence North 89°49'30" East 389.57 feet; thence North 44°32'36" East 65.94 feet; thence North 89°49'30" East 40.00 feet to the Point of Beginning containing 0.284 acres of land, more or less, as shown as Area 4A on Certificate of Survey No. ____________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 4 of Certificate of Survey No. ____________.
QUITCLAIM DEED

The Weyerhaeuser NR Company, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called “Grantor”, for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey, release, remise and forever quitclaim unto CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called “Grantee”, and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, all easements and rights appurtenant thereto (collectively, the “Property”), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

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

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee’s heirs and assigns forever.

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this 7th day of September, 2017.

GRANTOR:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: ________________________________
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON )
COUNTY OF KING ) ss.

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

[Notary Seal]

Paul A. Hill II
Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II
GRANTEE:  
CITY OF COLUMBIA FALLS

By:  
Name: Susan Nicosia  
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA    )
                     ) ss.
County of Flathead  )

On this 8th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE R OTT  
NOTARY PUBLIC for the State of Montana  
Residing at Columbia Falls, Montana  
My Commission Expires October 14, 2019

[Signature]
Notary Public for the State of Montana
County: Flathead
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the southeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the south boundary of said aliquot part, South 89°39'28" West 748.55 feet to the POINT OF BEGINNING of the parcel being described; thence continuing along said south boundary of said aliquot part, South 89°39'28" West 5.00 feet; thence North 00°28'41" West 157.43 feet to the northwesterly boundary of that parcel of land described in Book 415 Page 533; thence along the northwesterly and east boundaries of said parcel, North 48°17'28" East 7.16 feet and South 00°20'32" East 162.16 feet to the Point of Beginning containing 0.019 acres of land, more or less, as shown as Parcel 9 on Certificate of Survey No. __________ which is herewith incorporated in and made a part of this legal description.

The purpose of this Quitclaim Deed is to clear the overlap in title created by the recording of Book 415 Page 533.
Filed for record at the request of
and after recording, return to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

Taxes to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

GRANT DEED

The CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called “Grantor”, for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called “Grantee”, and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the “Property”), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee’s successors and assigns forever.
Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.

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

[Signatures and acknowledgements appear on following pages]
IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this 29th day of September, 2017.

GRANTOR:
CITY OF COLUMBIA FALLS

By:
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
 ) ss.
County of Flathead )

On this 8th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE R OTT  
NOTARY PUBLIC for the State of Montana  
Residing at Columbia Falls, Montana  
My Commission Expires October 14, 2019

Notary Public for the State of Montana  
County: Flathead
GRANTEES:
WEYERHAUSER NR COMPANY,
a Washington corporation

By: __________________________
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON       
COUNTY OF KING

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

[Stamp]
Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II
EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the southeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the south boundary of said aliquot part, South 89°39'28" West 1679.51 feet to the southeasterly boundary of that parcel of land described in Book 35 Page 538, said parcel now owned by the BNSF Railway Co; thence along said southeasterly boundary, North 48°28'03" East 623.71 feet to the POINT OF BEGINNING of the area being described; thence continuing along said southeasterly boundary, North 48°28'03" East 163.85 feet to the south boundary of the westerly extension of 3rd Street; thence along said south boundary, North 89°44'43" East 60.63 feet to the southeasterly boundary of that parcel of land described in Book 397 Page 108; thence along said southeasterly boundary, South 48°28'03" West 209.50 feet; thence North 41°25'22" West 40.00 feet to the Point of Beginning containing 0.171 acres of land, more or less, as shown as Area 3C on Certificate of Survey No. _____________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 3 of Certificate of Survey No. ____________.
Filed for record at the request of
and after recording, return to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

Taxes to:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

GRANT DEED

The CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter called “Grantor”, for and in consideration of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell and convey unto Weyerhaeuser NR COMPANY, a Washington corporation, whose address is at 220 Occidental Avenue South, Seattle, Washington 98104, hereinafter called “Grantee”, and to its successors and assigns forever, that certain real property situated in the County of Flathead, State of Montana, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

TOGETHER WITH, the existing buildings, structures, improvements, and fixtures on the real property, and all easements and rights appurtenant thereto (collectively, the “Property”), subject to reservations in patents and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record.

TO HAVE AND TO HOLD the Property unto the said Grantee and to Grantee’s successors and assigns forever.
Grantor covenants with Grantee that it will forever warrant and defend said title to said lands against all lawful claims and encumbrances done or suffered by it but against none other.

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

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has caused this instrument to be executed by its proper officer this \_\_\_\_ day of September, 2017.

GRANTOR:
CITY OF COLUMBIA FALLS

By: [Signature]
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
) ss.
County of Flathead )

On this \_\_\_\_\_ day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE R OTT
NOTARY PUBLIC for the State of Montana
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019

[Signature]
Notary Public for the State of Montana

County: Flathead
GRANTEE:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: Kristy Harlan
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON )
) ss.
COUNTY OF KING )

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

Paul A. Hill
Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II
EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

That portion of the North 1/2 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the southeast corner of the North 1/2 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the south boundary of said aliquot part, South 89°39'28" West 1679.51 feet to the southeasterly boundary of that parcel of land described in Book 35 Page 538, said parcel now owned by the BNSF Railway Co; thence along said southeasterly boundary, North 48°28'03" East 83.09 feet to the POINT OF BEGINNING of the area being described; thence continuing along said southeasterly boundary, North 48°28'03" East 540.62 feet; thence South 41°25'22" East 40.00 feet to the southeasterly boundary of that parcel of land described in Book 397 Page 108; thence along said southeasterly boundary, South 48°28'03" West 498.44 feet; thence North 88°00'05" West 58.08 feet to the Point of Beginning containing 0.477 acres of land, more or less, as shown as Area 7A on Certificate of Survey No. ____________ which is herewith incorporated in and made a part of this legal description.

The above-described parcel is being added to and becoming a part of Parcel 7 of Certificate of Survey No. ____________.
EASEMENT AGREEMENT
(Sewerline)

THIS "EASEMENT" is made effective and is entered into by and between WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is 220 Occidental Avenue South, Seattle, WA 98104, hereinafter referred to as "Grantor", and CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter referred to as "Grantee".

RECITALS:

Grantor, for and in consideration of the faithful observance and strict performance of the terms and conditions hereof, hereby grants to Grantee a non-exclusive easement and right of way, twenty (20) feet in width, being ten (10) feet on each side of the center line, lying and being in the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana (herein referred to as the "Easement Area"); said Easement Area being more particularly described on Exhibit A, attached hereto and by this reference being made a part hereof.

AGREEMENT:

It is mutually understood and agreed that Grantor has granted this Easement and Grantee has accepted the same, subject to and upon the following reservations, terms, conditions, covenants and agreements:
1. **Purpose.** Grantee shall have the right privilege and authority to use the Easement Area to maintain, inspect, repair, remove, replace, use, test and operate the existing sewerline facilities and appurtenances, along with any upgrades or improvements it deems necessary to maintain the integrity of its sewer system and prevent damage to any up-line or down-line users (herein collectively the "Sewerlines").

2. **Crossing of Lands.** Grantor reserves the right to cross and re-cross said Easement Area on grade or otherwise, by any means for any purpose, and further reserves the right to use the lands occupied by the Sewerline in a manner that will not unreasonably interfere with the rights granted Grantee hereunder or that will, with reasonable certainty, cause any damage to the Sewerline.

3. **Third Parties.** Grantee shall not have the right to grant the use of said Easement Area or provide rights under this Easement to any other person, partnership, cooperative, association or corporation for any purpose. Specifically, the use of said Easement Area by a party other than Grantee, or its duly authorized agents or subcontractors, shall require a separate grant of rights from Grantor.

4. **Ingress and Egress.** Grantee shall, at all times, have ingress to and egress from the Sewerlines over and across Grantor’s adjacent land for the purposes of exercising all of the rights herein granted.

5. **Assumption of Liability.** In the exercise of the rights granted hereunder to Grantee, Grantee shall make every effort to avoid damage to Grantor’s real or personal property within and adjacent to said Easement Area. Grantee shall be liable and hereby covenants to pay for all loss or damage to Grantor’s real or personal property that is caused by or results from any act or omission to act, of Grantee, its employees and agents in the operation, maintenance, repair, reconstruction of the Sewerlines, whether negligent or otherwise. Likewise, Grantor shall be liable and hereby covenants to pay for all loss or damage to Grantee’s Sewerline that is caused by or results from any act or omission to act, of Grantor, its employees and agents in the use of the Easement Area as described in Section 2 of this Easement, whether negligent or otherwise.

6. **Release of Claims/Liability.** Except as otherwise provided herein, Grantee expressly releases Grantor from any and all claims for damage to the Sewerlines pursuant to the rights granted herein arising from any operation of Grantor on its said property; provided, that in
conduct of any such operation, Grantor shall use reasonable care to avoid causing such damage, it being expressly understood that this provision does not release Grantor from any claim for damages caused by its negligence. Grantor does not assume any liability for damages or injuries caused by or resulting from acts or omissions by other than Grantor employees, agents and contractors.

7. **Grantee's Agents.** Subject to Section 3 hereof, any independent contractor or subcontractor engaged by Grantee to perform services relating to the rights held by Grantee herein shall, as between the parties hereto, be deemed to be the agent of Grantee.

8. **Successor and Assigns.** This Easement, and all of the rights and obligations herein, shall run with the land, inure to the benefit of, and be binding upon, the respective successors and assigns of the parties hereto.

9. **Attorneys' Fees.** In the event legal action, including litigation, is undertaken to interpret or enforce any aspect of this Easement, the prevailing party shall be entitled to reasonable attorneys' fees and court costs.

10. **Modification.** Any modifications of this Easement or additional obligation assumed by either party in connection with this Easement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has executed, and Grantee has accepted this
Easement this __th day of September, 2017.

GRANTOR:
WEYERHAEUSER NR COMPANY,
a Washington corporation

By: [Signature]
Name: Kristy Harlan
Title: Senior Vice President and General Counsel

ACKNOWLEDGEMENT

STATE OF WASHINGTON

COUNTY OF KING

On this __ day of September, 2017 before me, the undersigned, a Notary Public in and
for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan,
to me known to be the person who signed as Senior Vice President and General Counsel of
Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be
the free and voluntary act and deed of such party for the uses and purposes therein mentioned,
and on oath stated that she was authorized to execute said instrument on behalf of the
corporation.

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

[Signature]
Notary Public in and for the State of Washington
Residing in Seattle
My Commission Expires: 10/29/2018
Printed Name: Paul A. Hill II

Sewerline Easement
Weyerhaeuser NR Company to
City of Columbia Falls
This Easement is accepted and approved as of this 8th day of September, 2017.

GRANTEE:
CITY OF COLUMBIA FALLS

By: [Signature]
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA  
) ss.
County of Flathead  

On this 8th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

VICKIE R OTT
NOTARY PUBLIC for the State of Montana
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019

[Notary Seal]

Vickie R. Ott
Notary Public for the State of Montana
County: Flathead

Sewerline Easement
Weyerhaeuser NR Company to
City of Columbia Falls
EXHIBIT A

LEGAL DESCRIPTION OF EASEMENT AREA

That portion of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the northeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the north boundary of said aliquot part, South 89°46'05" West 156.49 feet to the southeasterly boundary of that parcel of land described in Book 35 Page 538, said parcel now owned by the BNSF Railway Co. and to the beginning of a 2814.79 foot radius curve concave southeasterly having a radial bearing of South 37°11'58" East; thence along said southeasterly boundary the following two courses: along said curve through a central angle of 04°19'59" an arc length of 212.87 feet and South 48°28'03" West 920.19 feet to the POINT OF BEGINNING of the easement being described; thence South 89°37'01" East 231.37 feet; thence South 00°28'41" East 20.00 feet; thence North 89°37'01" West 253.95 feet to said southeasterly boundary of said parcel of land described in Book 35 Page 538; thence along said southeasterly boundary, North 48°28'03" East 29.94 to the Point of Beginning containing 0.111 acres of land, more or less, as shown on Parcel 3 of the Certificate of Survey No. __________, which is herewith incorporated in and made a part of this legal description.
When Recorded, Return To:
Weyerhaeuser NR Company
Attention: Corporate Real Estate
220 Occidental Avenue South
Seattle, WA 98104

EASEMENT AGREEMENT
(Pumphouse)

THIS “EASEMENT” is made effective and is entered into by and between CITY OF COLUMBIA FALLS, whose address is 130 6th Street West, Room A, Columbia Falls, MT 59912, hereinafter referred to as "Grantor", and WEYERHAEUSER NR COMPANY, a Washington corporation, whose address is 220 Occidental Avenue South, Seattle, WA 98104, hereinafter referred to as "Grantee".

