



CALL TO ORDER & ATTENDANCE: Chair Pete Woll, called the May 3, 2023, Special meeting to order at 2:00 P.M. in the conference room.

Board members present: Pete Woll, Chair; John Ellis, Vice-Chair; Donna Pridmore, Secretary-Treasurer; Roger Marsonette, Supervisor; Scott Rumsey, Supervisor; Gordon Ash, Supervisor; being a quorum of the Board.

Board members absent: None.

Also, in attendance were Samantha Tappenbeck and Ginger Kauffman, FCD Staff; Leo Rosenthal, FWP; Hailey Graf, DNRC Stream Permitting Coordinator; Camisha Sawtelle, DNRC legal counsel; Mary T. McClelland; Connor Loughran; Tristan Scott, Flathead Beacon; Richard & Carole Murphy; Chris Peterson, Hungry Horse News; Cliff Brielsen; Trent Baker, legal counsel for Ambler's; Mark K. Sinclair; Mike Kopitzke; Beth Blacker; Monica Jungsten; Becky Williams. One other person with the first name of Sharon signed in, however the last name was unreadable and the individual was unresponsive.

PUBLIC COMMENT:

No one was present to comment on items not listed on the agenda.

Hearing Officer Appointment for Declaratory Ruling, McDonald Creek Violation:

Samantha Tappenbeck explained that the district received a petition for declaratory ruling from John and Stacy Ambler on 4/3/2023. From the time the district received the petition, the district has 30 days to appoint a hearing officer for the declaratory proceedings, which is today. Several candidates were contacted, and Laurie Zeller has agreed to serve. Samantha provided background information on Laurie, noting that she is the retired Bureau Chief for the DNRC Conservation Districts Bureau, has over 40 years of experience dealing with conservation districts and 310-law related matters, and is well qualified to take on the role of Hearing Officer.

Donna Pridmore motioned "to appoint Laurie Zeller as the Hearing Officer for the Declaratory Ruling of the McDonald creek violation." John Ellis seconded. Motion carried unanimously.

Samantha Tappenbeck explained that at a previous meeting the Board motioned that this matter is of significant public interest. The **Order Appointing Hearing Officer and Determinations as to Whether the Matter is of Significant Public Interest**, and the **Order Accepting Jurisdiction over Petition for Declaratory Ruling** were signed by Chair, Pete Woll.

Contractor Selection for Technical Review, Meadow Creek & Patterson Creek 310s:

Samantha Tappenbeck explained that the Board had ordered a technical review of the violations on Meadow Creek and Patterson Creek and 310-applications that were submitted by Chuck Sneed. A call for estimates for the technical review was sent out. Responses were received from River Design Group (RDG) and Water and Environmental Technologies (WET). Both submitted comparable cost estimates, work proposed, and timeline proposed, however, the RDG cost estimate was lower. Samantha noted that in 2020 RDG was contracted to do a technical review for Lake County Conservation District on the same creek system within the Lake County boundary, so they are familiar with the area. The cost for the technical review will come from 310 Administrative grant funds.

Donna Pridmore motioned “to select RDG for the technical review of Meadow and Patterson Creeks.” Scott Rumsey seconded. Motion carried unanimously.

Samantha asked if the Board wanted to set a deadline for completion of the technical review.

John Ellis motioned “to set May 31, 2023, as the date for RDG to present findings to the Board of Supervisors.” Roger Marsonette seconded. Motion carried unanimously.

The next 310-meeting is scheduled for May 8, 2023, 7:00 P.M. in person in the conference room of the USDA building at 133 Interstate Lane, Kalispell, MT.

Adjournment: Donna Pridmore motioned “to adjourn.” John Ellis seconded. Motion carried unanimously. As there was no further business, the meeting was adjourned at 2:20 P.M.

Submitted By:
Ginger Kauffman
Administrator

Reviewed By:
Samantha Tappenbeck
Resource Conservationist

Minutes approved by FCD Board motion made on:

<u>6/12/2023</u>	<u>John Ellis</u>	<u>Vice-Chair</u>
(Date)	(Signature)	(Title - Chair etc.)