RECITALS:

Grantor, for and in consideration of the faithful observance and strict performance of the terms and conditions hereof, hereby grants to Grantee an exclusive easement and right of way, lying and being in that portion of 4th Avenue West in the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana (herein referred to as the “Easement Area”); said Easement Area being more particularly described on Exhibit A, attached hereto and by this reference being made a part hereof.

AGREEMENT:

It is mutually understood and agreed that Grantor has granted this Easement and Grantee has accepted the same, subject to and upon the following terms, conditions, covenants and agreements:
1. **Purpose.** Grantee shall have the right privilege and authority to use the Easement Area to maintain, inspect, repair, remove, replace, use, test and operate the existing pumphouse, its facilities and appurtenances (herein collectively the "Pumphouse").

2. **Third Parties.** Grantee shall not have the right to grant the use of said Easement Area or provide rights under this Easement to any other person, partnership, cooperative, association or corporation for any purpose. Specifically, the use of said Easement Area by a party other than Grantee, or its duly authorized agents or subcontractors, shall require a separate grant of rights from Grantor.

3. **Ingress and Egress.** Grantee shall, at all times, have ingress to and egress from the Pumphouse over and across Grantor’s adjacent land for the purposes of exercising all of the rights herein granted.

4. **Maintenance, Construction and Operating Standards.** Grantee shall, at all times, maintain, repair or reconstruct the Pumphouse in accordance with Federal, State and local laws, rules and regulations governing the construction of the Pumphouse.

5. **Assumption of Liability.** In the exercise of the rights granted hereunder to Grantee, Grantee shall make every effort to avoid damage to Grantor’s real or personal property within and adjacent to said Easement Area. Grantee shall be liable and hereby covenants to pay for all loss or damage to Grantor’s real or personal property that is caused by or the results from any act or omission to act, of Grantee, its employees and agents in the operation, maintenance, repair, reconstruction of the Pumphouse, whether negligent or otherwise.

6. **Release of Claims/Liability.** Grantee expressly releases Grantor from any and all claims for damage to the Pumphouse pursuant to the rights granted herein arising from any operation of Grantor on its said property; provided, that in conduct of any such operation, Grantor shall use reasonable care to avoid causing such damage, it being expressly understood that this provision does not release Grantor from any claim for damages caused by its negligence. Any liability of Grantor for such damage shall be limited to the reasonable costs of repairing damage to the Pumphouse directly caused by Grantor’s activities, including temporary repairs and replacements, but not including any indirect or consequential damages to Grantee’s facilities or for interruption of Grantee’s services or for losses suffered by Grantee’s customers or other third parties. Grantor does not assume any liability for damages or injuries caused by or resulting from acts or omissions by other than Grantor employees, agents and contractors.
7. **Grantee’s Agents.** Subject to Section 2 hereof, any independent contractor or subcontractor engaged by Grantee to perform services relating to the rights held by Grantee herein shall, as between the parties hereto, be deemed to be the agent of Grantee.

8. **Successor and Assigns.** This Easement, and all of the rights and obligations herein, shall run with the land, inure to the benefit of, and be binding upon, the respective successors and assigns of the parties hereto.

9. **Attorneys’ Fees.** In the event legal action, including litigation, is undertaken to interpret or enforce any aspect of this Easement, the prevailing party shall be entitled to reasonable attorneys’ fees and court costs.

10. **Modification.** Any modifications of this Easement or additional obligation assumed by either party in connection with this Easement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

[Signatures and acknowledgements appear on following pages]
IN WITNESS, WHEREOF, said Grantor has executed, and Grantee has accepted this Easement this 8th day of September, 2017.

GRANTOR:
CITY OF COLUMBIA FALLS

By: [Signature]
Name: Susan Nicosia
Title: City Manager

ACKNOWLEDGEMENT

STATE OF MONTANA )
) ss.
County of Flathead )

On this 8th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

[Notary Public Seal]
VICKIE R. OTT
Notary Public for the State of Montana
Residing at Columbia Falls, Montana
My Commission Expires October 14, 2019
County: Flathead
This Easement is accepted and approved as of this 7th day of September, 2017.

**GRANTEE:**

**WEYERHAEUSER NR COMPANY,**  
a Washington corporation

By:  

[Signature]

Name: Kristy Harlan  
Title: Senior Vice President and General Counsel

**ACKNOWLEDGEMENT**

STATE OF WASHINGTON  
) ss.  
COUNTY OF KING  
)

On this 7th day of September, 2017 before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Kristy Harlan, to me known to be the person who signed as Senior Vice President and General Counsel of Weyerhaeuser NR Company, a Washington corporation, and acknowledged said instrument to be the free and voluntary act and deed of such party for the uses and purposes therein mentioned, and on oath stated that she was authorized to execute said instrument on behalf of the corporation.

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

[Notary Seal]

Paul A. Hill II  
Notary Public in and for the State of Washington  
Residing in Seattle  
My Commission Expires: 10/29/2018  
Printed Name: Paul A. Hill II
EXHIBIT A
LEGAL DESCRIPTION OF EASEMENT AREA

That portion of 4th Avenue West in the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West, Principal Meridian, City of Columbia Falls, Flathead County, Montana described as follows:

Commencing at the northeast corner of the Northeast 1/4 of the Southwest 1/4 of Section 8, Township 30 North, Range 20 West; thence along the north boundary of said aliquot part, South 89°46'05" West 88.00 feet to the westerly right of way line of 4th Avenue West; thence along said westerly right of way line, South 00°28'41" East 75.52 feet to the POINT OF BEGINNING of the easement being described; thence South 46°42'10" East 37.39 feet; thence South 28°21'45" West 55.97 feet to said westerly right of way line; thence along said westerly right of way line, North 00°28'41" West 74.90 feet to the Point of Beginning containing 0.023 acres of land, more or less, as shown adjacent to Parcel 1 on Certificate of Survey No. ____________, which is herewith incorporated in and made a part of this legal description.
TERMINATION OF EASEMENT

Termination and abandonment given this 6th day of September, 2017, by the CITY OF COLUMBIA FALLS, of 130 6th Street West, Room A, Columbia Falls, MT 59912, the Grantee.

Whereas a 50 foot wide easement was reserved in a Deed on November 14, 1956 and filed of record in Flathead County, Montana on November 15, 1956 in Book 395 Page 145 records of Flathead County, Montana and repeated in a Grant Deed on August 27, 1958 and filed of record on September 4, 1958 in Book 415 Page 532 records of Flathead County, Montana, in favor of the Grantee for the purpose of storing sand, gravel and paving materials (hereinafter, the "Easement"); and,

WHEREAS, said Easement is no longer necessary and the Grantee desires to abandon, relinquish, and terminate said Easement granted in the aforementioned deeds.

NOW, THEREFORE, notice is hereby given that the undersigned does, by this instrument, terminate, relinquish, release and abandon the Easement.

IN WITNESS WHEREOF, the Grantee has hereunto set its hand and seal the day and year above set forth.

CITY OF COLUMBIA FALLS

By: [Signature]
Susan Nicosia, City Manager

STATE OF MONTANA )
County of Flathead ) ss.

On this 6th day of September, 2017, before me, the undersigned, a Notary Public for the State of Montana, personally appeared SUSAN NICOSIA known to me to be the persons whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

[Signature]
VICKIE R. OTT
Notary Public for the State of Montana
PETITION FOR ZONING MAP AMENDMENT

FILING FEE ATTACHED $1,100.00

Zone Change Base Fee $1000
For first 80 acres $25/acre
For each add’l acre over 80 $10/acre
Certified Owner’s List $75
Per each address on list $5/ea. address

NAME OF APPLICANT: Swan Mountain Real Estate Holdings, LLC – Potential Buyer and Applicant, Lester B. Elletson – Seller, current owner

MAIL ADDRESS: 26356 Soup Creek Road

CITY/STATE/ZIP: Swan Lake, MT 59911 PHONE: (406) 886-3999

INTEREST IN PROPERTY: I am in escrow to purchase the property and would be 100% owner

PLEASE COMPLETE THE FOLLOWING:

A. Address of the property: NHA 6th Avenue NE (combined two lots) plus two adjacent lots NHA Railroad Street

B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number (Section, Township, Range)
   VANS AC TR, S09, T30 N, R20 W, Lot 024, VANS AC TR LOT 24 TR 18&2
   VANS AC TR, S09, T30 N, R20 W, Lot 024, VANS AC TR LOT 24 TR 3
   VANS AC TR LOT 24, S09, T30 N, R20 W, BLOCK 024, Lot 004
   (Attach sheet for metes and bounds)

C. Land in zone change (ac) .42 Acres (18,160 sq. ft.)

D. The present zoning of the above property is: CRA-1 Residential Apartment

E. The proposed zoning of the above property is: CB-2 General Business

F. State the changed or changing conditions that make the proposed amendment necessary:
   This area is directly across the train tracks and on the road to Canyon Creek. This represents an ideal location for our snowmobile business as well as year round reservation office. It is less attractive for residential purposes given location and proximity to tracks and busy Railroad Street.

07/01/2016
HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

A. Promoting the Growth Policy
   Fits directly in plans to expand business area, utilize an area that isn't conducive to residential and long-term goal to have attractive businesses for jobs and as an attraction to alternative route to Glacier National Park. This will also serve as a draw of guests to the Columbia Falls downtown area as they make their way to our offices.

B. Lessening congestion in the streets and providing safe access
   This relieves any traffic in the Nucleus area and moves to outskirts of town with less congestion. Plus the property will take traffic off street when guest are checking in

C. Promoting safety from fire, panic and other dangers
   The proposed project will have no material impact regarding fire, panic and other dangers

D. Promoting the public interest, health, comfort, convenience, safety and general welfare
   This project will promote more amenities available to the public plus create an opportunity for jobs for city's citizens; this will have a positive impact regarding public interest, health, comfort, convenience, safety and general welfare

E. Preventing the overcrowding of land
   The proposed project does not contemplate any overcrowding of land

F. Avoiding undue concentration of population
   The proposed project does not contemplate any concentration of population

G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities
   The proposed project anticipates no material impact on provision of transportation, water, sewage, schools, parks and other public facilities

H. Giving reasonable consideration to the character of the district
   The proposed project will add nicely to the area that is currently void of character and use

I. Giving consideration to the peculiar suitability of the property for particular uses
   The proposed project is particularly well suited for this location as it won't be interrupted or negatively affected by proximity to the train tracks. Additionally, since the location is on the direct route to the main snowmobile recreation area, it will be ideally suited to appeal to guests and serve as a draw for guests to visit downtown Columbia Falls

J. Protecting and conserving the value of buildings
There is only an existing garage that will be utilized otherwise the lots are vacant.

K. Encouraging the most appropriate use of land by assuring orderly growth

Our plan is to have a tastefully designed office setting with a shop used to house our snowmobiles. We want clients and passers-by to be impressed with our location and presentation.

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

(Applicant Signature)  

>Date\n
(Land Owner Signature)  

(Date)
CITY OF COLUMBIA FALLS

NOTICE OF PUBLIC HEARINGS

The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, September 12th 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 September 18th, 2017 starting at 7:00 p.m. in the same location.

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:

Swan Mountain Real Estate Holdings, LLC, applicant, and Lester Elletson, land owner, request to amend the zoning district map for property in the Columbia Falls Zoning Jurisdiction. The applicants have a contract to purchase 0.42 acres of land that is currently zoned CRA-1 (Residential Apartment). The applicants propose to change the zoning to CB-2 (General Business) or CB-3 (Limited Business) which would allow them to operate their snowmobile guide and rental business and a full time reservation office. The property is located at the corner of Railroad Street and 6th Avenue East North and is described as Lots 1, 2, 3, & 4 of Lot 24 Van’s Acre Tracts in Section 9, T30N, R20W, P.M.M. in Columbia Falls.

Persons may testify at the hearing or submit written comments prior to the meeting. Written comment may be sent to Columbia Falls City Hall, Attention: Susan Nicosia, City Manager, 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, 2017.

Susan Nicosia
Susan Nicosia, CPA, MPA, City Manager
COLUMBIA FALLS CITY-COUNTY PLANNING BOARD
ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
SWAN MOUNTAIN REAL ESTATE HOLDING, LLC
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#17-02
JULY 7, 2017
REVISED SEPTEMBER 1, 2017

A report to the Columbia Falls City-County Planning Board and Zoning Commission and the Columbia Falls City Council regarding a request to amend the zoning classification from CRA-1 (Residential Apartment) to CB-2 (General Business) within the Columbia Falls Zoning Jurisdiction. The Planning Board held a Public Hearing on the zone change request Tuesday, August 15, 2017. At this meeting the hearing was closed and the board deliberated. After a number of motions, the Board tabled discussion to the September 12, 2017 regular meeting. At the request of the applicant and in consultation with City staff the request for the zoning has been modified to include the CB-3 zoning classification as an option for the Planning Board and City Council to consider. Should the Planning Board decide to consider the CB-3 zoning option, than staff requests that the Board conduct a new Public Hearing to allow the public to comment on the revised request. Legal notice was published and sent to the adjoining neighbors of the revision and potential public hearing. Upon conclusion of Planning Board action, a subsequent hearing will be held by the Columbia Falls City Council September 18, 2017 at 7:00 P.M. CB-3 revisions are indicated with an underline.

BACKGROUND INFORMATION

A. PETITIONERS
Swan Mountain Real Estate Holdings, LLC
26356 Soup Creek Road
Swan Lake, MT 59911

Lester Elleton
P.O. Box 2010
Columbia Falls, MT 59912

B. LOCATION/DESCRIPTION
The properties are located at the intersection of 6th Avenue East North and Railroad Street in Columbia Falls. In total the properties amount to 0.42 acres. The properties are described as Lots 1, 2, 3, & 4 Lot 24 Van’s Acre Tracts all in Section 9, T30N, R20W, P.M.M, Flathead County.

C. REQUEST
The request would amend the zoning on the properties from CRA-1 (Residential Apartment) to CB-2 (General Commercial) or CB-3 (Limited Business). See figure 1 for current zoning. Currently the property has a garage and a shed with no other buildings. The applicant proposes to use the site as a “Reservations Headquarters” and Booking facility for their outfitting guide service. They also will receive snowmobile guests to check-in before their guided services at Canyon Creek. However they will not operate those services out of this facility, just the check-in and gear fitting.
D. **REASON FOR REQUEST**
The Applicant/Owner requests the zone change to use the property for commercial purposes similar to neighboring properties along Railroad Street such as GPI located in the old forest service building. The property fronts a collector street and the Burlington Northern Railway Line. The commercial use can act as a buffer between the industrial use to the north and the residential use to the south.

E. **EXISTING LAND USE**
The property currently has a garage and shed and to my knowledge has only been used for storage and recently garage sales.
F. ADJACENT ZONING AND LAND USE:

Figure 1 shows the existing zoning and use.

<table>
<thead>
<tr>
<th>Direction from Site</th>
<th>Current Zoning</th>
<th>Current Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CH-1</td>
<td>Heavy Industrial with the BN Railroad and the Columbia Falls Industrial Park</td>
</tr>
<tr>
<td>South</td>
<td>CRA-1 and R-3</td>
<td>Single Family Residential Use</td>
</tr>
<tr>
<td>West</td>
<td>CB-2</td>
<td>Single Family Residential Uses</td>
</tr>
<tr>
<td>East</td>
<td>CB-2</td>
<td>Apartments and Commercial Uses</td>
</tr>
</tbody>
</table>

G. GROWTH POLICY DESIGNATION

The Columbia Falls Growth Policy Map designates the subject property for Commercial use (Figure 3. This proposal complies with the map and text of the Growth Policy.

Text of the Columbia Falls Growth Policy (2013 update) supports the request as described in Goal #2 of Chapter 4 Land Use – Commercial: “Columbia Falls as a gateway community to Glacier Park and surrounding recreational assets which provide the traveler and residents with a broad array of retail businesses, services, and accommodations

Also considered in the Growth Policy is the character of a neighborhood. Policy 1. “Design and locate development to protect public health and safety; insure adequate provisions of services; fit the character of its surroundings; encourage the most appropriate use of the land. Community character shall represent the following values identified by the community in the
public input process; scenic, small town ambience, outdoor lifestyle, western town, historic cultural assets, national park gateway, wildlife, walkable community, winter sports.”

Because this commercial district is used as a buffer between industrial use and residential uses, it is important that the buffer does not impact its neighbors in a negative way. The proposed use will primarily be office use when clients are booked for trips and also when snowmobile riders using the services fill out paperwork along with getting fitted for gear and helmets before the head out to the trail head.

Figure 3

Excerpt from the 2005 Columbia Falls Growth Policy Map
H. UTILITIES/SERVICES

Water

The property will be served by City water.

Sewer

The property will be served by City Sewer

Fire Protection

Columbia Falls Fire Department

Police Protection

Columbia Falls Police Department

Electricity

Flathead Electric Co-op.
EVALUATION BASED ON STATUTORY CRITERIA

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

1. **Does the requested zone comply with the Growth Policy?**
The Columbia Falls Growth Policy Map designates the subject property for Commercial use. The zone change complies with the Goals and Policies of the long range planning document as addressed in Item G previously. This proposal complies with the map and text of the Growth Policy. (Figure 3).

2. **Is the requested zone designed to lessen congestion in the streets?**
The subject property is located along a designated collector street and also a secondary highway maintained by the MDOT. Railroad Street is intended to carry large numbers of vehicles. The growth policy designation and neighboring zoning designations recognize that this location is better suited for commercial than for residential use. The result is that this is a location that anticipates large volumes of traffic.

3. **Will the requested zone secure safety from fire, panic, and other dangers?**
The property is located in the City Limits of Columbia Falls and is serviced by the Columbia Falls Police and Fire departments. According to the Flathead GIS Website, the property is not mapped within the Wildland Urban Interface. The property is not located or mapped within the 100-year floodplain of the Flathead River (FIRM Panel 1435J). The property is adjacent to a collector street and located near the Burlington Northern Railroad tracks. The proposed use should help buffer the more sensitive residential uses from the railroad noise.

4. **Will the requested change promote the health and general welfare?**
The proposed zone change is near the BN Railroad tracks which pose some concerns with children trespassing on the tracks. As a result the commercial use is better suited as a neighbor to the railroad. Given that there will be no actual snowmobiling from the property; there should be no concern of residents that the proposed snowmobile customer check-in would generate noise. Noise should not be an issue for the residential neighborhood as the business owner is not proposing unusual early morning or closing times. Because the reservation and snowmobile business are day time operations, hours of operation should be reasonable because the guests are only accommodated during typical business hours.

5. **Will the requested zone provide for adequate light and air?**
Setbacks are 15 feet in the front, 5-feet on the side, 15 feet on the side corner and rear yards when abutting residential. The CB-2 setbacks are the same as the CRA-1. Therefore, the zone change will have little or no impact on light and air.

6. **Will the requested zone prevent the overcrowding of land?**
The proposed zone change closely complies with the Community’s long range planning documents, the Columbia Falls Growth Policy, 2013 Edition. The proposed zoning matches the zoning designation for the property located directly east and west of the applicant’s property. Based on the Growth Policy designation and the neighboring zoning designations the proposed zoning will not overcrowd the lands because this land use intensity is anticipated.

7. **Will the requested zone avoid undue concentration of people?**
The existing CRA-1 zoning district anticipated multi-family development and significant concentrations of people. The proposed CB-2 or CB-3 zoning would
produce concentrations of people similar to the multi-family designation. The proposed zone change will not create an undue concentration of people.

The Growth Policy Map prescribes a commercial designation for this area (Figure 3) so a high concentration of people is anticipated in the long range planning document.

8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
The proposed zone change does not by itself provide or require the adequate provisions of infrastructure. However, when the applicants go through Building Permit review, the project will be reviewed for access, parking, sewer, water, etc.

As the property is in the City limits of Columbia Falls, the Streets are owned and maintained by the City except that Railroad Street is owned and maintained by the MDOT. The City provides sewer and water services. Schools are provided by the Columbia Falls School District. Parks are provided by the City, County, and State.

9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?
The subject property is a transitional parcel. There are industrial uses to the north including the BNSF railroad tracks. There are multi-family and business uses to the east. There is single family use but commercial zoning to the west and there is a single family neighborhood to the south. The commercial use would create a good buffer between the industrial use to the north and the single family use to the south. However if the commercial use was intrusive or noisy, it could be an issue for the neighboring residents. The zoning regulations make a distinction between “service” and “repair”. Service would be fluid replacement and very minor adjustments to the vehicle. Repair would be motor rebuild, part replacements, and the like. Service is allowed by right in the CB-2. Repair requires a CUP. If the applicants proposed repair in the future the City could require sound proofing of the facility, hours or operation and shielding or prohibition of outdoor storage.

It should be pointed out that in communications with the applicant; the use of the property is primarily office use where the business books trips for all manner of recreation. Secondly it would be the initial meeting place for paperwork and outfitting before the clients and guides drive up to the trailheads where they meet the snowmobile trailers and embark on the trip.

Upon consideration of the Public Comment at the August 15th Planning Board meeting staff would like to consider the CB-3 zoning as an alternative to the CB-2 zoning designation. The CB-3 is a “limited commercial” zoning designation that was adopted by the City Council in 2013 for the area around the Teakettle Fishing Access but was never implemented on a zoning map. The CB-3 unlike the CB-2 limits the size and nature of commercial uses. For example: retail buildings are limited to 3,000 square feet and office buildings are limited to 4,000 square feet. Restaurants and retail up to 4,000 square feet requires a conditional use permit. The CB-3 would allow the office, limited retail, and short term parking of the applicants proposed use. Another difference in the CB-2 to the CB-3 is that the setbacks for the primary structure increase from 15 to 20 feet for the front yard setback. The applicant has appropriately indicated the impact of the more restrictive setback as well as narrowed commercial use defined by CB-3 for the future as having negative impacts to his economic value of the property. The applicant inquired if it is decided to grant CB-3 zoning could the setbacks available for CB-2 remain since they match the existing setbacks for CRA-1 and would not severely limit the available building footprint of the property given the unusual triangular shape.

It would appear that the CB-3 more closely reflects the scale of the neighborhood through the size limitations of the zoning. A number of neighbors commented that they did not necessary object to the proposed used as described by the applicant but
they were concerned that if his business moved from the site the CB-2 zoning would allow a large number of uses to come onto the site that would be objectionable. It should be pointed out however, that the size of the lot and the building envelope will limit the potential uses anyway, and properties to the west and east are already zoned CB-2.

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

There are industrial uses, multi-family uses, business uses, and single family uses on the neighboring lands. The community in its review and approval of the Growth Policy identified this property for commercial use and to act as a buffer between intensive industrial uses to the north and the impact sensitive residential uses to the south. The proposed zone change does give consideration to the character of the district. The zoning code should provide enough oversight that proposed commercial uses do not negatively impact the residential uses to the south.

As with the original request for the CB-2 zoning, the CB-3 zoning would also act as a buffer between the intensive industrial uses and the single family uses to the south. The CB-3 with the limited building footprints might better fit the residential character of the neighborhood.

11. **Will the new zoning affect property values?**

Given that the subject properties already neighbor industrial, apartment, and commercial uses, the proposed zone change should not have a negative impact on nearby property values. There would be a property value impact of CB-2 versus CB-3 however.

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

The subject property is designated in the Columbia Falls Growth Policy as Commercial. The text of the Growth Policy supports this location. The zoning to the east and the west already are designated CB-2. It would appear that this is an appropriate location for the requested use.

**SUMMARY**

The property is designated “Commercial” by the Columbia Falls Growth Policy. The property is located adjacent to lands already zoned CB-2 some of which are developed with use. The proposed densities are supported by the urban services and utilities of the City of Columbia Falls.

**RECOMMENDATION**

Staff finds that the subject property sufficiently meets the adopted review criteria to be rezoned from CRA-1 to CB-2 or CB-3. Staff recommends that the Columbia Falls Planning Board adopt staff report CZC-17-02 as Revised September 1, 2017 as findings of fact and recommend approval of the zone change to the Columbia Falls City Council.
MINUTES
REGULAR MEETING
COLUMBIA FALLS CITY-COUNTY
PLANNING BOARD AND ZONING COMMISSION
Tuesday, August 15, 2017 - Beginning at 6:30 PM
CITY HALL
COUNCIL CHAMBERS

A. CALL TO ORDER AND ROLL CALL
Chairman Vukonich called the meeting to order at 6:32 p.m. PRESENT: Vukonich, Shepard, Duffy, Haverfield, Stene, Hughes and Bonitz. ABSENT: None.

Also present were City Planner Eric Mulcahy, City Manager Nicosia and City Clerk Staaland.

Pledge of Allegiance

B. APPROVAL OF MINUTES: Duffy made a motion to approve the amended Minutes of the July 11, 2017 Planning Board Meeting (Stene absent and page 3 Duffy statement), second by Shepard and the motion carried.

C. VISITOR OR PUBLIC COMMENT: (An opportunity for the Public to comment on any items not on tonight’s agenda). None.

D. PUBLIC HEARINGS:
Chairman Vukonich read the hearing notice: The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, August 15th 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 August 21, 2017 starting at 7:00 p.m. in the same location.

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:
Weyerhaeuser NR Company, owners of subject land, request to amend the zoning district map for property in the Columbia Falls Zoning Jurisdiction. The property in question is currently zoned CR-5 (Two-Family Residential), is located just east of the Cedar Palace, and contains one of the parking lots for the now closed Plum Creek Lumber Mill. The applicants propose to change the zoning to I-1 (Light Industrial) which matches much of the adjacent zoning. The property is located on
525 12th Avenue West and is described as Assessor’s Tract 11 in Section 8, T30N, R20W, P.M.M. in Columbia Falls. The property is further described as follows: All that certain lot, piece, or parcel of land, situated, lying and being in the County of Flathead and State of Montana, and particularly described as follows to wit: All that portion of the southwest quarter of the southwest quarter of Section 8 in township 30 North, Range 20 West, P.M.M., lying northwesterly of the northwesterly boundary line of the Great Northern Railway Company’s right-of-way as the same now crosses over said southwest quarter of the southwest quarter, said tract being bounded on the north by the County Road, on the west by the County Road and on the southeasterly side by the Great Northern Railway Company’s right-of-way.

City Planner Mulcahy presented Staff Report CZC-17-01, noting the property is located at 525 12th Avenue West, just east of Cedar Palace. Mulcahy said Weyerhaeuser is requesting a zone change from a CR-5 (Two Family Residential) to CI-1 (Light Industrial). The applicant is hopeful the zone change will help sell the property at its highest potential and match the zoning of their adjacent properties. Mulcahy said Staff is recommending approval of the zone change from the board.

Duffy asked Mulcahy to clarify Paragraph B. Background information, the parcel size is indicated as ½ acre. Mulcahy said that is a typo and the parcel is approximately 4 acres, the staff report will be corrected.

Chairman Vukonich opened the Public Hearing at 6:45 p.m.

Rocky Ramey, 721 12th Ave West, said he has a problem with Weyerhaeuser asking for a favor. Ramey would like to see the city grab the land for an additional park. Mr. Ramey said he does not know what the light industrial zoning could develop into but does not want it in his back yard.

Chairman Vukonich closed the public hearing at 6:49 p.m.

Haverfield motioned to approve Staff Report CZC-17-01 as findings of fact, second by Stene.

Stene asked Mulcahy if the rezone would affect property taxes. Mulcahy said the zoning would not affect the property taxes but could affect what goes on in that area. Stene asked about the residents in the area and if it would affect them. Mulcahy said they are already zoned Light Industrial. City Manager Nicosia said industrial properties are assessed out of Helena and are assessed using a different method from residential properties. Haverfield said if they were to subdivide and create individual lots that could affect the taxable value. Stene asked Mr. Ramey if he could tell us more on why he views this as a favor for Weyerhaeuser. Ramey said Plum Creek was very involved in our community, and we have suffered a great deal since the Weyerhaeuser took over.
Weyerhaeuser has been here a short time and he has not seen any community involvement. How many jobs have we lost since they took over? Mr. Ramey believes we don’t owe them anything. Shepard asked what percentage we currently have zoned Light Industrial in the City limits. Mulcahy said we have historically been the industrial hub and explained when we do a zone change we look at the standards as well as the long range plan. Mulcahy said he prefers not have a residential subdivision come in to this property due to the surrounding area being Light Industrial as well as the location of this property, immediately adjacent to the truck route and the rail line. Vukonich asked if Habitat for Humanity 5th Street Homes subdivision required a re-zone. Mulcahy said the property was already zoned residential. Duffy said we typically send letters out to the neighbors, did we do that? Nicosia said yes we sent them out to residents within 150 feet, which was 13 letters. Duffy asked if we have received any correspondence from the neighbors. Nicosia said the city has not received any correspondence.

Haverfield said basically in all the nine points that Mr. Mulcahy has in the Staff Report statutory criteria meets the regulations.

Seeing no other questions for clarification, Chairman Vukonich called for the question. Motion carried with voting as follows: AYES: Haverfield, Duffy, Stene, Bonitz, Hughes and Vukonich. NOES: Shepard. ABSENT: None.

Stene said she feels it is her responsibility to separate Weyerhaeuser’s community involvement from any zoning issues. Shepard said there are many uses for the property, being on the council we get thumped for not having a dog park.

Duffy made motion to approve the zone change, second by Haverfield.

Vukonich asked Nicosia if there has been discussion by the City showing interest in this property. Nicosia said the City has not expressed any interest in the property.

AYES: Duffy, Stene, Bonitz, Hughes, Shepard, Haverfield and Vukonich. NOES: None. ABSENT: None. Motion passed.

Chairman Vukonich read the public hearing notice:

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:
Swan Mountain Real Estate Holdings, LLC, applicant, and Lester Elletson, land owner, request to amend the zoning district map for property in the Columbia Falls Zoning Jurisdiction. The applicants have a contract to purchase 0.42 acres of land that is currently zoned CRA-1 (Residential Apartment). The applicants propose to change the zoning to CB-2 (General Business) which would allow them to operate their snowmobile guide and rental business and a full time reservation office. The property is located at the corner of Railroad Street and 6th Avenue East North and is
described as Lots 1, 2, 3, & 4 of Lot 24 Van’s Acre Tracts in Section 9, T30N, R20W, P.M.M. in Columbia Falls.

City Planner Eric Mulcahy presented Staff Report CZC-17-02, noting that this is a zone change request from CRA-1 to CB-2. The applicant runs a business for snowmobile rental along with booking other recreational activities. Repairs would only be allowed if there was a Conditional Use Permit in place. Parking was also a concern; the zoning does require parking on site. We also have setbacks within our zoning districts when adjacent to residential areas. This application complies with our growth policy. Staff recommends adopting the findings of fact and approving the zone change. Chairman Vukonich asked the Board if they had questions for clarification from staff.

Stene asked what the setback requirements are and if there is a landscaping plan. Mulcahy reviewed the CRA-1 and CB-2 setbacks for the Board and noted that the landscaping shall not be less than 5% to meet the Small Building Standards.

Haverfield believes the garage is in the setback. Mulcahy said he is unsure and would have to have a closer look at the existing garage. Vukonich said it appears there are 4 separate lots. Mulcahy said that is correct. Vukonich asked if the zone change is granted and the property owner decided to do something different with property other that what has been presented could this property be four different commercial lots. Mulcahy said he didn’t think so as the lots are too small and parking would be an issue. Stene inquired about the total square footage of the lot? Mulcahy responded approximately ½ acre.

Chairman Vukonich asked if the applicant wished to address the Board at this time.

Pat Tabor, 26356 Soup Creek Road, Swan Lake, said he has a number of properties and businesses in Columbia Falls, West Glacier, Coram and Whitefish. Swan Mountain Outfitters is a year round recreation service provider and are the concessionaire that provides the trail rides in Glacier Park. They also own Crown of the Continent Discovery Center where all the river rafting companies are located, which serves as their company headquarters during the summer. They have an office building in Hungry Horse with the main office in the Swan Valley. They are operating as Swan Mountain Snowmobiling which is a seasonal business. They run exclusive under permits from the Flathead National Forest, Glacier National Park and Montana DNRC; Canyon Creek is their primary location and they are also at Desert Mountain. The proposed zone change is not to conduct guided rides from the location. This will be an area for people to check in, fill out paper work, get gear and continue to the trail head. There is no starting the machines and running them around on the property. The purpose is to conduct reservation business such as GPI and Xanterra. It is their vision to provide jobs here in in Columbia Falls and be a part of the community. They are members of the Columbia Falls Chamber of Commerce and have donated snowmobile trips and trail rides around the area. They are not looking to disrupt anybody’s livelihood.

Chairman Vukonich asked the Board if they had any questions for the applicant.
Hughes said he sees the snowmobile trailers and asked where they are going. Mr. Tabor said we are with J & L who operates out of Columbia Heights and we have our equipment in Coram. What we really need is an area that is convenient for our guests as they are staying in Columbia Falls plus we get a lot of clientele from Whitefish. What people will see are clients checking in and out with the trailer already loaded waiting to go to the trail head. All of our parking will be on our property. Hughes asked Mr. Tabor if they will be working on the snowmobiles and equipment there. Mr. Tabor said we have a contract with Jesco in Kalispell to do maintenance and repairs; therefore we drop equipment off at the Jesco location. We will put oil in the snowmobiles on occasion. There is a little garage there that we would like to store 2 or 3 snowmobiles. Vukonich said he has witnessed cars parking on Railroad Street with the recent garage sales. How many trailers will be parking along the curb side in the dark early mornings and evenings. Mr. Tabor said the maximum number of trailers in a day is three; the trailers are there long enough for the guests to check in and leave. The guests will pull up to check in and then drive to the trail head, there is no long term parking. There is a morning session and an afternoon session. We will comply with MDOT parking on Railroad Street; we will pull off Railroad Street with our trailer on to our property. The idea is to do this in two phases, this year we will pull onto the property temporarily. Stene asked if it was 7 days a week. Mr. Tabor replied yes it is but we are not always running 7 days. When the snowmobiling season ends it will just be a professional office building. Stene said with the letters we have received there were concerns with setbacks, do you have plans to mitigate plans for those concerns with fencing, landscaping and parking. Mr. Tabor said we want to comply with the zoning laws and want to have the look of a class operation. We have been at this for 14 years and we are proud of what we do. Vukonich asked what the footprint of your structure will be. Mr. Tabor replied it is a modest single story with 3 office spaces with a retail space. Duffy asked if there will other equipment stored on the property. Mr. Tabor said no we have real estate elsewhere. We do have a moped rental company which would require a separate permit.

Vukonich opened the Public Hearing at 7:43 p.m.

Chairman Vukonich noted there were 4 letters in opposition of the zone change request.

Erik Lorona, 355 Gladys Glen Road, Coram, is the current General Manager of Swan Mountain Outfitters. This is their 6th season and their main focus is to be good neighbors. There will be no parking long term at the proposed location; there is a 15-20 minute check in process and the trailers will go directly to the trailhead. For a majority of the day there will not be activity at the office building only a couple employees. Their staff is approximately 8 people in the winter. They only use 4 stroke sleds to provide a safe service to see the back country. There will be no night time hours and no parking on Railroad Street.

Sarah Lower, 6365 Hwy 2 West, Columbia Falls, is here representing her parents at 565 6th Ave EN, as they were unable to attend the meeting. Ms. Lower said she has obtained a petition with 11 signatures opposing the zone change which she gave to City Clerk
Staaland. Ms. Lower read the letter her father wrote that had been handed out to the Board. We have heard a lot about growth policy and vision statement. Having the new business there will disrupt the neighborhood. Ms. Lower said the current garage is about 1 foot from her parents’ home. Garage sales have caused issues with her parents’ property; people park on their property and have ruined the grass. Ms. Lower does not think this is a good idea. Her parents are worried about their property value being next door to commercial property.

Dick Markham, 566 6th Ave. EN, said he has been here for 22 years and has raised 5 children there. There is one commercial property and that is GPI and the rest is residential houses. Mr. Markham said they have a good plan with no noise and working late at night but we don’t know what is going to happen in a year they may change their business. Sometimes these businesses don’t always stay in business and with 4 lots there they may have four different businesses. Right now it is residential with lots of families with children that live in this neighborhood. Mr. Markham said he is not ready to turn the property into a commercial area.

Don Barnhart, 560 7th Ave EN, said he lives directly adjacent to the said property. In order to make your decision you use your report and contest your staff report. Mr. Barnhart wanted to point out on the staff report they indicate they will not operate any other services out of that property other than the office building. Once the zone is changed it stays in place. Mr. Barnhart said the report indicates the commercial use can act as a buffer between the industrial use and residential. We have 160 feet of railroad track and an additional 60 feet on the other side of the railroad track before we get to any industrial property. Barnhart believes it is an inaccurate statement. There are 3 residential properties that abut the said property. There is only one commercial use on Railroad Street and that is GPI. The Stop and Shop has been changed to residential. We talk about the Growth Policy, keep in mind it is not law but it is a guiding document. On page 4 states the ultimate goal of the applicant is that he can have some service carried out at the property. Barnhart believes that is not the case. If people are parking on Railroad Street, there are a lot of school children that walk that road to the bus stop at the old Stop and Shop. We currently do not have a pedestrian walkway on that route. Mr. Barnhart said when zoning is in place you cannot take it back. They may not always be the owner of this property and once the zoning is in place it stays. Barnhart recommended renting from GPI in their great building. If the Board votes in favor of the zone change Barnhart said he would like to see several things attached to the zone: to designate it as a booking office and display purposes now and forever, no maintenance repair or storage of equipment be allowed on site and hours of operation limited to 8 am - 5 pm. Barnhart believes this is not a good idea and should not be forwarded on to council.

Connie Cohen, the owner of the 6-plex at 590 7th Ave EN, She stated that the only commercial property she saw was the Head Start School and GPI, the rest is residential; there are 6 families that live in the apartments. Cohen believes it will change the character of the neighborhood.
Sharlen Markham, 566 6th Ave EN, said she has grandchildren and they are everywhere. Ms. Markham said when she moved in 21 years ago it was a residential area and she would like to keep it that way.

Richard Turbiak, 35 4th Street W., Kalispell, representing Citizens for a Better Flathead, requests the zone change be denied. Mr. Turbiak began reading a letter that he had given to the board at the beginning of the meeting.

Chairman Vukonich asked Mr. Turbiak if he intended to read the entire letter he submitted. Mr. Turbiak replied yes he was. Vukonich said he did not believe that was necessary since the Board had the letter.

Mayre Flowers, Lost Peak Road, Whitefish, said she understands when you cut short testimony the public does not have the opportunity to comment, and encourages the gentleman before her to complete his comments. Ms. Flowers also said she would like to see a more appropriate zoning put in with more conditions. Flowers asked if there was flexibility within the city regulations to waive the fees if the original request was withdrawn and the applicant submitted a new application for a PUD? City Manager Nicosia said she would have to look it up, noting that the City would have to resend letters and public notices.

Vukonich asked the Board if they would like Mr. Turbiak complete his letter. Shepard said the public in attendance did not have a copy of the letter and did not see a problem with him continuing. Mr. Turbiak finished reading the letter submitted to the board.

Sarah Lower, said with the new WFCU building going in on 9th Street, perhaps the old location would be an option for Swan Mtn. Outfitters office building.

Mr. Tabor just wanted to point out why they were requesting the zone change; they proposed this area as its applicability to the growth policy, area zoning and encouraging advice by the city as well as being affordable for us. They are a small family business and they are trying to do the best they can. Mr. Tabor said he is sensitive to the fact that a zone change is a zone change but the concept of withdrawing and resubmitting when they already have a substantial amount of money invested in this project is difficult for a small family business. They have been looking long and hard at Columbia Falls for a better part of 3 years. What they are planning to put there will be attractive which typically does not drop property values. They are open to ideas from neighbours and if trees were put up along the fence line, the neighbors would hardly know they were there.

Janet Helland, 555 6th Ave. EN, said she has lived there for 39 years and is now retired. Ms. Helland owns ½ acre and likes to look out the back yard. A couple of her concerns would be property taxes and parking. Ms. Helland said Railroad Street is already a very busy area in the summer.
Vukonich closed the Public Hearing at 8:35 p.m.

Vukonich asked Mulcahy when you refer to commercial use to the west who were you referring to? Mulcahy said the school, past Nucleus, the Food Bank and a new commercial building.

Shepard asked about the existing garage and housing snowmobiles, earlier they stated they were going to store 2 or 3 extras. Mr. Tabor said he would be storing clothing and gear and may have one or two machines as backups. Stene said on page 4 of 8 said there will be sound proofing in the building as to not disturb the residents. Mr. Tabor said what we are not going to do is take apart a snowmobile. The first phase in the spring would be to build an office building that looks like a house. Later, they would look at expanding the shop leaving room for parking. Stene asked how many parking spaces are needed. Mulcahy said when anybody submits an application they submit plans to us we then start talking about parking space which is based on building square footage. Vukonich said at Tiens Place his employees’ park in residential neighborhoods. What is the city ordinance on spillover? Nicosia said on Railroad Street there is parking; platted roadways are right of ways and are used for public parking. With the CB-2 zoning, there will be specified parking for the retail space. Vukonich said in Mr. Turbiak’s letter one of the paragraphs on page two specifically addresses analysis with negative impacts. Mulcahy said essentially right now the neighborhood is already or could be zoned for commercial use. Haverfield said the existing garage may not be in compliance with setbacks. Mulcahy said it would have to be moved with the conversion in order to be in compliance there is no grandfathering when you convert the use. Stene asked if the board can make a recommendation for a modified setback. Mulcahy replied no zoning is zoning.

Duffy motioned to adopt Staff Report CZC-17-02 as findings of fact, second by Hughes.

Shepard said he would make a motion to approve two amendments: no maintenance on site and specified hours of operation. Mulcahy said that we cannot condition a zone change. Shepard withdrew his request to amend.

Motion carried with voting as follows: AYES: Stene, Bonitz, Hughes, Shepard, Haverfield, Duffy and Vukonich. NOES: None. ABSENT: None.

Duffy motioned to deny the Zone Change for Swan Mountain Outfitters, second by Shepard.

Stene said she agrees with the conclusion in the Staff report. She is familiar with Swan Mountain Outfitters and when she thinks of businesses coming to Columbia Falls, this business is one of them. She supports businesses being located by GPI. She did have concerns with the 5 foot setback and said the neighbors have valid concerns about the parking and setbacks; which could have been addressed more in the staff report.
Duffy asked when the previous property owner built the garage? Shepard thought it was in the late 70's. Duffy asked the current property owner what his intent was when he purchased the property. Mr. Elletson said he purchased the property a year ago to use the current buildings to store things. He said he never intended to use the property for a residential use.

Duffy noted that there is extreme attendance in opposition and in his opinion, what's good for the many outweighs the good for one.

Haverfield asked if the Board recommends to deny is there still a hearing at Council? Mulcahy said yes.

Vukonich asked for clarification on the process. Mulcahy said if the Board denies this request, they need to go back amend the staff report findings of fact.

Vukonich requested a short recess at 9:15 p.m. Board returned to session at 9:21 p.m.

Bonitz motioned to Amend the Findings of Fact, second by Stene. As the Board could not articulate amendments at this time, Bonitz made motion to withdraw his motion to amend the Findings of Facts, second by Stene.

Hughes made motion to table further action on the requested zone change to the September 12th meeting, second by Shepard. Motion carried with all members voting in favor.

Stene excused herself from the meeting at 9:24 p.m.

E. OLD BUSINESS:
Potential Text Amendments-Mulcahy handed out the proposed text amendments for the SAG zones, proposing similar text to the County’s and the definition of a guest house is also proposed to be the same as the County text. Mulcahy also handed out an accessory dwelling unit text. Mulcahy advised the Board that the text amendments will be looked at in the future.

F. NEW BUSINESS: None

G. ADJOURNMENT:
Motion by Shepard second by Haverfield meeting adjourned at 9:39 p.m

Chairman

City Clerk
MINUTES
REGULAR MEETING
COLUMBIA FALLS CITY-COUNTY
PLANNING BOARD AND ZONING COMMISSION
Tuesday, September 12, 2017 - Beginning at 6:30 PM
CITY HALL
COUNCIL CHAMBERS

CALL TO ORDER AND ROLL CALL
Chairman Vukanich called the meeting to order at 6:30 p.m. PRESENT: Vukanich, Shepard, Haverfield, Hughes, Stene and Bonitz. ABSENT: Duffy.

Also present were City Planner Eric Mulcahy, City Manager Nicosia, City Clerk Staaland and City Attorney Breck.

Pledge of Allegiance

APPROVAL OF MINUTES: Haverfield made motion to approve the Minutes of the August 15, 2017 Planning Board Meeting as amended for corrected typos, second by Shepard and the motion carried.

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

OLD BUSINESS:
   a. Tabled from August 15 Meeting - Swan Mountain Request – After Chairman Vukanich’s explanation of process, Stene made motion to reconsider tabled request in light of amended staff report and conduct new hearing, motion seconded by Shepard. Motion carried with all members voting in favor.

PUBLIC HEARINGS:
Chairman Vukanich read the notice of hearing: The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, September 12th, 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 September 18th, 2017 starting at 7:00 p.m. in the same location.

Request for a Zone Change in the Columbia Falls Zoning Jurisdiction:
Swan Mountain Real Estate Holdings, LLC, applicant, and Lester Elletson, land owner, request to amend the zoning district map for property in the Columbia Falls Zoning Jurisdiction. The applicants have a contract to purchase 0.42 acres of land that is currently
zoned CRA-1 (Residential Apartment). The applicants propose to change the zoning to CB-2 (General Business) or CB-3 (Limited Business) which would allow them to operate their snowmobile guide and rental business and a full time reservation office. The property is located at the corner of Railroad Street and 6th Avenue East North and is described as Lots 1, 2, 3, & 4 of Lot 24 Van’s Acre Tracts in Section 9, T30N, R20W, P.M.M. in Columbia Falls. Persons may testify at the hearing or submit written comments prior to the meeting. Written comment may be sent to Columbia Falls City Hall, Attention: Susan Nicosia, City Manager, 130 6th Street West, Room A, Columbia Falls, MT 59912. For more information call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

Chairman Vukonich asked City Clerk Staaland for a report on written comments received. Staaland reported 9 letters were received since the August 15, meeting, including Board member Duffy, along with a petition with signatures. There were 8 letters in support, 1 opposed and the petition had 18 names in support of the zone change.

Chairman Vukonich asked for the staff report. Mulcahy said at the August 15, 2017 meeting we reviewed an application for the CB-2 zone change. At the conclusion of that meeting we tabled the request. Since the last meeting City Staff and City Attorney tried to address the process and procedures as well as taking into consideration public comments. Mulcahy said he has prepared a revised staff report and also worked with the applicant who allowed him to entertain the CB-3 zone. Essentially the CB-3 (Limited Business) zoning text was approved about 3 years ago for commercial zoning along Highway 2. Mulcahy said the findings of fact are relatively the same with additional fine tuning of what the applicant is proposing. The applicant proposes to use the site as a “Reservations Headquarters” and Booking facility for their outfitting guided service. This is basically where people come to complete paperwork and get gear for the trail. The properties east and west are zoned CB-2, to the north is LI-1and to the south is CB-3. Items 1-8 on the staff report are the same of last report on item 9 CB-2 is intended as a buffer. Mulcahy said CB-3 is limited to 3000 square feet for retail buildings and 4,000 for office buildings. Condition 10 CB-3 zoning would also act as a buffer between the intensive industrial uses and the single family uses to the south. The CB-3 setbacks are slightly more stringent than CB-2 with less room for buildings.

Vukonich asked Mulcahy if a motion must designate the CB-3 or CB-2. Mulcahy responded that is correct. Haverfield asked if the CB-3 has been used at other locations. Mulcahy said no, we did not apply it. Haverfield asked about the existing garage setback. Shepard said he went to the property and measured with his arms, it looks to be 5’ and not the reported 1’.

Chairman Vukonich asked the applicant if they wished to address the Board. Patrick Tabor, 26356 Soup Creek Road, Swan Lake, MT said in looking over the August 15, 2017 minutes the board did accept staff report findings recommending approval of CB-2. Vukonich said correct, the record does reflect that. City Attorney Breck said there is a motion to reconsider the tabled item in light of the new staff report with the Board approving that motion. Breck said consequently the Board is conducting a hearing this evening on the amended staff report. Mr. Tabor asked if the next step is to accept, approve or deny. Vukonich said we will vote to approve or deny the amended Staff Report.
Mr. Tabor said at the last meeting Stene asked if there was more meat to our presentation. Tabor said he has included additional information for the Board to consider this evening. There is an example of what the building may look like, the egress ingress of the driveway. CB-2 has the same setbacks as the current zoning where CB-3 has a 20 foot front and back setback. This will create limitations of our building footprint and will detract from the resale value of this property. Mr. Tabor said he has taken a lot of time reading the zoning codes and Growth Policy. There is a letter from General Manager of GPI that states that the Growth Policy indicates this area as business. Tabor said following the law is necessary.

Chairman Vukonich opened the Public Hearing at 6:57 p.m.

Aubrie Lorona, 355 Gladys Glen Road, Coram, MT, said she operates the family owned business which started in 2010. They won the permit from Forest Service for growth. They depend on the summer business and believe the winter outdoor activities will bring business to the Columbia Falls area. They currently operate out of Hungry Horse; we do tours in Canyon Creek, Desert Mtn. and Ferndale area. Ms. Lorona said she is an active member of the Columbia Falls Chamber of Commerce.

Heather Madderom, 374 6th Avenue EN, said she would like for Swan Mountain Outfitters to move into the said property which is in her neighborhood. She believes they will landscape and take care of the property. I would rather see them on the property than a large apartment building. They won’t be loud with snowmobiles running on the property. Ms. Madderom believes with their business it will up the value of the property. She does not see any reason they would be disturbing the neighbors.

Don Barnhart, 560 7th Avenue EN, said his testimony at the August 15th meeting was the CB-2 uses may go beyond what was proposed by this applicant. Once the zoning is changed, all permitted uses are available for a property owner. CB-3 is limited commercial. Mr. Barnhart said he is always in favor of new business coming to Columbia Falls, particularly as a small business owner himself. Barnhart appreciated the changes staff has made in the revised report with previous comments considered reflecting the neighbors’ concerns. Barnhart said he recognizes the challenges with the setbacks with the odd shape of the property. Barnhart said he is in favor of the zone change to CB-3 with reduced setbacks.

Carla Fisher, 303 3rd Avenue East, said she does not have concerns of changing the zone to CB-2. She has worked with Aubrey and Eric and they have strong support bringing this business into Columbia Falls. They are involved in the community and want to see positive things happen in Columbia Falls.

Connie Cohen, owner of 590 6th Avenue EN, asked if the Board was now considering changing the zone to CB-3. Vukonich said staff has amended the report to CB-2 or CB-3. Ms. Cohen said approving the zone change will change the character of the neighborhood.

Richard Turbiak, Citizens for a Better Flathead, 35 4th Street West, Kalispell, said we spoke at the last meeting about considering a CPUD for the property, however at this point we feel that
the compromise to the idea of CB-3 which will address the concerns the neighborhood had. We
would be in favor of the zone change.

Victoria Lee, 11570 Belton Point Road, West Glacier, said she wrote a letter to be included in
the packet. Ms. Lee is a volunteer with the Columbia Falls Chamber of Commerce and does all
of her everyday life in Columbia Falls. If the Board went to CB-3 and not the CB-2 it would not
be consistent with other properties. Ms. Lee is friends with the owners of Swan Mountain
Outfitter and feels they will operate their business during the day and go home, noting that a
quiet neighbor is a good neighbor.

Chairman Vukonich closed the Public Hearing at 7:12 p.m.

Mr. Tabor wanted to comment on the purposed future use of CB-2 and CB-3. Mr. Tabor said his
examination of the allowed uses in CB-2 and CRA-1 found a lot of similarity between the two,
while CB-3 is more restrictive and would limit retail display to one item. It is those kinds of
restrictions that create a choke hold on businesses. They are under a 10 year contract with GNP
and are not going anywhere. He stated that their business will be here a long time and he believes
CB-2 is the most appropriate zone for their proposed operation.

Hughes made motion to approve CZC-17-02, as revised September 1, 2017 as findings of facts,
second by Haverfield with the Board voting as follows. AYES: Shepard, Haverfield, Stene,
Bonitz, Hughes and Vukonich. NOES: None. ABSENT: Duffy.

Shepard made a motion to discuss of CB-2 and then withdrew his motion.

Shepard motioned to open discussion for CB-2 and CB-3, second by Haverfield.

Shepard asked how long that area has been CB-2. Mulcahy said it has been that way for some
time.

Vukonich asked if there was approval for a zone change as CB-3 what the process would be to
change to a CB-2. Mulcahy stated that a zone change application and process would be the same
as the current request.

Stene asked Mr. Barnhart if he had conversed with any of the concerned neighbors. Barnhart said
he has not had any conversations with his neighbors since the August 15th meeting.

Shepard said he has had two neighbors say as long as the Board/City eliminate what has been
going on there this summer with the perpetual garage sales, they would be happy with the zone
change decision.

Shepard asked City Attorney Breck for clarification of Spot Zoning. Breck read the definition of
Spot Zoning according to Supreme Court.
Vukonich said the CB-3 designation has made this zone change request more palatable in his opinion. Although not all of the neighbors are here tonight, staff has taken into consideration their testimony and amended the Staff Report.

Hughes asked if the Board can change the setbacks in the CB-3. Mulcahy said no, zoning approval cannot be conditioned or variance granted, the zoning regulations would stand as adopted. However, in reading the Ordinance there is a typo on the rear setback, it should be 20 feet.

Stene noted that most of the people that were here at the last meeting are not here this evening. The letters provided tonight are generally in favor. Stene noted that it is important the concerns of the neighbors living in the community are recognized. Stene said this is the type of business owner that will improve the area.

Stene made motion to approve the zone request to CB-2, in light of the CB-3 limitations, second by Shepard with the Board voting as follows. AYES: Haverfield, Stene, Bonitz, Hughes, Shepard and Vukonich. NOES: None. ABSENT: Duffy.

**NEW BUSINESS:** None

**ADJOURNMENT:**
Motion by Shepard second by Haverfield motion adjourned 7:37

Chairman

City Clerk
Columbia Falls City Hall,
Planning and Zoning Department,
Att: Susan Nicosia
130 6th Street,
Columbia Falls, MT 59912

Monday, September 11th 2017

Dear Planning and Zoning Commission, City Council and the City of Columbia Falls,

I am writing in support of the zone change to CB-2 General Business for the property that Swan Mountain Outfitters is attempting to purchase on Railroad Street, right across from the tracks and Industrial Park. It is my understanding that the Columbia Falls Growth Plan had already looked at this area to be available for expanding commerce since it is across from the industrial park. It would be a nice buffer between industry, loud trains and the neighborhood.

A check-in office and light snowmobile repairs are not going to impact the neighboring community at all. The snowmobiles aren't even turned on until they are at the trailhead, so all one will hear while inside the office is a phone ringing, people checking in and then heading off on their adventure. Their office will obviously be closed at night, a quiet neighbor when it matters the most. I must add that I have seen many Columbia Falls residents also use Swan Mountain for their own snowmobiling adventures. They have four-stroke, new, well maintained machines and safety is a top priority. I have taken several guided trips myself, so can attest to the high quality of service.

I am not a resident of Columbia Falls, my business isn’t located in Columbia Falls, but for the past 3 years I have been a volunteer Columbia Falls Area Chamber of Commerce Board Member because I want to be supportive, part of and nurture responsible growth in this wonderful community. Most jobs in this country are created by small business owners, who are more likely to keep their employees on for a longer period of time, get to know their families and in general, the employee becomes part of an extended family. Larger employers on the other hand, will just cut jobs when times are tough, small business owners, seem to just pay themselves less in order to keep their employees on until better times arrive. I believe that Columbia Falls needs to nurture small, year-round businesses in order to succeed.

The time for growth is now and I am so excited that more residents will be able to work in the community in which they live, instead of having to commute to Kalispell or Whitefish to find a decent job. This community is simply amazing and I believe that the future is bright.

Thank you for your time.
Sincerely,

Victoria Lee
Susan Nicosia

From: Marc Ducharme <MarcDucharme@xanterra.com>
Sent: Thursday, September 14, 2017 3:53 PM
To: nicosias@cityofcolumbiafalls.com
Subject: FW: In Favor of Swan Mountain

Importance: High

Dear City Council Members,

I wanted to take a moment and send a note asserting Xanterra’s support for Swan Mountain, and their recent re-zoning submittal for the property located at 6th ave and Railroad Street.

Swan Mountain and Xanterra have been business partners for years, and we look forward to having them as neighbors in our community.

We are strongly in favor of their submittal and look forward to continued growth of the business community. Swan Mountain brings the exact kind of business that we want to see in our community.

I will be out of town the rest of the week unfortunately so will not be able to attend the meeting however appreciate you taking our comments into consideration.

Many thanks,

Marc Ducharme
General Manager

Xanterra Parks & Resorts
PO Box 2990
1014 1st Avenue West
Columbia Falls, MT 59912
phone (406) 897-8393 / marcducharme@xanterra.com / glaciernationalparklodges.com

Legendsry Hospitality by Xanterra
Susan Nicosia  
Columbia Falls City Council  
130 6th St. W.  
Columbia Fall, MT 59912

September 14, 2017

Re: Swan Mountain Zoning Request / September 18, 2017 Council Meeting

Via E-Mail Only

Dear Ms. Nicosia and Columbia Falls City Council Members,

I am writing to voice my support of the zoning change requested by Swan Mountain Outfitters in Columbia Falls. I cannot attend in person, but as a private member of the Columbia Falls community and also of the greater Gateway to Glacier business community, I feel that not approving Swan Mountain’s request is detrimental to both communities, as they depend on each other, and as we all depend on the Planning Board to make decisions within the letter of the zoning law, and not based on emotion.

Denial of this request tells other small businesses, and local residents wanting to start small businesses, that Columbia Falls is not friendly to small business startup and growth – which we certainly need more of. Swan Mountain is an active member of our community and is investing in our area, providing jobs all year long. Part of Swan Mountain’s request is to make life easier on their local employees in the winter. Part of their request is to make it easier on guests in the winter, and those guests affect us all. Part of their request is to continue their expansion in the Columbia Falls economy.

Swan Mountain’s proposed project would be an improvement to our area, creating a buffer as is desired by the growth plan, and bring jobs resident to Columbia Falls. Please consider my letter my statement in support at Monday’s meeting.

Very truly yours,

Courtney Stone  
225 Rogers Rd.  
Columbia Falls, MT 59912  
406-885-6432  
courneystone406@gmail.com
Dear City Council Members,

Glacier Park, Inc. operates its central reservation office on Railroad St., in Columbia Falls and we support Swan Mountain Outfitter’s request for zoning change. We fully understand the pressures of public opinion on the City Council having gone through similar processes for our business. Most recently we received approval from the Flathead County Planning Board and County Commission for a project in West Glacier. We prevailed because our excellent team of experts were successful in showing the board/commission that despite objections by a vocal minority, our property rights and the law were clear that the project was legal.

As I understand it, as it relates to Swan Mountain Outfitter’s request, the law is clear, the proposed project would in fact be an improvement to the area, create a buffer as is desired by the growth plan, and bring jobs to Columbia Falls. Their project is just the kind of “Green” business Columbia Falls should want to attract, especially with the Mill closure.

I do not envy the job the City Council is charged with at times but encourage you to approve the Swan Mountain Outfitters request.

Thank you

RON CADRETTE
Vice President and General Manager / GLACIER PARK, INC
rcadrette@pursuitcollection.com
T 406.226-5690
M 406.497.0626

PURSUIT

PURSUITCOLLECTION.COM

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Dear Susan,

In support of my motion to deny this application for zone change I offer the following responses to the staff opinion of statutory criteria.

#2 The answer is no.
   This location anticipates large volumes of traffic.

#3 The answer is no.
   The proposed use will not help buffer the residential uses from railroad noise as suggested in criteria No. 3.

#4 The answer is no.
   The concerns of children trespassing on the RR tracks are unfounded. The railroad could care less about acquiring a new neighbor, and the early morning check in turmoil i.e. car doors closing, people talking and the general noise of coming and going will be significant.

#9 The answer is no.
   Multi-family to the east, single family to the west and single family to the south. The commercial use of one half acre will not create a buffer by any stretch of the imagination.

#10 The answer is no.
   This property is obviously a residential area.

#12 The answer is no.
The zoning to the east and west may be designated as CB-2. It appears that this is not appropriate location for the requested use.

There are still too many unanswered questions i.e. Will this structure be stick built or some sort of mobile unit, where are the current headquarters and booking facility and why the need to change?

To change the current zoning to CB-2 with the growth policy as a justification is at best a shoe horn fit.

I am obviously opposed to this request for change.

Steve Duffy
Zone Change Request Testimony
for the
Columbia Falls City-County Planning Board and Zoning Commission

Aubrie M. Loroña
Vice President - Swan Mountain Group of Companies

Specific Request
I ask the Commission recommend a zone change of the target property at 6th Avenue and Railroad Street from CR-1 to CB-2.

Justification

1. We launched our snowmobile business in 2010 and have seen significant growth in the winter season since then. During the busiest days, we check in up to 60 guests at various times throughout the day for snowmobile tours out of the Canyon Creek trailhead. Currently, these guests are having to complete paperwork, change their clothes and complete their check in process from the sides of vehicles in often unfavorable weather conditions. We need a professional location to conduct our check in process and the property at 6th Avenue and Railroad Street is ideally situated for this purpose. Guests would pull into the property during normal operating hours, complete their check in (roughly 30-45 minutes) and then head on to the trailhead for their tour. Ensuring a positive visitor experience for our guests goes hand in hand with their perception of Columbia Falls as a whole and the likelihood that they will want to return and continue to spend money here.

2. As owners who take great pride in what we do, our consistent presence on the property will enable us to ensure it is neatly landscaped and well maintained. This will serve to improve the overall look and feel of that area.

3. By providing our guests with a check in a location on the north end of town, it will require them to drive up Nucleus and create opportunities for neighboring businesses to see more traffic at their locations. This is especially beneficial in the winter season when many local businesses struggle to make ends meet until the next busy summer season.

4. As evidenced by the letters of support sent in from many members of the business community in addition to the attached petition from members of the Columbia Falls Chamber of Commerce, the vast majority of the community supports the growth of small business in Columbia Falls.

5. This zone change request is completely in line with the City’s documented intent for growth and is exactly the type of expansion envisioned when the growth policy was developed.

Please support Zone Change to CB-2
Columbia Falls City Council  
130 6th St. W. 
Columbia Fall, MT 59912 

September 12, 2017 

Re: Swan Mountain Zoning Request / Planning Board Meeting 

Dear Columbia Falls City Council Members, 

I am writing to voice my support of the zoning change requested by Swan Mountain Outfitters, the subject of Tuesday's planning board meeting. I cannot attend in person, but as a private member of the Columbia Falls community and also of the greater Gateway to Glacier business community, I feel that not approving Swan Mountain's request is detrimental to both communities, as they depend on each other, and as we all depend on the Planning Board to make decisions within the letter of the zoning law, and not based on emotion. 

Denial of this request tells other small businesses, and local residents wanting to start small businesses, that Columbia Falls is not friendly to small business startup and growth -- which we certainly need more of. Swan Mountain is an active member of our community and is investing in our area, providing jobs all year long. Part of Swan Mountain's request is to make life easier on their local employees in the winter. Part of their request is to make it easier on guests in the winter, and those guests affect us all. Part of their request is to continue their expansion in the Columbia Falls economy. 

Swan Mountain's proposed project would be an improvement to our area, creating a buffer as is desired by the growth plan, and bring jobs resident to Columbia Falls. Please consider my letter my statement in support at tomorrow's hearing. 

Very truly yours, 

Courtney Stone  
225 Rogers Rd. 
Columbia Falls, MT 59912  
406-885-6432
Good morning,

Glacier Park, Inc. operates its central reservation office on Railroad St., in Columbia Falls and we support Swan Mountains request for zoning change. We fully understand the pressures of public opinion on the Zoning Board having gone through similar processes for our business. Most recently we received approval from the Flathead County Planning Board and County Commission for a project in West Glacier. We prevailed because our excellent team of experts were successful in showing the board/commission that despite objections by a vocal minority, our property rights and the law were clear that the project was legal.

As I understand it, as it relates to Swan Mountain request, the law is clear, the proposed project would in fact be an improvement to the area, create a buffer as is desired by the growth plan, and bring jobs resident to Columbia Fall. Their project is just the kind of "Green" business Columbia Falls should want to attract, especially with the Mill closure.

I do not envy the job the Zoning Board is charged with at times but encourage you to approve the Swan Mountain request.
Thank you

RON CADRETTE
Vice President and General Manager / GLACIER PARK, INC
rcadrette@pursuitcollection.com
T 406.226-5690
M 406.407.0626

Pursuit
PursuitCollection.com

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Susan Nicosia

From: Don Bennett <dbennett@freedombankmt.com>
Sent: Tuesday, September 12, 2017 8:59 AM
To: nicosias@cityofcolumbiafalls.com
Subject: Swan Mountain Outfitters

Susan, I am in Washington DC so I am not able to participate in the zoning change issues that Swan Mountain Outfitters is requesting. I have had the opportunity to work with Pat Tabor and Aubrie. They are doing many positive things in our community and they are very respectful of others. The new office they are proposing will be an excellent addition to Columbia Falls. It will not have any negative impacts on the neighborhood and they will bring people through Columbia Falls that will likely support other businesses, as well. I think this is an excellent opportunity for healthy growth in Columbia Falls.
I am hopeful that you will support them.
Thanks for all that you do,

Don Bennett
Freedom Bank - President
P.O. Box 2076
Columbia Falls, MT 59912
Direct Line (406) 892-6622
Mobile (406) 270-1143
Fax Line (406) 892-6620
dbennett@freedombankmt.com

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Hello Susan and Eric,

I hope you are both well and enjoying this respite from the smoke.

I wanted to take a moment and send you both a note asserting Xanterra’s support for Swan Mountain, and their recent re-zoning submittal for the property located at 6th ave and Railroad Street.

Swan Mountain and Xanterra have been business partners for years, and we look forward to having them as neighbors in our community.

We are strongly in favor of their submittal and look forward to continued growth of the business community. Swan Mountain brings the exact kind of business that we want to see in our community.

I will be out of town the rest of the week unfortunately so will not be able to attend the meeting however appreciate you taking our comments into consideration and sharing with the board.

Many thanks,

Marc Ducharme
General Manager

Xanterra Parks & Resorts
PO Box 2990
1014 1st Avenue West
Columbia Falls, MT 59912
phone (406) 897-8393 / marcducharme@xanterra.com / glaciernationalparklodges.com

Legendary Hospitality by Xanterra
Attn:
Mr. Mulcahy & Mrs. Nicosia,

My name is O'Brien Byrd, business owner in the town of Columbia Falls for 13 years, and life long resident of this wonderful community. I'm writing to you and the City Council of Columbia Falls, in support of the rezoning of the piece of property on 6th Ave & Railroad St to a CB2 or CB3 identification.

The past 40 years of my life as a community member in our town has given me a front row seat to an epic roller coaster of transitions. The chapters this town has covered in my 13 years as a business owner, has allowed me to observe the economic starvation, commercial investment trepidation, and now a life raft of a rejuvenation in not only a stimulus in business; but in community spirit. This chapter is due to the fact that like minded businesses, investors, and community members have joined forces to work together to help create a welcoming climate for NEW business to come to town.

Here we sit with an opportunity to welcome in a wonderful, community minded, business in Swan Mountain Outfitters. As a member of this community, I’m please we have evolved and developed our Growth Policy. As the city grows, it will become necessary that we will need to rezone. I know that it is on the table to rezone the property in question to a CB2 or CB3. I hope we can rezone this plot to commercial business in general. Lets not handcuff this business that merely wants to join our rejuvenation of our town. Lets welcome them and help set them up for success. What they will bring to our community in terms of business will only help our other business succeed.

Together we can achieve more.

Sincerely,

O'Brien Byrd
Owner: O'Brien's Liquor & Wine
Owner: JIM Fitness
Victoria Lee  
PO BOX 593  
West Glacier, MT 59936

Columbia Falls City Hall,  
Planning and Zoning Department,  
Att: Susan Nicosia  
130 6th Street,  
Columbia Falls, MT 59912  
Monday, September 11th 2017

Dear Planning and Zoning Commission, City Council and the City of Columbia Falls,

I am writing in support of the zone change to CB-2 General Business for the property that Swan Mountain Outfitters is attempting to purchase on Railroad Street, right across from the Industrial Park. It is my understanding that the Columbia Falls Growth Plan had already looked at this area to be available for expanding commerce since it is across from heavy industry already.

A check-in office and light snowmobile repairs are not going to impact the neighboring community at all. The snowmobiles aren’t even turned on until they are at the trailhead, so all one will hear while inside the office is a phone ringing, people checking in and then heading off on their adventure. Their office will obviously be closed at night, a quiet neighbor when it matters the most. I must add that I have seen many Columbia Falls residents also use Swan Mountain for their own snowmobiling adventures. They have four-stroke, new, well maintained machines and safety is a top priority. I have taken several guided trips myself, so can attest to the high quality of service.

I am not a resident of Columbia Falls, my business isn’t located in Columbia Falls, but for the past 3 years I have been a volunteer Columbia Falls Area Chamber of Commerce Board Member because I want to be supportive, part of and nurture responsible growth in this wonderful community. Most jobs in this country are created by small business owners, who are more likely to keep their employees on for a longer period of time, get to know their families and in general, the employee becomes part of an extended family. Larger employers on the other hand, will just cut jobs when times are tough, small business owners, seem to just pay themselves less in order to keep their employees on until better times arrive. I believe that Columbia Falls needs to nurture small, year-round businesses in order to succeed.

The time for growth is now and I am so excited that more residents will be able to work in the community in which they live, instead of having to commute to Kalispell or Whitefish to find a decent job. This community is simply amazing and I believe that the future is bright.

Thank you for your time.  
Sincerely,  
Victoria Lee
Zone Change Request Testimony
For the
Columbia Falls City-County Planning Board and Zoning Commission

Patrick M. Tabor
Owner – Swan Mountain Real Estate Holdings, LLC
Owner - Swan Mountain Group of Companies

Specific Request
I ask the Commission recommend a zone change of the target property at 6th Avenue and Railroad Street from CRA-1 to CB-2.

Salient Facts

1. Intended use is for a professional building that will host phone reservations, retail and reception of guests for check-in for snowmobile tours in the winter. No tours will be conducted from the property, and the business will operate during normal operating hours typical of office settings and retail shops. NO AFTER HOURS NOISE!

2. Per attached example buildings, intended building will enhance area and increase value to surrounding residents, not detract.

3. Per attached diagram attached ingress/egress and all activity will emanate from Railroad Street assuaging concerns about pressure on neighbors on 6th Avenue. Additionally, per attached diagram, the proposed position of the new building will not obstruct any other property any more so then a multi-story CRA-1 building, as the offsets and height restrictions are the same under zoning code.

4. Concerns expressed about potential CB-2 uses are naturally abated by the small size of the lot and unusual triangular shape of lot. The space simply doesn’t lend itself to some of the perceived more offensive commercial uses. Many of permitted and conditional uses are in fact similar under CRA-1, CB-2 and CB-3. Those types of uses considered offensive all require conditional use permits, so if property sells in future, Council still has control of outcome.

5. The suggestion of going to CB-3 zone change instead of CB-2 has arisen as a better solution. However this has two negative impacts on Swan Mountain: 1) offsets are increased for front and back from 15 feet under either CRA-1 or CB-2 to 20 feet, thereby making an already hard to build lot due to unusual dimensions harder to fit a building on, and; 2) Unnecessarily restricts land for any other commercial uses allowed under CRA-1 or CB-2 enjoyed by the surrounding properties east and west thereby impacting its resale value.

6. The Growth Policy and Zoning Code is in fact not antiquated, since its major overhaul in 2005 it has been updated and revised in 2010 and 2013. This is the City’s documented intent for expansion, and serves as the legal guideline for zoning decisions. This zone request and proposed project is precisely the type of expansion the City envisioned in developing the Policy!

Please support Zone Change to CB-2
Example Concepts for New Building

Proposed Entrance/Exit from Railroad

Proposed Entrance & Exit Driveways

New Building Location

Existing Garage
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Petition to Support Approval of Rezoning at Planning Board Hearing 9/12/17

The rezoning of the Property located at 9th Avenue and Railroad Street to Commercial Business use is needed. The rezoning would allow for the building of a mixed-use commercial and residential development, which is proposed to provide a needed mix of housing and office space to the community. The proposed rezoning would also create a buffer zone between the commercial and residential uses, providing additional privacy and security for residents of the adjacent neighborhood. The rezoning would be consistent with the overall development plan for the area, which includes the preservation of existing historic buildings and the enhancement of the public realm. The petitioners urge the Planning Board to approve the rezoning as requested, in order to facilitate the development of a more vibrant and livable community. Signature: [Signatures]

Petition summary and action background:

Swan Mountain Real Estate Holdings, LLC is proposing to rezone the property located at 9th Avenue and Railroad Street to Commercial Business use. The rezoning would allow for the building of a mixed-use commercial and residential development, which is proposed to provide a needed mix of housing and office space to the community. The proposed rezoning would also create a buffer zone between the commercial and residential uses, providing additional privacy and security for residents of the adjacent neighborhood. The rezoning would be consistent with the overall development plan for the area, which includes the preservation of existing historic buildings and the enhancement of the public realm. The petitioners urge the Planning Board to approve the rezoning as requested, in order to facilitate the development of a more vibrant and livable community. Signature: [Signatures]
August 14, 2017

To Whom It May Concern:

I have resided at 565 6th Avenue Columbia Falls, MT 59912 for the last 24 years. This neighborhood is well established with families that have lived there for decades. Many people along the street work evening or swing shift (Home Depot), early morning shifts, and some are retired. If a commercial zoning was allowed this would cause heavy noise pollution for the residents causing frustration. This is not a good way to maintain or enhance the quality of our community. One of our weaknesses stated in the Columbia Falls vision statement is that there is a lack of developable residential land within the city. This is an option for the City of Columbia Falls to keep a piece of property zoned for residential purposes, rather than commercial.

Thank You,

Larry Satter
(406)892-3134
City of Columbia Falls  
130 6th Street West  
Columbia Falls, MT 59912

City Council Members:

This correspondence is in regard to the rezoning of property on the corner of Railroad Street and Sixth Avenue East North. Lots 1234 of Lot 24 Vans Acre Tract Section 9, T30N, R20W, PMM in Columbia Falls.

My concerns are as listed:
1. Noise Level
2. Adequate Parking
3. Adequate Fencing
4. Hours of Business

1a. Our area is already plagued with noise from trains. Why add to that???
2a. Parking has been a problem with the garage sales owner-
has had in past. I do not want my property to be considered the parking for proposed business.

3a. Fencing would need to be adequate. My yard has a clear view of said property. I have no desire to see snowmobiles galore.

4a. Business hours should be restricted to 9 a.m. - 5 p.m. Not seven days a week.

I have lived in Montana all my life. I enjoy sitting in my backyard listening to the birds and looking at the beautiful wonders that were created for our pleasure. Please listen to your citizens and tax payers!

Thank you

JANET HELLAND
555-6th Ave. N.
Columbia Falls, MT
August 14, 2017

Susan Nicosia, City Manager
Columbia Falls, Montana

Dear Ms. Nicosia,

I have become aware of an application to change the zoning of 0.42 acres of land which is located at the corner of Railroad Street and 6th Avenue East North in Columbia Falls. This land is currently zoned CRA-1 (Residential Apartment) and that is perfect.

I live in Apt. # 3 in the Building at 590 7th Avenue East North next door to the parcel of land in question. One of the benefits of living in this building is the fact that we residents are part of a REAL neighborhood.

I am extremely opposed to this re-zoning idea. Having a snowmobile guide and rental business with a full-time reservation office only a few yards away would completely change the character of our neighborhood and we would have to contend with extra, unwanted noise at all times of the day. There would also be much more traffic in our area.

This piece of land is nestled in a large group of homes, not businesses. Please don’t approve this change in zoning.

Sincerely,

Enid McFarland

Enid McFarland, Apt. # 3

590 7th Ave. EN, Columbia Falls
August 13, 2017

City of Columbia Falls
Columbia Falls City Hall
Attention: Susan Nicosia, City Manager
130 6th Street West, Room A
Columbia Falls, MT 59912

Re: Request for a Zone Change in the Columbia Falls Zoning Jurisdiction

Dear Columbia Falls City-County Planning Board,

We are against the proposed zoning change that lies within 150 feet of our property. We do not want our residential cul-de-sac neighborhood turned into a business neighborhood. It would change the current culture and atmosphere that we currently live in. We choose to live in a quiet neighborhood.

We feel there is not sufficient safe parking for any type of business located at the proposed property. The idea of snowmobiles and their noise all hours of the night and day is unacceptable so close to my home.

It would also plummet our property value.

Count us as opposed, very much opposed, to this zoning change; from a family neighborhood, to a business neighborhood.

This is to be submitted for comments at the August 15th, 2017 public hearing. Please keep me informed. Thank you.

Sincerely,

Roger "Rip" and Leanna Grubaugh
558 7th Ave East N, Columbia Falls, MT 59912

PO Box 1183
Condon, MT 59826-1183
406-754-3196 cell 406-214-2719
Rpleanna@blackfoot.net
August 15, 2017

Susan Nicosia
City Manager
Columbia Falls City Hall
130 6th Street West, Room A
Columbia Falls, MT 59912

RE: Request for a Zone Change in the Columbia Falls Zoning Jurisdiction
Staff Report CZC-17-02

Dear City Manager Nicosia and Members of the Columbia Falls Planning Board,

Citizens for a Better Flathead appreciates this opportunity to comment on the zone change before you tonight. Our organization was founded in 1992 and we represent some 1500 supporters throughout the county. Our mission is to foster citizen participation and champion sustainable solutions needed to keep the Flathead ecologically and economically healthy. We believe that thoughtfully planned growth can and should occur without diminishing the very special characteristics of the Flathead Valley, and in this case specifically Columbia Falls, that play such an important role in attracting and retaining investments that grow the Flathead’s economy.

Citizens for a Better Flathead requests that this zoning change be denied as proposed and encourage the city to work with the applicant for further review of this application under a more appropriate zone which could include a CPUD. Or, if as a conditional use, in a more appropriate zone to provide for more limited future uses and essential setbacks and buffers from uses that may be allowed under the requested CB-2 zoning when adjoining residential districts and uses.

The applicant has requested to be zoned CB-2 (General Business). The CB-2 zone is described by the applicant as a buffer between the intensive industrial usage to the north and the sensitive residential use to the south. The applicant also states that the properties to the east and west of the proposed rezoning are zoned CB-2, and states that the zoning change will have no impact on those properties. However, those properties are not “void in character and use” as stated in the application but residential. To the east is a single-family unit. To the south multi-family and single-family units. To the west a multi-family unit. The zoning change and use requested will have an impact to these residential properties.
It's been pointed out that the applicant states that the property will primarily be of office use, where the business books trips for all manner of year-round recreation - snowmobiling, fishing, rafting trips, etc. During its snowmobiling season the site will also serve as an initial meeting place for paperwork and outfitting clients before being driven by guides up to the trailheads where they meet the snowmobile trailers and embark on the trip.

The duty of this board, however, is not to review this application for this described snowmobiling and year-round recreational facility use, but for all potential uses allowed in this desired CB-2 zone which range from taverns, to shopping malls, to supermarkets, to single-family residences. If the applicant desires for a more limited review of this application, the appropriate thing for them to do would be to withdraw this application and to submit a PUD that would allow a narrower consideration of future uses, and to also propose specifically how the use proposed will be adapted to this site to mitigate potential impacts to adjoining residential uses.

We are also concerned with the property's secondary use as a snowmobile shop and storage facility and its potential intrusiveness and noise on the residential neighborhood. Any plans to mitigate these impacts in this residential neighborhood should be clearly stated and addressed - and not left to would've, could've, should've compliance.

Additionally, we don't believe that the zoning applied for provides the needed property development standards to ensure that proposed commercial uses do not negatively impact the residential uses to the south, east, and west. Our added concern rests not only on the current proposed use of the property but on what future uses could be permitted by right and their impacts on this residential neighborhood.

Further, there is no evidence or analysis provided that would show that the new zoning and property use would not negatively impact the value and investment of the residences to the east, south, and west of the proposed rezoning.

We also request that the zoning history of the area be reviewed. For example, we know that the property to the west was built in 1978 and zoned B-2 as permitted multi-family housing, which is now a non-conforming use under the current CB-2 zoning code. As a non-conforming use this property to the west should be viewed for its use as a residential multi-family apartment building and not as consistent with the current CB-2 zoning when considering the appropriateness of the proposed new zoning. While the B-2 designation was carried over when the new zoning codes were introduced in the early 1990s, it is not clear what attention was given to the fact that applying this zoning would create a non-conforming use. As a non-conforming use, any future zone change on this property would have to undergo a thorough zone change review, but for now this property should be recognized for its legally-limited residential use.
Setbacks and buffering from residential uses in this specific application appear to be most appropriately addressed through a PUD process. Although the setbacks are the same for CB-2 and CRA-1, a commercial property adjoining another commercial property with a five-foot setback may not be an issue. A residential apartment property adjoining another residential apartment property with a five-foot setback may also not be an issue. But we feel that a commercial property adjoining a residential apartment property with a five-foot setback is an issue. While we might suggest that a buffered setback of at least 20 feet adjoining the west residential apartment property, and similar 20-foot setbacks along the east and south boundaries of the property might be more appropriate, only the PUD zoning process or a conditional use process allows you under the Columbia Falls zoning regulations to set such conditions. Thus, we would conclude that this application as proposed should be denied.

It should also be noted that there are zoning differences between CB-2 and CRA-1 that may have an impact on this residential neighborhood – maximum height requirements and permitted lot coverage. Zone CB-2 allows for a maximum height of up to 45 feet with non-applicable or rather no limit on the permitted lot coverage. CRA-1 allows for a maximum height of 35 feet with a limit of no more than a 45 percent permitted lot coverage. These are big differences that cannot be reasonably reconciled with the adjoining residential property.

We agree that there is an opportunity for a win-win for the adjoining residential property owners and the applicant, we do not find that the proposed zone allows for this solution. Thus we ask that this zoning change request be denied but reconsidered under a more appropriate zoning category to ease this sensitive residential area’s transition between a general business area as the Columbia Falls’ Revised Growth Policy is implemented.

Thank you...

Richard

A. Richard Turbiak
Executive Director
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We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the change of zoning.

We're the undersigned, are concerned citizens who urge our leaders to act now to oppose the change of zoning.

Petition to oppose change of zoning on 6th Avenue East North
August 23, 2017

Re: Public hearing notice for an Amendment to the Columbia Falls Zoning Map for a portion of property located at the corner of Railroad Street and 6th Avenue East North and is described as Lots 1, 2, 3, & 4 of Lot 24 Van’s Acre Tracts in Section 9, T30N, R20W, P.M.M. in Columbia Falls.

Dear Adjacent Property Owner:

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

As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with a notice of a public hearing that involves a request by Swan Mountain Real Estate Holdings, LLC, applicant, and Lester B. Elletson, land owner, to amend the zoning district map on property located at the corner of Railroad Street and 6th Avenue East North in Columbia Falls. The property is currently zoned CRA-1 (Residential Apartment) and the requested change is to CB-2 (General Business) or CB-3 (Limited Business). The project is described in more detail in the attached Legal Notice.

If you have questions or comments concerning this matter, please call, visit or write me at City Hall.

Sincerely,

Eric H. Mulcahy, City Planner
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. 24800

LEGAL ADVERTISMENT 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, 2017

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, 2017

Dorothy I. Glencross
Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/11/2017
September 15, 2017

To: Mayor & Council

From: City Manager Nicosia

RE: New Business – Formally naming “Red Bridge Park”

At the last Council meeting, September 5, 2018, Mayor Barnhart recommended formally naming the park currently referred as “Red Bridge Park” as “Kreck Riverside Park.” The park has not been formally named by the City Council. The “Red Bridge Park” reference was used by City staff as the adjacent roadway is “Red Bridge Road.” The City has yet to install a formal park sign so the timing is perfect to formally name the park. Mayor Barnhart wished to acknowledge Dr. Kreck’s intent to provide access to the river for the community with the Kreck trail easement formerly located on Lot 18, Lenoville subdivision.

Council Action requested: Formally name park as “Kreck Riverside Park.”
September 18, 2017

Manager's Report:

1. Riverwood subdivision work was approximately 68% complete as of September 9th. The project is expected to be completed by Thursday, September 28th. All homes are on city water and sewer installs are moving along. We are still working on closing the financing with Glacier Bank.

2. Due to air conditions, the Glacier Glow was moved to Saturday, October 14th. The event will be identical to the original plan just the date has changed.

3. The County sent out a press release with these public comment dates:

News Release:

The Flathead County Commissioners are proceeding with due diligence efforts regarding potential purchase of approximately 24 acres of Weyerhaeuser property located in Columbia Falls that includes the “Cedar Palace” and a data center building for $2.6 million. The Commissioners have scheduled two public meetings to provide public comment opportunities to the citizens of Flathead County. The two meetings are scheduled as follows:

6:00 PM on Monday, September 25, 2017, at the Columbia Falls Junior High School located at 1805 Talbot Road in Columbia Falls.

6:00 PM on Tuesday, September 26, 2017, at the Flathead County Courthouse located at 800 South Main Street in Kalispell.

All are invited to attend to provide comment.
CITY OF COLUMBIA FALLS
CORRESPONDENCE LIST
COUNCIL MEETING
September 18th, 2017

Regular Correspondence:

09-02-17 Chamber of Commerce: Newsletter.

09-05-17 National Association of Railroad Passengers: Request for the City to contact Congress on passing funding for Amtrak and transit for Fiscal Year 2018.

09-08-17 Montana Tavern Times: Newsletter.

09-08-17 Public comment from Michael Burr Re: Proposed purchase by Flathead County from Weyerhaeuser property.

09-13-17 Judge Gordon on established new Court hours. Monday is the change of closing their doors 12 noon to 1:00 pm for lunch.

09-14-17 Mike Pence Re: Proceeding to potential purchase of 24 acres of Weyerhaeuser property. Commissioners have scheduled two public meetings to provide public comment. Monday 6pm Sept. 25th CF’s Jr High and Tuesday 6pm Sept. 26th Flathead County Courthouse.
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August 2017
Monthly Activity Report
Columbia Falls Police Department